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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 25, 2011.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1893. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

SEE NO CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it has been my privilege to work on issues of reduction of greenhouse gases for over 25 years. I was Portland's commissioner of public works when we became the first American city with a comprehensive approach to deal with greenhouse gases. For 4 years I was pleased to serve on Speaker PELOSI's Select Committee on Global Warming and Energy Independence, where we had an opportunity to work with people around the world looking at climate impacts, dealing with dozens of hearings, hundreds of experts concerned with the challenge, the even greater problems that we are facing in the future.

Yet, I would say that in the years that I have been working on this issue, I have never seen a better, more effective statement than what appeared in yesterday's Washington Post, an essay by Bill McKibben entitled ''See no climate change.'' He said, you should not wonder, is this somehow related to the tornado outbreak 3 weeks ago in Tuscaloosa, or the enormous outbreak a couple weeks before with the most active tornado season in America's history. You should not connect in your mind the fires burning across Texas, fires that have burned more of America at this point this year than any wildfires in previous years. Or that the adjoining parts of Oklahoma and New Mexico are drier now than they have ever been, much worse than during the Dust Bowl. You should not wonder whether this year's record snowfalls and rainfalls across the Midwest, resulting in record flooding along the Mississippi, could somehow be related.

There have been tornadoes before. There will be tornadoes again. That's the important thing. Be careful to make sure you don't let yourself wonder while all these record-breaking events are happening in such proximity. Wondering why there have been unprecedented megafloods in Australia, New Zealand, and Pakistan in the last year. Why it's just now that the Arctic has melted for the first time in thousands of years.

He goes on, because if you ask yourself what it meant that the Amazon has just gone through its second hundred-year flood in 5 years, or that the pine forests across the West of this continent have been obliterated by bark beetles, you might have to ask other questions. It's better to join with the U.S. House of Representatives, who voted 240–184 this spring to defeat a resolution saying simply that climate change is occurring, caused largely by human activities, and poses significant risks for human welfare.

Propose your own physics. Ignore physics altogether. Just don't start asking yourself whether there might be some relationship among last year's failed grain harvest in the Russian heat wave and Queensland's failed grain harvest from its second flood, and Germany and France's current drought-related crop failures. It's important, Bill says, to remain calm. If the worst ever did come to worst, it's reassuring to remember that the U.S. Chamber of Commerce told the Environmental Protection Agency in recent filings that there's no need to worry because populations can acclimate to warmer climates via a range of behavioral, physiological, and technological adaptations. Bill says, I'm sure that's what the residents in Joplin, Missouri, are telling themselves today.

Mr. Speaker, I couldn't agree more. It is important for Americans to think about how these pieces fit together. And Members of Congress should ask themselves two questions. First, even if you don't believe the experts on the danger of climate change, shouldn't we be taking extraordinary steps to stop wasting more energy than anybody in the world and exporting billions of dollars overseas to other countries for our

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energy? That's question one. The second question that I hope Members of Congress will ask themselves, what if 99.9 percent of the scientists are right and we are doing it to ourselves?

[From the Washington Post]

SEE NO CLIMATE CHANGE

(By Bill McKibben)

Caution: It is vitally important not to make connections. When you see pictures of rubble like this week's shots from Joplin, Mo., you should not wonder: Is this somehow related to the tornado outbreak three weeks ago in Tuscaloosa, Ala., or the enormous outbreak a couple of weeks before that (which, together, comprised the most active April for tornadoes in U.S. history). No, that doesn't mean a thing.

It is far better to think of these as isolated, unpredictable, discrete events. It is not advisable to try to connect them in your mind with, say, the fires burning across Texas—fires that have burned more of America at this point this year than any wildfires have in previous years. Texas, and adjoining parts of Oklahoma and New Mexico, are drier than they've ever been—the drought is worse than that of the Dust Bowl. But do not wonder if they're somehow connected.

If you did wonder, you see, you would also have to wonder about whether this year's record snowfalls and rainfalls across the Midwest—resulting in record flooding along the Mississippi—could somehow be related. And then you might find your thoughts wandering to, oh, global warming, and to the fact that climatologists have been predicting for years that as we flood the atmosphere with carbon we will also start both drying and flooding the planet, since warm air holds more water vapor than cold air.

It's far smarter to repeat to yourself the comforting mantra that no single weather event can ever be directly tied to climate change. There have been tornadoes before, and floods—that's the important thing. Just be careful to make sure you don't let yourself wonder why all these record-breaking events are happening in such proximity—that is, why there have been unprecedented megafloods in Australia, New Zealand and Pakistan in the past year. Why it's just now that the Arctic has melted for the first time in thousands of year. No, better to focus on the immediate casualties, watch the videotape from the store cameras as the shelves are blown over. Look at the news anchorman standing in his waders in the rising river as the water approaches his chest.

Because if you asked yourself what it meant that the Amazon has just come through its second hundred-year drought in the past five years, or that the pine forests across the western part of this continent have been obliterated by a beetle in the past decade—well, you might have to ask other questions. Such as: Should President Obama really just have opened a huge swath of Wyoming to new coal mining? Should Secretary of State Hillary Clinton sign a permit this summer allowing a huge new pipeline to carry oil from the tar sands of Alberta? You might also have to ask yourself: Do we have a bigger problem than $4-a-gallon gasoline?

Better to join with the U.S. House of Representatives, which voted 240 to 184 this spring to defeat a resolution saying simply that "climate change is occurring, is caused largely by human activities, and poses significant risks for public health and welfare." Propose your own physics; ignore physics altogether. Just don't start asking yourself whether there might be some relation among last year's failed grain harvest from the Russian heat wave, and Queensland's failed grain harvest from its record flood, and France's and Germany's current drought-related crop failures, and the death of the winter wheat crop in Texas, and the inability of Midwestern farmers to get corn planted in their sodden fields. Surely the record food prices are just freak outliers, not signs of anything systemic.

It's very important to stay calm. If you got upset about any of this, you might forget how important it is not to disrupt the record profits of our fossil fuel companies. If worst ever did come to worst, it's reassuring to remember what the U.S. Chamber of Commerce told the Environmental Protection Agency in a recent filing: that there's no need to worry because "populations can acclimatize to warmer climates via a range of behavioral, physiological, and technological adaptations." I'm pretty sure that's what residents are telling themselves in Joplin today.

CUT SPENDING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Thank you, Mr. Speaker.

And I quote, "Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better." Senator Barack Obama, March 16, 2006.

Mr. Speaker, cutting spending is critical to creating jobs. Without bold action, our budget situation will get worse, not better. House Republicans are the only group in Washington showing leadership on this issue. We have voted repeatedly to cut spending. And we have passed a budget that would reduce spending by $6.2 trillion over 10 years. By contrast, it's been more than 750 days since Senate Democrats passed a budget.

Last week, Senator REID said, "There's no need to have a Democratic budget in my opinion. It would be foolish for us to do a budget at this stage." By law, the Senate is required under the Congressional Budget Act to pass a budget.

Now the White House is asking us to raise the debt limit. Secretary Geithner wrote, "Never in our history has Congress failed to raise the debt limit when necessary." But what good is a debt limit that is always increased? The truth is that Democrats spent this money. They made this mess. And now they should help us clean it up. If the White House wants us to consider raising the debt limit, they should be at the table proposing significant reforms that yield trillions, not billions, in savings to the American people. So far, that has not happened.

□ 1010

HONORING MR. LEMANUEL "LEE" JONES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. MCDERMOTT) for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, I rise today to honor Lemanuel "Lee" Jones, who passed away on the 23rd of April after many years of remarkable service to his country and to other veterans. Lee Jones was born in Crockett, Texas, on September 24, 1942, and entered the U.S. Army in 1963.

He served in Vietnam as a sergeant and a squad leader with the First Cavalry Division in 1965 and 1966. He fought in multiple engagements in Vietnam with enemy forces, including the fierce battle of Ia Drang Valley, a battle that was recounted in the best-selling book and as well in a Hollywood movie, "We Were Soldiers." Lee considered this battle to be the prime source of the PTSD that afflicted him for the rest of his life. Lee recently died of physical health problems connected to his service in Vietnam.

In recognition of his military service, he was awarded the Combat Infantry Badge and the Air Medal.

Upon leaving the military in 1966, Lee earned a B.A. in counseling from Western Washington University in Bellingham, Washington. He went on to serve veterans as a counselor at the Seattle Veterans Center created with other vet centers by an act of Congress in 1979. Lee soon was promoted to direct the vet center as a team leader, the first African American to achieve this position in the Western United States.

By 1984, Lee was increasingly aware of the cultural and communication barriers that prevented many African American veterans with PTSD from benefiting from therapy groups that were primarily composed of Caucasian members, so he started an African American veterans PTSD group that facilitated culturally sensitive and open communication, education, and therapeutic interactions among its members. Lee's efforts were recognized by the City of Seattle when Lemanuel Jones Day was proclaimed on November 9, 1989.

This PTSD group was such a success that it continued to meet at the vet center until Lee retired in 1995. The group then convinced Lee to return as a leader of the newly named African American stress disorders program at the VA Medical Center in Seattle, which continues to meet today.

From modest beginnings, this nationally unique program has grown to include hundreds of African American veterans. It has been of great benefit to veterans and to the community. None of this would have been possible without Lee's leadership, therapeutic skills, and compassion for fellow veterans.

I had the privilege of making Lee's acquaintance. In 2008, I asked him to share his experience and perspective on a panel at a veterans town hall meeting in Seattle. The purpose of the town hall was to increase awareness of the hidden injuries of PTSD and traumatic brain injury. It was also to honor soldiers and veterans and their families and to educate them on where they could get help.

The African American Veterans Group of Washington State, which Lee founded in 1984, is planning a community memorial service on May 28. I know there will be an outpouring of grief and appreciation for this soft-spoken hero. He touched so many lives with his healing skills and lessons of his great pain and sacrifice. Our country is a better place because of Lemanuel Jones.

Rest in peace.

THE NATIONAL DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. KINZINGER) for 5 minutes.

Mr. KINZINGER of Illinois. Mr. Speaker, let me just read a quote here:

''Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.''

Some things never change. That was Senator Barack Obama in 2006 talking about the seriousness of the debt problem and the crisis that we find our Nation in. And today, we've spent over $1.5 trillion of money that we don't have.

Republicans have put forward a budget, a proposal, a blueprint to begin to have the serious discussion that our country needs to have to make sure that the children and we are not left with an unrecoverable debt situation. Americans expect leadership. Even if you don't agree, Americans expect leadership from us, and what do they get? They get demonization. They get accusations. They get fear tactics.

You know, our senior citizens in many cases sit at their homes and wonder what's going to happen. They find themselves concerned with their financial situation. And people on the other side of the aisle sometimes get together and figure out how they can take that fear and use it to a political advantage. That's terrible. Has it been done on both sides? It has.

But today is the day that we get together, and we have to hit the reset button and say for the future of our country, we have got to have a real serious conversation about how to save this Nation for the generation to come after us. This country is the greatest country in the world, and we are not about to give that up. It will never happen. We are going to be the strongest country for the foreseeable future.

There are a lot of folks talking ourselves down thinking that we are going to be usurped by another country. No, we are not. But we do have to come together, and we do have to have the serious conversations if we are going to maintain our place as the world's superpower and as a shining example to other countries all around the world.

I fully believe in what this country is. I fully believe in what we represent, but the days of demonizing each other and not leading have got to end.

It has been 756 days since Senate Democrats have passed a budget. The most basic job of a legislator is to pass a budget, and we haven't done it. Instead, we bicker. Instead, we argue. Instead, we run 30-second television ads and try to scare people so that we can win a reelection again. It's happened on both sides.

But today, please, I implore my friends on the other side of the aisle, on both sides of the aisle, stop today and let's have adult conversations. America is too great, America is too important, and America is too excellent of an example for the rest of the world to be mired down and bickering and to be mired down in debt.

HONORING GARY WILLIAMS AND RALPH FRIEDGEN OF THE UNIVERSITY OF MARYLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Before I start, Mr. Speaker, let me say that I hope the words of my young friend, who is now leaving the floor, are adhered to by both of us. Too infrequently that is the case. The problems are serious. We must address them in a serious way.

Mr. Speaker, however, I raise a happier point of discussion now. I am a proud alumnus of the University of Maryland, and recent months, however, have brought some bittersweet news.

An era is coming to an end in the Terrapin athletic program as our successful coaches of basketball and football have left the school. I want to take this opportunity, therefore, to honor Coaches Gary Williams and Ralph Friedgen for all they have meant to the Maryland community, both on and off the court and field. Both of them are good friends of mine.

Gary Williams was my neighbor for a number of years. Gary retired as Maryland's basketball coach after 22 hard-working, successful college years in College Park and 33 years in college coaching ranks. At his retirement, Gary Williams ranked as the fifth winningest college basketball coach in America, with 668 wins stretching over his remarkable career. He is also the third winningest coach in Atlantic Coast Conference history behind two legends, Dean Smith and Mike Krzyzewski.

Gary Williams inherited a struggling program and turned it into a perennial national contender. Under his guidance, the Terrapins reached the NCAA tournament 14 times, 11 times consecutively, won three ACC regular season titles and an ACC tournament championship, made seven sweet sixteens, two elite eights, two final fours, and, in a memory that all Terrapins still treasure and I had the opportunity of attending in Atlanta, won the national championship in 2002. Coach Williams was honored as National Coach of the Year in 2002 and as ACC Coach of the Year in 2002 and 2010.

But numbers alone do not capture his impact on the lives of his players or on the life of the Maryland community where he stood out as a leader and as a philanthropist. Maryland's Athletic Director Kevin Anderson correctly summed it up best when he said ''Gary Williams is a legend.'' That is true.

□ 1020

Terrapins will also miss our football coach, Ralph Friedgen, who coached his last game with the program on December 29. Fittingly, it was a decisive win—a 51–20 victory in the Military Bowl in Washington, DC.

''The Fridge,'' as he is affectionately known, also took over a struggling program and led it to notable success. He guided Maryland to the ACC championship in his very first year as coach. And of the 10 years in his tenure, 7 of them ended with postseason appearances.

In both his first year as Maryland football coach and his last, he was named ACC Coach of the Year. Coach Friedgen won 74 games for the University of Maryland, brought new energy to our football program and left a lasting mark in College Park. He was respected by his players and looked to as a role model. I was proud to call him a friend as well. He, too, will be missed by all who love Maryland, who love football, who love basketball and who live the principles that sports teaches.

Both Gary Williams and Ralph Friedgen are good men and outstanding leaders. And while I know that the Maryland athletic program will build on the proud foundation they laid, their shoes will be tough to fill.

Good luck, thank you and Godspeed to Gary Williams and Ralph Friedgen.

THE DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Ms. HERRERA BEUTLER) for 5 minutes.

Ms. HERRERA BEUTLER. Mr. Speaker, decades of a spending party by both parties have led to the point where we are today. We're under crushing amounts of debt. Now we are borrowing about $58,000 per second—$58,000 per second.

As some of my colleagues have shared, I'm going to read this as well. It's a quote for those who can't see it:

''Leadership means that 'the buck stops here.' Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem. America deserves better.'' Senator Barack Obama in 2006.

Now the President has asked those of us in this Chamber to vote to increase the debt limit without any structural spending reforms. Let me repeat that. He has now asked us to send a bill to him that has no structural spending reforms.

We are borrowing $58,000 a second. Does that sound like a failure of leadership? I think it does. Here is what

that's like. It's like an irresponsible teenager taking out a credit card in your name. They fill it out. The bill will come to you. You get that bill and you see that your irresponsible teenager has run up that credit card, and now the bill is coming due. You have a couple of choices. You could pay that credit card and let it be. That's what the President is asking us to do, pay the credit card and then walk away. I don't think very many parents would say okay to that. Or you could not pay the credit card. That's going to impact your credit. Or you could pay that credit card and then cut it up.

Those are the choices before us.

I would agree with the 2006 Senator Barack Obama when he said that the buck has to stop here. The buck does stop here, which is why House Republicans have put forward over $6 trillion worth of spending reform ideas. We actually don't need them to enact all $6 trillion of those. We could enact $2 trillion of those and avert a debt crisis. But the President and some of my friends on the other side of the aisle have said, no, no, no, that's irresponsible. Coming back to this quote, I would agree with the then-Senator Barack Obama that those bad choices are being shifted onto our children and our grandchildren, and the buck does have to stop here.

Since 1964, Congress has voted to raise the debt limit, the debt ceiling, 74 times—74 times. I suggest to you that unless we require a cut-up of the credit card, unless we require structural spending reforms, 20 years from now—if our economy can subsist that long—our children are going to be asking why did no one do something about this? Because we are under crushing, crushing debt burdens. And it's going to impact jobs not just today. We're talking about our future and our children's ability to grow, prosper, and thrive. In an America where we had those opportunities, they are not going to have those same opportunities.

I refuse to make it easier to allow our debt to get so crushing that economic recovery is permanently beyond our reach. It's time for a culture change in Washington, DC, and that starts with real spending cuts accompanying any debt limit negotiations.

COMMEMORATING THE FALLEN SONS OF THE SECOND DISTRICT OF INDIANA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. DONNELLY) for 5 minutes.

Mr. DONNELLY of Indiana. Mr. Speaker, as Memorial Day approaches, I rise to commemorate the men and women in the Armed Forces of the United States who have died in the line of duty to our country. This past year, three sons from the Second District of Indiana lost their lives to preserve and protect the American ideals that have made this country great. To honor the legacies of these men, I would like to share with this body and with the American people a little bit about our Hoosiers.

Staff Sergeant Kenneth McAninch, of Logansport, Indiana, a proud member of the United States Army, died on October 21, 2010, in Afghanistan from injuries sustained when his unit was attacked by small arms fire. Kenneth attended Lewis Cass High School and enlisted in the United States Army in 2003. He was assigned to A Company, 1st Battalion, 506th Infantry Regiment, 101st Airborne Division out of Fort Campbell, Kentucky. For his service, Kenneth was awarded the Joint Service Commendation Medal and Joint Service Achievement Medal in addition to many other commendations.

His loved ones remember Kenneth as a hardworking man and dedicated son, husband, father, and friend. Kenneth was an avid artist and also enjoyed fishing and hunting. He is survived by his wife, Shawnna; four sons, Jeremiah, Braxton, Brayden and Colby; one daughter, Shyanne; his mom, Cheryl, and her husband Richard; his dad, Marvin, and his wife Regina; his three sisters, Kayla Ann, Katie Lee and Brianna; two brothers, Jason and Briar; and his extended family and friends.

He is missed by all.

Sergeant Marvin Calhoun, Jr., of Elkhart, Indiana, a proud member of the United States Army, died on September 21, 2010, in Qalat, Afghanistan, of injuries sustained when his Black Hawk helicopter crashed during combat operations. Marvin died alongside eight fellow soldiers who were also his brothers.

Marvin attended Elkhart Central High School where he played football and enlisted in the Army in 2006. He was assigned to B Company, 5th Battalion, 101st Combat Aviation Brigade, 101st Airborne Division out of Fort Campbell, Kentucky. He was on his second tour of duty as a gunner on the Black Hawk helicopter. Marvin's awards include the Army Commendation Medal and the Army Good Conduct Medal in addition to many other commendations.

Marvin's English teacher told folks that he exhibited leadership qualities in the classroom, and if any of his peers needed help, he would jump right in for them. He was a happy man who always wanted everyone else around him to be happy.

He leaves behind his wife, Yamili; his daughter, Yohani; his dad and stepmom, Marvin and Susan Calhoun; his mom and stepdad, Shirin and Michael Reum; his sister Shanon; his brothers, Travis, Marcus, Sydney, Jermael and Zachary; and his extended family and friends.

He is missed by all.

Specialist Justin Shoecraft of Elkhart, Indiana, a proud member of the U.S. Army, died on August 24, 2010, in Kakarak, Afghanistan, of wounds sustained when his Stryker vehicle was hit by a roadside improvised explosive device. Justin was only 5 weeks into his first deployment.

Justin graduated from Elkhart Memorial High School in 2001 and worked for UPS for 7 years before enlisting in the Army. He was assigned to B Troop, 1st Squadron, 2nd Stryker Cavalry Regiment out of Vilseck, Germany. His regiment had assumed control of Tarin Kowt in July of 2010.

Posthumously, Justin was promoted to the rank of Specialist. His awards include the Bronze Star, the Purple Heart, and many other commendations. He enjoyed working on old cars and motorcycles, and stock car racing. He had always wanted to drive tanks for the U.S. Army.

Justin will be remembered by his friends, family and fellow soldiers for his generosity, work ethic, and sense of humor. He is survived by his wife, Jessica, whom he married the day before he left for basic training; his parents, Carroll ''Blue'' and Donna; his brother, Michael, and sister, Sherry; and extended family and friends.

He is missed by all.

□ 1030

We owe a debt of gratitude to these three great Hoosiers and to all the sons, daughters, moms, and fathers who have fallen while serving our country. It is our duty to honor and remember their sacrifice, patriotism, and virtue. Let us also remember those brave Americans who are serving right now both here and at home.

On behalf of a grateful Nation, we want to thank our three heroes and all of the people who serve our country.

God bless Indiana, and God bless the United States of America.

AMERICANS DESERVE BETTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to join my colleagues this morning to deliver a simple message, and that message can be summed up by reading a quote from our President when he was a former Senator dealing with the issue that we will face in the upcoming months when it comes to raising our debt ceiling. As then-Senator Barack Obama stated on the floor of the Senate: ''Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.''

Mr. Speaker, I stand firmly here today to tell you that I do believe over the next 90 days that this will be the critical moment of this Congress, that this will be the critical moment in our Nation's history when we either succeed or we fail. And I will heed Senator Obama's words because the buck will stop here in this Chamber.

Mr. Speaker, the question we face with raising the debt ceiling is a very

serious question. We cannot kick the can down the road any longer. We do not have any more road to kick it to.

So what I ask of my colleagues on the other side of the aisle is let us set aside politics. Let us not worry about a reelection campaign. Let us not worry about our own personal interests. Let us come together as one Nation and deal with this problem because it is a serious threat and a clear and present danger to our very existence as a country.

Let me also be very clear that what we need to do with handling this debt is to send a message that we have answered the call and send a message to the world and to all the markets that America is strong; America is the place that you can invest in again. And by that investment, we will put people back to work. We will provide for families for generations, not only now but for generations we do not even see. This is about putting people back to work and being the voice that leads this Nation to greatness once again.

I have no doubt we will succeed in this effort, but it will take true leadership. There is no doubt in my mind that I join my colleagues on this side of the aisle and say no more of the petty political bickering. It is time to stand and lead, and we shall.

NO BOOTS ON THE GROUND IN LIBYA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I would like to thank the gentleman from Puerto Rico for allowing me to speak out of order. Thank you very much.

We recently passed the 2-month mark since the military air campaign in Libya began. This is significant because the War Powers Act requires that a President must receive a congressional mandate for any military action within 60 days. The deadline came and went without any resolution being brought before this body, which is a signal that our engagement in Libya is lingering without much accountability or checks, without a vigorous debate about the consequences of what we are doing there.

Who knows exactly what our mission is and how we will know when we have achieved it? What is the end game? What are the metrics or benchmarks for success?

At the same time, this week we will debate an amendment to the defense bill that would expand the authorization for use of military force, empowering the President, any President, to fire bombs and missiles against any nation or nonstate actor that appears to pose a threat. And without so much as a check-in or consultation with Congress.

Mr. Speaker, I have had enough. I have had enough of this state of permanent warfare. I have five grandchildren, and not one of them knows what it is like to live in a country that is not at war with someone and killing someone else's grandchildren. It is time to put the brakes on. It is time for Congress to draw some clear lines, and Libya is the perfect place to do so.

I am proud to support the amendment offered today by my friend, the gentleman from Michigan (Mr. CONYERS), that will specifically prohibit the deployment of ground troops in Libya. We cannot afford any further expansion of this engagement. We owe it to the American people who are footing the bill and, of course, to our servicemen and -women who are already fighting on two fronts.

To keep this mission from mushrooming into a full-blown ground war and military occupation, we must stop now. We must not put boots on the ground in Libya, and we must close any loophole that allows any President to do so.

We still have combat troops in Iraq. We are spending a staggering $10 billion a month on an ongoing war in Afghanistan that has been a devastating moral and strategic failure. We can't keep doing this, Mr. Speaker. Our military is at a breaking point. The American people's patience is wearing thin. Two wars are already more than we can handle.

Let's define the mission in Libya, let's complete it, and let's get out. Anything less is a replay of Iraq and Afghanistan, where we must move quickly to bring our troops home.

THE LAST NAIL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. PAUL) for 5 minutes.

Mr. PAUL. Mr. Speaker, the last nail is being driven into the coffin of the American Republic. Yet Congress remains in total denial as our liberties are rapidly fading before our eyes.

The process is propelled by unwarranted fear and ignorance as to the true meaning of liberty. It is driven by economic myths, fallacies, and irrational good intentions. The rule of law is constantly rejected and authoritarian answers are offered as panaceas for all our problems.

Runaway welfarism is used to benefit the rich at the expense of the middle class. Who would have ever thought that the current generation and Congress would stand idly by and watch such a rapid disintegration of the American Republic?

Characteristic of this epic event is the casual acceptance by the people and the political leaders of the unitary Presidency, which is equivalent to granting dictatorial powers to the President.

Our Presidents can now, on their own: order assassinations, including American citizens; operate secret military tribunals; engage in torture; enforce indefinite imprisonment without due process; order searches and seizures without proper warrants, gutting the Fourth Amendment; ignore the 60-day rule for reporting to the Congress the nature of any military operations as required by the War Powers Resolution; continue the Patriot Act abuses without oversight; wage war at will; treat all Americans as suspected terrorists at airports with TSA groping and nude x-raying.

And the Federal Reserve accommodates by counterfeiting the funds needed and not paid for by taxation and borrowing, permitting runaway spending, endless debt, and special interest bailouts.

And all of this is not enough. The abuses and usurpations of the war power are soon to be codified in the National Defense Authorization Act now rapidly moving its way through Congress.

Instead of repealing the 2001 Authorization for the Use of Military Force, as we should now that bin Laden is dead and gone, Congress is planning to massively increase the war power of the President.

Though an opportunity presents itself to end the wars in Iraq, Afghanistan, and Pakistan, Congress, with bipartisan support, obsesses on how to expand the unconstitutional war power the President already holds.

The current proposal would allow a President to pursue war any time, any place, for any reason, without congressional approval. Many believe this would even permit military activity against American suspects here at home.

The proposed authority does not reference the 9/11 attacks. It would be expanded to include the Taliban and ''associated'' forces, a dangerously vague and expansive definition of our potential enemies.

□ 1040

There is no denial that the changes in section 1034 totally eliminate the hard-fought-for restraint on Presidential authority to go to war without congressional approval achieved at the Constitutional Convention.

Congress' war authority has been severely undermined since World War II, beginning with the advent of the Korean War, which was fought solely under a U.N. resolution.

Even today we're waging war in Libya without even consulting with the Congress, similar to how we went to war in Bosnia in the 1990s under President Clinton.

The three major reasons for our Constitutional Convention were to: guarantee free trade and travel among the States; make gold and silver legal tender and abolish paper money; and strictly limit the executive branch's authority to pursue war without congressional approval.

But today: Federal Reserve notes are legal tender, gold and silver are illegal; the Interstate Commerce Clause is used to regulate all commerce at the expense of free trade among the States;

and now the final nail is placed in the coffin of congressional responsibility for the war power, delivering this power completely to the President—a sharp and huge blow to the concept of our Republic.

In my view, it appears that the fate of the American Republic is now sealed, unless these recent trends are quickly reversed.

The saddest part of this tragedy is that all these horrible changes are being done in the name of patriotism and protecting freedom. They are justified by good intentions while believing the sacrifice of liberty is required for our safety. Nothing could be further from the truth.

More sad is the conviction that our enemies are driven to attack us for our freedoms and prosperity, and not because of our deeply flawed foreign policy that has generated justifiable grievances and has inspired the radical violence against us. Without this understanding, our endless, unnamed, and undeclared wars will continue and our wonderful experiment with liberty will end.

RECRUITMENT AND RETENTION OF FEDERAL LAW ENFORCEMENT OFFICERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, government's most solemn obligation is to protect the people it serves. Since 9/11 our government has rightly placed much of its attention on defending the American people from terrorism. But we should not forget that government has a responsibility to safeguard the public from all forms of violence, including violent crime.

Violent crime exacts a terrible price. Its costs are measured not only in the number of lives lost but in the number of citizens who live in fear that they or someone they love might be the next victim. Data released on Monday show that violent crime in the United States has fallen over the past few years. However, we cannot become complacent. Despite the positive national trend lines, certain American communities have become less, rather than more, secure.

The Federal Government has a particularly strong duty to protect its citizens from violence when that violence is linked to a crime that crosses State or national borders. That is why our government has worked hard to stem the flow of drugs entering the United States through Mexico and to combat drug-related violence along the southwest border.

But these efforts, while essential, are not enough. To protect the American people, we must protect the full length of our southern border. As Federal programs like the Merida Initiative choke off drug routes through Central America, narcotraffickers have increasingly turned to the Caribbean, including Puerto Rico. Because of Puerto Rico's role as a key transit point for drugs destined for consumption in the 50 States, the island has one of the highest murder rates in our Nation.

Given the unacceptably high level of violence in Puerto Rico, and its close connection to the drug trade, one would expect that most Federal law enforcement agencies would have their positions filled there. But that is not the case. Over 50 percent of authorized ATF positions are vacant, 22 percent of ICE positions are also unfilled, and 17 percent of DEA positions are vacant. Puerto Rico has 31 Federal law enforcement officers for every 100,000 residents, well below the national average of 36.

This mismatch between the severity of the problem in Puerto Rico and the scale of the Federal response prompts this question: Why do Federal law enforcement agencies have such high vacancy rates in such a high-need jurisdiction?

The budget shortfall is certainly one reason. The Departments of Justice and Homeland Security are being asked to do more with fewer resources, including fewer agents.

But the problem goes beyond money. Fewer workers are entering law enforcement than in the past. Those who do seek to enter the profession are more likely to be disqualified by health problems such as obesity or substance abuse. And military recruitment, which has risen in recent years, is competing with law enforcement for the same talent.

In the face of these challenges, the Federal Government is not without tools. For example, executive agencies can pay a recruitment incentive to a newly hired employee if the position is difficult to fill.

But our government must go beyond piecemeal efforts. It needs a comprehensive plan to recruit, assign, and retain law enforcement officers in those jurisdictions that have the highest rates of violent crime.

Puerto Rico is one example of a jurisdiction where an increased Federal presence is needed. But there are also many other jurisdictions with high crime rates and too few Federal law enforcement agents. The primary reason for high crime in these States or cities may be the nexus with the drug trade, or it may have different roots. Regardless of the cause, the harm that results is the same. In communities beset by violent crime, residents become hostage to fear—fear that makes them think twice before walking to the store to buy milk, fear that makes them hug their kids for an extra moment before leaving them or sending them off to school, fear that prevents children from using the neighborhood playground.

It is imperative that the Federal Government reduce personnel shortages in Federal law enforcement agencies in high-need jurisdictions. Congressman GRIMM and I recently introduced legislation to direct the Departments of Justice and Homeland Security to establish a program to recruit, assign, and retain agents to serve in locations that have experienced high rates of violent crime.

The Federal Government cannot be passive in filling law enforcement shortages, hoping the right candidates will volunteer. Nor can it simply expect agents to remain with the government, particularly when the private sector often pays more. Instead, the Federal Government must proactively address personnel challenges by dedicating staff to recruitment and retention.

I urge the Departments of Justice and Homeland Security to take action now to make recruitment and retention a priority. Vacancies at law enforcement agencies are not a minor administrative hassle but an urgent public safety problem. Too much is at stake to accept the status quo. For every moment we wait, we risk losing another American citizen to senseless violence.

WASHINGTON HAS A SPENDING PROBLEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise today to talk about a very serious problem, a problem that all Americans face and one that is not new here in Washington.

I would like to read a quote that some of my colleagues have also used during this morning's debate, and if I may, let me just quote it once again:

''Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership.''

□ 1050

That was said by Senator Barack Obama back in 2006, and I frankly agree.

Just to put it in perspective, back in 2006, we were running a deficit. We had an administration that was running a deficit of about $400 billion, just highlighting the point that this spending problem that we have here in Washington is on both sides of the aisle. This doesn't rest with one political party or another. It just outlines the problem that Washington has a spending problem.

The debt that we have today, we're up against our debt ceiling. It's about $14 trillion. The real debt, however, is much greater than that. It's closer to $100 trillion. The deficit that we deal with—it was at about $400 billion back in 2006. Today, it's about $1.5 trillion.

Now, what does that mean? My daughter, who is 9, she knows what 1.5 is. She says it's a little bit more than one and not quite two. But $1.5 trillion

works out to be about $3.4 million a minute. To put that in better perspective, it's $58,000 a second. We can't even say it fast enough. This is a problem.

How do we get out of this problem? We have to map out a course. It's a budget. The Republicans passed a budget. The House passed a budget outlining a way for us to be able to cut back over $6 trillion over the next decade. I would argue that American families and households all across the land operate on a budget. Businesses do the same. Yet we happen to not be able to do that here in Washington.

The United States Senate has not picked up or passed a budget in over 750 days. The American family wouldn't operate like that. I know as a small business owner I couldn't keep my doors open if I didn't have a budget to outline where our priorities were going to be. It is a blueprint. It's not a final standing bill or thing that's going to say exactly how we're going to spend it, but it is a blueprint going forward so that we can get those in the Senate and elsewhere to be able to come together so that we can map out how we are going to get out of this mess. Because I do agree with the President when he says that the choices that we're making today, the bad choices of today are going to be placed on the backs of our children and grandchildren. For me, that's unacceptable.

I decided to run for Congress largely because the amount of money that we were spending in Washington was going to be unconscionable for me to pass along to my children. I have a 9-year-old, a 7-year-old, and a 4-year-old. By the time they're my age, we are going to have to pay exactly double in taxes just to service the government. We pay 42 cents of every single dollar we have just to service our debt.

The administration now is asking us to raise the debt ceiling. This is an important issue. But I'm here to tell you that we need to have some leadership. Leadership is critical at this point in time.

What is the plan? I don't want to talk about bickering. I want to make sure that colleagues on both sides of the aisle come to the table. We know that there are negotiations going on right now, but I still would like to have a plan articulated to the American public. What is the plan? Because simply raising the debt ceiling without a plan on how we're going to pay down this debt is like—well, it's like sitting around the kitchen table and not worrying about the credit card debt of an irresponsible teenager. You wouldn't do that at home. We wouldn't do that in business. You should expect that your government does the same.

Now, when we look at this debt crisis that we have, as a small business owner, I look at it somewhat like a business. I look at it that we have just purchased a business, and we think it's the greatest business in the world with the United States of America. That business has some debt, and we're obligated to pay that debt. We just have to figure out how it is that we are going to restructure that business so that we can pay down that debt and make it a strong, viable business going forward. That's what we have to do. To simply raise the debt ceiling and not have to restructure would be a violation of everything that we hold dear.

With that, I call on leadership, leadership here in Washington from those on both sides of the aisle, to come together to solve the problems of our time and put our country first.

HONORING THE LIFE AND MEMORY OF BERNADETTE McARN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, this past Saturday in my home town of Wilson, North Carolina, the Wilson Community College held its annual commencement exercise. From all accounts, it was a wonderful occasion. But for one family in the community, the McArn family, there was great sadness on this occasion because their loved one was due to graduate; but sadly, she passed away on January 14, 2011, at the young age of 45. And so I take this opportunity today to honor the life and memory of that individual, Ms. Bernadette McArn.

The youngest of four children, Bernadette was born on July 12, 1965, to Isiah and Wynomia Crocker McArn. She was a graduate of Ralph L. Fike High School and, but for her passing, would have earned an associate's degree from the college. It is fitting to note that last spring Bernadette distinguished herself and pleased her family when she made the Dean's List.

This has been a very difficult time for the McArn family. They were very proud of Bernadette, and her memory will live within their hearts forever.

I ask my colleagues to join me in offering our deepest condolences to the McArn family, friends, and loved ones.

FOOD INSECURITY

Mr. Speaker, I want to use my remaining time to talk about the issue of hunger.

In this same community where Bernadette McArn lived her entire life, many are suffering from what I call food insecurity. At 11 p.m. last night, a line began to form at the Wilson OIC to receive food commodities today. Hundreds of citizens in this small community—black, white, and brown—stood all night long to be positioned to receive the basic commodity of food.

Earlier this year, a study by the Food Research and Action Center showed that the First District of North Carolina ranks as the second worst for food insecurity in the country. Last Thanksgiving, about 2,000 people waited overnight—again—for a 25-pound bag of groceries at this same community-based program. For those of us living in eastern North Carolina, this comes as no surprise and underscores the need for a strong nutrition safety net.

Unfortunately, this is not an isolated incident in our country. As a State, North Carolina ranks sixth worst in the country for food security, with a food hardship rate of 23.5 percent, and the numbers are even worse in my district in eastern North Carolina.

The Food Bank of Central & Eastern North Carolina is called on to serve more than 500,000 people annually in 34 counties in central and eastern North Carolina, and about 73,000 different people receive emergency food assistance in any given week. Of those people, the food bank reports that 40 percent choose between paying for food and paying for utilities or heat; 33 percent choose between paying for food and paying their rent or mortgage; 37 percent choose between paying for food and paying for medicine or medical care; and 38 percent choose between paying for food and paying for transportation.

Mr. Speaker, as we continue our work, we must keep in mind that as many as 50 million Americans are struggling with food security. The Federal Government certainly needs to find ways to cut costs and reduce spending, but that burden should not fall heaviest on the people with the greatest needs.

As I close, let me just encourage our citizens to stay strong in their faith and know that Democrats will fight for you.

And I would like to thank Mr. Howard Jones of the Wilson OIC, his staff, and all of the volunteers for their extraordinary contribution to the Wilson community.

DEBT CEILING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. GARDNER) for 5 minutes.

Mr. GARDNER. Mr. Speaker, creating jobs and growing the economy is the number one goal of the 112th Congress, everything we can do to create jobs and help this country move forward and get our economy back on track, but long-term economic growth and job creation is only possible if we control the uncontrolled debt and deficit situation that is driving this country into bankruptcy.

Last week, I had the opportunity to visit with a number of voters in my district who were very concerned about the direction of our country, and I read the following quote to them: ''Leadership means that the buck stops here. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren. America has a debt problem and a failure of leadership. Americans deserve better.''

I didn't tell them who had said that. I just asked them if they agreed with that statement. Everybody clapped and cheered. I mentioned that this was said

by then-Senator Barack Obama in 2006 when our debt was $8.4 trillion. We had an $8.4 trillion debt in 2006, and the President of the United States then said, ''We have a leadership failure. The buck stops here. America deserves better.''

Well, if $8.4 trillion was a failure of leadership, what, Mr. President, is $14 trillion of debt?

The debt isn't Republican. The debt isn't Democrat. It is both Republicans and Democrats that have put us in the position that we are in today, and this Congress, our obligation is to clean up the mess.

□ 1100

We're told, though, by the White House that we are to raise the debt ceiling—in effect to ''do as I say and not as I do,'' according to the President.

It is irresponsible to take the steps of increasing the debt ceiling without finding solutions to our spending problems that put us here in the first place. I continue, along with my colleagues, to look for those solutions.

We've passed a budget to cut spending and to get our deficit under control. Speaker BOEHNER is negotiating in good faith. But what do we hear from our colleagues in the Senate who have failed to pass a budget for 756 days? They have failed to pass a budget for 756 days. ''There's no need to have a Democratic budget,'' Senator REID said.

The President talks about caps but no real cuts.

The debt ceiling is exactly that. It is a ceiling. It is not an arbitrary number that should simply be moved whenever it's easy to do so. The debt ceiling has been raised 10 times in the past 10 years. That's too much for something that was intended to be an actual check on government spending. If the debt is to be raised again, this country needs and deserves an honest effort to control spending and make sure that we are not in the same position in the future.

The past Congress spent a lot of time dealing with credit card reform to help American consumers. Well, perhaps it's time that we treat the Federal Government itself to a little bit of credit card reform to make sure that the Federal credit card doesn't continue to increase over and over without an end.

Ladies and gentlemen, I am concerned that the future job growth in this country, unless we reel in our Nation's debt, unless we address the deficit, is DOA—debt on arrival.

America deserves better, Mr. President, it certainly does, and we are here to work with you to make sure that it gets better policies, a better future, and that we protect America from future economic catastrophe.

THE GOP VERSUS PUBLIC SERVANTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, I rise regretfully this morning and sadly this morning to discuss what I believe is a true transgression that took place in our House yesterday.

I was appalled by the behavior displayed by the chairman of the Subcommittee on TARP and Financial Services. After repeatedly changing the time of yesterday's hearing with Professor Elizabeth Warren to discuss the Republican majority's efforts to terminate the Consumer Financial Protection Bureau just weeks before it was to be born, the chairman began the hearing with a petty partisan swipe alluding to whether the witness may or may not be running someday for the U.S. Senate. As if, Mr. Speaker, political ambition is taboo around here.

While the overall tone of the hearing was contentious, that's to be expected. After all, the goal of the hearing was, for my colleagues on the Republican side, to paint the Consumer Financial Protection Bureau as something that is bad for consumers. Why? Because this new consumer bureau's mission is to make Wall Street play by the rules. What a novel idea. But, you see, Wall Street believes that it can take care of itself.

As it turned out, the hearing was a wonderful opportunity for Americans to see not only how far the influence of financial institutions reaches into Congress, but also how competent, confident, and unflappable a public servant Professor Warren is.

Were it up to me, the President would just appoint her to head the CFPB and let her get on with leveling the playing field for American consumers when they borrow or invest their hard-earned money.

Mr. Speaker, Professor Warren answered every question posed to her for the entire hour for which she was asked to testify. When members were called to the floor for two votes, the chairman asked her to stay and wait, and Ms. Warren politely responded that she was told she'd be released at 2:15 and had another meeting at 2:30. What followed was a scene that, had it happened in a junior high student council meeting, would have been stopped by the faculty adviser. Unfortunately, though, our subcommittee is without any kind of adult supervision.

The chairman repeatedly made the same request ad nauseam of Professor Warren, who answered the same each time. She explained that the majority staff had changed the meeting logistics several times, including a 9 o'clock call the previous night to move the hearing from 1:30 to 1:15 to accommodate the congressional calendar. Professor Warren, through her staff, agreed to the change and was told that she would be done at 2:15. Pretty simple, right?

This is when the chairman crossed the line and told Professor Warren, ''You're making this up.'' That's right. He called her a liar. A witness at his committee who juggled her schedule to accommodate him, an adviser to the President of the United States, who was given an oath at the start of the hearing to tell the truth and nothing but the truth. He called her a liar.

Mr. Speaker, I ask today that the chairman of the subcommittee, the gentleman from North Carolina (Mr. MCHENRY) immediately and sincerely apologize to Professor Warren. I also believe he should apologize to the members of the subcommittee—both in the majority and the minority—for denigrating the proceedings of our body and pledge to never allow the political agenda to interfere with the common decency and respect that the rest of us understand is absolutely necessary in order to do the people's work.

However, I won't hold my breath, because this is part of a much larger strategy by my colleagues on the Republican side to paint everyone in public service as liars, cheats, or otherwise as despicable.

On the same day, the chairman of the Oversight Committee did virtually the exact same thing to Mr. Hayes, the Deputy Secretary of the Department of the Interior, advising him not to answer a question because he's under oath, implying that certainly anything the Deputy Secretary might say would be untrue.

Mr. Speaker, we need to do better. Regardless of political affiliation, the American people demand it. Civility and common respect are not signs of weakness or capitulation. They are hallmarks of a functioning democracy.

An apology probably won't be forthcoming, but civility must be restored to this House—or at least school monitors to prevent spitballs from being thrown around in committee hearings.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 8 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Rev. Gene Mills, Louisiana Family Forum, Baton Rouge, Louisiana, offered the following prayer:

We bow our hearts before You, the great and Mighty King.

May today's deliberations be pleasing in Your sight. Let our heart's desire honor each of Heaven's treasures—faith, family, and freedom.

Father, let Your grace touch each need present here today. May every family member represented know the love of the Father, the presence of His

Son, and the guidance of the Holy Spirit.

Protect and guide our soldiers in the field and all of those who uphold law and order across this country and around this world.

Cause the muddy waters of the Mississippi, Arkansas, Missouri, and Ohio Rivers to recede rapidly and do no additional harm. But allow the rivers of living water to flow freely throughout this land.

Let Providence be evident in our actions today, and may we possess Your talking points, Your heart, and Your mind in the matters of national importance.

Finally, we pray, as we were instructed by Your word, for the peace of Jerusalem and throughout the Middle East. May Thy will be done today. In the name of the Father, His Son Jesus, and the Holy Spirit. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Michigan (Mr. CLARKE) come forward and lead the House in the Pledge of Allegiance.

Mr. CLARKE of Michigan led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REV. GENE MILLS

The SPEAKER. Without objection, the gentleman from Louisiana (Mr. SCALISE) is recognized for 1 minute.

There was no objection.

Mr. SCALISE. Mr. Speaker, I want to thank my friend, Pastor Gene Mills, for opening us up in prayer today.

I have had the privilege of working with Gene Mills for years now in his role as the head of the Louisiana Family Forum, which has been a beacon of light defending family values throughout our State and working with ministers all across the country to spread the good word of the Lord Jesus Christ.

I also want to commend Pastor Mills for the work that he did after Katrina, organizing faith-based groups all around the State and all around the country to go in and do the Lord's work. When government couldn't even get there to help people, the pastors and the faith-based organizations around this country came together and they got that work done.

So I want to thank Gene Mills for being with us here today and for leading us in prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. NUNNELEE). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

TRIBUTE TO ARMY CORPORAL BRANDON M. KIRTON

(Mr. COFFMAN of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN of Colorado. Mr. Speaker, many heroes from the great State of Colorado have answered our Nation's call to serve in the military. Today I rise in honor of one of these heroes who made the ultimate sacrifice and laid down his life for freedom: U.S. Army Corporal Brandon Michael Kirton.

Corporal Kirton of Centennial, Colorado, graduated from Englewood High School, and chose to serve in the U.S. Army. In the Army, he deployed with his unit in support of Operation Enduring Freedom and fought at the tip of the spear in Kandahar Province, Afghanistan. On May 18, 2011, his unit came under fire, and he gave his life fighting the Taliban.

Brandon is remembered not only for his heroics on the battlefield, but for the tremendous impact he had on his family, friends, and community. His absolute devotion to his family, his selfless attitude, and his ever-present sense of humor were all the trademark characteristics of a young man who made a lasting impression on all who knew him.

Corporal Brandon Michael Kirton personifies the honor and selflessness of service in the United States Army. My deepest sympathies go out to his family, his fellow soldiers, and all who knew him.

JOBS ACT CRUEL REPUBLICAN HOAX

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, despite a slow recovery, despite millions suffering on the unemployment rolls, the Republican leadership has failed to bring a jobs bill to this floor during the first 100 days. Now we learn that one in name only is under consideration. It is called the Jobs Opportunity Benefits and Services Act, which of course cleverly has the acronym JOBS, but it is not going to create jobs. It is actually designed to cut off emergency unemployment benefits, eliminating the guarantee of Federal payments for temporary extended unemployment benefits, on July 6.

It is kind of a cruel hoax to call a plan that cuts aid to working people a jobs bill. It enables States to divert more than $32 billion in Federal unemployment funds that is intended for unemployment benefits into block grants that can be used to cut taxes for businesses, pay off State's debts, or backfill their own State unemployment funds, but not necessarily to pay out benefits to those on the unemployment rolls. In fact, it grants some States permanent waivers to divert future unemployment funds from the people they were intended to help.

Our unemployment rate has gone from 10.6 percent when President Obama took office to 9 percent, but it is still too high. We ought to be in the business of creating new jobs and not forcing breadwinners to foreclose on their mortgages and to default on their loans, but to provide for their families. That's the congressional agenda that we ought to be about.

AMERICANS WANT SERIOUS SPENDING CUTS

(Mr. BROUN of Georgia asked and was given permission to address the House for 1 minute.)

Mr. BROUN of Georgia. Mr. Speaker, it is long past time that we stop rewarding irresponsibility. If we continue to give the Democrat administration everything that they ask for, they will never learn fiscal discipline or how to control their outrageous spending.

Taxpayers do not want to write the administration yet another blank check out of their own checkbooks, only to see it bounce and further worsen our economy, along with job creation. Americans have said loudly and clearly that they want serious spending cuts, and I will not support raising the debt ceiling unless this liberal administration begins to practice some self-control.

NUCLEAR ARMED IRAN THE REAL THREAT

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Mr. Speaker, I rise today because I fear that lost amidst the controversy surrounding recent statements on the Israel-Palestinian peace process, lost amidst the hopeful events of the Arab Spring, and lost amidst Syrian sanctions and military action in Libya, lies the real and greatest threat to the entire region: a nuclear Iran.

As we debate the trajectory of America's policy in the Middle East, we must never forget that as we speak, Iran is hurtling toward a nuclear weapon. A nuclear Iran would destabilize the entire region, upend the nuclear nonproliferation treaty, set off an arms race, and expose our closest friend and ally, Israel, to grave danger. The threat is real. As Prime Minister Netanyahu noted yesterday morning, they could put a bomb anywhere: on a missile, a ship, in a suitcase, or on a subway.

Last year we implemented strong sanctions against Iran, but more must

be done to close loopholes, ensure enforcement, and take additional steps to stop a nuclear Iran. No matter the challenges that arise in the Middle East, we must never lose sight of the most dangerous threat of all, a nuclear armed Iran.

□ 1210

PEACE THROUGH STRENGTH FOR ISRAEL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, it was an honor to have Prime Minister Binyamin Netanyahu speak to a joint session of Congress yesterday. Israel is one of our country's closest allies, and the partnership shared between our two countries is vital in achieving peace and stability in the Middle East.

The Prime Minister is correct that reinstatement of the 1967 borders makes the country indefensible. I am grateful to the American Israel Public Affairs Committee for two tours of Israel, where I saw the strategic importance of the Golan Heights to stop Hezbollah and I learned of the inhumanity of rocket attacks by Hamas on Sderot. Israeli families are vulnerable to cowardly murderers.

Israel should not be forced to negotiate with those who refuse to acknowledge its right to exist. The United States must remain committed to Israel to promote peace and democracy in the Middle East.

I look forward to continuing to work with Israel in promoting peace, freedom, and stability. Ronald Reagan was right: peace through strength.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

THIS IS NOT THE TIME TO CUT BACK ON HOMELAND SECURITY

(Mr. CLARKE of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE of Michigan. Mr. Speaker, this morning, as a member of the House Homeland Security Committee, I heard testimony that was very compelling. Even though bin Laden is dead, the terrorist threat to our country still exists, and it's a threat that's increasingly coming from within the United States.

My message to Congress: This is not the time to cut back on homeland security. Our local police, fire, and emergency medical providers are our first line of defense against any national emergency and against terrorist attacks. They need the funding right now to upgrade their communication systems so that they can better address this issue that faces Americans.

Again, let's protect our citizens by investing more in homeland security. Redirect the money from Afghanistan to protect our people here at home.

STANDING WITH AMERICA'S MOST STEADFAST ALLY IN THE REGION

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to express disappointment with President Obama's proposal for Israel to return to its pre-1967 borders.

President Obama's call for Israel to make more sacrifices in the pursuit of peace in the Middle East is unacceptable. The borders that were established in 1967 followed three wars launched against Israel. For Israel, acceptance of the 1967 borders would mean that Israeli sacrifices were for nothing. The territory acquired by the Israelis after they were subjected to unprovoked attacks serves as a buffer between Israel and enemies intent on destroying her.

We all want to see peace in the Middle East. But it is unrealistic and naive to think that peace will come as a result of Israel, the only democratic state in the region, making more concessions. Restoring the pre-1967 borders would be a victory for Hamas, a terrorist group committed to Israel's demise. This is not the path to peace, and the President should acknowledge this.

President Obama must stand by our most steadfast ally in the region. He must acknowledge that peace cannot be achieved through Israel's weakening its ability to defend itself against terrorists. The President, and all of us, must stand with Israel.

WALL STREET SPECULATORS

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. This Memorial Day weekend, families all across America have cancelled their travel plans. Others are digging deep to pay 60 bucks for a fill-up. And $10 of that $60 is going to speculators on Wall Street.

Just yesterday, finally, the Commodity Futures Trading Commission filed its first suit against Wall Street market manipulation and speculation gouging the American people. The Republican reaction: Cut the budget of the Commodity Futures Trading Commission—that's what they proposed this week—and block any regulation of energy speculators.

So while families across America are struggling to keep their lifestyle, fill their tanks, and have a little fun with their families, the Wall Street speculators can ride down in their private elevators and relax in the backseat of their limousines while the chauffeur whisks them out to their third house in the Hamptons, because the Republicans have their backs and will protect the speculators at any cost.

STANDING WITH ISRAEL

(Mr. NUNNELEE asked and was given permission to address the House for 1 minute.)

Mr. NUNNELEE. Mr. Speaker, yesterday in this Chamber, we listened as Prime Minister Netanyahu outlined a viable plan for peace in the Middle East, a plan that includes a free Palestinian state and a secure Israel.

Earlier, President Obama used the phrase, ''The United States believes,'' to articulate his beliefs that this peace should be based on the 1967 borders.

This is not how the United States feels or has ever felt about Israel, an ally and a close friend; a friendship based on common democratic values, religious affinities, and security interests. As a friend, we cannot force Israel into indefensible borders ultimately leading to its destruction, because Israel is surrounded by people who want to see it wiped off the face of the Earth.

Israel is our friend, and we, the United States of America, believe in standing with our friend.

KOREAN WAR VETERANS ASSOCIATION RHODE ISLAND CHAPTER

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the 15th anniversary of the Korean War Veterans Association in Rhode Island.

As we look toward Memorial Day, we remember all of our Nation's heroes who put their lives on the line because our country asked them to.

More than 54,000 deaths resulted from the Korean War, which occurred between 1950 and 1953, and more than 103,000 were wounded. In Rhode Island, more than 12 percent of our veterans served in the Korean War. Because of these servicemembers, we are able to enjoy the freedoms that we have here at home today.

We owe our veterans and their families our utmost gratitude and respect for the great sacrifices they have made on our behalf. In honor of their sacrifices, we must fulfill our promise to our veterans and their families by providing access to the highest quality health care, education, mental health services, housing, and employment.

I commend the Korean War Veterans Association of Rhode Island on its achievements and its hard work to support veterans and organizations like the Veterans of Foreign Wars and the Ladies Auxiliary, Veterans.

I wish all veterans and their families a happy Memorial Day.

LIBYA

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, I was disturbed this morning when I

was watching the news and I saw the President with the Prime Minister having a press conference in England and the President, in his comments, indicated that we are in a war and we're going to be all together to win this war in Libya.

As far as I know, the Congress of the United States has not declared war. We have not been really consulted about Libya. Yet we're spending probably a couple billion dollars over there right now. And with the President's remarks, you might wonder if we're going to have boots on the ground and be involved not only in the Middle East but now over in Libya. We don't have the money to do that nor has Congress been consulted.

Section 3 of the War Powers Act says: ''The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities.'' He ''shall.''

He didn't. And we ought to be very concerned about that, whether we're Democrats or Republicans.

The power to go to war must be vested in the Congress of the United States. Not just the President but the Congress. He is not a king; he's a President. And we must make sure that Congress is involved in the decision-making process.

□ 1220

REPUBLICANS' ROAD TO RUIN BUDGET

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, the ''Road to Ruin'' Republican budget will end Medicare. It will end a program that 46 million seniors and disabled individuals depend on for their health care. In fact, the end of Medicare will mean seniors are forced to pay more for prescription drugs, they will lose free wellness visits, and they will be forced to pay more out of pocket. In fact, the Republican plan will cause seniors to dip into their pockets twice as deeply as they do today by the year 2020 and three times more by 2030.

And what do we get with the end of Medicare? Where are these funds directed? To continue tax breaks for Big Oil, to continue loopholes for corporations that ship jobs overseas, and to provide tax breaks for the wealthiest amongst us—those who need them least.

Mr. Speaker, Americans oppose the efforts to end Medicare. I ask my colleagues to work with us to strengthen the program, not destroy it.

MEDICARE

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, yesterday on this floor a number of my Democratic colleagues took the floor to talk about the Republican plan to eliminate Medicare as we know it. Now, in response to that, some of my Republican friends stood up and said, well, where is the Democratic plan? I don't know whether they were sleeping through the 111th Congress or just failed to read the bill that they voted against and now want to repeal, but our Democratic principles were very much reflected in the Affordable Care Act that we passed in the last Congress. We found savings in Medicare, we extended the life of the program for at least 10 years, we are closing the doughnut hole, we are providing new services for seniors, all of that in addition to saving $1 trillion in the second 10 years of the program.

So the Democrats have a plan for Medicare, and we passed it in the last Congress. The Republican response: repeal what we did and end Medicare as we know it—a very creative approach to solving one of the problems that faces this country and many of our seniors.

MEDICARE

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, first I want to echo the words of my colleague from Colorado, MIKE COFFMAN, in expressing our sympathies to the families of Corporal Kirton from Centennial, Colorado, who died this past week in combat. That is a loss to Colorado, that is a loss to the Nation, and we just express our sympathies.

I want to really turn to a big issue at hand, and that is over the last 10 years starting with Bill Clinton, we had a surplus, revenues exceeded expenses. But after the Bush tax cuts, which cost a trillion dollars or more, two wars which cost a trillion dollars or more and collapse of Wall Street a couple trillion dollars, that budget surplus was turned upside down. But instead of focusing on the tax cuts for millionaires and billionaires or tax cuts for the oil companies, the Republicans want to take money out of Medicare to try to get the budget right. Well, that's just going the wrong direction.

Under the Republican budget even $100 a barrel, we are going to maintain those tax cuts for oil companies? Instead we're going to stop programs under Medicare? That's just wrong. Medicare is a program that has worked for this country for a long time, and I want to see it remain in place.

WITNESS BADGERED AT CONGRESSIONAL HEARING

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, I was shocked yesterday at the exchange that occurred between our colleague from North Carolina, PATRICK MCHENRY, and Elizabeth Warren, the woman who has been tasked by President Obama to establish the new Consumer Financial Protections Bureau.

You know, to have a woman of impeccable academic credentials, a woman who for years predicted what was going to happen, had a potential solution, and who has been adamant in her support for trying to unwind this mess, to have her being attacked, to have her at one point being accused of somehow doing too much to communicate with Attorneys General who are trying to get a fair shake for homeowners who have been cheated, speaks volumes—not just, sadly, about the Republican chair of the subcommittee, but about the Republican approach.

For heaven sakes, they shouldn't be blocking her nomination. They should be embracing it and working with us to make sure it never happens again.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1540, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 276 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 276

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes. No further general debate shall be in order.

SEC. 2. (a) It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived.

(b) No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

POINT OF ORDER

Mr. GARAMENDI. Mr. Speaker, I raise a point of order against House Resolution 276 because the resolution violates section 426(a) of the Congressional Budget Act. This resolution contains a waiver of all points of order, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore (Mr. DOLD). The gentleman from California makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974. The gentleman has met the threshold burden under the rule and the gentleman from California and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from California.

□ 1230

Mr. GARAMENDI. Mr. Speaker, I raise this point of order not necessarily out of concern for the unfunded and unmet mandates, although there are many in this bill. I raise this point of order because we have one of the very few opportunities to actually talk about one of the provisions in the underlying bill. Thus far, this House has been denied the opportunity to properly debate this provision, and I believe we must illuminate what it actually does.

Section 1034 of this bill provides an unlimited opportunity for the administrative branch of government, the President, and the Secretary of Defense, to engage in war virtually anywhere, any place, anytime on this planet. That is an unbelievably broad opportunity that this House should never give to any President at any time.

There are three very specific problems that the authorization for the use of military force has, and I want to make sure that we understand what those problems are.

This provision is particularly dangerous because it does undermine the Constitution. Only Congress has the authority to declare war. Yet this authorization to use military force passes to the President the opportunity to engage in war anywhere anytime, really, without any particular reservations.

This thing was snuck into the Defense Authorization Act. No debate in committee. And had I not somehow been going through the bill and thumbing through and finding page 133 of the legislation, it would never have been discussed in committee. But some time near 12 o'clock, or actually after 12 o'clock, I was able to present an amendment in the committee to strike this section of the bill. That amendment did not pass the committee, and hopefully it will be before the floor as we discuss the entire legislation.

So let me begin the discussion now.

We ought not expand the executive authority to go to war. First of all, this particular section, 1034, is harmful because of three reasons: one, it's unlimited—anywhere, any place, anytime; second, it is very unclear as to who we're going to go to war against; and, third, it's not necessary.

First, section 1034 is unlimited. There's no geographic limitation in section 1034. All that needs to be found by the President or the Secretary of Defense is there is a terrorist out there somehow associated with the Taliban or al Qaeda. And we know that al Qaeda is spread throughout the world, including the United States. So the entire globe is the subject of this authorization to use military force. And it's not just force against an individual terrorist or an individual terrorist organization. It's force against any nation that harbors, supports, or provides some sort of aid to a terrorist organization.

What kind of a nation would that be? Well, certainly we would consider Yemen, Somalia, maybe even Pakistan. And we did successfully go after Pakistan—not Pakistan, but after bin Laden who happened to be hiding in Pakistan. But the point here is unlimited authorization to go anywhere in the globe to go after terrorists of any color, any stripe, anywhere. I don't suppose we intend to declare war against ourselves, so maybe America is not included in this.

Secondly, there's no temporal limit to this, meaning this authorization goes on forever. It's not limited in time. It can go for 1 year, 2 years, 10 years, one century or a millennium. We must never allow any President to have that unlimited opportunity to wage war on behalf of this Nation.

Third, this resolution and this section is unclear. It's unclear in several ways. What is an ''associated force''? What's the ''Taliban''? What is ''al Qaeda''? We know al Qaeda as it existed in Afghanistan. We have a sense of what al Qaeda is in Pakistan. But now we have al Qaeda in the Saudi Arabia Peninsula, we probably have al Qaeda in Somalia and, certainly, according to the FBI, we have al Qaeda in the United States.

So this particular clause, associated forces, is one that we should never allow to go into law and allow any President over any time in the future to use it to undertake a war somewhere.

Finally, the provision is unnecessary. The administration is not asking for additional power. We have a case in point. The administration didn't need additional power to go into Pakistan to get bin Laden. The administration doesn't need additional power to go to Yemen to deal with al Qaeda in the Arabian Peninsula, nor did the administration need power way back in the 1990s when President Clinton launched Tomahawk missiles into Afghanistan to go after bin Laden and al Qaeda in Afghanistan at that time.

The President, the administration, is not asking for this authority. They claim and the courts have provided them with sufficient authority to carry out the mission against terrorism as we know it today.

So in conclusion, I want to raise this issue to this House, to the Senate, and to the American public that in the Defense authorization there is an unlimited opportunity for any President now and in the future to wage war anywhere in the world against any nation that has a terrorist in that nation. That we should never do. We should aggressively maintain our authority under the Constitution to declare war and to authorize the use of military force.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I rise to claim time in opposition to the point of order.

The SPEAKER pro tempore. The gentleman is recognized for 10 minutes.

Mr. BISHOP of Utah. The following discussion we have just had on the floor is certainly enlightening and interesting. There is much that I think is significant to what has been said by the gentleman from California.

However, Mr. Speaker, if you would forgive me, I need to talk directly to the point of order itself.

The question before the House is, should the House now consider House Resolution 276. While this resolution waives all points of order against consideration of the bill, the Rules Committee is not aware of any point of order. The waiver is prophylactic in its nature. Specifically, the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act, nor has the Congressional Budget Office identified any violation of the Unfunded Mandates Reform Act.

In order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate having expired, the question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Thank you, Mr. Speaker.

For the purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN) pending which I yield myself such time as I may consume. During consideration of this resolution all time yielded is for the purposes of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent, Mr. Speaker, that all Members may have 5 legislative days during which they may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, this resolution provides a structured rule for the consideration of 152 individual amendments to H.R. 1540, the National Defense Authorization Act for fiscal year 2012.

I would like my colleagues to realize that the Rules Committee received 220 amendments for consideration of this bill; and of the 220 filed, 75 percent of them, or a total of 152, are made in order.

□ 1240

Even more remarkable, the vast majority of those that were not made in order were either withdrawn by the sponsor, were duplicative of other amendments filed, were redundant restatements of provisions already included in the base bill, or violated House rules. So this is an overwhelmingly fair and generous rule, and it continues the record of the Rules Committee in this Congress of making multiple amendments in order as long as they conform to the rules of the House.

One must commend Chairman DREIER for continuing this record of openness. Likewise, I wish to commend the chairman of the Armed Services Committee, the gentleman from California (Mr. MCKEON), as well as the ranking member, the gentleman from Washington (Mr. SMITH), for bringing a bill to the floor under a continuing tradition of bipartisanship and mutual cooperation.

Mr. Speaker, sometimes the Congress has a reputation of being contentious and partisan, and that reputation is, unfortunately, occasionally deserved. However, as one who has been a member of the Armed Services Committee and is currently on leave from that committee, I have been pleased to note that, when it comes to providing for the common defense of our country—a core constitutional responsibility—partisanship has usually been checked at the door with regard to the conduct and the product of the Armed Services Committee in their annual Defense authorization bill, as was this bill, having passed by a vote of 60–1 from committee. This rule builds on that bipartisan tradition when it comes to the Defense bill, and it makes more Democrat amendments in order than Republican amendments.

Yes, you're welcome.

Our Nation faces some daunting challenges: to provide adequate resources for our national defense going forward, to pay personnel and to provide promised benefits for our all-volunteer force. The modernization of our aircraft fleet is slipping further and further behind, and the average age of our fighter jets is 150 percent of their designed capacity. The age of our bombers is at a record high even as demands for their utilization is great in Afghanistan, in Iraq and increasingly in other places in the world. The infrastructure needs of our military continue to slip further and further behind—the cliche is that they're moved to the right—and a backlog of needed improvements to fill vital military missions grows even greater.

A strong national defense is directly related to a strong national economy and to a strong jobs outlook. National defense makes everything else that we enjoy in this country—our cherished way of life, our freedoms—possible.

The underlying legislation, H.R. 1540, does a remarkable job, given all of the fiscal restraints that have been involved, in continuing to provide for our common defense. For that purpose, I wish to inform my colleagues that this is a good bill, and we are adding to that a good and fair rule for the amendments.

I reserve the balance of my time.

Mr. MCGOVERN. I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to this rule.

All Members of this House are strongly committed to protecting our national security regardless of party, region or political point of view. It has been the tradition of the House Armed Services Committee, at the staff and member level, to work in a bipartisan way to carefully craft the annual Defense authorization bill.

I recognize Chairman BUCK MCKEON and Ranking Member ADAM SMITH for continuing that collegiality.

Given such a tradition, it comes as a surprise to see so many provisions in H.R. 1540 that attempt to repudiate and attack several of the President's national security policies: from warehousing low-level detainees for an indeterminate amount of time, to delaying the implementation of the repeal of Don't Ask-Don't Tell, to hamstringing the implementation of the bipartisan-supported New START Treaty, to seeking a so-called ''updated'' authorization for the use of military force that no longer references the devastating 9/11 attacks against America but, instead, gives broad authority to the executive branch to pursue military operations anywhere and for any length of time.

Such changes have all the appearance of a partisan agenda.

Yesterday, I expressed my hope that the Rules Committee would make in order amendments so that a broad range of issues and recommendations might be considered and voted upon by this body. Over 200 amendments were submitted to the Rules Committee for consideration, and 152 amendments were made in order; but each amendment only receives 10 minutes of debate time, evenly divided between supporters and opponents.

When the House is debating whether to significantly change and expand the authority under which the President—any President—may send our servicemen and -women into harm's way without consulting Congress and under the vague terminology of fighting global terrorism, is 10 minutes really enough time to give this grave matter the attention it deserves?

When military operations are underway in Libya, is 10 minutes really enough time to debate whether ground troops should not be deployed under any circumstances?

A number of amendments submitted to the Rules Committee focused on the future of our policy and military operations in Afghanistan. As most of my colleagues know, I believe we need to rethink our strategy in Afghanistan. It has demanded the lives of 1,573 of our servicemen and -women, and has gravely wounded tens of thousands of our troops. Suicide rates among our veterans from Afghanistan and Iraq have soared; and right now, there is no genuine path aimed at ending our military footprint in Afghanistan—no exit strategy.

The death of Osama bin Laden creates an opportunity for us to reexamine our policy in Afghanistan and to ask the President exactly how and when he will bring the last troops home to their families and to their communities.

This is a moment to bring fresh eyes to the question of what kind of defense priorities and budget best fit the needs of our Nation and our national security, especially in these difficult economic times. This is a matter that touches every single American and especially our uniformed men and women, their families and their communities.

How can we make any decision on budget priorities unless we know how much longer this war is going to last?

Already, it is the longest war in our Nation's history. It is bankrupting our Nation. Every day, every week, every month, we see billions and billions of

dollars charged to the national credit card, increasing the deficit, increasing the debt—with no end in sight.

We see corruption everywhere within the Karzai government in Afghanistan, and we see the basic needs of our own communities—roads, bridges, clean water systems, education, health care, and hunger programs—cut or eliminated for lack of funds.

Where does it all end? When does it all end? On a matter this important, shouldn't we be engaged in debate for more than 10 minutes?

I am pleased that the amendment I submitted with cosponsors WALTER JONES, LORETTA SANCHEZ, JUSTIN AMASH, JOHN LEWIS, RON PAUL, DAVID CICILLINE, and PETER WELCH was made in order. We have 5 minutes to describe why the President needs to clearly lay out to Congress, to the American people, to our military men and women, and to our military families exactly how and when we will complete the accelerated transition of our military operations to the Afghan authorities—5 minutes, Mr. Speaker—not to mention why the President needs to accelerate talks to achieve a political solution and reconciliation in Afghanistan and why we need to have a new National Intelligence Estimate, not just a report from the National Counterterrorism Center on the leadership, locations and capacity of al Qaeda.

Five minutes.

This Defense bill would give the executive branch carte blanche to fight global terrorism anywhere and by any means, but we don't even have an up-to-date NIE on al Qaeda.

That's not debate, Mr. Speaker. Quite frankly, it's an insult, not to mention that, if we add up the time of all the amendments, at best, the debate on the future of U.S. military operations in Afghanistan might begin as early as 10 or 11 o'clock tonight—but, most likely, even later. Mr. Speaker, there is no reason to rush this bill through just because Members were told they could fly out of town at 3 o'clock tomorrow. We could stay on Friday or we could continue the debate on the amendments next week.

War. The very lives of our uniformed men and women. Libya. Unchecked power granted to the executive versus the constitutional responsibility of Congress to declare war or to authorize the specific use of our military might around the world. These are matters that deserve much greater attention than what is granted under this rule.

I urge my colleagues to support the McGovern-Jones-Sanchez-Amash-Lewis-Paul-Cicilline-Welch amendment on Afghanistan when it comes up for debate late this evening; and I ask my colleagues to reject this rule, which denies this House the ability to debate these grave matters in the manner they deserve and require.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. I rise in support of the rule and H.R. 1540.

As a U.S. marine, I understand the importance of strong national defense, especially during this time of war. That's why I'm glad this bill provides our troops with the resources they need and enables them to carry out the missions we ask of them.

□ 1250

As a freshman member of the House Armed Services Committee, I would like to thank Chairman MCKEON for his leadership throughout this process. He has been very open in working with me and other colleagues on the committee in developing ways to restructure the Quadrennial Defense Review process. This process informs the annual defense spending bill, of course. So I am proud of the bill we are debating today. I am encouraged by our recognition that a restructured QDR process will allow us to better identify DOD priorities. And that is the key to efficiently spending taxpayer dollars.

In sum, this bill responsibly addresses military issues facing us today, and it is being offered with an eye to improving the defense funding process in the future.

I urge my colleagues to vote ''yes,'' Mr. Speaker.

Mr. MCGOVERN. I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Speaker, I would like to commend the majority and the minority for working together for a robust process that we had, but I am concerned about two deficiencies in the process, one the gentlelady from Guam will speak to momentarily. I think it's really a travesty that she is not able to present an idea this House has considered many times as part of this bill. And I hope that would be reconsidered.

Secondly, we have all said forever that we agree that there is a problem that has to be fixed for people who served our country in uniform. And here is what happens. You have a person who is very seriously injured in the line of duty in the military, and they retire and they would get disability pay for their injury. Let's say they have been deafened by a bomb going off near them, and they are very, very ill or disabled, and they qualify for disability pay. They also qualify for a regular military pension.

I think most of us on this floor would say, most people in the country would say they should get both. If you are injured in the line of duty and you are severely disabled as a result, you should get both your disability pay and your regular pension. And for years people on both sides have said they want to do this. The problem has been it does in fact cost money. And there are a couple of other variations here. The widows and widowers of these servicemembers have the same problem with respect to their benefits. And then there is another problem where people who serve in the Reserve get credit toward earlier retirement, but they have to make it fit around the Federal fiscal year or they don't get it.

So we have people over in Iraq and Afghanistan who have been deprived of earlier retirement. They have been shot at the same as everybody else, but because they got shot at after October 1, it doesn't count. It's just a bizarre rule that ought to be fixed.

Now, we had an amendment in the Rules Committee that fixed, to a great extent, these three problems. And it had a way to pay for it which is controversial. It would take some of the Internet gaming that's going on and say, A, it's legal, and B, that the money from it should go to help these service personnel who were injured in the line of duty. Some people like this idea, some people don't. But I think it should have been brought to this floor so we could have a debate about it.

If you talk to any one of our Members, Mr. Speaker, I think he or she would tell you they are all for fixing this problem, but it has to be paid for. So we had a solution that fixed a large part of the problem and was paid for, would not result in an increase in the deficit, but it didn't find its way to the floor. I know the technicalities of it. But I really think the House should be given a chance to work its will on this question.

It's as simple as this: The guy who lost his hearing because a mortar shell went off next to him, should he have to choose between his disability pay and his regular retirement instead of getting both? I think he should get both. And I think the House should be able to work its will on that question. I would urge us to consider during this debate process making that possible.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

Mr. MCGOVERN of Massachusetts raised an issue just a minute ago that he said we should be discussing regarding the War Powers Act. And I certainly agree with him. I would just like to inform him that right now the Foreign Affairs Committee is holding hearings on a number of pieces of legislation that will deal with and refine the War Powers Act, and hopefully correct some of the loopholes that are in it so that Congress is included in the loop.

So I would just like to inform him of that, because although I would like to see this in this particular legislation that we are talking about and discuss this in some detail, I think the hearings that are going on right now will go into in depth the problems that we face with that bill. The one thing that I would say is that I think we all agree, Democrats and Republicans alike, that this body and the other body ought to be involved in the decisionmaking

process before we go into any conflict. And this issue of Libya is a perfect example of where the executive branch has run away from the Congress without consulting with us. And that's something that should never happen in the future, especially when we are risking American lives and American money.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman for his comments, although I do continue to believe that on these great issues that we need more than 5 minutes to be able to present our case. Our entire policy in Afghanistan, we are given 5 minutes to debate the issue. I don't think that that's right.

I would now yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

For more than 9 years now our American troops have been executing the mission in Afghanistan with extraordinary dedication and competence. They have done all we have asked of them. But what started out as a quick war on October 7, 2001, to wipe out al Qaeda leader Osama bin Laden and other terrorists has turned into a campaign that seemingly has no end in sight, ripping our Nation's most precious treasures, our brave men and women, from their families and their communities, and costing us more than $8 billion a month.

The cost of this war, again, $8 billion a month, approximately $2 billion a week, is totally unsustainable, especially at a time when we are being asked to make extreme cuts here at home; money, by the way, that we are putting on the American credit card.

Mr. Speaker, my Rhode Island constituents understand that it's time to transfer responsibility for Afghanistan to the Afghan people and bring our brave men and women home. We should no longer send billions of American taxpayer dollars to the Afghan people for their schools and hospitals, roads, bridges, and police, at the expense of making those same investments in our own country, especially when the Karzai government has shown itself incapable of governing effectively or honestly.

For example, a yearlong investigation by a Senate panel has found evidence that the mostly Afghan force of private security guards that our military depends on to protect supply convoys and bases in Afghanistan are rife with criminals, drug users, and insurgents. More alarming, the report alleges that some local warlords, who have emerged as key labor brokers for private security firms, are also Taliban agents.

It's time to rethink our strategy in Afghanistan so that we can focus on rebuilding our economy and making sure Americans can compete in the 21st century. We need to invest in job creation and reducing our debt, instead of sending billions of dollars to a corrupt government abroad. That's why I am proud to support and to be a cosponsor of the McGovern amendment, which requires the President to provide Congress with an exit plan from Afghanistan with a timeframe and a completion date.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 30 seconds.

Mr. CICILLINE. A clear exit plan will stabilize Afghanistan by ending an unpopular presence there and improve our country's flexibility to respond to more immediate and pressing national security challenges, improving our fiscal and economic situation at home. This is about setting the right priorities for the American people.

I urge my colleagues to strongly support the McGovern amendment.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to the gentlelady from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Speaker, I rise in support of the rule and of H.R. 1540, the National Defense Authorization Act, and I want to thank Chairman MCKEON and Ranking Member SMITH for bringing this important bill to fruition. The legislation we have demonstrates support for our troops. It is a good bill that will provide them with the tools and support they need as they protect our freedoms and our liberties.

In funding our military for 2012, we ensure our troops who are deployed in Afghanistan, Iraq, and elsewhere in the world have the equipment and resources they need to succeed in their missions. There is no higher priority than advocating on their behalf, and they deserve nothing less than the best.

□ 1300

We need to send a clear message to the men and women fighting for our Nation that this Congress is committed to keeping our national defense a priority.

We are a Nation at war with men and women fighting in harm's way at this very minute. We need not forget that we face threats throughout the world with enemies bent on destroying our way of life. We have a constitutional responsibility to provide for the common defense.

I support our troops, and I am proud to stand with them as they protect our freedoms.

Mr. MCGOVERN. I am happy to yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Mr. Speaker, I hope that someday my Republican counterparts will be clear about why my amendment was not made in order, and I also hope that they will provide greater explanation as to why we were promised an open rule this year but have anything but that today.

In fact, Mr. Speaker, my friend, Mr. BISHOP, voted for this amendment in the last Congress, and I want to thank him, but I can't imagine how he could have had such a change of heart in such a short time.

I rise in strong opposition to this rule. This rule does not afford the people of Guam with an opportunity to make their case about the matter of Guam war claims before this House. All I want, and all we want, is a vote, Mr. Speaker. In fact, I do not understand why my Republican colleagues are so concerned about allowing my amendment for a vote on the floor, as is regular order.

Guam war claims have passed this House five times—I have to repeat that, five times—and each time with overwhelming bipartisan support. The resolution of Guam war claims is so critical to maintaining support for the military buildup on Guam. The people of Guam are going to bear the brunt of the significant impacts because of this realignment of military forces, and it is only right to bring war claims to a conclusion. This is what I hear from my constituents every day.

We reached a compromise with the Senate on this matter last year, having both Chairman LEVIN and Ranking Member MCCAIN supporting the provision. However, because of the time we had last Congress, it was struck from the bill due to the objection by a small minority of Senators, and we were forced to agree to the defense bill by unanimous consent here in the House.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman an additional 1 minute.

Ms. BORDALLO. Let history note that I did not object to the unanimous consent request last year based on the commitments of my friends across the aisle. In fact, Chairman MCKEON committed to including war claims in this year's defense bill, and I do appreciate his support.

But the Republican leadership would not allow him to honor his commitment to me. This is wrong, Mr. Speaker, and a true disservice to the people of Guam.

I would like to ask unanimous consent to include the text of my amendment, No. 99, to be included for consideration in this rule.

The SPEAKER pro tempore. Does the gentleman from Utah yield for such request?

Mr. BISHOP of Utah. I have a great deal of sympathy for the gentlelady from Guam, and on the Resources Committee where that bill still is, I will work with you on that, but I do object to unanimous consent.

The SPEAKER pro tempore. The gentleman does not yield.

Mr. MCGOVERN. Mr. Speaker, let me again express my disappointment with the lack of time that we are being allowed to debate some very, very important issues that impact everybody, every single person in our country: issues of war; issues of granting the executive branch this new broad authority to be able to go to war any time they want without even consulting the United States Congress, giving them these unilateral powers which I believe

is not what our Founding Fathers ever anticipated; issues involving Libya; and I could go on and on and on, not to mention some of the issues that were not allowed to be brought up at all, and Ms. BORDALLO just mentioned one of them. I don't understand why that was not made in order.

But in this House of Representatives, since the new majority took over, we debate trivial issues passionately and important ones not at all. You know, we spent hours debating whether we should defund National Public Radio. But on the issue of Afghanistan, what our policy should be in Afghanistan, we have over 100,000 troops in Afghanistan, we are borrowing over $8.2 billion a month—a month, a month—to pay for Afghanistan, that is all going on our credit card. That is going, adding to our deficit, to our debt. Our kids and grandkids are going to pay for the fact that we are not paying for it now. Those issues deserve more than a few minutes of debate.

Again, I have an amendment on Afghanistan to encourage the President to rethink our policy and to develop an exit strategy, and I and all the other Members who are cosponsoring my bill, my amendment, are given 5 minutes—5 minutes—to talk about this issue. Surely we could spend at least another 5 minutes on top of that—I mean, hopefully even longer—being able to discuss this important issue.

I regret that, because I think we need to be debating and discussing what we are doing in Afghanistan. I think it is important. I think the American people want us to figure a way out, and yet we give them 5 minutes to be able to debate this issue. I think that is regrettable.

[From http://www.thenation.com, May 10, 2011]

END THE WAR IN AFGHANISTAN, AND BEGIN NATION-BUILDING HERE AT HOME

(By Rep. Jim McGovern and Rep. Walter Jones)

This week we joined with over a dozen of our colleagues—Republican and Democrat—to introduce new legislation to require the Obama Administration to present an exit strategy for U.S. forces from Afghanistan.

Specifically, our bill (the ''Afghanistan Exit and Accountability Act'') would: require the President to transmit to Congress a plan with timeframe and completion date on the transition of U.S. military and security operations in Afghanistan to the Government of Afghanistan; require the President to report quarterly (i.e. every 90 days) on the status of that transition, and the human and financial costs of remaining in Afghanistan, including increased deficit and public debt; and; included in those quarterly reports, the President must disclose to Congress the savings in 5-year, 10-year and 20-year time periods were the U.S. to accelerate redeployment and conclude the transition of all U.S. military and security operations to Afghanistan within 180 days (i.e. 6 months).

The operation that resulted in the killing of Obama bin Laden demonstrated that the men and women of our armed forces and intelligence community are incredible people. The world is now a better, safer place.

The question then becomes: now what? Now that bin Laden is dead and Al Qaeda is scattered around the globe, does it really make sense to keep using over 100,000 U.S. troops to occupy Afghanistan and prop up a corrupt government? We don't think so.

Remember—we didn't find bin Laden on the front lines of Afghanistan. He was comfortably holed up in a mansion in Pakistan. We must continue to target Al Qaeda wherever in the world they are. But continuing to be bogged down in Afghanistan makes that mission harder, not easier.

In December, Afghan President Hamid Kharzai made it clear that he would rather align himself with the Taliban than with the United States. So why on earth are we sacrificing so much in terms of dead and wounded soldiers and billions of dollars to support him?

We believe that bin Laden's death creates an opportunity to re-examine our policy and to require the Administration to tell us exactly how and when we will end our massive troop presence in Afghanistan.

Our bill requires the President to give Congress a concrete strategy and timeframe for bringing our servicemen and women home to their families and communities, and it requires quarterly reports on the human and financial costs of continuing the war—and how much we would save if we withdrew our forces within a reasonable time frame.

That's not too much to ask.

To make it worse, we're not even paying for the war. It's on the national credit card. The war in Afghanistan adds $100 billion a year—$2 billion each week, $8 billion each month—to our debt.

We're told that we can't afford vital domestic funding, but we should continue to borrow billions and billions of dollars for nation-building in Afghanistan. Instead, we should be doing some more nation-building right here at home. Why don't we take some of those billions to build roads and bridges and schools right here in the United States?

In the end, of course, only President Obama can bring an end to the war. But Congress must play a role, as well. For too long, Congress has ducked its proper oversight responsibilities when it comes to the war in Afghanistan. We've avoided meaningful debate and discussion and have chosen to simply ''go along to get along.''

The President told us that we will see a substantial drawdown of troops in July. He needs to keep that promise. And he needs to tell us when all of our troops will be coming home, and how much staying in Afghanistan will continue to cost the American people—in sacrificed lives, wounded bodies and minds, and U.S. tax dollars—until this war is finally over.

That's what our bill would require. We are hopeful that with enough public pressure, we can provide some wind at the back of the President to help him do the right thing.

This war is the longest in our history. There's no end in sight. It's time to stop digging.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I would like to take just one moment to clarify the record with respect to amendment No. 61 by Mr. CONYERS in the Rules Committee report. Printed in report 112–88, Mr. DUNCAN of South Carolina was inadvertently added as a cosponsor to the Conyers amendment No. 61. I want to clarify for the record that Mr. DUNCAN of South Carolina is not a cosponsor of that particular amendment.

I appreciate the discussion we have had so far. I would like to remind my colleagues here that if every amendment made in order in this rule were to have its maximum amount of time, we would have already approved a maximum of over—well, we have a minimum of 26 hours of debate on this particular issue.

I am appreciative of the concerns of Mr. MCGOVERN of Massachusetts. I also want him to realize there are multiple amendments that were made in order dealing with this and similar subjects. And I am very appreciative that Mr. MCGOVERN, as a veteran of the House, understanding the rules of the House, has been wise enough to use this debate time also for speaking about that particular amendment, which will vastly extend the amount of time he has to cover that issue. That is wise of him; that is good of him.

I reserve the balance of my time.

Mr. MCGOVERN. I yield myself such time as I may consume.

I would again remind my colleagues that on the issue of what our future should be in Afghanistan, those of us who want us to rethink our policy and develop an exit strategy are given 5 minutes—5 minutes. We could debate whether we should fund National Public Radio or not for hours, and all the other items on the Republican social agenda for hours and hours and hours, but when it comes to the issue of war, we are told you get 5 minutes. I don't think that's adequate.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. First let me thank the gentleman for yielding and for his leadership.

I would just say to the gentleman, you are absolutely correct, and I oppose this rule because this is such an important issue that affects our national security, but also the economic security of this country.

This is an issue that warrants much more deliberation and debate. In fact, Mr. Speaker, when the authorization to use force to go to war in Afghanistan came before us on that terrible day of 9/14, there may have been 1 hour of debate, if that long. And so I think at this moment, as we are turning the corner, hopefully, we should have a full debate on the direction, the timeframe which Mr. MCGOVERN has in his resolution, and also a plan to begin to end the war in Afghanistan.

□ 1310

We must have a political solution and reconciliation in Afghanistan because most military experts have told us there's no military solution in Afghanistan. We know and we hear that if it's going well, we need more money and more troops; and if it's going poorly, we need more money and more troops. So we need here in the House to have this debate. What should we do and how should we do it?

So this amendment, this proposal by Mr. MCGOVERN, warrants much more than a 5-minute debate because it's such an important issue to the country. Over 70-some percent now of the

American people believe it's time to wind down. Many of us believe that beginning in July we should put forth a proposal for a significant and sizeable reduction as the President indicated he would do in the past. Many believe that we should not fund any more combat operations in Afghanistan and that, in fact, we should only use our funding for force protection and to bring our young men and women home.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlelady an additional 1 minute.

Ms. LEE. Thank you very much, Mr. MCGOVERN.

What the McGovern-Jones amendment seeks to do is begin that debate, to get us on course and to allow this House of Representatives to discuss what in the world should come next.

I want to thank the gentleman for yielding, I thank you for your hard work, and just say that I think that it's about time now that we have a rule on such an important issue that allows for this body to engage in debate. Our troops deserve that, the American people deserve that, and certainly we need to begin to reflect public opinion on this because the public gets it. They know that $100 billion a year is no drop in the bucket in terms of our resources. We have a deficit, we have an economic crisis throughout the country, and we certainly need to find some balance between our national security interests and our economic security interest. Beginning to develop a plan to get out of Afghanistan warrants a full-fledged discussion.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this rule. Earlier this year, we learned of wrongful home foreclosures on active duty military families in violation of the law. And so I submitted a very straightforward amendment that would have directed the Secretary of Defense in conjunction with the Treasury and the Consumer Financial Protection Bureau to prepare a comprehensive strategy to protect members of the Armed Forces and their families from unfair, deceptive and abusive financial services practices and to enhance the financial readiness of such families, families who are sacrificing so much today.

The amendment would have no effect on direct spending, and it was germane. Yet, despite the majority's high claims of openness and transparency and the fact that 152 amendments were made in order, this one was not.

The SPEAKER pro tempore (Mr. CAMPBELL). The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman 1 additional minute.

Ms. DELAURO. One can only conclude that the majority has chosen its dislike, or its detest, for the Consumer Financial Protection Bureau over protecting military families. Elizabeth Warren is right: attacks against the bureau are now happening in the back alley. Yesterday, that back alley was the majority side of the Rules Committee, and the victims—the victims—were the brave men and women in uniform and their families.

Oppose this rule.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. MCGOVERN. I yield myself the balance of the time.

Mr. Speaker, let me close by making a couple of points here. First, I would urge everybody, Democrats and Republicans, to support the McGovern-Jones amendment on Afghanistan. I think there is bipartisan concern and bipartisan anxiety about our policy. I think there are Republicans, as well as Democrats, who believe that it's time to rethink this strategy and to come up with an exit strategy to bring our troops home, to bring them back to their families and to bring them back to their communities.

We need to make our voices heard. The President has said in July he is going to make an announcement about the drawdown of American troops. We're hearing from some sources that it may be only a token drawdown. We need a real drawdown, a significant drawdown, because if not, we are going to be engaged in a war that has no end.

We are borrowing money like there's no tomorrow to pay for this war; $8.2 billion a month we're borrowing. We're not even paying for it. For those who support this war, I would say that if you support it, then pay for it. And I will tell you that most of the people across this country believe it's time to leave. We're supporting a corrupt government. The Karzai government is corrupt. There's no question about it. By every measure, they are wasting our money. And this is not a man, quite frankly, who our American servicemen and -women should have to die for.

We are nation-building in Afghanistan when we should be doing nation-building here in the United States. My district is not unique in its need for more investments in roads and bridges. We need more investments in job creation to put people back to work. People want to invest here in the United States because national security also means whether or not people have a job, whether or not people can earn a living.

I would urge, again, my colleagues on both sides of the aisle to help me and help Mr. JONES and the others who cosponsored this amendment, put a little wind behind the President's back in July so that he makes a meaningful announcement so that we can see the light at the end of the tunnel so that there is an exit strategy.

Mr. Speaker, let me also urge my colleagues to defeat the previous question. If we defeat the previous question, I will offer an amendment to the rule to make in order H.R. 1979 by Mr. ANDREWS of New Jersey, to expand eligibility for concurrent receipt of military retired pay and veterans disability compensation to include chapter 61 disability retirees, to increase the monthly amount of special survivor indemnity allowance for widows and widowers of deceased members of the Armed Forces and to enhance the ability of members of the Reserve components who serve on active duty or perform active service in support of a contingency operation or in other emergency situations to receive credit for such service in determining eligibility for early receipt of nonregular service retired pay.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I urge all my colleagues to vote ''no'' and defeat the previous question so we can help our veterans, and I urge a ''no'' vote on the rule.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH

Mr. BISHOP of Utah. Mr. Speaker, I offer an amendment to the resolution.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the resolution add the following new section:

SEC. 5. Notwithstanding any other provision of this resolution, the amendment specified in section 6 shall be in order in lieu of amendment number 5 in House Report 112–88.

SEC. 6. The text referred to in section 5 is as follows: Page 113, after line 17, insert the following:

"SEC. 317. HEALTH ASSESSMENT REPORTS REQUIRED WHEN WASTE IS DISPOSED OF IN OPEN-AIR BURN PITS.

''Section 317 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2250; 10 U.S.C. 2701 note) is amended—

''(1) by redesignating subsection (c) as subsection (d); and

''(2) by inserting after subsection (b) the following new subsection (c):

'' '(c) HEALTH ASSESSMENT REPORTS.—Not later than 180 days after notice is due under subsection (a)(2), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a health assessment report on each open-air burn pit at a location where at least 100 personnel have been employed for 90 consecutive days or more. Each such report shall include each of the following:

'' '(1) An epidemiological description of the short-term and long-term health risks posed to personnel in the area where the burn pit is located because of exposure to the open-air burn pit.

'' '(2) A copy of the methodology used to determine the health risks described in paragraph (1).

'' '(3) A copy of the assessment of the operational risks and health risks when making the determination pursuant to subsection (a) that no alternative disposal method is feasible for the open-air burn pit.'.''.

□ 1320

The material previously referred to by Mr. MCGOVERN is as follows:

An amendment to H. Res. 276 offered by Mr. McGovern of Massachusetts:

At the end of the resolution, add the following new section:

SEC. 7. Notwithstanding any other provision of this resolution, an amendment consisting of the text of H.R. 1979 (added as a new title at the end of the bill) shall be in order as though printed as amendment number 153 in the report of the Committee on Rules if offered by Representative Andrews of New Jersey or a designee. That amendment shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent.

The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question on the amendment and on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RESIGNATION AS CHAPLAIN OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

OFFICE OF THE CHAPLAIN,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 15, 2011.

Hon. JOHN BOEHNER,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: During the past eleven years, it has been my distinct honor to serve as Chaplain of the House of Representatives. It has been a true blessing for me to come to know you, Members of Congress through the years, and so many dedicated Staff personnel who have come to the Capital to serve this nation with their daily labor and sincerity of heart.

In my duties as Chaplain I have tried to be present to all and listen to their needs. Hopefully I have offered them guidance when sought, counsel when requested and strength in difficult times. I have learned compassion for them and their families. My greatest joy has been to lead people in the Chamber and across the nation in prayer.

It is now time for me to retire. I hope you will accept my resignation as Chaplain to be effective on Saturday April 30, 2011.

I trust you will convey to all the Members of the House my continued esteem for their efforts to shape laws and policies for the common good of the American people and for a better and peaceful world. I thank you and all for the kindness, patience and friendship extended to me. Certainly I do remember all of you in my daily prayer until the end of my days.

With gratitude to you and Almighty God,

REVEREND DANIEL P. COUGHLIN,
Chaplain.

The SPEAKER pro tempore. Without objection, the resignation of Father Daniel P. Coughlin as Chaplain, effective April 30, 2011, is accepted.

There was no objection.

BEST WISHES TO REVEREND DANIEL COUGHLIN AND WELCOMING REVEREND PATRICK CONROY

(Mr. DREIER asked and was given permission to address the House for 1 minute.)

Mr. DREIER. Mr. Speaker, I want to join with all of my colleagues in extending best wishes to Father Coughlin for his very, very important service over the past 11 years to this institution and to welcome and congratulate the new Chaplain of the House of Representatives, Father Pat Conroy of Snohomish, Washington, a very distinguished alumnus of Claremont McKenna College in southern California, a man who has had spectacular service and even greater days ahead with the work that he is going to be doing with every Member of this institution.

ELECTING CHAPLAIN OF THE HOUSE OF REPRESENTATIVES

Mr. DREIER. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 278

Resolved, That Father Patrick J. Conroy of the State of Oregon, be, and is hereby, chosen Chaplain of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPEALING MANDATORY FUNDING FOR GRADUATE MEDICAL EDUCATION

The SPEAKER pro tempore (Mr. LATHAM). Pursuant to House Resolution 269 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1216.

□ 1324

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1216) to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations, with Mr. CAMPBELL (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, May 24, 2011, a request for a recorded vote on amendment No. 7 printed in the CONGRESSIONAL RECORD by the gentlewoman from North Carolina (Ms. FOXX) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings on that amendment will now resume.

AMENDMENT NO. 7 OFFERED BY MS. FOXX

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 182, not voting 15, as follows:

[Roll No. 338]

AYES—234

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hayworth
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—182

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono Mack
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Braley (IA)
Burgess
Castor (FL)
Filner
Frelinghuysen
Giffords
Gingrey (GA)
Gowdy
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)
Polis
Reed
Webster

□ 1349

Mr. BLUMENAUER and Ms. WASSERMAN SCHULTZ changed their vote from ''aye'' to ''no.''

Messrs. ALTMIRE and SULLIVAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. REED. Mr. Chair, on rollcall No. 338, had I been present, I would have voted, "aye."

Stated against:

Mr. FILNER. Mr. Chair, on rollcall No. 338, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted, "no."

The Acting CHAIR. There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GERLACH) having assumed the chair, Mr. CAMPBELL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1216) to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations, and, pursuant to House Resolution 269, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further proceedings on this bill are postponed.

WELCOMING THE NEW HOUSE CHAPLAIN

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, one of the most important members of the House community is not a Member of the House. Upon its inception, the House elected a chaplain to deliver the opening prayer, continuing a tradition started by the First Continental Congress.

As the House has grown, so has the role of the chaplain, who Members, officers, and staff look to for advice and counsel.

The chaplain also sees to the well-being of this institution, which serves people of all faiths, and a Nation that has always put its trust in God.

Our national motto is an echo of the 16th Psalm, which in part says: ''Preserve me, O God, for in thee do I put my trust.''

In many ways, the chaplain is the anchor of the House.

So it was with regret that we bid farewell to Father Coughlin, who retired after 11 years of distinguished service. But always looking out for us, Father Dan left behind one last blessing. He recommended someone who he felt would be a worthy successor. And to no surprise, Father Dan was right.

Father Pat Conroy comes to us from the Northwest. He was born and raised

in Washington State and has spent much of his priesthood in Oregon. Next month, he will mark his 28th year as a Jesuit priest.

Father Pat also served here in our capital city. He was chaplain at Georgetown University for a total of 10 years.

He has a deep appreciation for public service. Before being called into the priesthood, Father Pat had thought he had a calling into politics, specifically the United States Senate.

Father, something tells me that you'll fit in just fine right here.

I think it's important to give the House a sense of Father Pat's character.

This is from a letter he wrote expressing his willingness to serve as chaplain:

''As a Jesuit, I believe it a part of my calling to find God in all things and to discover the spirit of God present in the people I encounter and whom I serve. I wish to say that I am ready and willing should those to be served deem me worthy of this ministry. Though true of any ministry, the position would call me to a radical reliance upon the grace of God, which would also be God's gift.''

I think it's clear this loyal servant of the faithful is uniquely suited to serve as chaplain of the people's House.

Leader PELOSI and I have gotten a chance to know Father Pat, and we are honored that he has accepted our invitation to serve as chaplain. We're blessed, I think, to have his guidance and his wisdom as we discharge our duties and fulfill our obligations to current and future generations of Americans.

Please join me in welcoming and congratulating the 60th chaplain of the House of Representatives, Father Pat Conroy.

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. As the Speaker takes the chair, I join him in commending to the House the spiritual leadership of Father Patrick Conroy.

Speaker BOEHNER, I wish to associate myself with your remarks so beautifully explaining how proud we are that Father Patrick Conroy has agreed to this additional responsibility.

I would only like to add that in his ministering to the needs at Georgetown as a chaplain there, he was engaged in many interfaith ministerings. So that serves him well to come here with the diversity of beliefs that we have within even the Protestant part of our Congress but also throughout the Congress.

Father Pat Conroy comes with a healthy respect for what we do, as Speaker BOEHNER said. He has been a longtime Jesuit and again served very beautifully in that capacity. Before that he was an attorney. So the making of laws is of interest to him. That is not to say that he doesn't understand his first responsibility, and that is to minister to the spiritual and personal needs of our colleagues.

Yes, Speaker BOEHNER was correct in saying that one of the last gifts that Father Coughlin left us was a recommendation that Father Patrick Conroy would be considered to follow in his footsteps, and huge footsteps they are. For more than 10 years, Father Dan was our spiritual leader, and we were blessed with that.

Today, we are blessed again with the Speaker's recommendation to the body of Father Patrick Conroy as the Chaplain of the House of Representatives.

It is a beautiful honor, steeped in history, deeply personal, free of politics; and we wish him every success in that job.

Father, we pray for you. Please pray for us.

Welcome, Father Patrick Conroy.

SWEARING IN OF THE CHAPLAIN OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. Will the Chaplain-designate please take the well.

The Chair will now swear in the Chaplain of the House.

The Chaplain-designate took the oath of office as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

□ 1400

REPEALING MANDATORY FUNDING FOR GRADUATE MEDICAL EDUCATION

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to clause 1(c) of rule XIX, further proceedings will resume with the third reading of the bill (H.R. 1216) to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations.

The bill was read the third time.

MOTION TO RECOMMIT

Mr. CLYBURN. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CLYBURN. In its current form, I am, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Clyburn moves to recommit the bill H.R. 1216 to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with the following amendment:

Page 3, after line 14, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

(2) in subsection (b)(2), by adding at the end the following new subparagraph:

''(C) ENSURING AUTHORIZED AMOUNTS FIRST PROVIDED TO UNDERSERVED AREAS.—

''(i) IN GENERAL.—Subject to subparagraphs (A) and (B), in determining the amounts payable under this section to qualified teaching health centers for a fiscal year, the Secretary shall—

''(I) first make payments under this section to qualified teaching health centers in underserved areas, based on the full amount determined for such centers pursuant to clause (ii); and

''(II) after application of subclause (I), from any remaining amounts appropriated for such fiscal year pursuant to subsection (g), make payments under this section to qualified teaching health centers not described in subclause (I).

''(ii) DETERMINATION.—For purposes of making payments under clause (i)(I), the Secretary shall determine such amounts that would be payable under this section to qualified teaching health centers described in such clause as if the full amount authorized to be appropriated under subsection (g) for such fiscal year is the amount appropriated to carry out this section for such fiscal year.'';

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina is recognized for 5 minutes in support of his motion.

Mr. CLYBURN. Madam Speaker, last month, Republicans voted to end Medicare. According to the nonpartisan Congressional Budget Office, their plan would raise seniors' health care costs by more than $6,000 per year, doubling their out-of-pocket costs.

Now, this week, Republicans want to cut training for new primary care doctors. This is another part of their attempt to repeal health care reform piece by piece. Madam Speaker, there is bipartisan agreement that we need more primary care physicians. Yet Republicans are bringing up a bill that will make sure that even fewer primary care doctors are trained to meet the growing demand. This is a terrible idea but not surprising.

I oppose this bill because we need to be training more primary care doctors, not fewer; but at a minimum, we must ensure that the Nation's neediest areas have access to the doctors they need.

This final amendment will ensure that training programs in the areas most in need of primary care doctors are to be prioritized for funding. This is common sense.

My district, like so many others represented in this body, has some very rural communities. In many areas, families have to drive for dozens of miles to reach the nearest doctor. People who live in remote communities, like Brittons Neck and Salters, travel great distances in search of primary care, and many don't have public or private transportation. This is not just an abstract debate about compassion. For many people, it is literally a matter of life and death.

Madam Speaker, we all know that, for decades, many communities across

the country have been left out of the American Dream year after year after year. We call these places persistent poverty counties—counties where more than 20 percent of their populations have existed below the poverty level for at least 30 years. Approximately 15 percent of all counties in America qualify as persistent poverty counties under this definition. Because a majority of these counties is rural, it only comprises about 7 percent of the Nation's population. These are the places that this amendment targets for funding.

These communities are diverse and are spread across the country, including Appalachian communities in Kentucky and West Virginia, Native American communities in South Dakota and Alaska, Latino communities in Arizona and New Mexico, African American communities in Mississippi and South Carolina, and urban communities in Philadelphia, New York, Baltimore, and St. Louis.

So I say to my colleagues on the other side: If you're going to cut funding for training new doctors, let us at least ensure that the communities with the greatest needs are placed at the front of the line. I urge my colleagues to vote ''yes'' on this final amendment.

Madam Speaker, I yield back the balance of my time.

Mr. GUTHRIE. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes.

Mr. GUTHRIE. Madam Speaker, as we began the debate about Medicare just a minute ago, we knew last week when we left to go home to work in our districts that Medicare's actuary said it is going to go bankrupt in 2024.

This side of the aisle has offered a plan to make it stable, secure and sustainable. There is no member—no member as we heard all day yesterday—of the Greatest Generation on whom this will have any effect. As a matter of fact, over half the baby boomer generation will have no changes. We are changing Medicare to make it work so it is sustainable.

If we follow the plan introduced by the President, which does raise taxes on the rich but still does not address the sustainability of Medicare in the future, my daughter, when she is my age 30 years from now, will wake up and go to work, and 100 percent of the Federal income tax she pays will pay for my generation to be retired. The Greatest Generation provided my generation opportunities, and we're working to make sure our children have opportunities as well.

On the underlying bill, what's interesting is that this bill only takes this program back to the way it was passed out of the House in the health care bill. We are doing exactly what the majority passed out of the House. It changed to a mandatory program in the Senate, and was adopted when it came back from the Senate.

So, if this program is so important that it has to be mandatory funding as they say it has to be, why didn't they do it when they debated the health care bill before and include the provision that is in this motion to recommit?

□ 1410

As a matter of fact, this bill authorizes changes in medical education in hospitals, teaching hospitals, children's hospitals, nurses' programs, geriatric programs, pediatric programs. There are all sorts of them, and none of them have the provision that this motion to recommit wants to put on this program.

So I say we need to get a handle on the budget so we can have a future for this country. We need to quit putting programs on autopilot, and put them in the process, that they go through the appropriations process so they can be reviewed and they can be determined which programs are successful and moving forward.

It is important that we have primary care physicians trained at teaching health centers, but it's also important we have them at children's hospitals that were zeroed out in the President's budget. So as we put these programs on mandatory spending, we are losing opportunities to fund other programs. Community health centers, they compete for discretionary funding. This is money that would be taken from that area and on to mandatory funding.

So, Madam Speaker, this side of the House is ready to say to the Greatest Generation, we're preserving what you have. We also want to tell our children they have a future as great as the Greatest Generation gave us.

Madam Speaker, I ask my colleagues to vote against this motion to recommit.

Mr. GUTHRIE. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CLYBURN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 1216, if ordered; ordering the previous question on House Resolution 276 and the amendment thereto; adoption of the amendment to House Resolution 276, if ordered; and adoption of House Resolution 276, if ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 236, not voting 11, as follows:

[Roll No. 339]

AYES—184

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—236

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Conyers
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall

Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Braley (IA)
Cantor
Filner
Frelinghuysen
Giffords
Hastings (FL)
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)
Ruppersberger

□ 1432

Messrs. GUTIERREZ and PAYNE changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall 339, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. CASTOR of Florida. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 185, not voting 12, as follows:

[Roll No. 340]

AYES—234

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barletta
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hanna
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—12

Braley (IA)
Clyburn
Conyers
Filner
Franks (AZ)
Frelinghuysen
Giffords
Hastings (FL)
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1439

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 340, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted, "no."

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, on May 25, 2011, I was not present to vote on H.R. 1216. Had I been present, I would have voted, "no."

Additionally, I inadvertently cast a "nay" vote on the Motion to Recommit H.R. 1216. I intended to vote, "yea."

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1540, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the amendment and on the resolution (H. Res. 276) providing for further consideration of the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department

of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 239, nays 181, not voting 11, as follows:

[Roll No. 341]

YEAS—239

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—181

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—11

Braley (IA)
Clyburn
Filner
Frelinghuysen
Giffords
Hastings (WA)
Hoyer
Jackson (IL)
Kildee
Long
McCarthy (NY)

□ 1451

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 341, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "nay."

(By unanimous consent, Mr. CANTOR was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. CANTOR. Madam Speaker, as Members are aware, three critical provisions of the USA PATRIOT Act expire at midnight on Thursday. It is critical to our national security that we extend these provisions as soon as possible. At this time, though, a bipartisan agreement on a 4-year extension of each expiring provision is still pending in the Senate.

Unfortunately, the Senate will not vote on cloture until some point Thursday morning. Further, the cloture vote initiates up to 30 hours of post-cloture debate before the Senate can vote on final passage and send the bill to the House. If all time were used, which is currently not known, the Senate would not clear their bill until Friday morning.

Therefore, Madam Speaker, Members are advised to make contingency travel plans for Thursday and Friday. It is likely that the House will be in session and voting past 3 p.m. tomorrow. Further, it is possible that the House could also be in session and voting on Friday. We will update Members on the Senate's progress as we continue to move through the week, Madam Speaker.

I thank the Members for their patience, and I no doubt share in their unspoken thoughts about the other body.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 170, not voting 18, as follows:

[Roll No. 342]

AYES—243

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)

Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—170

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—18

Bass (NH)
Braley (IA)
Clyburn
Crowley
Diaz-Balart
Dicks
Filner
Frelinghuysen
Giffords
Hastings (WA)
Hoyer
Jackson (IL)
Kingston
Long
McCarthy (NY)
Pelosi
Scott (SC)
Westmoreland

□ 1502

So the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SCOTT of South Carolina. Madam Speaker, on rollcall No. 342, I was unavoidably detained. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Madam Speaker, on rollcall 342, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "no."

HOUR OF MEETING ON TOMORROW

Mr. MCHENRY. Mr. Speaker, I ask unanimous consent that when the House adjourn today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. KING of Iowa). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PERSONAL EXPLANATION

Mr. RANGEL. Mr. Speaker, I am recorded as having voted ''yes'' on H.R. 1216; it should have been a ''no.''

PERSONAL EXPLANATION

Mr. HASTINGS of Florida. Mr. Speaker, I was in room 2103 of the Rayburn Building, and the electronic buzzer did not go off. I missed the vote on the Democratic motion to recommit on H.R. 1216. Had I been present, I would have voted ''yes.'' And on final passage of H.R. 1216, had I been present, I would have voted ''no.''

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1540.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The SPEAKER pro tempore. Pursuant to House Resolution 276 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1540.

□ 1503

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, with Mrs. MILLER of Michigan (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, May 24, 2011, all time for general debate pursuant to House Resolution 269 had expired.

Pursuant to House Resolution 276, as amended, no further general debate shall be in order. The amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1540

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2012''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.
DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT
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Sec. 101. Authorization of appropriations.
Subtitle B—Army Programs
Sec. 111. Limitation on retirement of C–23 aircraft.
Sec. 112. Limitation on procurement of Stryker combat vehicles.
Sec. 113. Multiyear procurement authority for airframes for Army UH-60M/HH-60M helicopters and Navy MH-60R/MH-60S helicopters.
Subtitle C—Navy Programs
Sec. 121. Multiyear funding for detail design and construction of LHA replacement ship designated LHA–7.

Sec. 122. Multiyear funding for procurement of Arleigh Burke-class destroyers.
Sec. 123. Multiyear procurement authority for mission avionics and common cockpits for Navy MH-60R/S helicopters.
Sec. 124. Separate procurement line item for certain Littoral Combat Ship mission modules.
Sec. 125. Life-cycle cost-benefit analysis on alternative maintenance and sustainability plans for the Littoral Combat Ship program.
Sec. 126. Limitation on availability of funds for F/A–18 service life extension program.

Subtitle D—Air Force Programs

Sec. 131. B–1 Bomber force structure.
Sec. 132. Procurement of advanced extremely high frequency satellites.

Subtitle E—Joint and Multiservice Matters

Sec. 141. Joint Improvised Explosive Device Defeat Fund.
Sec. 142. Contracts for commercial imaging satellite capacities.
Sec. 143. Limitation on availability of funds for acquisition of joint tactical radio system.
Sec. 144. Limitation on availability of funds for aviation foreign internal defense program.
Sec. 145. Limitation on availability of funds for commercial satellite procurement.
Sec. 146. Separate procurement line item for non-lethal weapons funding.

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Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Limitation on availability of funds for the ground combat vehicle program.
Sec. 212. Limitation on the individual carbine program.
Sec. 213. Limitation on availability of funds for Ohio-class ballistic missile submarine replacement program.
Sec. 214. Limitation on availability of funds for amphibious assault vehicles of the Marine Corps.
Sec. 215. Limitation on obligation of funds for the propulsion system for the F–35 Lightning II aircraft program.
Sec. 216. Limitation on obligation of funds for joint replacement fuze program.
Sec. 217. Limitation on availability of funds for the Joint Space Operations Center management system.
Sec. 218. Limitation on availability of funds for wireless innovation fund.
Sec. 219. Advanced rotorcraft flight research and development.
Sec. 220. Designation of main propulsion system of the next-generation long-range strike bomber aircraft as major subprogram.
Sec. 221. Designation of electromagnetic aircraft launch system development and procurement program as major subprogram.
Sec. 222. Prohibition on delegation of budgeting authority for certain research and educational programs.
Sec. 223. Limitation on availability of funds for Future Unmanned Carrier-based Strike System.

Subtitle C—Missile Defense Programs

Sec. 231. Acquisition accountability reports on the ballistic missile defense system.
Sec. 232. Limitation on availability of funds for Medium Extended Air Defense System.
Sec. 233. Homeland defense hedging policy and strategy.
Sec. 234. Ground-based midcourse defense system.
Sec. 235. Study on space-based interceptor technology.

Subtitle D—Reports

Sec. 241. Annual comptroller general report on the KC–46A aircraft acquisition program.
Sec. 242. Independent review and assessment of cryptographic modernization program.
Sec. 243. Report on feasibility of electromagnetic rail gun system.

Subtitle E—Other Matters

Sec. 251. Repeal of Requirement for Technology Transition Initiative.
Sec. 252. Preservation and storage of certain property related to F136 propulsion system.
Sec. 253. Extension of authority for mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.

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Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environmental Provisions

Sec. 311. Designation of senior official of Joint Chiefs of Staff for operational energy plans and programs and operational energy budget certification.
Sec. 312. Military installation implementation of land management plans and sustainability studies.
Sec. 313. Improved Sikes Act coverage of State-owned facilities used for the national defense.
Sec. 314. Discharge of wastes at sea generated by ships of the Armed Forces.
Sec. 315. Designation of Department of Defense executive agent for alternative fuel development.
Sec. 316. Favorable consideration of energy-efficient technologies in contracts for logistics support of contingency operations.

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Sec. 322. Core logistics capabilities.
Sec. 323. Designation of military industrial facilities as Centers of Industrial and Technical Excellence.
Sec. 324. Redesignation of core competencies as core logistics capabilities for Centers of Industrial and Technical Excellence.
Sec. 325. Permanent and expanded authority for Army industrial facilities to enter into certain cooperative arrangements with non-Army entities.
Sec. 326. Amendment to requirement relating to consideration of competition throughout operation and sustainment of major weapon systems.
Sec. 327. Implementation of corrective actions resulting from corrosion study of the F-22 and F-35 aircraft.

Subtitle D—Readiness

Sec. 331. Modification of Department of Defense authority to accept voluntary contributions of funds.
Sec. 332. Review of proposed structures affecting navigable airspace.
Sec. 333. Sense of Congress regarding integration of ballistic missile defense training across and between combatant commands and military services.

Subtitle E—Reports

Sec. 341. Annual certification and modifications of annual report on prepositioned materiel and equipment.
Sec. 342. Modification of report on maintenance and repair of vessels in foreign shipyards.
Sec. 343. Additional requirements for annual report on military working dogs.
Sec. 344. Assessment and reporting requirements regarding the status of compliance with joint military training and force allocations.
Sec. 345. Study of United States Pacific Command training readiness.

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Sec. 352. Prohibition on expansion of the Air Force food transformation initiative.
Sec. 353. Limitation on obligation and expenditure of funds for the migration of Army enterprise email services.
Sec. 354. One-year extension of pilot program for availability of working-capital funds to Army for certain product improvements.

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Sec. 361. Consideration of foreclosure circumstances in adjudication of security clearances.
Sec. 362. Authority to provide information for maritime safety of forces and hydrographic support.
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Sec. 365. Reduction in amounts otherwise authorized to be appropriated to the Department of Defense for studies, analysis, and evaluations.
Sec. 366. Clarification of the airlift service definitions relative to the Civil Reserve Air Fleet.
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Sec. 368. Sense of Congress on proposed Federal Aviation Administration changes to flight crew member duty and rest requirements.
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Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

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Sec. 502. General officer and flag officer reform.

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Sec. 512. Preseparation counseling for members of the reserve components.

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Sec. 514. Modification of eligibility for consideration for promotion for reserve officers employed as military technicians (dual status).

Subtitle C—General Service Authorities

Sec. 521. Findings regarding unique nature, demands, and hardships of military service.

Sec. 522. Policy addressing dwell time and measurement and data collection regarding unit operating tempo and personnel tempo.

Sec. 523. Authorized leave available for members of the Armed Forces upon birth or adoption of a child.

Sec. 524. Extension of authority to conduct programs on career flexibility to enhance retention of members of the Armed Forces.

Sec. 525. Policy on military recruitment and enlistment of graduates of secondary schools.

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Subtitle D—Military Justice and Legal Matters

Sec. 531. Procedures for judicial review of military personnel decisions relating to correction of military records.

Sec. 532. Clarification of application and extent of direct acceptance of gifts authority.

Sec. 533. Additional condition on repeal of Don't Ask, Don't Tell policy.

Sec. 534. Military regulations regarding marriage.

Sec. 535. Use of military installations as site for marriage ceremonies and participation of chaplains and other military and civilian personnel in their official capacity.

Subtitle E—Member Education and Training Opportunities and Administration

Sec. 541. Improved access to apprenticeship programs for members of the Armed Forces who are being separated from active duty or retired.

Sec. 542. Expansion of reserve health professionals stipend program to include students in mental health degree programs in critical wartime specialties.

Sec. 543. Administration of United States Air Force Institute of Technology.

Sec. 544. Appointments to military service academies from nominations made by the governor of Puerto Rico.

Sec. 545. Temporary authority to waive maximum age limitation on admission to United States Military Academy, United States Naval Academy, and United States Air Force Academy.

Sec. 546. Education and employment advocacy program for wounded members of the Armed Forces.

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Sec. 551. Army National Military Cemeteries.

Sec. 552. Inspector General of the Department of Defense inspection of military cemeteries.

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Sec. 562. Senior Medical Advisor oversight of health care provided to residents of Armed Forces Retirement Home.

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Sec. 564. Administrators, Ombudsmen, and staff of facilities.

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Sec. 1033. Clarification of right to plead guilty in trial of capital offense by military commission.
Sec. 1034. Affirmation of armed conflict with al-Qaeda, the Taliban, and associated forces.
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Sec. 1225. National security risk assessment of United States Federal debt owned by the People's Republic of China.
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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. LIMITATION ON RETIREMENT OF C–23 AIRCRAFT.

(a) MAINTENANCE.—The Secretary of the Army shall maintain not less than 42 C–23 aircraft, of which not less than—

(1) 11 shall be available for the active component of the Army;

(2) 4 shall be available for training operations; and

(3) 22 shall be available for domestic operations in the continental United States.

(b) LIMITATION ON RETIREMENT.—The Secretary of the Army may not retire (or prepare to retire) any C–23 aircraft or keep any such aircraft in a status considered excess to the requirements of the possessing command and awaiting disposition instructions until the date that is one year after the date on which each report under subsection (c)(2), (d)(2), and (e)(2) has been received by the congressional defense committees.

(c) AIRLIFT STUDY AND REPORT.—

(1) STUDY.—The Director of the National Guard Bureau, in consultation with the Chief of Staff of the Army, the Chief of Staff of the Air Force, the Commander of the United States Northern Command, the Commander of the United States Pacific Command, and the Administrator of the Federal Emergency Management Agency, shall conduct a study to determine the number of fixed-wing and rotary-wing aircraft required to support the following missions at low, medium, moderate, high, and very-high levels of operational risk:

(A) Homeland defense.

(B) Contingency response.

(C) Natural disaster-related response.

(D) Humanitarian response.

(2) REPORT.—The Director shall submit to the congressional defense committees a report containing the study under paragraph (1).

(d) FLEET VIABILITY ASSESSMENT.—

(1) ASSESSMENT.—The Secretary of the Army, in coordination with the Director of the Fleet Viability Board of the Air Force, shall conduct a fleet viability assessment with respect to C–23 aircraft.

(2) REPORT.—The Secretary shall submit to the congressional defense committees a report containing the assessment under paragraph (1).

(e) GAO SUFFICIENCY REVIEW.—

(1) REVIEW.—The Comptroller General of the United States shall conduct a sufficiency review of the study under subsection (c)(1).

(2) REPORT.—Not later than 180 days after the date on which the Director of the National Guard Bureau submits the report under subsection (c)(2), the Comptroller General shall submit to the congressional defense committees a report containing the review under paragraph (1).

SEC. 112. LIMITATION ON PROCUREMENT OF STRYKER COMBAT VEHICLES.

(a) LIMITATION.—Except as provided by subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for weapons and tracked combat vehicles, Army, the Secretary of the Army may not procure more than 100 Stryker combat vehicles.

(b) WAIVER.—The Secretary of the Army may waive the limitation under subsection (a) if the Secretary submits to the congressional defense committees written certification by the Assistant Secretary of the Army for Acquisition, Technology, and Logistics that—

(1) there are validated needs of the Army requiring the waiver;

(2) all Stryker combat vehicles required to fully equip the nine Stryker brigades and to meet other validated requirements regarding the vehicle have been procured or placed on contract for procurement;

(3) the size of the Stryker combat vehicle fleet not assigned directly to Stryker brigade combat teams is essential to maintaining the readiness of Stryker brigade combat teams; and

(4) with respect to the Stryker combat vehicles planned to be procured pursuant to the waiver, cost estimates are complete for the long-term sustainment of the vehicles.

SEC. 113. MULTIYEAR PROCUREMENT AUTHORITY FOR AIRFRAMES FOR ARMY UH-60M/HH-60M HELICOPTERS AND NAVY MH-60R/MH-60S HELICOPTERS.

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

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2012 is subject to the availability of appropriations for that purpose for such later fiscal year.

Subtitle C—Navy Programs

SEC. 121. MULTIYEAR FUNDING FOR DETAIL DESIGN AND CONSTRUCTION OF LHA REPLACEMENT SHIP DESIGNATED LHA–7.

Section 111(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4152) is amended by striking ''and 2012'' and inserting '', 2012, and 2013''.

SEC. 122. MULTIYEAR FUNDING FOR PROCUREMENT OF ARLEIGH BURKE-CLASS DESTROYERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Notwithstanding paragraphs (1) and (7) of section 2306b(i) of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2012 program year, for the procurement of DDG–51 Arleigh Burke-class destroyers and Government-furnished equipment associated with such destroyers.

(b) REPORT OF FINDINGS.—

(1) IN GENERAL.—Not later than 30 days before the date on which a contract is awarded under subsection (a), the Secretary shall submit to the congressional defense committees a report on such contract containing the findings required under subsection (a) of section 2306b of title 10, United States Code, including the analysis described in paragraph (2) of this subsection.

(2) DETERMINATION OF SUBSTANTIAL SAVINGS.—In conducting an analysis of substantial savings pursuant to subsection (a)(1) of such section 2306b, the Secretary shall employ a full-scale analysis of the anticipated cost avoidance resulting from the use of multiyear procurement and the potential benefit that any accrued savings might have to future shipbuilding programs if such savings are used for further ship construction.

(c) CONDITION OF OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose.

SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR MISSION AVIONICS AND COMMON COCKPITS FOR NAVY MH-60R/S HELICOPTERS.

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

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2012 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 124. SEPARATE PROCUREMENT LINE ITEM FOR CERTAIN LITTORAL COMBAT SHIP MISSION MODULES.

(a) IN GENERAL.—In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2013, and each subsequent fiscal year, the Secretary shall ensure that a separate, dedicated procurement line item is designated for each covered module that includes the quantity and cost of each such module requested.

(b) FORM.—The Secretary shall ensure that any classified components of covered modules not included in a procurement line item under subsection (a) shall be included in a classified annex.

(c) COVERED MODULE.—In this section, the term ''covered module'' means, with respect to mission modules of the Littoral Combat Ship, the following modules:

(1) Surface warfare.

(2) Mine countermeasures.

(3) Anti-submarine warfare.

SEC. 125. LIFE-CYCLE COST-BENEFIT ANALYSIS ON ALTERNATIVE MAINTENANCE AND SUSTAINABILITY PLANS FOR THE LITTORAL COMBAT SHIP PROGRAM.

(a) COST-BENEFIT ANALYSIS.—The Secretary of the Navy shall conduct a life-cycle cost-benefit analysis, in accordance with the Office of Management and Budget Circular A–94, comparing alternative maintenance and sustainability plans for the Littoral Combat Ship program.

(b) REPORT.—At the same time that the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2013, the Secretary of the Navy shall submit to the congressional defense committees a report on the cost-benefit analysis conducted under subsection (a).

SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR F/A–18 SERVICE LIFE EXTENSION PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 or any fiscal year thereafter for a program to extend the service life of F/A–18 aircraft beyond 8,600 hours may be obligated or expended until the date that is 30 days after the date on which the Secretary of the Navy submits to the congressional defense committees the report under section 114(a)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4155).

Subtitle D—Air Force Programs

SEC. 131. B–1 BOMBER FORCE STRUCTURE.

(a) REQUIREMENTS.—

(1) IN GENERAL.—During the B–1 retirement limitation period, the Secretary of the Air Force—

(A) may not retire more than six B–1 aircraft;

(B) shall maintain not less than 36 such aircraft as combat-coded aircraft;

(C) shall maintain in a common capability configuration a primary aircraft inventory of not less than 56 such aircraft, a backup aircraft inventory of not less than 2 such aircraft, and an attrition reserve aircraft inventory of not less than 2 such aircraft; and

(D) may not keep any such aircraft referred to in subparagraph (C) in a status considered excess to the requirements of the possessing command and awaiting disposition instructions.

(2) B–1 RETIREMENT LIMITATION PERIOD.—For purposes of paragraph (1), the B–1 retirement limitation period is the period beginning on the date of the enactment of this Act and ending on the date that is the earlier of—

(A) January 1, 2018; and

(B) the date as of which a long-range strike replacement bomber aircraft with equal or greater capability than the B–1 model aircraft has attained initial operational capability status.

(b) DEFINITIONS.—In this section:

(1) The term ''primary aircraft inventory'' means aircraft assigned to meet the primary aircraft authorization to—

(A) a unit for the performance of its wartime mission;

(B) a training unit primarily for technical and specialized training for crew personnel or leading to aircrew qualification;

(C) a test unit for testing of the aircraft or its components for purposes of research, development, test and evaluation, operational test and evaluation, or to support testing programs; or

(D) meet requirements for special missions not elsewhere classified.

(2) The term ''backup aircraft inventory'' means aircraft above the primary aircraft inventory used to facilitate scheduled and unscheduled depot level maintenance, modifications, inspections, and repairs, and certain other mitigating circumstances, without reduction of aircraft available for the assigned mission.

(3) The term ''attrition reserve aircraft inventory'' means aircraft required to replace anticipated losses of primary aircraft inventory because of peacetime accidents or wartime attrition.

SEC. 132. PROCUREMENT OF ADVANCED EXTREMELY HIGH FREQUENCY SATELLITES.

(a) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Air Force may procure two advanced extremely high frequency satellites by entering into a fixed-price contract. Such procurement may also include—

(A) material and equipment in economic order quantities when cost savings are achievable; and

(B) cost reduction initiatives.

(2) USE OF INCREMENTAL FUNDING.—With respect to a contract entered into under paragraph (1) for the procurement of advanced extremely high frequency satellites, the Secretary may use incremental funding for a period not to exceed five fiscal years.

(3) LIABILITY.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that the total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination.

(b) LIMITATION OF COSTS.—

(1) LIMITATION.—Except as provided by subsection (c), and excluding amounts described in paragraph (2), the total amount obligated or expended for the procurement of two advanced extremely high frequency satellites authorized by subsection (a) may not exceed $3,100,000,000.

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

(A) Plans.

(B) Technical data packages.

(C) Post-delivery and program support costs.

(c) WAIVER AND ADJUSTMENT TO LIMITATION AMOUNT.—

(1) WAIVER.—In accordance with paragraph (2), the Secretary may waive the limitation in subsection (b)(1) if the Secretary submits to the congressional defense committees written notification of the adjustment made to the amount set forth in such subsection.

(2) ADJUSTMENT.—Upon waiving the limitation under paragraph (1), the Secretary may adjust the amount set forth in subsection (b)(1) by the following:

(A) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2011.

(B) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2011.

(C) The amounts of increases or decreases in costs of the satellites that are attributable to insertion of new technology into an advanced extremely high frequency satellite, as compared to

the technology built into such a satellite procured prior to fiscal year 2012, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is—

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

(ii) required to meet an emerging threat that poses grave harm to national security.

(d) REPORT.—Not later than 30 days after the date on which the Secretary awards a contract under subsection (a), the Secretary shall submit to the congressional defense committees a report on such contract, including the following:

(1) The total cost savings resulting from the authority provided by subsection (a).

(2) The type and duration of the contract awarded.

(3) The total contract value.

(4) The funding profile by year.

(5) The terms of the contract regarding the treatment of changes by the Federal Government to the requirements of the contract, including how any such changes may affect the success of the contract.

(6) A plan for using cost savings described in paragraph (1) to improve the capability of military satellite communications, including a description of—

(A) the available funds, by year, resulting from such cost savings;

(B) the specific activities or subprograms to be funded by such cost savings and the funds, by year, allocated to each such activity or subprogram;

(C) the objectives for each such activity or subprogram and the criteria used by the Secretary to determine which such activity or subprogram to fund;

(D) the method in which such activities or subprograms will be awarded, including whether it will be on a competitive basis; and

(E) the process for determining how and when such activities and subprograms would transition to an existing program or be established as a new program of record.

Subtitle E—Joint and Multiservice Matters

SEC. 141. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2012.

(b) MONTHLY OBLIGATIONS AND EXPENDITURE REPORTS.—Not later than 15 days after the end of each month of fiscal year 2012, the Secretary of Defense shall provide to the congressional defense committees a report on the Joint Improvised Explosive Device Defeat Fund explaining monthly commitments, obligations, and expenditures by line of action.

SEC. 142. CONTRACTS FOR COMMERCIAL IMAGING SATELLITE CAPACITIES.

Section 127 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4161; 10 U.S.C. 2302 note) is repealed.

SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR ACQUISITION OF JOINT TACTICAL RADIO SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for other procurement, Army, for covered programs of the joint tactical radio system, not more than 70 percent may be obligated or expended until the date on which the Secretary of the Army submits to the congressional defense committees written certification that the acquisition strategy for the full-rate production of covered programs of such radio system includes full and open competition (as defined in section 2302(3)(D) of title 10, United States Code) that includes commercially developed systems that the Secretary determines are qualified with respect to successful testing by the Army and certification by the National Security Agency.

(b) LRIP.—The limitation under subsection (a) shall not apply to the low-rate initial production of covered programs.

(c) COVERED PROGRAMS.—In this section, the term ''covered programs'' means, with respect to the joint tactical radio system, the following:

(1) The ground mobile radio.

(2) The handheld, manpack, and small form fit.

SEC. 144. LIMITATION ON AVAILABILITY OF FUNDS FOR AVIATION FOREIGN INTERNAL DEFENSE PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for the procurement of fixed-wing non-standard aviation aircraft in support of the aviation foreign internal defense program, not more than 50 percent may be obligated or expended until the date that is 30 days after the date on which the Commander of the United States Special Operations Command submits the report under subsection (b)(1).

(b) REPORT REQUIRED.—

(1) REPORT.—Not later than January 15, 2012, the Commander of the United States Special Operations Command shall submit to the congressional defense committees a report on the aviation foreign internal defense program.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The results of an analysis of alternatives and efficiencies review conducted prior to fiscal year 2012 with respect to a contract awarded for the aviation foreign internal defense program.

(B) An explanation of plans or business-case analyses justifying new procurements rather than leased platforms, including an explanation of any efficiencies and savings.

(C) A comprehensive strategy outlining and justifying the overall projected growth of the aviation foreign internal defense program to satisfy the increased requirements of the commanders of the geographic combatant commands.

(D) An examination of efficiencies that could be gained by procuring platforms such as those being procured for light mobility aircraft.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 145. LIMITATION ON AVAILABILITY OF FUNDS FOR COMMERCIAL SATELLITE PROCUREMENT.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for the procurement of a commercial satellite by the Director of the Defense Information Systems Agency or the Secretary of the Air Force, not more than 20 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of Defense submits to the congressional defense committees an independent assessment of the analysis of alternatives for the procurement of such satellite, including—

(1) an assessment of why noncommercial satellites owned and operated by the Federal Government would not meet the needs of the Department of Defense;

(2) a concept of operations for all alternatives considered;

(3) a cost-benefit comparison of such alternatives;

(4) an analysis comparing the risks and vulnerabilities of such alternatives, including risks and vulnerabilities related to security, operation in denied environments, and continuity of operations capability;

(5) mitigation measures, including estimated cost impacts, for such risks and vulnerabilities compared under paragraph (4); and

(6) any other matters the Secretary considers appropriate.

SEC. 146. SEPARATE PROCUREMENT LINE ITEM FOR NON-LETHAL WEAPONS FUNDING.

In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2013, and each subsequent fiscal year, the Secretary shall ensure that within each military department procurement account, a separate, dedicated procurement line item is designated for non-lethal weapons.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. LIMITATION ON AVAILABILITY OF FUNDS FOR THE GROUND COMBAT VEHICLE PROGRAM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for research, development, test, and evaluation, Army, for the ground combat vehicle program, not more than 70 percent may be obligated or expended until the date on which the Secretary of the Army submits to the congressional defense committees a report containing an updated analysis of alternatives, including a quantitative analysis, of such program that compares the vehicle survivability, force protection, mobility, and other key capabilities of—

(1) each alternative to the ground combat vehicle, including the upgraded Bradley fighting vehicle that was included in the original analysis of alternatives of such program; and

(2) the revised ground combat vehicle design concept.

SEC. 212. LIMITATION ON THE INDIVIDUAL CARBINE PROGRAM.

(a) LIMITATION.—Notwithstanding any other provision of law, and except as provided by subsection (b), the individual carbine program may not receive Milestone C approval (as defined in section 2366(e)(8) of title 10, United States Code) until the date on which the Secretary of the Army submits to the congressional defense committees an analysis of alternatives of such program, including, at a minimum, comparisons of the capabilities and costs of—

(1) commercially available weapon systems as of the date of the analysis, including complete weapon systems and kits to apply to existing weapon systems; and

(2) weapon systems that are fielded as of the date of the analysis that include any required improvements.

(b) WAIVER AUTHORITY.—The Secretary of Defense may waive the limitation under subsection (a) if the Secretary submits to the congressional defense committees written certification that the waiver is in the national security interests of the United States because such limitation is delaying the fielding of capabilities that address urgent operational needs with respect to combat theaters of operations.

SEC. 213. LIMITATION ON AVAILABILITY OF FUNDS FOR OHIO-CLASS BALLISTIC MISSILE SUBMARINE REPLACEMENT PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) On May 13, 2010, the President submitted to Congress the report required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) that stated, ''The Secretary of Defense, based on recommendations from the Joint

Chiefs of Staff, has established a baseline nuclear force structure that fully supports U.S. security requirements and conforms to the New START limits. . . The United States will reduce the number of SLBM launchers (launch tubes) from 24 to 20 per SSBN, and deploy no more than 240 SLBMs at any time.''.

(2) On January 10, 2011, the Under Secretary of Defense for Acquisition, Technology, and Logistics issued an acquisition decision memorandum for the Ohio-class submarine replacement program whereby the Navy received Milestone A approval to proceed with a replacement design based on 16 missile tubes.

(3) Consistent with the reductions and limitations established in the New START Treaty, which entered into force on February 5, 2011, more than two-thirds of the deployed nuclear deterrent force of the United States are planned to be carried on ballistic missile submarines.

(4) The Commander of the United States Strategic Command testified on March 2, 2011, that, ''The issue of the number of tubes is not a simple black and white answer,'' but rather it is comprised of several issues including, ''the overall number of tubes we wind up with at the end. . . flexibility and options with how many warheads per missile per tube. . . the overall number of boats. . . and many other factors.''. He further stated that, ''Sixteen [missile tubes per submarine] will meet STRATCOM's requirements, given that we are sitting here 20 years in advance.''.

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

(1) the long-term ability of the United States to maintain a nuclear force sufficient to address the range of mission requirements necessary to deter, dissuade, and defeat potential adversaries and assure allies and partners must not be comprised solely on the basis of the promise of potential cost savings resulting from the decision of the Secretary of Defense to reduce the planned number of missile tubes per Ohio-class ballistic missile submarine from 24 to 16; and

(2) because the planned Ohio-class replacement ballistic submarine is expected to be in operation through 2080, near-term design decisions should take into consideration uncertainties in the future threat and strategic environment.

(c) LIMITATION.—

(1) IN GENERAL.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for research, development, test, and evaluation, Navy, for the Ohio-class ballistic submarine replacement program, not more than 90 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees a report containing—

(A) a summary of the analysis conducted to support the acquisition decision memorandum, including any assessment of the threat and strategic environment and mission requirements that informed the decision to reduce the planned number of missile tubes per submarine from 20 (as stated in the report submitted to Congress under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)) to 16 (as stated in the acquisition decision memorandum);

(B) a description of the threat and strategic environment assumed by the Secretary throughout the expected operational lifetime of the program, including how the Secretary would address significant changes to such threat and strategic environment;

(C) a description of any other assumptions made by the Secretary throughout the expected operational lifetime of the program that provides the rationale of the Secretary to reduce the planned number of missile tubes per submarine to 16, including assumptions regarding—

(i) changes in nuclear policy and strategy;

(ii) changes in the role of ballistic missile submarines as a part of the overall nuclear forces of the United States; and

(iii) further nuclear reductions, whether conducted under an international agreement or unilaterally;

(D) an identification of key risks to missions or requirements that may be increased because of the Secretary's decision to reduce the planned number of missile tubes per submarine to 16, including whether the Secretary plans to accept or mitigate such risks; and

(E) a summary of the rigorous cost comparison of the designs for 16 missile tubes per submarine and 20 missile tubes per submarine, consistent with the direction provided in the acquisition decision memorandum, including the accuracy of the cost estimate of the procurement cost of each submarine.

(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term ''acquisition decision memorandum'' means the acquisition decision memorandum regarding the Ohio-class submarine replacement program issued by the Under Secretary of Defense for Acquisition, Technology, and Logistics on January 10, 2011.

(2) The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR AMPHIBIOUS ASSAULT VEHICLES OF THE MARINE CORPS.

(a) LIMITATION.—Except as provided by subsection (d), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for procurement, Marine Corps, or research, development, test, and evaluation, Navy, may be obligated or expended for the amphibious programs described in subsection (c) until the date on which the Secretary of the Navy, in coordination with the Commandant of the Marine Corps, submits to the congressional defense committees a report containing—

(1) written certification of the requirements for amphibious assault vehicles of the Marine Corps, based on the needs of the commanders of the combatant commands, relating to—

(A) the distance from the shore needed to begin an amphibious assault; and

(B) the speed at which the vehicle must travel in order to reach the shore in the time required for such assault; and

(2) the analysis of alternatives conducted under subsection (b)(1).

(b) ANALYSIS OF ALTERNATIVES.—

(1) ANALYSIS.—The Secretary of the Navy, in coordination with the Commandant of the Marine Corps, shall conduct an analysis of alternatives of the amphibious assault vehicles described in paragraph (2). With respect to such vehicles, such analysis shall include—

(A) comparisons of the capabilities and total lifecycle ownership costs (including costs with respect to research, development, test, and evaluation, procurement, and operation and maintenance); and

(B) an analysis of cost and operational effectiveness prepared by a federally funded research and development center.

(2) AMPHIBIOUS ASSAULT VEHICLES DESCRIBED.—The amphibious assault vehicles described in this paragraph are amphibious assault vehicles that—

(A) meet the requirements described in subsection (a)(1), including—

(i) an upgraded assault amphibious vehicle 7A1;

(ii) the expeditionary fighting vehicle; and

(iii) a new amphibious combat vehicle; and

(B) include at least one vehicle that is capable of accelerating until the vehicle moves along the top of the water (commonly known as ''getting up on plane'') and at least one vehicle that is not capable of such acceleration.

(c) AMPHIBIOUS PROGRAMS DESCRIBED.—The amphibious programs described in this subsection are the following:

(1) The assault amphibious vehicle 7A1, program element 206623M.

(2) The Marine Corps assault vehicle, program element 603611M.

(3) The termination of the expeditionary fighting vehicle program.

(d) AAV781 IMPROVEMENT PROGRAM.—The limitation in subsection (a) shall not apply to funds made available before the date of the enactment of this Act for the procurement of an assault amphibious vehicle 7A1 with—

(1) survivability upgrades under the survivability product improvement program;

(2) other necessary survivability capabilities that are in response to urgent operational needs; or

(3) interior upgrades that provide increased support and survivability to members of the Armed Forces.

SEC. 215. LIMITATION ON OBLIGATION OF FUNDS FOR THE PROPULSION SYSTEM FOR THE F–35 LIGHTNING II AIRCRAFT PROGRAM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for the propulsion system for the F–35 Lightning II aircraft program may be obligated or expended for performance improvements to such propulsion system unless the Secretary of Defense ensures the competitive development and production of such propulsion system.

(b) PERFORMANCE IMPROVEMENT DEFINED.—In this section, the term ''performance improvement'', with respect to the propulsion system for the F–35 Lightning II aircraft program, means an increase in fan or core engine airflow volume or maximum thrust in military or afterburner settings for the primary purpose of improving the takeoff performance or vertical load bring back of such aircraft. The term does not include development or procurement improvements with respect to weight, acquisition costs, operations and support costs, durability, manufacturing efficiencies, observability requirements, or repair costs.

SEC. 216. LIMITATION ON OBLIGATION OF FUNDS FOR JOINT REPLACEMENT FUZE PROGRAM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for research, development, test, and evaluation, Air Force, for the joint replacement fuze program for nuclear warheads of the Navy and the Air Force, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees a report on the feasibility of such program.

SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR THE JOINT SPACE OPERATIONS CENTER MANAGEMENT SYSTEM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) improvements to the space situational awareness and space command and control capabilities of the United States are necessary; and

(2) the traditional defense acquisition process is not optimal for developing the services-oriented architecture and net-centric environment planned for the Joint Space Operations Center management system.

(b) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for research, development, test, and evaluation, Air Force, for release one of the Joint Space Operations Center management system may be obligated or expended until the date on which the Secretary of the Air Force and the Under Secretary of Defense for Acquisition, Technology, and Logistics jointly submit to the congressional defense committees the acquisition strategy for such management system, including—

(1) a description of the acquisition policies and procedures applicable to such management system; and

(2) a description of any additional acquisition authorities necessary to ensure that such management system is able to implement a services-oriented architecture and net-centric environment for space situational awareness and space command and control.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR WIRELESS INNOVATION FUND.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for the wireless innovation fund within the Defense Advanced Research Projects Agency, not more than 10 percent may be obligated or expended until the date that is 30 days after the date on which the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees a report on how such fund will be managed and executed, including—

(1) a concept of operation for how such fund will operate, particularly with regards to supporting the interagency community;

(2) a description of—

(A) the governance structure, including how decision-making with interagency partners will be conducted;

(B) the funding mechanism for interagency collaborators;

(C) the metrics for measuring the performance and effectiveness of the program; and

(D) the reporting mechanisms to provide oversight of the fund by the Department of Defense, the interagency partners, and Congress; and

(3) any other matters the Under Secretary considers appropriate.

SEC. 219. ADVANCED ROTORCRAFT FLIGHT RESEARCH AND DEVELOPMENT.

(a) PROGRAM REQUIRED.—The Secretary of the Army may conduct a program for flight research and demonstration of advanced rotorcraft technology.

(b) GOALS AND OBJECTIVES.—The goals and objectives of the program authorized by subsection (a) are as follows:

(1) To flight demonstrate the ability of advanced rotorcraft technology to expand the flight envelope and improve the speed, range, ceiling, survivability, reliability, and affordability of current and future rotorcraft of the Department of Defense.

(2) To mature advanced rotorcraft technology and obtain flight-test data to—

(A) support the assessment of such technology for future rotorcraft platform development programs of the Department; and

(B) have the ability to add such technology to the existing rotorcraft of the Department to extend the capability and life of such rotorcraft until next-generation platforms are fielded.

(c) ELEMENTS OF PROGRAM.—The program authorized by subsection (a) shall include—

(1) integration and demonstration of advanced rotorcraft technology to meet the goals and objectives described in subsection (b); and

(2) flight demonstration of the advanced rotorcraft technology test bed under the experimental airworthiness process of the Federal Aviation Administration or other appropriate airworthiness process approved by the Secretary of Defense.

(d) QUALIFIED CONTRACTOR.—

(1) IN GENERAL.—The Secretary of the Army may award a contract for the program authorized by subsection (a) to a contractor that—

(A) has demonstrated the capability to design, fabricate, qualify, and flight test experimental rotorcraft; and

(B) maintains a reasonable level of aircraft flight risk liability insurance that names the Federal Government as an additional insured party.

(2) SMALL BUSINESS CONCERN.—In awarding a contract under paragraph (1), the Secretary shall fully consider proposals submitted by small business concerns (as defined in section 2225(f)(3) of title 10, United States Code).

SEC. 220. DESIGNATION OF MAIN PROPULSION SYSTEM OF THE NEXT-GENERATION LONG-RANGE STRIKE BOMBER AIRCRAFT AS MAJOR SUBPROGRAM.

(a) DESIGNATION AS MAJOR SUBPROGRAM.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall designate the development and procurement of the main propulsion system of the next-generation long-range strike bomber aircraft as a major subprogram of the next-generation long-range strike bomber aircraft major defense acquisition program, in accordance with section 2430a of title 10, United States Code.

(b) COMPETITIVE ACQUISITION STRATEGY.—The Secretary of the Air Force shall develop an acquisition strategy for the major subprogram designated in subsection (a) that is in accordance with subsections (a) and (b) of section 202 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1720; 10 U.S.C. 2430 note).

SEC. 221. DESIGNATION OF ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM DEVELOPMENT AND PROCUREMENT PROGRAM AS MAJOR SUBPROGRAM.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall designate the electromagnetic aircraft launch development and procurement program as a major subprogram of the CVN–78 Ford-class aircraft carrier major defense acquisition program, in accordance with section 2430a of title 10, United States Code.

SEC. 222. PROHIBITION ON DELEGATION OF BUDGETING AUTHORITY FOR CERTAIN RESEARCH AND EDUCATIONAL PROGRAMS.

(a) PROHIBITION ON DELEGATION.—Subsection (a) of section 2362 of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting ''(1) The Secretary of Defense''; and

(2) by adding at the end the following new paragraph:

''(2) The Secretary of Defense may not delegate to an individual outside the Office of the Secretary of Defense the authority regarding the programming or budgeting of the program established by this section that is carried out by the Assistant Secretary of Defense for Research and Engineering.''.

(b) CONFORMING AMENDMENTS.—Such section 2362 is amended further—

(1) in subsection (b), by striking ''established under subsection (a)'' and inserting ''established by subsection (a)(1)''; and

(2) in subsection (c), by striking ''subsection (a)'' and inserting ''subsection (a)(1)''.

SEC. 223. LIMITATION ON AVAILABILITY OF FUNDS FOR FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for research, development, test, and evaluation, Navy, for the Future Unmanned Carrier-based Strike System, not more than 15 percent may be obligated or expended until the date that is 60 days after the date on which—

(1) the Chairman of the Joint Requirements Oversight Council certifies to the congressional defense committees that—

(A) such system is required to fill a validated capability gap of the Department of Defense; and

(B) the Council has reviewed and approved the capability and development document relating to such system;

(2) the Assistant Secretary of the Navy for Research, Development, and Acquisition submits to the congressional defense committees a report containing—

(A) a delineation of threshold and objective key performance parameters;

(B) a certification that the threshold and objective key performance parameters for such system have been established and are achievable; and

(C) a description of the requirements of such system with respect to—

(i) weapons payload;

(ii) intelligence, reconnaissance, and surveillance equipment;

(iii) electronic attack and electronic protection equipment;

(iv) communications equipment;

(v) range;

(vi) mission endurance for un-refueled and aerial refueled operations;

(vii) low-observability characteristics;

(viii) affordability;

(ix) survivability; and

(x) interoperability with other Navy and joint-service unmanned aerial systems and mission control stations; and

(3) the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to the congressional defense committees that—

(A) the Secretary of the Navy has completed a comprehensive analysis of alternatives for such system;

(B) the acquisition strategy of the Secretary for the engineering, manufacturing, development, and fielding phases of such system is achievable and presents medium, or less, risk;

(C) such acquisition strategy integrates a fair and open competitive acquisition strategy environment for all potential competitors;

(D) the data, information, and lessons learned from the Unmanned Carrier-based Aircraft System of the Navy are sufficiently integrated into the acquisition strategy of the Future Unmanned Carrier-based Strike System and that the level of concurrency between the programs is prudent and reasonable; and

(E) the Secretary has sufficient fiscal resources budgeted in the future years defense plan and extended planning period that supports the acquisition strategy described in subparagraph (B).

(b) GAO BRIEFING.—Not later than 90 days after the date on which the certifications and report under subsection (a) are received by the congressional defense committees, the Comptroller General of the United States shall brief the congressional defense committees on an evaluation of the acquisition strategy of the Secretary of the Navy for the Future Unmanned Carrier-based Strike System.

(c) FORM.—The report required by subsection (a)(2) shall be submitted in unclassified form, but may include a classified annex.

Subtitle C—Missile Defense Programs

SEC. 231. ACQUISITION ACCOUNTABILITY REPORTS ON THE BALLISTIC MISSILE DEFENSE SYSTEM.

(a) BASELINE REQUIRED.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 224 the following new section:

''§225. Acquisition accountability reports on the ballistic missile defense system

''(a) BASELINES REQUIRED.—(1) In accordance with paragraph (2), the Director of the Missile Defense Agency shall establish and maintain an acquisition baseline for—

''(A) each program element of the ballistic missile defense system, as specified in section 223 of this title; and

''(B) each designated major subprogram of such program elements.

''(2) The Director shall establish an acquisition baseline required by paragraph (1) before the date on which the program element or major subprogram enters—

''(A) engineering and manufacturing development; and

''(B) production and deployment.

''(3) Except as provided by subsection (d), the Director may not adjust or revise an acquisition baseline established under this section.

''(b) ELEMENTS OF BASELINES.—Each acquisition baseline required by subsection (a) for a program element or major subprogram shall include the following:

''(1) A comprehensive schedule, including—

''(A) research and development milestones;

''(B) acquisition milestones, including design reviews and key decision points;

''(C) key test events, including ground and flight tests and ballistic missile defense system tests;

''(D) delivery and fielding schedules;

''(E) quantities of assets planned for acquisition and delivery in total and by fiscal year; and

''(F) planned contract award dates.

''(2) A detailed technical description of—

''(A) the capability to be developed, including hardware and software;

''(B) system requirements, including performance requirements;

''(C) how the proposed capability satisfies a capability identified by the commanders of the combatant commands on a prioritized capabilities list;

''(D) key knowledge points that must be achieved to permit continuation of the program and to inform production and deployment decisions; and

''(E) how the Director plans to improve the capability over time.

''(3) A cost estimate, including—

''(A) a life-cycle cost estimate that separately identifies the costs regarding research and development, procurement, military construction, operations and sustainment, and disposal;

''(B) program acquisition unit costs for the program element;

''(C) average procurement unit costs and program acquisition costs for the program element; and

''(D) an identification of when the document regarding the program joint cost analysis requirements description is scheduled to be approved.

''(4) A test baseline summarizing the comprehensive test program for the program element or major subprogram outlined in the integrated master test plan.

''(c) ANNUAL REPORTS ON ACQUISITION BASELINES.—(1) Not later than February 15 of each year, the Director shall submit to the congressional defense committees a report on the acquisition baselines required by subsection (a).

''(2)(A) The first report under paragraph (1) shall set forth each acquisition baseline required by subsection (a) for a program element or major subprogram.

''(B) Each subsequent report under paragraph (1) shall include—

''(i) any new acquisition baselines required by subsection (a) for a program element or major subprogram; and

''(ii) with respect to an acquisition baseline that was previously included in a report under paragraph (1), an identification of any changes or variances made to the elements described in subsection (b) for such acquisition baseline, as compared to—

''(I) the initial acquisition baseline for such program element or major subprogram; and

''(II) the acquisition baseline for such program element or major subprogram that was submitted in the report during the previous year.

''(3) Each report under this subsection shall be submitted in unclassified form, but may include a classified annex.

''(d) EXCEPTION TO LIMITATION ON REVISION.—The Director may adjust or revise an acquisition baseline established under this section if the Director submits to the congressional defense committees notification of—

''(1) a justification for such adjustment or revision;

''(2) the specific adjustments or revisions made to the acquisition baseline, including to the elements described in subsection (b); and

''(3) the effective date of the adjusted or revised acquisition baseline.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''225. Acquisition accountability reports on the ballistic missile defense system.''.

(b) CONFORMING AMENDMENTS.—

(1) FISCAL YEAR 2011 NDAA.—Section 225 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4170; 10 U.S.C. 223 note) is repealed.

(2) FISCAL YEAR 2008 NDAA.—Section 223 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 39; 10 U.S.C. 223 note) is amended by striking subsection (g).

(3) FISCAL YEAR 2003 NDAA.—Section 221 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2484; 10 U.S.C. 2431 note) is repealed.

SEC. 232. LIMITATION ON AVAILABILITY OF FUNDS FOR MEDIUM EXTENDED AIR DEFENSE SYSTEM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should pursue options with respect to multilaterally terminating the contract covering the medium extended air defense system in order to lessen the contract termination liability belonging to the United States;

(2) the Secretary of Defense must now sustain the Patriot air and missile defense system longer than previously planned;

(3) the Secretary of Defense should identify promising technologies from the medium extended air defense system, whether the technology originated in the United States or in a partner country, as soon as practicable and transition such technologies into a Patriot air and missile defense system upgrade effort or other program of record; and

(4) the Secretary of Defense should continue to pursue international cooperative missile defense activities that are affordable and benefit the security of all parties.

(b) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for the medium extended air defense system program may be obligated or expended until the date on which the Secretary of Defense—

(1) either—

(A) negotiates a multilateral termination with respect to the contract covering the program; or

(B) restructures such program and ensures that specific deliverables under such contract will be transitioned to one or more current programs of record by not later than September 30, 2013; and

(2) submits to the congressional defense committees written notification of—

(A) the amount of the total cost for which the United States is liable with respect to terminating the contract under paragraph (1)(A) or restructuring the program under paragraph (1)(B), as the case may be;

(B) the terms of such contract termination or program restructuring;

(C) the program schedule and specific elements of the program to be delivered to the United States;

(D) the specific technologies identified by the Secretary to be transitioned from the program to one or more current programs of record, including the plans for such transition; and

(E) how the Secretary plans to address the air and missile defense requirements of the Department of Defense in the absence of a fielded medium extended air defense system capability, including a summary of activities, the cost estimate, and the funding profile necessary to sustain and upgrade the Patriot air and missile defense system.

SEC. 233. HOMELAND DEFENSE HEDGING POLICY AND STRATEGY.

(a) POLICY.—It is the policy of the United States to develop and maintain a hedging strategy to provide for the protection of the homeland of the United States that—

(1) provides such protection through the phased, adaptive approach to missile defense in Europe if—

(A) the intercontinental ballistic missile threat from the Middle East to the United States materializes earlier than 2020 (the year in which phase four of the phased, adaptive approach is planned to begin protecting the homeland of the United States); or

(B) technical challenges or schedule delays affect the availability of the standard missile–3 block IIB interceptor planned for fielding in Europe by 2020 in order to protect the homeland of the United States as part of such phase four;

(2) provides such protection if the intercontinental ballistic missile threat from East Asia to the United States materializes more rapidly than expected;

(3) provides capabilities that improve or enhance the protection of the United States beyond the ground-based midcourse defense capabilities currently deployed for the defense of the United States; and

(4) includes plans for ensuring that such hedging capabilities described in paragraphs (1) through (3)—

(A) are suitable to perform the assigned mission;

(B) are operationally effective; and

(C) use technologies that are sufficiently matured and tested prior to fielding.

(b) STRATEGY.—

(1) IN GENERAL.—In light of the policy described in subsection (a), the Secretary of Defense shall develop a hedging strategy to provide for the protection of the homeland of the United States.

(2) ELEMENTS.—The strategy under paragraph (1) shall include the following:

(A) A description of the hedging alternatives and capabilities considered by the Secretary.

(B) A summary of the analyses conducted, including—

(i) criteria used to assess such options and capabilities; and

(ii) the findings and recommendations of such analyses.

(C) Detailed plans, programs, and a budget profile for implementing the strategy through 2022.

(D) The criteria to be used in determining when each item contained in the strategy should be implemented and the schedule required to implement each item.

(E) Any other information the Secretary considers necessary.

(3) SUBMISSION.—The Secretary shall submit to the congressional defense committees the strategy developed under paragraph (1) by the earlier of the following:

(A) December 5, 2011.

(B) The date on which the Secretary completes the development of such strategy.

SEC. 234. GROUND-BASED MIDCOURSE DEFENSE SYSTEM.

(a) FINDINGS.—Congress finds the following:

(1) The last two intercept flight tests of the ground-based midcourse defense system in January 2010 and December 2010 failed to intercept, and in January 2011, the Director of the Missile Defense Agency halted deliveries of completed exo-atmospheric kill vehicles until the root cause of such failures is determined and resolved.

(2) The ground-based midcourse defense system is currently the only missile defense system that protects the homeland of the United States from long-range ballistic missile threats.

(3) In the fiscal year 2010 budget request, the ground-based midcourse defense system element was reduced by $524,600,000 from the fiscal year 2009 level while the fiscal year 2011 budget request restored $318,800,000 of this funding.

(4) The fiscal year 2012 budget request further reduces the ground-based midcourse defense system element by $185,000,000 for fiscal year 2012

and further reduces such element by an additional $1,000,000,000 for the years covering the future-years defense program from the amount projected in the fiscal year 2011 budget request.

(5) According to the Missile Defense Agency, the combination of the two flight-test failures and operating under the reduced spending limits of the Continuing Resolutions during fiscal year 2011 before the date on which the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10) was enacted have resulted in the delay or restructuring of several activities within the ground-based midcourse defense system element, including—

(A) delays to ground-based interceptor manufacturing and fleet upgrades;

(B) Stockpile Reliability Program component testing;

(C) new capability development, modeling, testing, and fielding;

(D) Fort Greely missile defense complex communications upgrades; and

(E) delays to flight testing of the two-stage ground-based interceptor.

(6) According to the Missile Defense Agency and the United States Northern Command, the procurement of additional ground-based interceptors will be necessary in light of the recent flight-test results.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the ground-based midcourse defense system is currently the only missile defense system that protects the homeland of the United States from long-range ballistic missile threats and therefore—

(1) the system should be given sufficient prioritization and funding to ensure its long-term reliability, effectiveness, and ability to adapt to advances in such threats;

(2) the Director of the Missile Defense Agency should thoroughly identify the root cause associated with the exo-atmospheric kill vehicle that led to the flight-test failures described in subsection (a)(1) and identify other potential technical issues associated with the exo-atmospheric kill vehicle or ground-based midcourse defense system that have materialized in recent testing;

(3) implementation of corrective measures and flight testing should be undertaken as soon as possible to provide commanders of the combatant commands and the American people greater confidence in the reliability and effectiveness of the system; and

(4) the procurement of additional ground-based interceptors will be necessary in light of recent flight-test results.

(c) PLAN AND CERTIFICATION REQUIRED.—Not later than 30 days after the date of the enactment of this Act, or on the date on which the Failure Review Board has completed the review of the ground-based midcourse defense system flight-test failures described in subsection (a)(1), whichever is later, the Secretary of Defense shall submit to the congressional defense committees the following:

(1) A plan by the Director of the Missile Defense Agency to address the flight-test failures, including—

(A) an identification of the root cause associated with the exo-atmospheric kill vehicle that led to the flight-test failures;

(B) an identification of other potential technical issues associated with the exo-atmospheric kill vehicle or ground-based midcourse defense system that have materialized in recent testing;

(C) how the Director will resolve the issues identified in subparagraph (A) and (B), including a consideration of whether a re-designed exo-atmospheric kill vehicle is necessary;

(D) a description of planned flight tests of the exo-atmospheric kill vehicle with any implemented fixes;

(E) a summary of the measures required by the Commander of the United States Northern Command based on the flight-test failures in order to meet operational requirements; and

(F) the schedule and additional resources necessary to implement the plan.

(2) Written certification by the Secretary that—

(A) the Director has thoroughly investigated the root cause of the flight-test failures and any other potential technical issues associated with the exo-atmospheric kill vehicle or ground-based midcourse defense system that have materialized in recent testing;

(B) the plan under paragraph (1) is sufficient to resolve the issues identified in subparagraph (A) and (B) of such paragraph;

(C) the schedule and additional resources described in subparagraph (F) of paragraph (1) are sufficient to implement the plan under such paragraph; and

(D) the Director has sufficiently prioritized the implementation of corrective measures and flight testing of the ground-based midcourse defense system.

SEC. 235. STUDY ON SPACE-BASED INTERCEPTOR TECHNOLOGY.

(a) STUDY ON SPACE-BASED INTERCEPTOR TECHNOLOGY.—

(1) STUDY.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for ballistic missile defense technology, $8,000,000 shall be obligated or expended by the Secretary of Defense to conduct a study examining the technical and operational considerations associated with developing and operating a limited space-based interceptor capability and to submit the report under paragraph (2). At minimum, the study shall include—

(A) the identification of the technical risks, gaps, and constraints associated with the development and operation of such a capability;

(B) an assessment of the maturity levels of various technologies needed to develop and operate such a capability;

(C) the key knowledge, research, and testing that would be needed for any nation to develop and operate an effective space-based interceptor capability; and

(D) the estimated effectiveness and cost of potential options for developing and operating such a capability, including their effectiveness in conjunction with existing and planned terrestrially-based missile defense systems.

(2) REPORT.—

(A) Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the study required under paragraph (1).

(B) The report submitted under this paragraph shall be in unclassified form, but may include a classified annex.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—With respect to carrying out subsection (a), a decision to commit, obligate, or expend funds with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

Subtitle D—Reports

SEC. 241. ANNUAL COMPTROLLER GENERAL REPORT ON THE KC–46A AIRCRAFT ACQUISITION PROGRAM.

(a) ANNUAL GAO REVIEW.—During the period beginning on the date of the enactment of this Act and ending on March 1, 2017, the Comptroller General of the United States shall conduct an annual review of the KC–46A aircraft acquisition program.

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 of each year beginning in 2012 and ending in 2017, the Comptroller General shall submit to the congressional defense committees a report on the review of the KC–46A aircraft acquisition program conducted under subsection (a).

(2) MATTERS TO BE INCLUDED.—Each report on the review of the KC–46A aircraft acquisition program shall include the following:

(A) The extent to which the program is meeting engineering, manufacturing, development, and procurement cost, schedule, performance, and risk mitigation goals.

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the KC–46A aircraft, the progress and results of—

(i) developmental and operational testing of the aircraft; and

(ii) plans for correcting deficiencies in aircraft performance, operational effectiveness, reliability, suitability, and safety.

(C) An assessment of KC–46A aircraft procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance.

(D) An assessment of the acquisition strategy of the KC–46A aircraft, including whether such strategy is in compliance with acquisition management best-practices and the acquisition policy and regulations of the Department of Defense.

(E) A risk assessment of the integrated master schedule and the test and evaluation master plan of the KC–46A aircraft as it relates to—

(i) the probability of success;

(ii) the funding required for such aircraft compared with the funding budgeted; and

(iii) development and production concurrency.

(3) ADDITIONAL INFORMATION.—In submitting to the congressional defense committees the first report under paragraph (1) and a report following any changes made by the Secretary of the Air Force to the baseline documentation of the KC–46A aircraft acquisition program, the Comptroller General shall include, with respect to such program, an assessment of the sufficiency and objectivity of—

(A) the integrated baseline review document;

(B) the initial capabilities document;

(C) the capabilities development document; and

(D) the systems requirement document.

SEC. 242. INDEPENDENT REVIEW AND ASSESSMENT OF CRYPTOGRAPHIC MODERNIZATION PROGRAM.

(a) INDEPENDENT REVIEW AND ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall select an appropriate entity outside the Department of Defense to conduct an independent review and assessment of the cryptographic modernization program of the Department of Defense.

(b) ELEMENTS.—The review and assessment required by subsection (a) shall include the following:

(1) For each military department and appropriate defense agency, an analysis of the adequacy of the program management structure for executing the cryptographic modernization program, including resources, personnel, requirements generation, and business process metrics.

(2) An analysis of the ability of the program to deliver capabilities to the user community while complying with the budget and schedule for the program, including the programmatic risks that negatively affect such compliance.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the entity conducting the review and assessment under subsection (a) shall submit to the Secretary and the congressional defense committees a report containing—

(A) the results of the review and assessment; and

(B) recommendations for improving the management of the cryptographic modernization program.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 243. REPORT ON FEASIBILITY OF ELECTROMAGNETIC RAIL GUN SYSTEM.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense

shall submit to the congressional defense committees a report on the feasibility of developing and deploying the electromagnetic rail gun system to be used for either land- or ship-based force protection.

Subtitle E—Other Matters

SEC. 251. REPEAL OF REQUIREMENT FOR TECHNOLOGY TRANSITION INITIATIVE.

(a) IN GENERAL.—

(1) REPEAL.—Section 2359a of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2359a.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2012.

SEC. 252. PRESERVATION AND STORAGE OF CERTAIN PROPERTY RELATED TO F136 PROPULSION SYSTEM.

(a) PLAN.—The Secretary of Defense shall develop and carry out a plan for the preservation and storage of property owned by the Federal Government that was acquired under the F136 propulsion system development contract. The plan shall—

(1) ensure that the Secretary preserves and stores such property in a manner that—

(A) allows the development of the F136 propulsion system to be restarted after a period of idleness;

(B) provides for the long-term sustainment and repair of such property; and

(C) allows for such preservation and storage to be conducted at either the facilities of the Federal Government or a contractor under such contract;

(2) with respect to the supplier base of such property, identify the costs of restarting development;

(3) ensure that the Secretary, at no cost to the Federal Government, provides support and allows for the use of such property by the contractor under such contract to conduct research, development, testing, and evaluation of the F136 engine, if such activities are self-funded by the contractor; and

(4) identify any contract modifications, additional facilities, or funding that the Secretary determines necessary to carry out the plan.

(b) PROHIBITION ON DISPOSING PROPERTY.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for research, development, test, and evaluation, Navy, or research, development, test, and evaluation, Air Force, for the F–35 Lightning II aircraft program may be obligated or expended for activities related to destroying or disposing of the property described in subsection (a).

(c) REPORT.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the plan under subsection (a).

SEC. 253. EXTENSION OF AUTHORITY FOR MECHANISMS TO PROVIDE FUNDS FOR DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MISSIONS.

Section 219(c) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 2358 note) is amended by striking ''October 1, 2013'' and inserting ''September 30, 2016''.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

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 expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environmental Provisions

SEC. 311. DESIGNATION OF SENIOR OFFICIAL OF JOINT CHIEFS OF STAFF FOR OPERATIONAL ENERGY PLANS AND PROGRAMS AND OPERATIONAL ENERGY BUDGET CERTIFICATION.

Section 138c of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (2) the following new paragraph (3):

''(3) The Chairman of the Joint Chiefs of Staff shall designate a senior official under the jurisdiction of the Chairman who shall be responsible for operational energy plans and programs for the Joint Chiefs of Staff and the Joint Staff. The official so designated shall be responsible for coordinating with the Assistant Secretary and implementing initiatives pursuant to the strategy with regard to the Joint Chiefs of Staff and the Joint Staff.''; and

(2) in subsection (e)(4), by striking ''10 days'' and inserting ''30 days''.

SEC. 312. MILITARY INSTALLATION IMPLEMENTATION OF LAND MANAGEMENT PLANS AND SUSTAINABILITY STUDIES.

Section 2694(b)(2) of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting ''and, subject to the availability of appropriations, implementation by the military installation'' after ''development''; and

(2) in subparagraph (B), by inserting ''and sustainability'' after ''safety''.

SEC. 313. IMPROVED SIKES ACT COVERAGE OF STATE-OWNED FACILITIES USED FOR THE NATIONAL DEFENSE.

(a) IMPROVEMENTS TO ACT.—The Sikes Act (16 U.S.C. 670 et seq.) is amended as follows:

(1) DEFINITIONS.—Section 100 (16 U.S.C. 670) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (1) the following new paragraphs:

''(2) STATE.—The term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and the Virgin Islands.

''(3) STATE-OWNED NATIONAL GUARD INSTALLATION.—The term 'State-owned National Guard installation' means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32, United State Code, with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.''.

(2) FUNDING OF INTEGRATED NATURAL RESOURCES MANAGEMENT PLANS.—Section 101 (16 U.S.C. 670a) is amended—

(A) in subsection (a)(1)(B)—

(i) by inserting ''(i)'' before ''To facilitate''; and

(ii) by adding at the end the following new clause:

''(ii) The Secretary of a military department may, subject to the availability of appropriations, develop and implement an integrated natural resources management plan for a State-owned National Guard installation. Such a plan shall be developed and implemented in coordination with the chief executive officer of the State in which the State-owned National Guard installation is located. Such a plan is deemed, for purposes of any other provision of law, to be for lands or other geographical areas owned or controlled by the Department of Defense, or designated for its use.'';

(B) in subsection (a)(2), by inserting ''or State-owned National Guard installation'' after ''military installation'' both places it appears;

(C) in subsection (a)(3)—

(i) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(ii) by inserting ''(A)'' before ''Consistent'';

(iii) in subparagraph (A), as designated by clause (ii) of this subparagraph, by inserting ''and State-owned National Guard installations'' after ''military installations'' the first place it appears;

(iv) in clause (i) of subparagraph (A), as redesignated by clause (i) of this subparagraph, by striking ''military installations'' and inserting '' such installations'' ;

(v) in clause (ii) of subparagraph (A), as redesignated by clause (i) of this subparagraph, by inserting ''on such installations'' after ''resources''; and

(vi) by adding at the end the following subparagraph:

''(B) In the case of a State-owned National Guard installation, such program shall be carried out in coordination with the chief executive officer of the State in which the installation is located.'';

(D) in subsection (b), by inserting ''and State-owned National Guard installations'' after ''military installations'' the first place it appears;

(E) in subparagraphs (G) and (I) of subsection (b)(1), by striking ''military installation'' each place it appears and inserting ''installation''; and

(F) in subsection (b)(3), by inserting '', in the case of a military installation,'' after ''(3) may''.

(3) COOPERATIVE AGREEMENTS.—Section 103a(a) (16 U.S.C. 670c–1(a)) is amended—

(A) in paragraph (1), by striking ''Department of Defense installations'' and inserting ''military installations and State-owned National Guard installations''; and

(B) in paragraph (2), by striking ''Department of Defense installation'' and inserting ''military installation or State-owned National Guard installation''.

(b) SECTION AND SUBSECTION HEADINGS.—Such Act is further amended as follows:

(1) Section 101 (16 U.S.C. 670a) is amended—

(A) by inserting at the beginning the following:

''SEC. 101. COOPERATIVE PLAN FOR CONSERVATION AND REHABILITATION.'';

(B) by striking ''SEC. 101.'';

(C) in subsection (c), by inserting ''PROHIBITIONS ON SALE AND LEASE OF LANDS UNLESS EFFECTS COMPATIBLE WITH PLAN.—'' after ''(c)'';

(D) in subsection (d), by inserting ''IMPLEMENTATION AND ENFORCEMENT OF INTEGRATED NATURAL RESOURCES MANAGEMENT PLANS.—'' after ''(d)'';

(E) in subsection (e)—

(i) by inserting ''APPLICABILITY OF OTHER LAWS'' after ''(e)''; and

(ii) by inserting a comma after ''Code''.

(2) Section 102 (16 U.S.C. 670b) is amended—

(A) by inserting at the beginning the following:

''SEC. 102. MIGRATORY GAME BIRDS; HUNTING PERMITS.'';

(B) by striking ''SEC. 102.'' and inserting ''(a) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—''; and

(C) by striking ''agency:'' and all that follows through ''possession'' and inserting ''agency.

''(b) APPLICABILITY OF OTHER LAWS.—Possession''.

(3) Section 103a (16 U.S.C. 670c–1) is further amended—

(A) by inserting at the beginning the following:

''SEC. 103A. COOPERATIVE AND INTERAGENCY AGREEMENTS FOR LAND MANAGEMENT ON INSTALLATIONS.'';

(B) by striking ''SEC. 103A.'';

(C) in subsection (a), by inserting ''AUTHORITY OF SECRETARY OF MILITARY DEPARTMENT.—'' after ''(a)''; and

(D) in subsection (c), by inserting ''AVAILABILITY OF FUNDS; AGREEMENTS UNDER OTHER LAWS.—'' after ''(c)''.

(4) Section 104 (16 U.S.C. 670d) is amended—

(A) by inserting at the beginning the following:

***"SEC. 104. LIABILITY FOR FUNDS; ACCOUNTING TO COMPTROLLER GENERAL.";** and*

(B) by striking ''SEC. 104.''.

(5) Section 105 (16 U.S.C. 670e) is amended—

(A) by inserting at the beginning the following:

***"SEC. 105. APPLICABILITY TO OTHER LAWS; NATIONAL FOREST LANDS.";** and*

(B) by striking ''SEC. 105.''.

(6) Section 108 (16 U.S.C. 670f) is amended—

(A) by inserting at the beginning the following:

"SEC. 108. APPROPRIATIONS AND EXPENDITURES.";

(B) by striking ''SEC. 108.'';

(C) in subsection (a), by inserting ''EXPENDITURES OF COLLECTED FUNDS UNDER INTEGRATED NATURAL RESOURCES MANAGEMENT PLANS.—'' after ''(a)'';

(D) in subsection (b), by inserting ''AUTHORIZATION OF APPROPRIATIONS TO SECRETARY OF DEFENSE.—'' after ''(b)'';

(E) in subsection (c), by inserting ''AUTHORIZATION OF APPROPRIATIONS TO SECRETARY OF THE INTERIOR.—'' after ''(c)''; and

(F) in subsection (D), by inserting ''USE OF OTHER CONSERVATION OR REHABILITATION AUTHORITIES.—'' after ''(d)''.

(7) Section 201 (16 U.S.C. 670g) is amended—

(A) by inserting at the beginning the following:

"SEC. 201. WILDLIFE, FISH, AND GAME CONSERVATION AND REHABILITATION PROGRAMS.";

(B) by striking ''SEC. 201.'';

(C) in subsection (a), by inserting ''PROGRAMS REQUIRED.—'' after ''(a)''; and

(D) in subsection (b), by inserting ''IMPLEMENTATION OF PROGRAMS.—'' after ''(b)''.

(8) Section 202 (16 U.S.C. 670h) is amended—

(A) by inserting at the beginning the following:

"SEC. 202. COMPREHENSIVE PLANS FOR CONSERVATION AND REHABILITATION PROGRAMS.";

(B) by striking ''SEC. 202.'';

(C) in subsection (a), by inserting ''DEVELOPMENT OF PLANS.—'' after ''(a)'';

(D) in subsection (b), by inserting ''CONSISTENCY WITH OVERALL LAND USE AND MANAGEMENT PLANS; HUNTING, TRAPPING, AND FISHING.—'' after ''(b)'';

(E) in subsection (c), by inserting ''COOPERATIVE AGREEMENTS BY STATE AGENCIES FOR IMPLEMENTATION OF PROGRAMS.—'' after ''(c)''; and

(F) in subsection (d), by inserting ''STATE AGENCY AGREEMENTS NOT COOPERATIVE AGREEMENTS UNDER OTHER PROVISIONS.—'' after ''(d)''.

(9) Section 203 (16 U.S.C. 670i) is amended—

(A) by inserting at the beginning the following:

"SEC. 203. PUBLIC LAND MANAGEMENT AREA STAMPS FOR HUNTING, TRAPPING, AND FISHING ON PUBLIC LANDS SUBJECT TO PROGRAMS.";

(B) by striking ''SEC. 203.'';

(C) in subsection (a), by inserting ''AGREEMENTS TO REQUIRE STAMPS.—'' after ''(a)''; and

(D) in subsection (b)—

(i) by inserting ''CONDITIONS FOR AGREEMENTS.—'' after ''(b)''; and

(ii) by moving paragraph (3) 2 ems to the right, so that the left-hand margin aligns with that of paragraph (2).

(10) Section 204 (16 U.S.C. 670j) is amended—

(A) by inserting at the beginning the following:

"SEC. 204. ENFORCEMENT PROVISIONS.";

(B) by striking ''SEC. 204.'';

(C) in subsection (a), by inserting ''VIOLATIONS AND PENALTIES.—'' after ''(a)'';

(D) in subsection (b), by inserting ''ENFORCEMENT POWERS AND PROCEEDINGS.—'' after ''(b)''; and

(E) in subsection (c), by inserting ''SEIZURE AND FORFEITURE.—'' after ''(c)''; and

(F) in subsection (d), by inserting ''APPLICABILITY OF CUSTOMS LAWS.—'' after ''(d)''.

(11) Section 205 (16 U.S.C. 670k) is amended—

(A) by inserting at the beginning the following:

***"SEC. 205. DEFINITIONS.";** and*

(B) by striking ''SEC. 205.''.

(12) Section 206 (16 U.S.C. 670l) is amended—

(A) by inserting at the beginning the following:

***"SEC. 206. STAMP REQUIREMENTS NOT APPLICABLE TO FOREST SERVICE AND BUREAU OF LAND MANAGEMENT LANDS; AUTHORIZED FEES.";** and*

(B) by striking ''SEC. 206.''.

(13) Section 207 (16 U.S.C. 670m) is amended—

(A) by inserting at the beginning the following:

***"SEC. 207. INDIAN RIGHTS; STATE OR FEDERAL JURISDICTION REGULATING INDIAN RIGHTS.";** and*

(B) by striking ''SEC. 207.''.

(14) Section 209 (16 U.S.C. 670o) is amended—

(A) by inserting at the beginning the following:

"SEC. 209. AUTHORIZATION OF APPROPRIATIONS.";

(B) by striking ''SEC. 209.'';

(C) in subsection (a), by inserting ''FUNCTIONS AND RESPONSIBILITIES OF SECRETARY OF THE INTERIOR.—'' after ''(a)'';

(D) in subsection (b), by inserting ''FUNCTIONS AND RESPONSIBILITIES OF SECRETARY OF AGRICULTURE.—'' after ''(b)'';

(E) in subsection (c), by inserting ''USE OF OTHER CONSERVATION OR REHABILITATION AUTHORITIES'' after ''(c)''; and

(F) in subsection (d), by inserting ''CONTRACT AUTHORITY'' after ''(d)''.

(c) CODIFICATION OF CHANGE OF NAME.—Section 204(b) of such Act (16 U.S.C. 670j) is amended by striking ''magistrate'' both places it appears and inserting ''magistrate judge''.

(d) REPEAL OF OBSOLETE SECTION.—Section 208 of such Act is repealed, and section 209 of such Act (16 U.S.C. 670o) is redesignated as section 208.

SEC. 314. DISCHARGE OF WASTES AT SEA GENERATED BY SHIPS OF THE ARMED FORCES.

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

''(b)(1) Except as provided in paragraph (3), this Act shall not apply to—

''(A) a ship of the Armed Forces described in paragraph (2); or

''(B) any other ship specifically excluded by the MARPOL Protocol or the Antarctic Protocol.

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

''(A) has unique military design, construction, manning, or operating requirements; and

''(B) cannot fully comply with the discharge requirements of Annex V to the Convention because compliance is not technologically feasible or would impair the operations or operational capability of the ship.

''(3)(A) Notwithstanding any provision of the MARPOL Protocol, the requirements of Annex V to the Convention shall apply to all ships referred to in subsection (a) other than those described in paragraph (2).

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

''(i) The discharge into the sea of plastics, including synthetic ropes, synthetic fishing nets, plastic garbage bags, and incinerator ashes from plastic products that may contain toxic chemicals or heavy metals, or the residues thereof, is prohibited.

''(ii) Garbage consisting of the following material may be discharged into the sea, subject to subparagraph (C):

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

''(II) Metal and glass that have been shredded and bagged (in compliance with clause (i)) so as to ensure negative buoyancy.

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

''(IV) Ash from incinerators or other thermal destruction systems not containing toxic chemicals, heavy metals, or incompletely burned plastics.

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

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

''(D) Notwithstanding subparagraph (C), a ship described in paragraph (2) that is not equipped with garbage-processing equipment sufficient to meet the requirements of subparagraph (B)(ii) may discharge garbage that has not been processed in accordance with subparagraph (B)(ii) if such discharge occurs as far as practicable from the nearest land, but in any case not less than—

''(i) 12 nautical miles from the nearest land, in the case of food wastes and non-floating garbage, including paper products, cloth, glass, metal, bottles, crockery, and similar refuse; and

''(ii) 25 nautical miles from the nearest land, in the case of all other garbage.

''(E) This paragraph shall not apply when discharge of any garbage is necessary for the purpose of securing the safety of the ship, the health of the ship's personnel, or saving life at sea. Not later than 270 days after such a discharge, the discharge shall be reported to the Secretary, with respect to the Coast Guard, or the Secretary concerned.

''(F) This paragraph shall not apply during time of war or a national emergency declared by the President or Congress.''.

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

(1) in paragraph (1), by striking ''Annex V to the Convention on or before the dates referred to in subsections (b)(2)(A) and (c)(1)'' and inserting ''subsection (b)''; and

(2) in paragraph (2), by inserting ''and subsection (b)(3)(B)(i) of this section'' after ''Annex V to the Convention''.

SEC. 315. DESIGNATION OF DEPARTMENT OF DEFENSE EXECUTIVE AGENT FOR ALTERNATIVE FUEL DEVELOPMENT.

(a) DESIGNATION OF EXECUTIVE AGENT.—The Assistant Secretary of Defense for Operational Energy, Plans, and Programs shall recommend, and the Secretary of Defense shall designate, the Secretary of one of the military departments to serve as the Executive Agent for Alternative Fuel Development for the Department of Defense. The Executive Agent shall—

(1) lead the military departments in the development of alternative fuel;

(2) streamline the current investments of each of the military departments and ensure that such investments account for the requirements of the military departments;

(3) work jointly with the Assistant Secretary of Defense for Research and Engineering;

(4) collaborate with and leverage investments made by the Department of Energy to advance alternative fuel development to the benefit of the Department of Defense; and

(5) coordinate proposed alternative fuel investments in accordance with section 138c(e) of title 10, United States Code.

(b) IMPLEMENTATION.—The Assistant Secretary of Defense for Operational Energy,

Plans, and Programs shall prescribe policy for the Executive Agent, establish guidelines for streamlining alternative fuel investments across the Department of Defense, and certify the budget associated with such investments.

(c) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees notification of the Secretary designated as the Executive Agent for Alternative Fuel Development for the Department of Defense under subsection (a) and a copy of the policy prescribed under subsection (b).

SEC. 316. FAVORABLE CONSIDERATION OF ENERGY-EFFICIENT TECHNOLOGIES IN CONTRACTS FOR LOGISTICS SUPPORT OF CONTINGENCY OPERATIONS.

(a) FAVORABLE CONSIDERATION.—In evaluating offers for defense logistics support contracts for contingency operations, the Secretary of Defense shall give favorable consideration, consistent with the energy performance goals and energy performance master plan for the Department of Defense developed under section 2911 of title 10, United States Code, to offers that include energy-efficient or energy reduction technologies or processes meeting the requirements of subsection (b).

(b) REQUIREMENTS FOR ENERGY TECHNOLOGIES AND PROCESSES.—Favorable consideration shall be given to an offer for a defense logistics support contract under subsection (a) if any energy technology or process included in the offer meets the following criteria:

(1) The technology or process achieves long-term savings for the Government by reducing overall demand for fuel and other sources of energy in contingency operations.

(2) The technology or process does not disrupt the mission, the logistics, or the core requirements in the contingency operation concerned.

(3) The technology or process is able to integrate seamlessly into the existing infrastructure in the contingency operation concerned.

(c) ADDITIONAL REQUIREMENTS.—

(1) LIFECYCLE COST SAVINGS REQUIRED TO BE DEMONSTRATED.—Favorable consideration may not be given under subsection (a) to an offer for a defense logistics support contract unless the offer contains information demonstrating the total lifecycle cost savings achieved using the energy technology or process in the offer over traditional technologies.

(2) RELATIONSHIP TO OTHER FACTORS.—The favorable consideration given under subsection (a) with respect to a defense logistics support contract does not outweigh other factors set forth by the selection authority for the evaluation of the contract.

(d) REGULATIONS AND GUIDANCE.—

(1) REGULATIONS.—The Defense Supplement to the Federal Acquisition Regulation shall be revised to implement this section.

(2) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue comprehensive guidance on the implementation of this section.

(e) REPORT.—The annual report required by section 2925(b) of title 10, United States Code, shall include information on the progress in the implementation of this section, including savings achieved by the Department resulting from such implementation.

(f) DEFINITIONS.—In this section:

(1) DEFENSE LOGISTICS SUPPORT CONTRACT.—The term ''defense logistics support contract'' means a contract for services, or a task order under such a contract, awarded by the Department of Defense to provide logistics support during times of military mobilizations, including contingency operations, in any amount greater than the simplified acquisition threshold.

(2) CONTINGENCY OPERATION.—The term ''contingency operation'' has the meaning provided in section 101(a)(13) of title 10, United States Code.

Subtitle C—Logistics and Sustainment

SEC. 321. DEFINITION OF DEPOT-LEVEL MAINTENANCE AND REPAIR.

Section 2460 of title 10, United States Code, is amended to read as follows:

''§2460. Definition of depot-level maintenance and repair

''(a) IN GENERAL.—In this chapter, the term ''depot-level maintenance and repair'' means (except as provided in subsection (b)) the processes of material maintenance or repair involving the overhaul, upgrading, rebuilding, testing, inspection, and reclamation (as necessary) of weapon systems, equipment end items, parts, components, assemblies, and subassemblies. The term includes—

''(1) all aspects of software maintenance;

''(2) the installation of parts or components for modifications; and

''(3) associated technical assistance to intermediate maintenance organizations, operational units, and other activities.

''(b) EXCEPTION.—The term does not include the nuclear refueling of an aircraft carrier.''.

SEC. 322. CORE LOGISTICS CAPABILITIES.

(a) MODIFICATIONS TO CORE LOGISTICS CAPABILITIES REQUIREMENTS.—Section 2464 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''systems and equipment under special access programs, nuclear aircraft carriers,'' and inserting ''the nuclear refueling of an aircraft carrier''; and

(B) in paragraph (4), by striking ''facilities'' each place it appears and inserting ''industrial facilities'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(3) by inserting after subsection (a) the following new subsection (b):

''(b) ANNUAL REPORT.—Not later than 90 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to Congress a report identifying, for each of the armed forces (other than the Coast Guard) each of the following:

''(1) The core logistics capability requirements identified in subsection (a)(2).

''(2) The depot maintenance workloads required to cost-effectively support core logistics capability requirements.

''(3) The additional depot maintenance workloads, beyond the workloads identified under paragraph (2), needed to ensure that not more than 50 percent of the non-exempt depot maintenance funding is expended for performance by non-federal governmental personnel in accordance with section 2466 of this title.

''(4) The allocation of workload for each Center of Industrial and Technical Excellence as designated in accordance with section 2474 of this title.

''(5) The depot maintenance capital investments required to be made in order to ensure compliance with subsection (a) by not later than four years after achieving initial operational capacity.''; and

(4) by adding at the end the following new subsection:

''(e) INDUSTRIAL FACILITY DEFINED.—In this section, the term 'industrial facility' includes government-owned ammunition plants, arsenals, depots, and manufacturing plants and facilities designated for the purpose of conducting depot-level maintenance and repair.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a)(1) shall apply with respect to contracts entered into after the date of the enactment of this Act.

SEC. 323. DESIGNATION OF MILITARY INDUSTRIAL FACILITIES AS CENTERS OF INDUSTRIAL AND TECHNICAL EXCELLENCE.

Section 2474(a)(1) of title 10, United States Code, is amended by inserting ''or military industrial facility'' after ''depot-level activity''.

SEC. 324. REDESIGNATION OF CORE COMPETENCIES AS CORE LOGISTICS CAPABILITIES FOR CENTERS OF INDUSTRIAL AND TECHNICAL EXCELLENCE.

Section 2474 of title 10, United States Code, is amended—

(1) by striking ''core competencies'' each place it appears and inserting ''core logistics capabilities''; and

(2) in subsection (a)(2), by striking ''core competency'' and inserting ''core logistics capability''.

SEC. 325. PERMANENT AND EXPANDED AUTHORITY FOR ARMY INDUSTRIAL FACILITIES TO ENTER INTO CERTAIN COOPERATIVE ARRANGEMENTS WITH NON-ARMY ENTITIES.

(a) IN GENERAL.—Section 4544 of title 10, United States Code, is amended—

(1) in subsection (a), by striking the second sentence; and

(2) by striking subsection (k).

(b) REPORT.—Section 328(b)(A) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 66; 10 U.S.C. 4544 note) is amended by striking ''the advisability'' and all that follows through the end and inserting ''the effect of the use of such authority on the rates charged by each Army industrial facility when bidding on contracts for the Army or for a Defense agency and providing recommendations to improve the ability of each category of Army industrial facility (as defined in section 4544(j) of title 10, United States Code) to compete for such contracts;''.

SEC. 326. AMENDMENT TO REQUIREMENT RELATING TO CONSIDERATION OF COMPETITION THROUGHOUT OPERATION AND SUSTAINMENT OF MAJOR WEAPON SYSTEMS.

Section 202(d) of the Weapon Systems Acquisition Reform Act of 2009 (10 U.S.C. 2430 note) is amended by inserting after ''major weapon system'' the following: ''or a subsystem or component of a major weapon system''.

SEC. 327. IMPLEMENTATION OF CORRECTIVE ACTIONS RESULTING FROM CORROSION STUDY OF THE F–22 AND F–35 AIRCRAFT.

(a) IMPLEMENTATION; CONGRESSIONAL BRIEFING.—Not later than January 31, 2012, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall implement the recommended actions described in subsection (b) and provide to the congressional defense committees a briefing on the actions taken by the Under Secretary to implement such recommended actions.

(b) RECOMMENDED ACTIONS.—The recommended actions described in this subsection are the following four recommended actions included in the report of the Government Accountability Office report numbered GAO–11–117R and titled ''Defense Management: DOD Needs to Monitor and Assess Corrective Actions Resulting from Its Corrosion Study of the F–35 Joint Strike Fighter'':

(1) The documentation of program-specific recommendations made as a result of the corrosion study described in subsection (d) with regard to the F–35 and F–22 aircraft and the establishment of a process for monitoring and assessing the effectiveness of the corrective actions taken with respect to such aircraft in response to such recommendations.

(2) The documentation of program-specific recommendations made as a result of such corrosion study with regard to the other weapon systems identified in the study, specifically the CH–53K helicopter, the Joint High Speed Vessel, the Broad Area Maritime Surveillance Unmanned Aircraft System, and the Joint Light Tactical Vehicle, and the establishment of a process for monitoring and assessing the effectiveness of the corrosion prevention and control programs implemented for such weapons systems in response to such recommendations.

(3) The documentation of Air Force-specific and Navy-specific recommendations made as a

result of such corrosion study and the establishment of a process for monitoring and assessing the effectiveness of the corrective actions taken by the Air Force and the Navy in response to such recommendations.

(4) The documentation of Department of Defense-wide recommendations made as a result of such corrosion study, the implementation of any needed changes in policies and practices to improve corrosion prevention and control in new systems acquired by the Department, and the establishment of a process for monitoring and assessing the effectiveness of the corrective actions taken by the Department in response to such recommendations.

(c) DEADLINE FOR COMPLIANCE.—Not later than December 31, 2012, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in conjunction with the directors of the F–35 and F–22 program offices, the directors of the program offices for the weapons systems referred to in subsection (b)(2), the Secretary of the Army, the Secretary of the Air Force, and the Secretary of the Navy, shall—

(1) take whatever steps necessary to comply with the recommendations documented pursuant to the required implementation under subsection (a) of the recommended actions described in subsection (b); or

(2) submit to the congressional defense committees written justification of why compliance was not feasible or achieved.

(d) CORROSION STUDY.—The corrosion study described in this subsection is the study required in House Report 111–166 accompanying H.R. 2647 of the 111th Congress conducted by the Office of the Director of Corrosion Policy and Oversight of the Office of the Secretary of Defense and titled ''Corrosion Evaluation of the F–22 Raptor and F–35 Lightning II Joint Strike Fighter''.

Subtitle D—Readiness

SEC. 331. MODIFICATION OF DEPARTMENT OF DEFENSE AUTHORITY TO ACCEPT VOLUNTARY CONTRIBUTIONS OF FUNDS.

The second sentence of subsection (g) of section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4201; 49 U.S.C. 44718 note) is amended—

(1) by striking ''shall be available'' and inserting ''shall remain available until expended''; and

(2) by inserting before the period at the end the following: ''or to conduct studies of potential measures to mitigate such impacts''.

SEC. 332. REVIEW OF PROPOSED STRUCTURES AFFECTING NAVIGABLE AIRSPACE.

Section 44718 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(e) REVIEW OF AERONAUTICAL STUDIES.—The Administrator of the Federal Aviation Administration shall develop procedures to allow the Department of Defense and the Department of Homeland Security to review and comment on an aeronautical study conducted pursuant to subsection (b) prior to the completion of the study.''.

SEC. 333. SENSE OF CONGRESS REGARDING INTEGRATION OF BALLISTIC MISSILE DEFENSE TRAINING ACROSS AND BETWEEN COMBATANT COMMANDS AND MILITARY SERVICES.

(a) FINDINGS.—Congress finds that ballistic missile defense is an inherently joint operation that requires close coordination between combatant commands and military services at all levels, from the strategic to the operational to the tactical. Since the time available to identify, track, and intercept ballistic missiles will be less than 30 minutes, joint training to improve the ability of the military departments and combatant commands to work together is essential for successfully planning and conducting ballistic missile defense operations. Congress has previously expressed concern that gaps in joint missile defense training, from the lowest sensor or shooter operator level to the highest levels of decision-making on combatant command staffs, must be identified and rectified.

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

(1) improving the integration of ballistic missile defense training across and between combatant commands and military services and fully identifying the training requirements, capabilities, and resources that the Department of Defense needs to effectively train for this complex mission is vital to the protection of the United States against ballistic missile attacks;

(2) identifying and addressing training gaps in integrating missile defense training is essential for successfully employing the Ballistic Missile Defense System; and

(3) identifying the capabilities and funding needed to effectively and adequately integrate training across and between the combatant commands and military services is important to ensure that training priorities are being met and that resources are aligned to support the training.

Subtitle E—Reports

SEC. 341. ANNUAL CERTIFICATION AND MODIFICATIONS OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

(a) ANNUAL CERTIFICATION.—Section 2229 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) ANNUAL CERTIFICATION.—(1) Not later than the date of the submission of the President's budget request for a fiscal year under section 1105 of title 31, the Secretary of Defense shall submit to the congressional defense committees certification in writing that the prepositioned stocks of each of the military departments meet all operations plans, in both fill and readiness, that are in effect as of the date of the submission of the certification.

''(2) If, for any year, the Secretary cannot certify that any of the prepositioned stocks meet such operations plans, the Secretary shall include with the certification for that year a list of the operations plans affected, a description of any measures that have been taken to mitigate any risk associated with prepositioned stock shortfalls, and an anticipated timeframe for the replenishment of the stocks.

''(3) A certification under this subsection shall be in an unclassified form but may have a classified annex.''.

(b) ANNUAL REPORT.—Section 2229a(a) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(7) A list of any non-standard items slated for inclusion in the prepositioned stocks and a plan for funding the inclusion and sustainment of such items.

''(8) A list of any equipment used in support of Operation Iraqi Freedom, Operation New Dawn, or Operation Enduring Freedom slated for retrograde and subsequent inclusion in the prepositioned stocks.

''(9) An efficiency strategy for limited shelf-life medical stock replacement.

''(10) The status of efforts to develop a joint strategy, integrate service requirements, and eliminate redundancies.

''(11) The operational planning assumptions used in the formulation of prepositioned stock levels and composition.

''(12) A list of any strategic plans affected by changes to the levels, composition, or locations of the prepositioned stocks and a description of any action taken to mitigate any risk that such changes may create.''.

SEC. 342. MODIFICATION OF REPORT ON MAINTENANCE AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

Section 7310(c) of title 10, United States Code, is amended—

(1) in paragraph (3)(A), by inserting after ''justification under law'' the following: ''and operational justification''; and

(2) in paragraph (4), by adding at the end the following new subparagraph:

''(C) A vessel not described in subparagraph (A) or (B) that is operated pursuant to a contract entered into by the Military Sealift Command, the Maritime Administration, or the United States Transportation Command.''.

SEC. 343. ADDITIONAL REQUIREMENTS FOR ANNUAL REPORT ON MILITARY WORKING DOGS.

Section 358(c) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4427; 10 U.S.C. 2302 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''for the fiscal year covered by the report'';

(2) in paragraph (1), by striking ''The number'' and inserting ''For the fiscal year covered by the report, the number'';

(3) in paragraph (2), by striking ''The cost'' and inserting ''For such fiscal year'';

(4) in paragraph (3), by inserting ''during such fiscal year'' before the period at the end; and

(5) by adding at the end the following new paragraphs:

''(4) For such fiscal year, the number of military working dogs providing services under a contract for each military department or Defense Agency.

''(5) For such fiscal year, the number of military working dogs bred by each military department or Defense Agency.

''(6) An evaluation of military working dog breeding programs that addresses—

''(A) the cost of acquiring dogs through such breeding programs compared to the cost of purchasing the dogs;

''(B) a plan for how the Department could better leverage existing departmental and non-departmental domestic breeding programs; and

''(C) other considerations as determined appropriate by the Secretary.

''(7) The future force structure requirements for the military working dog program.''.

SEC. 344. ASSESSMENT AND REPORTING REQUIREMENTS REGARDING THE STATUS OF COMPLIANCE WITH JOINT MILITARY TRAINING AND FORCE ALLOCATIONS.

(a) ASSESSMENT REQUIRED.—At the beginning of each even-numbered year, the Secretary of Defense shall conduct an assessment of joint military training and force allocations to determine—

(1) the compliance of the military departments with the joint training, doctrine, and resource allocation recommendations promulgated by the Joint Chiefs of Staff; and

(2) the effectiveness of the Joint Staff in carrying out the missions of planning and experimentation formerly accomplished by Joint Forces Command.

(b) RELATION TO NATIONAL MILITARY STRATEGY ASSESSMENTS.—The assessments required by this section are in addition to the assessments of the National Military Strategy conducted by the Chairman of the Joint Chiefs of Staff under section 153(b) of title 10, United States Code.

(c) REPORTS ON RESULTS OF ASSESSMENT.—Not later than March 31, 2012, and March 31 of each even-numbered year thereafter, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the most recently concluded assessment conducted under subsection (a).

SEC. 345. STUDY OF UNITED STATES PACIFIC COMMAND TRAINING READINESS.

(a) STUDY REQUIRED.—In fulfillment of the recommendations in the 2010 Quadrennial Defense Review, the Secretary of Defense, in conjunction with the Commander of the United States Pacific Command, shall conduct a study

to identify current and future training requirements for all members of the Armed Forces assigned to the Pacific Command area of responsibility, the sufficiency of current training infrastructure to meet those requirements, and the effect on operational readiness of providing additional training venues.

(b) TRAINING LOCATIONS.—

(1) IN GENERAL.—In carrying out the study required under subsection (a), the Secretary of Defense and the Commander of the United States Pacific Command shall identify locations within the United States Pacific Command's area of responsibility as suitable to establish combat training centers to fulfill requirements for live-fire and simulated individual, small-unit, and collective pre-deployment and post-deployment training of United States combat forces in joint, multi-national, and coalition full-spectrum operations as well as counter-insurgency, stability, and humanitarian operations.

(2) SUITABILITY FOR TRAINING.—The locations identified by the Secretary and the Commander of the United States Pacific Command pursuant to paragraph (1) shall be suitable for training forces equivalent to a Marine Expeditionary Force, an Army division, an Air and Space Expeditionary Force, or a Navy carrier strike group.

(3) LOCATIONS FOR CONSIDERATION.—In identifying locations to be studied pursuant to paragraph (1), the Secretary and the Commander of the United States Pacific Command may consider, among others, current as well as former United States military installations.

(c) STUDY REQUIREMENTS.—In carrying out the study required under subsection (a), the Secretary and the Commander of the United States Pacific Command shall—

(1) determine cost estimates for any necessary acquisition, development (including military construction), operation, and maintenance of the locations identified under subsection (b);

(2) determine the estimated cost to upgrade any current infrastructure at any location identified to bring the location to a state required for the training described in subsection (b);

(3) provide a description of the possible environmental impact of conducting the training described in subsection (b);

(4) include an estimate of the potential economic impact, either positive or negative, to the local community of accommodating the training described in subsection (b); and

(5) provide a description of the anticipated impact on the quality of life for military personnel who would train at the identified locations.

(d) ASSESSMENT OF READINESS IMPACT.—The Secretary and the Commander of the United States Pacific Command shall include in the study required under this section an assessment of the effect on operational and training readiness that would be achieved by providing training at the training locations identified under subsection (b).

(e) REPORT.—Not later than February 28, 2013, the Secretary shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that contains the results of the study required under this section along with any conclusions and recommendations of the Secretary and the Commander of the United States Pacific Command regarding the activation and implementation of training sites in the Pacific Command area of responsibility.

(f) COMPTROLLER GENERAL BRIEFING.—Not later than 120 days after the submittal of the report under subsection (e), the Comptroller General of the United States shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a briefing on the completeness of the Secretary's report in fulfilling the requirements of this section and the feasibility of successfully establishing additional training opportunities based on the recommendations included in the report.

Subtitle F—Limitations and Extensions of Authority

SEC. 351. ADOPTION OF MILITARY WORKING DOG BY FAMILY OF DECEASED OR SERIOUSLY WOUNDED MEMBER OF THE ARMED FORCES WHO WAS THE DOG'S HANDLER.

Section 2583(c) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''Military animals''; and

(2) by adding at the end the following new paragraph:

''(2) For purposes of making a determination under subsection (a)(2), unusual or extraordinary circumstances may include situations in which the handler of a military working dog is killed in action, dies of wounds received in action, or is so seriously wounded in action that the member will (or most likely will) receive a medical discharge. If the Secretary of the military department concerned determines that an adoption is justified in such a situation, the military working dog shall be made available for adoption only by the immediate family of the member.''.

SEC. 352. PROHIBITION ON EXPANSION OF THE AIR FORCE FOOD TRANSFORMATION INITIATIVE.

The Secretary of the Air Force may not expand the Air Force food transformation initiative (hereinafter referred to as the ''initiative'') to include any base other than the six bases initially included in the pilot program until 270 days after the date on which the Secretary of the Air Force submits to the Committees on Armed Services of the Senate and House of Representatives a report on the initiative. Such report shall include the following:

(1) A description of the effects of the initiative on all employees who are paid through non-appropriated funds.

(2) A detailed plan for any new information technology systems, along with a funding plan, that may be required to fully implement the initiative.

(3) A description of the performance metrics developed to objectively measure the initiative at the six bases participating in the initiative as of the date of the enactment of this Act.

(4) An explanation of how appropriated and non-appropriated funds used in the initiative are being tracked to ensure that such funds remain segregated.

(5) An estimate of the cost savings and efficiencies associated with the initiative, and an explanation of how such savings are achieved.

(6) The rationale for any increases in food prices at both the appropriated facilities on the military bases participating in the initiative as of the date of the enactment of this Act and the non-appropriated funded facilities on such bases.

(7) An explanation of any challenges or barriers encountered at such bases and a plan for addressing those challenges or barriers to implementation.

(8) A description of the training programs being developed to assist the transition for all employees affected by the initiative.

(9) A detailed plan for addressing any recommendations made by the Comptroller General of the United States following the Comptroller General's review of the initiative.

SEC. 353. LIMITATION ON OBLIGATION AND EXPENDITURE OF FUNDS FOR THE MIGRATION OF ARMY ENTERPRISE EMAIL SERVICES.

Of the funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2012 for procurement or operation and maintenance for the migration to enterprise email services by the Department of the Army, not more than 2 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of Army submits to the congressional defense committees a report that includes a comparison of the relative merits of transitioning to Defense Information Systems Agency enterprise email services and Army Knowledge Online. The report shall address each of the following:

(1) The original business case analysis supporting the decision to transition to Defense Information Systems Agency enterprise email services.

(2) An analysis of alternatives to the decision that were considered.

(3) The proposed formal acquisition oversight body and process with respect to the transition.

(4) An economic analysis (including a life-cycle cost analysis) of the proposed transition, including a cost-benefit analysis and assessment of sustainment costs.

SEC. 354. ONE-YEAR EXTENSION OF PILOT PROGRAM FOR AVAILABILITY OF WORKING-CAPITAL FUNDS TO ARMY FOR CERTAIN PRODUCT IMPROVEMENTS.

Section 330(f) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 68) is amended by striking ''October 1, 2013'' and inserting ''October 1, 2014''.

Subtitle G—Other Matters

SEC. 361. CONSIDERATION OF FORECLOSURE CIRCUMSTANCES IN ADJUDICATION OF SECURITY CLEARANCES.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1564a the following new section:

''§ 1564b. Security clearance adjudications

''In carrying out a security clearance adjudication of a member of the armed forces, the Secretary of Defense shall give special consideration to any such member with a record of a foreclosure on the credit report of such member.''.

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this section, the Secretary shall issue regulations to carry out section 1564b of title 10, United States Code, as added by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1564a the following new item:

''1564b. Security clearance adjudications.''.

SEC. 362. AUTHORITY TO PROVIDE INFORMATION FOR MARITIME SAFETY OF FORCES AND HYDROGRAPHIC SUPPORT.

(a) AUTHORITY.—Part IV of subtitle C of title 10, United States Code, is amended by adding at the end the following new chapter:

''CHAPTER 669—MARITIME SAFETY OF FORCES

''Sec.
''7921. Safety and effectiveness information; hydrographic information.

''§ 7921. Safety and effectiveness information; hydrographic information

''(a) SAFETY AND EFFECTIVENESS INFORMATION.—(1) The Secretary of the Navy shall maximize the safety and effectiveness of all maritime vessels, aircraft, and forces of the armed forces by means of—

''(A) marine data collection;

''(B) numerical weather and ocean prediction; and

''(C) forecasting of hazardous weather and ocean conditions.

''(2) The Secretary may extend similar support to forces of the North Atlantic Treaty Organization, and to coalition forces, that are operating with the armed forces.

''(b) HYDROGRAPHIC INFORMATION.—The Secretary of the Navy shall collect, process, and provide to the Director of the National Geospatial-Intelligence Agency hydrographic information to support preparation of maps, charts, books, and geodetic products by that Agency.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle C of such title, and the table of chapters at the beginning

of part IV of such subtitle, are each amended by inserting after the item relating to chapter 667 the following new item:

"669. Maritime Safety of Forces ..... 7921".

SEC. 363. DEPOSIT OF REIMBURSED FUNDS UNDER RECIPROCAL FIRE PROTECTION AGREEMENTS.

(a) IN GENERAL.—Subsection (b) of section 5 of the Act of May 27, 1955 (42 U.S.C. 1856d(b)) is amended to read as follows:

''(b) Notwithstanding subsection (a), all sums received as reimbursements for costs incurred by any Department of Defense activity for fire protection rendered pursuant to this Act shall be credited to the same appropriation or fund from which the expenses were paid or, if the period of availability for obligation for that appropriation has expired, to the appropriation or fund that is currently available to the activity for the same purpose. Amounts so credited shall be subject to the same provisions and restrictions as the appropriation or account to which credited.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to reimbursements for expenditures of funds appropriated after the date of the enactment of this Act.

SEC. 364. REDUCTION IN AMOUNTS OTHERWISE AUTHORIZED TO BE APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR PRINTING AND REPRODUCTION.

The following amounts otherwise authorized to be appropriated for fiscal year 2012 for the Department of Defense are hereby reduced by 10 percent:

(1) The amount for Operation and Maintenance for the Army, for printing and reproduction.

(2) The amount for Operation and Maintenance for the Navy, for printing and reproduction.

(3) The amount for Operation and Maintenance for the Marine Corps, for printing and reproduction.

(4) The amount for Operation and Maintenance for the Air Force, for printing and reproduction.

(5) The amount for Operation and Maintenance for Defense-wide activities, for printing and reproduction.

SEC. 365. REDUCTION IN AMOUNTS OTHERWISE AUTHORIZED TO BE APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR STUDIES, ANALYSIS, AND EVALUATIONS.

The following amounts otherwise authorized to be appropriated for fiscal year 2012 for the Department of Defense are hereby reduced by 10 percent:

(1) The amount for Operation and Maintenance for the Army, for studies, analysis, and evaluations.

(2) The amount for Operation and Maintenance for the Navy, for studies, analysis, and evaluations.

(3) The amount for Operation and Maintenance for the Marine Corps, for studies, analysis, and evaluations.

(4) The amount for Operation and Maintenance for the Air Force, for studies, analysis, and evaluations.

(5) The amount for Operation and Maintenance for Defense-wide activities, for studies, analysis, and evaluations.

SEC. 366. CLARIFICATION OF THE AIRLIFT SERVICE DEFINITIONS RELATIVE TO THE CIVIL RESERVE AIR FLEET.

(a) CLARIFICATION.—Section 41106 of title 49, United States Code, is amended—

(1) in subsections (a)(1), (b), and (c), by striking ''transport category aircraft'' each place it appears 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)''.

(b) CRAF-ELIGIBLE AIRCRAFT DEFINED.—Such section is further amended by adding at the end the following new subsection:

''(e) CRAF-ELIGIBLE AIRCRAFT DEFINED.—In this section, 'CRAF-eligible aircraft' means aircraft of a type the Secretary of Defense has determined to be eligible to participate in the civil reserve air fleet.''.

SEC. 367. RATEMAKING PROCEDURES FOR CIVIL RESERVE AIR FLEET CONTRACTS.

(a) IN GENERAL.—Chapter 931 of title 10, United States Code, is amended by inserting after section 9511 the following new section:

"§9511a. Civil Reserve Air Fleet contracts: payment rate

''(a) AUTHORITY.—The Secretary of Defense shall determine a fair and reasonable rate of payment for airlift services provided to the Department of Defense by air carriers who are participants in the Civil Reserve Air Fleet program.

''(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations for purposes of subsection (a). The Secretary may exclude from the applicability of those regulations any airlift services contract made through the use of competitive procedures.

''(c) COMMITMENT OF AIRCRAFT AS A BUSINESS FACTOR.—The Secretary may, in determining the quantity of business to be received under an airlift services contract for which the rate of payment is determined in accordance with subsection (a), use as a factor the relative amount of airlift capability committed by each air carrier to the Civil Reserve Air Fleet.

''(d) INAPPLICABLE PROVISIONS OF LAW.—An airlift services contract for which the rate of payment is determined in accordance with subsection (a) shall not be subject to the provisions of section 2306a of this title or to the provisions of subsections (a) and (b) of section 1502 of title 41.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9511 the following new item:

''9511a. Civil Reserve Air Fleet contracts: payment rate.''.

(c) INITIAL REGULATIONS.—Regulations shall be prescribed under section 9511a(b) of title 10, United States Code, as added by subsection (a), not later than 180 days after the date of the enactment of this Act.

SEC. 368. SENSE OF CONGRESS ON PROPOSED FEDERAL AVIATION ADMINISTRATION CHANGES TO FLIGHT CREW MEMBER DUTY AND REST REQUIREMENTS.

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

(1) Section 212 of the Airline Safety and Federal Aviation Administration Extension Act of 2010 (Public Law 111–216; 49 U.S.C. 44701 note) directed the Administrator of the Federal Aviation Administration to issue regulations, based on the best available scientific information, to specify limitations on the hours of flight and duty time allowed for pilots to address problems relating to pilot fatigue.

(2) On September 14, 2010, the Federal Aviation Administration issued a Notice of Proposed Rulemaking titled ''Flightcrew Member Duty and Rest Requirements''.

(3) Between March 2010 and March 2011, the Air Mobility Command and its Civil Reserve Air Fleet partners airlifted more than 2,000,000 passengers and 848,000 tons of cargo around the world in support of the missions of the Department of Defense.

(4) An Air Force Institute of Technology study titled ''Civil Reserve Airlift Fleet (CRAF) Crew Rest Study'' analyzed 2264 missions flown by Civil Reserve Air Fleet carriers under contract with the Department of Defense between May and September 2011, and concluded that over 80 percent of those missions may have been infeasible had the proposed rule referred to in paragraph (2) been in effect during such period.

(5) On February 15, 2011, General Duncan J. McNabb, Commander of the United States Transportation Command, wrote to the Administrator of the Federal Aviation Administration expressing significant concern about the proposed rule change and stating that the Operational Risk Management approach of the United States Transportation Command mitigated operational hazards and included ''reasonable measures to reduce risk to personnel, equipment and the mission''. In the letter, General McNabb noted that he believes there is room for proper exceptions to the proposed rule and went on to write that ''through cooperation, we can develop mutually acceptable guidelines that not only mitigate the impact of crew fatigue, but afford all carriers the flexibility to implement safer aircrew processes''.

(6) The United States Transportation Command is relying heavily on the Civil Reserve Air Fleet as a critical partner as they effectively and efficiently deploy and sustain the warfighter in simultaneous operations in Afghanistan, Iraq, and Libya and in relief operations in Japan.

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

(1) when faced with immediate and long-term world events, the superb team of the United States Transportation Command successfully overcomes many obstacles to support the national security objectives of the United States with world-class logistics and the Civil Reserve Air Fleet program is one of the major reasons they deliver both combat power and humanitarian relief on time, on target, and at best value to the taxpayer;

(2) the Administrator of the Federal Aviation Administration should make every effort to ensure that any changes to guidelines, regulations, and rules of the Federal Aviation Administration, including changes to the Flightcrew Member Duty and Rest Requirements, fully consider the impact of such changes on Civil Reserve Air Fleet carriers, the United States Transportation Command, and the Department of Defense; and

(3) the Administrator of the Federal Aviation Administration, in consultation with the Commander of the United States Transportation Command, should develop guidelines that address not only crew fatigue, but also enhance safety while minimizing the impact on the mission of the United States Transportation Command and the Department of Defense.

SEC. 369. POLICY ON ACTIVE SHOOTER TRAINING FOR CERTAIN LAW ENFORCEMENT PERSONNEL.

The Secretary of Defense shall establish policy and promulgate guidelines to ensure civilian and military law enforcement personnel charged with security functions on military installations shall receive Active Shooter Training as described in finding 4.3 of the document entitled ''Protecting the Force: Lessons From Fort Hood''.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

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

(1) The Army, 562,000.

(2) The Navy, 325,739.

(3) The Marine Corps, 202,100.

(4) The Air Force, 332,800.

SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 562,000.

''(2) For the Navy, 325,739.

''(3) For the Marine Corps, 202,100.

''(4) For the Air Force, 332,800.''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2012, as follows:

(1) The Army National Guard of the United States, 358,200.

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 66,200.

(4) The Marine Corps Reserve, 39,600.

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

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

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

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

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

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

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

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

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 10,337.

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

(5) The Air National Guard of the United States, 14,833.

(6) The Air Force Reserve, 2,662.

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

The minimum number of military technicians (dual status) as of the last day of fiscal year 2012 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

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

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

(3) For the Air Force Reserve, 10,777.

(4) For the Air National Guard of the United States, 22,509.

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

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2012, may not exceed the following:

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

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

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

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

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

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

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

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

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

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

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—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 expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2012.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

SEC. 501. INCREASE IN AUTHORIZED STRENGTHS FOR MARINE CORPS OFFICERS ON ACTIVE DUTY IN GRADES OF MAJOR, LIEUTENANT COLONEL, AND COLONEL.

The table in subsection (a)(1) of section 523 of title 10, United States Code, is amended by striking the items relating to the total number of commissioned officers (excluding officers in categories specified in subsection (b) of such section) serving on active duty in the Marine Corps in the grades of major, lieutenant colonel, and colonel, respectively, and inserting the following new items:

''10,000	2,802	1,615	633
12,500	3,247	1,768	658
15,000	3,691	1,922	684
17,500	4,135	2,076	710
20,000	4,579	2,230	736
22,500	5,024	2,383	762
25,000	5,468	2,537	787''.

SEC. 502. GENERAL OFFICER AND FLAG OFFICER REFORM.

(a) REMOVAL OF CERTAIN POSITIONS FROM EXCEPTION TO DISTRIBUTION LIMITS.—

(1) REMOVAL OF POSITIONS.—Subsection (b) of section 525 of title 10, United States Code, is amended to read as follows:

''(b) The limitations of subsection (a) do not include the following:

''(1) An officer released from a joint duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty assignment, except that the Secretary of Defense may authorize the Secretary of a military department to extend the 60-day period by an additional 120 days, but no more than three officers from each armed forces may be on active duty who are excluded under this paragraph.

''(2) The number of officers required to serve in joint duty assignments as authorized by the Secretary of Defense under section 526(b) for each military service.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2012.

(b) LIMITATION ON NUMBER OF AIR FORCE GENERAL OFFICERS ON ACTIVE DUTY.—

(1) LIMITATION; EXCLUSION FOR JOINT DUTY REQUIREMENTS.—Section 526 of such title is amended—

(A) in subsection (a)(3), by striking ''208'' and inserting ''197''; and

(B) in subsection (b)(2)(C), by striking ''76'' and inserting ''73''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2013.

(c) LIMITED EXCLUSION FOR JOINT DUTY ASSIGNMENTS FROM AUTHORIZED STRENGTH LIMITATION.—

(1) EXCLUSION.—Subsection (b) of section 526 of such title is amended by striking ''324'' and inserting ''310''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on January 1, 2012.

(d) ELIMINATION OF COMPLETE EXCLUSION FOR OFFICERS SERVING IN CERTAIN INTELLIGENCE POSITIONS.—

(1) ELIMINATION OF CURRENT BROAD EXCLUSION.—Section 528 of such title is amended by striking subsections (b), (c), and (d) and inserting the following new subsections:

''(b) DIRECTOR AND DEPUTY DIRECTOR OF CIA.—When the position of Director or Deputy Director of the Central Intelligence Agency is held by an officer of the armed forces, the position, so long as the officer serves in the position, shall be designated, pursuant to subsection (b) of section 526 of this title, as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.

''(c) ASSOCIATE DIRECTOR OF MILITARY AFFAIRS, CIA.—When the position of Associate Director of Military Affairs, Central Intelligence Agency, or any successor position, is held by an officer of the armed forces, the position, so long as the officer serves in the position, shall be designated, pursuant to subsection (b) of section 526 of this title, as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.

''(d) OFFICERS SERVING IN OFFICE OF DNI.—When a position in the Office of the Director of National Intelligence designated by agreement between the Secretary of Defense and the Director of National Intelligence is held by a general officer or flag officer of the armed forces, the position, so long as the officer serves in the position, shall be designated, pursuant to subsection (b) of section 526 of this title, as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section. However, not more than five of such positions may be included among the excluded positions at any time.''.

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

''§528. Officers serving in certain intelligence positions: military status; application of distribution and strength limitations; pay and allowances''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 32 of such title is amended by striking the item relating to section 528 and inserting the following new item:

''528. Officers serving in certain intelligence positions: military status; application of distribution and strength limitations; pay and allowances.''.

Subtitle B—Reserve Component Management

SEC. 511. LEADERSHIP OF NATIONAL GUARD BUREAU.

(a) CHIEF OF THE NATIONAL GUARD BUREAU.—

(1) GRADE AND EXCLUSION FROM GENERAL AND FLAG OFFICER AUTHORIZED STRENGTH.—Subsection (d) of section 10502 of title 10, United States Code, is amended to read as follows:

''(d) GRADE AND EXCLUSION FROM GENERAL AND FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Chief of the National Guard Bureau shall be appointed to serve in the grade of general.

''(2) The Secretary of Defense shall designate, pursuant to subsection (b) of section 526 of this title, the position of Chief of the National Guard Bureau as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.''.

(2) SUCCESSION.—Subsection (e) of such section is amended to read as follows:

''(e) SUCCESSION.—(1) When there is a vacancy in the office of the Chief of the National Guard Bureau or in the absence or disability of the Chief, the Vice Chief of the National Guard Bureau acts as Chief and performs the duties of the Chief until a successor is appointed or the absence or disability ceases.

''(2) When there is a vacancy in the offices of both the Chief and the Vice Chief of the National Guard Bureau or in the absence or disability of both the Chief and the Vice Chief of the National Guard Bureau, or when there is a vacancy in one such office and in the absence or disability of the officer holding the other, the senior officer of the Army National Guard of the United States or the Air National Guard of the United States on duty with the National Guard Bureau shall perform the duties of the Chief until a successor to the Chief or Vice Chief is appointed or the absence or disability of the Chief or Vice Chief ceases, as the case may be.''.

(3) EXCLUSION FOR CHIEF OF NATIONAL GUARD BUREAU FROM GENERAL OFFICER DISTRIBUTION LIMITATIONS.—Section 525 of such title is amended—

(A) in subsection (b)(1), by striking subparagraph (D); and

(B) in subsection (g)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3) as paragraph (2).

(b) VICE CHIEF OF THE NATIONAL GUARD BUREAU.—

(1) REDESIGNATION OF DIRECTOR OF THE JOINT STAFF OF THE NATIONAL GUARD BUREAU.—Subsection (a)(1) of section 10505 of such title is amended by striking ''Director of the Joint Staff of the National Guard Bureau, selected by the Secretary of Defense from'' and inserting ''Vice Chief of the National Guard Bureau, appointed by the President, by and with the advice and consent of the Senate. The appointment shall be made from''.

(2) ELIGIBILITY REQUIREMENTS.—Subsection (a)(1) of such section is further amended—

(A) in subparagraph (A), by striking ''recommended'' and inserting ''nominated'';

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E), respectively;

(C) in subparagraph (E), as so redesignated, by striking ''colonel'' and inserting ''brigadier general''; and

(D) by inserting after subparagraph (A) the following new subparagraphs:

''(B) are recommended by the Secretary of the Army, in the case of officers of the Army National Guard of the United States, or by the Secretary of the Air Force, in the case of officers of the Air National Guard of the United States, and by the Secretary of Defense;

''(C) are determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience;''.

(3) GRADE AND EXCLUSION FROM GENERAL AND FLAG OFFICER AUTHORIZED STRENGTH.—Subsection (c) of such section is amended to read as follows:

''(c) GRADE AND EXCLUSION FROM GENERAL AND FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Vice Chief of the National Guard Bureau shall be appointed to serve in the grade of lieutenant general.

''(2) The Secretary of Defense shall designate, pursuant to subsection (b) of section 526 of this title, the position of Vice Chief of the National Guard Bureau as one of the general officer and flag officer positions to be excluded from the limitations in subsection (a) of such section.''.

(c) CONFORMING AMENDMENTS REGARDING REFERENCES TO DIRECTOR.—

(1) CROSS REFERENCES IN SECTION 10505.—Section 10505 of such title is further amended—

(A) in subsection (a)—

(i) in paragraphs (2), (3), and (4), by striking ''Director of the Joint Staff'' each place in appears and inserting ''Vice Chief''; and

(ii) in paragraph (3)(B), by striking ''as the Director'' and inserting ''as the Vice Chief''; and

(B) in subsection (b), by striking ''Director of the Joint Staff'' and inserting ''Vice Chief''.

(2) CROSS REFERENCES IN SECTION 10506.—Section 10506(a)(1) of such title is amended by striking ''Chief of the National Guard Bureau and the Director of the Joint Staff'' and inserting ''Chief and Vice Chief''.

(3) OTHER REFERENCES.—Any reference in any law, regulation, document, paper, or other record of the United States to the Director of the Joint Staff of the National Guard Bureau shall be deemed to be a reference to the Vice Chief of the National Guard Bureau.

(d) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 10505 of such title is amended to read as follows:

''§ 10505. Vice Chief of the National Guard Bureau''.

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 1011 of such title is amended to read as follows:

''10505. Vice Chief of the National Guard Bureau.''.

(e) TREATMENT OF CURRENT DIRECTOR OF THE JOINT STAFF OF THE NATIONAL GUARD BUREAU.—The officer who is serving as Director of the Joint Staff of the National Guard Bureau on the date of the enactment of this Act shall serve, in the grade of major general, as acting Vice Chief of the National Guard Bureau until the appointment of a Vice Chief of the National Guard Bureau in accordance with subsection (a) of section 10505 of title 10, United States Code, as amended by subsection (b). Notwithstanding the amendment made by subsection (b)(3), the acting Vice Chief of the National Guard Bureau shall not be excluded from the limitations in section 526(a) of such title.

SEC. 512. PRESEPARATION COUNSELING FOR MEMBERS OF THE RESERVE COMPONENTS.

(a) REQUIREMENT; EXCEPTION.—Subsection (a)(1) of section 1142 of title 10, United States Code, is amended—

(1) in the first sentence—

(A) by striking ''Within'' and inserting ''(A) Within''; and

(B) by striking ''of each member'' and all that follows through the period at the end of the sentence and inserting the following: ''of—

''(i) each member of the armed forces whose discharge or release from active duty is anticipated as of a specific date; and

''(ii) each member of a reserve component not covered by clause (i) whose discharge or release from service is anticipated as of a specific date.''; and

(2) in the second sentence, by striking ''A notation of the provision of such counseling'' and inserting the following:

''(B) A notation of the provision of preseparation counseling''.

(b) MODIFICATION OF TIME PERIOD IN WHICH PRESEPARATION COUNSELING MUST BE PROVIDED.—Subsection (a)(3) of such section is amended—

(1) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(2) by adding at the end the following new subparagraph:

''(C) In the event that a member of a reserve component is being released from active duty for a period of more than 30 days under circumstances in which the Secretary concerned determines operational requirements make compliance with the 90-day requirement under subparagraph (A) unfeasible, preseparation counseling shall begin as soon as possible within the remaining period of service.''.

(c) CONFORMING AMENDMENT REGARDING COVERED MATTERS.—Subsection (b)(7) of such section is amended by striking ''from active duty''.

SEC. 513. CLARIFICATION OF APPLICABILITY OF AUTHORITY FOR DEFERRAL OF MANDATORY SEPARATION OF MILITARY TECHNICIANS (DUAL STATUS) UNTIL AGE 60.

(a) DISCRETIONARY DEFERRAL OF MANDATORY SEPARATION.—Section 10216(f) of title 10, United States Code, is amended—

(1) in the subsection heading, by inserting ''AUTHORITY FOR'' before ''DEFERRAL OF MANDATORY SEPARATION'';

(2) by striking ''shall implement'' and inserting ''may each implement'';

(3) by inserting '', at the discretion of the Secretary concerned,'' after ''so as to allow''; and

(4) by striking ''for officers''.

(b) CONFORMING AMENDMENT.—Section 10218(a)(3)(A)(i) of such title is amended by striking ''if qualified be appointed'' and inserting ''if qualified may be appointed''.

SEC. 514. MODIFICATION OF ELIGIBILITY FOR CONSIDERATION FOR PROMOTION FOR RESERVE OFFICERS EMPLOYED AS MILITARY TECHNICIANS (DUAL STATUS).

Section 14301 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i) RESERVE OFFICERS EMPLOYED AS MILITARY TECHNICIAN (DUAL STATUS).—A reserve officer of the Army or Air Force employed as a military technician (dual status) under section 10216 of this title who has been retained beyond the mandatory removal date for years of service pursuant to subsection (f) of such section or section 14702(a)(2) of this title is not eligible for consideration for promotion by a mandatory promotion board convened under section 14101(a) of this title.''.

Subtitle C—General Service Authorities

SEC. 521. FINDINGS REGARDING UNIQUE NATURE, DEMANDS, AND HARDSHIPS OF MILITARY SERVICE.

(a) CODIFICATION.—Chapter 37 of title 10, United States Code, is amended by inserting before section 651 the following new section:

''§ 650. Findings regarding unique nature, demands, and hardships of service in the armed forces

''Congress makes the following findings:

''(1) Section 8 (clauses 12, 13, and 14) of Article I of the Constitution of the United States commits exclusively to Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

''(2) There is no constitutional right to serve in the armed forces.

''(3) Pursuant to the powers conferred by section 8 of article I of the Constitution of the United States, it lies within the discretion of the Congress to establish qualifications for and conditions of service in the armed forces.

''(4) The primary purpose of the armed forces is to prepare for and to prevail in combat should the need arise.

''(5) The conduct of military operations requires members of the armed forces to make extraordinary sacrifices, including the ultimate sacrifice, in order to provide for the common defense.

''(6) Success in combat requires military units that are characterized by high morale, good order and discipline, and unit cohesion.

''(7) One of the most critical elements in combat capability is unit cohesion, that is, the bonds of trust among individual service members that make the combat effectiveness of a military unit greater than the sum of the combat effectiveness of the individual unit members.

''(8) Military life is fundamentally different from civilian life in that—

''(A) the extraordinary responsibilities of the armed forces, the unique conditions of military service, and the critical role of unit cohesion, require that the military community, while subject to civilian control, exist as a specialized society; and

''(B) the military society is characterized by its own laws, rules, customs, and traditions, including numerous restrictions on personal behavior, that would not be acceptable in civilian society.

''(9) The standards of conduct for members of the armed forces regulate a member's life for 24 hours each day beginning at the moment the member enters military status and not ending until that person is discharged or otherwise separated from the armed forces.

''(10) Those standards of conduct, including the Uniform Code of Military Justice, apply to a member of the armed forces at all times that the member has a military status, whether the member is on base or off base, and whether the member is on duty or off duty.

''(11) The pervasive application of the standards of conduct is necessary because members of the armed forces must be ready at all times for worldwide deployment to a combat environment.

''(12) The worldwide deployment of United States military forces, the international responsibilities of the United States, and the potential for involvement of the armed forces in actual combat routinely make it necessary for members of the armed forces involuntarily to accept living conditions and working conditions that are often spartan, primitive, and characterized by forced intimacy with little or no privacy.

''(13) The armed forces must maintain personnel policies that are intended to recruit and retain only those persons whose presence in the armed forces serve the needs of the armed forces, contribute to the accomplishment of the missions of the armed forces, and maintain the armed forces' high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability.''.

(b) CLERICAL AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 651 the following new item:

''650. Findings regarding unique nature, demands, and hardships of service in the armed forces.''.

(2) TABLE OF CHAPTERS.—The table of chapters at the beginning of subtitle A of such title and at the beginning of part II of such subtitle are amended by striking the item relating to chapter 37 and inserting the following new item:

''37. General Service Requirements ..... 650''.

SEC. 522. POLICY ADDRESSING DWELL TIME AND MEASUREMENT AND DATA COLLECTION REGARDING UNIT OPERATING TEMPO AND PERSONNEL TEMPO.

(a) POLICY ADDRESSING DWELL TIME.—Subsection (a) of section 991 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) The Secretary of Defense shall prescribe a policy that addresses the amount of dwell time a member of the armed forces or unit remains at the member's or unit's permanent duty station or home port, as the case may be, between deployments.''.

(b) UNIT OPERATING TEMPO AND PERSONNEL TEMPO RECORDKEEPING.—Subsection (c) of such section is amended to read as follows:

''(c) RECORDKEEPING.—(1) The Secretary of Defense shall—

''(A) establish a system for tracking and recording the number of days that each member of the armed forces is deployed;

''(B) prescribe policies and procedures for measuring operating tempo and personnel tempo; and

''(C) maintain a central data collection repository to provide information for research, actuarial analysis, interagency reporting and evaluation of Department of Defense programs and policies.

''(2) The data collection repository shall be able to identify—

''(A) the active and reserve component units of the armed forces that are participating at the battalion, squadron, or an equivalent level (or a higher level) in contingency operations, major training events, and other exercises and contingencies of such a scale that the exercises and contingencies receive an official designation; and

''(B) the duration of their participation.

''(3) For each of the armed forces, the data collection repository shall be able to indicate, for a fiscal year—

''(A) the number of members who received the high-deployment allowance under section 436 of title 37 (or who would have been eligible to receive the allowance if the duty assignment was not excluded by the Secretary of Defense);

''(B) the number of members who received each rate of allowance paid (estimated in the case of members described in the parenthetical phrase in subparagraph (A));

''(C) the number of months each member received the allowance (or would have received it in the case of members described in the parenthetical phrase in subparagraph (A)); and

''(D) the total amount expended on the allowance.

''(4) For each of the armed forces, the data collection repository shall be able to indicate, for a fiscal year, the number of days that high demand, low density units (as defined by the Chairman of the Joint Chiefs of Staff) were deployed, and whether these units met the force goals for limiting deployments, as described in the personnel tempo policies applicable to that armed force.''.

(c) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

''(f) OTHER DEFINITIONS.—In this section:

''(1)(A) Subject to subparagraph (B), the term 'dwell time' means the time a member of the armed forces or a unit spends at the permanent duty station or home port after returning from a deployment.

''(B) The Secretary of Defense may modify the definition of dwell time specified in subparagraph (A). If the Secretary establishes a different definition of such term, the Secretary shall transmit the new definition to Congress.

''(2) The term 'operating tempo' means the rate at which units of the armed forces are involved in all military activities, including contingency operations, exercises, and training deployments.

''(3) The term 'personnel tempo' means the amount of time members of the armed forces are engaged in their official duties at a location or under circumstances that make it infeasible for a member to spend off-duty time in the housing in which the member resides.''.

(d) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 991 of such title is amended to read as follows:

''§ 991. Management of deployments of members and measurement and data collection of unit operating and personnel tempo''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 50 of such title is amended by striking the item relating to section 991 and inserting the following new item:

''991. Management of deployments of members and measurement and data collection of unit operating and personnel tempo.''.

SEC. 523. AUTHORIZED LEAVE AVAILABLE FOR MEMBERS OF THE ARMED FORCES UPON BIRTH OR ADOPTION OF A CHILD.

Section 701 of title 10, United State Code, is amended—

(1) by striking subsections (i) and (j) and inserting the following new subsection:

''(i)(1) A member of the armed forces who gives birth to a child or who adopts a child in a qualifying child adoption and will be primary caregiver for the adopted child shall receive 42 days of leave after the birth or adoption to be used in connection with the birth or adoption of the child.

''(2) A married member of the armed forces on active duty whose wife gives birth to a child or who adopts a child in a qualifying child adoption, but will not be primary caregiver for the adopted child, shall receive 10 days of leave to be used in connection with the birth or adoption of the child.

''(3) If two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, only one of the members may be designated as primary caregiver for purposes of paragraph (1). In the case of a dual-military couple, the member authorized leave under paragraph (1) and the member authorized leave under paragraph (2) may utilize the leave at the same time.

''(4) For the purpose of this subsection, an adoption of a child by a member is a qualifying child adoption if the member is eligible for reimbursement of qualified adoption expenses for such adoption under section 1052 of this title.

''(5) Leave authorized under this subsection is in addition to other leave provided under other provisions of this section.

''(6) The Secretary of Defense may prescribe such regulations as may be necessary to carry out this subsection.''; and

(2) by redesignating subsection (k) as subsection (j).

SEC. 524. EXTENSION OF AUTHORITY TO CONDUCT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) DURATION OF PROGRAM AUTHORITY.—Subsection (l) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 701 note) is amended to read as follows:

''(l) DURATION OF PROGRAM AUTHORITY.—No member of the Armed Forces may be released from active duty under a pilot program conducted under this section after December 31, 2015.''.

(b) CONTINUATION OF ANNUAL LIMITATION ON SELECTION OF PARTICIPANTS.—Subsection (c) of such section is amended by striking ''each of calendar years 2009 through 2012'' and inserting ''a calendar year''.

(c) ADDITIONAL REPORTS REQUIRED.—Subsection (k) of such section is amended—

(1) in paragraph (1), by striking ''June 1, 2011, and June 1, 2013'' and inserting ''June 1 of 2011, 2013, 2015, and 2017''; and

(2) in paragraph (2), by striking ''March 1, 2016'' and inserting ''March 1, 2019''.

SEC. 525. POLICY ON MILITARY RECRUITMENT AND ENLISTMENT OF GRADUATES OF SECONDARY SCHOOLS.

(a) EQUAL TREATMENT FOR SECONDARY SCHOOL GRADUATES.—

(1) EQUAL TREATMENT.—For the purposes of recruitment and enlistment in the Armed Forces, the Secretary of a military department shall treat a graduate described in paragraph (2) in the same manner as a graduate of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)).

(2) COVERED GRADUATES.—Paragraph (1) applies with respect to person who—

(A) receives a diploma from a secondary school that is legally operating; or

(B) otherwise completes a program of secondary education in compliance with the education laws of the State in which the person resides.

(b) POLICY ON RECRUITMENT AND ENLISTMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe a policy on recruitment and enlistment that incorporates the following:

(1) Means for identifying persons described in subsection (a)(2) who are qualified recruitment and enlistment in the Armed Forces, which may include the use of a non-cognitive aptitude test, adaptive personality assessment, or other operational attrition screening tool to predict performance, behaviors, and attitudes of potential recruits that influence attrition and the ability to adapt to a regimented life in the Armed Forces.

(2) Means for assessing how qualified persons fulfill their enlistment obligation.

(3) Means for maintaining data, by each diploma source, which can be used to analyze attrition rates among qualified persons.

(c) RECRUITMENT PLAN.—As part of the policy required by subsection (b), the Secretary of each of the military departments shall develop a recruitment plan that includes a marketing strategy for targeting various segments of potential recruits with all types of secondary education credentials.

(d) COMMUNICATION PLAN.—The Secretary of each of the military departments shall develop a communication plan to ensure that the policy and recruitment plan are understood by military recruiters.

SEC. 526. NAVY RECRUITING AND ADVERTISING.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $254,860,000 for Recruiting and Advertising. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $983,000 for the professional development of youth ages 11 to 17, to promote interest and skill in seamanship and aviation while instilling qualities that mold strong moral character in an anti-drug and anti-gang environment in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

Subtitle D—Military Justice and Legal Matters

SEC. 531. PROCEDURES FOR JUDICIAL REVIEW OF MILITARY PERSONNEL DECISIONS RELATING TO CORRECTION OF MILITARY RECORDS.

(a) JUDICIAL REVIEW PROCEDURES.—

(1) IN GENERAL.—Chapter 79 of title 10, United States Code, is amended by inserting after section 1558 the following new section:

"§ 1558a. Judicial review of certain decisions relating to correction of military records

''(a) AVAILABILITY OF JUDICIAL REVIEW.—After a final decision is issued by the Secretary concerned pursuant to section 1552 of this title or by the Secretary of Homeland Security or the Secretary of Defense pursuant to subsections (f) or (g) of section 1034 of this title, any person aggrieved by such a decision may obtain judicial review of the decision.

''(b) BASIS TO SET-ASIDE DECISION.—In exercising its authority under this section, the reviewing court shall review the record of the decision and may hold unlawful and set aside any decision demonstrated by the petitioner in the record to be—

''(1) arbitrary or capricious;

''(2) not based on substantial evidence;

''(3) a result of material error of fact or material administrative error, but only if the petitioner identified to the correction board how the failure to follow such procedures substantially prejudiced the petitioner's right to relief, and shows to the reviewing court by a preponderance of the evidence that the error was harmful; or

''(4) otherwise contrary to law.

''(c) RELIEF.—In exercising its authority under this section, the reviewing court shall affirm, modify, vacate, or reverse the decision, or remand the matter, as appropriate.

''(d) MATTERS MUST BE JUSTICIABLE.—Notwithstanding subsections (a), (b), and (c), the reviewing court does not have jurisdiction to entertain any matter or issue raised in a petition of review that is not justiciable.

''(e) DECISION MUST BE FINAL.—(1) No judicial review may be made under this section unless the petitioner shall first have requested a correction under section 1552 of this title, and the Secretary concerned shall have rendered a final decision denying that correction in whole or in part. In a case in which the final decision of the Secretary concerned is subject to review by the Secretary of Defense under section 1034(g) of this title, the petitioner is not required to seek such review by the Secretary of Defense before obtaining judicial review under this section. If the petitioner seeks review by the Secretary of Defense under section 1034(g) of this title, no judicial review may be made until the Secretary of Defense shall have rendered a final decision denying that request in whole or in part.

''(2) In the case of a final decision described in subsection (a) made after the end of the one-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, a petition for judicial review under this section must be filed within one year after the date of that final decision.

''(f) EXCEPTIONS.—(1) A decision by a board established under section 1552(a)(1) of this title declining to excuse the untimely filing of a request for correction of military records is not subject to judicial review under this section or otherwise subject to review in any court.

''(2) A decision by a board established under section 1552(a)(1) of this title declining to reconsider or reopen a previous denial or partial denial of a request for correction of military records is not subject to judicial review under this section or otherwise subject to review in any court.

''(3) Notwithstanding subsection (e)(2), a decision by a board established under section 1552(a)(1) of this title that results in denial, in whole or in part, of any request for correction of military records that is received by the board more than six years after the date of discharge, retirement, release from active duty, or death while on active duty of the person whose military records are the subject of the correction request is not subject to judicial review under this section or otherwise subject to review in any court.

''(g) SOLE BASIS FOR JUDICIAL REVIEW.—(1) In the case of a cause of action arising after the end of the one-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, no court shall have jurisdiction to entertain any request for correction of records cognizable under subsection (f) or (g) of section 1034 or section 1552 of this title except as provided in this section.

''(2) In the case of a cause of action arising after the end of such one-year period, except as provided by chapter 153 of title 28 and chapter 79 of this title, no court shall have jurisdiction over any civil action or claim seeking, in whole or in part, to challenge any decision for which administrative review is available under section 1552 of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1558 the following new item:

''1558a. Judicial review of certain decisions relating to correction of military records.''.

(b) EFFECT OF DENIAL OF REQUEST FOR CORRECTION OF RECORDS WHEN PROHIBITED PERSONNEL ACTION ALLEGED.—

(1) NOTICE OF DENIAL; PROCEDURES FOR JUDICIAL REVIEW.—Subsection (f) of section 1034 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) In any case in which the final decision of the Secretary concerned results in denial, in whole or in part, of any requested correction of the record of the member or former member, the Secretary concerned shall provide the member or former member a concise written statement of the factual and legal basis for the decision, together with a statement of the procedure and time for obtaining review of the decision pursuant to section 1558a of this title.''.

(2) SECRETARY OF DEFENSE REVIEW; NOTICE OF DENIAL.—Subsection (g) of such section is amended—

(A) by inserting ''(1)'' before ''Upon the completion of all''; and

(B) by adding at the end the following new paragraph:

''(2) The submittal of a matter to the Secretary of Defense by the member or former member under paragraph (1) must be made within 90 days of the receipt by the member or former member of the final decision of the Secretary of the military department concerned in the matter. In any case in which the final decision of the Secretary of Defense results in denial, in whole or in part, of any requested correction of the record of the member or former member, the Secretary of Defense shall provide the member or former member a concise written statement of the basis for the decision, together with a statement of the procedure and time for obtaining review of the decision pursuant to section 1558a of this title.''.

(3) SOLE BASIS FOR JUDICIAL REVIEW.—Such section is further amended—

(A) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(B) by inserting after subsection (g) the following new subsection (h):

''(h) JUDICIAL REVIEW.—(1) A decision of the Secretary of Defense under subsection (g) shall be subject to judicial review only as provided in section 1558a of this title.

''(2) In a case in which review by the Secretary of Defense under subsection (g) was not sought, a decision of the Secretary of a military department under subsection (f) shall be subject to judicial review only as provided in section 1558a of this title.

''(3) A decision of the Secretary of Homeland Security under subsection (f) shall be subject to judicial review only as provided in section 1558a of this title.''.

(c) EFFECT OF DENIAL OF OTHER REQUESTS FOR CORRECTION OF MILITARY RECORDS.—Section 1552 of such title is amended by adding at the end the following new subsections:

''(h) In any case in which the final decision of the Secretary concerned results in denial, in whole or in part, of any requested correction, the Secretary concerned shall provide the claimant a concise written statement of the factual and legal basis for the decision, together with a statement of the procedure and time for obtaining review of the decision pursuant to section 1558a of this title.

''(i) A decision by the Secretary concerned under this section shall be subject to judicial review only as provided in section 1558a of this title.''.

(d) EFFECTIVE DATE AND RETROACTIVE APPLICATION.—

(1) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

(2) RETROACTIVE APPLICATION.—The amendments made by this section shall apply to all final decisions of the Secretary of Defense under section 1034(g) of title 10, United States Code, and of the Secretary of a military department or the Secretary of Homeland Security under sections 1034(f) or 1552 of such title, whether rendered before, on, or after the date of the enactment of this Act.

(3) TRANSITION.—During the period between the date of the enactment of this Act and the effective date specified in paragraph (1), in any case in which the final decision of the Secretary of Defense under section 1034 of title 10, United States Code, or the Secretary concerned under section 1552 of title 10, United States Code, results in denial, in whole or in part, of any requested correction of the record of a member or former member of the Armed Forces or the record of a claimant under such section 1552, the individual shall be informed in writing of the time for obtaining review of the decision pursuant to section 1558a of such title as provided therein.

(4) IMPLEMENTATION.—The Secretaries concerned may prescribe appropriate regulations, and interim guidance before prescribing such regulations, to implement the amendments made by this section. In the case of the Secretary of a military department, such regulations may not take effect until approved by the Secretary of Defense.

(5) CONSTRUCTION.—This section and the amendments made by this section do not affect the authority of any court to exercise jurisdiction over any case that was properly before the court before the effective date specified in paragraph (1).

(6) SECRETARY CONCERNED.—In this subsection, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

SEC. 532. CLARIFICATION OF APPLICATION AND EXTENT OF DIRECT ACCEPTANCE OF GIFTS AUTHORITY.

Section 2601a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''or'' at the end of paragraph (1);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) in an operation or area designated as a combat operation or a combat zone, respectively, by the Secretary of Defense in accordance with the regulations prescribed under subsection (a); or'';

(2) in subsection (c), by striking ''paragraph (1) or (2) of subsection (c)'' and inserting ''paragraph (1), (2) or (3) of subsection (b)''; and

(3) by adding at the end the following new subsection:

''(e) RETROACTIVE APPLICATION OF REGULATIONS.—To the extent provided in the regulations issued under subsection (a), the regulations shall also apply to the acceptance of gifts for injuries or illnesses incurred on or after September 11, 2001, through the effective date of the regulations.''.

SEC. 533. ADDITIONAL CONDITION ON REPEAL OF DON'T ASK, DON'T TELL POLICY.

Effective as of December 22, 2010, and as if included therein as enacted, section 2(b) of Public Law 111–321 (124 Stat. 3516) is amended by adding at the end the following new paragraph:

''(3) The Chief of Staff of the Army, the Chief of Naval Operations, the Commandant of the Marine Corps, and the Chief of Staff of the Air Force each submit to the congressional defense committees the officer's written certification that repeal of section 654 of title 10, United States Code, will not degrade the readiness, effectiveness, cohesion, and morale of combat arms units and personnel of the Armed Force under the officer's jurisdiction engaged in combat, deployed to a combat theater, or preparing for deployment to a combat theater.''.

SEC. 534. MILITARY REGULATIONS REGARDING MARRIAGE.

Congress reaffirms the policy of section 3 of the Defense of Marriage Act, codified as section 7 of title 1, United States Code. In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the Department of Defense applicable to members of the Armed Forces or civilian employees of the Department of Defense, the word ''marriage'' means only a legal union between one man and one woman as husband and wife, and the word ''spouse'' refers only to a person of the opposite sex who is a husband or a wife.

SEC. 535. USE OF MILITARY INSTALLATIONS AS SITE FOR MARRIAGE CEREMONIES AND PARTICIPATION OF CHAPLAINS AND OTHER MILITARY AND CIVILIAN PERSONNEL IN THEIR OFFICIAL CAPACITY.

(a) LIMITATION ON USE.—A military installation or other property under the jurisdiction of the Department of Defense may be used as the site for a marriage ceremony only if the marriage complies with the definition of marriage in section 7 of title 1, United States Code.

(b) LIMITATION ON PARTICIPATION.—A member of the Armed Forces, including a chaplain, or civilian employee of the Department of Defense acting in an official capacity may assist in or perform a marriage ceremony only if the marriage complies with the definition of marriage in section 7 of title 1, United States Code.

Subtitle E—Member Education and Training Opportunities and Administration

SEC. 541. IMPROVED ACCESS TO APPRENTICESHIP PROGRAMS FOR MEMBERS OF THE ARMED FORCES WHO ARE BEING SEPARATED FROM ACTIVE DUTY OR RETIRED.

Section 1144 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) PARTICIPATION IN APPRENTICESHIP PROGRAMS.—As part of the program carried out under this section, the Secretary concerned may permit a member of the armed forces eligible for assistance under the program to participate in an apprenticeship program that provides employment skills training and assists members in transitioning into new careers in civilian life.''.

SEC. 542. EXPANSION OF RESERVE HEALTH PROFESSIONALS STIPEND PROGRAM TO INCLUDE STUDENTS IN MENTAL HEALTH DEGREE PROGRAMS IN CRITICAL WARTIME SPECIALTIES.

(a) RESERVE COMPONENT MENTAL HEALTH STUDENT STIPEND.—Section 16201 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) MENTAL HEALTH STUDENTS IN CRITICAL WARTIME SPECIALTIES.—(1) Under the stipend program under this chapter, the Secretary of the military department concerned may enter into an agreement with a person who—

''(A) is eligible to be appointed as an officer in a reserve component;

''(B) is enrolled or has been accepted for enrollment in an institution in a course of study that results in a degree in clinical psychology or social work;

''(C) signs an agreement that, unless sooner separated, the person will—

''(i) complete the educational phase of the program;

''(ii) accept a reappointment or redesignation within the person's reserve component, if tendered, based upon the person's health profession, following satisfactory completion of the educational and intern programs; and

''(iii) participate in a residency program if required for clinical licensure.

''(2) Under the agreement—

''(A) the Secretary of the military department concerned shall agree to pay the participant a stipend, in an amount determined under subsection (g), for the period or the remainder of the period that the student is satisfactorily progressing toward a degree in clinical psychology or social work while enrolled in a school accredited in the designated mental health discipline;

''(B) the participant shall not be eligible to receive such stipend before appointment, designation, or assignment as an officer for service in the Ready Reserve;

''(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve; and

''(D) the participant shall agree to serve, upon successful completion of the program, one year in the Ready Reserve for each six months, or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.''.

(b) CROSS-REFERENCE AMENDMENTS.—Such section is further amended—

(1) by striking ''subsection (f)'' in subsections (b)(2)(A), (c)(2)(A), and (d)(2)(A) and inserting ''subsection (g)''; and

(2) in subsection (g), as redesignated by subsection (a)(1), by striking ''subsection (b) or (c)'' and inserting ''subsection (b), (c), (d), or (f)''.

SEC. 543. ADMINISTRATION OF UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.

(a) AMENDMENT.—Chapter 901 of title 10, United States Code, is amended by inserting after section 9314a the following new section:

''§ 9314b. United States Air Force Institute of Technology: administration

''(a) COMMANDANT.—

''(1) SELECTION.—The Commandant of the United States Air Force Institute of Technology shall be selected by the Secretary of the Air Force.

''(2) ELIGIBILITY.—The Commandant shall be one of the following:

''(A) ACTIVE-DUTY OFFICERS.—An active-duty officer of the Air Force in a grade not below the grade of colonel, who is assigned or detailed to such position.

''(B) CIVILIANS.—A civilian individual, including an individual who was retired from the Air Force in a grade not below brigadier general, who has the qualifications appropriate to the position of Commandant and is selected by the Secretary as the best qualified from among candidates for the position in accordance with—

''(i) the criteria specified in paragraph (5);

''(ii) a process determined by the Secretary; and

''(iii) other factors the Secretary considers relevant.

''(3) CONSULTATION OF RELEVANT INDIVIDUALS.—Before making an assignment, detail, or selection of an individual for the position of Commandant, the Secretary shall—

''(A) consult with the Air Force Institute of Technology Subcommittee of the Air University Board of Visitors;

''(B) consider any recommendation of the leadership and faculty of the Air Force Institute of Technology regarding the assignment or selection to that position; and

''(C) consider the recommendations of the Air Force Chief of Staff.

''(4) FIVE YEAR TERM FOR CIVILIAN COMMANDANT.—An individual selected for the position of Commandant under paragraph (1)(B) shall serve in that position for a term of not more than five years and may be continued in that position for an additional term of up to five years.

''(5) RELEVANT QUALIFICATIONS.—The qualifications appropriate for selection of an individual for detail or assignment to the position of Commandant include the following:

''(A) An academic degree that is either—

''(i) a doctorate degree in a field of study relevant to the mission and function of the Air Force Institute of Technology; or

''(ii) a master's degree in a field of study relevant to the mission and function of the Air Force Institute of Technology, but only if—

''(I) the individual is an active-duty or retired officer of the Air Force in a grade not below the grade of brigadier general; and

''(II) at the time of the selection of that individual as Commandant, the individual permanently appointed to the position of Provost and Academic Dean has a doctorate degree in a field of study relevant to the mission and function of the Air Force Institute of Technology.

''(B) A comprehensive understanding of the Department of the Air Force, the Department of Defense, and joint and combined operations.

''(C) Leadership experience at the senior level in a large and diverse organization.

''(D) Demonstrated ability to foster and encourage a program of research in order to sustain academic excellence.

''(E) Other qualifications, as determined by the Secretary.

''(6) SUPPORT.—The Secretary shall detail officers of the Air Force of appropriate grades and qualifications to assist the Commandant in—

''(A) the advanced instruction and professional and technical education of students and the provision of research opportunities for students; and

''(B) the administration of the Air Force Institute of Technology.

''(b) PROVOST AND ACADEMIC DEAN.—

''(1) IN GENERAL.—There is established at the Air Force Institute of Technology the civilian position of Provost and Academic Dean.

''(2) APPOINTMENT.—

''(A) APPOINTMENT BY THE SECRETARY.—The Provost and Academic Dean shall be appointed by the Secretary for a term of five years.

''(B) CONSULTATION.—Before making an appointment to the position of Provost and Academic Dean, the Secretary shall consult with the Air Force Institute of Technology Subcommittee of the Air University Board of Visitors and shall consider any recommendation of the leadership and faculty of the Air Force Institute of Technology regarding an appointment to that position.

''(3) COMPENSATION.—The Provost and Academic Dean is entitled to such compensation as the Secretary prescribes, but not more than the rate of compensation authorized for level IV of the Executive Schedule.

''(c) DEFINITIONS.—In this section:

''(1) COMMANDANT.—The term 'Commandant' means the Commandant of the Air Force Institute of Technology.

''(2) SECRETARY.—The term 'Secretary' means the Secretary of the Air Force.''.

(b) TREATMENT OF CURRENT COMMANDANT.—The officer who is serving as Commandant of the United States Air Force Institute of Technology at the time of the enactment of this Act may serve as acting Commandant until the appointment of a Commandant in accordance with section 9314b of title 10, United States Code, as added by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9314a the following new item:

''9314b. United States Air Force Institute of Technology: administration.''.

SEC. 544. APPOINTMENTS TO MILITARY SERVICE ACADEMIES FROM NOMINATIONS MADE BY THE GOVERNOR OF PUERTO RICO.

(a) UNITED STATES MILITARY ACADEMY.—Section 4342(a)(7) of title 10, United States Code, is amended—

(1) by striking ''Six'' and inserting ''Eight''; and

(2) by striking ''one who is a native'' and inserting ''three who are natives''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6954(a)(7) of title 10, United States Code, is amended—

(1) by striking ''Six'' and inserting ''Eight''; and

(2) by striking ''one who is a native'' and inserting ''three who are natives''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9342(a)(7) of title 10, United States Code, is amended—

(1) by striking ''Six'' and inserting ''Eight''; and

(2) by striking ''one who is a native'' and inserting ''three who are natives''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the nomination of candidates for appointment to the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy for classes entering these military service academies after the date of the enactment of this Act.

SEC. 545. TEMPORARY AUTHORITY TO WAIVE MAXIMUM AGE LIMITATION ON ADMISSION TO UNITED STATES MILITARY ACADEMY, UNITED STATES NAVAL ACADEMY, AND UNITED STATES AIR FORCE ACADEMY.

(a) WAIVER FOR CERTAIN ENLISTED MEMBERS.—The Secretary of the military department concerned may waive the maximum age limitation specified in section 4346(a), 6958(a)(1), or 9346(a) of title 10, United States Code, for the admission of an enlisted member of the Armed Forces to the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy if the member—

(1) satisfies the eligibility requirements for admission to that academy (other than the maximum age limitation); and

(2) was or is prevented from being admitted to a military service academy before the member reached the maximum age specified in such sections as a result of service on active duty in a theater of operations for Operation Iraqi Freedom, Operation Enduring Freedom, or Operation New Dawn.

(b) WAIVER FOR EXCEPTIONAL CANDIDATES.—The Secretary of the military department concerned may waive the maximum age limitation specified in such sections for the admission of a candidate to the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy if the candidate—

(1) satisfies the eligibility requirements for admission to that academy (other than the maximum age limitation); and

(2) possesses an exceptional overall record that the Secretary concerned determines sets the candidate apart from all other candidates.

(c) MAXIMUM AGE FOR RECEIPT OF WAIVER.—A waiver may not be granted under this section if the candidate would pass the candidate's twenty-sixth birthday by July 1 of the year in which the candidate would enter the military service academy.

(d) LIMITATION ON NUMBER ADMITTED USING WAIVER.—No more than five candidates may be admitted to each of the military service academies for an academic year pursuant to a waiver granted under this section.

(e) RECORD KEEPING REQUIREMENT.—The Secretary of each military department shall maintain records on the number of graduates of the military service academy under the jurisdiction of the Secretary who are admitted pursuant to a waiver granted under this section and who remain in the Armed Forces beyond the active duty service obligation assumed upon graduation. The Secretary shall compare their retention rate to the retention rate of graduates of that academy generally.

(f) REPORTING REQUIREMENT.—Not later than April 1, 2016, the Secretary of each military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report specifying—

(1) the number of applications for waivers received by the Secretary under subsection (a) and under subsection (b);

(2) the number of waivers granted by the Secretary, including whether the waiver was granted under subsection (a) or (b);

(3) the number of candidates actually admitted to the military service academy under the jurisdiction of the Secretary pursuant to a waiver granted by the Secretary under this section; and

(4) beginning with the class of 2009, the number of graduates of the military service academy under the jurisdiction of the Secretary who, before admission to that academy, were enlisted members of the Armed Forces and who remain in the Armed Forces beyond the active duty service obligation assumed upon graduation.

(g) DURATION OF WAIVER AUTHORITY.—The authority to grant a waiver under this section expires on September 30, 2016.

SEC. 546. EDUCATION AND EMPLOYMENT ADVOCACY PROGRAM FOR WOUNDED MEMBERS OF THE ARMED FORCES.

(a) PROGRAM AUTHORIZED; FUNDING SOURCE.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $ 2,201,964 for Operation & Maintenance, Defense-wide, Budget Activity 04, Administrative and Service-Wide Activities, Office of the Secretary of Defense. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Defense shall obligate an additional $15,000,000 for purpose of an education and employment advocacy pilot program to engage wounded members of the Armed Forces early in their recovery. The Secretary may award grants to, or enter into contracts and cooperative agreements with, organizations, which may include non-profit organizations, that the Secretary determines are eligible to assist in planning, developing, managing, and implementing the pilot program.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

Subtitle F—Army National Military Cemeteries

SEC. 551. ARMY NATIONAL MILITARY CEMETERIES.

(a) MANAGEMENT RESPONSIBILITIES AND OVERSIGHT.—Title 10, United States Code, is amended by inserting after chapter 445 the following new chapter:

''CHAPTER 446—ARMY NATIONAL MILITARY CEMETERIES

''Sec.
''4721. Authority and responsibilities of the Secretary of the Army.
''4722. Interment and inurnment policy.
''4723. Advisory committee on Arlington National Cemetery.
''4724. Executive Director.
''4725. Superintendents.
''4726. Oversight and inspections.

''§4721. Authority and responsibilities of the Secretary of the Army

''(a) GENERAL AUTHORITY.—The Secretary of the Army shall develop, operate, manage, administer, oversee, and fund the Army National Military Cemeteries specified in subsection (b) in a manner and to standards that fully honor the service and sacrifices of the deceased members of the armed forces buried or inurned in the Cemeteries.

''(b) ARMY NATIONAL MILITARY CEMETERIES.—The Army National Military Cemeteries (in this chapter referred to as the 'Cemeteries') consist of the following:

''(1) Arlington National Cemetery in Arlington, Virginia.

''(2) The United States Soldiers' and Airmen's Home National Cemetery in the District of Colombia.

''(c) ADMINISTRATIVE JURISDICTION.—The Cemeteries shall be under the jurisdiction of Headquarters, Department of the Army.

''(d) REGULATIONS AND OTHER POLICIES.—The Secretary of the Army shall prescribe such regulations and policies as may be necessary administer the Cemeteries.

''(e) BUDGETARY AND REPORTING REQUIREMENTS.—The Secretary of the Army shall submit to the congressional defense committees and the Committees on Veterans' Affairs of the Senate and House of Representatives an annual budget request (and detailed justifications for the amount of the request) to fund administration, operation and maintenance, and construction related to the Cemeteries. The Secretary may include, as necessary, proposals for new or amended statutory authority related to the Cemeteries.

''§ 4722. Interment and inurnment policy

''(a) ELIGIBILITY DETERMINATIONS GENERALLY.—The Secretary of the Army, with the approval of the Secretary of Defense, shall determine eligibility for interment or inurnment in the Cemeteries.

''(b) REMOVAL OF REMAINS.—Under such regulations as the Secretary of the Army may prescribe under section 4721(d) of this title, the Secretary of Defense may authorize the removal of the remains of a person described in subsection (c) from one of the Cemeteries for re-interment or re-inurnment if, upon the death of the primary person eligible for interment or inurnment in the Cemeteries, the deceased primary eligible person will not be buried in the same or an adjoining grave.

''(c) COVERED PERSONS.—Except as provided in subsection (d), the persons whose remains may be removed pursuant to subsection (b) are the deceased spouse, a minor child, and, in the discretion of the Secretary of the Army, an unmarried adult child of a member eligible for interment or inurnment in the Cemeteries.

''(d) EXCEPTIONS.—The remains of a person described in subsection (c) may not be removed from one of the Cemeteries under subsection (b) if the primary person eligible for burial in the Cemeteries is a person—

''(1) who is missing in action;

''(2) whose remains have not been recovered or identified;

''(3) whose remains were buried at sea, whether by the choice of the person or otherwise;

''(4) whose remains were donated to science; or

''(5) whose remains were cremated and whose ashes were scattered without internment of any portion of the ashes.

''§ 4723. Advisory committee on Arlington National Cemetery

''(a) APPOINTMENT.—The Secretary of the Army shall appoint an advisory committee on Arlington National Cemetery.

''(b) ROLE.—The Secretary of the Army shall advise and consult with the advisory committee with respect to the administration of Arlington National Cemetery, the erection of memorials at the cemetery, and master planning for the cemetery.

''(c) REPORTS AND RECOMMENDATIONS.—The advisory committee shall make periodic reports and recommendations to the Secretary of the Army.

''(d) SUBMISSION TO CONGRESS.—Not later than 90 days after receiving a report or recommendations from the advisory committee under subsection (c), the Secretary of the Army shall submit the report or recommendations to the congressional defense committees and the Committees on Veterans' Affairs of the Senate and House of Representatives and include such comments and recommendations of the Secretary as the Secretary considers appropriate.

''§ 4724. Executive Director

''(a) APPOINTMENT AND QUALIFICATIONS.—(1) There shall be an Executive Director of the Army National Military Cemeteries who shall meet such professional qualifications as may be established by the Secretary of the Army.

''(2) The Executive Director reports directly to the Secretary.

''(b) RESPONSIBILITIES.—The Executive Director is responsible for the following:

''(1) Exercising authority, direction and control over all aspects of the Cemeteries.

''(2) Establishing and maintaining full accountability for all gravesites and inurnment niches in the Cemeteries.

''(3) Oversight of the construction, operation and maintenance, and repair of the buildings, structures, and utilities of the Cemeteries.

''(4) Acquisition and maintenance of real property and interests in real property for the Cemeteries.

''(5) Planning and conducting private ceremonies at the Cemeteries, including funeral and memorial services for interment and inurnment, and planning and conducting public ceremonies, as directed by the Secretary of the Army.

''(6) Formulating, promulgating, administering, and overseeing policies and addressing proposals for the placement of memorials and monuments in the Cemeteries.

''(7) Formulating and implementing a master plan for Arlington National Cemetery that, at a minimum, addresses interment and inurnment capacity, visitor accommodation, operation and maintenance, capital requirements, preservation of the cemetery's special features, and other matters the Executive Director considers appropriate.

''(8) Overseeing the programming, planning, budgeting, and execution of funds authorized and appropriated for the Cemeteries.

''(9) Supervising the superintendents of the Cemeteries.

''(c) DIGITIZATION OF ARLINGTON NATIONAL CEMETERY INTERMENT AND INURNMENT RECORDS.—(1) Not later than June 1, 2012, all records related to internments and inurnments at Arlington National Cemetery shall be converted to a digitized format. Thereafter, use of the digitized format shall be the method by which all subsequent records related to internments and inurnments at Arlington National Cemetery are preserved and utilized.

''(2) In this subsection, 'digitized format' refers to the use of an electronic database for recordkeeping and includes the full accounting of all records of each specific gravesite and niche location at Arlington National Cemetery and the identification of the individual interred or inurned at each specific gravesite and niche location.

''§ 4725. Superintendents

''(a) APPOINTMENT AND QUALIFICATIONS.—An individual serving as the superintendent of one of the Cemeteries should be a retired or former member of the armed forces who served honorably and who—

''(1) has experience in the administration, management, and operation of cemeteries under the jurisdiction of the National Cemeteries System administered by the Department of Veterans Affairs; or

''(2) as determined by the Secretary of the Army, has experience in the administration, management, and operation of large civilian cemeteries equivalent to the experience described in paragraph (1).

''(b) DUTIES.—The superintendents of the Cemeteries report directly to the Executive Director and performs such duties and responsibilities as the Executive Director prescribes.

''§ 4726. Oversight and inspections

''(a) INSPECTIONS REQUIRED.—(1) The Secretary of the Army shall provide for the oversight of the Cemeteries to ensure the highest quality standards are maintained by providing for the periodic inspection of the administration, operation and maintenance, and construction elements applicable to the Cemeteries. Except as provided in paragraph (2), the inspections shall be conducted by personnel of the Department of the Army with the assistance, as the Secretary considers appropriate, of personnel from other Federal agencies and civilian experts.

''(2) The Inspector General of the Department of Defense shall conduct an inspection of the Cemeteries during fiscal years 2012 and 2014.

''(b) SUBMISSION OF RESULTS.—Not later than 120 days after the completion of an inspection conducted under subsection (a), the Secretary of the Army shall submit to the congressional defense committees a report containing the results of the inspection and recommendations and a plan for corrective actions to be taken in response to the inspection.''.

(b) TABLE OF CHAPTERS.—The table of chapters at the beginning of subtitle B of such title and at the beginning of part IV of such subtitle are amended by inserting after the item relating to chapter 445 the following new item:

''446. Army National Military Cemeteries ..... 4721''.

(c) TIME FOR APPOINTMENT AND FIRST MEETING OF ADVISORY COMMITTEE ON ARLINGTON NATIONAL CEMETERY.—The advisory committee on Arlington National Cemetery required by section 4723 of title 10, United States Code, as added by subsection (a), shall be appointed by the Secretary of the Army and hold its first meeting not later than 30 days after the date of the enactment of this Act.

SEC. 552. INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE INSPECTION OF MILITARY CEMETERIES.

(a) INSPECTION AND RECOMMENDATIONS REQUIRED.—The Inspector General of the Department of Defense shall conduct an inspection of each military cemetery and, based on the findings of those inspections, make recommendations for the regulation, management, oversight, and operation of the military cemeteries.

(b) ELEMENTS OF INSPECTION.—Subject to subsection (c), the inspection of the military cemeteries under subsection (a) shall include an assessment of the following:

(1) The adequacy of the statutes, policies, and regulations governing the management, oversight, operations, and interments or inurnments (or both) by the military cemeteries and the adherence of each military cemetery to such statutes, policies, and regulations.

(2) The system employed to fully account for and accurately identify the remains interred or inurned in the military cemeteries.

(3) The contracts and contracting processes and oversight of those contracts and processes with regard to compliance with Department of Defense and military department guidelines.

(4) The history and adequacy of the oversight conducted by the Secretaries of the military departments over the military cemeteries under their jurisdiction and the adequacy of corrective actions taken as a result of that oversight.

(5) The statutory and policy guidance governing the authorization for the Secretaries of the military departments to operate the military cemeteries and an assessment of the budget and appropriations structure and history of each military cemetery.

(6) Such other matters as the Inspector General of the Department of Defense considers to be appropriate.

(c) SPECIAL CONSIDERATIONS.—The inspection under subsection (a) of the cemetery at the Armed Forces Retirement Home–Washington shall focus primarily on—

(1) the assessment required by subsection (b)(5); and

(2) whether the Secretary of the Army has fully and completely addressed issues raised by, and the recommendations made with regard to, such cemetery in the Inspector General of the Department of Defense 2010 report of the Special Inspection of Arlington National Cemetery.

(d) INSPECTION OF ADDITIONAL CEMETERIES.—

(1) INSPECTION REQUIRED.—In addition to the inspection required by subsection (a), the Inspector General of the Department of Defense

shall conduct an inspection of a statistically valid sample of cemeteries located at current or former military installations inside and outside the United States that are under the jurisdiction of the military departments for the purpose of obtaining an assessment of the adequacy of and adherence to the statutes, policies, and regulations governing the management, oversight, operations, and interments or inurnments (or both) by those cemeteries.

(2) EXCLUSION.—Paragraph (1) does not apply to the cemeteries maintained by the American Battle Monuments Commission and the military cemeteries identified in subsection (f).

(e) SUBMISSION OF INSPECTION RESULTS AND CORRECTIVE ACTION PLANS.—

(1) MILITARY CEMETERY INSPECTIONS.—Not later than March 31, 2012, the Secretaries of the military departments shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing—

(A) the findings of the inspections of the military cemeteries conducted under subsection (a);

(B) the recommendations of the Inspector General of the Department of Defense based on such inspections; and

(C) a plan for corrective action.

(2) INSPECTION OF ADDITIONAL CEMETERIES.—Not later than December 31, 2012, the Inspector General of the Department of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the findings of the inspections conducted under subsection (d) and the recommendations of the Inspector General based on such inspections. Not later than April 1, 2013, the Secretaries of the military departments shall submit to such committees a plan for corrective action.

(f) MILITARY CEMETERY DEFINED.—In subsection (a), the term ''military cemetery'' means the cemeteries that are under the jurisdiction of a Secretary of a military department at each of the following locations:

(1) The Armed Forces Retirement Home–Washington.

(2) The United States Military Academy.

(3) The United States Naval Academy.

(4) The United States Air Force Academy.

Subtitle G—Armed Forces Retirement Home

SEC. 561. CONTROL AND ADMINISTRATION BY SECRETARY OF DEFENSE.

Section 1511(d) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(d)) is amended by adding at the end the following new paragraph:

''(3) The administration of the Retirement Home, including administration for the provision of health care and medical care for residents, shall remain under the control and administration of the Secretary of Defense.''.

SEC. 562. SENIOR MEDICAL ADVISOR OVERSIGHT OF HEALTH CARE PROVIDED TO RESIDENTS OF ARMED FORCES RETIREMENT HOME.

(a) ADVISORY RESPONSIBILITIES OF SENIOR MEDICAL ADVISOR.—Subsection (b) of section 1513A of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 413a) is amended—

(1) by striking ''(1) The''; and inserting ''The'';

(2) by striking paragraph (2); and

(3) by striking ''and the Chief Operating Officer'' and all that follows through the period at the end and inserting the following: ''the Chief Operating Officer, and the Advisory Council regarding the direction and oversight of—

''(1) medical administrative matters at each facility of the Retirement Home; and

''(2) the provision of medical care, preventive mental health, and dental care services at each facility of the Retirement Home.''.

(b) RELATED DUTIES.—Subsection (c) of such section is amended by striking paragraphs (3), (4), and (5) and inserting the following new paragraphs:

''(3) Periodically visit each facility of the Retirement Home to review—

''(A) the medical facilities, medical operations, medical records and reports, and the quality of care provided to residents; and

''(B) inspections and audits to ensure that appropriate follow-up regarding issues and recommendations raised by such inspections and audits has occurred.

''(4) Report on the findings and recommendations developed as a result of each review conducted under paragraph (3) to the Chief Operating Officer, the Advisory Council, and the Under Secretary of Defense for Personnel and Readiness.''.

SEC. 563. ESTABLISHMENT OF ARMED FORCES RETIREMENT HOME ADVISORY COUNCIL AND RESIDENT ADVISORY COMMITTEES.

(a) REPLACEMENT OF LOCAL BOARDS OF TRUSTEES.—The Armed Forces Retirement Home Act of 1991 (24 U.S.C. 416) is amended by striking section 1516 and inserting the following new sections:

''SEC. 1516. ADVISORY COUNCIL.

''(a) ESTABLISHMENT.—The Retirement Home shall have an Advisory Council, to be known as the 'Armed Forces Retirement Home Advisory Council'. The Advisory Council shall serve the interests of both facilities of the Retirement Home.

''(b) DUTIES.—(1) The Advisory Council shall provide to the Chief Operating Officer and the Administrator of each facility such guidance and recommendations on the operation and administration of the Retirement Home and the quality of care provided to residents as the Advisory Council considers appropriate.

''(2) Not less often than annually, the Advisory Council shall submit to the Secretary of Defense a report summarizing its activities during the preceding year and providing such observations and recommendations with respect to the Retirement Home as the Advisory Council considers appropriate.

''(3) In carrying out its functions, the Advisory Council shall—

''(A) provide for participation in its activities by a representative of the Resident Advisory Committee of each facility of the Retirement Home; and

''(B) make recommendations to the Inspector General of the Department of Defense regarding issues that the Inspector General should investigate.

''(c) COMPOSITION.—(1) The Advisory Council shall consist of at least 15 members, each of whom shall be a full or part-time Federal employee or a member of the Armed Forces.

''(2) Members of the Advisory Council shall be designated by the Secretary of Defense, except that an individual who is not an employee of the Department of Defense shall be designated, in consultation with the Secretary of Defense, by the head of the Federal department or agency that employs the individual.

''(3) The Advisory Council shall include the following members:

''(A) One member who is an expert in nursing home or retirement home administration and financing.

''(B) One member who is an expert in gerontology.

''(C) One member who is an expert in financial management.

''(D) Two representatives of the Department of Veterans Affairs, one to be designated from each of the regional offices nearest in proximity to the facilities of the Retirement Home.

''(E) The Chairpersons of the Resident Advisory Committees.

''(F) One enlisted representative of the Services' Retiree Advisory Council.

''(G) The senior noncommissioned officer of one of the Armed Forces.

''(H) Two senior representatives of military medical treatment facilities, one to be designated from each of the military hospitals nearest in proximity to the facilities of the Retirement Home.

''(I) One senior judge advocate from one of the Armed Forces.

''(J) One senior representative of one of the chief personnel officers of the Armed Forces.

''(K) Such other members as the Secretary of Defense may designate.

''(4) The Administrator of the each facility of the Retirement Home shall be a nonvoting member of the Advisory Council.

''(5) The Secretary of Defense shall designate one member of the Advisory Council to serve as the Chairperson of the Advisory Council. The Chairperson shall conduct the meetings of the Advisory Council and be responsible for the operation of the Advisory Council

''(d) TERM OF SERVICE.—(1) Except as provided in paragraphs (2), (3), and (4), the term of service of a member of the Advisory Council shall be two years. The Secretary of Defense may designate a member to serve one additional term.

''(2) Unless earlier terminated by the Secretary of Defense, a person may continue to serve as a member of the Advisory Council after the expiration of the member's term until a successor is designated.

''(3) The Secretary of Defense may terminate the term of service of a member of the Advisory Council before the expiration of the member's term.

''(4) A member of the Advisory Council serves as a member of the Advisory Council only for as long as the member is assigned to or serving in a position for which the duties include the duty to serve as a member of the Advisory Council.

''(e) VACANCIES.—A vacancy in the Advisory Council shall be filled in the manner in which the original designation was made. A member designated to fill a vacancy occurring before the end of the term of the predecessor shall be designated for the remainder of the term of the predecessor. A vacancy in the Advisory Council shall not affect its authority to perform its duties.

''(f) COMPENSATION.—(1) Except as provided in paragraph (2), a member of the Advisory Council shall—

''(A) be provided a stipend consistent with the daily government consultant fee for each day on which the member is engaged in the performance of services for the Advisory Council; and

''(B) while away from home or regular place of business in the performance of services for the Advisory Council, be allowed travel expenses (including per diem in lieu of subsistence) in the same manner as a person employed intermittently in Government under sections 5701 through 5707 of title 5, United States Code.

''(2) A member of the Advisory Council who is a member of the Armed Forces on active duty or a full-time officer or employee of the United States shall receive no additional pay by reason of serving as a member of the Advisory Council.

''SEC. 1516A. RESIDENT ADVISORY COMMITTEES.

''(a) ESTABLISHMENT AND PURPOSE.—(1) A Resident Advisory Committee is an elected body of residents at each facility of the Retirement Home established to provide a forum for all residents to express their needs, ideas, and interests through elected representatives of their respective floor or area.

''(2) A Resident Advisory Committee—

''(A) serves as a forum for ideas, recommendations, and representation to management of that facility of the Retirement Home to enhance the morale, safety, health, and well-being of residents; and

''(B) provides a means to communicate policy and general information between residents and management.

''(b) ELECTION PROCESS.—The election process for the Resident Advisory Committee at a facility of the Retirement Home shall be coordinated by the facility Ombudsman.

''(c) CHAIRPERSON.—(1) The Chairperson of a Resident Advisory Committee shall be elected at large and serve a two-year term.

''(2) Chairpersons serve as a liaison to the Administrator and are voting members of the Advisory Council. Chairpersons shall create meeting agendas, conduct the meetings, and provide a copy of the minutes to the Administrator, who will forward the copy to the Chief Operating Officer for approval.

''(d) MEETINGS.—At a minimum, meetings of a Resident Advisory Committee shall be conducted quarterly.''.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Section 1502 of such Act (24 U.S.C. 401) is amended—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) by inserting after paragraph (2) (as so redesignated) the following new paragraphs:

''(3) The term 'Advisory Council' means the Armed Forces Retirement Home Advisory Council established under section 1516.

''(4) The term 'Resident Advisory Committee' means an elected body of residents at a facility of the Retirement Home established under section 1516A.''.

(2) RESPONSIBILITIES OF CHIEF OPERATING OFFICER.—Section 1515(c)(2) of such Act (24 U.S.C. 415(c)(2)) is amended by striking '', including the Local Boards of those facilities''.

(3) INSPECTION OF RETIREMENT HOME.—Section 1518 of such Act (24 U.S.C. 418) is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''Local Board for the facility or the resident advisory committee or council'' and inserting ''Advisory Council or the Resident Advisory Committee''; and

(ii) in paragraph (3), by striking ''Local Board for the facility, the resident advisory committee or council'' and inserting ''Advisory Council, the Resident Advisory Committee'';

(B) in subsection (c)(1), by striking ''Local Board for the facility'' and inserting ''Advisory Council''; and

(C) in subsection (e)(1), by striking ''Local Board for the facility'' and inserting ''Advisory Council''.

SEC. 564. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF FACILITIES.

(a) LEADERSHIP OF FACILITIES OF THE RETIREMENT HOME.—Section 1517 of the Armed Forces Retirement Home Act of 1991 (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)—

(A) by striking ''DIRECTOR'' in each subsection heading and inserting ''ADMINISTRATOR''; and

(B) 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—

(A) by striking ''ASSOCIATE DIRECTOR'' in the subsection heading and inserting ''OMBUDSMAN''; and

(B) by striking ''Associate Director'' in paragraphs (1) and (2) and inserting ''Ombudsman'';

(5) in subsection (e), as so redesignated—

(A) by striking ''ASSOCIATE DIRECTOR.—'' in the subsection heading and inserting ''OMBUDSMAN.—(1)'';

(B) by striking ''Associate Director'' and inserting ''Ombudsman'';

(C) by striking ''Director and Deputy Director'' and inserting ''Administrator'';

(D) by striking ''Director may'' and inserting ''Administrator may''; and

(E) by adding at the end the following new paragraph:

''(2) The Ombudsman may provide information to the Administrator, the Chief Operating Officer, the Senior Medical Advisor, the Inspector General of the Department of Defense, and the Under Secretary of Defense for Personnel and Readiness.'';

(6) in subsection (f), as so redesignated, by striking ''Director'' each place it appears and inserting ''Administrator''; and

(7) in subsection (g), as so redesignated—

(A) by striking ''DIRECTORS'' in the subsection heading and inserting ''ADMINISTRATORS'';

(B) in paragraph (1), by striking ''Directors'' and inserting ''Administrators''; and

(C) in paragraph (2), by striking ''a Director'' and inserting ''an Administrator''.

(b) CONFORMING AMENDMENTS.—

(1) REFERENCES TO DIRECTOR.—Sections 1511(d)(2), 1512(c), 1514(a), 1518(b)(4), 1518(c), 1518(d)(2), 1520, 1522, and 1523(b) of such Act are amended by striking ''Director'' each place it appears and inserting ''Administrator''.

(2) REFERENCES TO DIRECTORS.—Sections 1514(b) and 1520(c) of such Act (24 U.S.C. 414(b), 420(c)) are amended by striking ''Directors'' and inserting ''Administrators''.

SEC. 565. REVISION OF FEE REQUIREMENTS.

(a) FIXING FEES.—Subsection (c) of section 1514 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 414) is amended—

(1) in paragraph (3), by striking the last sentence; and

(2) by adding at the end the following new paragraph:

''(4) Until different fees are prescribed and take effect under this subsection and subject to any fee adjustment that the Secretary of Defense determines appropriate, the percentages and limitations on maximum monthly amount that are applicable to fees charged to residents for months beginning after December 31, 2011, are as follows:

''(A) For independent living residents, 35 percent of total current income, but not to exceed $1,238 each month.

''(B) For assisted living residents, 40 percent of total current income, but not to exceed $1,856 each month.

''(C) For long-term care residents, 65 percent of total current income, but not to exceed $3,094 each month.''.

(b) REPEAL OF FORMER TRANSITIONAL FEE STRUCTURES.—Such section is further amended by striking subsection (d).

SEC. 566. REVISION OF INSPECTION REQUIREMENTS.

Section 1518 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 418) is amended—

(1) in subsection (b)(1)—

(A) by striking ''In any year in which a facility of the Retirement Home is not inspected by a nationally recognized civilian accrediting organization,'' and inserting ''Not less often than once every three years,'';

(B) by striking ''of that facility'' and inserting ''of each facility of the Retirement Home''; and

(C) by inserting ''long-term care,'' after ''assisted living,'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''45 days'' and inserting ''90 days''; and

(B) by striking paragraph (2) and inserting the following new paragraph:

''(2) A report submitted under paragraph (1) shall include a plan by the Chief Operating Officer to address the recommendations and other matters contained in the report.''; and

(3) in subsection (e)(1)—

(A) by striking ''45 days'' and inserting ''60 days''; and

(B) by striking ''Director of the facility concerned shall submit to the Under Secretary of Defense for Personnel and Readiness, the Chief Operating Officer'' and inserting ''Chief Operating Officer shall submit to the Under Secretary of Defense for Personnel and Readiness, the Senior Medical Advisor''.

SEC. 567. REPEAL OF OBSOLETE TRANSITIONAL PROVISIONS AND TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

(a) REPEAL OF TRANSITIONAL PROVISIONS.—Part B of the Armed Forces Retirement Home Act of 1991, relating to transitional provisions for the Armed Forces Retirement Home Board and the Directors and Deputy Directors of the facilities of the Armed Forces Retirement Home, is repealed.

(b) CORRECTION OF OBSOLETE REFERENCES TO RETIREMENT HOME BOARD.—

(1) ARMED FORCES RETIREMENT HOME ACT.—Section 1519(a)(2) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 419(a)(2)) is amended by striking ''Retirement Home Board'' and inserting ''Chief Operating Officer''.

(2) TITLE 10, U.S.C..—

(A) DEFENSE OF CERTAIN SUITS.—Section 1089(g)(3) of title 10, United States Code, is amended by striking ''Armed Forces Retirement Home Board'' and inserting ''Chief Operating Officer of the Armed Forces Retirement Home''.

(B) FINES AND FORFEITURES.—Section 2772(b) of title 10, United States Code, is amended by striking ''Armed Forces Retirement Home Board'' and inserting ''Chief Operating Officer of the Armed Forces Retirement Home''.

(c) SECTION HEADINGS.—

(1) SECTION 1501.—The heading of section 1501 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. is amended to read as follows:

''SEC. 1501. SHORT TITLE; TABLE OF CONTENTS.''.

(2) SECTION 1513.—The heading of section 1513 of such Act is amended to read as follows:

''SEC. 1513. SERVICES PROVIDED TO RESIDENTS.''.

(3) SECTION 1513A.—The heading of section 1513A of such Act is amended to read as follows:

''SEC. 1513A. OVERSIGHT OF HEALTH CARE PROVIDED TO RESIDENTS.''.

(4) SECTION 1517.—The heading of section 1517 of such Act is amended to read as follows:

''SEC. 1517. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF FACILITIES.''.

(5) SECTION 1518.—The heading of section 1518 of such Act is amended to read as follows:

''SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME FACILITIES BY DEPARTMENT OF DEFENSE INSPECTOR GENERAL AND OUTSIDE INSPECTORS.''.

(6) PUNCTUATION.—The headings of sections 1512 and 1520 of such Act are amended by adding a period at the end.

(d) PART A HEADER.—The heading for part A is repealed.

(e) TABLE OF CONTENTS.—The table of contents in section 1501(b) of such Act is amended—

(1) by striking the item relating to the heading for part A;

(2) by striking the items relating to sections 1513 and 1513A and inserting the following new items:

''Sec. 1513. Services provided to residents.
''Sec. 1513A. Oversight of health care provided to residents.'';

(3) by striking the items relating to sections 1516, 1517, and 1518 and inserting the following:

''Sec. 1516. Advisory Council.
''Sec. 1516A. Resident Advisory Committees.
''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) by striking the items relating to part B (including the items relating to sections 1531, 1532, and 1533).

Subtitle H—Military Family Readiness Matters

SEC. 571. REVISION TO MEMBERSHIP OF DEPARTMENT OF DEFENSE MILITARY FAMILY READINESS COUNCIL.

Section 1781a(b) of title 10, United States Code, is amended to read as follows:

''(b) MEMBERS.—(1) The Council shall consist of the following members:

''(A) The Under Secretary of Defense for Personnel and Readiness, who shall serve as chair of the Council and who may designate a representative to chair the council in the Under Secretary's absence.

''(B) The following persons, who shall be appointed or designated by the Secretary of Defense:

''(i) One representative of each of the Army, Navy, Marine Corps, and Air Force, each of whom shall be a member of the armed force to be represented.

''(ii) One representative of the Army National Guard or the Air National Guard, who may be a member of the National Guard.

''(iii) One spouse or parent of a member of each of the Army, Navy, Marine Corps, and Air Force, two of whom shall be the spouse or parent of an active component member and two of whom shall be the spouse or parent of a reserve component member.

''(C) Three individuals appointed by the Secretary of Defense from among representatives of military family organizations, including military family organizations of families of members of the regular components and of families of members of the reserve components.

''(D) The senior enlisted advisor from each of the Army, Navy, Marine Corps, and Air Force, except that two of these members may instead be selected from among the spouses of the senior enlisted advisors.

''(E) The Director of the Office of Community Support for Military Families with Special Needs.

''(2)(A) The term on the Council of the members appointed or designated under clauses (i) and (iii) of subparagraph (B) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense. Representation on the Council under clause (ii) of that subparagraph shall rotate between the Army National Guard and Air National Guard every two years on a calendar year basis.

''(B) The term on the Council of the members appointed under subparagraph (C) of paragraph (1) shall be three years.''.

SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2012 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $30,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.—Of the amount authorized to be appropriated for fiscal year 2012 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 573. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES.

(a) CHILD CUSTODY PROTECTION.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

''SEC. 208. CHILD CUSTODY PROTECTION.

''(a) RESTRICTION ON TEMPORARY CUSTODY ORDER.—If a court renders a temporary order for custodial responsibility for a child based solely on a deployment or anticipated deployment of a parent who is servicemember, then the court shall require that upon the return of the servicemember from deployment, the custody order that was in effect immediately preceding the temporary order shall be reinstated, unless the court finds that such a reinstatement is not in the best interest of the child, except that any such finding shall be subject to subsection (b).

''(b) EXCLUSION OF MILITARY SERVICE FROM DETERMINATION OF CHILD'S BEST INTEREST.—If a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, in determining the best interest of the child.

''(c) NO FEDERAL RIGHT OF ACTION.—Nothing in this section shall create a Federal right of action.

''(d) PREEMPTION.—Preemption- In any case where State law applicable to a child custody proceeding involving a temporary order as contemplated in this section provides a higher standard of protection to the rights of the parent who is a deploying servicemember than the rights provided under this section with respect to such temporary order, the appropriate court shall apply the higher State standard.

''(e) DEPLOYMENT DEFINED.—In this section, the term 'deployment' means the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 18 months pursuant to temporary or permanent official orders—

''(1) that are designated as unaccompanied;

''(2) for which dependent travel is not authorized; or

''(3) that otherwise do not permit the movement of family members to that location.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

''208. Child custody protection.''.

SEC. 574. CENTER FOR MILITARY FAMILY AND COMMUNITY OUTREACH.

(a) CENTER AUTHORIZED.—The Secretary of the Army may establish a Center for Military Family and Community Outreach to help increase the number (and enhance the competencies) of social workers and mental health service providers who—

(1) are familiar with the special demands of active duty on members of the Armed Forces and their families; and

(2) can adapt prevention and intervention methods to times of war and the needs of military families.

(b) METHOD OF ESTABLISHMENT; MERIT-BASED OR COMPETITIVE DECISIONS.—(1) Under such criteria as the Secretary of the Army may establish, the Secretary may award grants to, or enter into contracts and cooperative agreements with, an historically black university in close proximity to an Army installation for the purpose of planning, developing, managing, and implementing the Center for Military Family and Community Outreach.

(2) A decision to commit, obligate, or expend funds referred to in subsection (f) with or to a specific entity shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

(c) USE OF ASSISTANCE.—Assistance provided under this section shall be used—

(1) to establish the Center for Military Family and Community Outreach as described in subsection (b);

(2) to train social work students, social work faculty members, and social workers to understand the complex features of military life and enhance their competencies in developing and providing services to military families; and

(3) for such related activities and expenses as the Secretary of the Army may authorize.

(d) TRAINING COMPONENT.—Training provided through the Center for Military Family and Community Outreach shall focus on—

(1) mental health well-being;

(2) independence;

(3) resources; and

(4) social well being for military families.

(e) RESEARCH AND EDUCATION.—Research findings shall be disseminated through publications, workshops, and professional conferences. The Center for Military Family and Community Outreach shall hold annually a minimum of five half-day conferences and 20 workshops for social workers, faculty, and students. The Center shall host at least two State-wide or regional conferences (one for military families and one for professionals) concerning military culture, resources and prevention activities regarding grief, loss, divorce, domestic violence, sexual harassment, suicide, substance abuse, marital discord, financial, PTSD, and separation issues for families, children, and adolescents.

(f) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—Of the amounts authorized to be appropriated by section 301 for operation and maintenance for the Army, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $1,000,000 to carry out this section in furtherance of national security objectives.

SEC. 575. MENTAL HEALTH SUPPORT FOR MILITARY PERSONNEL AND FAMILIES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $5,960,400,000 for operation and maintenance, Marine Corps. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $3,000,000 for a collaborative program that responds to escalating suicide rates and combat stress related arrests of military personnel, and trains active duty military personnel to recognize and respond to combat stress disorder, suicide risk, substance addiction, risk-taking behaviors and family violence, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 576. REPORT ON DEPARTMENT OF DEFENSE AUTISM PILOT PROJECTS.

(a) REPORT REQUIRED.—Not later than March 14, 2013, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on any pilot projects that the Department of Defense is conducting on autism services.

(b) MATTERS COVERED.—At a minimum, the report under subsection (a) shall include a comprehensive evaluation of consumption patterns of autism treatment services, including intensity and volumes of use across specific diagnoses, age groups, and treatment services.

Subtitle I—Improved Sexual Assault Prevention and Response in the Armed Forces

SEC. 581. DIRECTOR OF 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; 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. 582. SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT VICTIM ADVOCATES.

(a) ASSIGNMENT AND TRAINING.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1568. Sexual assault prevention and response: Sexual Assault Response Coordinators and Victim Advocates

''(a) ASSIGNMENT OF COORDINATORS.—(1) At least one full-time Sexual Assault Response Coordinator shall be assigned to each brigade or equivalent unit level of the armed forces. The Secretary of the military department concerned may assign additional Sexual Assault Response Coordinators as necessary based on the demographics or needs of the unit. An additional Sexual Assault Response Coordinator may serve on a full-time or part-time basis at the discretion of the Secretary.

''(2) Effective October 1, 2013, only members of the armed forces and civilian employees of the Department of Defense may be assigned to duty as a Sexual Assault Response Coordinator.

''(b) ASSIGNMENT OF VICTIM ADVOCATES.—(1) At least one full-time Sexual Assault Victim Advocate shall be assigned to each brigade or equivalent unit level of the armed forces. The Secretary of the military department concerned may assign additional Victim Advocates as necessary based on the demographics or needs of the unit. An additional Victim Advocate may serve on a full-time or part-time basis at the discretion of the Secretary.

''(2) Effective October 1, 2013, only members of the armed forces and civilian employees of the Department of Defense may be assigned to duty as a Victim Advocate.

''(c) TRAINING AND CERTIFICATION.—(1) As part of the sexual assault prevention and response program, the Secretary of Defense shall establish a professional and uniform training and certification program for Sexual Assault Response Coordinators assigned under subsection (a) and Sexual Assault Victim Advocates assigned under subsection (b). The program shall be structured and administered in a manner similar to the professional training available for Equal Opportunity Advisors through the Defense Equal Opportunity Management Institute.

''(2) In developing the curriculum and other components of the program, the Secretary of Defense shall work with experts outside of the Department of Defense who are experts in victim advocacy and sexual assault prevention and response training.

''(3) A decision to commit, obligate, or expend funds with or to a specific entity to assist with the development or implementation of the program shall—

''(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of this title or on competitive procedures; and

''(B) comply with other applicable provisions of law.

''(4) Effective October 1, 2013, before a member or civilian employee may be assigned to duty as a Sexual Assault Response Coordinator under subsection (a) or Victim Advocate under subsection (b), the member or employee must have completed the training program required by paragraph (1) and obtained the certification.

''(d) DEFINITIONS.—In this section:

''(1) The term 'armed forces' means the Army, Navy, Air Force, and Marine Corps.

''(2) The term 'sexual assault prevention and response program' has the meaning given such term in section 1601(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1568. Sexual assault prevention and response: Sexual Assault Response Coordinators and Victim Advocates.''.

SEC. 583. SEXUAL ASSAULT VICTIMS ACCESS TO LEGAL COUNSEL AND SERVICES OF SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT VICTIM ADVOCATES.

(a) ACCESS.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1044d the following new section:

"§ 1044e. Victims of sexual assault: access to legal assistance and services of Sexual Assault Response Coordinators and Sexual Assault Victim Advocates

''(a) AVAILABILITY OF LEGAL ASSISTANCE AND VICTIM ADVOCATE SERVICES.—

''(1) MEMBERS.—A member of the armed forces or a dependent of a member of the armed forces who is the victim of a sexual assault is entitled to—

''(A) legal assistance provided by a military legal assistance counsel certified as competent to provide such assistance;

''(B) assistance provided by a qualified Sexual Assault Response Coordinator; and

''(C) assistance provided by a qualified Sexual Assault Victim Advocate.

''(2) DEPENDENTS.—To the extent practicable, the Secretary of a military department shall make the assistance described in paragraph (1) available to dependent of a member of the armed forces who is the victim of a sexual assault and resides on or in the vicinity of a military installation. The Secretary concerned shall define the term 'vicinity' for purposes of this paragraph.

''(3) NOTICE OF AVAILABILITY OF ASSISTANCE; OPT OUT.—The member or dependent shall be informed of the availability of assistance under this subsection as soon as the member or dependent seeks assistance from a Sexual Assault Response Coordinator or any other responsible member of the armed forces or Department of Defense civilian employee. The victim shall also be informed that the legal assistance and services of a Sexual Assault Response Coordinator and Sexual Assault Victim Advocate are optional and these services may be declined, in whole or in part, at any time.

''(4) NATURE OF REPORTING IMMATERIAL.—In the case of a member of the armed forces, access to legal assistance and the services of Sexual Assault Response Coordinators and Sexual Assault Victim Advocates are available regardless of whether the member elects unrestricted or restricted (confidential) reporting of the sexual assault.

''(b) RESTRICTED REPORTING OPTION.—

''(1) AVAILABILITY OF RESTRICTED REPORTING.—A member of the armed forces who is the victim of a sexual assault may confidentially disclose the details of the assault to an individual specified in paragraph (2) and receive medical treatment, legal assistance, or counseling, without triggering an official investigation of the allegations.

''(2) PERSONS COVERED BY RESTRICTED REPORTING.—Individuals covered by paragraph (1) are the following:

''(A) Military legal assistance counsel.

''(B) Sexual Assault Response Coordinator.

''(C) Sexual Assault Victim Advocate.

''(D) Personnel staffing the DOD Safe Helpline or successor operation.

''(E) Healthcare personnel.

''(F) Chaplain.

''(c) DEFINITIONS.—In this section:

''(1) The term 'sexual assault' includes any of the offenses covered by section 920 of this title (article 120).

''(2) The term 'military legal assistance counsel' means a judge advocate who—

''(A) is a graduate of an accredited law school or is a member of the bar of a Federal court or of the highest court of a State; and

''(B) is certified as competent to provide legal assistance by the Judge Advocate General of the armed force of which the judge advocate is a member.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1044d the following new item:

''1044e. Victims of sexual assault: access to legal assistance and services of Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.''.

(c) CONFORMING AMENDMENT REGARDING PROVISION OF LEGAL COUNSEL.—Section 1044(d)(3)(B) of such title is amended by striking ''sections 1044a, 1044b, 1044c, and 1044d'' and inserting ''sections 1044a through 1044e''.

SEC. 584. PRIVILEGE IN CASES ARISING UNDER UNIFORM CODE OF MILITARY JUSTICE AGAINST DISCLOSURE OF COMMUNICATIONS BETWEEN SEXUAL ASSAULT VICTIMS AND SEXUAL ASSAULT RESPONSE COORDINATORS, VICTIM ADVOCATES, AND CERTAIN OTHER PERSONS.

(a) PRIVILEGE ESTABLISHED.—

(1) IN GENERAL.—Subchapter XI of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section:

"§ 940a. Art. 140a. Privilege against disclosure of certain communications with Sexual Assault Response Coordinators, Victim Advocates, and certain other persons

''(a) PRIVILEGE AGAINST DISCLOSURE.—Communications between a person who is the victim of a sexual assault or other offense covered by section 920 of this title (article 120) and a person specified in subsection (b) and the records relating to such communications are not subject to discovery and may not be admitted into evidence in any case arising under this chapter.

''(b) PERSONS COVERED BY PRIVILEGE.—The privilege granted by subsection (a) applies to—

''(1) a Sexual Assault Response Coordinator;

''(2) a Sexual Assault Victim Advocate; and

''(3) personnel staffing the DOD Safe Helpline or successor operation.

''(c) CONSENT EXCEPTION.—The victim of a sexual assault may consent to the disclosure of any communication or record referred to in subsection (a) regarding the victim.

''(d) RELATION TO OTHER PRIVILEGES AGAINST DISCLOSURE.—The privilege granted by subsection (a) in cases arising under this chapter is in addition to any other privilege against disclosure that may exist with regard to communications between a victim of a sexual assault and another person.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1034a the following new item:

''940a. Art. 140a. Privilege against disclosure of certain communications with Sexual Assault Victim Advocates, Victim Advocates, and certain other persons.''.

(b) APPLICABILITY.—Section 940a of title 10, United States Code, as added by subsection (a), applies to communications and records described in such section whether made before, on, or after the date of the enactment of this Act.

SEC. 585. MAINTENANCE OF RECORDS PREPARED IN CONNECTION WITH SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES OR DEPENDENTS OF MEMBERS.

(a) MAINTENANCE AND CONFIDENTIALITY OF SEXUAL ASSAULT RECORDS.—

(1) IN GENERAL.—Chapter 50 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 993. Maintenance of medical, investigative, and other records prepared in connection with sexual assaults

''(a) MAINTENANCE OF RECORDS.—The Secretary of Defense shall maintain for not less

than 100 years the records described in subsection (b) that are prepared by personnel of the Department of Defense in connection with a sexual assault involving a member of the armed forces or a dependent of a member to ensure future access to the records.

''(b) COVERED RECORDS.—The recordkeeping requirement imposed by subsection (a) applies to the following:

''(1) Department of Defense Form 2910, regarding the victim reporting preference statement, or any successor document.

''(2) Department of Defense Form 2911, regarding the forensic medical report prepared in the case of a sexual assault examination, or any successor document.

''(3) Medical records.

''(4) Investigative reports prepared in connection with a sexual assault.

''(5) Such other information and reports as the Secretary of Defense considers appropriate.

''(c) VICTIM ACCESS.—The Secretary of Defense shall ensure that the victim of the sexual assault for which the records described in subsection (b) are prepared has permanent access to the records.

''(d) PROTECTION OF RESTRICTED REPORTING OPTION.—The Secretary of Defense shall ensure that any recordkeeping system used to maintain records described in subsection (b) does not jeopardize the confidentiality of the restricted reporting option available to a victim of a sexual assault.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''993. Maintenance of medical, investigative, and other records prepared in connection with sexual assaults.''.

(b) COPY OF RECORD OF COURT-MARTIAL TO VICTIM OF SEXUAL ASSAULT.—Section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

''(e) In the case of a general or special court-martial involving a sexual assault or other offense covered by section 920 of this title (article 120), a copy of the prepared record of the proceedings of the court-martial shall be given to the victim of the offence if the victim testified during the proceedings. The record of the proceedings shall be provided without charge and as soon as the record is authenticated. The victim shall be notified of the opportunity to receive the record of the proceedings.''.

SEC. 586. EXPEDITED CONSIDERATION AND PRIORITY FOR APPLICATION FOR CONSIDERATION OF A PERMANENT CHANGE OF STATION OR UNIT TRANSFER BASED ON HUMANITARIAN CONDITIONS FOR VICTIM OF SEXUAL ASSAULT.

(a) IN GENERAL.—Chapter 39 of title 10, United States Code, is amended by inserting after section 672 the following new section:

''§ 673. Consideration of application for permanent change of station or unit transfer for members on active duty who are the victim of a sexual assault

''(a) EXPEDITED CONSIDERATION AND PRIORITY FOR APPROVAL.—To the maximum extent practicable, the Secretary concerned shall provide for the expedited consideration and approval of an application for consideration of a permanent change of station or unit transfer submitted by a member of the armed forces serving on active duty who was a victim of a sexual assault or other offense covered by section 920 of this title (article 120) so as to reduce the possibility of retaliation against the member for reporting the sexual assault.

''(b) REGULATIONS.—The Secretaries of the military departments shall issue regulations to carry out this section, within guidelines provided by the Secretary of Defense.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 672 the following new item:

''673. Consideration of application for permanent change of station or unit transfer for members on active duty who are the victim of a sexual assault.''.

SEC. 587. TRAINING AND EDUCATION PROGRAMS FOR SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.

Subtitle A of title XVI of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by adding at the end the following new section:

''SEC. 1615. IMPROVED TRAINING AND EDUCATION PROGRAMS.

''(a) SEXUAL ASSAULT PREVENTION AND RESPONSE TRAINING AND EDUCATION.—

''(1) DEVELOPMENT OF CURRICULUM.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall develop a curriculum to provide sexual assault prevention and response training and education for members of the Armed Forces under the jurisdiction of the Secretary and civilian employees of the military department to strengthen individual knowledge, skills, and capacity to prevent and respond to sexual assault. In developing the curriculum, the Secretary shall work with experts outside of the Department of Defense who are experts sexual assault prevention and response training.

''(2) SCOPE OF TRAINING AND EDUCATION.—The sexual assault prevention and response training and education shall encompass initial entry and accession programs, annual refresher training, professional military education, peer education, and specialized leadership training. Training shall be tailored for specific leadership levels and local area requirements.

''(3) CONSISTENT TRAINING.—The Secretary of Defense shall ensure that the sexual assault prevention and response training provided to members of the Armed Forces and Department of Defense civilian employees is consistent throughout the military departments.

''(b) INCLUSION IN PROFESSIONAL MILITARY EDUCATION.—The Secretary of Defense shall provide for the inclusion of a sexual assault prevention and response training module at each level of professional military education. The training shall be tailored to the new responsibilities and leadership requirements of members of the Armed Forces as they are promoted.

''(c) INCLUSION IN FIRST RESPONDER TRAINING.—

''(1) IN GENERAL.—The Secretary of Defense shall direct that managers of specialty skills associated with first responders described in paragraph (2) integrate sexual assault response training in initial and recurring training courses.

''(2) COVERED FIRST RESPONDERS.—First responders referred to in paragraph (1) include firefighters, emergency medical technicians, law enforcement officers, military criminal investigators, healthcare personnel, judge advocates, and chaplains.

''(d) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity to assist with the development or implementation of sexual assault prevention and response training and education under this section shall—

''(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of this title or on competitive procedures; and

''(2) comply with other applicable provisions of law.''.

Subtitle J—Other Matters

SEC. 591. LIMITATIONS ON AUTHORITY TO PROVIDE SUPPORT AND SERVICES FOR CERTAIN ORGANIZATIONS AND ACTIVITIES OUTSIDE DEPARTMENT OF DEFENSE.

(a) NOTICE OF USE OF AUTHORITY IN CONNECTION WITH TRAINING.—Subsection (a)(2) of section 2012 of title 10, United States Code, is amended by inserting before the period at the end the following: '', funding for such training was requested in the most recent budget submission for the military department of that Secretary, and no additional funding for such training is provided by the Secretary of Defense''.

(b) TERMINATION OF MILITARY MANPOWER EXCEPTION.—Subsection (d)(2) of such section is amended by striking ''Subparagraph (A)(i) of paragraph (1) does not apply in a case in which'' and inserting ''After September 30, 2011, subparagraph (A)(i) of paragraph (1) applies even though''.

(c) IMPROVED OVERSIGHT AND COST ACCOUNTING.—Subsection (j) of such section is amended—

(1) in the matter preceding paragraph (1), by inserting ''requested by the Secretary of a military department and'' after ''training projects''; and

(2) by striking paragraph (1) and inserting the following new paragraph (1):

''(1) Ensure that each project that is proposed to be conducted in accordance with this section is requested in writing, reviewed for full compliance with this section, and approved in advance of initiation by the Secretary of the military department concerned.''.

(d) ANNUAL FUNDING LIMITATION.—Such section is further amended by adding at the end the following new subsection:

''(k) LIMITATION ON ANNUAL OBLIGATION OF FUNDS.—Not more than $10,000,000 may be obligated during fiscal year 2012 or any fiscal year thereafter to provide support and services to non-Department of Defense organizations and activities under this section.''.

SEC. 592. DISPLAY OF STATE, DISTRICT OF COLUMBIA, AND TERRITORIAL FLAGS BY ARMED FORCES.

(a) DISPLAY REQUIRED.—Section 2249b of title 10, United States Code, is amended—by adding at the end the following new subsection:

''(c) DISPLAY OF DISTRICT OF COLUMBIA AND TERRITORIAL FLAGS BY ARMED FORCES.—The Secretary of Defense shall ensure that whenever the official flags of all 50 States are displayed by the armed forces, such display shall include the flags of the District of Columbia, Commonwealth of Puerto Rico, United States Virgin Islands, Guam, American Samoa, and Commonwealth of the Northern Mariana Islands.''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended by striking the colon and all that follows.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 134 of such title is amended by striking the item relating to section 2249b and inserting the following new item:

''2249b. Display of State flags.''.

SEC. 593. MILITARY ADAPTIVE SPORTS PROGRAM.

(a) PROGRAM AUTHORIZED.—Chapter 152 of title 10, United States Code, is amended by inserting after section 2564 the following new section:

''§ 2564a. Provision of assistance for adaptive sports programs for members of the armed forces

''(a) PROGRAM AUTHORIZED.—The Secretary of Defense may establish a military adaptive sports program to support the provision of adaptive sports programming for members of the armed forces who are eligible to participate in adaptive sports because of an injury or wound incurred in the line of duty in the armed forces.

''(b) PROVISION OF ASSISTANCE; PURPOSE.—(1) Under such criteria as the Secretary of Defense may establish under the military adaptive sports program, the Secretary may award grants to, or enter into contracts and cooperative agreements with, entities for the purpose of planning, developing, managing, and implementing adaptive sports programming for members described in subsection (a).

''(2) The Secretary of Defense shall use competitive procedures to award any grant or to enter into any contract or cooperative agreement under this subsection.

''(c) USE OF ASSISTANCE.—Assistance provided under the military adaptive sports program shall be used—

''(1) for the purposes specified in subsection (b); and

''(2) for such related activities and expenses as the Secretary of Defense may authorize.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 717 the following new item:

''2564a. Provision of assistance for adaptive sports programs for members of the armed forces.''.

SEC. 594. WOUNDED WARRIOR CAREERS PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—During fiscal years 2012 through 2016, the Secretary of Defense shall carry out a career-development services program with the Education and Employment Initiative for severely wounded warriors of the Armed Forces, and their spouses, if appropriate.

(b) ELEMENTS OF PROGRAM.—The program shall include at a minimum the following:

(1) Exploring career options.

(2) Obtaining education, skill, aptitude, and interest assessments.

(3) Developing veteran-centered career plans.

(4) Preparing resumes and education/training applications.

(5) Acquiring additional education and training, including internships and mentorship programs.

(6) Engaging with prospective employers and educators when appropriate.

(7) Entering into various kinds of occupations (whether full-time, part-time, paid, or volunteer, or self-employment as entrepreneurs or otherwise).

(8) Advancing in jobs and careers after initial employment.

(9) Identifying and resolving obstacles through coordination with the military departments, other departments and agencies of the Federal Government, State and local governments, and other appropriate service and benefits providers.

(c) PLACEMENT REQUIREMENT.—Services under the program shall be co-located at the largest geographic concentrations of wounded warriors in accordance with the Education and Employment Initiative's goal of establishing as many as 20 locations that can support transitioning wounded warriors seeking post-service education and employment.

(d) COST-BENEFIT ANALYSIS.—No later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees plans for a cost-benefit analysis of the results of the services provided to substantiate effective practices.

(e) INFORMATION SHARING.—Lessons learned, including relevant data and best practices derived from the program, shall be shared with relevant Federal agencies that also provide transition services and support to disabled veterans or wounded warriors.

(f) NEW BUDGET ITEM RELATING TO THE PROGRAM.—

(1) ADDITIONAL DISCRETIONARY BUDGETARY AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $2,201,964,000 for Defense-wide Operation and Maintenance Administrative and Service-wide Activities. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $1,000,000 for the program under this section in furtherance of national security objectives.

(2) MERIT-BASED OR COMPETITIVE DECISIONS.—Notwithstanding subsection (a), a decision to commit, obligate, or expend funds referred to in the second sentence of paragraph (1) with or to a specific entity shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

SEC. 595. COMPTROLLER GENERAL STUDY OF MILITARY NECESSITY OF SELECTIVE SERVICE SYSTEM AND ALTERNATIVES.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study—

(1) to assess the criticality of the Selective Service System to the Department of Defense in meeting future military manpower requirements that are in excess of the ability of the all-volunteer force; and

(2) to determine the fiscal and national security impacts of—

(A) disestablishing the Selective Service System;

(B) putting the Selective Service System into a deep standby mode, defined as retaining only personnel sufficient to conduct registration and maintain the registration database; and

(C) requiring the Department of Defense, or other Federal department, upon disestablishment of the Selective Service System and repeal of registration requirements, to assume responsibility for securing the Selective Service System registration data bases, and keeping them updated.

(b) ADDITIONAL CONSIDERATIONS FOR EACH OPTION.—As part of considering the impacts of disestablishment of the Selective Service System, putting it into a deep standby mode, or transferring responsibilities as described in subsection (a)(2)(C), the Comptroller General shall provide for each option—

(1) an estimate of the annual cost or savings of each option to the Federal government; and

(2) the feasibility, cost, and time required for each option—

(A) to reestablish the capability to meet the Selective Service System mission, as it existed before disestablishment; and

(B) to provide the Department of Defense the required number of conscripts for training, should conscription be authorized by Congress.

(c) SPECIAL CONSIDERATIONS REGARDING REGISTRATION.—The study shall also include an assessment of the feasibility, cost, and time required to meet registration requirements by—

(1) using existing Federal and State government institutions as an alternative to Selective Service registration to maintain an accurate, comprehensive database of Americans who, according to existing Selective Service System registration requirements, would be subject to conscription should conscription be authorized; and

(2) integrating various alternative registration databases for use in connection with conscription and provide a means to keep updated and accurate the Selective Service System database under each of the options described in subsection (a)(2).

(d) SUBMISSION OF RESULTS.—Not later than March 31, 2012, the Comptroller General shall submit the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the study.

SEC. 596. SENSE OF CONGRESS REGARDING PLAYING OF BUGLE CALL COMMONLY KNOWN AS "TAPS" AT MILITARY FUNERALS, MEMORIAL SERVICES, AND WREATH LAYING CEREMONIES.

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

(1) The bugle call commonly known as ''Taps'' is known throughout the United States as part of the military honors accorded at funerals, memorial services, and wreath ceremonies held for members of the uniformed services and veterans.

(2) In July 1862, following the Seven Days Battles, Union General Daniel Butterfield and bugler Oliver Willcox Norton created ''Taps'' at Berkley Plantation, Virginia, as a way to signal the end of daily military activities.

(3) ''Taps'' is now established by the uniformed services as the last call of the day and is sounded at the completion of a military funeral.

(4) ''Taps'' has become the signature, solemn musical farewell for members of the uniformed services and veterans who have faithfully served the United States during times of war and peace.

(5) Over its almost 150 years of use, ''Taps'' has been woven into the historical fabric of the United States.

(6) When sounded, ''Taps'' summons emotions of loss, pride, honor, and respect and encourages Americans to remember patriots who served the United States with honor and valor.

(7) The 150th anniversary of the writing of ''Taps'' will be observed with events culminating in June 2012 with a rededication of the Taps Monument at Berkley Plantation, Virginia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that at a military funeral, memorial service, or wreath laying, the bugle call commonly known as ''Taps'', consisting of 24 notes sounded on a bugle or trumpet, should be sounded by a live solo bugler or trumpeter when such arrangements are possible.

SEC. 597. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.

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

(1) The hopes and prayers of the American people for the safe return of members of the Armed Forces serving overseas are demonstrated through the proud display of yellow ribbons.

(2) The designation of a ''Yellow Ribbon Day'' would serve as an additional reminder for all Americans of the continued sacrifice of members of the Armed Forces.

(3) Yellow Ribbon Day would also recognize the history and meaning of the Yellow Ribbon as the symbol of support for members of the Armed Forces.

(4) Yellow Ribbon Day would also signify a tribute and remembrance to all Prisoners of War and a fervent hope for the safe return and full accounting of all members of the Armed Forces who are Missing in Action.

(5) April 9th would be an appropriate day to designate as Yellow Ribbon Day as it was on April 9, 2004, that Staff Sergeant Matt Maupin became the first Prisoner of War of Operation Iraqi Freedom.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day in honor of members of the Armed Forces who are serving overseas apart from their families and loved ones.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. FISCAL YEAR 2012 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2012 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2012, the rates of monthly basic pay for members of the uniformed services are increased by 1.6 percent.

SEC. 602. RESUMPTION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Effective October 1, 2011, section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2009'' and inserting ''December 31, 2012''.

SEC. 603. LODGING ACCOMMODATIONS FOR MEMBERS ASSIGNED TO DUTY IN CONNECTION WITH COMMISSIONING OR FITTING OUT OF A SHIP.

(a) EXTENSION TO PRECOMMISSIONING UNIT SAILORS.—Subsection (a) of section 7572 of title 10, United States Code, is amended—

(1) by inserting ''or assigned to duty in connection with commissioning or fitting out of a ship'' after ''sea duty''; and

(2) by inserting '', because the ship is under construction and is not yet habitable,'' after ''because of repairs,''.

(b) EXTENSION TO ENLISTED MEMBERS.—Subsection (d) of such section is amended—

(1) in paragraph (1)—

(A) by striking ''After the expiration of the authority provided in subsection (b), an officer'' and inserting ''A member'';

(B) by striking ''officer's quarters'' and inserting ''member's quarters'';

(C) by striking ''obtaining quarters'' and inserting ''obtaining housing''; and

(D) by striking ''the officer'' and inserting ''the member'';

(2) in paragraph (2)—

(A) by striking ''an officer'' both places it appears and inserting ''a member'';

(B) by striking ''quarters'' and inserting ''housing''; and

(C) by striking ''officer's grade'' and inserting ''member's grade''; and

(3) in paragraph (3)—

(A) by striking ''an officer'' and inserting ''a member''; and

(B) by striking ''quarters'' and inserting ''housing''.

(c) SHIPYARDS AFFECTED BY BRAC 2005.—Such section is further amended by adding at the end the following new subsection:

''(e)(1) The Secretary may reimburse a member of the naval service assigned to duty in connection with commissioning or fitting out of a ship in Pascagoula, Mississippi, or Bath, Maine, who is deprived of quarters on board a ship because the ship is under construction and is not yet habitable, or because of other conditions that make the member's quarters uninhabitable, for expenses incurred in obtaining housing, but only when the Navy is unable to furnish the member with lodging accommodations under subsection (a).

''(2) The total amount that a member may be reimbursed under this subsection may not exceed an amount equal to the basic allowance for housing of a member without dependents of that member's grade.

''(3) A member without dependents, or a member who resides with dependents while assigned to duty in connection with commissioning or fitting out of a ship at one of the locations specified in paragraph (1), may not be reimbursed under this subsection.

''(4) The Secretary may prescribe regulations to carry out this subsection.''.

(d) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 7572. Quarters: accommodations in place for members on sea duty or assigned to duty in connection with commissioning or fitting out of a ship''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 649 of such title is amended by striking the item relating to section 7572 and inserting the following new item:

''7572. Quarters: accommodations in place for members on sea duty or assigned to duty in connection with commissioning or fitting out of a ship.''.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'':

(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF REFERRAL BONUSES.

The following sections of title 10, United States Code, are amended by striking ''December 31, 2011'' and inserting ''December 31, 2012'':

(1) Section 1030(i), relating to health professions referral bonus.

(2) Section 3252(h), relating to Army referral bonus.

Subtitle C—Travel and Transportation Allowances Generally

SEC. 621. ONE-YEAR EXTENSION OF AUTHORITY TO REIMBURSE TRAVEL EXPENSES FOR INACTIVE-DUTY TRAINING OUTSIDE OF NORMAL COMMUTING DISTANCE.

Section 408a(e) of title 37, United States Code, is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

SEC. 622. MANDATORY PROVISION OF TRAVEL AND TRANSPORTATION ALLOWANCES FOR NON-MEDICAL ATTENDANTS FOR SERIOUSLY ILL AND WOUNDED MEMBERS OF THE ARMED FORCES.

Section 411k of title 37, United States Code, is amended—

(1) in subsection (a), by striking ''may'' and inserting ''shall''; and

(2) in subsection (d)(3), by striking ''may'' and inserting ''shall''.

Subtitle D—Consolidation and Reform of Travel and Transportation Authorities

SEC. 631. PURPOSE.

It is the purpose of this subtitle to establish general travel and transportation provisions for members of the uniformed services and other travelers authorized to travel under official conditions. Recognizing the complexities and the changing nature of travel, the amendments made by this subtitle and the 10-year transition period provided by section 6__6 provide the Secretary of Defense and the Secretaries concerned (as defined in section 101(5) of title 37, United States Code) with the authority to prescribe and implement travel and transportation policy that is simple, efficient, relevant, and flexible and that meets mission needs and the needs of members of the uniformed services.

SEC. 632. CONSOLIDATION AND REFORM OF TRAVEL AND TRANSPORTATION AUTHORITIES OF THE UNIFORMED SERVICES.

Title 37, United States Code, is amended by inserting after chapter 7 the following new chapter:

"CHAPTER 8—TRAVEL AND TRANSPORTATION ALLOWANCES

''SUBCHAPTER I—TRAVEL AND TRANSPORTATION—NEW LAW

''Sec.
''451. Definitions.
''452. Allowable travel and transportation: general authorities.
''453. Allowable travel and transportation: specific authorities.
''454. Travel and transportation pilot programs.

''SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

''Sec.
''461. Relationship to other travel and transportation authorities.
''462. Travel and transportation expenses paid to members that are unauthorized or in excess of authorized amounts: requirement for repayment.
''463. Regulations.

''SUBCHAPTER I—TRAVEL AND TRANSPORTATION—NEW LAW

"§ 451. Definitions

''(a) DEFINITIONS RELATING TO PERSONS.—In this subchapter and subchapter II:

''(1) The term 'administering Secretary' or 'administering Secretaries' means the following:

''(A) The Secretary of Defense, with respect to the armed forces (including the Coast Guard when it is operating as a service in the Navy).

''(B) The Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy.

''(C) The Secretary of Commerce, with respect to the National Oceanic and Atmospheric Administration.

''(D) The Secretary of Health and Human Services, with respect to the Public Health Service.

''(2) The term 'authorized traveler' means a person who is authorized travel and transportation allowances when performing official travel ordered or authorized by the administering Secretary. Such term includes the following:

''(A) A member of the uniformed services.

''(B) A family member of a member of the uniformed services.

''(C) A person acting as an escort or attendant for a member or family member who is traveling on official travel or is traveling with the remains of a deceased member.

''(D) A person who participates in a military funeral honors detail.

''(E) A Senior Reserve Officers' Training Corps cadet or midshipman.

''(F) An applicant or rejected applicant for enlistment.

''(G) Any other person whose employment or service is considered directly related to a Government official activity or function under regulations prescribed section 463 of this title.

''(3) The term 'family member', with respect to a member of the uniformed services, means the following:

''(A) A dependent, as defined in section 401(a) of this title.

''(B) A child, as defined in section 401(b)(1) of this title.

''(C) A parent, as defined in section 401(b)(2) of this title.

''(D) A sibling of the member.

''(E) A former spouse of the member.

''(F) Any person not covered by subparagraphs (A) through (E) who is in a category specified in regulations under section 463 of this title as having an association, connection, or affiliation with a member of the uniformed services or the family of such a member.

''(G) Any person not covered by subparagraphs (A) through (F) who is determined by the administering Secretary under regulations prescribed under section 463 of this title as warranting the status of being a family member for purposes of a particular travel incident.

''(b) DEFINITIONS RELATING TO TRAVEL AND TRANSPORTATION ALLOWANCES.—In this subchapter and subchapter II:

''(1) The term 'official travel' means the following:

''(A) Military duty or official business performed by an authorized traveler away from a duty assignment location or other authorized location.

''(B) Travel performed by an authorized traveler ordered to relocate from a permanent duty station to another permanent duty station.

''(C) Travel performed by an authorized traveler ordered to the first permanent duty station, or separated or retired from uniformed service.

''(D) Local travel in or around the temporary duty or permanent duty station.

''(E) Other travel as authorized or ordered by the administering Secretary.

''(2) The term 'actual and necessary expenses' means expenses incurred in fact by a traveler as a reasonable consequence of official travel.

''(3) The term 'travel allowances' means the daily lodging, meals, and other related expenses, including relocation expenses, incurred by an authorized traveler while on official travel.

''(4) The term 'transportation allowances' means the costs of temporarily or permanently moving an authorized traveler, the personal property of an authorized traveler, or a combination thereof.

''(5) The term 'transportation-, lodging-, or meals-in-kind' means transportation, lodging, or meals provided by the Government without cost to the traveler.

''(6) The term 'miscellaneous expenses' mean authorized expenses incurred in addition to authorized allowances during the performance of official travel.

''(7) The term 'personal property', with respect to transportation allowances, includes baggage, furniture, and other household items, clothing, privately owned vehicles, house trailers, mobile homes, and any other personal item that would not otherwise be prohibited by any other provision or law, or regulation prescribed under section 463 of this title.

''(8) The term 'relocation allowances' means the costs associated with relocating a member of the uniformed services or other authorized traveler between an old and new temporary or permanent duty assignment location or other authorized location.

''(9) The term 'dislocation allowances' means the costs associated with relocation of the household of a member of the uniformed services or other authorized traveler in relation to a change in the member's permanent duty assignment location ordered for the convenience of the Government or incident to an evacuation.

''(10) The term 'per diem' means an amount established as a daily rate that is paid to an authorized traveler to cover lodging, meals, and other related travel expenses pursuant to regulations.

"§ 452. Allowable travel and transportation: general authorities

''(a) IN GENERAL.—Except as otherwise prohibited by law, a member of the uniformed services or other authorized traveler—

''(1) shall be provided transportation-, lodging, or meals-in-kind, or actual and necessary travel and transportation expenses for, or in connection with, official travel; or

''(2) may be provided transportation and travel allowances under other circumstances as specified in regulations prescribed under section 463 of this title.

''(b) SPECIFIC CIRCUMSTANCES.—The authority under subsection (a) includes travel under or in connection with, but not limited to, the following circumstances, to the extent specified in regulations prescribed under section 463 of this title:

''(1) Temporary duty that requires en route travel between a permanent duty assignment location and another authorized temporary duty location, and travel in or around the temporary duty location.

''(2) Permanent change of station that requires en route travel between an old and new temporary or permanent duty assignment location or other authorized location.

''(3) Temporary duty or assignment relocation related to a consecutive overseas tour or in-place-consecutive overseas tour.

''(4) Recruiting duties for the armed forces.

''(5) Assignment or detail to another Government agency or department.

''(6) Rest and recuperative leave.

''(7) Convalescent leave.

''(8) Reenlistment leave.

''(9) Reserve component inactive-duty training performed outside the normal commuting distance of the member's permanent residence.

''(10) Ready Reserve muster duty.

''(11) Unusual, extraordinary, hardship, or emergency circumstances.

''(12) Missing status, as determined by the Secretary concerned under chapter 10 of this title.

''(13) Attendance at or participation in international sports competitions described under section 717 of title 10.

''(c) MATTERS INCLUDED.—Travel and transportation allowances which may be provided under subsection (a) include the following:

''(1) Allowances for transportation, lodging, and meals.

''(2) Dislocation or relocation allowance paid in connection with a change in a member's temporary or permanent duty assignment location.

''(3) Other related miscellaneous expenses.

''(d) MODE OF PROVIDING TRAVEL AND TRANSPORTATION ALLOWANCES.—Any authorized travel and transportation may be provided—

''(1) as an actual expense;

''(2) as an authorized allowance;

''(3) in-kind; or

''(4) using a combination of the authorities under paragraphs (1), (2), and (3).

''(e) TRAVEL AND TRANSPORTATION ALLOWANCES WHEN TRAVEL ORDERS ARE MODIFIED, ETC.—A member of a uniformed service or other authorized person whose travel and transportation order or authorization is canceled, revoked, or modified may be allowed actual and necessary expenses or travel and transportation allowances.

''(f) ADVANCE PAYMENTS.—A member of the uniformed services or other authorized person may be allowed advance payments for authorized travel and transportation allowances.

''(g) RESPONSIBILITY FOR UNAUTHORIZED EXPENSES.—Any unauthorized travel or transportation expense is not the responsibility of the United States.

''(h) RELATIONSHIP TO OTHER AUTHORITIES.—The administering Secretary may not provide payment under this section for an expense for which payment may be provided from any other appropriate Government or non-Government entity.

"§ 453. Allowable travel and transportation: specific authorities

''(a) IN GENERAL.—In addition to any other authority for the provision of travel and transportation allowances, the administering Secretaries may provide travel expenses and transportation expenses under this subchapter in accordance with this section:

''(b) AUTHORIZED ABSENCE FROM TEMPORARY DUTY LOCATION.—A member of a uniformed service or other authorized traveler may be allowed travel expenses and transportation allowances incurred at a temporary duty location during an authorized absence from that location.

''(c) MOVEMENT OF PERSONAL PROPERTY.—

''(1) A member of a uniformed service or other authorized person may be allowed moving expenses and transportation allowances associated with the movement of personal property and household goods, including such expenses when associated with a self-move.

''(2) The authority in paragraph (1) includes the movement and temporary and non-temporary storage of personal property, household

goods, and privately-owned vehicles in connection with the temporary or permanent move between authorized locations.

''(3) For movement of household goods, the administering Secretaries shall prescribe weight allowances in regulations under section 463 of this title. The prescribed weight allowances may not exceed 18,000 pounds (including packing, crating, and household goods in temporary storage), except that the administering Secretary may authorize additional weight allowances as necessary.

''(4) The administering Secretary may prescribe the terms, rates, and conditions that authorize a member of the uniformed services to ship or store a privately owned vehicle.

''(5) No carrier, port agent, warehouseman, freight forwarder, or other person involved in the transportation of property may have any lien on, or hold, impound, or otherwise interfere with, the movement of baggage and household goods being transported under this section.

''(d) UNUSUAL OR EMERGENCY CIRCUMSTANCES.—A member of the uniformed services or other authorized person may be provided travel and transportation allowances under this section for unusual, extraordinary, hardship, or emergency circumstances, including under circumstances warranting evacuation from a permanent duty assignment location.

''(e) PARTICULAR SEPARATION PROVISIONS.—The administering Secretary may provide travel and transportation in kind for the following persons in accordance with regulations prescribed under section 463 of this title:

''(1) A member who is retired, or is placed on the temporary disability retired list, under chapter 61 of title 10.

''(2) A member who is retired with pay under any other law or who, immediately following at least eight years of continuous active duty with no single break therein of more than 90 days, is discharged with separation pay or is involuntarily released from active duty with separation pay or readjustment pay.

''(3) A member who is discharged under section 1173 of title 10.

''(f) ATTENDANCE AT MEMORIAL CEREMONIES AND SERVICES.—A family member or member of the uniformed services who attends a deceased member's repatriation, burial, or memorial ceremony or service may be provided travel and transportation allowances to the extent provided in regulations prescribed under section 463 of this title.

''§ 454. Travel and transportation pilot programs

''(a) PILOT PROGRAMS.—Except as otherwise prohibited by law, the Secretary of Defense may conduct pilot programs to evaluate alternative travel and transportation programs, policies, and processes for Department of Defense authorized travelers. Such pilot programs shall be conducted so as to evaluate one or more of the following:

''(1) Alternative methods for performing and reimbursing travel.

''(2) Means for limiting the need for travel.

''(3) Means for reducing the environmental impact of travel.

''(b) WAIVER AUTHORITY.—Subject to subsection (c), the administering Secretary may waive any otherwise applicable provision of law to the extent determined necessary by the Secretary for the purposes of carrying out a pilot program under subsection (a).

''(c) LIMITATION.—The authority to carry out a program under subsection (a) is subject to the availability of appropriated funds.

''SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

''§ 461. Relationship to other travel and transportation authorities

''A member of a uniformed service or other authorized traveler may not be paid travel and transportation allowances or receive travel and transportation-in-kind, or a combination thereof, under both subchapter I and subchapter III for Government official travel and transportation performed under a single or related travel and transportation order or authorization by the administering Secretary.

''§ 462. Travel and transportation expenses paid to members that are unauthorized or in excess of authorized amounts: requirement for repayment

''(a) REPAYMENT REQUIRED.—Except as provided in subsection (b), a member of the uniformed services or other person who is paid travel and transportation allowances under subchapter I shall repay to the United States any amount of such payment that is determined to be unauthorized or in excess of the applicable authorized amount.

''(b) EXCEPTION.—The regulations prescribed to administer this subchapter shall specify procedures for determining the circumstances under which a repayment exception may be granted.

''(c) EFFECT OF BANKRUPTCY.—An obligation to repay the United States under this section is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date on which the debt was incurred.

''§ 463. Regulations

''This subchapter and subchapter I shall be administered under terms, rates, conditions, and regulations prescribed by the Secretary of Defense in consultation with the other administering Secretaries for members of the uniformed services. Such regulations shall be uniform for the Department of Defense and shall be apply as uniformly as practicable to the uniformed services under the jurisdiction of the other administering Secretaries.''.

SEC. 633. OLD-LAW TRAVEL AND TRANSPORTATION AUTHORITIES TRANSITION EXPIRATION DATE AND TRANSFER OF CURRENT SECTIONS.

(a) CREATION OF SUBCHAPTER III AND TRANSITION EXPIRATION DATE.—Chapter 8 of title 37, United States Code, as added by section 632, is amended by adding at the end the following new subchapter:

''SUBCHAPTER III—TRAVEL AND TRANSPORTATION AUTHORITIES—OLD LAW

''§ 471. Travel authorities transition expiration date

''In this subchapter, the term 'travel authorities transition expiration date' means the last day of the 10-year period beginning on the first day of the first month beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012.

''§ 472. Definitions and other incorporated provisions of chapter 7

''(a) DEFINITIONS.—The definitions contained in section 401 of this title apply to this subchapter.

''(b) OTHER PROVISIONS.—Sections 421 and 423 of this title apply to this subchapter.''.

(b) TRANSFER OF SECTIONS.—

(1) TRANSFER TO SUBCHAPTER I.—Section 412 of title 37, United States Code, is transferred to chapter 8 of such title, as added by section 632, inserted after section 454, and redesignated as section 455.

(2) TRANSFER OF CURRENT CHAPTER 7 AUTHORITIES TO SUBCHAPTER III.—Sections 404, 404a, 404b, 405, 405a, 406, 406a, 406b, 406c, 407, 408, 408a (as amended by section 621 of this Act), 409, 410, 411, 411a through 411k, 428 through 432, 434, and 435 of title 37, United States Code, are transferred (in that order) to chapter 8 of such title, as added by section 632 and amended by subsection (a), inserted after section 472, and redesignated as follows:

Original section:	*Redesignated section:*
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*
411g	*481g*
411h	*481h*
411i	*481i*
411j	*481j*
411k	*481k*
428	*488*
429	*489*
430	*490*
430	*491*
432	*492*
434	*494*
435	*495*

(3) TRANSFER OF SECTION 554.—Section 554 of title 37, United States Code, is transferred to chapter 8 of such title, as added by section 632 and amended by subsection (a), inserted after section 481k (as transferred and redesignated by paragraph (2)), and redesignated as section 484.

SEC. 634. ADDITION OF SUNSET PROVISION TO OLD-LAW TRAVEL AND TRANSPORTATION AUTHORITIES.

Provisions of subchapter III of chapter 8 of title 37, United States Code, as transferred and redesignated by section 633(b), are amended as follows:

(1) Section 474 is amended by adding at the end the following new subsection:

''(h) TERMINATION.—No travel and transportation allowance or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(2) Section 474a is amended by adding at the end the following new subsection:

''(f) TERMINATION.—No payment or reimbursement may be provided under this section with respect to a change of permanent station for which orders are issued after the travel authorities transition expiration date.''.

(3) Section 474b is amended by adding at the end the following new subsection:

''(e) TERMINATION.—No payment or reimbursement may be provided under this section with respect to an authorized absence that begins after the travel authorities transition expiration date.''.

(4) Section 475 is amended by adding at the end the following new subsection:

''(f) TERMINATION.—During and after the travel authorities expiration date, no per diem may be paid under this section for any period.''.

(5) Section 475a is amended by adding at the end the following new subsection:

''(c) TERMINATION.—During and after the travel authorities expiration date, no allowance under subsection (a) or transportation or reimbursement under subsection (b) may be provided with respect to an authority or order to depart.''.

(6) Section 476 is amended by adding at the end the following new subsection:

''(n) TERMINATION.—No transportation, reimbursement, allowance, or per diem may be provided under this section—

''(1) with respect to a change of temporary or permanent station for which orders are issued

after the travel authorities transition expiration date; or

''(2) in a case covered by this section when such orders are not issued, with respect to a movement of baggage or household effects that begins after such date.''.

(7) Section 476b is amended by adding at the end the following new subsection:

''(e) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(8) Section 476c is amended by adding at the end the following new subsection:

''(e) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(9) Section 477 is amended by adding at the end the following new subsection:

''(i) TERMINATION.—No dislocation allowance may be paid under this section for a move that begins after the travel authorities transition expiration date.''.

(10) Section 478 is amended by adding at the end the following new subsection:

''(c) TERMINATION.—No travel and transportation allowance, payment, or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(11) Section 479 is amended by adding at the end the following new subsection:

''(e) TERMINATION.—No transportation of a house trailer or mobile home, or storage or payment in connection therewith, may be provided under this section for transportation that begins after the travel authorities transition expiration date.''.

(12) Section 481 is amended by adding at the end the following new subsection:

''(e) TERMINATION.—The regulations prescribed under this section shall cease to be in effect as of the travel authorities transition expiration date.''.

(13) Section 481a is amended by adding at the end the following new subsection:

''(c) TERMINATION.—No travel and transportation allowance may be provided under this section for travel that is authorized after the travel authorities transition expiration date.''.

(14) Section 481b is amended by adding at the end the following new subsection:

''(h) TERMINATION.—No travel and transportation allowance may be provided under this section for travel that is authorized after the travel authorities transition expiration date.''.

(15) Section 481c is amended by adding at the end the following new subsection:

''(c) TERMINATION.—No transportation may be provided under this section after the travel authorities transition expiration date, and no payment may be made under this section for transportation that begins after that date.''.

(16) Section 481d is amended by adding at the end the following new subsection:

''(d) TERMINATION.—No transportation may be provided under this section after the travel authorities transition expiration date.''.

(17) Section 481e is amended by adding at the end the following new subsection:

''(c) TERMINATION.—No travel and transportation allowance or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(18) Section 481f is amended by adding at the end the following new subsection:

''(h) TERMINATION.—No travel and transportation allowance or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(19) Section 481h is amended by adding at the end the following new subsection:

''(e) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(20) Section 481i is amended by adding at the end the following new subsection:

''(c) TERMINATION.—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.''.

(21) Section 481j is amended by adding at the end the following new subsection:

''(e) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(22) Section 481k is amended by adding at the end the following new subsection:

''(e) TERMINATION.—No transportation, allowance, or reimbursement may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(23) Section 484 is amended by adding at the end the following new subsection:

''(k) TERMINATION.—No transportation, allowance, or reimbursement may be provided under this section for a move that begins after the travel authorities transition expiration date.''.

(24) Section 488 is amended—

(A) by inserting ''(a) AUTHORITY.—'' before ''In addition''; and

(B) by adding at the end the following new subsection:

''(b) TERMINATION.—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.''.

(25) Section 489 is amended—

(A) by inserting ''(a) AUTHORITY.—'' before ''In addition''; and

(B) by adding at the end the following new subsection:

''(e) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(26) Section 490 is amended by adding at the end the following new subsection:

''(g) TERMINATION.—No transportation, allowance, reimbursement, or per diem may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(27) Section 492 is amended by adding at the end the following new subsection:

''(c) TERMINATION.—No transportation or allowance may be provided under this section for travel that begins after the travel authorities transition expiration date.''.

(28) Section 494 is amended by adding at the end the following new subsection:

''(d) TERMINATION.—No reimbursement may be provided under this section for expenses incurred after the travel authorities transition expiration date.''.

(29) Section 495 is amended by adding at the end the following new subsection:

''(c) TERMINATION.—No allowance may be paid under this section for any day after the travel authorities transition expiration date.''.

SEC. 635. TECHNICAL AND CLERICAL AMENDMENTS.

(a) CHAPTER HEADING.—The heading of chapter 7 of title 37, United States Code, is amended to read as follows:

''CHAPTER 7—ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES''.

(b) TABLE OF CHAPTERS.—The table of chapters preceding chapter 1 of such title is amended by striking the item relating to chapter 7 and inserting the following new items:

''7. Allowances Other Than Travel and Transportation Allowances 401

''8. Travel and Transportation Allowances ..... 451''.

(c) TABLE OF SECTIONS.—

(1) CHAPTER 7.—The table of sections at the beginning of chapter 7 of such title is amended by striking the items relating to sections 404 through 412, 428 through 432, 434, and 435.

(2) CHAPTER 8.—The table of sections at the beginning of chapter 8 of such title, as added by section 632, is amended—

(A) by inserting after the item relating to section 454 the following new item:

''455. Appropriations for travel: may not be used for attendance at certain meetings.''; and

(B) by inserting after the item relating to section 463 the following:

''SUBCHAPTER III—TRAVEL AND TRANSPORTATION AUTHORITIES—OLD LAW

''Sec.

''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.

''481g. Travel and transportation allowances: transportation incident to voluntary extensions of overseas tours of duty.

''481h. Travel and transportation allowances: transportation of family members incident to illness or injury of members.
''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.
''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.''.

(3) CHAPTER 10.—The table of sections at the beginning of chapter 10 of such title is amended by striking the item relating to section 554.

(d) CROSS REFERENCES.—

(1) DEFENSE LAWS.—Any section of title 10, 32, or 37, United States Code, that includes a reference to a section of title 37 that is transferred and redesignated by section 633 is amended so as to conform the reference to the section number of the section as so redesignated.

(2) OTHER LAWS.—Any reference in a provision of law other than a section of title 10 or 37, United States Code, to a section of title 37 that is transferred and redesignated by section 633 is deemed to refer to the section as so redesignated.

SEC. 636. TRANSITION PROVISIONS.

(a) IMPLEMENTATION PLAN.—The Secretary of Defense shall develop a plan to implement subchapters I and II of chapter 8 of title 37, United States Code, as added by section 632, and to transition all of the travel and transportation programs for members of the uniformed services under chapter 7 of title 37, United States Code, solely to provisions of those subchapters by the end of the transition period.

(b) AUTHORITY FOR MODIFICATIONS TO OLD LAW AUTHORITIES DURING TRANSITION PERIOD.—During the transition period, the Secretary of Defense and the Secretaries concerned (as defined in section 101(5) of title 37, United States Code), in using the authorities under subchapter III of chapter 8 of title 37, United States Code, as added by section 633, may apply those authorities subject to the terms of such provisions and such modifications as the Secretary of Defense may include in the implementation plan required under subsection (a) or in any subsequent modification to that implementation plan.

(c) COORDINATION.—The Secretary of Defense shall prepare the implementation plan under subsection (a) and any modification to that plan under subsection (b) in coordination with—

(1) the Secretary of Homeland Security, with respect to the Coast Guard;

(2) the Secretary of Health and Human Services, with respect to the commissioned corps of the Public Health Service; and

(3) the Secretary of Commerce, with respect to the National Oceanic and Atmospheric Administration.

(d) TRANSITION PERIOD.—In this section, the term ''transition period'' means the 10-year period beginning on the first day of the first month beginning after the date of the enactment of this Act.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

SEC. 641. EXPANSION OF USE OF UNIFORM FUNDING AUTHORITY TO INCLUDE PERMANENT CHANGE OF STATION AND TEMPORARY DUTY LODGING PROGRAMS OPERATED THROUGH NONAPPROPRIATED FUND INSTRUMENTALITIES.

(a) INCLUSION OF ADDITIONAL PROGRAMS.—Subsection (a) of section 2491 of title 10, United States Code, is amended—

(1) by striking ''Under regulations'' and inserting ''(1) Under regulations'';

(2) by striking ''morale, welfare, and recreation programs'' the first place it appears and inserting ''a program specified in paragraph (2)'';

(3) by striking ''morale, welfare, and recreation programs'' the second place it appears and inserting ''such programs''; and

(4) by adding at the end the following new paragraph:

''(2) This section applies with respect to the following:

''(A) Morale, welfare, and recreation programs of the Department of Defense.

''(B) Permanent change of station and temporary duty lodging programs conducted as supplemental mission programs of the Department of Defense.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (b), by striking ''morale, welfare, and recreation program'' and inserting ''program specified in subsection (a)(2)''; and

(2) in subsection (c)(1), by striking ''morale, welfare, and recreation programs within the Department of Defense'' and inserting ''a program specified in subsection (a)(2)''.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§2491. Uniform funding and management of morale, welfare, and recreation programs and certain supplemental mission programs''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter III of chapter 147 of such title is amended by striking the item relating to section 2491 and inserting the following new item:

''2491. Uniform funding and management of morale, welfare, and recreation programs and certain supplemental mission programs.''.

SEC. 642. CONTRACTING AUTHORITY FOR NONAPPROPRIATED FUND INSTRUMENTALITIES TO PROVIDE AND OBTAIN GOODS AND SERVICES.

(a) CLARIFICATION OF MULTI-YEAR AND PARTNERSHIP ISSUES.—Section 2492 of title 10, United States Code, is amended to read as follows:

''§2492. Nonappropriated fund instrumentalities: contracting authority to provide and obtain goods and services

''(a) CONTRACT AUTHORITY.—An agency or instrumentality of the Department of Defense that supports the operation of the exchange system, or the operation of a morale, welfare, and recreation system, of the Department of Defense may enter into a single-year or multi-year contract or other agreement to provide or obtain goods and services beneficial to the efficient management and operation of the exchange system or that morale, welfare, and recreation system with any of the following:

''(1) Another element of the Department of Defense.

''(2) Another Federal department, agency, or instrumentality.

''(3) A private-sector entity.

''(b) INCLUSION OF CERTAIN SERVICES.—Contracts and other agreements authorized by subsection (a) may include a contract or agreement to provide or obtain recreational, educational, family support, or youth developmental programs and services.

''(c) PARTNERSHIPS.—Contracts and other agreements authorized by subsection (a) may include partnerships with private-sector entities that provide programs and services at no cost to the Government on military installations using Government facilities and other support resources.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 147 of such title is amended by striking the item relating to section 2492 and inserting the following new item:

''2492. Nonappropriated fund instrumentalities: contracting authority to provide and obtain goods and services.''.

SEC. 643. DESIGNATION OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE AS A FISHER HOUSE.

Section 2493 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION, DOVER AIR FORCE BASE.—(1) The Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, is deemed to be a Fisher House for purposes of this section and any other law applicable to Fisher Houses and Fisher Suites.

''(2) The Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base shall be available for use by the following:

''(A) The primary next of kin of a member of the armed forces who dies while located or serving overseas.

''(B) Other family members of the member eligible for transportation under section 411f(e) of title 37.

''(C) An escort of a family member described in subparagraph (A) or (B).''.

SEC. 644. DISCRETION OF THE SECRETARY OF THE NAVY TO SELECT CATEGORIES OF MERCHANDISE TO BE SOLD BY SHIP STORES AFLOAT.

Section 7604(c) of title 10, United States Code, is amended by striking ''shall'' and inserting ''may''.

SEC. 645. ACCESS OF MILITARY EXCHANGE STORES SYSTEM TO CREDIT AVAILABLE THROUGH FEDERAL FINANCING BANK.

Section 2487 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) ACCESS OF EXCHANGE STORES SYSTEM TO FEDERAL FINANCING BANK.—To facilitate the provision of in-store credit to patrons of the exchange stores system while reducing the costs of providing such credit, the Army and Air Force Exchange Service, Navy Exchange Service Command, and Marine Corps exchanges may issue and sell their obligations to the Federal Financing Bank as provided in section 6 of the Federal Financing Bank Act of 1973 (12 U.S.C. 2285).''.

SEC. 646. ENHANCED COMMISSARY STORES PILOT PROGRAM.

(a) AUTHORITY TO OPERATE ENHANCED COMMISSARY STORES.—Subchapter II of chapter 147 of title 10, United States Code, is amended by inserting after section 2488 the following new section:

''§2488a. Enhanced commissary stores

''(a) AUTHORITY TO OPERATE.—The Defense Commissary Agency may operate an enhanced commissary store at a military installation designated for closure or adverse realignment under a base closure law.

''(b) ADDITIONAL CATEGORIES OF MERCHANDISE.—(1) In addition to selling items in the merchandise categories specified in subsection (b) of

section 2484 of this title in the manner provided by such section, an enhanced commissary store also may sell items in the following categories as commissary merchandise:

''(A) Alcoholic beverages.

''(B) Tobacco products.

''(C) Items in such other merchandise categories (not covered by subsection (b) of section 2484 of this title) as the Secretary of Defense may authorize.

''(2) Subsections (c) and (g) of section 2484 of this title shall not apply with regard to the selection, or method of sale, of merchandise in the categories specified in subparagraphs (A) and (B) of paragraph (1) or in any other merchandise category authorized under subparagraph (C) of such paragraph for sale in, at, or by an enhanced commissary store.

''(c) SALES PRICE ESTABLISHMENT AND SURCHARGE.—Subsections (d) and (e) of section 2484 of this title shall not apply to the pricing of merchandise in the categories specified in subparagraphs (A) and (B) of paragraph (1) of subsection (b) or in any other merchandise category authorized under subparagraph (C) of such paragraph for sale in, at, or by an enhanced commissary store. Instead, the Secretary of Defense shall determine appropriate prices for such merchandise sold in, at, or by an enhanced commissary store, except that prices for such merchandise shall be at least 10 percent below the average price of comparable merchandise sold in retail stores within the geographic area of the enhanced commissary store.

''(d) RETENTION AND USE OF PORTION OF PROCEEDS.—(1) The Secretary of Defense may retain amounts equal to the difference between—

''(A) the retail price of merchandise in the categories specified in subparagraphs (A) and (B) of paragraph (1) of subsection (b) and in other merchandise categories authorized under subparagraph (C) of such paragraph for sale in, at, or by an enhanced commissary store; and

''(B) the invoice cost of such merchandise.

''(2) The Secretary of Defense shall use amounts retained under paragraph (1) for an enhanced commissary store to help offset the operating costs of that enhanced commissary store.

''(e) DURATION OF AUTHORITY.—An enhanced commissary store may not be operated under the authority of this section before October 1, 2011, or after December 31, 2013.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2488 the following new item:

''2488a. Enhanced commissary stores.''.

Subtitle F—Disability, Retired Pay and Survivor Benefits

SEC. 651. MONTHLY AMOUNT AND DURATION OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE FOR WIDOWS AND WIDOWERS OF DECEASED MEMBERS OF THE ARMED FORCES AFFECTED BY REQUIRED SURVIVOR BENEFIT PLAN ANNUITY OFFSET FOR DEPENDENCY AND INDEMNITY COMPENSATION.

(a) PAYMENT AMOUNT PER FISCAL YEAR.—Paragraph (2) of section 1450(m) of title 10, United States Code, is amended—

(1) in subparagraph (E), relating to fiscal year 2013, by striking ''$90'' and inserting ''$163'';

(2) in subparagraph (F), relating to fiscal year 2014, by striking ''$150'' and inserting ''$200'';

(3) in subparagraph (G), relating to fiscal year 2015, by striking ''$200'' and inserting ''$215'';

(4) in subparagraph (H), relating to fiscal year 2016, by striking ''$275; and'' and inserting ''$282;'';

(5) in subparagraph (I), relating to fiscal year 2017, by striking ''$310.'' and inserting ''$314;''; and

(6) by adding at the end the following new subparagraphs:

''(J) for months during fiscal year 2018, $9;

''(K) for months during fiscal year 2019, $15;

''(L) for months during fiscal year 2020, $20; and

''(M) for months during fiscal year 2021, $27.''.

(b) DURATION.—Paragraph (6) of such section is amended—

(1) by striking ''September 30, 2017'' and inserting ''September 30, 2021''; and

(2) by striking ''October 1, 2017'' both places it appears and inserting ''October 1, 2021''.

Subtitle G—Other Matters

SEC. 661. REIMBURSEMENT OF AMERICAN NATIONAL RED CROSS FOR HUMANITARIAN SUPPORT AND OTHER SERVICES PROVIDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Section 2602 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) The Secretary of Defense or the Secretary of a military department may reimburse the American National Red Cross for humanitarian support and other services approved by the Secretary that are provided to members of the Army, Navy, Air Force, and Marine Corps and their dependents. Such services may include identification and verification of family emergency circumstances and communications related to such circumstances.''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Improvements to Health Benefits

SEC. 701. ANNUAL ENROLLMENT FEES FOR CERTAIN RETIREES AND DEPENDENTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) career members of the uniformed services and their families endure unique and extraordinary demands and make extraordinary sacrifices over the course of a 20- to 30-year career in protecting freedom for all Americans; and

(2) those decades of sacrifice constitute a significant pre-paid premium for health care during a career member's retirement that is over and above what the member pays with money.

(b) ANNUAL ENROLLMENT FEES.—Section 1097(e) of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting ''(1) The Secretary of Defense'';

(2) by striking ''A premium,'' and inserting ''Except as provided by paragraph (2), a premium,''; and

(3) by adding at the end the following new paragraph:

''(2) Beginning October 1, 2012, the Secretary of Defense may only increase in any year the annual enrollment fees described in paragraph (1) by an amount equal to the percentage by which retired pay is increased under section 1401a of this title.''.

SEC. 702. PROVISION OF FOOD TO CERTAIN MEMBERS AND DEPENDENTS NOT RECEIVING INPATIENT CARE IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1078a the following new section:

''§ 1078b. Provision of food to certain members and dependents not receiving inpatient care in military medical treatment facilities

''(a) IN GENERAL.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary may provide food and beverages to an individual described in paragraph (2) at no cost to the individual.

''(2) An individual described in this paragraph is the following:

''(A) A member of the uniformed services or dependent—

''(i) who is receiving outpatient medical care at a military medical treatment facility; and

''(ii) whom the Secretary determines is unable to purchase food and beverages while at such facility by virtue of receiving such care.

''(B) A member of the uniformed services or dependent who—

''(i) is a family member of an infant receiving inpatient medical care at a military medical treatment facility; and

''(ii) provides care to the infant while the infant receives such inpatient medical care.

''(C) A member of the uniformed services or dependent whom the Secretary determines is under similar circumstances as a member or dependent described in subparagraph (A) or (B).

''(b) REGULATIONS.—The Secretary shall ensure that regulations prescribed under this section are consistent with generally accepted practices in private medical treatment facilities.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1078a the following new item:

''1078b. Provision of food to certain members and dependents not receiving inpatient care in military medical treatment facilities.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 60 days after the date of the enactment of this Act.

SEC. 703. BEHAVIORAL HEALTH SUPPORT FOR MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) MENTAL HEALTH ASSESSMENTS.—Section 1074a of title 10, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (i);

(2) by inserting after subsection (g) the following new subsection (h):

''(h)(1) The Secretary of Defense shall provide to any member of the reserve components performing inactive-duty training during scheduled unit training assemblies access to mental health assessments with a licensed mental health professional who shall be available for referrals during duty hours on the premises of the principal duty location of the member's unit.

''(2) Mental health services provided to a member under this subsection shall be at no cost to the member.''; and

(3) in subsection (i), as redesignated by paragraph (1), by striking ''medical and dental readiness'' and inserting ''medical, dental, and behavioral health readiness''.

(b) BEHAVIORAL HEALTH SUPPORT.—

(1) IN GENERAL.—Each member of a reserve component of the Armed Forces participating in annual training or individual duty training shall have access, while so participating, to the behavioral health support programs for members of the reserve components described in paragraph (2).

(2) BEHAVIORAL HEALTH SUPPORT PROGRAMS.—The behavioral health support programs for member of the reserve components described in this paragraph shall include one or any combination of the following:

(A) Programs providing access to licensed mental health providers in armories, reserve centers, or other places for scheduled unit training assemblies.

(B) Programs providing training on suicide prevention and post-suicide response.

(C) Psychological health programs.

(D) Such other programs as the Secretary of Defense, in consultation with the Surgeon General for the National Guard of the State in which the members concerned reside, the Director of Psychological Health of the State in which the members concerned reside, the Department of Mental Health or the equivalent agency of the State in which the members concerned reside, or the Director of the Psychological Health Program of the National Guard Bureau, considers appropriate.

(3) STATE DEFINED.—In this subsection, the term ''State'' has the meaning given that term in section 10001 of title 10, United States Code.

SEC. 704. TRANSITION ENROLLMENT OF UNIFORMED SERVICES FAMILY HEALTH PLAN MEDICARE-ELIGIBLE RETIREES TO TRICARE FOR LIFE.

Section 724(e) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 1073 note) is amended—

(1) by striking ''If a covered beneficiary'' and inserting ''(1) Except as provided in paragraph (2), if a covered beneficiary''; and

(2) by adding at the end the following new paragraph:

''(2) After September 30, 2012, a covered beneficiary (other than a beneficiary under section 1079 of title 10, United States Code) who is also entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act due to age may not enroll in the managed care program of a designated provider unless the beneficiary was enrolled in that program on September 30, 2012.''.

Subtitle B—Health Care Administration

SEC. 711. UNIFIED MEDICAL COMMAND.

(a) UNIFIED COMBATANT COMMAND.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by inserting after section 167a the following new section:

''§ 167b. Unified combatant command for medical operations

''(a) ESTABLISHMENT.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under section 161 of this title a unified command for medical operations (in this section referred to as the 'unified medical command'). The principal function of the command is to provide medical services to the armed forces and other health care beneficiaries of the Department of Defense as defined in chapter 55 of this title.

''(b) ASSIGNMENT OF FORCES.—In establishing the unified medical command under subsection (a), all active military medical treatment facilities, training organizations, and research entities of the armed forces shall be assigned to such unified command, unless otherwise directed by the Secretary of Defense.

''(c) GRADE OF COMMANDER.—The commander of the unified medical command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such command shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37. During the five-year period beginning on the date on which the Secretary establishes the command under subsection (a), the commander of such command shall be exempt from the requirements of section 164(a)(1) of this title.

''(d) SUBORDINATE COMMANDS.—(1) The unified medical command shall have the following subordinate commands:

''(A) A command that includes all fixed military medical treatment facilities, including elements of the Department of Defense that are combined, operated jointly, or otherwise operated in such a manner that a medical facility of the Department of Defense is operating in or with a medical facility of another department or agency of the United States.

''(B) A command that includes all medical training, education, and research and development activities that have previously been unified or combined, including organizations that have been designated as a Department of Defense executive agent.

''(C) The Defense Health Agency established under subsection (f).

''(2) The commander of a subordinate command of the unified medical command shall hold the grade of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The commander of such a subordinate command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such a subordinate command shall also be required to be a surgeon general of one of the military departments.

''(e) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the unified medical command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to medical operations activities.

''(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to medical operations activities (whether or not relating to the unified medical command):

''(A) Developing programs and doctrine.

''(B) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for the forces described in subsection (b) and for other forces assigned to the unified medical command.

''(C) Exercising authority, direction, and control over the expenditure of funds—

''(i) for forces assigned to the unified medical command;

''(ii) for the forces described in subsection (b) assigned to unified combatant commands other than the unified medical command to the extent directed by the Secretary of Defense; and

''(iii) for military construction funds of the Defense Health Program.

''(D) Training assigned forces.

''(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.

''(F) Validating requirements.

''(G) Establishing priorities for requirements.

''(H) Ensuring the interoperability of equipment and forces.

''(I) Monitoring the promotions, assignments, retention, training, and professional military education of medical officers described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.

''(3) The commander of such command shall be responsible for the Defense Health Program, including the Defense Health Program Account established under section 1100 of this title.

''(f) DEFENSE HEALTH AGENCY.—(1) In establishing the unified medical command under subsection (a), the Secretary shall also establish under section 191 of this title a defense agency for health care (in this section referred to as the 'Defense Health Agency'), and shall transfer to such agency the organization of the Department of Defense referred to as the TRICARE Management Activity and all functions of the TRICARE Program (as defined in section 1072(7)).

''(2) The director of the Defense Health Agency shall hold the rank of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The director of such agency shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The director of such agency shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.

''(g) REGULATIONS.—In establishing the unified medical command under subsection (a), the Secretary of Defense shall prescribe regulations for the activities of the unified medical command.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 167a the following new item:

''167b. Unified combatant command for medical operations.''.

(b) PLAN, NOTIFICATION, AND REPORT.—

(1) PLAN.—Not later than July 1, 2012, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan to establish the unified medical command authorized under section 167b of title 10, United States Code, as added by subsection (a), including any legislative actions the Secretary considers necessary to implement the plan.

(2) NOTIFICATION.—The Secretary shall submit to the congressional defense committees written notification of the decision of the Secretary to establish the unified medical command under such section 167b by not later than the date that is 30 days before establishing such command.

(3) REPORT.—Not later than 180 days after submitting the notification under paragraph (2), the Secretary shall submit to the congressional defense committees a report on—

(A) the establishment of the unified medical command; and

(B) the establishment of the Defense Health Agency under subsection (f) of such section 167b.

SEC. 712. LIMITATION ON AVAILABILITY OF FUNDS FOR THE FUTURE ELECTRONIC HEALTH RECORDS PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 for the procurement, research, development, test, and evaluation, or operation and maintenance of the future electronic health records program, not more than 10 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of Defense submits to the congressional defense committees a report addressing—

(1) an architecture to guide the transition of the electronic health records of the Department of Defense to a future state that is cost-effective and interoperable;

(2) the process for selecting investments in information technology that support the architecture described in paragraph (1);

(3) the report required by section 715 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4249);

(4) the effectiveness of the Interagency Program Office to manage or oversee efforts with respect to the future electronic health records program; and

(5) any other matters the Secretary considers appropriate.

(b) FUTURE ELECTRONIC HEALTH RECORDS PROGRAM DEFINED.—In this section, the term ''future electronic health records program'' means the programs of the Department of Defense referred to as the ''EHR way ahead'' and the ''virtual lifetime electronic record''.

Subtitle C—Other Matters

SEC. 721. REVIEW OF WOMEN-SPECIFIC HEALTH SERVICES AND TREATMENT FOR FEMALE MEMBERS OF THE ARMED FORCES.

(a) COMPREHENSIVE REVIEW.—The Secretary of Defense shall conduct a comprehensive review of—

(1) the availability, efficacy, and adequacy of reproductive health care services available for female members of the Armed Forces, including gynecological services and breast and gynecological cancer services;

(2) the availability, efficacy, and adequacy of women-specific preventative health care services for female members of the Armed Forces;

(3) the availability of women-specific treatment for sexual assault or abuse; and

(4) the extent to which military medical treatment facilities are following the policies of the Department of Defense with respect to women-specific health services.

(b) MATTERS INCLUDED.—The review required by subsection (a) shall include an assessment of the following:

(1) The need for women-specific health outreach, prevention, and treatment services for female members of the Armed Forces.

(2) The access to and efficacy of existing women-specific mental health outreach, prevention, and treatment services and programs (including substance abuse programs).

(3) The availability of women-specific services and treatment for female members of the Armed

Forces who experience sexual assault or sexual abuse.

(4) The access to and need for military medical treatment facilities to provide for the women-specific health care needs of female members of the Armed Forces.

(5) The need for further clinical research on the women-specific health care needs of female members of the Armed Forces who served in a combat zone.

(c) REPORT.—Not later than March 31, 2012, the Secretary of Defense shall submit to the congressional defense committees a report on the review required by subsection (a).

SEC. 722. COMPTROLLER GENERAL REVIEWS OF DEPARTMENT OF DEFENSE–DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION PROJECT.

Section 1701(e)(1) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2568) is amended by striking ''Not later'' and all that follows through ''thereafter'' and inserting ''Not later than July 31 of each of 2011, 2013, and 2015''.

SEC. 723. COMPTROLLER GENERAL REPORT ON CONTRACTED HEALTH CARE STAFFING FOR MILITARY MEDICAL TREATMENT FACILITIES.

(a) REPORT.—Not later than March 31, 2012, the Comptroller General shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on the contracting activities of the military departments with respect to providing health care professional services to members of the Armed Forces, dependents, and retirees.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) A review of the contracting practices used by the military departments to provide health care professional services by civilian providers.

(2) An assessment of whether the contracting practices described in paragraph (1) are the most cost effective means to provide necessary care.

(3) A determination of—

(A) the percentage of contract health care professionals who provide services to members of the Armed Forces, dependents, or retirees in military medical treatment facilities or other on-base facilities; and

(B) the percentage of contract health care professionals who provide services to members of the Armed Forces, dependents, or retirees in off-base private facilities.

(4) A comparison of the cost associated with the provision of care by contract health care professionals described in subparagraphs (A) and (B) of paragraph (3).

(5) An assessment of whether or not consolidating health care staffing requirements for military medical treatment facilities and other on-base clinics in defined geographic areas (including regions or catchment areas) would achieve economies of scale and cost savings or avoidance with respect to contracting for health care professionals.

(6) An assessment of whether private sector entities that provide health care professional staff on a contract basis to military medical treatment facilities and other on-base clinics meet certain basic standards of professionalism, including those described in section 732(c)(2)(A) of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2297).

(7) An assessment of the acquisition training and experience of the contracting officers or other personnel within military medical treatment facilities that award or administer contracts regarding the services of health care professionals.

(8) Any recommendations the Comptroller General considers appropriate regarding improving the contracting activities of the military departments with respect to providing health care professional services.

SEC. 724. TREATMENT OF WOUNDED WARRIORS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $9,679,444,000 for research, development, test, and evaluation, Army, for advanced technology development, medical advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $3,000,000 for the program described in subsection (c) in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) WOUNDED WARRIOR PROGRAM.—

(1) IN GENERAL.—The Secretary of the Army shall establish a program to enter into public-private partnerships to enable coordinated, rapid clinical evaluation and the wide-area deployment of novel treatment strategies for wounded service members, with an emphasis on the most common musculoskeletal injuries.

(2) PRIORITIES.—In carrying out the program under this subsection, the Secretary shall ensure that the program—

(A) is composed of a national network of leading clinical centers and includes an integrated clinical trial effort; and

(B) will address the priorities of the Armed Forces with respect to stabilization, retention, and readiness.

SEC. 725. COOPERATIVE HEALTH CARE AGREEMENTS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $32,198,770,000 for the Defense Health Program. Of the amounts authorized to be appropriated by section 1407, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $500,000 for cooperative health care agreements between military installations and local or regional health care systems pursuant to section 713 of the National Defense Authorization Act of 2010 (Public Law 111–84; 123 Stat. 2380; 10 U.S.C. 1073 note) to strengthen local or regional health care systems for members of the Armed Forces and communities surrounding military installations with both active duty and training components with no inpatient medical facilities.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 726. PROSTATE CANCER IMAGING RESEARCH INITIATIVE.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $7,581,000 for the prostate cancer imaging research initiative. Of the amounts authorized to be appropriated by section 1407, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $2,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 727. DEFENSE CENTERS OF EXCELLENCE FOR PSYCHOLOGICAL HEALTH AND TRAUMATIC BRAIN INJURY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $176,345,000 for information technology development under the Defense Health Program. Of the amounts authorized to be appropriated by section 1407, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $2,000,000 for the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury to enhance efforts to disseminate post-deployment mental health information in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 728. COLLABORATIVE MILITARY-CIVILIAN TRAUMA TRAINING PROGRAMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $32,198,770,000 for the Defense Health Program. Of the amounts authorized to be appropriated by section 1407, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $3,000,000 for the Defense Health Program for collaborative military-civilian trauma training programs pursuant to the cooperative health care agreements between military installations and local or regional health care systems under section 713 of the National Defense Authorization Act of 2010 (Public Law 111–84; 123 Stat. 2380; 10 U.S.C. 1073 note) in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) REPORT.—Not later than 120 days after the date on which the Secretary establishes collaborative military-civilian trauma training programs pursuant to subsection (a), the Secretary shall submit to the congressional defense committees a report on the effectiveness of training under the programs as compared to training under other medical training programs.

SEC. 729. TRAUMATIC BRAIN INJURY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $32,198,770,000 for the Defense Health Program. Of the amounts authorized to be appropriated by section 1407, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $1,000,000 for the development of national medical guidelines regarding the post-acute rehabilitation of individuals with traumatic brain

injury in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 730. COMPETITIVE PROGRAMS FOR ALCOHOL AND SUBSTANCE ABUSE DISORDERS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $415,000,000 for the continued support of wounded, ill, and injured medical research, to include psychological health, traumatic brain injury, and post-traumatic stress disorder. Of the amounts authorized to be appropriated by section 1406, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $5,000,000 for the continued support of a competitive program for translational research centers tasked with addressing alcohol and substance abuse issues in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. REQUIREMENTS RELATING TO CORE LOGISTICS CAPABILITIES FOR MILESTONE A AND MILESTONE B AND ELIMINATION OF REFERENCES TO KEY DECISION POINTS A AND B.

(a) ADDITIONAL MILESTONE A REQUIREMENTS.—

(1) ADDITIONAL ITEMS OF CERTIFICATION.—Subsection (a) of section 2366a of title 10, United States Code, is amended—

(A) in paragraph (2), by striking ''core competency'' and inserting ''function'';

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (7), respectively;

(C) by inserting after paragraph (3) the following new paragraph (4):

''(4) that relevant sustainment criteria and alternatives were evaluated and addressed in the initial capabilities document in sufficient depth to support an analysis of alternatives and to establish the foundation for developing key performance parameters for sustainment of the program throughout its projected life cycle;'';

(D) by striking ''and'' at the end of paragraph (5) (as so redesignated);

(E) by inserting after paragraph (5) (as so redesignated) the following new paragraph (6):

''(6) that a preliminary assessment of the core logistics capabilities necessary to maintain and repair the program has been performed; and''; and

(F) in paragraph (7) (as so redesignated), by striking ''develop and procure'' and inserting ''develop, procure, and sustain''.

(2) DEFINITION.—Subsection (c) of such section is amended by adding at the end the following new paragraphs:

''(7) The term 'core logistics capabilities' means the core logistics capabilities identified under section 2464(a) of this title.''.

(b) ADDITIONAL MILESTONE B REQUIREMENTS.—

(1) ADDITIONAL ITEM OF CERTIFICATION.—Subsection (a)(3) of section 2366b of title 10, United States Code, is amended—

(A) by redesignating subparagraph (E) as subparagraph (G);

(B) by striking ''and'' at the end of subparagraph (D); and

(C) by inserting after subparagraph (D) the following new subparagraphs:

''(E) life-cycle sustainment planning has identified and evaluated relevant sustainment costs throughout development, production, operation, sustainment, and disposal of the program, and any alternatives, and that such costs are reasonable and have been accurately estimated;

''(F) the requirements for core logistics capabilities and associated sustaining workload for the program have been identified; and''.

(2) DEFINITION.—Subsection (g) of such section is amended by striking paragraph (5) (relating to Key Decision Point B) and inserting the following new paragraph (5):

''(5) The term 'core logistics capabilities' means the core logistics capabilities identified under section 2464(a) of this title.''.

(c) GUIDANCE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance implementing the amendments made by subsections (a) and (b) in a manner that is consistent across the Department of Defense.

(d) ELIMINATION OF REFERENCES TO KEY DECISION POINTS A AND B.—

(1) AMENDMENTS TO SECTION 2366A.—Section 2366a of title 10, United States Code, is amended—

*(A) in the section heading, by striking ''**or Key Decision Point**'';*

(B) in subsection (a), in the matter preceding paragraph (1), by striking '', or Key Decision Point A approval in the case of a space program,'' and by striking '', or Key Decision Point B approval in the case of a space program,''; and

(C) in subsection (b)—

(i) in paragraph (1), by striking ''(or Key Decision Point A approval in the case of a space program)''; and

(ii) in paragraph (2)(C)(ii), by striking '', or Key Decision Point A approval in the case of a space program,''.

(2) AMENDMENTS TO SECTION 2366B.—Section 2366b of such title is amended—

*(A) in the section heading, by striking ''**or Key Decision Point B**'';*

(B) in subsection (a), in the matter preceding paragraph (1), by striking '', or Key Decision Point B approval in the case of a space program,''; and

(C) in subsections (b)(2) and (d)(1), by striking ''(or Key Decision Point B approval in the case of a space program)'' each place it appears.

(3) AMENDMENTS TO TABLE OF SECTIONS.—The items relating to sections 2366a and 2366b in the table of sections at the beginning of chapter 139 of such title are amended to read as follows:

''2366a. Major defense acquisition programs: certification required before Milestone A approval.

''2366b. Major defense acquisition programs: certification required before Milestone B approval.''.

(4) ADDITIONAL CONFORMING AMENDMENTS.—Section 2433a(c)(1) of such title is amended by striking '', or Key Decision Point approval in the case of a space program,'' each place it appears in subparagraphs (B) and (C).

SEC. 802. REVISION TO LAW RELATING TO DISCLOSURES TO LITIGATION SUPPORT CONTRACTORS.

(a) IN GENERAL.—

(1) REVISED AUTHORITY TO COVER DISCLOSURES UNDER LITIGATION SUPPORT CONTRACTS.—Chapter 3 of title 10, United States Code, is amended by inserting after section 129c the following new section:

''§ 129d. Disclosure to litigation support contractors

''(a) DISCLOSURE AUTHORITY.—An officer or employee of the Department of Defense may disclose sensitive information to a litigation support contractor if—

''(1) the disclosure is for the sole purpose of providing litigation support to the Government in the form of administrative, technical, or professional services during or in anticipation of litigation; and

''(2) under a contract with the Government, the litigation support contractor agrees to and acknowledges—

''(A) that sensitive information furnished will be accessed and used only for the purposes stated in the relevant contract;

''(B) that the contractor will take all precautions necessary to prevent disclosure of the sensitive information provided to the contractor;

''(C) that such sensitive information provided to the contractor under the authority of this section shall not be used by the contractor to compete against a third party for Government or non-Government contracts; and

''(D) that the violation of subparagraph (A), (B), or (C) is a basis for the Government to terminate the litigation support contract of the contractor.

''(b) DEFINITIONS.—In this section:

''(1) The term 'litigation support contractor' means a contractor (including an expert or technical consultant) under contract with the Department of Defense to provide litigation support.

''(2) The term 'sensitive information' means confidential commercial, financial, or proprietary information, technical data, or other privileged information.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 129c the following new item:

''129d. Disclosure to litigation support contractors.''.

(b) REPEAL OF SUPERSEDED PROVISIONS ENACTED IN PUBLIC LAW 111–383.—Section 2320 of such title is amended—

(1) in subsection (c)(2)—

(A) by striking ''subsection (a)'' and all that follows through ''a covered Government'' and inserting ''subsection (a), allowing a covered Government''; and

(B) by striking subparagraph (B); and

(2) by striking subsection (g).

SEC. 803. EXTENSION OF APPLICABILITY OF THE SENIOR EXECUTIVE BENCHMARK COMPENSATION AMOUNT FOR PURPOSES OF ALLOWABLE COST LIMITATIONS UNDER DEFENSE CONTRACTS.

(a) CERTAIN COMPENSATION NOT ALLOWABLE UNDER DEFENSE CONTRACTS.—Subsection (e)(1)(P) of section 2324 of title 10, United States Code, is amended by striking ''senior executives of contractors'' and inserting ''any individual performing under the covered contract''.

(b) CONFORMING AMENDMENT.—Subsection (l) of such section is amended by striking paragraph (5).

(c) EFFECTIVE DATE.—The amendments made by this section—

(1) shall be implemented in the Federal Acquisition Regulation within 180 days after the date of the enactment of this Act; and

(2) shall apply with respect to costs of compensation incurred after January 1, 2012, under contracts entered into before, on, or after the date of the enactment of this Act.

SEC. 804. SUPPLIER RISK MANAGEMENT.

(a) SUPPLIER RISK MANAGEMENT.—In order to reduce waste, fraud, and abuse and ensure that the Department of Defense awards contracts to responsible suppliers, the Secretary of Defense shall manage supplier risk in accordance with this section and with the requirements of section 8(b)(7) of the Small Business Act (15 U.S.C. 637(b)(7)).

(b) EVALUATION OF SUPPLIER RISK BEFORE AWARD OF CONTRACT.—The Secretary shall direct contracting personnel to use a business credit reporting bureau (or such other objective source of business information as the Secretary considers appropriate) to evaluate supplier risk on all contract actions.

(c) IDENTIFICATION AND TRACKING OF SUPPLIERS AFTER AWARD OF CONTRACT.—The Secretary shall ensure that existing suppliers, including subcontractors and sources of supply, are identified and tracked. In implementing this subsection, the Secretary shall use an automated commercial-off-the-shelf product to identify suppliers by location and to monitor suppliers for events that may affect supplier performance, including debarments and suspensions, mergers and acquisitions, bankruptcy filings, criminal proceedings against a person or company, financial changes, or deterioration of a company.

SEC. 805. EXTENSION OF AVAILABILITY OF FUNDS IN THE DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.

(a) AVAILABILITY.—Paragraph (6) of section 1705(e) of title 10, United States Code, is amended to read as follows:

''(6) DURATION OF AVAILABILITY.—Amounts credited to the Fund in accordance with subsection (d)(2), transferred to the Fund pursuant to subsection (d)(3), appropriated to the Fund, or deposited to the Fund shall remain available for obligation in the fiscal year for which credited, transferred, appropriated, or deposited and the two succeeding fiscal years.''.

(b) EFFECTIVE DATE.—Paragraph (6) of such section, as amended by subsection (a), shall not apply to funds directly appropriated to the Fund before the date of the enactment of this Act.

SEC. 806. DEFENSE CONTRACT AUDIT AGENCY ANNUAL REPORT.

(a) DEFENSE CONTRACT AUDIT AGENCY ANNUAL REPORT.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2313 the following new section:

''§ 2313a. Defense Contract Audit Agency: annual report

''(a) REQUIRED REPORT.—The Director of the Defense Contract Audit Agency shall prepare an annual report of the activities of the Agency during the previous fiscal year. The report shall include, at a minimum—

''(1) a description of significant problems, abuses, and deficiencies found during the conduct of contractor audits;

''(2) a description of the recommendations for corrective action made during the reporting period with respect to significant problems, abuses, or deficiencies identified pursuant to paragraph (1);

''(3) a summary of each particularly significant audit;

''(4) statistical tables showing—

''(A) the total number of audit reports completed and pending;

''(B) the priority given to each type of audit;

''(C) the length of time taken for each type of audit; and

''(D) the total dollar value of questioned costs (including a separate category for the dollar value of unsupported costs);

''(5) a summary of the pending audits, along with a rationale for why each pending audit is not yet completed; and

''(6) a summary of any recommendations of actions or resources needed to improve the audit process.

''(b) SUBMISSION OF ANNUAL REPORT.—Not later than March 30 of each year, the Director shall submit to the congressional defense committees the report required by subsection (a).

''(c) PUBLIC AVAILABILITY.—Not later than 60 days after the submission of an annual report to the congressional defense committees under subsection (b), the Director shall make the report available on the publicly available website of the Agency or such other publicly available website as the Director considers appropriate.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2313 the following new item:

''2313a. Defense Contract Audit Agency: annual report.''.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. CALCULATION OF TIME PERIOD RELATING TO REPORT ON CRITICAL CHANGES IN MAJOR AUTOMATED INFORMATION SYSTEMS.

Section 2445c(d)(2)(A) of title 10, United States Code, is amended by inserting before the semicolon at the end the following: ''after contract award (excluding any time during which the contract award is subject to a bid protest)''.

SEC. 812. CHANGE IN DEADLINE FOR SUBMISSION OF SELECTED ACQUISITION REPORTS FROM 60 TO 45 DAYS.

Section 2432(f) of title 10, United States Code, is amended by striking ''60'' and inserting ''45''.

SEC. 813. EXTENSION OF SUNSET DATE FOR CERTAIN PROTESTS OF TASK AND DELIVER ORDER CONTRACTS.

Paragraph (3) of section 4106(f) of title 41, United States Code, is amended to read as follows:

''(3) EFFECTIVE PERIOD.—Paragraph (1)(B) and paragraph (2) of this subsection shall not be in effect after September 30, 2016.''.

SEC. 814. CLARIFICATION OF DEPARTMENT OF DEFENSE AUTHORITY TO PURCHASE RIGHT-HAND DRIVE PASSENGER SEDANS.

Section 2253(a)(2) of title 10, United States Code, is amended by striking ''vehicles'' and inserting ''passenger sedans''.

SEC. 815. AMENDMENT RELATING TO BUYING TENTS, TARPAULINS, OR COVERS FROM AMERICAN SOURCES.

Section 2533a(b)(1)(C) of title 10, United States Code, is amended by inserting ''(and the materials and components thereof)'' after ''tents, tarpaulins, or covers''.

SEC. 816. PARA-ARAMID FIBERS AND YARNS.

(a) REPEAL OF FOREIGN SUPPLIER EXEMPTION.—Section 807 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2084) is repealed.

(b) PROHIBITION ON SPECIFICATION IN SOLICITATIONS.—No solicitation issued by the Department of Defense may include a requirement that proposals submitted pursuant to such solicitation must include the use of para-aramid fibers and yarns.

SEC. 817. REPEAL OF SUNSET OF AUTHORITY TO PROCURE FIRE RESISTANT RAYON FIBER FROM FOREIGN SOURCES FOR THE PRODUCTION OF UNIFORMS.

Subsection (f) of section 829 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 229; 10 U.S.C. 2533a note) is repealed.

Subtitle C—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

SEC. 821. RESTRICTIONS ON AWARDING CONTRACTS IN SUPPORT OF CONTINGENCY OPERATIONS IN IRAQ OR AFGHANISTAN TO ADVERSE ENTITIES.

(a) PROHIBITION ON CONTRACTS WITH ADVERSE ENTITIES.—Effective on the date occurring 60 days after the date of the enactment of this Act, the Secretary of Defense may not award a contract in support of a contingency operation in Iraq or Afghanistan to an adverse entity.

(b) VOIDING CONTRACTS WITH ADVERSE ENTITIES.—With respect to any contract in effect before, on, or after the effective date of the prohibition in subsection (a), if the Secretary of Defense determines under subsection (c) that the contract, or any subcontract under the contract, is being performed by an adverse entity, the Secretary may, in accordance with applicable law—

(1) void the contract; or

(2) require the prime contractor to void any such subcontract.

(c) DETERMINATION OF ADVERSE ENTITY.—

(1) IN GENERAL.—For purposes of this section, an adverse entity is any foreign entity or foreign individual that the Secretary of Defense, acting through the Commander of the United States Central Command, determines, based on credible evidence—

(A) is directly engaged in hostilities or is substantially supporting forces that are engaged in hostilities against the United States or its coalition partners in a contingency operation in Iraq or Afghanistan; and

(B) is performing on a contract awarded, or task or delivery order issued, by or on behalf of the Department of Defense as a contractor, a subcontractor, or an employee of a contractor or subcontractor.

(2) NOTIFICATION.—Upon a determination by the Commander that an individual or entity is an adverse entity, the Commander shall notify in writing the head of the contracting activity responsible for the contingency operation concerned.

(3) REVIEW.—Not later than 15 days after receipt of a notification under paragraph (2), the head of the contracting activity shall—

(A) review the contracts concerned, and any subcontracts under such contracts, awarded under the authority of the head of the contracting activity to verify whether the adverse entity is currently performing under any such contract or subcontract; and

(B) notify the Commander in writing of any contracts or subcontracts that the head verifies are being performed by the adverse entity.

(d) GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement this section. The guidance shall include, at a minimum, the following:

(1) A requirement for each contract awarded in support of a contingency operation in Iraq or Afghanistan awarded after the date of the enactment of this Act to include a clause pertaining to the authority provided under subsection (b).

(2) Criteria by which such authority will be applied, including criteria to ensure compliance with applicable laws.

SEC. 822. AUTHORITY TO USE HIGHER THRESHOLDS FOR PROCUREMENTS IN SUPPORT OF CONTINGENCY OPERATIONS.

With respect to a procurement of property or services by or for the Department of Defense that the Secretary of Defense determines are to be used in support of a contingency operation in Iraq or Afghanistan, regardless of whether the award of a contract, or the making of a purchase, for the procurement is inside or outside the United States—

(1) the simplified acquisition threshold is deemed to be $1,000,000; and

(2) the micro-purchase threshold is deemed to be $25,000.

SEC. 823. AUTHORITY TO EXAMINE RECORDS OF FOREIGN CONTRACTORS PERFORMING CONTRACTS IN SUPPORT OF CONTINGENCY OPERATIONS IN IRAQ OR AFGHANISTAN.

(a) AUTHORITY.—Except as provided in subsection (b), the Secretary of Defense may examine the records of a foreign contractor performing a contract in support of a contingency operation in Iraq or Afghanistan.

(b) EXCEPTION.—Subsection (a) does not apply to a foreign contractor that is a foreign government or agency thereof or that is precluded by applicable laws from making its records available for examination.

(c) GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement this section.

SEC. 824. DEFINITIONS.

In this subtitle:

(1) CONTRACT IN SUPPORT OF A CONTINGENCY OPERATION IN IRAQ OR AFGHANISTAN.—The term ''contract in support of a contingency operation in Iraq or Afghanistan'' means a contract awarded by the Secretary of Defense for the procurement of property or services to be used outside the United States in support of a contingency operation in Iraq or Afghanistan.

(2) CONTINGENCY OPERATION.—The term ''contingency operation'' has the meaning provided by section 101(a)(13) of title 10, United States Code.

(3) RECORDS.—The term ''records'' has the meaning provided by section 2313(l) of title 10, United States Code.

(4) FOREIGN CONTRACTOR.—The term ''foreign contractor'' means a contractor or subcontractor organized or existing under the laws of a country other than the United States.

Subtitle D—Defense Industrial Base Matters

SEC. 831. ASSESSMENT OF THE DEFENSE INDUSTRIAL BASE PILOT PROGRAM.

(a) REPORT.—Not later than March 1, 2012, the Secretary of Defense shall submit to the congressional defense committees a report on the defense industrial base pilot program of the Department of Defense.

(b) ELEMENTS.—The report required by subsection (a) shall include each of the following:

(1) A quantitative and qualitative analysis of the effectiveness of the defense industrial base pilot program.

(2) An assessment of the legal, policy, or regulatory challenges associated with effectively executing the pilot program.

(3) Recommendations for changes to the legal, policy, or regulatory framework for the pilot program to make it more effective.

(4) A description of any plans to expand the pilot program, including to other sectors beyond the defense industrial base.

(5) An assessment of the potential legal, policy, or regulatory challenges associated with expanding the pilot program.

(6) Any other matters the Secretary considers appropriate.

(c) FORM.—The report required under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 832. DEPARTMENT OF DEFENSE ASSESSMENT OF INDUSTRIAL BASE FOR POTENTIAL SHORTFALLS.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall undertake an assessment of the current and long-term availability within the United States industrial base of critical equipment, components, subcomponents, and materials needed to support short or prolonged conventional conflicts. In carrying out the assessment, the Secretary shall—

(1) identify items that the Secretary determines are critical to military readiness, including key components, subcomponents, and materials;

(2) perform a risk assessment of the supply chain for items identified under paragraph (1) and an evaluation of the extent to which—

(A) the supply chain for such items could be disrupted by a first strike on the United States; and

(B) the industrial base obtains such items from foreign sources; and

(3) develop mitigation strategies to address any gaps and vulnerabilities in the ability of the Department to respond to potential contingencies identified in operational plans of the combatant commanders if the sources that provide items identified under paragraph (1) should become unavailable.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the findings of the assessment required under subsection (a).

(c) GAO REVIEW.—The Comptroller General of the United States shall review the assessment required under subsection (a) and the report required under subsection (b) and submit to Congress a report on such review. The review shall include an assessment of—

(1) the completeness of the report;

(2) the reasonableness of the methodology used to develop the report;

(3) the conclusions contained in the report; and

(4) the extent to which the Department has implemented a Department-wide framework to identify and address gaps and vulnerabilities in the supply chain.

SEC. 833. COMPTROLLER GENERAL ASSESSMENT OF GOVERNMENT COMPETITION IN THE DEPARTMENT OF DEFENSE INDUSTRIAL BASE.

(a) COMPTROLLER GENERAL ASSESSMENT REQUIRED.—The Comptroller General of the United States shall carry out an assessment of the effect of Government mandated and supported competition in the Department of Defense industrial base that includes, at a minimum, the following:

(1) An examination of the aerospace propulsion business volume that the Department generates and whether such volume facilitates or supports multiple levels of competitors.

(2) An examination of the factors necessary to achieve cost effectiveness in initiating and supporting a competitive industrial base.

(3) An examination of the actual costs of developing a second source for previous private sector provided materials versus savings provided through such competitions.

(4) The advantages and disadvantages of other potential options or methods as well as any shortfalls in the current processes.

(5) Recommendations for any administrative or legislative action that the Comptroller General deems appropriate in the context of the assessment.

(b) REPORT.—Not later than April 1, 2012, the Comptroller General shall submit to the Chairmen and ranking members of the Committees on Armed Services of the Senate and the House of Representatives a report on the findings and recommendations, as appropriate, of the Comptroller General with respect to the assessment conducted. The Comptroller General shall receive comments from the Secretary of Defense and others, as appropriate.

SEC. 834. REPORT ON IMPACT OF FOREIGN BOYCOTTS ON THE DEFENSE INDUSTRIAL BASE.

(a) IN GENERAL.—Not later than February 1, 2012, the Comptroller General of the United States shall submit to the appropriate congressional committees a report setting forth an assessment of the impact of foreign boycotts on the defense industrial base.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) a summary of foreign boycotts that posed a material risk to the defense industrial base from January 2008 to the date of enactment of this Act;

(2) the apparent objectives of each such boycott;

(3) an assessment of harm to the defense industrial base as a result of each such boycott;

(4) an assessment of the sufficiency of Department of Defense and Department of State efforts to mitigate the material risks of any such boycott to the defense industrial base; and

(5) recommendations of the Comptroller General to reduce the material risks of foreign boycotts to the defense industrial base, including recommendations for changes to legislation, regulation, policy, or procedures.

(c) CONFIDENTIALITY.—The Comptroller General shall not publicly disclose the names of any person, organization, or entity involved in or affected by any foreign boycott identified in the report required under subsection (a) without the express written approval of the person, organization, or entity concerned.

(d) DEFINITIONS.—In this section:

(1) FOREIGN BOYCOTT.—The term ''foreign boycott'' means any policy or practice adopted by a foreign government or foreign business enterprise intended to directly penalize, disadvantage, or harm any contractor or subcontractor of the Department of Defense, or otherwise dissociate the foreign government or foreign business enterprise from such a contractor or subcontractor on account of the provision by that contractor or subcontractor of any product or service to the Department.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 835. RARE EARTH MATERIAL INVENTORY PLAN.

(a) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Defense Logistics Agency Strategic Materials shall submit to the Secretary of Defense a plan to establish an inventory of rare earth materials necessary to ensure the long-term availability of such rare earth materials, as identified by the report required by section 843 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4282) and as otherwise determined to be necessary. The plan shall—

(1) identify and describe the steps necessary to create an inventory of rare earth materials, including oxides, metals, alloys, and magnets, to support national defense requirements and ensure reliable sources of such materials for defense purposes;

(2) provide a detailed cost-benefit analysis of creating such an inventory in accordance with Office of Management and Budget Circular A–94;

(3) provide an analysis of the potential market effects, including effects on the pricing and commercial availability of such rare earth materials, associated with creating such an inventory;

(4) identify and describe the mechanisms available to the Administrator to make such an inventory accessible, including by purchase, to entities requiring such rare earth materials to support national defense requirements, including producers of end items containing rare earth materials;

(5) provide a detailed explanation of the ability of the Administrator to authorize the sale of excess materials to support a Rare Earth Material Stockpile Inventory Program;

(6) analyze any potential requirements to amend or revise the Defense Logistics Agency Strategic Materials Annual Material Plan for Fiscal Year 2012 and subsequent years to reflect an inventory of rare earth materials to support national defense requirements;

(7) identify and describe the steps necessary to develop or maintain a competitive, multi-source supply-chain to avoid reliance on a single source of supply;

(8) identify and describe supply sources considered by the Administrator to be reliable, including an analysis of the capabilities of such sources to produce such materials in forms required for military applications in the next five years, as well as the security of upstream supply for these sources of material; and

(9) include such other considerations and recommendations as necessary to support the establishment of such inventory.

(b) DETERMINATION.—

(1) IN GENERAL.—Not later than 90 days after the date on which the plan is submitted under subsection (a), the Secretary of Defense shall determine whether to execute the plan described in subsection (a).

(2) SUBMITTAL.—The Secretary shall submit to the congressional defense committees—

(A) the plan under subsection (a); and

(B) a notice of the determination under paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term ''rare earth'' means any of the following chemical elements in any of their physical forms or chemical combinations and alloys:

(A) Scandium.

(B) Yttrium.

(C) Lanthanum.

(D) Cerium.

(E) Praseodymium.

(F) Neodymium.

(G) Promethium.

(H) Samarium.

(I) Europium.

(J) Gadolinium.

(K) Terbium.

(L) Dysprosium.

(M) Holmium.

(N) Erbium.

(O) Thulium.

(P) Ytterbium.

(Q) Lutetium.

(2) The term ''capability'' means the required facilities, manpower, technological knowhow, and intellectual property necessary for the efficient and effective production of rare earth materials.

Subtitle E—Other Matters

SEC. 841. MISCELLANEOUS AMENDMENTS TO PUBLIC LAW 111–383 RELATING TO ACQUISITION.

(a) AMENDMENTS TO CAPABILITIES COVERED BY ACQUISITION PROCESS FOR RAPID FIELDING.—Section 804(b)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4256; 10 U.S.C. 2302 note) is amended—

(1) by inserting ''and'' at the end of subparagraph (B);

(2) by striking ''; and'' at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

(b) AMENDMENTS TO ELEMENTS OF GUIDANCE ON MANAGEMENT OF MANUFACTURING RISK IN MAJOR DEFENSE ACQUISITION PROGRAMS.—Section 812(b) of such Act (Public Law 111–383; 124 Stat. 4264; 10 U.S.C. 2430) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively.

(c) AMENDMENTS TO DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.—Section 1073 of such Act (Public Law 111–383; 124 Stat. 4366; 10 U.S.C. 2359a note) is amended—

(1) in subsection (a), by striking ''shall'' in the first sentence and inserting ''may''; and

(2) in subsection (b), by amending the first sentence to read as follows: ''If the Secretary establishes a program under subsection (a), the Secretary shall issue guidelines for the operation of the program.''.

SEC. 842. PROCUREMENT OF PHOTOVOLTAIC DEVICES.

(a) REVISION TO CONTRACTS DESCRIBED.—Subsection (b) of section 846 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4285; 10 U.S.C. 2534 note) is amended by striking ''For the purposes of this section,'' and all that follows through the end and inserting the following: ''For the purposes of this section, the Department of Defense is deemed to own a photovoltaic device if the device is installed on Department of Defense property or in a facility owned or leased by or for the Department of Defense.''.

(b) REVISION TO DEFINITION OF PHOTOVOLTAIC DEVICES.—Subsection (c) of such section is amended by striking ''means'' and all that follows through the end and inserting the following: ''means devices that convert light directly into electricity.''.

SEC. 843. CLARIFICATION OF JURISDICTION OF THE UNITED STATES DISTRICT COURTS TO HEAR BID PROTEST DISPUTES INVOLVING MARITIME CONTRACTS.

(a) EXCLUSIVE JURISDICTION.—Section 1491(b) of title 28, United States Code, is amended by adding at the end the following new paragraph:

''(6) Jurisdiction over any action described in paragraph (1) arising out of a maritime contract, or a solicitation for a proposed maritime contract, shall be governed by this section and shall not be subject to the jurisdiction of the district courts of the United States under the Suits in Admiralty Act (chapter 309 of title 46) or the Public Vessels Act (chapter 311 of title 46).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to any cause of action filed on or after the first day of the first month beginning more than 30 days after the date of the enactment of this Act.

SEC. 844. EXEMPTION OF DEPARTMENT OF DEFENSE FROM ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: ''This section shall not apply to the Department of Defense.''.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

SEC. 901. REVISION OF DEFENSE BUSINESS SYSTEMS REQUIREMENTS.

Section 2222 of title 10, United States Code, is amended to read as follows:

''§ 2222. Defense business systems: architecture, accountability, and modernization

''(a) CONDITIONS FOR OBLIGATION OF FUNDS FOR DEFENSE BUSINESS SYSTEMS.—Funds available to the Department of Defense, whether appropriated or non-appropriated, may not be obligated for a defense business system that will have a total cost in excess of $1,000,000 unless—

''(1) the appropriate pre-certification authority for the defense business system has determined that—

''(A) the defense business system is in compliance with the enterprise architecture developed under subsection (c) and appropriate business process re-engineering efforts have been undertaken to ensure that—

''(i) the business process to be supported by the defense business system is as streamlined and efficient as practicable; and

''(ii) the need to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces has been eliminated or reduced to the maximum extent practicable;

''(B) the defense business system is necessary to achieve a critical national security capability or address a critical requirement in an area such as safety or security; or

''(C) the defense business system is necessary to prevent a significant adverse effect on a project that is needed to achieve an essential capability, taking into consideration the alternative solutions for preventing such adverse effect;

''(2) the defense business system has been reviewed and certified by the investment review board established under subsection (g); and

''(3) the certification of the investment review board has been approved by the Defense Business Systems Management Committee established by section 186 of this title.

''(b) OBLIGATION OF FUNDS IN VIOLATION OF REQUIREMENTS.—The obligation of Department of Defense funds for a business system that has not been certified and approved in accordance with subsection (a) is a violation of section 1341(a)(1)(A) of title 31.

''(c) ENTERPRISE ARCHITECTURE FOR DEFENSE BUSINESS SYSTEMS.—(1) The Secretary of Defense, acting through the Defense Business Systems Management Committee, shall develop—

''(A) an enterprise architecture, known as the defense business enterprise architecture, to cover all defense business systems, and the functions and activities supported by defense business systems, which shall be sufficiently defined to effectively guide, constrain, and permit implementation of interoperable defense business system solutions and consistent with the policies and procedures established by the Director of the Office of Management and Budget; and

''(B) a transition plan for implementing the enterprise architecture for defense business systems.

''(2) The Secretary of Defense shall delegate responsibility and accountability for the defense business enterprise architecture as follows:

''(A) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall be responsible and accountable for the content of those portions of the defense business enterprise architecture that support acquisition activities, logistics activities, or installations and environment activities of the Department of Defense.

''(B) The Under Secretary of Defense (Comptroller) shall be responsible and accountable for the content of those portions of the defense business enterprise architecture that support financial management activities or strategic planning and budgeting activities of the Department of Defense.

''(C) The Under Secretary of Defense for Personnel and Readiness shall be responsible and accountable for the content of those portions of the defense business enterprise architecture that support human resource management activities of the Department of Defense.

''(D) The Chief Information Officer of the Department of Defense shall be responsible and accountable for the content of those portions of the defense business enterprise architecture that support information technology infrastructure or information assurance activities of the Department of Defense.

''(E) The Deputy Chief Management Officer of the Department of Defense shall be responsible and accountable for developing and maintaining the defense business enterprise architecture as well as integrating business operations covered by subparagraphs (A) through (D).

''(d) COMPOSITION OF ENTERPRISE ARCHITECTURE.—The defense business enterprise architecture developed under subsection (c)(1)(A) shall include the following:

''(1) An information infrastructure that, at a minimum, would enable the Department of Defense to—

''(A) comply with applicable law, including Federal accounting, financial management, and reporting requirements;

''(B) routinely produce timely, accurate, and reliable business and financial information for management purposes;

''(C) integrate budget, accounting, and program information and systems; and

''(D) provide for the systematic measurement of performance, including the ability to produce timely, relevant, and reliable cost information.

''(2) Policies, procedures, data standards, performance measures, and system interface requirements that are to apply uniformly throughout the Department of Defense.

''(3) A defense business systems computing environment integrated into the defense business enterprise architecture for the major business processes conducted by the Department of Defense, as determined by the Chief Management Officer.

''(e) COMPOSITION OF TRANSITION PLAN.—(1) The transition plan developed under subsection (c)(1)(B) shall include the following:

''(A) A listing of the additional systems that are expected to be needed to complete the defense business enterprise architecture, along with each system's time-phased milestones, performance measures, financial resource needs, and risks or challenges to integration into the business enterprise architecture.

''(B) A listing of the defense business systems as of December 2, 2002 (known as 'legacy systems'), that will not be part of the defense business enterprise architecture, together with the schedule for terminating those legacy systems that provides for reducing the use of those legacy systems in phases.

''(C) A listing of the legacy systems (referred to in subparagraph (B)) that will be a part of the defense business systems computing environment described in subsection (d)(3), together with a strategy for making the modifications to those systems that will be needed to ensure that such systems comply with the defense business enterprise architecture.

''(2) Each of the strategies under paragraph (1) shall include specific time-phased milestones, performance measures, and a statement of the financial and nonfinancial resource needs.

''(f) APPROPRIATE PRE-CERTIFICATION AUTHORITIES.—For purposes of subsection (a), the appropriate pre-certification authority for a defense business system is as follows:

''(1) In the case of an Army program, the Chief Management Officer of the Army.

''(2) In the case of a Navy program, the Chief Management Officer of the Navy.

''(3) In the case of an Air Force program, the Chief Management Officer of the Air Force.

''(4) In the case of a program of a Defense Agency, the Director, or equivalent, of that Defense Agency unless otherwise approved by the Deputy Chief Management Officer.

''(5) In the case of a program that will support the business processes of more than one military department or Defense Agency, an appropriate pre-certification authority designated by the Deputy Chief Management Officer.

''(g) DEFENSE BUSINESS SYSTEM INVESTMENT REVIEW.—(1) The Secretary of Defense shall require the Deputy Chief Management Officer, not later than October 1, 2011, to establish an investment review board and investment management process, consistent with section 11312 of title 40, to review the planning, design, acquisition, development, deployment, operation, maintenance, modernization, and project cost benefits and risks of all defense business systems. The investment review board and investment management process so established shall specifically address the requirements of subsection (a).

''(2) The review of defense business systems under the investment management process shall include the following:

''(A) Review and approval by the investment review board of each defense business system before the obligation of funds on the system in accordance with the requirements of subsection (a).

''(B) Periodic review, but not less often than annually, of all defense business systems, grouped in portfolios of defense business systems.

''(C) Representation on the investment review board by appropriate officials from among the Office of the Secretary of Defense, the armed forces, the combatant commands, the Joint Chiefs of Staff, and the Defense Agencies, including the Under Secretaries of Defense, the Chief Information Officer of the Department of Defense, and the Chief Management Officers of the military departments.

''(D) Use of threshold criteria to ensure an appropriate level of review within the Department of Defense of, and accountability for, defense business systems depending on scope, complexity, and cost.

''(E) Use of procedures for making certifications in accordance with the requirements of subsection (a).

''(F) Use of procedures for ensuring consistency with the guidance issued by the Secretary of Defense and the Defense Business Systems Management Committee, as required by section 186(c) of this title, and incorporation of common decision criteria, including standards, requirements, and priorities that result in the integration of defense business systems.

''(h) BUDGET INFORMATION.—In the materials that the Secretary submits to Congress in support of the budget submitted to Congress under section 1105 of title 31 for fiscal year 2006 and fiscal years thereafter, the Secretary of Defense shall include the following information:

''(1) Identification of each defense business system for which funding is proposed in that budget.

''(2) Identification of all funds, by appropriation, proposed in that budget for each such system, including—

''(A) funds for current services (to operate and maintain the system); and

''(B) funds for business systems modernization, identified for each specific appropriation.

''(3) For each such system, identification of the appropriate pre-certification authority under subsection (f).

''(4) For each such system, a description of each approval made under subsection (a)(3) with regard to such system.

''(i) CONGRESSIONAL REPORTS.—Not later than March 15 of each year from 2012 through 2016, the Secretary of Defense shall submit to the congressional defense committees a report on Department of Defense compliance with the requirements of this section. The report shall—

''(1) describe actions taken and planned for meeting the requirements of subsection (a), including—

''(A) specific milestones and actual performance against specified performance measures, and any revision of such milestones and performance measures; and

''(B) specific actions on the defense business systems submitted for certification under such subsection;

''(2) identify the number of defense business systems so certified;

''(3) identify any defense business system during the preceding fiscal year that was not certified under subsection (a), and the reasons for the lack of certification;

''(4) discuss specific improvements in business operations and cost savings resulting from successful defense business systems implementation or modernization efforts; and

''(5) include a copy of the most recent report of the Chief Management Officer of each military department on implementation of business transformation initiatives by such department in accordance with section 908 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4569; 10 U.S.C. 2222 note).

''(j) DEFINITIONS.—In this section:

''(1) The term 'pre-certification authority', with respect to a defense business system, means the Department of Defense official responsible for the defense business system, as designated by subsection (f).

''(2) The term 'defense business system' means an information system, other than a national security system, operated by, for, or on behalf of the Department of Defense, including financial systems, mixed systems, financial data feeder systems, and information technology and information assurance infrastructure, used to support business activities, such as acquisition, financial management, logistics, strategic planning and budgeting, installations and environment, and human resource management.

''(3) The term 'enterprise architecture' has the meaning given that term in section 3601(4) of title 44.

''(4) The terms 'information system' and 'information technology' have the meanings given those terms in section 11101 of title 40.

''(5) The term 'national security system' has the meaning given that term in section 3542(b)(2) of title 44.''.

SEC. 902. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.

(a) REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.—

(1) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(2) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(A) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(B) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

(b) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—

(1) DEFINITION OF ''MILITARY DEPARTMENT''.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

''(8) The term 'military department' means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.''.

(2) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: ''The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.''.

(3) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking ''There is a Secretary of the Navy'' and inserting ''There is a Secretary of the Navy and Marine Corps''.

(4) CHAPTER HEADINGS.—

(A) The heading of chapter 503 of such title is amended to read as follows:

''CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(B) The heading of chapter 507 of such title is amended to read as follows:

''CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(5) OTHER AMENDMENTS.—

(A) Title 10, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking ''Assistant Secretaries of the Navy'' and inserting ''Assistant Secretaries of the Navy and Marine Corps''.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting ''and Marine Corps'' after ''of the Navy'', with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

(c) OTHER PROVISIONS OF LAW AND OTHER REFERENCES.—

(1) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively.

(2) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy

and Marine Corps. Any such reference to an office specified in subsection (a)(2) shall be considered to be a reference to that office as redesignated by that section.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

Subtitle B—Space Activities

SEC. 911. NOTIFICATION REQUIREMENT FOR HARMFUL INTERFERENCE TO DEPARTMENT OF DEFENSE GLOBAL POSITIONING SYSTEM.

(a) NOTIFICATION REQUIRED.—Upon a determination by the Secretary of Defense that a commercial communications service will cause or is causing widespread harmful interference with Global Positioning System receivers used by the Department of Defense, the Secretary shall submit to Congress notice of such determination.

(b) CONTENTS.—The notice required under subsection (a) shall include—

(1) a summary of the reasons that a commercial communications service will cause or is causing harmful interference with Global Positioning System receivers used by the Department of Defense;

(2) a description of the entity that will cause or is causing such harmful interference;

(3) a description of the magnitude and duration of such harmful interference or the potential magnitude and duration of such harmful interference; and

(4) a summary of the Secretary's plans for addressing such harmful interference.

Subtitle C—Intelligence-Related Matters

SEC. 921. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS BY THE COMPTROLLER GENERAL ON INTELLIGENCE INFORMATION SHARING.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees and the Comptroller General a report on actions taken by the Secretary in response to the recommendations of the Comptroller General in the report issued on January 22, 2010, titled ''Intelligence, Surveillance, and Reconnaissance: Establishing Guidance, Timelines, and Accountability for Integrating Intelligence Data Would Improve Information Sharing'' (GAO-10-265NI), regarding the need to develop guidance, such as a concept of operations, to provide overarching direction and priorities for sharing intelligence information across the defense elements of the intelligence community.

(b) REVIEW OF REPORT.—The Comptroller General shall submit to the appropriate congressional committees a review of the report submitted under subsection (a), including a determination by the Comptroller General as to whether the actions taken by the Secretary of Defense in response to the recommendations referred to in such subsection are consistent with and adequately address such recommendations.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Permanent Select Committee on Intelligence of the House of Representatives; and

(3) the Select Committee on Intelligence of the Senate.

SEC. 922. INSIDER THREAT DETECTION.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall establish a program for information sharing protection and insider threat mitigation for the information systems of the Department of Defense to detect unauthorized access to, use of, or transmission of classified or controlled unclassified information.

(b) ELEMENTS.—The program established under subsection (a) shall include the following:

(1) Technology solutions for deployment within the Department of Defense that allow for centralized monitoring and detection of unauthorized activities, including—

(A) monitoring the use of external ports and read and write capability controls;

(B) auditing unusual and unauthorized user activities;

(C) a roles-based access certification system;

(D) cross-domain guards for transfers of information between different networks; and

(E) patch management for software and security updates.

(2) Policies and procedures to support such program, including special consideration for policies and procedures related to international and interagency partners and activities in support of ongoing operations in areas of hostilities.

(3) A governance structure and process that integrates information security and sharing technologies with the policies and procedures referred to in paragraph (2). Such structure and process shall include—

(A) coordination with the existing security clearance and suitability review process;

(B) coordination of existing anomaly detection techniques, including those used in counterintelligence investigation or personnel screening activities; and

(C) updating and expediting of the classification review and marking process.

(4) A continuing analysis of—

(A) gaps in security measures under the program; and

(B) technology, policies, and processes needed to increase the capability of the program beyond the initially established full operating capability to address such gaps.

(5) A baseline analysis framework that includes measures of performance and effectiveness.

(6) A plan for how to ensure related security measures are put in place for other departments or agencies with access to Department of Defense networks.

(7) A plan for enforcement to ensure that the program is being applied and implemented on a uniform and consistent basis.

(c) OPERATING CAPABILITY.—The Secretary shall ensure the program established under subsection (a)—

(1) achieves initial operating capability not later than October 1, 2012; and

(2) achieves full operating capability not later than October 1, 2013.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report that includes—

(1) the implementation plan for the program established under subsection (a);

(2) the resources required to implement the program;

(3) specific efforts to ensure that implementation does not negatively impact activities in support of ongoing operations in areas of hostilities;

(4) a definition of the capabilities that will be achieved at initial operating capability and full operating capability, respectively; and

(5) a description of any other issues related to such implementation that the Secretary considers appropriate.

(e) BRIEFING REQUIREMENT.—The Secretary shall provide briefings to the Committees on Armed Services of the House of Representatives and the Senate as follows:

(1) Not later than 90 days after the date of the enactment of this Act, a briefing describing the governance structure referred to in subsection (b)(3).

(2) Not later than 120 days after the date of the enactment of this Act, a briefing detailing the inventory and status of technology solutions deployment referred to in subsection (b)(1), including an identification of the total number of host platforms planned for such deployment, the current number of host platforms that provide appropriate security, and the funding and timeline for remaining deployment.

(3) Not later than 180 days after the date of the enactment of this Act, a briefing detailing the policies and procedures referred to in subsection (b)(2), including an assessment of the effectiveness of such policies and procedures and an assessment of the potential impact of such policies and procedures on information sharing within the Department of Defense and with interagency and international partners.

(f) BUDGET SUBMISSION.—On the date on which the President submits to Congress the budget for fiscal year 2013 under section 1105 of title 31, Untied States Code, the Secretary of Defense shall submit to the congressional defense committees an identification of the resources requested in such budget to carry out the program established under subsection (a).

Subtitle D—Total Force Management

SEC. 931. GENERAL POLICY FOR TOTAL FORCE MANAGEMENT.

(a) REVISION OF GENERAL PERSONNEL POLICY SECTION.—Section 129a of title 10, United States Code, is amended to read as follows:

''§ 129a. General policy for total force management

''(a) POLICIES AND PROCEDURES.—The Secretary of Defense shall establish policies and procedures for determining the appropriate mix of military, civilian, and contractor personnel to perform the mission of the Department of Defense.

''(b) RISK MITIGATION OVER COST.—In establishing the policies and procedures under subsection (a), the Secretary shall ensure that establishment of an appropriately balanced workforce with sufficient levels of personnel to carry out the mission of the Department and the core mission areas of the armed forces (as identified pursuant to section 118b of this title) takes precedence over cost savings.

''(c) DELEGATION OF RESPONSIBILITIES.—The Secretary shall delegate responsibility for implementation of the policies and procedures established under subsection (a) as follows:

''(1) The Under Secretary of Defense for Personnel and Readiness shall have overall responsibility for developing guidance to implement such policies and procedures.

''(2) The manpower and force structure authorities for each Department of Defense component shall have overall responsibility for the requirements determination, planning, programming, and budgeting for such policies and procedures.

''(3) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall be responsible for ensuring that the defense acquisition system, as defined in section 2545 of this title, is consistent with such policies and procedures and with implementation pursuant to paragraph (1). In carrying out this paragraph, the Under Secretary shall require each contracting officer to obtain a written statement from each requiring official that the work required is appropriate for contractor personnel consistent with this title, the Federal Acquisition Regulation, the Defense Supplement to the Federal Acquisition Regulation, and Department of Defense instructions governing appropriate use of contractors.

''(4) The Under Secretary of Defense (Comptroller) shall be responsible for ensuring that the budget for the Department of Defense is consistent with such policies and procedures. If the Under Secretary of Defense (Comptroller) recommends a defense budget for a fiscal year that inhibits the implementation of such policies and procedures, then a justification for such recommendation shall be included in the defense budget materials (as defined in section 2228(f)(5) of this title) for that fiscal year.

''(d) USE OF PLAN, INVENTORY, AND LIST.—In carrying out the policies and procedures established under subsection (a), the Secretary shall—

''(1) incorporate the civilian strategic workforce plan (required by section 115b of this title) into such policies and procedures;

''(2) incorporate the civilian positions master plan (required by section 1597(c) of this title) into such policies and procedures;

''(3) use the inventory of contracts for services required by section 2330a(c) of this title; and

''(4) use the list of activities required by the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note).

''(e) CONSIDERATIONS IN CONVERTING PERSONNEL.—If conversion of personnel is considered, the Under Secretary of Defense for Personnel and Readiness shall—

''(1) ensure compliance with—

''(A) section 2463 of this title (relating to guidelines and procedures for use of civilian employees to perform Department of Defense functions); and

''(B) section 2461 of this title (relating to public-private competition required before conversion to contractor performance); and

''(2) include in each manpower requirements report under section 115a of this title a complete justification for converting from one form of personnel to another.

''(f) CONSTRUCTION WITH OTHER REQUIREMENTS.—Nothing in this title may be construed as authorizing—

''(1) a Department of Defense component to directly convert a function to contractor performance without complying with section 2461 of this title;

''(2) the use of contractor personnel for functions that are inherently governmental or closely associated with inherently governmental even if there is a civilian personnel shortfall in the Department of Defense;

''(3) the establishment of numerical goals or budgetary savings targets for the conversion of functions to performance by either Department of Defense civilian personnel or for conversion to performance by contractor personnel; or

''(4) the imposition of a civilian hiring freeze that may inhibit the implementation of the policies and procedures established under subsection (a).''.

(b) CLERICAL AMENDMENT.—The item relating to section 129a in the table of sections at the beginning of such chapter is amended to read as follows:

''129a. General policy for total force management.''.

SEC. 932. REVISIONS TO DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL MANAGEMENT CONSTRAINTS.

Section 129 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''(2) the funds made available to the department for such fiscal year.'' and inserting ''(2) the total force management policies and procedures established under section 129a of this title.'';

(2) in subsection (d), by striking ''within that budget activity for which funds are provided for that fiscal year.'' and inserting ''within that budget activity as determined under the total force management policies and procedures established under section 129a of this title.''; and

(3) in subsection (e), by striking the sentence beginning with ''With respect to''.

SEC. 933. ADDITIONAL AMENDMENTS RELATING TO TOTAL FORCE MANAGEMENT.

(a) AMENDMENTS TO SECRETARY OF DEFENSE REPORT.— Section 113(l) of title 10, United States Code, is amended in paragraphs (2), (3), and (4) by striking ''military and civilian personnel'' each place it appears and inserting ''military, civilian, and contractor personnel''.

(b) AMENDMENTS RELATING TO CERTAIN GUIDELINES.— Section 1597(b) of title 10, United States Code, is amended by inserting after the first sentence the following: ''In establishing the guidelines, the Secretary shall ensure that nothing in the guidelines conflicts with the requirements of section 129 of this title or the policies and procedures established under section 129a of this title.''.

(c) AMENDMENT TO REQUIREMENTS FOR ACQUISITION OF SERVICES.—Section 863 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4293; 10 U.S.C. 2330 note) is amended by adding at the end of subsection (d) the following new paragraph:

''(9) Considerations relating to total force management policies and procedures established under section 129a of this title.''.

SEC. 934. AMENDMENTS TO ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.

Section 115a(a) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (1); and

(2) by striking paragraph (2) and inserting the following new paragraphs (2) and (3):

''(2) the annual civilian personnel requirements level for each component of the Department of Defense for the next fiscal year and the civilian end-strength level for the prior fiscal year; and

''(3) the contractor personnel requirements level for performing contract services as defined in section 235 of this title for each component of the Department of Defense for the next fiscal year and the contractor full-time equivalents level for the prior fiscal year as reported in the inventory for contracts for services required by subsection (c) of section 2330a of this title.''.

SEC. 935. REVISIONS TO STRATEGIC WORKFORCE PLAN.

(a) REVISION IN REPORTING PERIOD.—

(1) IN GENERAL.—Section 115b of title 10, United States Code, is amended—

(A) in the section heading, by striking ''**Annual strategic**'' and inserting ''**Biennial civilian strategic**'';

(B) in the heading of subsection (a), by striking ''ANNUAL'' and inserting ''BIENNIAL''; and

(C) in subsection (a)(1), by striking ''on an annual basis'' and inserting ''in every even-numbered year''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 2 of such title is amended by striking the item relating to section 115b and inserting the following:

''115b. Biennial civilian strategic workforce plan.''.

(b) REVISION IN ASSESSMENT CONTENTS AND PERIOD.—Section 115b(b)(1) of such title is amended—

(1) in subparagraph (A), by striking ''seven-year period following the year in which the plan is submitted'' and inserting ''five-year period corresponding to the current future-years defense program''; and

(2) in subparagraph (B), by inserting before the semicolon at the end the following: ''as determined under the total force management policies and procedures established under section 129a of this title''.

(c) REFERENCE TO SECTION 129A.—Section 115b(c)(2)(D) is amended by inserting before the period at the end the following: ''and the policies and procedures established under section 129a of this title''.

SEC. 936. TECHNICAL AMENDMENTS TO REQUIREMENT FOR INVENTORY OF CONTRACTS FOR SERVICES.

Section 2330a(c) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ''(and pursuant to contracts for goods to the extent services are also provided under such contracts)'' after ''pursuant to contracts for services'';

(B) in subparagraph (A)—

(i) by striking ''and'' at the end of clause (i); and

(ii) by striking clause (ii) and inserting the following:

''(ii) the calculation of contractor full-time equivalents for direct labor, using direct labor hours, in a manner that is comparable to the calculation of Department of Defense civilian full-time employees; and

''(iii) the conduct and completion of the annual review required under subsection (e)(1).''; and

(C) in subparagraph (B), by inserting ''for requirements specifically relating to acquisition'' before the period; and

(2) in paragraph (2)(E), by striking ''The number of contractor employees,'' and inserting ''The number of contractors,''.

SEC. 937. MODIFICATION OF TEMPORARY SUSPENSION OF PUBLIC-PRIVATE COMPETITIONS FOR CONVERSION OF DEPARTMENT OF DEFENSE FUNCTIONS TO CONTRACTOR PERFORMANCE.

Section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2253) is amended—

(1) in subsection (a), by striking ''Secretary of Defense submits to the congressional defense committees the certification required under subsection (d)'' and inserting ''Comptroller General submits to the congressional defense committees the assessment required under subsection (c)''; and

(2) by striking subsection (d).

SEC. 938. PRELIMINARY PLANNING AND DURATION OF PUBLIC-PRIVATE COMPETITIONS.

Section 2461(a)(5) of title 10, United States Code, is amended—

(1) in subparagraph (E)—

(A) by striking '', begins'' and inserting ''shall be conducted in accordance with guidance and procedures that shall be issued and maintained by the Under Secretary of Defense for Personnel and Readiness and shall begin'';

(B) by inserting after ''the date on which'' the following: ''a component of'';

(C) by inserting ''first'' before ''obligates'';

(D) by inserting ''specifically'' after ''funds'';

(E) by inserting ''for the preliminary planning effort'' after ''support''; and

(F) in clause (i), by inserting ''a public-private'' before ''competition''; and

(2) in subparagraph (F)—

(A) by inserting ''or Defense Agency'' after ''military department'';

(B) by striking ''of such date'' and inserting ''of the actions intended to be taken during the preliminary planning process'';

(C) by inserting ''of such actions'' after ''public notice'';

(D) by inserting after ''website'' the following: ''and through other means as determined necessary'';

(E) by inserting after the first sentence the following: ''Following the completion of preliminary planning for a public-private competition, if applicable, the head of a military department or Defense Agency shall submit to Congress written notice of the initiation of the public-private competition and shall announce such initiation in the Federal Register.''; and

(F) by striking ''Such date is the first day of preliminary planning for a public-private competition for'' and inserting ''The date of such announcement shall be used for''.

SEC. 939. CONVERSION OF CERTAIN FUNCTIONS FROM CONTRACTOR PERFORMANCE TO PERFORMANCE BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

Section 2463 of title 10, United States Code, is amended—

(1) in subsection (b)(1)—

(A) by striking subparagraph (A) and inserting the following new subparagraph (A):

''(A) is an inherently governmental function;'';

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (F) and (G), respectively; and

(C) by inserting after subparagraph (B) the following new subparagraphs (C), (D), and (E):

''(C) acquisition workforce functions;

''(D) is a critical function that is necessary to maintain sufficient organic expertise and technical capability;

''(E) has been performed by Department of Defense civilian employees at any time during the previous 10-year period;''.

(2) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively;

(3) by inserting after subsection (c) the following new subsections (d) and (e):

''(d) DETERMINATIONS RELATING TO THE CONVERSION OF CERTAIN FUNCTIONS.—(1) Except as provided in paragraph (2), in determining whether a function should be converted to performance by Department of Defense civilian employees, the Secretary of Defense shall—

''(A) develop methodology for determining costs based on the guidance outlined in the Directive-Type Memorandum 09–007 entitled 'Estimating and Comparing the Full Costs of Civilian and Military Manpower and Contractor Support' or any successor guidance for the determination of costs when costs are the sole basis for the determination;

''(B) take into consideration any supplemental guidance issued by the Secretary of a military department for determinations affecting functions of that military department; and

''(C) ensure that the difference in the cost of performing the function by a contractor compared to the cost of performing the function by Department of Defense civilian employees would be equal to or exceed the lesser of—

''(i) 10 percent of the personnel-related costs for performance of that function; or

''(ii) $10,000,000.

''(2) Paragraph (1) shall not apply to a function described in subparagraph (A) of subsection (b)(1).

''(e) NOTIFICATION RELATING TO THE CONVERSION OF CERTAIN FUNCTIONS.—The Secretary of Defense shall establish procedures for the timely notification of any contractor who performs a function that the Secretary plans to convert to performance by Department of Defense civilian employees pursuant to subsection (a). The Secretary shall provide a copy of any such notification to the congressional defense committees.''; and

(4) in subsection (g), as redesignated by paragraph (2)—

(A) by striking ''this section'' and all that follows and inserting ''this section:''; and

(B) by adding at the end the following new paragraphs:

''(1) The term 'functions closely associated with inherently governmental functions' has the meaning given that term in section 2383(b)(3) of this title.

''(2) The term 'acquisition function' has the meaning given that term under section 1721(a) of this title.

''(3) The term 'inherently governmental function' has the meaning given that term in the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U. S.C. 501 note).''.

SEC. 940. ASSESSMENT OF APPROPRIATE DEPARTMENT OF DEFENSE AND CONTRACTOR PERSONNEL FOR THE DEFENSE MEDICAL READINESS TRAINING INSTITUTE.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment to determine the appropriate mix of Department of Defense civilian personnel and contractor personnel to carry out the mission and functions of the Defense Medical Readiness Training Institute.

(b) FACTORS FOR CONSIDERATION.—In carrying out the assessment required under subsection (a), the Secretary shall take into consideration the policy, guidance, procedures, and methodologies for total force management of the Department of Defense, including—

(1) such policy, guidance, procedures, and methodologies described in sections 129 and 129a of title 10, United States Code, as amended by this Act;

(2) manpower requirements for planning, programming, and budgeting;

(3) the Department of Defense strategic human capital plans developed pursuant to section 115b of such title;

(4) the annual personnel authorization requests to Congress pursuant to section 115a of such title; and

(5) a determination of the Secretary with respect to whether the functions performed by the Defense Medical Readiness Training Institute are inherently governmental, closely associated with inherently governmental, or commercial in nature.

(c) OTHER ELEMENTS OF ASSESSMENT.—The assessment required under subsection (a) shall include an assessment of each of the following:

(1) The effect of distributed training at multiple locations in the United States on the ability of the Defense Medical Readiness Training Institute to accomplish its training mission.

(2) The extent to which simulated training can be used effectively at locations remote from the Defense Medical Readiness Training Institute campus.

(3) A cost-benefit analysis as outlined in Office of Management and Budget Circular A-94 of the use of simulated training versus training using classroom instructors.

(4) The budgetary effect of expanding the use of contractor-provided training to accomplish the mission of the Defense Medical Readiness Training Institute.

(5) Any other matter relevant to the mission of the Defense Medical Readiness Training Institute that the Secretary determines is appropriate.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the analysis required under subsection (a).

Subtitle E—Quadrennial Roles and Missions and Related Matters

SEC. 951. TRANSFER OF PROVISIONS RELATING TO QUADRENNIAL ROLES AND MISSIONS REVIEW.

(a) TRANSFER OF PROVISIONS RELATING TO ASSESSMENT OF ROLES AND MISSIONS.—Section 153(a)(4) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (C), (D), (E), and (F) as subparagraphs (D), (E), (F), and (G), respectively;

(2) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) Advising the Secretary on the roles and missions of the armed forces and on the assignment of functions to the armed forces in order to obtain maximum efficiency and effectiveness of the armed forces.''; and

(3) by amending subparagraph (G) (as redesignated by paragraph (1)) to read as follows:

''(G) Identifying, assessing, and prioritizing joint military requirements (including existing systems and equipment) for defense acquisition, and identifying the core mission areas associated with each such requirement.''.

(b) REQUIREMENT FOR NATIONAL MILITARY STRATEGY REVIEW TO BE CONSISTENT WITH QUADRENNIAL ROLES AND MISSIONS REVIEW.—Section 153(d)(2)(A) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of clause (ii);

(2) by striking the period and inserting ''; and'' at the end of clause (iii); and

(3) by adding at the end the following new clause:

''(iv) the most recent quadrennial roles and missions review conducted by the Secretary of Defense pursuant to section 118b of this title.''.

(c) ASSESSMENT OF ROLES AND MISSIONS.—Section 153 of such title is further amended by adding at the end the following new subsection:

''(e) ASSESSMENT OF ROLES AND MISSIONS.—(1) In each year in which the Secretary of Defense is required to conduct a quadrennial roles and missions review pursuant to section 118b of this title, the Chairman shall prepare and submit to the Secretary of Defense an assessment of the roles and missions of the armed forces and the assignment of functions to the armed forces, together with any recommendations for changes in assignment that the Chairman considers necessary to achieve maximum efficiency and effectiveness of the armed forces.

''(2) The assessment shall be conducted so as to—

''(A) organize the significant missions of the armed forces into core mission areas that cover broad areas of military activity; and

''(B) ensure that core mission areas are defined and functions are assigned so as to avoid unnecessary duplication of effort among the armed forces.

''(3) The Secretary shall forward the report received under paragraph (1) in any year, with the Secretary's comments thereon (if any), to Congress with the Secretary's next transmission to Congress of the annual Department of Defense budget justification materials in support of the Department of Defense component of the budget of the President submitted under section 1105 of title 31 for the next fiscal year.''.

(d) CONFORMING AMENDMENTS.—Section 118b of title 10, United States Code, is amended—

(1) by striking subsection (b); and

(2) in subsection (c), by striking ''Upon receipt of the Chairman's assessment, and after giving appropriate consideration to the Chairman's recommendations, the Secretary'' and inserting ''The Secretary''.

SEC. 952. REVISIONS TO QUADRENNIAL ROLES AND MISSIONS REVIEW.

Section 118b of title 10, United States Code, as amended by section 951, is further amended—

(1) in subsection (a), by striking ''core competencies and capabilities of the Department of Defense to perform and support such roles and missions'' and inserting ''functions and capabilities of the Department of Defense and its major components to achieve the objectives of the national defense strategy and the national military strategy'';

(2) by redesignating subsections (c) and (d) as subsections (b) and (c);

(3) in subsection (b) (as so redesignated)—

(A) by striking the subsection heading and all that follows through ''shall identify—'' and inserting ''CONDUCT OF REVIEW.—Each quadrennial roles and missions review shall identify—'';

(B) in paragraph (2), by striking ''core competencies and capabilities'' and inserting ''functions and capabilities of each of the armed forces'';

(C) in paragraph (3), by striking ''core competencies'' and inserting ''functions'';

(D) by striking ''core competencies and'' and inserting ''the functions and the''; and

(E) in paragraph (5), by striking ''core competencies'' and inserting ''functions''; and

(4) in subsection (d) (as so redesignated), by inserting ''findings of the'' before ''quadrennial''.

SEC. 953. AMENDMENT TO PRESENTATION OF FUTURE-YEARS BUDGET AND COMPTROLLER GENERAL REPORT ON BUDGET JUSTIFICATION MATERIAL.

(a) ORGANIZATION OF FUTURE-YEARS BUDGET.—

(1) IN GENERAL.—Section 222(b) of title 10, United States Code, is amended by striking ''on the basis of both major force programs and the core mission areas'' and inserting ''on the basis of major force programs and the core mission areas and functions of each of the armed forces''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply with respect to the future-years mission budget for fiscal year 2013 and each fiscal year thereafter.

(b) REPORT REQUIRED.—

(1) MATTERS COVERED.—The Comptroller General of the United States shall prepare a report containing assessments of—

(A) the sufficiency of Department of Defense regulations, policies, and guidance governing the construction of budget exhibits;

(B) the current program element structure and content used to account for the budget activity of the Department of the Defense;

(C) the degree to which the Secretary of Defense has implemented the recommendations for improving the consistency, clarity, accuracy,

and completeness of the Department of Defense budget documentation contained in Government Accountability Report GAO-07-1058; and

(D) the degree to which the Department of Defense has complied with the Congressional intent and requirements of the amendments made by section 944 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 289).

(2) RECOMMENDATIONS.—The report required by this subsection shall also include such recommendations as the Comptroller General considers to be appropriate in order to improve the consistency, clarity, accuracy, and completeness of the Department of Defense budget justification material content and to improve the Department's ability to identify and track resources by the core mission areas and functions of the armed forces as required by section 118b of title 10, United States Code.

SEC. 954. CHAIRMAN OF THE JOINT CHIEFS OF STAFF ASSESSMENT OF CONTINGENCY PLANS.

Section 153(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''assessment of'' and all that follows through the period and inserting: ''assessment of—

''(A) the nature and magnitude of the strategic and military risks associated with executing the missions called for under the current National Military Strategy; and

''(B) the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) identified during the preparation and review of contingency plans of each geographic combatant commander, and the effect of such deficiencies and strengths on strategic plans and on meeting national security objectives and policy.''; and

(2) in paragraph (2)—

(A) by inserting after ''National Military Strategy is significant,'' the following, ''or that critical deficiencies in force capabilities exist for a contingency plan,''; and

(B) by inserting ''or deficiency'' before the period at the end.

SEC. 955. QUADRENNIAL DEFENSE REVIEW.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the quadrennial defense review is a critical strategic document and should be based upon a process unconstrained by budgetary influences so that such influences do not determine or limit its outcome.

(b) RELATIONSHIP OF QUADRENNIAL DEFENSE REVIEW TO DEFENSE BUDGET.—Paragraph (4) of section 118(b) of title 10, United States Code, is amended to read as follows:

''(4) to make recommendations that are not constrained to comply with and are fully independent of the budget submitted to Congress by the President pursuant to section 1105 of title 31, in order to allow Congress to determine the level of acceptable risk to execute the missions associated with the national defense strategy within appropriated funds.''.

Subtitle F—Other Matters

SEC. 961. DEADLINE REVISION FOR REPORT ON FOREIGN LANGUAGE PROFICIENCY.

Section 958 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 297) is amended—

(1) in subsection (a), by striking ''annually thereafter'' and inserting ''by June 30 each year thereafter''; and

(2) in subsection (d), by striking ''December 31, 2013'' and inserting ''June 30, 2013''.

SEC. 962. MILITARY ACTIVITIES IN CYBERSPACE.

(a) AFFIRMATION.—Congress affirms that the Secretary of Defense is authorized to conduct military activities in cyberspace.

(b) AUTHORITY DESCRIBED.—The authority referred to in subsection (a) includes the authority to carry out a clandestine operation in cyberspace—

(1) in support of a military operation pursuant to the Authorization for Use of Military Force (50 U.S.C. 1541 note; Public Law 107–40) against a target located outside of the United States; or

(2) to defend against a cyber attack against an asset of the Department of Defense.

(c) BRIEFINGS ON ACTIVITIES.—Not later than 120 days after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate on covered military cyberspace activities that the Department of Defense carried out during the preceding quarter.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary of Defense to conduct military activities in cyberspace.

SEC. 963. ACTIVITIES TO IMPROVE MULTILATERAL, BILATERAL, AND REGIONAL COOPERATION REGARDING CYBERSECURITY.

(a) ESTABLISHMENT OF CYBERSECURITY PROGRAM.—

(1) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1051b the following new section:

''§ 1051c. Multilateral, bilateral, or regional cooperation programs: assignments to improve education and training in information security

''(a) ASSIGNMENTS AUTHORIZED; PURPOSE.—The Secretary of Defense may authorize the temporary assignment of a member of the military forces of a foreign country to a Department of Defense organization for the purpose of assisting the member to obtain education and training to improve the member's ability to understand and respond to information security threats, vulnerabilities of information security systems, and the consequences of information security incidents.

''(b) PAYMENT OF CERTAIN EXPENSES.—To facilitate the assignment of a member of a foreign military force to a Department of Defense organization under subsection (a), the Secretary of Defense may pay such expenses in connection with the assignment as the Secretary considers in the national security interests of the United States.

''(c) PROTECTION OF DEPARTMENT CYBERSECURITY.—In authorizing the temporary assignment of members of foreign military forces to Department of Defense organizations under subsection (a), the Secretary of Defense shall require the inclusion of adequate safeguards to prevent any compromising of Department information security.

''(d) MULTI-YEAR AVAILABILITY OF FUNDS.—Funds available to carry out this section shall be available, to the extent provided in appropriations Acts, for programs and activities under this section that begin in a fiscal year and end in the following fiscal year.

''(e) INFORMATION SECURITY DEFINED.—In this section, the term 'information security' refers to—

''(1) the confidentiality, integrity, or availability of an information system or the information such system processes, stores, or transmits; and

''(2) the security policies, security procedures, or acceptable use policies with respect to an information system.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1051b the following new item:

''1051c. Multilateral, bilateral, or regional cooperation programs: assignments to improve education and training in information security.''.

(b) REPORT ON EXPANSION OF FELLOWSHIP OPPORTUNITIES.—Not later one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report evaluating the feasibility and benefits of expanding the fellowship program authorized by section 1051c of title 10, United States Code, as added by subsection (a), to include ministry of defense officials, security officials, or other civilian officials of foreign countries.

SEC. 964. REPORT ON UNITED STATES SPECIAL OPERATIONS COMMAND STRUCTURE.

(a) REPORT.—Not later than March 1, 2012, the Secretary of Defense shall submit to the congressional defense committees a study of the United States Special Operations Command subunified structure.

(b) ELEMENTS.—The report required under this section shall include, at a minimum, the following:

(1) Recommendations to revise as necessary the present command structure to better support development and deployment of joint special operations forces and capabilities.

(2) Any other matters the Secretary considers appropriate.

(c) FORM.—The report required under this section shall be submitted in unclassified form, but may include a classified annex.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2012 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTERTERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law

108–136; 10 U.S.C. 371 note), as most recently amended by section 1012(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4346), is amended by striking ''2011'' and inserting ''2012''.

SEC. 1012. EXTENSION OF AUTHORITY OF DEPARTMENT OF DEFENSE TO PROVIDE ADDITIONAL SUPPORT FOR COUNTERDRUG ACTIVITIES OF OTHER GOVERNMENTAL AGENCIES.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Subsection (a) of section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note) is amended by striking ''During fiscal years 2002 through 2011'' and inserting ''Until September 30, 2013''.

(b) COVERAGE OF TRIBAL LAW ENFORCEMENT AGENCIES.—Such section is further amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''tribal,'' after ''local,''; and

(B) in paragraph (2), by striking ''State or local'' both places it appears and insert ''State, local, or tribal''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''State or local'' and inserting ''State, local, or tribal'';

(B) in paragraph (4), by striking ''State, or local'' and inserting ''State, local, or tribal''; and

(C) in paragraph (5), by striking ''State and local'' and inserting ''State, local, and tribal''.

(c) CLARIFICATION OF AUTHORITY TO PROVIDE CERTAIN NONLETHAL EQUIPMENT OR SERVICES.—Subsection (b)(4) of such section is amended by inserting before the period at the end the following: '', including the provision of nonlethal equipment or services necessary for the operation of such bases or facilities, other than any equipment specifically identified in section 1033 of the National Defense Authorization Act for Fiscal Year 1998''.

SEC. 1013. ONE-YEAR EXTENSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1014(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4347), is amended by striking ''2012'' and inserting ''2013''.

SEC. 1014. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1011 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4346), is amended—

(1) in subsection (a), by striking ''2011'' and inserting ''2012''; and

(2) in subsection (c), by striking ''2011'' and inserting ''2012''.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. BUDGETING FOR CONSTRUCTION OF NAVAL VESSELS.

(a) ANNUAL PLAN.—Section 231 of title 10, United States Code, is amended to read as follows:

''§ 231. Budgeting for construction of naval vessels: annual plan and certification

''(a) ANNUAL NAVAL VESSEL CONSTRUCTION PLAN AND CERTIFICATION.—The Secretary of Defense shall include with the defense budget materials for a fiscal year—

''(1) a plan for the construction of combatant and support vessels for the Navy developed in accordance with this section; and

''(2) a certification by the Secretary that both the budget for that fiscal year and the future-years defense program submitted to Congress in relation to such budget under section 221 of this title provide for funding of the construction of naval vessels at a level that is sufficient for the procurement of the vessels provided for in the plan under paragraph (1) on the schedule provided in that plan.

''(b) ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.—(1) The annual naval vessel construction plan developed for a fiscal year for purposes of subsection (a)(1) should be designed so that the naval vessel force provided for under that plan is capable of supporting the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 404a), except that, if at the time such plan is submitted with the defense budget materials for that fiscal year, a national security strategy report required under such section 108 has not been submitted to Congress as required by paragraph (2) or paragraph (3), if applicable, of subsection (a) of such section, then such annual plan should be designed so that the naval vessel force provided for under that plan is capable of supporting the ship force structure recommended in the report of the most recent quadrennial defense review.

''(2) Each such naval vessel construction plan shall include the following:

''(A) A detailed program for the construction of combatant and support vessels for the Navy over the next 30 fiscal years.

''(B) A description of the necessary naval vessel force structure to meet the requirements of the national security strategy of the United States or the most recent quadrennial defense review, whichever is applicable under paragraph (1).

''(C) The estimated levels of annual funding necessary to carry out the program, together with a discussion of the procurement strategies on which such estimated levels of annual funding are based.

''(c) ASSESSMENT WHEN VESSEL CONSTRUCTION BUDGET IS INSUFFICIENT TO MEET APPLICABLE REQUIREMENTS.—If the budget for a fiscal year provides for funding of the construction of naval vessels at a level that is not sufficient to sustain the naval vessel force structure specified in the naval vessel construction plan for that fiscal year under subsection (a), the Secretary shall include with the defense budget materials for that fiscal year an assessment that describes and discusses the risks associated with the reduced force structure of naval vessels that will result from funding naval vessel construction at such level. Such assessment shall be coordinated in advance with the commanders of the combatant commands.

''(d) CBO EVALUATION.—Not later than 60 days after the date on which the congressional defense committees receive the plan under subsection (a)(1), the Director of the Congressional Budget Office shall submit to such committees a report assessing the sufficiency of the estimated levels of annual funding included in such plan with respect to the budget submitted during the year in which the plan is submitted and the future-years defense program submitted under section 221 of this title.

''(e) DEFINITIONS.—In this section:

''(1) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

''(2) The term 'defense budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.

''(3) The term 'quadrennial defense review' means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by striking the item relating to section 231 and inserting the following new item:

''231. Budgeting for construction of naval vessels: annual plan and certification''.

Subtitle D—Counterterrorism

SEC. 1031. DEFINITION OF INDIVIDUAL DETAINED AT GUANTANAMO.

In this subtitle, the term ''individual detained at Guantanamo'' means any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, on or after March 7, 2011, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is in the custody or under the effective control of the Department of Defense.

SEC. 1032. EXTENSION OF AUTHORITY TO MAKE REWARDS FOR COMBATING TERRORISM.

Section 127b of title 10, United States Code, is amended—

(1) in subsection (c)(3)(C), by striking ''September 30, 2011'' and inserting ''September 30, 2014''; and

(2) in subsection (f)(1), by striking ''December'' and inserting ''February''.

SEC. 1033. CLARIFICATION OF RIGHT TO PLEAD GUILTY IN TRIAL OF CAPITAL OFFENSE BY MILITARY COMMISSION.

(a) CLARIFICATION OF RIGHT.—Section 949m(b)(2) of title 10, United States Code, is amended—

(1) in subparagraph (C), by inserting before the semicolon the following: '', or a guilty plea was accepted and not withdrawn prior to announcement of the sentence in accordance with section 949i(b) of this title''; and

(2) in subparagraph (D), by inserting ''on the sentence'' after ''vote was taken''.

(b) PRE-TRIAL AGREEMENTS.—Section 949i of such title is amended—

(1) in the first sentence of subsection (b)—

(A) by inserting after ''military judge'' the following: '', including a charge or specification that has been referred capital,'';

(B) by inserting ''by the military judge'' after ''may be entered''; and

(C) by inserting ''by the members'' after ''vote''; and

(2) by adding at the end the following new subsection:

''(c) PRE-TRIAL AGREEMENTS.—(1) A plea of guilty made by the accused that is accepted by a military judge under subsection (b) and not withdrawn prior to announcement of the sentence may form the basis for an agreement reducing the maximum sentence approved by the convening authority, including the reduction of a sentence of death to a lesser punishment, or that the case will be referred to a military commission under this chapter without seeking the penalty of death. Such an agreement may provide for terms and conditions in addition to a guilty plea by the accused in order to be effective.

''(2) A plea agreement under this subsection may not provide for a sentence of death imposed by a military judge alone. A sentence of death may only be imposed by the unanimous vote of all members of a military commission concurring in the sentence of death as provided in section 949m(b)(2)(D) of this title.''.

SEC. 1034. AFFIRMATION OF ARMED CONFLICT WITH AL-QAEDA, THE TALIBAN, AND ASSOCIATED FORCES.

Congress affirms that—

(1) the United States is engaged in an armed conflict with al-Qaeda, the Taliban, and associated forces and that those entities continue to pose a threat to the United States and its citizens, both domestically and abroad;

(2) the President has the authority to use all necessary and appropriate force during the current armed conflict with al-Qaeda, the Taliban, and associated forces pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note);

(3) the current armed conflict includes nations, organization, and persons who—

(A) are part of, or are substantially supporting, al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners; or

(B) have engaged in hostilities or have directly supported hostilities in aid of a nation, organization, or person described in subparagraph (A); and

(4) the President's authority pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) includes the authority to detain belligerents, including persons described in paragraph (3), until the termination of hostilities.

SEC. 1035. REQUIREMENT FOR NATIONAL SECURITY PROTOCOLS GOVERNING DETAINEE COMMUNICATIONS.

(a) LIMITATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a national security protocol applicable to each individual detained at Guantanamo. Each such national security protocol shall include a description of each of the following:

(1) The authority of an individual covered by the protocol to have access to military or civilian legal representation, or both, and any limitations on such access.

(2) Any items that are considered contraband for such an individual.

(3) Any category of information that such an individual is not permitted to discuss or include in any communications made to persons other than Federal Government personnel and members of the Armed Forces or materials the individual has or creates.

(4) Any types of materials to which such an individual is authorized to have access and the process by which such materials, along with materials created by the individual, are reviewed.

(5) The nature of any communication such an individual is permitted to have with any persons other than Federal Government personnel and members of the Armed Forces, including mail, phone calls, and video teleconferences, and the extent to which any such communication is to be monitored.

(6) Any meetings the individual is permitted to have with any persons other than Federal Government personnel and members of the Armed Forces and the extent to which such a meeting is to be monitored.

(7) Any category of information or material that may not be provided to such an individual by persons other than Federal Government personnel and members of the Armed Forces or by the individual's military or civilian legal counsel or military personal representative.

(8) The manner in which any legal materials or communications subject to review under the protocol will be monitored for the protection of national security while also ensuring that any applicable legal privileges are maintained for purposes of litigation related to trial under chapter 47A of title 10, United States Code, or a petition for habeas corpus.

(9) The measures planned to be taken to implement and enforce the provisions of the security protocol.

(b) TREATMENT OF CLASSIFIED MATERIAL IN SECURITY PROTOCOLS.—A security protocol submitted under subsection (a) shall be in unclassified form but may contain a classified annex.

SEC. 1036. PROCESS FOR THE REVIEW OF NECESSITY FOR CONTINUED DETENTION OF INDIVIDUALS DETAINED AT NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REVIEW PROCESS.—The Secretary of Defense shall establish a review process to review the detention of each individual detained at Guantanamo. Such review process shall be designed to determine whether the continued military detention of each such individual is necessary to protect the national security of the United States. The review process shall include, for each such individual, a full review not less than once every three years and a limited file review not less than once every year.

(b) RELATIONSHIP TO OTHER LAWS.—The review process established by this section shall not affect the jurisdiction of any Federal court to determine the legality of the detention of an individual detained at Guantanamo.

(c) MILITARY REVIEW PANELS.—The Secretary shall establish military review panels to carry out the reviews required by subsection (a). Each military panel shall be made up of military officers with expertise in operations, intelligence, and counterterrorism matters. Any officer assigned to a military panel under this subsection must have the necessary security clearances to review all information submitted by the Government in any proceeding before the panel.

(d) PROCEDURES FOR FULL REVIEW.—

(1) MILITARY PERSONAL REPRESENTATIVES.—In any full review proceeding before a military panel established pursuant to subsection (c), an individual detained at Guantanamo shall be assisted by a military personal representative with the appropriate security clearance. The military personal representative shall appear before the military panel to advocate on behalf of the individual and to introduce information on behalf of the individual.

(2) MILITARY PANEL PROCEEDINGS.—During a proceeding before such a military panel, such an individual, with the assistance of the individual's military personal representative, shall be permitted to—

(A) present to the military panel a written or oral statement;

(B) introduce relevant information, including written declarations;

(C) answer any questions posed by the military panel; and

(D) call witnesses who are reasonably available and willing to provide information that is relevant and material to whether the individual represents a continuing threat to the United States or its allies.

(3) ADVANCE NOTICE OF SUMMARY OF INFORMATION.—Such an individual shall be provided, in writing and in a language the individual understands, with advance notice of an unclassified summary of the factors and information the military panel will consider, including mitigating information described in paragraph (7)(D), in making a recommendation with respect to the individual's continued military detention.

(4) PROVISION OF INFORMATION TO MILITARY PERSONAL REPRESENTATIVE.—The Government's submission to the military panel regarding the threat posed by such an individual and any mitigating information described in paragraph (7)(D) shall be provided to the military personal representative for the individual. Where it is necessary to protect national security, including the protection of intelligence sources and methods, the panel may determine that the military personal representative must receive a sufficient substitute or summary of classified information, rather than the underlying information.

(5) PERMITTED ACTIONS BY OUTSIDE PARTIES.—An outside party, including any private counsel for such an individual, may file a written submission to the military panel on the question of whether the individual represents a threat to the national security of the United States. An outside party filing such a submission must obtain written permission from the individual before filing the submission.

(6) TIMEFRAME FOR REVIEW.—A full review of an individual detained at Guantanamo to determine whether the continued military detention of the individual is necessary may not take place sooner than 21 days after the individual first becomes an individual detained at Guantanamo.

(7) FACTORS FOR CONSIDERATION.—In conducting a full review of an individual detained at Guantanamo, the panel shall consider whether the individual represents a continuing threat to the United States or its allies, taking into consideration the following factors:

(A) The likelihood the individual will resume terrorist activity if transferred or released.

(B) The likelihood the individual will reestablish ties with an organization engaged in hostilities against the United States or its allies if transferred or released.

(C) The behavior of the individual while in military custody.

(D) Any information reviewed by the officials preparing the Government's submission to the panel that tends to mitigate the threat posed by the individual.

(8) INTELLIGENCE INFORMATION FACTOR.—In conducting a full review of an individual detained at Guantanamo, the panel shall consider the factor of whether information known to the individual could be of significant intelligence value to the national security of the United States, taking into consideration information provided by the intelligence community, including an overall assessment provided by the Director of National Intelligence regarding the intelligence value of the information known by the individual.

(9) RECOMMENDATION.—The panel shall evaluate the factors described in paragraphs (7) and (8) with respect to an individual detained at Guantanamo, taking into consideration the totality of the circumstances, and shall make a recommendation with respect to whether the continued military detention of the individual is necessary.

(e) PROCEDURES FOR FILE REVIEW.—

(1) GOVERNMENT SUBMISSION OF INFORMATION.—For each annual file review of an individual detained at Guantanamo, the Government shall submit to a military panel established under subsection (c) any significant new information regarding the threat posed by the individual to the United States or its allies, including significant mitigating information reviewed by the officers compiling the material submitted by the Government.

(2) INDIVIDUAL WRITTEN SUBMISSION.—The individual receiving the file review may submit to the panel such written information as the individual determines appropriate.

(3) COMMENCEMENT OF FULL REVIEW.—If, during the course of a file review of an individual, a significant question is raised as to whether the continued military detention of the individual is necessary, the Secretary of Defense shall promptly convene a full review of the individual in accordance with this section.

(f) PREVIOUSLY PROVIDED INFORMATION.—The officers assembling the Government submission to a military panel for a full review under subsection (d) or a file review under subsection (e) shall include in their review to prepare the submission any information previously provided by the Government in discovery for a case before a military commission or a proceeding in a Federal court relating to a petition for habeas corpus.

(g) INTERAGENCY REVIEW BOARD.—

(1) ESTABLISHMENT.—There is hereby established an interagency review board.

(2) MEMBERSHIP.—The members of the interagency review board shall be senior officials of the Department of State, the Department of Defense, the Department of Justice, the Department of Homeland Security, and the Joint Chiefs of Staff, who shall be appointed the heads of their employing agencies. The Director of National Intelligence shall appoint a senior official of the Office of the Director of National Intelligence to serve as a non-voting advisory member of the interagency review board.

(3) RESPONSIBILITIES.—

(A) REVIEW.—The review board shall be responsible for reviewing the recommendations of a military panel in a full review made under subsection (d)(9) for clear error. If the members of the review board disagree with a recommendation of a military panel by a majority

vote, the recommendation shall be rejected. The review board shall seek consensus in such cases to the greatest extent possible.

(B) DISPOSITION OF INDIVIDUALS NOT RECOMMENDED FOR CONTINUED DETENTION.—In the case of an individual who the military panel has recommended no longer be subject to military detention, if the review board accepts the recommendation of the military panel, the review board shall identify a suitable location outside the United States to which to transfer the individual. In making such recommendation, the board shall consider whether the country to which the individual is proposed to be transferred—

(i) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(ii) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(iii) is likely to subject the individual to prosecution;

(iv) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(v) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(vi) has taken such steps as the review board determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity;

(vii) has agreed to share any information with the United States that—

(I) is related to the individual or any associates of the individual; and

(II) could affect the security of the United States, its citizens, or its allies;

(viii) has agreed to allow appropriate agencies of the United States to have access to the individual, if requested; and

(ix) has made assurances regarding the humane treatment of the individual.

(h) REEVALUATION OF RECOMMENDATIONS.—If the review board rejects the recommendation of a military panel with respect to an individual detained at Guantanamo, the military panel may reevaluate the individual. The military panel shall determine whether to reevaluate such an individual by not later than 10 days after the date on which the review board rejects the recommendation of the panel, and shall complete such reevaluation by not later than 60 days after making such determination.

(i) FORWARDING OF RECOMMENDATION AND REVIEW.—Upon a decision to accept or reject a recommendation of a military panel made under subsection (g)(3), and after a reevaluation under subsection (h), if any, the review board shall forward the recommendation and the acceptance or rejection to the Secretary of Defense for signature. In the case of a recommendation described in subsection (g)(3)(B), the review panel shall include with the recommendation a written discussion of the factors referred to in that subparagraph and a recommended location to which to transfer the individual. The Secretary of Defense may only delegate the responsibility of signing such a recommendation and acceptance or rejection to the Deputy Secretary of Defense.

(j) EXCEPTIONS.—An individual detained at Guantanamo shall not be subject to the review process established under this section under circumstances as follows:

(1) In the case of such an individual upon whom charges have been served in accordance with section 948s of title 10, United States Code, until after final judgment has been reached on such charges.

(2) In the case of such an individual who has been convicted by a military commission under chapter 47A of such title of an offense under subchapter VIII of that chapter, until after the individual has completed his sentence.

(3) In the case of such an individual who has been ordered released by a Federal court.

(k) NO ENFORCEABLE RIGHTS.—Nothing in this section creates any right for which an individual may seek enforcement in any court of the United States.

(l) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the establishment of the review process required under this section.

(m) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1037. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM NAVAL STATION GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2012 may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. PROHIBITION ON FAMILY MEMBER VISITATION OF INDIVIDUALS DETAINED AT NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2012 may be used to permit any person who is a family member of an individual detained at Guantanamo to visit the individual at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1039. PROHIBITION ON THE TRANSFER OR RELEASE OF CERTAIN DETAINEES TO OR WITHIN THE UNITED STATES.

(a) PROHIBITION ON TRANSFER OR RELEASE TO OR WITHIN THE UNITED STATES.—None of the funds authorized to be appropriated to the Department of Defense for fiscal year 2012 may be used to transfer or release an individual detained at Guantanamo or an individual described in subsection (b) to or within the United States, its territories, or possessions.

(b) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is not a citizen of the United States or a member of the Armed Forces; and

(2) is in the custody or under the effective control of the Department of Defense at a location outside the United States other than United States Naval Station, Guantanamo Bay, Cuba, and detained pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

SEC. 1040. PROHIBITIONS RELATING TO THE TRANSFER OR RELEASE OF CERTAIN DETAINEES TO OR WITHIN FOREIGN COUNTRIES.

(a) LIMITATION ON TRANSFER TO FOREIGN COUNTRIES.—

(1) LIMITATION.—None of the funds authorized to be appropriated to the Department of Defense for fiscal year 2012 may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in paragraph (2) by not later than 30 days before the transfer of the individual.

(2) CERTIFICATION.—The certification described in this paragraph is a written certification made by the Secretary of Defense, in consultation with the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity;

(F) has agreed to share any information with the United States that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(G) has agreed to allow appropriate agencies of the United States to have access to the individual, if requested.

(3) PROHIBITION ON TRANSFER IN CASES OF RECIDIVISM.—

(A) PROHIBITION.—The Secretary of Defense may not transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual detained at Guantanamo who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(B) WAIVER.—The Secretary of Defense may waive the prohibition in subparagraph (A) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in paragraph (2) relating to such transfer, the determination of the Secretary under this paragraph.

(4) LIMITATION ON APPLICABILITY.—Paragraphs (1) and (3) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

(b) DEFINITION OF FOREIGN TERRORIST ORGANIZATION.—In this section term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 1041. COUNTERTERRORISM OPERATIONAL BRIEFING REQUIREMENT.

(a) BRIEFINGS REQUIRED.—Beginning not later than March 1, 2012, the Secretary of Defense shall provide to the congressional defense committees quarterly briefings outlining Department of Defense counterterrorism operations and related activities involving special operations forces.

(b) ELEMENTS.—Each briefing under subsection (a) shall include each of the following:

(1) A global update on activity within each geographic combatant command.

(2) An overview of authorities and legal issues including limitations.

(3) An outline of interagency activities and initiatives.

(4) Any other matters the Secretary considers appropriate.

SEC. 1042. REQUIREMENT FOR DEPARTMENT OF JUSTICE CONSULTATION REGARDING PROSECUTION OF TERRORISTS.

(a) IN GENERAL.—Before any officer or employee of the Department of Justice institutes any prosecution of an alien in a United States district court for a terrorist offense, the Attorney General, Deputy Attorney General, or Assistant Attorney General for the Criminal Division, shall consult with the Director of National Intelligence and the Secretary of Defense about—

(1) whether the prosecution should take place in a United States district court or before a military commission under chapter 47A of title 10, United States Code; and

(2) whether the individual should be transferred into military custody for purposes of intelligence interviews.

(b) DEFINITIONS.—In this section—

(1) the term ''terrorist offense'' means any offense for which the defendant could be tried by a military commission under chapter 47A of title 10, United States Code; and

(2) the term ''alien'' means any person who is not a citizen of the United States.

Subtitle E—Nuclear Forces

SEC. 1051. ANNUAL ASSESSMENT AND REPORT ON THE DELIVERY PLATFORMS FOR NUCLEAR WEAPONS AND THE NUCLEAR COMMAND AND CONTROL SYSTEM.

(a) IN GENERAL.—Chapter 23 of title 10, United States Code, as amended by section 1071 and 1072, is further amended by adding after section 490a the following new section:

''§ 490b. Annual assessment and report on the delivery platforms for nuclear weapons and the nuclear command and control system

''(a) ANNUAL ASSESSMENTS.—(1) Each covered official shall annually assess the safety, security, reliability, sustainability, performance, and military effectiveness of the systems described in paragraph (2) for which such official has responsibility.

''(2) The systems described in this paragraph are the following:

''(A) Each type of delivery platform for nuclear weapons.

''(B) The nuclear command and control system.

''(b) ANNUAL REPORT.—(1) Not later than December 1 of each year, beginning in 2011, each covered official shall submit to the Secretary of Defense and the Nuclear Weapons Council established by section 179 of this title a report on the assessments conducted under subsection (a).

''(2) Each report under paragraph (1) shall include the following:

''(A) The results of the assessment.

''(B) An identification and discussion of any capability gaps or shortfalls with respect to the systems described in subsection (a)(2) covered under the assessment.

''(C) An identification and discussion of any risks with respect to meeting mission or capability requirements.

''(D) In the case of an assessment by the Commander of the United States Strategic Command, if the Commander identifies any deficiency with respect to a nuclear weapons delivery platform covered under the assessment, a discussion of the relative merits of any other nuclear weapons delivery platform type or compensatory measure that would accomplish the mission of such nuclear weapons delivery platform.

''(E) An identification and discussion of any matter having an adverse effect on the capability of the covered official to accurately determine the matters covered by the assessment.

''(c) REPORT TO PRESIDENT AND CONGRESS.—(1) Not later than March 1 of each year, beginning in 2012, the Secretary of Defense shall submit to the President a report containing—

''(A) each report under subsection (b) submitted during the previous year, as originally submitted to the Secretary;

''(B) any comments that the Secretary considers appropriate with respect to each such report;

''(C) any conclusions that the Secretary considers appropriate with respect to the safety, security, reliability, sustainability, performance, or military effectiveness of the systems described in subsection (a)(2); and

''(D) any other information that the Secretary considers appropriate.

''(2) Not later than March 15 of each year, beginning in 2012, the President shall transmit to the congressional defense committees the report submitted to the President under paragraph (1), including any comments the President considers appropriate.

''(3) Each report under this subsection may be in classified form if the Secretary of Defense determines it necessary.

''(d) COVERED OFFICIAL DEFINED.—In this section, the term 'covered official' means—

''(1) the Commander of the United States Strategic Command;

''(2) the Director of the Strategic Systems Program of the Navy; and

''(3) the Commander of the Global Strike Command of the Air Force.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 490a the following new item:

''490b. Annual assessment and report on the delivery platforms for nuclear weapons and the nuclear command and control system.''.

SEC. 1052. PLAN ON IMPLEMENTATION OF THE NEW START TREATY.

(a) PLAN REQUIRED.—Not later than December 12, 2011, the Secretary of Defense, in consultation with the Secretary of the Navy, the Secretary of the Air Force, and the Commander of the United States Strategic Command, shall submit to the congressional defense committees and to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a plan for the Department of Defense to implement the nuclear force reductions, limitations, and verification and transparency measures contained in the New START Treaty.

(b) MATTERS INCLUDED.—The plan under subsection (a) shall include the following:

(1) A description of the nuclear force structure of the United States under the New START Treaty, including—

(A) the composition of intercontinental ballistic missiles, submarine launched ballistic missiles, and bombers;

(B) the planned composition of the types and quantity of warheads for each delivery vehicle described in subparagraph (A);

(C) the number of nondeployed and retired warheads; and

(D) the plans for maintaining the flexibility of the nuclear force structure within the limits of the New START Treaty.

(2) A description of changes necessary to implement the reductions, limitations, and verification and transparency measures contained in the New START Treaty, including—

(A) how each military department plans to implement such changes; and

(B) an identification of any programmatic, operational, or policy effects resulting from such changes.

(3) The total costs associated with the reductions, limitations, and verification and transparency measures contained in the New START Treaty, and the funding profile by year and program element.

(4) An implementation schedule and associated key decision points.

(5) A description of options for and feasibility of accelerating the implementation of the New START Treaty, including a description of any potential cost savings, benefits, or risks resulting from such acceleration.

(6) Any other information the Secretary considers necessary.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 180 days after the date on which the plan is submitted under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees a review of the plan.

(d) FORM.—The plan under subsection (a) and the review under subsection (c) shall be submitted in unclassified form, but may include a classified annex.

(e) NEW START TREATY DEFINED.—In this section, the term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1053. ANNUAL REPORT ON THE PLAN FOR THE MODERNIZATION OF THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, AND DELIVERY PLATFORMS.

(a) REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, AND DELIVERY PLATFORMS.—

(1) IN GENERAL.—Together with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2013 through 2019, the President, in consultation with the Secretary of Defense and the Secretary of Energy, shall transmit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a detailed report on the plan to—

(A) enhance the safety, security, and reliability of the nuclear weapons stockpile of the United States;

(B) modernize the nuclear weapons complex;

(C) maintain, modernize, or replace the delivery platforms for nuclear weapons; and

(D) retire, dismantle, or eliminate any covered nuclear system.

(2) ELEMENTS.—Each report required under paragraph (1) shall include the following:

(A) A detailed description of the plan to enhance the safety, security, and reliability of the nuclear weapons stockpile of the United States.

(B) A detailed description of the plan to modernize the nuclear weapons complex, including improving the safety of facilities, modernizing the infrastructure, and maintaining the key capabilities and competencies of the nuclear weapons workforce, including designers and technicians.

(C) A detailed description of the plan to maintain, modernize, and replace delivery platforms for nuclear weapons.

(D) A detailed estimate of budget requirements, including the costs associated with the plans outlined under subparagraphs (A) through (C), over the 10-year period following the date of the report.

(E) A detailed description of the steps taken to implement the plan submitted in the previous year.

(b) FORM.—The reports under subsection (a) shall be submitted in unclassified form (including as much detail as possible), but may include a classified annex.

(c) COVERED NUCLEAR SYSTEM DEFINED.—The term ''covered nuclear system'' means the following:

(1) B–52H or B2 bomber aircraft and nuclear air-launched cruise missiles.

(2) Trident ballistic missile submarines, launch tubes, and Trident D–5 submarine-launched ballistic missiles.

(3) Minuteman III intercontinental ballistic missiles and associated silos.

(4) Nuclear warheads or gravity bombs that can be delivered by the systems specified in paragraph (1), (2), or (3).

(5) Nuclear weapons delivered by means other than the systems specified in paragraph (1), (2), or (3).

SEC. 1054. SENSE OF CONGRESS ON NUCLEAR FORCE REDUCTIONS.

(a) FINDINGS.—Congress finds the following:

(1) As of September 30, 2009, the stockpile of nuclear weapons of the United States has been reduced by 84 percent from its maximum level in 1967 and by more than 75 percent from its level when the Berlin Wall fell in November 1989.

(2) The number of non-strategic nuclear weapons of the United States has declined by approximately 90 percent from September 30, 1991, to September 30, 2009.

(3) The Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (commonly known as the ''New START Treaty'') signed on April 8, 2010, and entered into force on February 5, 2011, will significantly reduce the strategic nuclear forces of the United States to 1,550 deployed warheads and a combined limit of 800 deployed and nondeployed intercontinental ballistic missile launchers, submarine launched ballistic missile launchers, and heavy bombers equipped to carry nuclear weapons.

(4) The Nuclear Posture Review of April 2010 stated that, ''the President has directed a review of potential future reductions in U.S. nuclear weapons below New START levels.''.

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

(1) any reductions in the nuclear forces of the United States should be supported by a thorough assessment of the strategic environment, threat, and policy and the technical and operational implications of such reductions; and

(2) specific criteria are necessary to guide future decisions regarding further reductions in the nuclear forces of the United States.

SEC. 1055. LIMITATION ON NUCLEAR FORCE REDUCTIONS.

(a) FINDINGS.—Congress finds the following:

(1) As of September 30, 2009, the stockpile of nuclear weapons of the United States has been reduced by 84 percent from its maximum level in 1967 and by more than 75 percent from its level when the Berlin Wall fell in November 1989.

(2) The number of non-strategic nuclear weapons of the United States has declined by approximately 90 percent from September 30, 1991, to September 30, 2009.

(3) The President of the United States, in a letter dated December 18, 2010, declared that, ''I recognize that nuclear modernization requires investment for the long-term, in addition to this one-year budget increase. That is my commitment to the Congress that my Administration will pursue these programs and capabilities for as long as I am President. In future years, we will provide annual updates to the [report required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)].''.

(4) On March 29, 2011, the Assistant to the President for National Security Affairs stated, ''As we implement New START, we're making preparations for the next round of nuclear reductions. Under the President's direction, the Department of Defense will review our strategic requirements and develop options for further reductions in our current nuclear stockpile, which stands at approximately 5,000 warheads, including both deployed and reserve warheads. To develop these options for further reductions, we need to consider several factors, such as potential changes in targeting requirements and alert postures that are required for effective deterrence.''.

(b) IMPLEMENTATION OF NEW START TREATY.—

(1) LIMITATION.—

(A) Except as provided by paragraph (2), the Secretary of Defense and the Secretary of Energy may not obligate or expend amounts appropriated or otherwise made available to the Department of Defense or the Department of Energy for any of fiscal years 2011 through 2017 to retire any covered nuclear system of the United States as required by the New START Treaty.

(B) Nothing in subparagraph (A) shall be construed to limit any action (including verification) required by the New START Treaty other than retiring any covered nuclear system of the United States.

(2) WAIVER.—The Secretary of Defense and the Secretary of Energy may jointly waive the limitation under paragraph (1)(A) for a covered nuclear system if—

(A) the Secretaries submit to the congressional defense committees written notice of the status of carrying out the modernization plan described in the most recent report required by section 1053; and

(B) with respect to such notice—

(i) if the notice describes that such plan is being carried out, a period of 30 days has elapsed following the date on which the President submits to the congressional defense committees such report that includes written notice of the proposed retirement of such nuclear system, as required by subsection (a)(1)(D) of such section 1053; or

(ii) if the notice describes that such plan is not being carried out, a period of 180 days has elapsed following the date on which the President submits to the congressional defense committees the report described in clause (i).

(3) DEFINITIONS.—In this subsection:

(A) The term ''covered nuclear systems'' means the following:

(i) B–52H or B2 bomber aircraft and nuclear air-launched cruise missiles.

(ii) Trident ballistic missile submarines, launch tubes, and Trident D–5 submarine-launched ballistic missiles.

(iii) Minuteman III intercontinental ballistic missiles and associated silos.

(iv) Nuclear warheads or gravity bombs that can be delivered by the systems specified in clause (i), (ii), or (iii).

(v) Nuclear weapons delivered by means other than the systems specified in clause (i), (ii), or (iii).

(B) The term ''retire'', with respect to a covered nuclear system, includes retiring, dismantling, eliminating, removing from deployed status or preparing to retire, dismantle, eliminate, or remove from deployed status.

(c) PROHIBITION ON REDUCTION OF STOCKPILE HEDGE.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Energy may not obligate or expend amounts appropriated or otherwise made available to the Department of Defense or the Department of Energy to retire, dismantle, or eliminate, or prepare to retire, dismantle, or eliminate, any nondeployed strategic or nonstrategic nuclear weapon until the date that is 90 days after the date on which the Secretary of Energy submits to the congressional defense committees written certification that—

(A) the Chemistry and Metallurgy Research Replacement nuclear facility (in this paragraph referred to as the ''nuclear facility'') and the Uranium Processing Facility (in this paragraph referred to as the ''processing facility'') are fully operational;

(B) the nuclear facility and the Plutonium Facility–4 are together able to deliver to the nuclear weapons stockpile not less than a total of 80 pits per year;

(C) the processing facility is able to deliver to the nuclear weapons stockpile not less than 80 refurbished or new canned subassemblies per year; and

(D) the nuclear security enterprise has a capacity that supports two simultaneous life extension programs.

(2) EXCEPTION.—The limitation in paragraph (1) shall not apply with respect to the dismantlement of legacy warheads that are awaiting dismantlement on the date of the enactment of this Act.

(d) PROHIBITION ON UNILATERAL REDUCTION OF NUCLEAR WEAPONS.—

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

''§ 130e. Prohibition on unilateral reduction of nuclear weapons

''(a) IN GENERAL.—The President may not retire, dismantle, or eliminate, or prepare to retire, dismantle, or eliminate, any nuclear weapon of the United States (including such deployed weapons and nondeployed weapons and warheads in the nuclear weapons stockpile) if such action would reduce the number of such weapons to a number that is less than the level described in the New START Treaty unless such action is—

''(1) required by a treaty or international agreement specifically approved with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution; or

''(2) specifically authorized by an Act of Congress.

''(b) NEW START TREATY DEFINED.—In this section, the term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010.''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130d the following new item:

''130e. Prohibition on unilateral reduction of nuclear weapons.''.

(e) NEW START TREATY DEFINED.—In this section, the term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010.

SEC. 1056. NUCLEAR EMPLOYMENT STRATEGY.

(a) FINDINGS.—Congress finds the following:

(1) Section 1057 of H.R. 5136, as passed by the House of Representatives during the 111th Congress, included a requirement that any future reductions of the nuclear forces of the United States below the level described in the New START Treaty be contingent on the certification by the Secretary of Defense that ''such reduction does not require a change in targeting strategy from counterforce targeting to countervalue targeting''.

(2) On March 29, 2011, the Assistant to the President for National Security Affairs stated, ''As we implement New START, we're making preparations for the next round of nuclear reductions. Under the President's direction, the Department of Defense will review our strategic requirements and develop options for further reductions in our current nuclear stockpile, which stands at approximately 5,000 warheads, including both deployed and reserve warheads. To develop these options for further reductions, we need to consider several factors, such as potential changes in targeting requirements and alert postures that are required for effective deterrence.''.

(b) CHANGES TO STRATEGY.—The President may not make any changes to the nuclear employment strategy of the United States unless—

(1) the President submits to the appropriate congressional committees a report on such proposed changes, including—

(A) the implication of such changes on the flexibility and resilience of the strategic forces of the United States and the ability of such forces to support the goals of the United States with respect to nuclear deterrence, extended deterrence, assurance, and defense;

(B) certification that such proposed changes do not require a change in targeting strategy from counterforce targeting to countervalue targeting; and

(C) certification that such proposed changes preserve the nuclear force structure triad composed of land-based intercontinental ballistic missiles, submarine-launched ballistic missiles, and strategic bomber aircraft; and

(2) a period of 90 days has elapsed after the date on which such report under paragraph (1) is submitted.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1057. COMPTROLLER GENERAL REPORT ON NUCLEAR WEAPON CAPABILITIES AND FORCE STRUCTURE REQUIREMENTS.

(a) COMPTROLLER GENERAL STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study on the strategic nuclear weapons capabilities, force structure, employment policy, and targeting requirements of the Department of Defense.

(b) MATTERS COVERED.—The study conducted under subsection (a) shall, at minimum, cover the following:

(1) An update to the September 1991 report of the Comptroller General (GAO/NSIAD-91-319FS) titled ''Strategic Weapons: Nuclear Weapons Targeting Process'' that addresses—

(A) the relationship between the strategic nuclear targeting process and the determination of requirements for nuclear weapons and related delivery systems;

(B) the level of civilian oversight;

(C) the categories and types of targets; and

(D) any other matters addressed in such report or are otherwise considered appropriate by the Comptroller General.

(2) The process and rigor used to determine the effectiveness of nuclear weapons capabilities, force structures, employment policies, and targeting requirements in achieving the goals of deterrence, extended deterrence, assurance, and defense.

(3) An assessment of the requirements of the Department of Defense for strategic nuclear bomber aircraft and intercontinental ballistic missiles, including assessments of the extent to which the Secretary of Defense has—

(A) determined the force structure and capability requirements for nuclear-capable strategic bomber aircraft, bomber-delivered nuclear weapons, and intercontinental ballistic missiles;

(B) synchronized the requirements described in subparagraph (A) with plans to extend the service life of nuclear gravity bombs, nuclear-armed cruise missiles, and intercontinental ballistic missile warheads; and

(C) evaluated long-term intercontinental ballistic missile alert posture requirements and basing options.

(c) REPORTS.—

(1) IN GENERAL.—The Comptroller General shall submit to the appropriate congressional committees one or more reports on the study conducted under subsection (a).

(2) FORM.—Any report submitted under this subsection may be submitted in classified form, but if so submitted, an unclassified version shall also be submitted with such submission or at a later date.

(d) COOPERATION.—The Secretary of Defense and Secretary of Energy shall provide the Comptroller General full cooperation and access to appropriate officials and information for the purposes of conducting this study under subsection (a).

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle F—Financial Management

SEC. 1061. AMENDMENTS RELATING TO FINANCIAL MANAGEMENT WORKFORCE.

(a) AUTHORITY TO DEVELOP POLICIES AND PROCEDURES.—Section 1599d of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) POLICIES AND PROCEDURES.—Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Personnel and Readiness, in consultation with the Under Secretary of Defense (Comptroller) shall develop policies and procedures related to the financial management workforce in the Department of Defense.''.

(b) REVISION IN TERMINOLOGY.—Such section is further amended—

*(1) in the section heading, by striking ''**Professional accounting**'' and inserting ''**Financial management**''; and*

(2) in subsection (a), by striking ''professional accounting'' and inserting ''financial management''.

(c) REVISION IN DEFINITION.—Subsection (f) of such section (as so redesignated) is amended to read as follows:

''(f) DEFINITION.—In this section, the term 'financial management position' means a position or group of positions in the General Schedule 500 occupational series, which perform, supervise, or manage work of a fiscal, financial management, accounting, auditing, or budgetary nature.''.

SEC. 1062. RELIABILITY OF DEPARTMENT OF DEFENSE FINANCIAL STATEMENTS.

Section 1008(c) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1206; 10 U.S.C. 113 note) is amended by striking ''Not later than October 31'' and inserting ''Not later than the date that is 180 days prior to the date set by the Office of Management and Budget for the submission of financial statements''.

SEC. 1063. FINANCIAL MANAGEMENT PERSONNEL COMPETENCY ASSESSMENT.

(a) IDENTIFICATION OF PERSONNEL AND SKILLS.—Within 60 days after the date of the enactment of this Act, the Chief Management Officer of the Department of Defense, in coordination with the Chief Management Officer of each military department, shall identify the number of financial management personnel and the financial and budgetary skills required—

(1) to effectively perform financial and budgetary accounting, including reconciling fund balances with the Treasury;

(2) to document processes and maintain internal controls for financial and budgetary accounting cycles; and

(3) to maintain professional certification standards.

(b) COMPETENCY ASSESSMENT.—

(1) GUIDANCE.—Within 120 days after the date of the enactment of this Act, the Under Secretary of Defense (Comptroller) and the Under Secretary of Defense for Personnel and Readiness shall issue joint guidance regarding the assessment of the competency of the Department of Defense financial management personnel to perform the financial and budgetary skills identified pursuant to subsection (a).

(2) COMPETENCY ASSESSMENT.—Following the issuance of the joint guidance required by paragraph (1), the Chief Management Officer of the Department of Defense, in the case of the Defense Finance and Accounting Service or other Defense Agency, and the Chief Management Officers of the military departments, shall each conduct a competency assessment of the financial management personnel of the Defense Agencies and the military departments, respectively.

(3) REPORTS AND CORRECTIVE ACTION PLANS.—Each Chief Management Officer shall prepare and submit to the Secretary Defense a report on each competency assessment conducted, along with a corrective action plan for any skill gaps identified, within 180 days after the date of the enactment of this Act. The report should include a corrective action plan for each skills gap identified, including—

(A) near-term and longer-term measures for resolution;

(B) assignment of responsibilities for corrective action, and

(C) establishment of milestones for completing corrective actions.

(c) REPORT TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report regarding the competency assessments and corrective action plans of the Chief Management Officers.

(d) LONG TERM MONITORING.—Each Chief Management officer shall designate, and include in the report submitted to the Secretary under subsection (b)(3), the accountable office to be involved in the corrective action process, including monitoring the progress in implementing corrective actions and determining whether additional action is needed to expedite the corrective action process.

(f) DEFINITION.—In this section, the term ''financial management personnel'' means—

(1) civilian personnel in the General Schedule 500 occupational series who perform, supervise, or manage work of a fiscal, financial management, accounting, auditing, or budgetary nature; and

(2) members of the Armed Forces who have a military occupational specialty involving duties similar to the duties of the civilian personnel referred to in paragraph (1) or who otherwise perform, supervise, or manage work of a fiscal, financial management, accounting, auditing, or budgetary nature.

SEC. 1064. TRACKING IMPLEMENTATION OF DEPARTMENT OF DEFENSE EFFICIENCIES.

(a) ANNUAL ASSESSMENTS.—For each of fiscal years 2012 through 2016, the Comptroller General of the United States shall carry out an assessment of the extent to which the Department of Defense has tracked and realized the savings proposed pursuant to the initiative led by the Secretary of Defense to identify at least $100,000,000,000 in efficiencies during fiscal years 2012 through 2016.

(b) ANNUAL REPORT.—Not later than October 30 of each of 2012 through 2016, the Comptroller General shall submit to the congressional defense committees a report on the assessment carried out under subsection (a) for the fiscal year ending on September 30 of that year. Each such report shall include the recommendations of the Comptroller General with respect to the matter covered by the assessment.

SEC. 1065. BUSINESS CASE ANALYSIS FOR DEPARTMENT OF DEFENSE EFFICIENCIES.

(a) ASSESSMENT.—The Comptroller General of the United States shall carry out an assessment of the extent to which components of the Department of Defense conducted a business case analysis prior to recommending and implementing efficiencies initiatives. In carrying out the assessment, the Comptroller General shall—

(1) use a case study approach;

(2) identify best practices used by components of the Department of Defense; and

(3) identify deficiencies in the analysis conducted.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report of the assessment required by subsection (a). The report shall include the Comptroller General's recommendations relating to the appropriate application of business case analysis and best practices that should be adopted by the Department of Defense prior to the implementation of any future effort to identify savings in defense operations.

(c) DEFINITION.—In this section, the term ''efficiencies initiatives'' means initiatives led by the Secretary of Defense to identify at least $100,000,000,000 in savings during fiscal years 2012 through 2016.

SEC. 1066. FINANCIAL IMPROVEMENT AND AUDIT READINESS PLAN.

(a) FUNDING.—The Secretary of Defense may obligate or expend funds only for the execution

of the Financial Improvement and Audit Readiness plan of the Department of Defense submitted in accordance with section 881 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) from the amounts specified in the subactivity groups for Financial Improvement and Audit Readiness in section 4301.

(b) INCLUSION OF SUBORDINATE ACTIVITIES FOR INTERIM MILESTONES.—For each interim milestone identified in the Financial Improvement and Audit Readiness plan, the Under Secretary of Defense (Comptroller), in consultation with the Deputy Chief Management Officer of the Department of Defense, the Secretaries of the military departments, and the heads of the defense agencies and defense field activities, shall include a detailed description of the subordinate activities necessary to accomplish each interim milestone, including—

(1) a justification of the time required for each activity;

(2) metrics identifying the progress within each activity; and

(3) mitigating strategies for correcting failed milestone deadlines.

SEC. 1067. CORRECTIVE ACTION PLAN RELATING TO EXECUTION OF FINANCIAL IMPROVEMENT AND AUDIT READINESS PLAN.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress a report relating to the Financial Improvement and Audit Readiness plan of the Department of Defense submitted in accordance with section 881 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 121 Stat. 4306; 10 U.S.C. 2222 note).

(b) MATTERS COVERED.—The report shall include a corrective action plan for any weaknesses and deficiencies in the execution of the Financial Improvement and Audit Readiness. The corrective action plan shall—

(1) identify near-term and longer-term measures for resolution of any such weaknesses and deficiencies;

(2) assign responsibilities in the Department of Defense for actions to implement such measures;

(3) specify steps for implementation of such measures; and

(4) provide timeframes for implementation of such measures.

Subtitle G—Studies and Reports

SEC. 1071. REPEAL OF CERTAIN REPORT REQUIREMENTS.

(a) ANNUAL JOINT REPORT FROM OFFICE OF MANAGEMENT AND BUDGET AND CONGRESSIONAL BUDGET OFFICE ON SCORING OF OUTLAYS IN DEFENSE BUDGET FUNCTION.—

(1) REPEAL.—Chapter 9 of title 10, United States Code, is amended by striking section 226.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 226.

(b) MISCELLANEOUS STUDIES AND REPORTS.—

(1) REPEAL.—Chapter 23 of title 10, United States Code, is amended by striking sections 484, 487, and 490.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the items relating to sections 484, 487, and 490.

(c) BIENNIAL REPORT ON GLOBAL POSITIONING SYSTEM.—Section 2281 of title 10, United States Code, is amended by striking subsection (d) and redesignating subsection (e) as subsection (d).

(d) ANNUAL REPORT ON FISHER HOUSES.—Section 2493 of title 10, United States Code, is amended by striking subsection (g).

(e) ANNUAL REPORT ON PUBLIC SALES OF MILITARY EQUIPMENT.—

(1) IN GENERAL.—Chapter 153 of title 10, United States Code, is amended by striking section 2582.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 2582.

(f) ANNUAL REPORT ON THE CHIEF OF NAVY RESERVE.—Section 5143 of title 10, United States Code, is amended by striking subsection (e).

(g) REQUESTS FOR IDENTIFICATION OF NOMINATING AUTHORITY FOR PERSONS APPOINTED TO THE NAVAL ACADEMY.—Section 6954 of title 10, United States Code, is amended by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(h) BIENNIAL REPORT ON EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE.—

(1) REPEAL.—Chapter 1606 of title 10, United States Code, is amended by striking section 16137.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 16137.

(i) ANNUAL REPORT ON READY RESERVE.—Section 12302(b) of title 10, United States Code, is amended by striking the last sentence.

(j) REPORT ON SCIENCE AND TECHNOLOGY INVESTMENT STRATEGY.—Section 1504 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4650; 10 U.S.C. 2358 note) is amended by striking subsection (c).

(k) REVIEW AND DETERMINATION OF CERTAIN CONTRACTS FOR TELEPHONE SERVICES.—Section 885(a)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 265; 10 U.S.C. 2304 note) is amended by striking the second sentence.

(l) QUARTERLY REPORTS ON DEPARTMENT OF DEFENSE RESPONSE TO THREAT POSED BY IMPROVISED EXPLOSIVE DEVICES.—The John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) is amended by striking section 1402.

(m) CONGRESSIONAL NOTIFICATION REGARDING BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Section 2405 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364) is amended by striking subsection (d).

(n) ANNUAL REPORT ON MEDICAL READINESS PLAN.—Section 731 of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) is amended by striking subsection (c).

(o) REPORT ON REQUIREMENTS TO REDUCE BACKLOG IN MAINTENANCE AND REPAIR OF DEFENSE FACILITIES.—The Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) is amended by striking section 374.

(p) SEMIANNUAL REPORTS ON SITUATION IN THE BALKANS.—Section 1212 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–326) is amended by striking subsections (c) and (d).

(q) SEMIANNUAL REPORT ON KOSOVO PEACEKEEPING.—The Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) is amended by striking section 1213.

(r) ANNUAL REPORT ON UNITED STATES MILITARY ACTIVITIES IN COLOMBIA.—The National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) is amended by striking section 1025.

(s) ANNUAL CERTIFICATION ON MILITARY-TO-MILITARY EXCHANGE WITH PEOPLE'S LIBERATION ARMY OF THE PEOPLE'S REPUBLIC OF CHINA.—Section 2101 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 782; 10 U.S.C. 168 note) is amended by striking subsection (d).

(t) ANNUAL REPORT ON THE ARMED FORCES RETIREMENT HOME.—Section 1511 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411) is amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

(u) ANNUAL REPORT ON SUPPLEMENTAL SUBSISTENCE ALLOWANCE.—Section 402a of title 37, United States Code, is amended by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

SEC. 1072. BIENNIAL REVIEW OF REQUIRED REPORTS.

(a) IN GENERAL.—Chapter 23 of title 10, United States Code, as amended by section 1071, is further amended by adding at the end the following new section:

"§ 490a. Biennial review of required reports

''(a) REVIEW OF CONGRESSIONAL REPORTS.—The Secretary of Defense shall conduct a review, on a biennial basis, all of the reports required to be submitted to Congress of the Department of Defense. In conducting each such review, the Secretary shall evaluate the content, quality, cost, and timeliness of the Department's compliance with the requirement to submit each report by the date required.

''(b) SUBMISSION OF RECOMMENDATIONS FOR REPEAL OR MODIFICATION OF CONGRESSIONAL REPORT REQUIREMENTS.—The Secretary may, not later than March 1 of the year in which a review under subsection (a) is conducted, recommend to the appropriate congressional committees the repeal or modification of a report requirement identified in the review. Any such recommendation shall include—

''(1) a detailed justification for the repeal or modification of the report requirement; and

''(2) recommendations for reducing cost and improving the efficiency of the Department of Defense in responding to congressional report requirements.

''(c) REVIEW OF DEPARTMENT OF DEFENSE INTERNAL REPORTS.—(1) The Secretary of Defense shall conduct a review, on a biennial basis, the reports internal to the Department of Defense. Each such review shall include—

''(A) the reports required by the Office of the Secretary of Defense and the military departments;

''(B) the reports required by the secretaries of each military department of their respective military departments; and

''(C) other reporting requirements internal to the Department of Defense as designated for review by the Secretary.

''(2) Based on the findings of a review conducted under paragraph (1), the Secretary shall—

''(A) identify report requirements that are redundant, overly burdensome, of limited value, unjustifiably costly, or otherwise determined to unduly reduce the efficiency of the Department of Defense;

''(B) take such steps as may be necessary to eliminate or modify such report requirements; and

''(C) include, in the budget justification materials submitted to Congress in support of the Department of Defense budget (as submitted with the budget of the President under section 1105(a) of title 31) for a fiscal year following a year in which a review is conducted under paragraph (1) a summary of the cost reductions resulting from actions taken by the Secretary pursuant to paragraph (2).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''490a. Biennial review of required reports.''.

SEC. 1073. TRANSMISSION OF REPORTS IN ELECTRONIC FORMAT.

Section 122a(a) of title 10, United States Code, is amended by striking ''made available'' and all that follows through the period and inserting the following new paragraphs:

''(1) made available to the public, upon request submitted on or after the date on which such report is submitted to Congress, through the Office of the Assistant Secretary of Defense for Public Affairs; and

''(2) to the maximum extent practicable, transmitted in an electronic format.''.

SEC. 1074. MODIFICATIONS TO ANNUAL AIRCRAFT PROCUREMENT PLAN.

(a) IN GENERAL.—Section 231a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''The Secretary'' and inserting ''Not later than 45 days after the date on which the President submits to Congress the budget for a fiscal year''; and

(ii) by striking ''include with the defense budget materials for each fiscal year'' and insert ''submit to the congressional defense committees''; and

(B) in paragraph (1), by inserting '', the Department of the Army,'' after ''Navy'';

(2) in subsection (b)—

(A) in paragraph (4), by striking ''Strategic'' and inserting ''Intertheater'';

(B) by redesignating paragraph (8) as paragraph (11); and

(C) by inserting after paragraph (7) the following new paragraphs:

''(8) Remotely piloted aircraft.

''(9) Rotary-wing aircraft.

''(10) Operational support and executive lift aircraft.'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''national security strategy of the United States'' and inserting ''national military strategy of the United States''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting '', the Department of the Army,'' after ''Navy'';

(ii) in subparagraph (B), by striking ''national security strategy of the United States'' and inserting ''national military strategy of the United States'';

(iii) in subparagraph (C)—

(I) by inserting ''investment'' before ''funding'';

(II) by striking ''the program'' and inserting ''each aircraft program'';

(III) by inserting before the period at the end the following: '', set forth in aggregate for the Department of Defense and in aggregate for each military department'';

(iv) by redesignating subparagraph (D) as subparagraph (F);

(v) by inserting after subparagraph (C) the following new subparagraphs:

''(D) The estimated level of annual funding necessary to operate, maintain, sustain, and support each aircraft program throughout the life-cycle of the program, set forth in aggregate for the Department of Defense and in aggregate for each military department.

''(E) For each of the cost estimates required by subparagraphs (C) and (D)—

''(i) a description of whether the cost estimate is derived from the cost estimate position of the military department or derived from the cost estimate position of the Cost Analysis and Program Evaluation office of the Secretary of Defense;

''(ii) if the cost estimate position of the military department and the cost estimate position of the Cost Analysis and Program Evaluation office differ by more than .5 percent for any aircraft program, an annotated cost estimate difference and sufficient rationale to explain the difference; and

''(iii) the confidence or certainty level associated with the cost estimate for each aircraft program.''.

(vi) in subparagraph (F), as redesignated by clause (iv), by inserting '', the Department of the Army,'' after ''Navy'';

(C) by adding at the end the following new paragraphs:

''(3) For any cost estimate required by paragraph (2)(C) or (D), for any aircraft program for which the Secretary is required to include in a report under section 2432 of this title, the source of the cost information used to prepare the annual aircraft plan, shall be sourced from the Selected Acquisition Report data that the Secretary plans to submit to the congressional defense committees in accordance with subsection (f) of that section for the year for which the annual aircraft plan is prepared.

''(4) The annual aircraft procurement plan shall be submitted in unclassified form and shall contain a classified annex.'';

(4) in subsection (d), by inserting '', the Department of the Army,'' after ''Navy'';

(5) by redesignating subsection (e) as subsection (f);

(6) by inserting after subsection (d) the following new subsection (e):

''(e) ANNUAL REPORT ON AIRCRAFT INVENTORY.—(1) As part of the annual plan and certification required to be submitted under this section, the Secretary shall include a report on the aircraft in the inventory of the Department of Defense. Each such report shall include the following, for the year covered by the report:

''(A) The total number of aircraft in the inventory.

''(B) The total number of the aircraft in the inventory that are active, stated in the following categories (with appropriate subcategories for mission aircraft, training aircraft, dedicated test aircraft, and other aircraft):

''(i) Primary aircraft.

''(ii) Backup aircraft.

''(iii) Attrition and reconstitution reserve aircraft.

''(C) The total number of the aircraft in the inventory that are inactive, stated in the following categories:

''(i) Bailment aircraft.

''(ii) Drone aircraft.

''(iii) Aircraft for sale or other transfer to foreign governments.

''(iv) Leased or loaned aircraft.

''(v) Aircraft for maintenance training.

''(vi) Aircraft for reclamation.

''(vii) Aircraft in storage.

''(D) The aircraft inventory requirements approved by the Joint Chiefs of Staff.

''(2) Each report submitted under this subsection shall set forth each item described in paragraph (1) separately for the regular component of each armed force and for each reserve component of each armed force and, for each such component, shall set forth each type, model, and series of aircraft provided for in the future-years defense program that covers the fiscal year for which the budget accompanying the plan, certification and report is submitted.''; and

(7) in subsection (f), as redesignated by paragraph 5, by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(b) SECTION HEADING.—The heading for such section is amended to read as follows:

''§ 231a. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air Force: annual plan and certification''.

(c) CLERICAL AMENDMENT.—The item relating to section 231a in the table of sections at the beginning of chapter 9 of title 10, United States Code, is amended to read as follows:

''231a. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air Force: annual plan and certification.''.

SEC. 1075. CHANGE OF DEADLINE FOR ANNUAL REPORT TO CONGRESS ON NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT.

Section 10541(a) of title 10, United States Code, is amended by striking ''February 15'' and inserting ''March 15''.

SEC. 1076. REPORT ON HOMELAND DEFENSE ACTIVITIES.

Section 908(a) of title 32, United States Code, is amended by adding at the end the following ''For any fiscal year during which no assistance was provided, and no activities were carried out, under this chapter, a report is not required to be submitted under this section.''.

SEC. 1077. REPORT ON NUCLEAR ASPIRATIONS OF NON-STATE ENTITIES, NUCLEAR WEAPONS, AND RELATED PROGRAMS IN NON-NUCLEAR WEAPONS STATES AND COUNTRIES NOT PARTIES TO THE NUCLEAR NON-PROLIFERATION TREATY, AND CERTAIN FOREIGN PERSONS.

Section 1055(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 50 U.S.C. 2371(a)) is amended, in the matter preceding paragraph (1)—

(1) by striking ''and the Permanent'' and inserting ''the Permanent''; and

(2) by inserting before ''a report'' the following: '', the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives''.

Subtitle H—Miscellaneous Authorities and Limitations

SEC. 1081. EXEMPTION FROM FREEDOM OF INFORMATION ACT FOR DATA FILES OF THE MILITARY FLIGHT OPERATIONS QUALITY ASSURANCE SYSTEMS OF THE MILITARY DEPARTMENTS.

(a) EXEMPTION.—

(1) IN GENERAL.—Chapter 134 of title 10, United States Code, is amended by inserting after section 2254 the following new section:

''§ 2254a. Data files of military flight operations quality assurance systems: exemption from disclosure under Freedom of Information Act

''(a) AUTHORITY TO EXEMPT CERTAIN DATA FILES FROM DISCLOSURE UNDER FOIA.—

''(1) The Secretary of Defense may exempt information contained in any data file of the military flight operations quality assurance system of a military department from disclosure under section 552(b)(3) of title 5.

''(2) In this section, the term 'data file' means a file of the military flight operations quality assurance (in this section referred to as 'MFOQA') system that contains information acquired or generated by the MFOQA system, including—

''(A) any data base containing raw MFOQA data; and

''(B) any analysis or report generated by the MFOQA system or which is derived from MFOQA data.

''(3) Information that is exempt under paragraph (1) from disclosure under section 552(b)(3) of title 5 shall be exempt from such disclosure even if such information is contained in a data file that is not exempt in its entirety from such disclosure.

''(4) The provisions of paragraph (1) may not be superseded except by a provision of law which is enacted after the date of the enactment of this section and which specifically cites and repeals or modifies those provisions.

''(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall ensure consistent application of the authority in subsection (a) across the military departments and shall specifically identify officials in each military department who shall be delegated the Secretary's authority under this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of such chapter is amended by inserting after the item relating to section 2254 the following new item:

''2254a. Data files of military flight operations quality assurance systems: exemption from disclosure under Freedom of Information Act.''.

(b) APPLICABILITY.—Section 2254a of title 10, United States Code, as added by subsection (a), shall apply to any information entered into any data file of the military flight operations quality assurance system before, on, or after the date of the enactment of this Act.

SEC. 1082. LIMITATION ON PROCUREMENT AND FIELDING OF LIGHT ATTACK ARMED RECONNAISSANCE AIRCRAFT.

(a) REQUIRED REVIEW.—

(1) REVIEW.—In the report on the quadrennial roles and missions review required to be submitted not later than the date on which the President submits the budget for fiscal year 2013, pursuant to section 118b of title 10, United States Code, the Secretary of Defense shall specifically review the capability of the elements of the Department of Defense (including any office, agency, activity, or command described in

section 111(b) of such title) that are responsible for conducting light attack and armed reconnaissance missions or fulfilling requests of partner nations for training in the conduct of such missions.

(2) MATTERS INCLUDED.—In conducting the review under paragraph (1), the Secretary shall—

(A) identify any gaps in the ability of the Department to conduct light attack and armed reconnaissance missions or to fulfill requests of partner nations for training in the conduct of such missions;

(B) identify any unnecessary duplication of efforts between the elements of the Department to procure or field aircraft to conduct light attack and armed reconnaissance missions or to fulfill requests of partner nations to train in the conduct of such missions, including any planned—

(i) developmental efforts;

(ii) operational evaluations; or

(iii) acquisition of such aircraft through procurement or lease; and

(C) include findings and recommendations the Secretary considers appropriate to address any gaps identified under subparagraph (A) or unnecessary duplication of efforts identified under subparagraph (B).

(b) LIMITATION.—Except as provided by subsection (c) and (d), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2012 may be obligated or expended for the procurement or fielding of light attack armed reconnaissance aircraft until the date on which—

(1) the Joint Requirements Oversight Council validates the requirements for the development or procurement of such aircraft to address a gap identified under subsection (a)(2)(A); and

(2) the Under Secretary of Defense for Acquisition, Technology, and Logistics approves the acquisition strategy for such aircraft.

(c) USE OF FUNDS FOR PREVIOUSLY AUTHORIZED PROGRAMS.—The limitation in subsection (b) does not apply to a program for which funding was authorized to be appropriated for a fiscal year before fiscal year 2012.

(d) WAIVER.—The Secretary of Defense may waive the limitation in subsection (b) if the Secretary submits to the congressional defense committees written certification that the procurement or fielding of light attack armed reconnaissance aircraft is necessary to support ongoing contingency operations in Afghanistan or Iraq.

SEC. 1083. USE OF STATE PARTNERSHIP PROGRAM FUNDS FOR CIVILIANS AND NON-DEFENSE AGENCY PERSONNEL.

Of the funds made available to the National Guard for the State Partnership Program, up to $3,000,000 may be made available to pay travel and per diem costs associated with the participation of United States and foreign civilian and non-defense agency personnel in authorized National Guard State Partnership Program events conducted both in the United States and in foreign partner countries.

SEC. 1084. PROHIBITION ON THE USE OF FUNDS FOR MANUFACTURING BEYOND LOW RATE INITIAL PRODUCTION AT CERTAIN PROTOTYPE INTEGRATION FACILITIES.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be used for manufacturing beyond low rate initial production at a prototype integration facility of any of the following:

(1) The Tank Automotive Research, Development and Engineering Center.

(2) The United States Army Communications-Electronics Command.

(3) The United States Army Aviation and Missile Command.

(b) WAIVER.—The Secretary of the Army for Acquisition, Logistics, and Technology may waive the prohibition under subsection (a) for a fiscal year if—

(1) the Assistant Secretary determines that the waiver is necessary—

(A) for reasons of national security; or

(B) to rapidly acquire equipment to respond to combat emergencies; and

(2) the Assistant Secretary submits to Congress a notification of the waiver together with the reasons for the waiver.

(c) LOW-RATE INITIAL PRODUCTION.—For purposes of this section, the term ''low-rate initial production'' shall be determined in accordance with section 2400 of title 10, United States Code.

Subtitle I—Other Matters

SEC. 1091. TREATMENT UNDER FREEDOM OF INFORMATION ACT OF CERTAIN DEPARTMENT OF DEFENSE CRITICAL INFRASTRUCTURE INFORMATION.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding after section 130e, as added by section 1055, the following new section:

''§ 130f. Treatment under Freedom of Information Act of critical infrastructure information

''(a) EXEMPTION.—Department of Defense critical infrastructure information that, if disclosed, may result in the disruption, degradation, or destruction of operations, property, or facilities of the Department of Defense, shall be exempt from disclosure pursuant to section 552(b)(3) of title 5.

''(b) INFORMATION PROVIDED TO STATE AND LOCAL GOVERNMENTS.—Department of Defense critical infrastructure information obtained by a State or local government from a Federal agency shall remain under the control of the Federal agency, and a State or local law authorizing or requiring such a government to disclose information shall not apply to such critical infrastructure information.

''(c) REGULATIONS.—The Secretary of Defense shall prescribe regulations to implement this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''130f. Treatment under Freedom of Information Act of certain critical infrastructure information.''.

SEC. 1092. EXPANSION OF SCOPE OF HUMANITARIAN DEMINING ASSISTANCE PROGRAM TO INCLUDE STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.

Section 407 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''and stockpiled conventional munitions assistance'' after ''demining assistance''; and

(B) in paragraph (3)(A), by inserting '', stockpiled conventional munitions,'' after ''landmines'';

(2) in subsection (d)(2), by inserting '', and whether such assistance was primarily related to the humanitarian demining efforts or stockpiled conventional munitions assistance'' after ''paragraph (1)''; and

(3) by striking subsection (e) and inserting the following new subsection (e):

''(e) DEFINITIONS.—In this section:

''(1) The term 'humanitarian demining assistance', as it relates to training and support, means detection and clearance of landmines and other explosive remnants of war, and includes activities related to the furnishing of education, training, and technical assistance with respect to explosive safety, the detection and clearance of landmines and other explosive remnants of war, and the disposal, demilitarization, physical security, and stockpile management of potentially dangerous stockpiles of explosive ordnance.

''(2) The term 'stockpiled conventional munitions assistance', as it relates to the support of humanitarian assistance efforts, means training and support in the disposal, demilitarization, physical security, and stockpile management of potentially dangerous stockpiles of explosive ordnance, and includes activities related to the furnishing of education, training, and technical assistance with respect to explosive safety, the detection and clearance of landmines and other explosive remnants of war, and the disposal, demilitarization, physical security, and stockpile management of potentially dangerous stockpiles of explosive ordnance.''.

SEC. 1093. MANDATORY IMPLEMENTATION OF THE STANDING ADVISORY PANEL ON IMPROVING COORDINATION AMONG THE DEPARTMENT OF DEFENSE, THE DEPARTMENT OF STATE, AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT ON MATTERS OF NATIONAL SECURITY.

Section 1054 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4605) is amended—

(1) in subsection (a), by striking ''may'' and inserting ''shall'';

(2) in subsection (b)(5), by striking ''should be'' and all that follows and inserting ''shall be appointed by not later than March 30, 2012.'';

(3) in subsection (d)—

(A) by striking ''If the advisory panel is established under subsection (a)'' and inserting ''By not later than March 30, 2012''; and

(B) by striking '', not later than 60 days after the date of the final appointment of the members of the advisory panel pursuant to subsection (b)(5),'';

(4) by striking subsection (e) and redesignating subsections (f) thought (i) as subsections (e) through (h), respectively;

(5) in subsection (f)(2), as so redesignated, by striking ''Not later than December 31 of the year in which the interim report is submitted under paragraph (1)'' and inserting ''Not later than December 31 of each year during which the advisory panel operates'';

(6) in subsection (g), as so redesignated, by striking ''December 31, 2012'' and inserting ''December 31, 2016''; and

(7) in subsection (h), as so redesignated, by striking paragraph (3).

SEC. 1094. NUMBER OF NAVY CARRIER AIR WINGS AND CARRIER AIR WING HEADQUARTERS.

The Secretary of the Navy shall ensure that the Navy maintains—

(1) a minimum of 10 carrier air wings; and

(2) for each such carrier air wing, a dedicated and fully staffed headquarters.

SEC. 1095. DISPLAY OF ANNUAL BUDGET REQUIREMENTS FOR ORGANIZATIONAL CLOTHING AND INDIVIDUAL EQUIPMENT.

(a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—For fiscal year 2013 and each subsequent fiscal year, the Secretary of Defense shall submit to the President, for inclusion with the budget materials submitted to Congress under section 1105(a) of title 31, United States Code, a budget justification display that covers all programs and activities associated with the procurement of organizational clothing and individual equipment.

(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget justification display under subsection (a) for a fiscal year shall include the following:

(1) The funding requirements in each budget activity and for each Armed Force for organizational clothing and individual equipment.

(2) The amount in the budget for each of the Armed Forces for organizational clothing and equipment for that fiscal year.

(c) DEFINITION.—In this section, the term ''organizational clothing and individual equipment'' means an item of organizational clothing or equipment prescribed for wear or use with the uniform.

SEC. 1096. NATIONAL ROCKET PROPULSION STRATEGY.

(a) FINDINGS.—Congress finds the following:

(1) The Secretary of Defense has undertaken numerous reviews of the solid rocket motor and

liquid rocket engine propulsion industrial base, including pursuant to—

(A) section 915 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4329) (relating to the preservation of the solid rocket motor industrial base);

(B) section 916 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4330) (relating to the implementation plan to sustain solid rocket motor industrial base);

(C) section 917 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4330) (relating to the review and plan on sustainment of liquid rocket propulsion systems industrial base);

(D) section 1078 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2479) (relating to the plan for sustainment of land-based solid rocket motor industrial base); and

(E) section 1050 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 318) (relating to the report on solid rocket motor industrial base).

(2) Multiple departments and agencies of the Federal Government rely on the solid rocket motor and liquid rocket engine propulsion industrial base, including the Department of Defense, the National Reconnaissance Office, and the National Aeronautics and Space Administration, and decisions made by one agency may have severe ramifications on others.

(3) The planned end in 2011 of the Space Shuttle program and the decision in 2010 by the President to terminate the Constellation program of the National Aeronautics and Space Administration have led to increased costs for rocket propulsion systems for defense and intelligence programs that rely on the rocket propulsion industrial base.

(4) According to the Air Force, the fiscal year 2012 budget request for the Evolved Expendable Launch Vehicle has increased by 50 percent over the fiscal year 2011 request in part due to the uncertainty in the launch industrial and supplier base resulting from decisions by the National Aeronautics and Space Administration.

(5) According to the Navy, the unit cost for Trident II D5 rocket motors has increased 80 percent, in large part as a result of the elimination of investment by the National Aeronautics and Space Administration in solid rocket motors.

(b) SENSE OF THE CONGRESS.—It is the sense of Congress that the sustainment of the solid rocket motor and liquid rocket engine industrial base is a national challenge that spans multiple departments and agencies of the Federal Government and requires the attention of the President.

(c) STRATEGY REQUIRED.—The President shall transmit to the appropriate congressional committees a national rocket propulsion strategy for the United States, including—

(1) a description and assessment of the effects to programs of the Department of Defense and intelligence community that rely on the solid rocket motor and liquid rocket engine industrial base caused by the end of the Space Shuttle program and termination of the Constellation program;

(2) a description of the plans of the President, the Secretary of Defense, the intelligence community, and the Administrator of the National Aeronautics and Space Administration to mitigate the impact of the end of the Space Shuttle program and termination of the Constellation program on the solid rocket motor and liquid rocket engine propulsion industrial base of the United States;

(3) a consolidated plan that outlines key decision points for the current and next-generation mission requirements of the United States with respect to tactical and strategic missiles, missile defense interceptors, targets, and satellite and human spaceflight launch vehicles;

(4) options and recommendations for synchronizing plans, programs, and budgets for research and development, procurement, operations, and workforce among the appropriate departments and agencies of the Federal Government to strengthen the solid rocket motor and liquid rocket engine propulsion industrial base of the United States; and

(5) any other relevant information the President considers necessary.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The Committees on Armed Services, Science, Space, and Technology, Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The Committees on Armed Services, Commerce, Science, and Transportation, Appropriations, and the Select Committee on Intelligence of the Senate.

SEC. 1097. INCLUSION OF RELIGIOUS SYMBOLS AS PART OF MILITARY MEMORIALS.

(a) AUTHORITY.—Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:

''§2115. Inclusion of religious symbols as part of military memorials

''(a) INCLUSION OF RELIGIOUS SYMBOLS AUTHORIZED.—To recognize the religious background of members of the United States Armed Forces, religious symbols may be included as part of—

''(1) a military memorial that is established or acquired by the United States Government; or

''(2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.

''(b) MILITARY MEMORIAL DEFINED.—In this section, the term 'military memorial' means a memorial or monument commemorating the service of the United States Armed Forces. The term includes works of architecture and art described in section 2105(b) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2115. Inclusion of religious symbols as part of military memorials.''.

SEC. 1098. UNMANNED AERIAL SYSTEMS AND NATIONAL AIRSPACE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a program to integrate unmanned aircraft systems into the national airspace system at six test ranges.

(b) PROGRAM REQUIREMENTS.—In establishing the program under subsection (a), the Administrator shall—

(1) safely designate nonexclusionary airspace for integrated manned and unmanned flight operations in the national airspace system;

(2) develop certification standards and air traffic requirements for unmanned flight operations at test ranges;

(3) coordinate with and leverage the resources of the Department of Defense and the National Aeronautics and Space Administration;

(4) address both civil and public unmanned aircraft systems;

(5) ensure that the program is coordinated with the Next Generation Air Transportation System; and

(6) provide for verification of the safety of unmanned aircraft systems and related navigation procedures before integration into the national airspace system.

(c) LOCATIONS.—In determining the location of a test range for the program under subsection (a), the Administrator shall—

(1) take into consideration geographic and climatic diversity;

(2) take into consideration the location of ground infrastructure and research needs; and

(3) consult with the Department of Defense and the National Aeronautics and Space Administration.

(d) REPORT.—Not later than 90 days after the date of completing each of the pilot projects, the Administrator shall submit to the appropriate congressional committees a report setting forth the Administrator's findings and conclusions concerning the projects that includes a description and assessment of the progress being made in establishing special use airspace to fill the immediate need of the Department of Defense to develop detection techniques for small unmanned aircraft systems and to validate sensor integration and operation of unmanned aircraft systems.

(e) DURATION.—The program under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

(f) DEFINITION.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Science, Space, and Technology of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate.

(2) The term ''test range'' means a defined geographic area where research and development are conducted.

SEC. 1099. SENSE OF CONGRESS REGARDING THE KILLING OF OSAMA BIN LADEN.

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

(1) Osama bin Laden was responsible for ordering the attacks of September 11, 2001, that killed almost 3,000 American citizens.

(2) Osama bin Laden and his terrorist organization, al-Qaeda, have been responsible for carrying out attacks on innocent men and women around the world.

(3) The United States Special Operations Command organizes, trains, and equips Special Operations Forces and is providing those forces to the United States Central Command under whose operational control they serve.

(4) Special Operations forces were able to complete the mission to kill Osama bin Laden without United States casualties.

(5) The killing of Osama bin Laden represents a milestone victory in bringing to justice the mastermind of September 11, 2001.

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

(1) the Special Operations Forces provide a tremendous service to the Nation; and

(2) the killing of Osama bin Laden is a major victory for international justice and for the United States in the war against terrorism and radical extremists.

SEC. 1099A. GRANTS TO CERTAIN REGULATED COMPANIES FOR SPECIFIED ENERGY PROPERTY NOT SUBJECT TO NORMALIZATION RULES.

(a) IN GENERAL.—The first sentence of section 1603(f) of the American Recovery and Reinvestment Tax Act of 2009 is amended by inserting ''(other than subsection (d)(2) thereof)'' after ''section 50 of the Internal Revenue Code of 1986''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in section 1603 of the American Recovery and Reinvestment Tax Act of 2009.

SEC. 1099B. SUBMITTAL OF INFORMATION REGARDING INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives, and other appropriate committees of Congress, the following information in connection with individuals formerly or currently detained at United States Naval Station,

Guantanamo Bay, Cuba in the custody or under the effective control of the Department of Defense:

(1) Information compiled in coordination with the Director of National Intelligence relating to information or reports on the locations of individuals who were formerly detained at Guantanamo.

(2) Information compiled in coordination with the Attorney General and the Director of National Intelligence relating to the full Task Force assessments prepared for each such individual by the Guantanamo Task Force established pursuant to Executive Order 13492 and any Department of Defense memoranda regarding the process for the review and transfer of such individuals.

(3) Information compiled in coordination with the Director of National Intelligence regarding any subsequent threat assessment prepared by any element of the intelligence community on any such individual who remains in detention or for whom a decision to release or transfer is pending.

(b) FORM OF SUBMISSION.—All information required to be submitted under this section shall be submitted—

(1) consistent with the protection of intelligence sources and methods; or

(2) if disclosure would compromise such protection, directly to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate in unredacted form.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) with respect to information described in paragraphs (1) and (3) of subsection (a), the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate; and

(2) with respect to information described in paragraph (2) of such subsection, the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on the Judiciary and the Select Committee on Intelligence of the Senate.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. AMENDMENTS TO DEPARTMENT OF DEFENSE PERSONNEL AUTHORITIES.

(a) CAREER PATHS.—Section 9902(a)(1) of title 5, United States Code, is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following:

''(D) Development of attractive career paths.''.

(b) APPOINTMENT FLEXIBILITIES.—Section 9902(b) of title 5, United States Code, is amended by adding at the end the following:

''(5) The Secretary shall develop a training program for Department of Defense human resource professionals to implement the requirements in this subsection.

''(6) The Secretary shall develop indicators of effectiveness to determine whether appointment flexibilities under this subsection have achieved the objectives set forth in paragraph (1).''.

(c) ADDITIONAL REQUIREMENTS.—Section 9902(c) of title 5, United States Code, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (5) the following:

''(6) provide mentors to advise individuals on their career paths and opportunities to advance and excel within their fields;

''(7) develop appropriate procedures for warnings during performance evaluations for employees who fail to meet performance standards;''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TECHNICAL AMENDMENT.—The heading for chapter 99 of title 5, United States Code, is amended to read as follows:

''CHAPTER 99—DEPARTMENT OF DEFENSE PERSONNEL AUTHORITIES''.

(2) CONFORMING AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by striking the item relating to chapter 99 and inserting the following:

''99. Department of Defense Personnel Authorities ..... 9901''.

SEC. 1102. PROVISIONS RELATING TO THE DEPARTMENT OF DEFENSE PERFORMANCE MANAGEMENT SYSTEM.

(a) IN GENERAL.—Section 9902 of title 5, United States Code, is amended by adding at the end the following:

''(h) REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the implementation of any performance management and workforce incentive system under subsection (a) or any procedures relating to personnel appointment flexibilities under subsection (b) (whichever is earlier), and whenever any significant action is taken under any of the preceding provisions of this section (but at least biennially) thereafter, the Secretary shall—

''(A) conduct appropriately designed and statistically valid internal assessments or employee surveys to assess employee perceptions of any program, system, procedures, or other aspect of personnel management, as established or modified under authority of this section; and

''(B) submit to the appropriate committees of Congress and the Comptroller General, a report describing the results of the assessments or surveys conducted under subparagraph (A) (including the methodology used), together with any other information which the Secretary considers appropriate.

''(2) REVIEW.—After receiving any report under paragraph (1), the Comptroller General—

''(A) shall review the assessments or surveys described in such report to determine if they were appropriately designed and statistically valid;

''(B) shall conduct a review of the extent to which the program, system, procedures, or other aspect of program management concerned (as described in paragraph (1)(A)) is fair, credible, transparent, and otherwise in conformance with the requirements of this section; and

''(C) within 6 months after receiving such report, shall submit to the appropriate committees of Congress—

''(i) an independent evaluation of the results of the assessments or surveys reviewed under subparagraph (A), and

''(ii) the findings of the Comptroller General based on the review under subparagraph (B),

together with any recommendations the Comptroller General considers appropriate.

''(3) DEFINITION.—For purposes of this subsection, the term 'appropriate committees of Congress' means—

''(A) the Committees on Armed Services of the Senate and the House of Representatives;

''(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(C) the Committee on Oversight and Government Reform of the House of Representatives.''.

(b) AMENDMENT RELATING TO CERTAIN REPORTS.—Section 1113(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2502) is amended to read as follows:

''(e) REPORTS.—The Secretary of Defense shall submit to the covered committees (as defined by subsection (g)(6))—

''(1) no later than 6 months after the date of enactment of this Act, a report on the initial steps being taken to reclassify positions from the NSPS and the initial conversion plan to begin converting employees from the NSPS, which information shall be supplemented by reports describing the progress of the conversion process which shall be submitted to the same committees on a semiannual basis until the conversion is fully completed;

''(2) no later than 12 months after the date of enactment of this Act and semiannually thereafter until fully implemented—

''(A) a plan for the personnel management system, as authorized by section 9902(a) of title 5, United States Code (as amended by this section); and

''(B) progress reports on the design and implementation of the personnel management system (as described in subparagraph (A)); and

''(3) no later than 12 months after the date of enactment of this Act and semiannually thereafter until fully implemented—

''(A) a plan for the appointment procedures, as authorized by section 9902(b) of such title 5 (as so amended); and

''(B) progress reports on the design and implementation of the appointment procedures (as described in subparagraph (A)).

Implementation of a plan described in paragraph (2)(A) may not commence before the 90th day after the date on which such plan is submitted under this subsection to the covered committees.''.

(c) REPEAL OF SUPERSEDED PROVISION.—Section 1106(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 357), as amended by section 1113(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2503), is repealed.

SEC. 1103. REPEAL OF SUNSET PROVISION RELATING TO DIRECT HIRE AUTHORITY AT DEMONSTRATION LABORATORIES.

Section 1108 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 1580 note) is amended by striking subsection (e).

SEC. 1104. DENIAL OF CERTAIN PAY ADJUSTMENTS FOR UNACCEPTABLE PERFORMANCE.

(a) ANNUAL PAY ADJUSTMENTS.—Section 5303 of title 5, United States Code, is amended by adding at the end the following:

''(h)(1) Notwithstanding any other provision of this section, an adjustment under this section shall not be made in the case of any employee having an unacceptable performance rating.

''(2) For purposes of administering any provision of law, rule, or regulation which—

''(A) provides premium pay, retirement, life insurance, or other employee benefit, which requires any deduction or contribution,

''(B) imposes any requirement or limitation, or

''(C) requires any other computation (such as under section 5304(c)(1)(B)),

on the basis of a rate of basic pay, the rate of basic pay payable after the application of paragraph (1) shall be treated as the rate of basic pay for the employee involved.''.

(b) REGULATIONS.—The Director of the Office of Personnel Management may prescribe any regulations necessary to carry out the purposes of this section.

SEC. 1105. REVISIONS TO BENEFICIARY DESIGNATION PROVISIONS FOR DEATH GRATUITY PAYABLE UPON DEATH OF A GOVERNMENT EMPLOYEE.

(a) AUTHORITY TO DESIGNATE MORE THAN 50 PERCENT OF DEATH GRATUITY TO UNRELATED PERSONS.—Section 8102a(d)(4) of title 5, United States Code, is amended—

(1) in the first sentence—

(A) by striking ''covered by this section'' and inserting ''covered by subsection (a)''; and

(B) by striking ''not more than 50 percent of the amount payable under this section'' and inserting ''all or a portion of the amount payable under this section'';

(2) in the second sentence, by striking ''50 percent,'' and inserting ''100 percent,''; and

(3) in the third sentence, by inserting ''(if any)'' after ''gratuity''.

(b) NOTICE TO SPOUSE OF DESIGNATION OF ANOTHER PERSON TO RECEIVE PORTION OF DEATH GRATUITY.—Section 8102a(d) of title 5, United States Code, is further amended by adding at the end the following:

''(6) If a person covered by subsection (a) has a spouse , but makes a designation under paragraph (4) for a person other than the spouse to

receive all or a portion of the amount payable under this section, the head of the agency, or other entity, in which that person is employed shall provide notice of the designation to the spouse.''.

SEC. 1106. EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective as of January 1, 2011, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as amended by section 1106(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2487), is amended by striking ''calendar years 2009 and 2010'' and inserting ''calendar years 2011 and 2012''.

SEC. 1107. WAIVER OF CERTAIN PAY LIMITATIONS.

Section 9903(d) of title 5, United States Code, is amended—

(1) by amending paragraph (2) to read as follows:

''(2) An employee appointed under this section is not eligible for any bonus, monetary award, or other monetary incentive for service, except for—

''(A) payments authorized under this section; and

''(B) in the case of an employee who is assigned in support of a contingency operation (as defined in section 101(a)(13) of title 10), allowances and any other payments authorized under chapter 59.''; and

(2) in paragraph (3), by adding at the end the following: ''In computing an employee's total annual compensation for purposes of the preceding sentence, any payment referred to in paragraph (2)(B) shall be excluded.''.

SEC. 1108. SERVICES OF POST-COMBAT CASE COORDINATORS.

(a) IN GENERAL.—Chapter 79 of title 5, United States Code, is amended by adding at the end the following:

''§ 7906. Services of post-combat case coordinators

''(a) DEFINITIONS.—For purposes of this section—

''(1) the terms 'employee', 'agency', 'injury', 'war-risk hazard', and 'hostile force or individual' have the meanings given those terms in section 8101; and

''(2) the term 'qualified employee' means an employee as described in subsection (b).

''(b) REQUIREMENT.—The head of each agency shall, in a manner consistent with the guidelines prescribed under subsection (c), provide for the assignment of a post-combat case coordinator in the case of any employee of such agency who suffers an injury or disability incurred, or an illness contracted, while in the performance of such employee's duties, as a result of a war-risk hazard or during or as a result of capture, detention, or other restraint by a hostile force or individual.

''(c) GUIDELINES.—The Office of Personnel Management shall, after such consultation as the Office considers appropriate, prescribe guidelines for the operation of this section. Under the guidelines, the responsibilities of a post-combat case coordinator shall include—

''(1) acting as the main point of contact for qualified employees seeking administrative guidance or assistance relating to benefits under chapter 81 or 89;

''(2) assisting qualified employees in the collection of documentation or other supporting evidence for the expeditious processing of claims under chapter 81 or 89;

''(3) assisting qualified employees in connection with the receipt of prescribed medical care and the coordination of benefits under chapter 81 or 89;

''(4) resolving problems relating to the receipt of benefits under chapter 81 or 89; and

''(5) ensuring that qualified employees are properly screened and receive appropriate treatment—

''(A) for post-traumatic stress disorder or other similar disorder stemming from combat trauma; or

''(B) for suicidal or homicidal thoughts or behaviors.

''(d) DURATION.—The services of a post-combat case coordinator shall remain available to a qualified employee until—

''(1) such employee accepts or declines a reasonable offer of employment in a position in the employee's agency for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level) before the occurrence or onset of the injury, disability, or illness (as referred to in subsection (a)), and which is within the employee's commuting area; or

''(2) such employee gives written notice, in such manner as the employing agency prescribes, that those services are no longer desired or necessary.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 79 of title 5, United States Code, is amended by adding after the item relating to section 7905 the following:

''7906. Services of post-combat case coordinators.''.

SEC. 1109. AUTHORITY TO WAIVE RECOVERY OF CERTAIN PAYMENTS MADE UNDER CIVILIAN EMPLOYEES VOLUNTARY SEPARATION INCENTIVE PROGRAM.

(a) WAIVER AUTHORITY.—Subject to subsection (c), the Secretary of Defense may waive the requirement under subsection (f)(6)(B) of section 9902 of title 5, United States Code, for repayment to the Department of Defense of a voluntary separation incentive payment made under subsection (f)(1) of such section 9902 in the case of an employee or former employee of the Department of Defense described in subsection (b).

(b) PERSONS COVERED.—Subsection (a) applies to any employee or former employee of the Department of Defense who—

(1) during the period beginning on April 1, 2004, and ending on March 1, 2008, received a voluntary separation incentive payment under section 9902(f)(1) of title 5, United States Code;

(2) during the period beginning on June 1, 2004, and ending on May 1, 2008, was reappointed to a position in the Department of Defense to support a declared national emergency related to terrorism or a natural disaster; and

(3) as determined by the Secretary of Defense—

(A) before accepting the reappointment referred to in paragraph (2), received a written representation from an officer or employee of the Department of Defense that recovery of the amount of the payment referred to in paragraph (1) would not be required or would be waived; and

(B) reasonably relied on that representation in accepting the reappointment.

(c) REQUIRED DETERMINATION.—The Secretary of Defense may grant a waiver under subsection (a) only if the Secretary determines that recovery of the payment involved would be against equity and good conscience or would be contrary to the best interests of the United States.

(d) DISCRETIONARY AUTHORITY.—In the case of an employee or former employee who is described in subsection (b), and who, before the date of enactment of this Act, repaid any amount of a voluntary separation incentive payment made under section 9902(f)(1) of title 5, United States Code, the Secretary of Defense may grant a waiver in accordance with the subsections (a) through (c) and make a refund, out of any appropriation or fund available for that purpose, of any portion of such amount which the Secretary in his sole discretion considers appropriate.

SEC. 1110. EXTENSION OF CONTINUED HEALTH BENEFITS.

Section 8905a(d)(4)(B) of title 5, United States Code, is amended—

(1) by striking ''December 31, 2011'' each place it appears and inserting ''December 31, 2016''; and

(2) in clause (ii), by striking ''February 1, 2012'' and inserting ''February 1, 2017''.

SEC. 1111. AUTHORITY TO WAIVE MAXIMUM AGE LIMIT FOR CERTAIN APPOINTMENTS.

Section 3307(e) of title 5, United States Code, is amended—

(1) by striking ''(e) The'' and inserting ''(e)(1) Except as provided in paragraph (2), the''; and

(2) by adding at the end the following:

''(2)(A) In the case of the conversion of an agency function from performance by a contractor to performance by an employee of the agency, the head of the agency may waive any maximum limit of age, determined or fixed for positions within such agency under paragraph (1), if necessary in order to promote the recruitment or appointment of experienced personnel.

''(B) For purposes of this paragraph—

''(i) the term 'agency' means the Department of Defense or a military department; and

''(ii) the term 'head of the agency' means the Secretary of Defense or the Secretary of a military department.''.

SEC. 1112. SENSE OF CONGRESS RELATING TO PAY PARITY FOR FEDERAL EMPLOYEES SERVING AT CERTAIN REMOTE MILITARY INSTALLATIONS.

It is the sense of Congress that the Secretary of Defense and the Director of the Office of Personnel Management should develop procedures for determining locality pay for employees of the Department of Defense in circumstances that may be unique to such employees, such as the assignment of employees to a military installation so remote from the nearest established communities or suitable places of residence as to handicap significantly the recruitment or retention of well qualified individuals, due to the difference between the cost of living at the post of assignment and the cost of living in the locality or localities where such employees generally reside.

SEC. 1113. REPORTS BY OFFICE OF SPECIAL COUNSEL.

(a) IN GENERAL.—Section 1213(e) of title 5, United States Code, is amended by striking paragraphs (3) and (4) and inserting the following:

''(3) The Special Counsel shall transmit to the President and the congressional committees with jurisdiction over the agency which the disclosure (referred to in subsection (a)) involves—

''(A) a concise summary of any report received from such agency under subsection (c) in connection with such disclosure; or

''(B) if a report is not received within the time prescribed in subsection (c)(2), written notice to that effect.

The Special Counsel may include, as part of any transmission under subparagraph (A) or (B), any additional information or documentation which the Special Counsel considers appropriate.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply in the case of any agency report which is due or received by the Office of Special Counsel after the end of the 30-day period beginning on the date of the enactment of this Act.

SEC. 1114. DISCLOSURE OF SENIOR MENTORS.

(a) REQUIREMENT TO DISCLOSE NAMES OF SENIOR MENTORS.—The Secretary of Defense shall disclose the names of senior mentors serving in the Department of Defense by publishing a list of the names on the publicly available website of the Department of Defense. The list shall be updated at least quarterly.

(b) SENIOR MENTOR DEFINED.—In this section, the term ''senior mentor'' has the meaning provided in the memorandum from the Secretary of

Defense relating to policy on senior mentors, dated April 1, 2010.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. EXPANSION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) AUTHORITY.—Subsection (a) of section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086), as most recently amended by section 1201 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4385), is further amended by striking ''$45,000,000'' and inserting ''$50,000,000''.

(b) EXTENSION.—Subsection (h) of such section, as most recently amended by section 1208(c) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4626), is further amended by striking ''2013'' and inserting ''2014''.

(c) BRIEFING AND REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing and a report that outlines future requirements for the authorities contained in section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat.2086) (as amended by this section), authorities similar to the authorities contained in section 1208 of such Act, and authorities to support special operations counterterrorism, unconventional warfare, and irregular warfare in anticipation of and preparation for the expiration of the authorities under section 1208 of such Act at the end of fiscal year 2014.

SEC. 1202. MODIFICATION AND EXTENSION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) LIMITATIONS.—

(1) IN GENERAL.—Subsection (c) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), as most recently amended by section 1207(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4389), is further amended—

(A) in paragraph (1), by striking ''$350,000,000'' and inserting ''$400,000,000''; and

(B) in paragraph (5)—

(i) by striking ''and not more than'' and inserting ''not more than''; and

(ii) by inserting after ''fiscal year 2012'' the following: '', and not more than $150,000,000 may be used during fiscal year 2013''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply with respect to programs under subsection (a) of such section that begin on or after that date.

(b) REPORT.—Subsection (f) of such section is amended to read as follows:

''(f) REPORT.—

''(1) IN GENERAL.—The President shall transmit to the congressional committees specified in subsection (e)(3), as part of the supporting materials of the annual congressional budget justification, a report on the implementation of this section for the prior fiscal year.

''(2) MATTERS TO BE INCLUDED.—The report required under paragraph (1) shall include the following:

''(A) In the case of a program or programs to build the capacity of a foreign country's national military forces or maritime security forces to conduct counterterrorism operations, the extent to which the nature of the potential or actual terrorist threat is consistently and comprehensively verified by the Secretary of Defense prior to initiating a program or programs.

''(B) The extent to which foreign countries participate in the preparation of a program or programs under this section, to include the development of a full concept of operations for the program or programs under this section.

''(C) The extent to which proposal submissions of foreign countries evaluate the commitment and capability of foreign countries to implement a program or programs under this section or otherwise identify specific funds necessary for sustainment of a program or programs under this section.

''(D) A statement of current policies, responsibilities, procedures, and reporting requirements that assist with the conduct or support of a program or programs under this section.

''(E) The extent to which United States embassies and security assistance officers with responsibility for conducting or supporting a program or programs under this section are able to track actual obligation and expenditures of funds, funds rendered unavailable for obligation, and other financial data similar to data required by the financial management system for the Foreign Military Sales program.

''(F) The extent to which the United States Government has developed and implemented specific plans to monitor and evaluate outcomes of a program or programs under this section.''.

(c) ONE-YEAR EXTENSION OF AUTHORITY.—Subsection (g) of such section, as most recently amended by section 1207(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4389), is further amended by—

(1) by striking ''September 30, 2012'' and inserting ''September 30, 2013'' ; and

(2) by striking ''fiscal years 2006 through 2012'' and inserting ''fiscal years 2006 through 2013''.

SEC. 1203. FIVE-YEAR EXTENSION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(h) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 State. 4579) is amended by striking ''2011'' and inserting ''2016''.

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

SEC. 1211. AUTHORITY TO ESTABLISH A PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.

Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4393; 22 U.S.C. 7513 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The'' and inserting ''Subject to paragraph (2), the'';

(B) by striking ''$400,000,000'' and inserting ''$475,000,000''; and

(C) by striking ''fiscal year 2011'' and inserting ''fiscal year 2012'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

''(2) LIMITATION.—The Secretary of Defense may use not more than 85 percent of the amount specified in paragraph (1) to carry out the program authorized under subsection (a) until the Secretary of Defense, in consultation with the Secretary of State, submits to the appropriate congressional committees a plan for the allocation and use of funds under the program for fiscal year 2012.''; and

(4) in paragraph (3) (as redesignated), by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SEC. 1212. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) AUTHORITY FOR FISCAL YEAR 2012.—During fiscal year 2012, from funds made available to the Department of Defense for operation and maintenance, not to exceed $425,000,000 may be used by the Secretary of Defense in such fiscal year to provide funds for the Commanders' Emergency Response Program in Afghanistan.

(b) QUARTERLY REPORTS AND BRIEFINGS.—

(1) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal year quarter of fiscal year 2012, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the program under subsection (a).

(2) FORM.—Each report required under paragraph (1) shall be submitted, at a minimum, in a searchable electronic format that enables the congressional defense committees to sort the report by amount expended, location of each project, type of project, or any other field of data that is included in the report.

(3) BRIEFINGS.—Not later than 15 days after the submission of each report required under paragraph (1), appropriate officials of the Department of Defense shall meet with the congressional defense committees to brief such committees on the matters contained in the report.

(c) SUBMISSION OF GUIDANCE.—

(1) INITIAL SUBMISSION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the allocation of funds through the Commanders' Emergency Response Program in Afghanistan.

(2) MODIFICATIONS.—If the guidance in effect for the purpose stated in paragraph (1) is modified, the Secretary shall submit to the congressional defense committees a copy of the modification not later than 15 days after the date on which the Secretary makes the modification.

(d) WAIVER AUTHORITY.—For purposes of exercising the authority provided by this section or any other provision of law making funding available for the Commanders' Emergency Response Program in Afghanistan, the Secretary of Defense may waive any provision of law not contained in this section that would (but for the waiver) prohibit, restrict, limit, or otherwise constrain the exercise of that authority.

(e) RESTRICTION ON AMOUNT OF PAYMENTS.—Funds made available under this section for the Commanders' Emergency Response Program in Afghanistan may not be obligated or expended to carry out any project if the total amount of funds made available for the purpose of carrying out the project, including any ancillary or related elements of the project, exceeds $20,000,000.

(f) NOTIFICATION.—Not less than 15 days before obligating or expending funds made available under this section for the Commanders' Emergency Response Program in Afghanistan for a project in Afghanistan with a total anticipated cost of $5,000,000 or more, the Secretary of Defense shall submit to the congressional defense committees a written notice containing the following information:

(1) The location, nature, and purpose of the proposed project, including how the project is intended to advance the military campaign plan for Afghanistan.

(2) The budget and implementation timeline for the proposed project, including any other funding under the Commanders' Emergency Response Program in Afghanistan that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including any agreement with either the Government of Afghanistan, a department or agency of the United States Government other than the Department of Defense, or a third party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

(g) DEFINITION.—In this section, the term ''Commanders' Emergency Response Program in Afghanistan'' means the program that—

(1) authorizes United States military commanders in Afghanistan to carry out small-scale projects designed to meet urgent humanitarian relief requirements or urgent reconstruction requirements within their areas of responsibility; and

(2) provides an immediate and direct benefit to the people of Afghanistan.

(h) CONFORMING AMENDMENT.—Section 1202 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3455), as most recently amended by section 1212 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4389), is hereby repealed.

SEC. 1213. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1213 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4391), is further amended by striking ''section 1510 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011'' and inserting ''section 1504 of the National Defense Authorization Act for Fiscal Year 2012''.

(b) LIMITATION ON AMOUNT.—Subsection (d)(1) of such section, as so amended, is further amended in the second sentence by striking ''fiscal year 2010 or 2011'' and inserting ''fiscal year 2010, 2011, or 2012''.

(c) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1213 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4391), is further amended by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SEC. 1214. EXTENSION AND MODIFICATION OF PAKISTAN COUNTERINSURGENCY FUND.

(a) IN GENERAL.—Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2521), as amended by section 1220 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4395), is further amended by striking ''September 30, 2011'' both places it appears and inserting ''September 30, 2012''.

(b) LIMITATION ON FUNDS SUBJECT TO REPORT AND UPDATES.—

(1) LIMITATION ON FUNDS; REPORT REQUIRED.—

(A) IN GENERAL.—Of the amounts appropriated or transferred to the Pakistan Counterinsurgency Fund (hereafter in this subsection referred to as the ''Fund'') for any fiscal year after fiscal year 2011, not more than 25 percent of such amounts may be obligated or expended until such time as the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate congressional committees a report on the strategy to utilize the Fund and the metrics used to determine progress with respect to the Fund.

(B) MATTER TO BE INCLUDED.—Such report shall include, at a minimum, the following:

(i) A discussion of United States strategic objectives in Pakistan.

(ii) A listing of the terrorist or extremist organizations in Pakistan opposing United States goals in the region and against which the United States encourages Pakistan to take action.

(iii) A discussion of the gaps in capabilities of Pakistani security units that hampers the ability of the Government of Pakistan to take action against the organizations listed in clause (ii).

(iv) A discussion of how assistance provided utilizing the Fund will address the gaps in capabilities listed in clause (iii).

(v) A discussion of other efforts undertaken by other United States Government departments and agencies to address the gaps in capabilities listed in clause (iii) or complementary activities of the Department of Defense and how those efforts are coordinated with the activities undertaken to utilize the Fund.

(vi) Metrics that will be used to track progress in achieving the United States strategic objectives in Pakistan, to track progress of the Government of Pakistan in combating the organizations listed in clause (ii), and to address the gaps in capabilities listed in clause (iii).

(2) ANNUAL UPDATE REQUIRED.—For any fiscal year in which amounts in the Fund are requested to be made available to the Secretary of Defense, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate congressional committees, at the same time that the President's budget is submitted pursuant to section 1105(a) of title 31, United States Code, an update of the report required under paragraph (1).

(3) FORM.—The report required under paragraph (1) and the update required under paragraph (2) shall be submitted in unclassified form, but may contain a classified annex as necessary.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, 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.

(c) QUARTERLY REPORTS.—

(1) IN GENERAL.—Section 1224(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2522) is amended—

(A) by striking ''Not later'' and inserting the following:

''(1) IN GENERAL.—Not later''; and

(B) by adding at the end the following:

''(2) MATTERS TO BE INCLUDED.—The Secretary of Defense, with the concurrence with the Secretary of State, shall include in the report required under paragraph (1) the following:

''(A) A discussion of progress in achieving United States strategic objectives in Pakistan during such fiscal quarter, utilizing metrics used to track progress in achieving such strategic objectives.

''(B) A discussion of progress made by programs supported from amounts in the Fund during such fiscal quarter.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) take effect on the date of the enactment of this Act and apply with respect to each report required to be submitted under section 1224(f) of the National Defense Authorization Act for Fiscal Year 2010 for any fiscal year after fiscal year 2011.

SEC. 1215. REPORT ON EXTENSION OF UNITED STATES-IRAQ STATUS OF FORCES AGREEMENT.

(a) REPORT ON EXTENSION OF AGREEMENT.—Not later than 10 days after completion of any agreement between the United States Government and the Government of Iraq that would retain a United States force presence in Iraq greater than the force presence envisioned for the Office of Security Cooperation-Iraq, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the terms of such agreement.

(b) NOTIFICATION AND REPORT IN ABSENCE OF AGREEMENT.—

(1) IN GENERAL.—If, on December 31, 2011, no agreement between the United States Government and the Government of Iraq described in subsection (a) has been completed, the Secretary of Defense shall provide written notification to the congressional defense committees that no such agreement has been completed and shall submit to the appropriate congressional committees the report required under paragraph (2) not later than January 31, 2012.

(2) REPORT.—The report referred to in paragraph (1) is a report that—

(A) describes the capability gaps of the Iraqi Security Forces, in classified and unclassified form, including capability gaps relating to intelligence matters, protection of Iraqi airspace, and logistics and maintenance; and

(B) describes how the programs of the Office of Security Cooperation-Iraq and other United States programs, such as the Foreign Military Financing program, the Foreign Military Sales program, and joint training exercises, will address the capability gaps of the Iraqi Security Forces, as described in subparagraph (A), should the Government of Iraq request such assistance.

(3) UPDATES.—The Secretary of Defense shall submit to the appropriate congressional committees, at the same time that the President's budget is submitted pursuant to section 1105(a) of title 31, United States Code, for each of the fiscal years 2014 and 2015 an update of the report required under paragraph (2). The requirement to submit updates under this paragraph shall terminate on the date on which the Secretary of Defense submits to the congressional defense committees the report required under subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1216. AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) AUTHORITY.—The Secretary of Defense is authorized to support operations and activities of the Office of Security Cooperation in Iraq (OSC-I) in order to carry out United States Government transition activities in Iraq, including life support, transportation and personal security, and facilities renovation and construction activities.

(b) LIMITATION.—The authority contained in subsection (a) may not be exercised to pay the salaries and expenses of personnel of the Department of State.

(c) FUNDING.—Amounts authorized to be appropriated by section 301 and available for operation and maintenance for the Air Force, as specified in the funding table in section 4301, may be used to carry out this section.

Subtitle C—Reports and Other Matters

SEC. 1221. REVIEW AND REPORT ON IRAN'S AND CHINA'S CONVENTIONAL AND ANTI-ACCESS CAPABILITIES.

(a) REVIEW.—The Secretary of Defense shall direct an appropriate entity outside the Department of Defense to conduct an independent review of the following:

(1) The gaps between Iran's conventional and anti-access capabilities and United States' capabilities to overcome them.

(2) The gaps between China's anti-access capabilities and United States' capabilities to overcome them.

(b) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report that contains the review conducted under subsection (a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, 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.

(c) ADDITIONAL TO OTHER REPORTS, ETC.—The review conducted under subsection (a) and the report required under subsection (b) are in addition to the report required under section 1238 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4402) and the strategy and briefings required under section 1243 of such Act (Public Law 111–383; 124 Stat. 4405).

(d) DEFINITION.—In this section, the term ''anti-access'' has the meaning given the term in section 1238(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4403).

SEC. 1222. REPORT AND CONSULTATION ON ENERGY SECURITY OF NATO ALLIANCE.

(a) FINDINGS.—Congress finds the following:

(1) Adopted in Lisbon in November 2010, the new North Atlantic Treaty Organization (NATO) Strategic Concept declares that ''All countries are increasingly reliant on the vital communication, transport and transit routes on which international trade, energy security and prosperity depend. They require greater international efforts to ensure their resilience against attack or disruption. Some NATO countries will become more dependent on foreign energy suppliers and in some cases, on foreign energy supply and distribution networks for their energy needs. As a larger share of world consumption is transported across the globe, energy supplies are increasingly exposed to disruption.''.

(2) The new NATO Strategic Concept further declares that, ''to deter and defend against any threat to the safety and security of our populations'', the NATO alliance will, ''develop the capacity to contribute to energy security, including protection of critical energy infrastructure and transit areas and lines, cooperation with partners, and consultations among Allies on the basis of strategic assessments and contingency planning.''.

(b) REPORT.—

(1) ASSESSMENT.—The Secretary of Defense shall direct a federally funded research and development center of the Department of Defense to conduct an assessment of the energy security of the NATO alliance.

(2) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the specified congressional committees a detailed report on the assessment conducted pursuant to paragraph (1).

(3) CONTENTS.—The report required under paragraph (2) shall include the following:

(A) A listing of the extent to which each NATO member country is dependent on a single oil or natural gas supplier or distribution network. Such listing shall be expressed in terms of a percentage basis.

(B) A description of potential adverse effects of oil or natural gas price shortages or price spikes on those NATO member countries that are most dependent on a single oil or natural gas supplier or distribution network and on United States Armed Forces based in Europe, including effects on the military and defensive capabilities of such countries.

(C) A description of potential risks posed to NATO member countries, including NATO member countries in Eastern Europe, and to United States Armed Forces based in Europe, by the relative lack of easy access to the spot market for natural gas.

(D) A description of the extent to which the United States military, in conjunction with the militaries of NATO member countries, could respond to and mitigate the energy security risk to NATO member countries and to United States Armed Forces based on Europe posed by the threat of a deliberate disruption of the supply of oil or natural gas, and the relative challenges and cost of such a response, including for transporting oil and natural gas over land after delivery by sea to the port of a NATO member country.

(E) A set of recommendations for available options to NATO member countries that are most dependent on a single oil or natural gas supplier or distribution network to avoid such dependency, and the potential benefits of increased pipelines within Europe to give Eastern European countries access to the spot market for natural gas in the event of a supply interruption.

(F) A description of all supply interruptions of natural gas to NATO member countries over the past 20 years.

(G) An analysis of the threats posed by supply interruptions, whether accidental, unauthorized or deliberate, to energy distribution infrastructure and transit areas and lines to NATO member countries most dependent on a single oil or natural gas supplier or distribution network and to United States Armed Forces based in Europe, including from events such as potential natural disasters or terrorist attacks, and the adequacy of the Department of Defense's current contingency plans to respond to such interruptions.

(H) A description of how NATO's military capability might be adversely affected if a major oil or natural gas supplier or distribution network were to deliberately disrupt the supply of oil or natural gas.

(I) An analysis of whether and how major suppliers of oil and natural gas to NATO member countries in Europe have used their energy markets to influence European political affairs, and the potential of such actions to undermine the long-term solidarity and future of the NATO alliance.

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form (including as much detail as possible), but may contain a classified annex.

(d) CONSULTATION.—The Secretary of Defense shall consult with other NATO member countries and NATO's Emerging Security Challenges Division on other ways the United States as a NATO member country can contribute to the energy security of the NATO alliance and NATO regional partners, including through protection of critical energy infrastructure and transit areas and lines, cooperation with NATO partners, and consultation among NATO allies on the basis of strategic assessments and contingency planning.

(e) DEFINITION.—In this section the term ''specified congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1223. EXTENSION OF REPORT ON PROGRESS TOWARD SECURITY AND STABILITY IN AFGHANISTAN.

Section 1230(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385), as most recently amended by section 1231 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4395), is further amended by striking ''2012'' and inserting ''2014''.

SEC. 1224. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) REPORT.—Not later than March 1, 2012, and March 1, 2013, the Secretary of Defense shall submit to the specified congressional committees a report, in both classified and unclassified form, on the current and future military power of the Democratic People's Republic of Korea (in this section referred to as ''North Korea''). The report shall address the current and probable future course of military-technological development of the North Korean military, the tenets and probable development of North Korean security strategy and military strategy, and military organizations and operational concepts, through the next 20 years.

(b) MATTERS TO BE INCLUDED.—A report required under subsection (a) shall include at least the following elements:

(1) An assessment of the security situation on the Korean peninsula.

(2) The goals and factors shaping North Korean security strategy and military strategy.

(3) Trends in North Korean security and military behavior that would be designed to achieve, or that are inconsistent with, the goals described in paragraph (2).

(4) An assessment of North Korea's regional security objectives, including those that would affect South Korea, Japan, the People's Republic of China, and Russia.

(5) A detailed assessment of the sizes, locations, and capabilities of North Korean strategic, special operations, land, sea, and air forces.

(6) Developments in North Korean military doctrine and training.

(7) An assessment of the proliferation activities of North Korea, as either a supplier or a consumer of materials or technologies relating to nuclear weapons or other weapons of mass destruction or missile systems.

(8) Other military and security developments involving North Korea that the Secretary of Defense considers relevant to United States national security.

(c) DEFINITION.—In this section the term ''specified congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1225. NATIONAL SECURITY RISK ASSESSMENT OF UNITED STATES FEDERAL DEBT OWNED BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) DETERMINATION OF INTEREST PAID TO SERVICE DEBT.—Not later than 30 days after the date of the enactment of this Act, the Director of the Congressional Budget Office shall determine and make publicly available the amount of accrued interest on United States Federal debt paid to the People's Republic of China during the 5-year period ending on the date of the enactment of this Act.

(b) ASSESSMENT AND REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence, shall—

(1) carry out an assessment of the national security risks posed to the United States and United States allies as a result of the United States Federal debt liabilities owed to China as a creditor of the United States Government and the amount of interest determined to have been paid by the United States to China pursuant to subsection (a); and

(2) submit to the specified congressional committees a report that contains the results of the assessment carried out under paragraph (1).

(c) MATTERS TO BE INCLUDED.—The report required by subsection (b)(2) shall include the following:

(1) A description of the United States Federal debt liabilities owed to China as a creditor of the United States Government.

(2) A description of the amounts projected for defense spending by China in 2011.

(3) A discussion of any options available to China for deterring United States military freedom of action in the Western Pacific as a result of its creditor status.

(4) Other related issues the Secretary of Defense considers relevant.

(d) FORM.—The report required by subsection (b)(2) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(e) DEFINITION.—In this section the term ''specified congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1226. CONGRESSIONAL NOTIFICATION REQUIREMENT BEFORE PERMANENT RELOCATION OF ANY UNITED STATES MILITARY UNIT STATIONED OUTSIDE THE UNITED STATES.

(a) NOTIFICATION AND RELATED REPORT.—Chapter 6 of title 10, United States Code, is amended by inserting after section 162 the following new section:

"§ 162a. Congressional notification before permanent relocation of military units stationed outside the United States

''(a) NOTIFICATION AND REPORTING REQUIREMENT.—If the Secretary of Defense plans to relocate a unit stationed outside the United States, the Secretary shall submit to the appropriate committees of Congress, at the same time that the President's budget is submitted pursuant to section 1105(a) of title 31, United States Code, for the fiscal year in which the relocation will occur, written notification of the relocation and the report required by subsection (b) related to that relocation.

''(b) ELEMENTS OF REPORT.—The notification required by subsection (a) shall include a report containing a description of the following:

''(1) How relocation of the unit supports the United States national security strategy.

''(2) How relocation of the unit supports the security commitments undertaken by the United States pursuant to relevant international security treaties, including the North Atlantic Treaty, the Treaty of Mutual Cooperation and Security between the United States and Japan, and the Security Treaty Between Australia, New Zealand, and the United States of America.

''(3) How relocation of the unit addresses the current security environment in the affected geographic combatant command's area of responsibility, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises.

''(4) Whether relocation of the unit will result in cost savings or increased costs to the Department of Defense as a result of—

''(A) the loss of the permanent presence of the unit at the overseas location;

''(B) the reliance on the rotation of units or other means to achieve the same security objectives; and

''(C) the costs of maintaining the unit at its new location.

''(5) How relocation of the unit impacts the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy and the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations of the global defense posture of the United States.

''(c) EXCEPTIONS.—Subsection (a) does not apply in the case of—

''(1) the relocation of a unit deployed in support of a contingency operation;

''(2) the relocation of a unit as the result of closure of an overseas installation at the request of the government of the host nation in the manner provided in the agreement between the United States and the host nation regarding the installation; or

''(3) a reduction in the number of Brigade Combat Teams stationed in Europe from four to three.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary of Defense to relocate military units stationed outside the United States.

''(e) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

''(2) GEOGRAPHIC COMBATANT COMMAND.—The term 'geographic combatant command' means a combatant command with a geographic area of responsibility that does not include North America.

''(3) UNIT.—The term 'unit' means a unit of the armed forces at the battalion, squadron, or an equivalent level (or a higher level).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 162 the following new item:

''162a. Congressional notification before permanent relocation of military units stationed outside the United States.''.

(c) CONFORMING AMENDMENTS.—Section 1063 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2469; 10 U.S.C. 113 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 1227. ANNUAL REPORT ON MILITARY POWER OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) MATTERS TO BE INCLUDED.—Subsection (b) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note), as most recently amended by section 1246(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2544), is further amended—

(1) in paragraph (7)—

(A) by adding at the end before the period the following: ''or otherwise undermine the Department of Defense's capability to conduct information assurance''; and

(B) by adding at the end the following: ''Such analyses shall include an assessment of the damage inflicted on the Department of Defense by reason thereof.''; and

(2) in paragraph (9), by adding at the end the following: ''Such analyses shall include an assessment of the nature of China's cyber activities directed against the Department of Defense and an assessment of the damage inflicted on the Department of Defense by reason thereof. Such cyber activities shall include activities originating or suspected of originating from China and shall include government and nongovernment activities believed to be sanctioned or supported by the Government of China.''.

(b) CONFORMING AMENDMENT.—Such section is further amended in the heading by striking ***''military and security developments involving''*** *and inserting* ''military power of''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to reports required to be submitted under subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000, as so amended, on or after that date.

SEC. 1228. LIMITATION ON FUNDS TO PROVIDE THE RUSSIAN FEDERATION WITH ACCESS TO UNITED STATES MISSILE DEFENSE TECHNOLOGY.

(a) LIMITATION ON FUNDS FOR SENSITIVE TECHNOLOGY AND DATA.—No funds made available to carry out this Act may be used to provide the Russian Federation with access to—

(1) sensitive missile defense technology of the United States, including hit-to-kill technology; or

(2) sensitive data, including sensitive technical data, warning, detection, tracking, targeting, telemetry, command and control, and battle management data, that support the missile defense capabilities of the United States.

(b) LIMITATION ON FUNDS FOR OTHER TECHNOLOGY AND DATA.—No funds made available to carry out this Act may be used to provide the Russian Federation with access to missile defense technology or technical data not described in subsection (a) as part of a defense technical cooperation agreement between the Russian Federation and the United States unless, not less than 30 days prior to providing the Russian Federation with access to any such technology or technical data, the President submits to the appropriate congressional committees the report described in subsection (c) and the certification described in subsection (d).

(c) REPORT.—The report referred to in subsection (b) is a report that contains a description of the following:

(1) The specific missile defense technology or technical data to be accessed, the reasons for providing such access, and how the technology or technical data is intended to be used.

(2) The measures necessary to protect the technology or technical data.

(3) The specific missile defense technology or technical data of the Russian Federation that the Russian Federation is providing the United States with access to.

(4) The status and substance of discussions between the United States and the Russian Federation on missile defense matters.

(d) CERTIFICATION.—The certification referred to in subsection (b) is a certification of the President that providing the Russian Federation with access to the missile defense technology or technical data—

(1) includes an agreement on prohibiting access to such defense technology or technical data by third parties;

(2) will not enable the Russian Federation or any third party that may obtain access to such defense technology or technical data by means intentional or otherwise to develop countermeasures to any United States missile defense system or otherwise undermine the effectiveness of any United States missile defense system; and

(3) will correspond to equitable access by the United States to missile defense technology or technical data of the Russian Federation.

(e) FORM.—The report described in subsection (c) and the certification described in subsection (d) shall be submitted in unclassified form, but may contain a classified annex, if necessary.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1229. INTERNATIONAL AGREEMENTS RELATING TO MISSILE DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) Prior to signing the New START Treaty, on April 7, 2010, the Russian Federation made the unilateral statement that ''the Treaty can operate and be viable only if the United States of America refrains from developing its missile defense capabilities quantitatively or qualitatively.''.

(2) In the understanding under subsection (b)(1)(A) of the Resolution of Advice and Consent to Ratification of the New START Treaty, the Senate declared that ''the New START Treaty does not impose any limitations on the deployment of missile defenses other than the requirements of paragraph 3 of Article V of the New START Treaty. . .''.

(3) In the understanding under subsection (b)(1)(B) of such resolution, the Senate further declared that ''any additional New START Treaty limitations on the deployment of missile defenses beyond those contained in paragraph 3 of Article V, including any limitations agreed under the auspices of the Bilateral Consultative Commission, would require an amendment to the New START Treaty which may enter into force for the United States only with the advice and consent of the Senate, as set forth in Article II, section 2, clause 2 of the Constitution of the United States.''.

(4) In the understanding under subsection (b)(1)(C) of such resolution, the Senate further declared that ''the April 7, 2010, unilateral statement by the Russian Federation on missile defense does not impose a legal obligation on the United States.''.

(5) In the declaration under subsection (c)(2)(F) of such resolution, the Senate further declared that ''the United States is committed to improving United States strategic defensive capabilities both quantitatively and qualitatively during the period that the New START Treaty is in effect, and such improvements are consistent with the Treaty.''.

(b) POLICY.—In light of the findings under subsection (a), it is the policy of the United States—

(1) that any further limitations on the missile defense capabilities of the United States are not in the national security interests of the United States;

(2) to improve the strategic defensive capabilities of the United States both quantitatively and qualitatively during the period that the New START treaty is in effect and such improvements are consistent with the Treaty; and

(3) that no future agreement with Russia on cooperative missile defense, non-strategic nuclear weapons, further strategic weapons reductions, or any other matter shall include any restrictions on the missile defense options of the United States in Europe or elsewhere.

(c) LIMITATIONS ON MISSILE DEFENSE.—

(1) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding after section 130f, as added by section 1091, the following new section:

''§ 130g. International agreements relating to missile defense

''(a) IN GENERAL.—In accordance with the understanding under subsection (b)(1)(B) of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, any agreement with a country or international organization or amendment to the New START Treaty (including an agreement made by the Bilateral Consultative Commission established by the New START Treaty) concerning the limitation of the missile defense capabilities of the United States shall not be binding on the United States, and shall not enter into force with respect to the United States, unless after the date of the enactment of this section, such agreement or amendment is—

''(1) specifically approved with the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution; or

''(2) specifically authorized by an Act of Congress.

''(b) ANNUAL NOTIFICATION.—Not later than January 31 of each year, beginning in 2012, the President shall submit 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 a notification of—

''(1) whether the Russian Federation has recognized during the previous year the sovereign right of the United States to pursue quantitative and qualitative improvements in missile defense capabilities; and

''(2) whether during any treaty negotiations or other Government-to-Government contacts between the United States and the Russian Federation (including under the auspices of the Bilateral Consultative Commission established by the New START Treaty) during the previous year a representative of the Russian Federation suggested that a treaty or other international agreement include, with respect to the United States—

''(A) restricting missile defense capabilities, military capabilities in space, or conventional prompt global strike capabilities; or

''(B) reducing the number of non-strategic nuclear weapons deployed in Europe.

''(c) NEW START TREATY DEFINED.—In this section, the term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010.''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130d the following new item:

''130g. International agreements relating to missile defense.''.

(d) NEW START TREATY DEFINED.—In this section, the term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010.

SEC. 1230. NON-STRATEGIC NUCLEAR WEAPON REDUCTIONS AND EXTENDED DETERRENCE POLICY.

(a) POLICY ON NON-STRATEGIC NUCLEAR WEAPONS.—It is the policy of the United States—

(1) to pursue negotiations with the Russian Federation aimed at the reduction of Russian deployed and non-deployed non-strategic nuclear forces;

(2) that non-strategic nuclear weapons should be considered when weighing the balance of the nuclear forces of the United States and Russia; and

(3) that any geographical relocation or storage of non-strategic nuclear weapons by Russia does not constitute a reduction or elimination of such weapons.

(b) POLICY ON EXTENDED DETERRENCE COMMITMENT TO EUROPE.—It is the policy of the United States that—

(1) it maintain its commitment to extended deterrence, specifically the nuclear alliance of the North Atlantic Treaty Organization, as an important component of ensuring and linking the national security interests of the United States and the security of its European allies;

(2) forward-deployed nuclear forces of the United States shall remain based in Europe in support of the NATO nuclear alliance; and

(3) the presence of nuclear weapons of the United States in Europe—combined with NATO's unique nuclear sharing arrangements under which non-nuclear members participate in nuclear planning and possess specially configured aircraft capable of delivering nuclear weapons—contributes to the cohesion of NATO and provides reassurance to allies and partners who feel exposed to regional threats.

(c) LIMITATION ON REDUCTION, CONSOLIDATION, OR WITHDRAWAL OF NUCLEAR FORCES BASED IN EUROPE.—In light of the policy expressed in subsections (a) and (b), no action may be taken to effect or implement the reduction, consolidation, or withdrawal of nuclear forces of the United States that are based in Europe unless—

(1) the reduction, consolidation, or withdrawal of such nuclear forces is requested by the government of the host nation in the manner provided in the agreement between the United States and the host nation regarding the forces; or

(2) the President certifies that—

(A) NATO member states have considered the reduction, consolidation, or withdrawal in the High Level Group;

(B) NATO has decided to support such reduction, consolidation, or withdrawal; and

(C) the remaining nuclear forces of the United States that are based in Europe after such reduction, consolidation, or withdrawal would provide a commensurate or better level of assurance and credibility as before such reduction, consolidation, or withdrawal.

(d) NOTIFICATION.—Upon any decision to reduce, consolidate, or withdraw the nuclear forces of the United States that are based in Europe, the President shall submit to the appropriate congressional committees a notification containing—

(1) the certification required by subsection (c)(2);

(2) justification for such reduction, consolidation, or withdrawal; and

(3) an assessment of how NATO member states, in light of such reduction, consolidation, or withdrawal, assess the credibility of the deterrence capability of the United States in support of its commitments undertaken pursuant to article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964).

(e) NOTICE AND WAIT REQUIREMENT.—The President may not commence a reduction, consolidation, or withdrawal of the nuclear forces of the United States that are based in Europe for which the certification required by subsection (c)(2) is made until the expiration of a 180-day period beginning on the date on which the President submits the report under subsection (d) containing the certification.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committees on Armed Services of the House of Representatives and the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) FISCAL YEAR 2012 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2012 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2012, 2013, and 2014.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $508,219,000 authorized to be appropriated to the Department of Defense for fiscal year 2012 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $63,221,000.

(2) For chemical weapons destruction, $9,804,000.

(3) For global nuclear security, $121,143,000.

(4) For cooperative biological engagement, $259,470,000.

(5) For proliferation prevention, $28,080,000.

(6) For threat reduction engagement, $2,500,000.

(7) For activities designated as Other Assessments/Administrative Costs, $24,001,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2012 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended.

Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2012 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2012 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR COOPERATIVE BIOLOGICAL ENGAGEMENT PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by section 1302(a)(4) or otherwise made available for fiscal year 2012 for cooperative biological engagement, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense submits to the appropriate congressional committees the following:

(1) A detailed analysis of the effect of the cooperative biological engagement program.

(2) Either—

(A) written certification that the efforts of the cooperative biological engagement program—

(i) result in changed practices or are otherwise effective; and

(ii) lead to threat reduction; or

(B) a detailed list of policy and program recommendations considered necessary by the Secretary to modify, expand, or curtail the cooperative biological engagement program in order to achieve the objectives described by subparagraph (A).

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) The Committee on Armed Services and the Committee on Foreign Relations of the Senate.

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 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the fiscal year 2012 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

(b) AUTHORIZED PROCUREMENT.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) may be used to purchase an offshore petroleum distribution system, and the associated tender for that system, that are under charter by the Military Sealift Command as of January 1, 2011.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

Subtitle B—National Defense Stockpile

SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2012, the National Defense Stockpile Manager may obligate up to $50,107,320 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 1412. REVISION TO REQUIRED RECEIPT OBJECTIVES FOR PREVIOUSLY AUTHORIZED DISPOSALS FROM THE NATIONAL DEFENSE STOCKPILE.

Section 3402(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 50 U.S.C. 98d note), as most recently amended by section 1412 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended by striking ''$730,000,000 by 2013'' in paragraph (5) and inserting ''$830,000,000 by 2016''.

Subtitle C—Chemical Demilitarization Matters

SEC. 1421. CHANGES TO MANAGEMENT ORGANIZATION TO THE ASSEMBLED CHEMICAL WEAPONS ALTERNATIVE PROGRAM.

(a) MANAGEMENT ORGANIZATION.—Section 1412(g)(2) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) is amended by striking the last sentence.

(b) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs, in coordination with the Deputy Assistant Secretary of the Army for the Elimination of Chemical Weapons, shall provide to Committees on Armed Services of the Senate and House of Representatives a briefing on opportunities to leverage lessons learned and experienced personnel of the Army Chemical Materials Agency to support the Assembled Chemical Weapons Alternatives program. The briefing shall include each of the following:

(1) A plan to attract Army Chemical Materials Agency personnel to assist the Assembled Chemical Weapons Alternatives program in completing the mission of the Agency set forth by the Chemical Weapons Convention and the destruction of the United States' stockpile of lethal chemical agents and munitions by the deadline under section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and an analysis of that plan.

(2) An analysis of how the Army Chemical Materials Agency and the Assembled Chemical Weapons Alternative program can work in coordination to ensure that the leadership, expertise, experience, and best practices of the Agency are shared extensively with the Assembled Chemical Weapons Alternative program.

(3) An analysis of how the Assembled Chemical Weapons Alternative program could incorporate best practices from the Army Chemical Materials Agency.

(c) DEFINITION.—The term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, ratified by the United States on April 25, 1997, and entered into force on April 29, 1997.

Subtitle D—Other Matters

SEC. 1431. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2012 from the Armed Forces Retirement Home Trust Fund the sum of $67,700,000 for the operation of the Armed Forces Retirement Home.

SEC. 1432. 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.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1406 and available for the Defense Health Program for operation and maintenance, $135,600,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1433. MISSION FORCE ENHANCEMENT TRANSFER FUND.

(a) ESTABLISHMENT OF FUND.—There is hereby established a fund to be known as the ''Mission Force Enhancement Transfer Fund''. Amounts in the fund shall be available to the Secretary of Defense to be used for the Armed Forces and other activities and agencies of the Department of Defense.

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Mission Force Enhancement Transfer Fund for fiscal year 2012 for the purposes specified in subsection (c) as specified in the funding table in section 4501.

(c) USE OF FUNDS.—The Secretary of Defense may transfer amounts from the Mission Force Enhancement Transfer Fund to another account of the Department of Defense to mitigate unfunded requirements for fiscal year 2012 for any of the following:

(1) Ballistic and cruise missile defense.

(2) Navy shipbuilding.

(3) Strike fighter shortfall.

(4) Naval mine warfare.

(5) Intelligence, surveillance, and reconnaissance.

(6) Capabilities to defeat anti-access/area-denial technologies.

(7) Basic research.

(d) ADDITIONAL AUTHORITY.—The transfer authority under this section is in addition to any other authority to transfer funds provided in this Act.

(e) EFFECT ON AUTHORIZATION AMOUNTS.—The transfer of an amount to an account under subsection (c) shall be deemed to increase the amount authorized to be appropriated for such account by an amount equal to the amount transferred.

(f) PRIOR NOTICE TO CONGRESS OF TRANSFER.—Funds may not be transferred under subsection (c) until the date that is 15 days after the date on which the Secretary of Defense notifies the congressional defense committees in writing of the details of the proposed transfer.

(g) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance regarding the identification and selection of projects to be funded under this section using merit-based selection criteria.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2012 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2012 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2012 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

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 expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

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 expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. 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 4502.

SEC. 1507. 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 4502.

SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2012 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2012 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $3,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) APPLICATION OF EXISTING LIMITATIONS ON AVAILABILITY OF FUND.—Funds made available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2012 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) ADDITIONAL AUTHORIZED USE OF FUND.—In addition to the types of authorized assistance described in section 1513(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), amounts in the Afghanistan Security Forces Fund may be used to construct and operate schools for the purpose of providing remedial literacy instruction to recruits for Afghanistan Security Forces and civilian employees of the Afghanistan Ministry of Defense.

SEC. 1532. CONTINUATION OF PROHIBITION ON USE OF UNITED STATES FUNDS FOR CERTAIN FACILITIES PROJECTS IN IRAQ.

Section 1508(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4651) shall apply to funds authorized to be appropriated by this title.

SEC. 1533. ONE-YEAR EXTENSION OF PROJECT AUTHORITY AND RELATED REQUIREMENTS OF TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

(a) EXTENSION.—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 (6)—

(A) by striking ''October 31, 2011,'' and inserting ''October 31, 2011, and October 31, 2012''; and

(B) by striking ''fiscal year 2011'' and inserting ''the preceding fiscal year''; and

(2) in paragraph (7), by striking ''September 30,2011'' and inserting ''September 30, 2012''.

(b) FUNDING LIMITATION.—Paragraph (4) of such subsection is amended by inserting before the period at the end of the second sentence the following: ''for fiscal year 2011 and $75,000,000 for fiscal year 2012''.

(c) SCOPE OF PROJECTS.—Paragraph (3) of such subsection is amended by adding at the end the following new sentence: ''To the maximum extent possible, the activities of the Task Force for Business and Stability Operations in Afghanistan should focus on improving the commercial viability of other reconstruction or development activities in Afghanistan conducted by the United States.''.

TITLE XVI—ADDITIONAL BUDGET ITEMS

Subtitle A—Procurement

SEC. 1601. BUDGET ITEM RELATING TO MODIFICATION OF TORPEDOES AND RELATED EQUIPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $126,308,000 for modification of torpedoes and related equipment. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $5,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1602. BUDGET ITEM RELATING TO ANTI-SUBMARINE WARFARE ELECTRONIC EQUIPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $125,652,000 for anti-submarine warfare electronic equipment. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $9,600,000 for anti-submarine warfare applications in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1603. BUDGET ITEM RELATING TO SHALLOW WATER MINE COUNTER MEASURES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $1,048,000 for shallow water mine counter measures. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $7,975,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1604. BUDGET ITEM RELATING TO LHA–7 SHIP PROGRAM.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $2,018,691,000 for the LHA–7 ship program. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $150,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1605. BUDGET ITEM RELATING TO MOBILITY AIRCRAFT SIMULATORS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $198,100,000 for mobility aircraft simulators. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $25,000,000 for the same purpose, including for simulator training facilities for air mobility pilots, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1606. BUDGET ITEM RELATING TO MODIFICATIONS TO AIRCRAFT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $80,745,000 for Modifications to Aircraft. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $10,000,000 for radio communication systems for National Guard helicopters in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1607. BUDGET ITEM RELATING TO SH–60 CREW AND PASSENGER SURVIVABILITY UPGRADES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $2,291,899,000 for aircraft modifications. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $4,500,000 for SH–60 crew and passenger survivability upgrades in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1608. BUDGET ITEM RELATING TO MODIFICATION OF IN SERVICE A–10 AIRCRAFT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $153,128,000 for modification of in service aircraft, A–10. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $5,000,000 for lightweight airborne recovery systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1609. BUDGET ITEM RELATING TO RADAR SUPPORT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $18,818,000 for Navy radar support. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $5,000,000 for Aegis ship support for engineering change proposals associated with combat system radar upgrades in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1610. BUDGET ITEM RELATING TO ELECTRONIC EQUIPMENT- AUTOMATION.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $335,664,000 for electronic equipment-automation. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $4,000,000 for support of the deployment and adoption of new information processing systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1611. BUDGET ITEM RELATING TO BASE DEFENSE SYSTEMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $41,204,000 for other procurement, Army, for base defense systems. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $6,000,000 for base defense system equipment in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1612. BUDGET ITEM RELATING TO SNIPER RIFLE MODIFICATIONS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $1,994,000 for sniper rifle modifications. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,506,000 for modifications of weapons and other combat vehicles in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1613. BUDGET ITEM RELATING TO GENERATORS AND ASSOCIATED EQUIPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $31,897,000 for generators and associated equipment. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $10,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1614. BUDGET ITEM RELATING TO NATIONAL GUARD AND RESERVE EQUIPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $0 for National Guard and Reserve Equipment. Of the amounts authorized to be appropriated by section 101, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $100,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

Subtitle B—Research, Development, Test, and Evaluation

SEC. 1616. BUDGET ITEM RELATING TO NEW DESIGN SSN.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $97,235,000 for New Design SSN. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $10,000,000 for continued design improvements for new SSNs in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1617. BUDGET ITEM RELATING TO ADVANCED SUBMARINE SYSTEM DEVELOPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $856,326,000 for advanced submarine system development. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $9,000,000 for future undersea capabilities in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1618. BUDGET ITEM RELATING TO SURFACE ANTI-SUBMARINE WARFARE.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $29,797,000 for surface anti-submarine warfare. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $3,500,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1619. BUDGET ITEM RELATING TO SHIP PRELIMINARY DESIGN AND FEASIBILITY STUDIES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $22,213,000 for ship preliminary design and feasibility studies. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $19,900,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1620. BUDGET ITEM RELATING TO INDUSTRIAL PREPAREDNESS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $54,000,000 for research, development, test, and evaluation, Navy, for industrial preparedness. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $5,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1621. BUDGET ITEM RELATING TO MIXED CONVENTIONAL LOAD CAPABILITY FOR BOMBER AIRCRAFT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $19,900,000 for the Warfighter Rapid Acquisition Program. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $20,000,000 for the development of mixed conventional load capability for bomber aircraft to prosecute a broad range of preplanned and rapidly emerging target sets in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1622. BUDGET ITEM RELATING TO TACAIR-LAUNCHED UAS CAPABILITY DEVELOPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $9,400,000 for tactical unmanned aerial vehicles. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $10,000,000 for TACAIR-launched UAS capability development in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1623. BUDGET ITEM RELATING TO ELECTRO-PHOTONIC COMPONENT CAPABILITY DEVELOPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $123,000,000 for aviation improvements. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $10,000,000 for electro-photonic component capability development in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1624. BUDGET ITEM RELATING TO AIRBORNE RECONNAISSANCE SYSTEMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $106,877,000 for airborne reconnaissance systems. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $3,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1625. BUDGET ITEM RELATING TO SMALL BUSINESS INNOVATIVE RESEARCH.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States

Code, for fiscal year 2012, the President requested $0 for Small Business Innovative Research. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 to accelerate the use of technologies from the small business innovative research program into Army acquisition programs of record in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1626. BUDGET ITEM RELATING TO DEFENSE RESEARCH SCIENCES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $446,123,000 for defense research sciences. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $2,500,000 to conduct research into the magnetic and electric fields of the coastal ocean environment in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1627. BUDGET ITEM RELATING TO DEFENSE RESEARCH SCIENCES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $213,942,000 for Defense Research Sciences. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,000,000 to support research into innovative new techniques for combat wound repair in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1628. BUDGET ITEM RELATING TO COMMUNICATIONS ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $5,312,000 for research, development, test and evaluation, Army, for communications advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $3,000,000 for the development of communications and information networking technologies to support Army requirements in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1629. BUDGET ITEM RELATING TO NIGHT VISION TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $39,813,000 for research, development, test and evaluation, Army, for night vision technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $4,000,000 to develop radio frequency signals intelligence processing equipment and associated applications in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1630. BUDGET ITEM RELATING TO NIGHT VISION TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $57,203,000 for Night Vision Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $8,000,000 for the development of enhanced low-light level visual sensors for persistent surveillance and dismounted soldier applications in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1631. BUDGET ITEM RELATING TO NIGHT VISION ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $42,414,000 for night vision advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $4,000,000 for the development of deployable force protection sensors in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1632. BUDGET ITEM RELATING TO NIGHT VISION ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $42,414,000 for night vision advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 for the development and fielding of a solution for helicopter ''brownout'' situational awareness in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1633. BUDGET ITEM RELATING TO NIGHT VISION ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $42,414,000 for Night Vision Advanced Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $4,800,000 for night vision advanced technology development in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1634. BUDGET ITEM RELATING TO ROTARY WING SURFACES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $80,317,000 for Military Engineering Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $6,000,000 for the development of mission planning and support tools for rotary wing surfaces in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1635. BUDGET ITEM RELATING TO WEAPONS AND MUNITIONS TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $57,203,000 for weapons and munitions technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $30,000,000 for the development of weapons and munitions technologies by small and non-traditional defense businesses in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1636. BUDGET ITEM RELATING TO WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,077,000 for Weapons and Munitions Advanced Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,500,000 for development of innovative manufacturing techniques and processes for munitions and weapons systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1637. BUDGET ITEM RELATING TO WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,077,000 for Weapons and Munitions Advanced Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,500,000 for the development of innovative manufacturing techniques and processes for munitions and weapons systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1638. BUDGET ITEM RELATING TO MATERIALS TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $30,258,000 for Materials Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $4,000,000 to develop innovative nanomaterials and nanomanufacturing processes for warfighter systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1639. BUDGET ITEM RELATING TO MATERIALS TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $30,258,000 for Materials Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $1,500,000 for the development and demonstration of novel lightweight composite packaging and structural materials in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1640. BUDGET ITEM RELATING TO MATERIALS TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $30,258,000 for materials technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 for advanced manufacturing, repair, and sustainment technologies for defense needs in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1641. BUDGET ITEM RELATING TO LIGHTWEIGHT BODY ARMOR.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $64,057,000 for plasma treatment of fiber for force protection. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $5,100,000 for the development of new lightweight body armor in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1642. BUDGET ITEM RELATING TO INDUSTRIAL PREPAREDNESS MANUFACTURING TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $23,103,000 for industrial preparedness manufacturing technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $5,000,000 for sustainment of the industrial base for body armor in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1643. BUDGET ITEM RELATING TO SECURE MICROELECTRONICS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $23,887,000 for Generic Logistics R&D Technology Demonstrations. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $15,000,000 to conduct research into the development, identification, and management of secure microelectronics in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1644. BUDGET ITEM RELATING TO ARMY TACTICAL COMMAND AND CONTROL HARDWARE AND SOFTWARE.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $123,935,000 for Army tactical command and control hardware and software. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,000,000 for the development of interoperable national security information sharing systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1645. BUDGET ITEM RELATING TO BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $38,656,000 for battlespace knowledge development and demonstration. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $4,000,000 to conduct research and educational programs that support cyber workforce development in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1646. BUDGET ITEM RELATING TO TECHNOLOGY TRANSFER.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress

under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $2,553,000 for technology transfer. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $9,000,000 for small business technology transfer efforts into major Department of Defense acquisition programs of record in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1647. BUDGET ITEM RELATING TO UNIVERSITY RESEARCH INITIATIVES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $80,977,000 for research, development, test, and evaluation, Army, for university research initiatives. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $7,000,000 for multidisciplinary research into nanotechnology science in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1648. BUDGET ITEM RELATING TO UNIVERSITY RESEARCH INITIATIVES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $140,273,000 for university research initiatives. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $7,000,000 for the development of hypersonic testing facilities for defense applications in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1649. BUDGET ITEM RELATING TO CLINICAL CARE AND RESEARCH.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $80,977,000 for university research initiatives. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,000,000 for the development of informatics tools to support clinical care and research in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1650. BUDGET ITEM RELATING TO MEDICAL TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $105,929,000 for medical technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $3,000,000 for the same purpose, including the development of biomaterials for wound prevention and healing, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1651. BUDGET ITEM RELATING TO MEDICAL TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $105,929,000 for research, development, test, and evaluation, Army, for medical technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1652. BUDGET ITEM RELATING TO MEDICAL TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $105,929,000 for medical technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $3,500,000 for the same purpose, including for the continued development of high-throughput, microarray diagnostic systems, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1653. BUDGET ITEM RELATING TO MEDICAL TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $105,929,000 for medical technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $1,468,000 to support research into innovative new techniques to develop vaccines of interest to the military in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1654. BUDGET ITEM RELATING TO MEDICAL ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $68,171,000 for medical advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $10,000,000 for the same purpose, including for functional genomics research to further develop cancer treatment and detection methods, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1655. BUDGET ITEM RELATING TO MEDICAL ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $68,171,000 for medical advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $5,000,000 for the same purpose (including for the continued development of telemedicine technologies) in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1656. BUDGET ITEM RELATING TO MEDICAL ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $68,171,000 for medical advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $3,000,000 for the same purpose, including for the study of health effects from manganese and other potential toxins, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1657. BUDGET ITEM RELATING TO MEDICAL ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $68,171,000 for medical advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 for the development of innovative medical training technologies in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1658. BUDGET ITEM RELATING TO CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $219,873,000 for chemical and biological program defense program applied research. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $5,000,000 for the same purpose, including for university-led applied research, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1659. BUDGET ITEM RELATING TO SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $35,242,000 for special operations advanced technology development. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $5,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1660. BUDGET ITEM RELATING TO COMBATING TERRORISM TECHNOLOGY SUPPORT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,019,000 for combating terrorism technology support. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $3,500,000 for the same purpose (including for risk assessment and resource allocation) in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1661. BUDGET ITEM RELATING TO COMBATING TERRORISM TECHNOLOGY SUPPORT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,019,000 for combating terrorism technology support. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $1,200,000 for the same purpose (including for the development of mobile training content and distance learning capabilities) in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1662. BUDGET ITEM RELATING TO COMBATING TERRORISM TECHNOLOGY SUPPORT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,019,000 for combating terrorism technology support. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $6,500,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1663. BUDGET ITEM RELATING TO COMBATING TERRORISM TECHNOLOGY SUPPORT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,019,000 for Combating Terrorism Technology Support. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $3,000,000 for the development of modeling and simulation technologies for testing of blast structures in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1664. BUDGET ITEM RELATING TO COMBATING TERRORISM TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,019,000 for combating terrorism technology support. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $5,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1665. BUDGET ITEM RELATING TO COMBATING TERRORISM TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $77,019,000 for combating terrorism technology support. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $4,000,000 for combating terrorism technology support to improve the collaborative experimentation model in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1666. BUDGET ITEM RELATING TO WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $196,954,000 for weapons of mass destruction defeat technologies. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $5,000,000 for the same purpose, including weapons of mass destruction-related strategic studies and university partnerships, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1667. BUDGET ITEM RELATING TO COUNTERMINE SYSTEMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $20,280,000 for countermine systems. Of

the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $4,500,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1668. BUDGET ITEM RELATING TO MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $37,583,000 for Mine and Expeditionary Warfare Applied Research. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $8,000,000 for the development of remote- robotic naval mine countermeasure research and development capability in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1669. BUDGET ITEM RELATING TO SPECIAL APPLICATIONS FOR CONTINGENCIES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $5,045,000 for special operations advanced technology development. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $4,000,000 for the same purpose, including for special applications for contingencies such as for the development and demonstration of tactical unmanned aerial vehicles, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1670. BUDGET ITEM RELATING TO MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $91,132,000 for Microelectronics Technology Development and Support. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $3,000,000 for the development of innovative semiconductor design and fabrication tools in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1671. BUDGET ITEM RELATING TO WARFIGHTER SUSTAINMENT APPLIED RESEARCH.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $101,205,000 for Warfighter Sustainment Applied Research. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $2,500,000 to support research into corrosion control and anti-biofouling coatings in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1672. BUDGET ITEM RELATING TO MARINE CORPS LANDING FORCE TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $44,845,000 for Marine Corps Landing Force Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $3,000,000 for the development of situational awareness and communications networking tools for tactical units in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1673. BUDGET ITEM RELATING TO ADVANCED CONCEPTS AND SIMULATION.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $20,933,000 for Advanced Concepts and Simulation. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $10,000,000 to develop realistic human representations of software agents for simulation systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1674. BUDGET ITEM RELATING TO HUMAN EFFECTIVENESS APPLIED RESEARCH.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $86,663,000 for Human Effectiveness Applied Research. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $2,200,000 to develop training and simulation capabilities for the Air Force in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1675. BUDGET ITEM RELATING TO AEROSPACE PROPULSION.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $207,508,000 for aerospace propulsion. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $2,000,000 for the development of innovative aircraft deoxygeneration systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1676. BUDGET ITEM RELATING TO END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $59,297,000 for end item industrial preparedness activities. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $7,000,000 to develop a 3-D model-based design and manufacturing capability in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1677. BUDGET ITEM RELATING TO SENSORS AND ELECTRONIC SURVIVABILITY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $43,521,000 for Sensors and Electronic Survivability. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $10,000,000 for the development of command, control, and navigation capabilities for manned and unmanned aircraft in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1678. BUDGET ITEM RELATING TO MILITARY ENGINEERING ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $36,516,000 for Military Engineering Advanced Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 for the development of innovative capabilities that support core missions of the Army Corps of Engineers in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1679. BUDGET ITEM RELATING TO AVIATION ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $62,193,000 for aviation advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $8,000,000 for the same purpose, including for the development and demonstration of a high-efficiency air-breathing turbine propulsion system for unmanned aircraft systems, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1680. BUDGET ITEM RELATING TO ESTABLISHMENT OF PROTOCOLS FOR JOINT STRIKE FIGHTER LEAD-FREE ELECTRONIC COMPONENTS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $1,387,926,000 for joint strike fighter development. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $1,000,000 for the development of protocols for the use of lead-free solder products and finishes in the joint strike fighter in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1681. BUDGET ITEM RELATING TO PORTABLE HELICOPTER OXYGEN DELIVERY SYSTEMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $73,728,000 for infantry support weapons. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $3,000,000 for improvements to portable helicopter oxygen delivery systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1682. BUDGET ITEM RELATING TO ADVANCED ROTORCRAFT FLIGHT RESEARCH.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $62,193,000 for aviation advanced technology . Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $8,000,000 for advanced rotorcraft flight research in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1683. BUDGET ITEM RELATING TO MISSILE AND ROCKET ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $90,602,000 for missile and rocket advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $6,250,000 for the development of missile simulation technology in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1684. BUDGET ITEM RELATING TO MISSILE AND ROCKET ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $90,602,000 for missile and rocket advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $4,300,000 for base defense counter fire intercept systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1685. BUDGET ITEM RELATING TO COMBAT VEHICLE IMPROVEMENT PROGRAMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $53,700,000 for combat vehicle improvement programs. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $25,000,000 for the same purpose, including for the M1A1 Abrams tank engine technology insertion demonstration program, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1686. BUDGET ITEM RELATING TO WARFIGHTER ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $52,979,000 for Warfighter Advanced Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1687. BUDGET ITEM RELATING TO AVIATION ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $62,193,000 for aviation advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,500,000 for the same purpose, including for the development and demonstration of autonomous cargo for rotorcraft unmanned aerial vehicles, in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1688. BUDGET ITEM RELATING TO AVIATION ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress

under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $62,193,000 for research, development, test and evaluation, Army, for aviation advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $7,000,000 for the same purpose (including for common data link waveform improvements) in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1689. BUDGET ITEM RELATING TO AVIATION ADVANCED TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $62,193,000 for aviation advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,300,000 to conduct research on corrosion reduction for rotor craft aviation platforms in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1690. BUDGET ITEM RELATING TO MUNITIONS STANDARDIZATION, EFFECTIVENESS, AND SAFETY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $57,142,000 for munitions standardization, effectiveness, and safety. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $5,000,000 for enhanced survivability and lethality system development in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1691. BUDGET ITEM RELATING TO AEGIS BALLISTIC MISSILE DEFENSE.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $960,267,000 for Aegis ballistic missile defense. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Director of the Missile Defense Agency shall obligate an additional $5,000,000 for expanding the engagement capability of the Aegis ballistic missile defense in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1692. BUDGET ITEM RELATING TO OPERATIONALLY RESPONSIVE SPACE.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $86,500,000 for operationally responsive space. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $20,000,000 for the acquisition of additional operationally responsive space capabilities to meet the urgent needs of commanders, further develop and demonstrate a modular architecture, and support enabling technologies and infrastructure in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1693. BUDGET ITEM RELATING TO SPACE TECHNOLOGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $115,300,000 for space technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $3,000,000 for expanding research for space technology in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1694. BUDGET ITEM RELATING TO ARMY NET ZERO PROGRAMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $4,946,000 for Environmental Quality Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $8,000,000 for Army net zero programs in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1695. BUDGET ITEM RELATING TO OFFSHORE RANGE ENVIRONMENTAL BASELINE ASSESSMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $66,409,000 for the Strategic Environmental Research Program. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $1,750,000 for offshore range environmental baseline assessment in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1696. BUDGET ITEM RELATING TO DEPARTMENT OF DEFENSE CORROSION PROTECTION PROJECTS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $3,221,000 for the Department of Defense Corrosion Protection Projects. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $10,300,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1697. BUDGET ITEM RELATING TO STUDY OF RENEWABLE AND ALTERNATIVE ENERGY APPLICATIONS IN THE PACIFIC REGION.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $446,123,000 for defense research sciences. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $2,000,000 for the study of renewable and alternative energy applications in the Pacific Region in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1698. BUDGET ITEM RELATING TO ALTERNATIVE ENERGY FOR MOBILE POWER APPLICATIONS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $156,901,000 for Force Protection Applied research. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $2,000,000 for alternative energy for mobile power applications in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699. BUDGET ITEM RELATING TO ADVANCED BATTERY TECHNOLOGIES.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $64,057,000 for force protection advanced technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $2,000,000 for advanced battery technologies in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699A. BUDGET ITEM RELATING TO OPERATIONAL ENERGY IMPROVEMENT PILOT PROJECT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $20,444,000 for Operational Energy Capability Improvement. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $4,000,000 for an operational energy pilot project in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699B. BUDGET ITEM RELATING TO MICROGRID PILOT PROGRAM.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $30,000,000 for the installation energy test bed. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $2,000,000 for the microgrid pilot program in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699C. BUDGET ITEM RELATING TO ADVANCED SURFACE MACHINERY SYSTEMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $18,249,000 for Advanced Surface Machinery Systems. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $10,000,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699D. BUDGET ITEM RELATING TO BASE CAMP FUEL CELLS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $36,516,000 for Military Engineering Advanced Technology. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,000,000 for base camp fuel cells in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699E. BUDGET ITEM RELATING TO DEFENSE ALTERNATIVE ENERGY.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $17,888,000 for the Defense-wide Manufacturing Science and Technology Program. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $2,000,000 for defense alternative energy in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699F. BUDGET ITEM RELATING TO RADIOLOGICAL CONTAMINATION RESEARCH.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $66,409,000 for the Strategic Environmental Research Program. Of the amounts authorized to be appropriated by section 201, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $4,000,000 for radiological contamination research in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

Subtitle C—Operation and Maintenance

SEC. 1699G. BUDGET ITEM RELATING TO DEPARTMENT OF DEFENSE CORROSION PREVENTION PROGRAM.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $7,324,000 for the Department of Defense Corrosion Prevention Program. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $22,700,000 for the same purpose in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699H. BUDGET ITEM RELATING TO NAVY EMERGENCY MANAGEMENT AND PREPAREDNESS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $38,425,841,000 for Operation & Maintenance, Navy Budget Activity 01, Operating Forces. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Navy shall obligate an additional $2,000,000 for emergency management and preparedness of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699I. BUDGET ITEM RELATING TO ARMY SIMULATION TRAINING SYSTEMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $2,939,455,000 for Operation & Maintenance, Army Budget Activity 01, Force Readiness Operations Support, Line 070. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $4,000,000 for simulation training systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699J. BUDGET ITEM RELATING TO ARMY INDUSTRIAL FACILITY ENERGY MONITORING.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $2,745,667,000 for Operation and Maintenance Army, Line 110, Facilities Sustainment,

Restoration, and Modernization. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,380,000 for Army Industrial Facility Energy Monitoring in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699K. BUDGET ITEM RELATING TO ARMY NATIONAL GUARD SIMULATION TRAINING SYSTEMS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $706,299,000 for Operation & Maintenance, Army National Guard Budget Activity 12. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $2,000,000 for simulation training systems in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699L. BUDGET ITEM RELATING TO ARMY ARSENALS.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $7,973,300 for Operation & Maintenance, Army Budget Activity 04, Administration and Service-wide Activities, line 423, Logistic Support Activities. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of the Army shall obligate an additional $6,000,000 for capital improvements at United States Army arsenals in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 1699M. BUDGET ITEM RELATING TO COLD WEATHER PROTECTIVE EQUIPMENT.

(a) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—In the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2012, the President requested $3,986,766,000 for Operation & Maintenance, Defense-wide, Special Operations Command. Of the amounts authorized to be appropriated by section 301, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $3,000,000 for cold weather protective equipment in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in the second sentence of subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2012''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2014; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2014; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2015 for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. LIMITATION ON IMPLEMENTATION OF PROJECTS DESIGNATED AS VARIOUS LOCATIONS.

The Secretary of Defense or the Secretary of a military department may not enter into an award of a project authorized for various locations in titles XXI through XXVII, as specified in the funding table in section 4601, until the Secretary concerned submits to the congressional defense committees a report that includes the following:

(1) Within the amounts authorized to be appropriated in titles XXI through XXVII, a list of the proposed projects.

(2) A Military Construction Data Sheet for each project.

(3) A certification that the projects can be awarded in the year for which the appropriation of funds is made.

(4) A certification that the projects are listed in the current Future Years Defense Program.

SEC. 2004. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, XXVI, and XXVII shall take effect on the later of—

(1) October 1, 2011; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army 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:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	$114,000,000
	JB Elmendorf-Richardson.	$103,600,000
Alabama	Fort Rucker	$11,600,000
California	Fort Irwin	$23,000,000
	Presidio Monterey	$3,000,000
Colorado	Fort Carson, Colorado	$238,600,000
Georgia	Fort Benning	$66,700,000
	Fort Gordon	$1,450,000
	Fort Stewart, Georgia	$2,600,000
Hawaii	Fort Shafter	$17,500,000
	Schofield Barracks	$105,000,000
Kansas	Forbes Air Field	$5,300,000
	Fort Riley, Kansas	$83,400,000
Kentucky	Fort Campbell, Kentucky.	$247,500,000
	Fort Knox	$55,000,000
Louisiana	Fort Polk, Louisiana	$70,100,000
Maryland	Aberdeen Proving Ground.	$78,500,000
	Fort Meade	$79,000,000
Missouri	Fort Leonard Wood	$49,000,000
North Carolina.	Fort Bragg	$186,000,000
New York	Fort Drum, New York	$13,300,000
Oklahoma	Fort Sill	$184,600,000
	Mcalester	$8,000,000
South Carolina.	Fort Jackson	$63,900,000
Texas	Fort Bliss	$149,500,000
	Fort Hood, Texas	$132,000,000
	JB San Antonio	$10,400,000
	Red River Army Depot	$44,000,000
Utah	Dugway Proving Ground.	$32,000,000
Virginia	Fort Belvoir	$83,000,000
	JB Langley Eustis	$26,000,000
Washington	JB Lewis McChord	$296,300,000
Various Locations	Unspecified	$70,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104 and available for military construction projects outside the United States as specified in the funding table in section 4601, 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
Afghanistan	Bagram Air Base, Afghanistan.	$80,000,000
Germany	Germersheim	$37,500,000
	Grafenwoehr	$38,000,000
	Landstuhl	$63,000,000
	Oberdachstetten	$12,200,000
	Stuttgart	$12,200,000
	Vilseck	$20,000,000
Honduras Various.	Honduras various	$25,000,000
Korea, Republic of.	Camp Carroll	$41,000,000
	Camp Henry	$48,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104 and available for military family housing functions as specified in the funding table in section 4601, 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
Belgium	Brussels	Land Purchase for GFOQ (10 units)	$10,000,000
Germany	Grafenwoehr	Family Housing New Construction (26 units)	$13,000,000
	Illesheim	Family Housing Replacement Construction (80 units)	$41,000,000
	Vilseck	Family Housing New Construction (22 units)	$12,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $7,897,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $103,000,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of the Army, as specified in the funding table in section 4601.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2009 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658) for Fort Benning, Georgia, for construction of a Multipurpose Training Range at the installation, the Secretary of the Army may construct up to 1,802 square feet of loading dock consistent with the Army's construction guidelines for Multipurpose Training Ranges.

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) HAWAII.—In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4437) for Schofield Barracks, Hawaii, for renovations of buildings 450 and 452, the Secretary of the Army may renovate building 451 in lieu of building 452.

(b) NEW YORK.—In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4437) for Fort Drum, New York, for construction of an Aircraft Maintenance Hangar at the installation, the Secretary of the Army may construct up to 39,049 square yards of parking apron consistent with the Army's construction guidelines for Aircraft Maintenance Hangars and associated parking aprons.

(c) GERMANY.—In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4438) for Wiesbaden, Germany, for construction of an Information Processing Center at the installation, the Secretary of the Army may construct up to 9,400 square yards of vehicle parking garage consistent with the Army's construction guidelines for parking garages, in lieu of renovating 9,400 square yards of parking area.

SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT USING PRIOR-YEAR UNOBLIGATED ARMY MILITARY CONSTRUCTION FUNDS.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a water treatment facility for Fort Irwin, California, in the amount of $115,000,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR ARMY MILITARY CONSTRUCTION FUNDS.—To carry out the project described in subsection (a), the Secretary of the Army may use available, unobligated Army military construction funds appropriated for a fiscal year before fiscal year 2012.

(c) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2008 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 503), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 504) and extended by section 2108 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4440), shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2008 Project Authorizations

State	Installation or Location	Project	Amount
Louisiana	Fort Polk	Child Care Facility	$6,100,000
Missouri	Fort Leonard Wood	Multipurpose Machine Gun Range	$4,150,000

SEC. 2109. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 4658), shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Alabama	Anniston Army Depot	Lake Yard Interchange	$1,400,000
Hawaii	Schofield Barracks	Brigade Complex	$65,000,000
		Battalion Complex	$69,000,000
		Battalion Complex	$27,000,000
		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

SEC. 2110. TECHNICAL AMENDMENTS TO CORRECT CERTAIN PROJECT SPECIFICATIONS.

The table in section 3002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4503) is amended—

(1) in the project specification for the Army for ''Entry Control Point and Access Roads'' that appears immediately below the project specifications for Bagram Air Force Base, Afghanistan, by striking ''Delaram Ii'' and inserting ''Delaram II''; and

(2) in the project specifications for the Army for the Shank installation, Afghanistan, by striking ''Expand Extended Cooperation Programme 1 and Extended Cooperation Programme 2'' in the Project title column and inserting ''Expand Entry Control Point 1 and Entry Control Point 2''.

SEC. 2111. ADDITIONAL BUDGET ITEMS RELATING TO ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) TRAINING FACILITIES.—Of the amounts authorized to be appropriated by section 2104, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $20,000,000 for Army training facilities in furtherance of national security objectives.

(b) COMMUNITY HOUSING FACILITIES.—Of the amounts authorized to be appropriated by section 2104, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $10,000,000 for community housing facilities in furtherance of national security objectives.

(c) TROOP HOUSING FACILITIES.—Of the amounts authorized to be appropriated by section 2104, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $10,000,000 for Troop housing facilities in furtherance of national security objectives.

(d) UTILITIES AND GROUND IMPROVEMENTS.—Of the amounts authorized to be appropriated by section 2104, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $10,000,000 for Army utilities and ground improvements in furtherance of national security objectives.

(e) RESEARCH AND DEVELOPMENT FACILITIES.—Of the amounts authorized to be appropriated by section 2104, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $20,000,000 for research and development facilities in furtherance of national security objectives.

(f) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in this section with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy 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:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$162,785,000
California.	Barstow	$8,590,000
	Bridgeport	$19,238,000
	Camp Pendleton	$335,080,000
	Coronado	$108,435,000
	Point Mugu	$15,377,000
	Twentynine Palms	$67,109,000
Florida	Jacksonville	$36,552,000
	Whiting Field	$20,620,000
Georgia	Kings Bay	$86,063,000
Hawaii	Barking Sands	$9,679,000
	Joint Base Pearl Harbor-Hickam.	$7,492,000
	Kaneohe Bay	$57,704,000
Illinois	Great Lakes	$91,042,000
Maryland.	Indian Head	$67,779,000
	Patuxent River	$45,844,000
North Carolina.	Camp Lejeune	$200,482,000
	Cherry Point Marine Corps Air Station.	$17,760,000
	New River	$78,930,000
South Carolina.	Beaufort	$21,096,000
Virginia	Norfolk	$108,228,000
	Portsmouth	$74,864,000
	Quantico	$183,690,000
Washington.	Bremerton	$13,341,000
	Kitsap	$758,842,000
Various Locations	Unspecified	$59,998,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain	SW Asia	$100,204,000
Diego Garcia.	Diego Garcia	$35,444,000
Djibouti	Camp Lemonier	$89,499,000
Guam	Joint Region Marianas	$77,267,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,199,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $97,773,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION.—None of the funds appropriated pursuant to the authorization of appropriations in subsection (a) may be used for architectural and engineering services and construction design of any military construction project necessary to establish a homeport for a nuclear-powered aircraft carrier at Naval Station Mayport, Florida.

SEC. 2205. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2008 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 503), the authorization set forth in the table in subsection (b), as provided in section 2201(c) of that Act (122 Stat. 511) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4443), shall remain in effect until October 1, 2012, or the date of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2008 Project Authorization

Location	Installation or Location	Project	Amount
Worldwide	Unspecified	Host Nation Infrastructure	$2,700,000

(c) TECHNICAL AMENDMENT FOR CONSISTENCY IN PROJECT AUTHORIZATION DISPLAY.—The table in section 2201(c) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 511) is amended by inserting at the end the following new row:

''Worldwide Unspecified.	Host Nation Infrastructure.	$2,700,000''.

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110-417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (122 Stat. 4670), shall remain in effect until October 1, 2012, or the date of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
California	Marine Corps Base, Camp Pendleton	Operations Assess Points, Red Beach	$11,970,000
	Marine Corps Air Station, Miramar	Emergency Response Station	$6,530,000
District of Columbia	Navy Yard	Child Development Center	$9,340,000

SEC. 2207. ADDITIONAL BUDGET ITEMS RELATING TO NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) MAINTENANCE AND PRODUCTION FACILITIES.—Of the amounts authorized to be appropriated by section 2204, as specified in the corresponding funding table in section 4601, the Secretary of the Navy shall obligate an additional $10,000,000 for maintenance and production facilities in furtherance of national security objectives.

(b) RESEARCH AND DEVELOPMENT FACILITIES.—Of the amounts authorized to be appropriated by section 2204, as specified in the corresponding funding table in section 4601, the Secretary of the Navy shall obligate an additional $20,000,000 for research and development facilities in furtherance of national security objectives.

(c) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in this section with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

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 and available for military construction projects inside the United States as specified in the funding table in section 4601, 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

State	Installation or Location	Amount
Alaska	Eielson AFB	$45,000,000
	JB Elmendorf-Richardson.	$97,000,000
Arizona	Davis-Monthan AFB.	$33,000,000
	Luke AFB	$24,000,000
California	Travis AFB	$22,000,000
	Vandenberg AFB.	$14,200,000
Colorado	U.S. Air Force Academy.	$13,400,000
Delaware	Dover AFB	$2,800,000
Kansas	Fort Riley	$7,600,000
Louisiana	Barksdale AFB	$23,500,000
Missouri	Whiteman AFB	$4,800,000
North Carolina	Pope AFB	$6,000,000
North Dakota	Minot AFB	$67,800,000
Nebraska	Offutt AFB	$564,000,000
New Mexico	Cannon AFB	$22,598,000
	Holloman AFB	$29,200,000
	Kirtland AFB	$25,000,000
Nevada	Nellis AFB	$35,850,000
Texas	JB San Antonio	$64,000,000
	Joint Base San Antonio.	$46,000,000
Utah	Hill AFB	$23,300,000
Virginia	JB Langley Eustis.	$50,000,000
Washington	Fairchild AFB	$27,600,000
Various Locations	Unspecified	$60,000,000

Air Force: Inside the United States—Continued

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects outside the United States as specified in the funding table in section 4601, 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
Greenland	Thule AB	$28,000,000
Guam	Joint Region Marianas.	$211,600,000
Germany	Ramstein AB	$34,697,000
Italy	Sigonella	$15,000,000
Korea, Republic Of.	Osan AB	$23,000,000
Qatar	Al Udeid	$37,000,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,208,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $80,596,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

SEC. 2305. MODIFICATION OF AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2636) for Hickam Air Force Base, Hawaii, for construction of a Ground Control Tower at the installation, the Secretary of the Air Force may construct 43 vertical meters (141 vertical feet) in lieu of 111 square meters (1,195 square feet), consistent with the Air Force's construction guidelines for control towers, using amounts appropriated pursuant to authorizations of appropriations in prior years.

SEC. 2306. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2009 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2301(b) of that Act (122 Stat. 4679), shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later:

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2009 Project Authorization

Location	Installation or Location	Project	Amount
Germany	Spangdahlem Air Base	Child Development Center	$11,400,000

SEC. 2307. LIMITATION ON IMPLEMENTATION OF CONSOLIDATION OF AIR AND SPACE OPERATIONS CENTER OF THE AIR FORCE.

(a) NOTICE AND WAIT REQUIREMENT.—

(1) NOTICE AND WAIT.—The Secretary of the Air Force may not disestablish, close, or realign any element of the Air and Space Operations Center consolidation initiative until—

(A) the Secretary of Air Force submits a notice of the proposed disestablishment, closure, or realignment to the congressional defense committees; and

(B) the expiration of a period of 15 legislative days or 30 calendar days, whichever is longer, beginning on the date of the notification is received by the committees.

(2) CONSULTATION.—The Secretary of the Air Force shall prepare a notice under paragraph (1) in consultation with the commanders of the combatant commands

(3) LEGISLATIVE DAY DEFINED.—In this subsection, term ''legislative day'' means a day on which either House of Congress is in session.

(b) CONTENT OF NOTICE.—The notice under subsection (a) shall contain at a minimum—

(1) an explanation of the projected savings of the proposed disestablishment, closure, or realignment;

(2) a cost-benefit analysis of the proposed disestablishment, closure, or realignment;

(3) the budgetary impact of the proposed disestablishment, closure, or realignment;

(4) the strategic and operational consequences of the proposed disestablishment, closure, or realignment;

(5) an appropriate local economic assessment of the proposed disestablishment, closure, or realignment, which shall include at a minimum—

(A) a list of Federal, State, and local government departments and agencies that are required by statute or regulation to provide assistance and outreach for the community affected by the proposed disestablishment, closure, or realignment; and

(B) a list of the contractors and businesses affected by the proposed disestablishment, closure, or realignment; and

(6) a continuity of operations plan for the proposed disestablishment, closure, or realignment.

SEC. 2308. ADDITIONAL BUDGET ITEMS RELATING TO AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) SUPPORTING FACILITIES.—Of the amounts authorized to be appropriated by section 2304, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $10,000,000 for supporting facilities in furtherance of national security objectives.

(b) OPERATIONAL FACILITIES.—Of the amounts authorized to be appropriated by section 2304, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $20,000,000 for operational facilities in furtherance of national security objectives.

(c) COMMUNITY FACILITIES.—Of the amounts authorized to be appropriated by section 2304, as specified in the corresponding funding table in section 4601, the Secretary of the Air Force shall obligate an additional $20,000,000 for community facilities in furtherance of national security objectives.

(d) MAINTENANCE AND PRODUCTION FACILITIES.—Of the amounts authorized to be appropriated by section 2304, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $10,000,000 for maintenance and production facilities in furtherance of national security objectives.

(e) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in this section with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense 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:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska	Anchorage	$18,400,000
	Eielson AFB	$14,800,000
Alabama	Redstone Arsenal	$58,800,000
Arizona	Davis-Monthan AFB	$23,000,000
California	Camp Pendleton	$12,141,000
	Coronado	$42,000,000
	Defense Distribution Depot-Tracy.	$15,500,000
	San Clemente	$21,800,000
Colorado	Buckley AFB	$140,932,000
District of Columbia.	Bolling AFB	$16,736,000
Florida	Eglin AFB	$51,600,000
	Eglin AUX 9	$9,500,000
	MacDill AFB	$15,200,000
	Whiting Field	$3,800,000
Georgia	Fort Benning	$37,205,000
	Fort Gordon	$11,340,000
	Fort Stewart	$72,300,000
Hawaii	Joint Base Pearl Harbor-Hickam.	$14,400,000
Illinois	Great Lakes	$16,900,000
Kentucky	Fort Campbell	$138,500,000
	Fort Knox	$38,845,000
Louisiana	Barksdale AFB	$6,200,000
Massachusetts.	Hanscom AFB	$34,040,000
	Westover ARB	$23,300,000
Maryland	Bethesda Naval Hospital.	$18,000,000
	Fort Meade	$860,579,000
	Joint Base Andrews	$265,700,000
Missouri	Arnold	$9,253,000
Mississippi	Columbus AFB	$2,600,000
	Gulfport	$34,700,000
North Carolina.	Camp Lejeune	$6,670,000
	Fort Bragg	$206,274,000
	New River	$22,687,000
	Pope AFB	$5,400,000
New Mexico.	Cannon AFB	$132,997,000
New York	Fort Drum	$20,400,000
Ohio	Columbus	$10,000,000
Oklahoma	Altus AFB	$8,200,000
Pennsylvania.	DEF Distribution Depot New Cumberland	$46,000,000
	Philadelphia	$8,000,000
South Carolina.	Joint Base Charleston	$24,868,000
Texas	Joint Base San Antonio	$194,300,000
Virginia	Charlottesville	$10,805,000
	Dahlgren	$1,988,000
	Dam Neck	$23,116,000
	Fort Belvoir	$54,625,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
	Joint Expeditionary Base Little Creek - Story	$37,000,000
	Pentagon	$8,742,000
	Quantico	$46,727,000
Washington.	JB Lewis McChord	$35,000,000
	Whidbey Island	$25,000,000
West Virginia.	Camp Dawson	$2,200,000
Various Locations	Unspecified	$50,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense 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:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Belgium	Brussels	$24,118,000
Germany	Ansbach	$11,672,000
	Baumholder	$59,419,000
	Grafenwoehr	$6,529,000
	Rhine Ordnance Barracks.	$1,196,650,000
	Spangdalem Air Base.	$129,043,000
	Stuttgart-Patch Barracks.	$2,434,000
Italy	Vicenza	$41,864,000
Japan	Yokota Air Base	$61,842,000
United Kingdom	Menwith Hill Station.	$68,601,000
	Royal Air Force Alconbury.	$35,030,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

Country	Installation or Location	Amount
Arizona	Davis-Monthan AFB.	$4,650,000
California	Presidio of Monterey.	$5,000,000
Colorado	Fort Carson	$4,277,000
Florida	Tyndall AFB	$3,255,000
Georgia	MCLB Albany	$3,504,000
Massachusetts	Hanscom AFB	$3,609,000
New York	Fort Drum	$3,500,000
North Carolina	Fort Bragg	$13,400,000
North Carolina	Camp Lejeune	$6,925,000
Oklahoma	Altus AFB	$5,700,000
Tennessee	Arnold AFB	$3,300,000
Utah	Tooele Army Depot.	$8,200,000
Wyoming	FE Warren AFB	$12,600,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Guam	NB Guam	$17,377,000
Marshall Islands	Kwajalein Atoll	$6,300,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

SEC. 2404. ADDITIONAL BUDGET ITEMS RELATING TO DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) DEFENSE ACCESS ROADS.—Of the amounts authorized to be appropriated by section 2403, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $40,000,000 for defense access roads in furtherance of national security objectives.

(b) SPECIAL OPERATION FORCES LAND ACQUISITION.—Of the amounts authorized to be appropriated by section 2403, as specified in the corresponding funding table in section 4601, the Secretary of Defense shall obligate an additional $10,000,000 for Special Operation Forces land acquisition in furtherance of national security objectives.

(c) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in this section with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

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, as specified in the funding table in section 4601.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of—

(1) the amount authorized to be appropriated pursuant to section 2502 and available for this purpose as specified in the funding table in section 4601; and

(2) the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment

Program authorized by section 2501, as specified in the funding table in section 4601.

TITLE XXVI—GUARD RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, 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
Arkansas	Fort Chaffee	$3,500,000
Arizona	Papago Military Reservation.	$17,800,000
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	Kalaeloa	$33,000,000
Illinois	Normal	$10,000,000
Indiana	Camp Atterbury	$81,900,000
	Indianapolis	$25,700,000
Massachusetts	Natick	$9,000,000
Maryland	Dundalk	$16,000,000
	La Plata	$9,000,000
	Westminster	$10,400,000
Maine	Bangor	$15,600,000
	Brunswick	$23,000,000
Minnesota	Camp Ripley	$8,400,000
Mississippi	Camp Shelby	$64,600,000
North Carolina	Greensboro	$3,700,000
Nebraska	Grand Island	$22,000,000
	Mead	$9,100,000
New Jersey	Lakehurst	$49,000,000
New Mexico	Santa Fe	$5,200,000
Nevada	Las Vegas	$23,000,000
Oklahoma	Camp Gruber	$13,361,000
Oregon	The Dalles	$13,800,000
South Carolina	Allendale	$4,300,000
Utah	Camp Williams	$6,500,000
Virginia	Fort Pickett	$11,000,000
Wisconsin	Camp Williams	$7,000,000
West Virginia	Buckhannon	$10,000,000
Wyoming	Cheyenne	$8,900,000
Various Locations	Unspecified	$50,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations outside the United States, and in the amounts, set forth in the following table:

Army National Guard: Outside the United States

Country	Location	Amount
Puerto Rico	Fort Buchanan	$57,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

Country	Location	Amount
California	Fort Hunter Liggett.	$5,200,000
Colorado	Fort Collins	$13,600,000
Illinois	Homewood	$16,000,000
	Rockford	$12,800,000
Indiana	Lawrence	$57,000,000
Kansas	Kansas City	$13,000,000
Massachusetts	Attleboro	$22,000,000
Minnesota	Saint Joseph	$11,800,000
Missouri	Weldon Springs	$19,000,000
North Carolina	Greensboro	$19,000,000
New York	Schenectady	$20,000,000
South Carolina	Orangeburg	$12,000,000
Wisconsin	Fort McCoy	$27,300,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Pennsylvania	Pittsburgh	$13,759,000
Tennessee	Memphis	$7,949,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
California	Beale AFB	$6,100,000
	Moffett Field	$26,000,000
Hawaii	Joint Base Pearl Harbor-Hickam.	$26,800,000
Indiana	Fort Wayne IAP	$4,000,000
Massachusetts	Otis ANGB	$7,800,000
Maryland	Martin State Airport.	$4,900,000
Ohio	Springfield Beckley-MAP.	$6,700,000
Various Locations	Unspecified	$30,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March AFB	$16,393,000
South Carolina	Charleston AFB	$9,593,000
Various Locations	Unspecified	$10,000,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Additional Budget Items

SEC. 2611. ADDITIONAL BUDGET ITEMS RELATING TO ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) OPERATIONAL FACILITIES.—Of the amounts authorized to be appropriated by section 2606, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $10,000,000 for Army National Guard operational facilities in furtherance of national security objectives.

(b) MAINTENANCE AND PRODUCTION FACILITIES.—Of the amounts authorized to be appropriated by section 2606, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $30,000,000 for maintenance and production facilities in furtherance of national security objectives.

(c) TRAINING FACILITIES.—Of the amounts authorized to be appropriated by section 2606, as specified in the corresponding funding table in section 4601, the Secretary of the Army shall obligate an additional $10,000,000 for training facilities in furtherance of national security objectives.

(d) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in this section with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 2612. ADDITIONAL BUDGET ITEMS RELATING TO AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) OPERATIONAL FACILITIES AUTHORITY.—Of the amounts authorized to be appropriated by section 2606, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $10,000,000 for Air National Guard operational facilities in furtherance of national security objectives.

(b) MAINTENANCE AND PRODUCTION FACILITIES.—Of the amounts authorized to be appropriated by section 2606, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $20,000,000 for maintenance and production facilities in furtherance of national security objectives.

(c) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in this section with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

SEC. 2613. ADDITIONAL BUDGET ITEM RELATING TO AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) TRAINING FACILITIES.—Of the amounts authorized to be appropriated by section 2606, as specified in the corresponding funding table in division D, the Secretary of the Air Force shall obligate an additional $10,000,000 for training

facilities in furtherance of national security objectives.

(b) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in this section with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

Subtitle C—Other Matters

SEC. 2621. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2008 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 503), the authorization set forth in the table in subsection (b), as provided in section 2601 of that Act (122 Stat. 527) and extended by section 2607 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4454), shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army National Guard: Extension of 2008 Project Authorization

State	Installation or Location	Project	Amount
Pennsylvania	East Fallowfield Township	Readiness Center (SBCT)	$ 8,300,000

SEC. 2622. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorizations set forth in the tables in subsection (b), as provided in sections 2601, 2602, and 2603 of that Act (122 Stat. 4699), shall remain in effect until October 1, 2012, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2013, whichever is later.

(b) TABLE.—The tables referred to in subsection (a) are as follows:

Army National Guard: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Indiana	Camp Atterbury	Machine Gun Range	$ 5,800,000
Nevada	Elko	Readiness Center	$11,375,000

Army Reserve: Extension of 2009 Project Authorization

State	Installation or Location	Project	Amount
New York	Staten Island	Reserve Center	$18,550,000

Navy and Marine Corps Reserve: Extension of 2009 Project Authorization

State	Installation or Location	Project	Amount
Delaware	Wilmington	Reserve Center	$11,530,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, as specified in the funding table in section 4601.

SEC. 2702. AUTHORIZED BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Using amounts appropriated pursuant to the authorization of appropriations in section 2703 and available for base realignment and closure activities as specified in the funding table in section 4601, the Secretary of Defense may carry out base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, as specified in the funding table in section 4601.

SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, as specified in the funding table in section 4601.

SEC. 2704. AUTHORITY TO EXTEND DEADLINE FOR COMPLETION OF LIMITED NUMBER OF BASE CLOSURE AND REALIGNMENT RECOMMENDATIONS.

Section 2904 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subsection (a)(5), by striking ''complete'' and inserting ''complete, except in the case of a closure or realignment recommendation extended pursuant to subsection (c),''; and

(2) by adding at the end the following new subsection:

''(c) LIMITED AUTHORITY TO EXTEND IMPLEMENTATION PERIOD.—(1) Subject to paragraphs (2) and (3), in the case of the recommendations of the Commission contained in the report of the Commission transmitted by the President to Congress in accordance with section 2914(e) on September 15, 2005, the Secretary may extend the period for completing not more than seven of the closure or realignment recommendations until the later of the following:

''(A) September 15, 2012.

''(B) The date of the enactment of an Act authorizing funds for military construction for fiscal year 2013.

''(2) To extend a closure or realignment recommendation under this subsection, the Secretary shall submit to the congressional defense committees a report containing—

''(A) a justification of the need for the extension of the closure or realignment recommendation;

''(B) a certification that the extension is necessary to ensure the operational readiness of units or functions being relocated as part of the implementation of the recommendation;

''(C) an explanation of the impact of the extension on communities in the vicinity of the affected installations;

''(D) an explanation of the impacts of not providing the extension on operational readiness;

''(E) an estimation of the costs associated with the extension; and

''(F) a schedule for completing the closure or realignment recommendation in light of the extension.

''(3) The extension of a closure or realignment recommendation under this subsection shall take effect only after—

''(A) the end of the 21-day period beginning on the date on which the report required by paragraph (2) with respect to that recommendation is received by the congressional defense committees; or

''(B) if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

''(4) The Secretary may not delegate the authority provided by this subsection.''.

SEC. 2705. INCREASED EMPHASIS ON EVALUATION OF COSTS AND BENEFITS IN CONSIDERATION AND SELECTION OF MILITARY INSTALLATIONS FOR CLOSURE OR REALIGNMENT.

(a) EVALUATION OF COSTS AND BENEFITS.—Subsection (b)(1) of section 2687 of title 10, United States Code, is amended by striking ''fiscal, local economic, budgetary,'' and inserting ''costs and benefits of such closure or realignment and of the local economic,''.

(b) REVISED DEFINITION OF REALIGNMENT.—Subsection (e)(3) of such section is amended by striking '', but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances, or other similar causes''.

(c) RELATION TO COMMISSION BASE CLOSURE PROCESS.—If the development of recommendations for the closure and realignment of military installations utilizes a Defense Base Closure and Realignment Commission (as was the case under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), rather than the authority of section 2687 of title 10, United States Code, the amendments made by this section shall apply to the resulting development of recommendations for the closure and realignment of military installations by the Secretary of Defense and the Commission.

SEC. 2706. SPECIAL CONSIDERATIONS RELATED TO TRANSPORTATION INFRASTRUCTURE IN CONSIDERATION AND SELECTION OF MILITARY INSTALLATIONS FOR CLOSURE OR REALIGNMENT.

(a) MODIFICATION OF SELECTION CRITERIA.—Subsection (b)(1) of section 2687 of title 10, United States Code, is amended—

(1) by striking ''notification an evaluation'' and inserting ''notification—

''(A) an evaluation''; and

(2) by adding at the end the following new subparagraph:

''(B) the criteria used to consider and recommend military installations for such closure or realignment, which shall include at a minimum consideration of—

''(i) the ability of the infrastructure (including transportation infrastructure) of both the existing and receiving communities to support forces, missions, and personnel as a result of such closure or realignment; and

''(ii) the costs associated with community transportation infrastructure improvements as part of the evaluation of cost savings or return on investment of such closure or realignment; and''.

(b) EFFECT OF SIGNIFICANT IMPACTS.—Such section is further amended by adding at the end the following new subsection:

''(f) If the Secretary of Defense or the Secretary of the military department concerned determines, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), that a significant transportation impact will occur at a result of an action described in subsection (a), the action may not be taken unless and until the Secretary of Defense or the Secretary of the military department concerned—

''(1) analyzes the adequacy of transportation infrastructure at and in the vicinity of each military installation that would be impacted by the action;

''(2) concludes consultation with the Federal Highway Administration with regard to such impact; and

''(3) includes in the notification required by subsection (b)(1) a description of how the Secretary intends to remediate the significant transportation impact.''.

(c) TRANSPORTATION INFRASTRUCTURE DEFINED.—Such subsection is further amended by adding at the end the following new paragraph:

''(5) The term 'transportation infrastructure' includes transit, pedestrian, and bicycle infrastructure.''.

(d) RELATION TO COMMISSION BASE CLOSURE PROCESS.—If the development of recommendations for the closure and realignment of military installations utilizes a Defense Base Closure and Realignment Commission (as was the case under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), rather than the authority of section 2687 of title 10, United States Code, the amendments made by this section shall apply to the resulting development of recommendations for the closure and realignment of military installations by the Secretary of Defense and the Commission.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. PROHIBITION ON USE OF ANY COST-PLUS SYSTEM OF CONTRACTING FOR MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING PROJECTS.

(a) PROHIBITION.—Section 2306 of title 10, United States Code, is amended by inserting after subsection (b) the following new subsection:

''(c) A contract entered into by the United States in connection with a military construction project or a military family housing project may not use any form of cost-plus contracting. This prohibition is in addition to the prohibition specified in subsection (a) on the use of the cost-plus-a-percentage-of-cost system of contracting and applies notwithstanding a declaration of war or the declaration by the President of a national emergency under section 201 of the National Emergencies Act (50 U.S.C. 1621) that includes the use of the armed forces.''.

(b) APPLICATION OF AMENDMENT.—Subsection (c) of section 2306 of title 10, United States Code, as added by subsection (a), shall apply with respect to any contract entered into by the United States in connection with a military construction project or a military family housing project after the date of the enactment of this Act.

SEC. 2802. MODIFICATION OF AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS.

(a) SINGLE THRESHOLD FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS.—Subsection (a)(2) of section 2805 of title 10, United States Code, is amended by striking ''$2,000,000.'' in the first sentence and all that follows through the end of the second sentence and inserting ''$3,000,000.''.

(b) SINGLE THRESHOLD FOR USE OF OPERATION AND MAINTENANCE FUNDS.—Subsection (c) of such section is amended—

(1) by striking ''(1) Except as provided in paragraph (2), the'' and inserting ''The''; and

(2) by striking ''not more than'' and all that follows through the end of the subsection and inserting ''not more than $750,000''.

(c) EXTENSION OF SPECIAL LABORATORY REVITALIZATION AUTHORITY.—Subsection (d) of such section is amended—

(1) in paragraph (3), by striking ''February 1, 2010'' and inserting ''February 1, 2014''; and

(2) in paragraph (5), by striking ''September 30, 2012'' and inserting ''September 30, 2016''.

(d) CONFORMING AMENDMENTS.—

(1) CROSS REFERENCES REGARDING WORKING-CAPITAL FUNDS.—Section 2208 of such title is amended—

(A) in subsection (k)(2)(A), by striking ''section 2805(c)(1)'' and inserting ''section 2805(c)''; and

(B) in subsection (o)(2)(A), by striking ''section 2805(c)(1)'' and inserting ''section 2805(c)''.

(2) CROSS REFERENCE REGARDING COST AND SCOPE OF WORK VARIATIONS.—Section 2853(a) of such title is amended by striking ''section 2805(a)(1)'' and inserting ''section 2805(a)''.

(3) CROSS REFERENCE REGARDING NOTICE AND WAIT REQUIREMENTS FOR RESERVE PROJECTS.—Section 18233a(b)(2)(B)(ii) of such title is amended by striking ''section 2805(a)(2)'' and inserting ''section 2805(a)''.

(4) CROSS REFERENCE REGARDING USING OPERATION AND MAINTENANCE FUNDS FOR SMALL RESERVE PROJECTS.—Section 18233b of such title is amended by striking ''not more than'' and all that follows through the end of the section and inserting ''not more than the amount specified in section 2805(c) of this title.''.

SEC. 2803. CONDITION ON RENTAL OF FAMILY HOUSING IN FOREIGN COUNTRIES FOR GENERAL AND FLAG OFFICERS.

(a) CONDITION.—Section 2828(e) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) Housing units in foreign countries leased under subsection (c) for assignment as family housing for general officers or flag officers may not exceed the floor area and design criteria for similar housing in the United States.''.

(b) APPLICATION OF AMENDMENT.—Subsection (e)(7) of section 2828 of title 10, United States Code, as added by subsection (a), shall apply with respect to leases of family housing in foreign countries entered into under subsection (c) of such section after the date of the enactment of this Act.

SEC. 2804. PROTECTIONS FOR SUPPLIERS OF LABOR AND MATERIALS UNDER CONTRACTS FOR MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) In the case of a military construction project or a military family housing project, the contract amount thresholds specified in subchapter III of chapter 31 of title 40 (commonly referred to as the Miller Act) shall be applied by substituting '$150,000' for '$100,000' for purposes of determining when a performance bond and payment bond are required under section 3131 of such title and when alternatives to payment bonds as payment protections for suppliers of labor and materials are required under section 3132 of such title.''.

SEC. 2805. ONE-YEAR EXTENSION OF AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS INSIDE UNITED STATES CENTRAL COMMAND AREA OF RESPONSIBILITY AND COMBINED JOINT TASK FORCE-HORN OF AFRICA AREAS OF RESPONSIBILITY AND INTEREST.

(a) ONE-YEAR EXTENSION OF AUTHORITY; LIMITATION.—Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4459), is amended—

(1) in subsection (c)(2), by striking ''fiscal year 2011'' and inserting ''fiscal year 2012''; and

(2) in subsection (h)—

(A) in paragraph (1), by striking ''September 30, 2011'' and inserting ''September 30, 2012''; and

(B) in paragraph (2), by striking ''fiscal year 2012'' and inserting ''fiscal year 2013''.

(b) TECHNICAL AMENDMENT.—Subsections (a) and (i) of such section are amended by striking ''Combined Task Force-Horn of Africa'' each place it appears and inserting ''Combined Joint Task Force-Horn of Africa''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. CLARIFICATION OF AUTHORITY TO USE PENTAGON RESERVATION MAINTENANCE REVOLVING FUND FOR MINOR CONSTRUCTION AND ALTERATION ACTIVITIES AT PENTAGON RESERVATION.

Section 2674(e)(4) of title 10, United States Code, is amended—

(1) by striking ''The authority'' and inserting ''(A) Except as provided in subparagraph (B), the authority''; and

(2) by adding at the end the following new subparagraph:

''(B) Notwithstanding the date specified in subparagraph (A), the Secretary may use monies from the Fund after that date to support construction or alteration activities at the Pentagon Reservation within the limits specified in section 2805 of this title.''.

SEC. 2812. REMOVAL OF DISCRETION OF SECRETARIES OF THE MILITARY DEPARTMENTS REGARDING PURPOSES FOR WHICH EASEMENTS FOR RIGHTS-OF-WAY MAY BE GRANTED.

Section 2668(a) of title 10, United States Code, is amended—

(1) in paragraph (11), by inserting ''and'' at the end of the paragraph;

(2) in paragraph (12), by striking ''; and'' and inserting a period; and

(3) by striking paragraph (13).

SEC. 2813. LIMITATIONS ON USE OR DEVELOPMENT OF PROPERTY IN CLEAR ZONE AREAS.

Section 2684a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period and inserting ''; or''; and

(C) by inserting after paragraph (2) the following new paragraph:

''(3) protecting Clear Zone Areas from use or encroachment that is incompatible with the mission of the installation.''; and

(2) in subsection (i), by inserting after paragraph (2) the following new paragraph:

''(3) The term 'Clear Zone Area' means an area immediately beyond the end of the runway of an airfield that is needed to ensure the safe and unrestricted passage of aircraft in and over the area.''.

SEC. 2814. DEFENSE ACCESS ROAD PROGRAM ENHANCEMENTS TO ADDRESS TRANSPORTATION INFRASTRUCTURE IN VICINITY OF MILITARY INSTALLATIONS.

(a) AVAILABILITY OF DEFENSE ACCESS ROADS FUNDS FOR BRAC-RELATED TRANSPORTATION IMPROVEMENTS.—

(1) AVAILABILITY OF DEFENSE ACCESS ROADS FUNDS.—Section 210(a)(2) of title 23, United States Code, is amended by adding at the end the following new sentence: ''The Secretary of Defense shall determine the magnitude of the required improvements without regard to the extent to which traffic generated by the reservation is greater than other traffic in the vicinity of the reservation.''.

(2) RETROACTIVE APPLICATION.—The amendment made by paragraph (1) shall apply with respect to the implementation of the recommendations of the Defense Base Closure and Realignment Commission contained in the report of the Commission received by Congress on September 19, 2005, under section 2903(e) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(b) ECONOMIC ADJUSTMENT COMMITTEE CONSIDERATION OF ADDITIONAL DEFENSE ACCESS ROADS FUNDING SOURCES.—

(1) CONVENING OF COMMITTEE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, as the chairperson of the Economic Adjustment Committee established in Executive Order 127887 (10 U.S.C. 2391 note), shall convene the Economic Adjustment Committee to consider additional sources of funding for the defense access roads program under section 210 of title 23, United States Code.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report describing the results of the Economic Adjustment Committee deliberations and containing an implementation plan to expand funding sources for the mitigation of significant transportation impacts to access to military reservations pursuant to subsection (b) of section 210 of title 23, United States Code, as amended by subsection (a).

(c) SEPARATE BUDGET REQUEST FOR PROGRAM.—Amounts requested for a fiscal year for the defense access roads program under section 210 of title 23, United States Code, shall be set forth as a separate budget request in the budget transmitted by the President to Congress for that fiscal year under section 1105 of title 31, United States.

Subtitle C—Energy Security

SEC. 2821. CONSOLIDATION OF DEFINITIONS USED IN ENERGY SECURITY CHAPTER.

(a) CONSOLIDATION OF DEFINITIONS.—

(1) IN GENERAL.—Subchapter III of chapter 173 of title 10, United States Code, is amended by inserting before section 2925 the following new section:

''§ 2924. Definitions

''In this chapter:

''(1) The term 'defined fuel source' means any of the following:

''(A) Petroleum.

''(B) Natural gas.

''(C) Coal.

''(D) Coke.

''(2) The term 'energy-efficient maintenance' includes—

''(A) the repair of military vehicles, equipment, or facility and infrastructure systems, such as lighting, heating, or cooling equipment or systems, or industrial processes, by replacement with technology that—

''(i) will achieve energy savings over the lifecycle of the equipment or system being repaired; and

''(ii) will meet the same end needs as the equipment or system being repaired; and

''(B) improvements in an operation or maintenance process, such as improved training or improved controls, that result in energy savings.

''(3)(A) The term 'energy security' means having assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs.

''(B) In selecting facility energy projects on a military installation that will use renewable energy sources, pursuit of energy security means the installation will give favorable consideration to projects that provide power directly into the installation electrical distribution network. In such cases, this power should be prioritized to provide the power necessary for critical assets on the installation in the event of a disruption in the commercial grid.

''(4) The term 'hybrid', with respect to a motor vehicle, means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are both—

''(A) an internal combustion or heat engine using combustible fuel; and

''(B) a rechargeable energy storage system.

''(5) The term 'operational energy' means the energy required for training, moving, and sustaining military forces and weapons platforms for military operations. The term includes energy used by tactical power systems and generators and weapons platforms.

''(6) The term 'petroleum' means natural or synthetic crude, blends of natural or synthetic crude, and products refined or derived from natural or synthetic crude or from such blends.

''(7) The term 'renewable energy source' means energy generated from renewable sources, including the following:

''(A) Solar.

''(B) Wind.

''(C) Biomass.

''(D) Landfill gas.

''(E) Ocean, including tidal, wave, current, and thermal.

''(F) Geothermal, including electricity and heat pumps.

''(G) Municipal solid waste.

''(H) New hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project. For purposes of this subparagraph, hydroelectric generation capacity is 'new' if it was placed in service on or after January 1, 1999.

''(I) Thermal energy generated by any of the preceding sources.''.

(2) CLERICAL AMENDMENTS.—Such chapter is further amended—

(A) in the table of subchapters at the beginning of such chapter, by striking ''2925'' and inserting ''2924''; and

(B) in the table of sections at the beginning of subchapter III of such chapter, by inserting before the item relating to section 2925 the following new section:

''2924. Definitions.''.

(b) CONFORMING AMENDMENTS STRIKING SEPARATE DEFINITIONS.—Such chapter is further amended—

(1) in section 2911—

(A) in subsection (d)—

(i) by striking ''(1)'' before ''For the purpose'';

(ii) by striking paragraph (2); and

(iii) by redesignating subparagraphs (A), (B), (C), and (D) as paragraphs (1), (2), (3), and (4), respectively; and

(B) in subsection (e), by striking paragraph (2);

(2) in section 2922e, by striking subsections (e) and (f);

(3) in section 2922g, by striking subsection (d); and

(4) in section 2925(b), by striking paragraph (4).

SEC. 2822. CONSIDERATION OF ENERGY SECURITY IN DEVELOPING ENERGY PROJECTS ON MILITARY INSTALLATIONS USING RENEWABLE ENERGY SOURCES.

(a) POLICY OF PURSUING ENERGY SECURITY.—

(1) POLICY REQUIRED.—The Secretary of Defense shall establish a policy under which a military installation shall give favorable consideration for energy security in the design and development of energy projects on the military installation that will use renewable energy sources.

(2) NOTIFICATION.—The Secretary of Defense shall provide notification to Congress within 30 days after entering into any agreement for a facility energy project described in paragraph (1) that excludes pursuit of energy security on the grounds that inclusion of energy security is cost prohibitive. The Secretary shall also provide a cost-benefit-analysis of the decision.

(3) ENERGY SECURITY DEFINED.—In this subsection, the term ''energy security'' has the meaning given that term in paragraph (3) of section 2924 of title 10, United States Code, as added by section 2821(a).

(b) ADDITIONAL CONSIDERATION FOR DEVELOPING AND IMPLEMENTING ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN.—Section 2911(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(12) Opportunities for improving energy security for facility energy projects that will use renewable energy sources.''.

(c) DEVELOPMENT OF GEOTHERMAL ENERGY ON MILITARY LANDS.—Section 2917 of such title is amended—

(1) by striking ''The Secretary'' and inserting ''(a) DEVELOPMENT AUTHORIZED.—The Secretary''; and

(2) by adding at the end the following new subsection:

''(b) CONSIDERATION OF ENERGY SECURITY.—The development of a geothermal energy project under subsection (a) should include consideration of energy security in the design and development of the project.''.

(d) REPORTING REQUIREMENT.—Section 2925(a)(3) of such title is amended by inserting ''whether the project incorporates energy security into its design,'' after ''through the duration of each such mechanism,''.

SEC. 2823. ESTABLISHMENT OF INTERIM OBJECTIVE FOR DEPARTMENT OF DEFENSE 2025 RENEWABLE ENERGY GOAL.

(a) INTERIM OBJECTIVE.—Section 2911(e) of title 10, United States Code, as amended by section 2821(b)(1)(B), is further amended by inserting after paragraph (1) the following new paragraph:

''(2) To help ensure that the goal specified in paragraph (1)(A) regarding the use of renewable energy by the Department of Defense is achieved, the Secretary of Defense shall establish an interim goal for fiscal year 2018 for the production or procurement of facility energy from renewable energy sources.''.

(b) DEADLINE; CONGRESSIONAL NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall notify the congressional defense committees of the interim renewable energy goal established pursuant to the amendment made by subsection (a).

SEC. 2824. USE OF CENTRALIZED PURCHASING AGENTS FOR RENEWABLE ENERGY CERTIFICATES TO REDUCE COST OF FACILITY ENERGY PROJECTS USING RENEWABLE ENERGY SOURCES AND IMPROVE EFFICIENCIES.

(a) PURCHASE AND USE OF RENEWABLE ENERGY CERTIFICATES.—Section 2911(e) of title 10, United States Code, as amended by sections 2821(b)(1)(B) and 2823(a), is further amended by adding at the end the following new paragraph:

''(3)(A) The Secretary of Defense shall establish a policy to maximize savings for the bulk purchase of replacement renewable energy certificates in connection with the development of facility energy projects using renewable energy sources.

''(B) Under the policy required by subparagraph (A), the Secretary of a military department shall submit requests for the purchase of replacement renewable energy certificates to a centralized purchasing authority maintained by such department or the Defense Logistics Agency with expertise regarding—

''(i) the market for renewable energy certificates;

''(ii) the procurement of renewable energy certificates; and

''(iii) obtaining the best value for the military department by maximizing the purchase of renewable energy certificates from projects placed into service before January 1, 1999.

''(C) The centralized purchasing authority shall solicit industry for the most competitive offer for replacement renewable energy certificates, to include a combination of renewable energy certificates from new projects and projects placed into service before January 1, 1999.

''(D) Subparagraph (B) does not prohibit the Secretary of a military department from entering into an agreement outside of the centralized purchasing authority if the Secretary will obtain the best value by bundling the renewable energy certificates with the facility energy project through a power purchase agreement or other contractual mechanism at the installation.

''(E) Nothing in this paragraph shall be construed to authorize the purchase of renewable energy certificates to meet Federal goals or mandates in the absence of the development of a facility energy project using renewable energy sources.

''(F) This policy does not make the purchase of renewable energy certificates mandatory, but the policy shall apply whenever original renewable energy certificates are proposed to be swapped for replacement renewable energy certificates.''.

(b) REPORTING REQUIREMENTS.—Section 2925(a) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively; and

(2) by inserting after paragraph (3) the following new paragraph:

''(4) In addition to the information contained in the table listing energy projects financed through third party financing mechanisms, as required by paragraph (3), the table also shall list any renewable energy certificates associated with each project, including information regarding whether the renewable energy certificates were bundled or unbundled, the purchasing authority for the renewable energy certificates, and the price of the associated renewable energy certificates.''.

SEC. 2825. IDENTIFICATION OF ENERGY-EFFICIENT PRODUCTS FOR USE IN CONSTRUCTION, REPAIR, OR RENOVATION OF DEPARTMENT OF DEFENSE FACILITIES.

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Section 2915(e) of title 10, United States Code, is amended by striking paragraph (2) and inserting the following new paragraph:

''(2)(A) The Secretary of Defense shall prescribe a definition of the term 'energy-efficient product' for purposes of this subsection and establish and maintain a list of products satisfying the definition. The definition and list shall be developed in consultation with the Secretary of Energy to ensure, to the maximum extent practicable, consistency with definitions of the term used by other Federal agencies.

''(B) The Secretary shall modify the definition and list of energy-efficient products as necessary to account for emerging or changing technologies.

''(C) The list of energy-efficient products shall be included as part of the energy performance master plan developed pursuant to section 2911(b)(2) of this title.''.

(b) CONFORMING AMENDMENT TO ENERGY PERFORMANCE MASTER PLAN.—Section 2911(b)(2) of such title is amended by adding at the end the following new subparagraph:

''(F) The up-to date list of energy-efficient products maintained under section 2915(e)(2) of this title.''.

SEC. 2826. CORE CURRICULUM AND CERTIFICATION STANDARDS FOR DEPARTMENT OF DEFENSE ENERGY MANAGERS.

(a) TRAINING PROGRAM AND ISSUANCE OF GUIDANCE.—

(1) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by inserting after section 2915 the following new section:

''§2915a. Facilities: Department of Defense energy managers

''(a) TRAINING PROGRAM REQUIRED.—The Secretary of Defense shall establish a training program for Department of Defense energy managers designated for military installations—

''(1) to improve the knowledge, skills, and abilities of energy managers; and

''(2) to improve consistency among energy managers throughout the Department in the performance of their responsibilities.

''(b) CURRICULUM AND CERTIFICATION.—(1) The Secretary of Defense shall identify core curriculum and certification standards required for energy managers. At a minimum, the curriculum shall include the following:

''(A) Details of the energy laws that the Department of Defense is obligated to comply with and the mandates that the Department of Defense is obligated to implement.

''(B) Details of energy contracting options for third-party financing of facility energy projects.

''(C) Details of the interaction of Federal laws with State and local renewable portfolio standards.

''(D) Details of current renewable energy technology options, and lessons learned from exemplary installations.

''(E) Details of strategies to improve individual installation acceptance of its responsibility for reducing energy consumption.

''(F) Details of how to conduct an energy audit and the responsibilities for commissioning, recommissioning, and continuous commissioning of facilities.

''(2) The curriculum and certification standards shall leverage the best practices of each of the military departments.

''(3) The certification standards shall identify professional qualifications required to be designated as an energy manager.

''(c) INFORMATION SHARING.—The Secretary of Defense shall ensure that there are opportunities and forums for energy managers to exchange ideas and lessons-learned within each military department, as well as across the Department of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2915 the following new item:

''2915a. Facilities: Department of Defense energy managers.''.

(b) ISSUANCE OF GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance for the implementation of the core curriculum and certification standards for energy managers required by section 2915a of title 10, United States Code, as added by subsection (a).

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, or designated representatives of the Secretary, shall brief the Committees on Armed Services of the Senate and House of Representatives regarding the details of the energy manager core curriculum and certification requirements.

SEC. 2827. SUBMISSION OF ANNUAL DEPARTMENT OF DEFENSE ENERGY MANAGEMENT REPORTS.

Section 2925(a) of title 10, United States Code, is amended by striking ''As part of the annual submission of the energy performance goals for the Department of Defense under section 2911 of this title, the Secretary of Defense shall submit a report containing the following:'' and inserting ''Not later than 120 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees an installation energy report detailing the fulfillment during that fiscal year of the energy performance goals for the Department of Defense under section 2911 of this title. Each report shall contain the following:''.

SEC. 2828. CONTINUOUS COMMISSIONING OF DEPARTMENT OF DEFENSE FACILITIES TO RESOLVE OPERATING PROBLEMS, IMPROVE COMFORT, OPTIMIZE ENERGY USE, AND IDENTIFY RETROFITS.

(a) CONTINUOUS COMMISSIONING.—The Secretary of Defense may require the continuous commissioning of Department of Defense facilities.

(b) CONTINUOUS COMMISSIONING DEFINED.—In this section, the term ''continuous commissioning'' refers to an ongoing process to resolve operating problems, improve comfort, optimize energy use, and identify retrofits for existing commercial and institutional buildings and central plant facilities.

SEC. 2829. REQUIREMENT FOR DEPARTMENT OF DEFENSE TO CAPTURE AND TRACK DATA GENERATED IN METERING DEPARTMENT FACILITIES.

The Secretary of Defense shall require that the information generated by the installation energy meters be captured and tracked to determine baseline energy consumption and facilitate efforts to reduce energy consumption.

SEC. 2830. METERING OF NAVY PIERS TO ACCURATELY MEASURE ENERGY CONSUMPTION.

(a) METERING REQUIRED.—The Secretary of the Navy shall meter Navy piers so that the energy consumption of naval vessels while in port can be accurately measured and captured and steps taken to improve the efficient use of energy by naval vessels while in port.

(b) PROGRESS REPORTS.—In each of the Department of Defense energy management reports

submitted to Congress during fiscal years 2012 through 2017 under section 2925(a) of title 10, United States Code, the Secretary of the Navy shall include information on the progress being made to implement the metering of Navy piers, including information on any reductions in energy consumption achieved through the use of such metering.

SEC. 2831. REPORT ON ENERGY-EFFICIENCY STANDARDS AND PROHIBITION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN GOLD OR PLATINUM CERTIFICATION.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than January 30, 2012, the Secretary of Defense shall submit to the congressional defense committees a report on the energy-efficiency standards utilized by the Department of Defense for military construction.

(2) CONTENTS OF REPORT.—The report shall include the following:

(A) A cost benefit analysis of adopting American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) building standard 189.1 versus 90.1 for sustainable design and development for the construction and renovation of buildings and structures.

(B) Details of the energy-efficiency improvements achieved and long term payback resulting from the adoption of ASHRAE building standard 189.1.

(C) A cost benefit analysis and return on investment for energy-efficiency attributes and sustainable design achieved through Department of Defense funds being expended in the pursuit of Leadership in Energy and Environmental Design (LEED) gold or platinum certification.

(D) A copy of Department of Defense policy prescribing a comprehensive strategy for the pursuit of design and building standards across the Department that include specific energy-efficient standards and sustainable design attributes for military construction based on the cost benefit analysis and demonstrated payback required by subparagraphs (A), (B), and (C).

(b) PROHIBITION ON USE OF FUNDS FOR LEED GOLD OR PLATINUM CERTIFICATION.—

(1) PROHIBITION.—No funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2012 may be obligated or expended for achieving any LEED gold or platinum certification.

(2) WAIVER AND NOTIFICATION.—The Secretary of Defense may waive the limitation in paragraph (1) if the Secretary submits a notification to the congressional defense committees at least 30 days before the obligation of funds toward achieving the LEED gold or platinum certification.

(3) CONTENTS OF NOTIFICATION.—A notification shall include the following:

(A) A cost-benefit analysis of the decision to obligate funds toward achieving the LEED gold or platinum certification.

(B) Demonstrated payback for the energy improvements or sustainable design features.

(4) EXCEPTION.—LEED gold and platinum certifications shall be permitted, and not require a waiver and notification under this subsection, if achieving such certification imposes no additional cost to the Department of Defense.

Subtitle D—Provisions Related to Guam Realignment

SEC. 2841. USE OF OPERATION AND MAINTENANCE FUNDING TO SUPPORT COMMUNITY ADJUSTMENTS RELATED TO REALIGNMENT OF MILITARY INSTALLATIONS AND RELOCATION OF MILITARY PERSONNEL ON GUAM.

(a) TEMPORARY ASSISTANCE AUTHORIZED.—

(1) ASSISTANCE TO GOVERNMENT OF GUAM.—Using funds made available under subsection (c), the Secretary of Defense may assist the Government of Guam in meeting the costs of providing increased municipal services and facilities required as a result of the realignment of military installations and the relocation of military personnel on Guam (in this section referred to as the ''Guam realignment'') if the Secretary determines that an unfair and excessive financial burden will be incurred by the Government of Guam to provide the services and facilities in the absence of the Department of Defense assistance.

(2) MITIGATION OF IDENTIFIED IMPACTS.—The Secretary of Defense may take such actions as the Secretary considers to be appropriate to mitigate the significant impacts identified in the Record of Decision of the ''Guam and CNMI Military Relocation Environmental Impact Statement'' by providing increased municipal services and facilities to activities that directly support the Guam realignment.

(b) METHODS OF PROVIDING ASSISTANCE.—

(1) USE OF EXISTING PROGRAMS.—The Secretary of Defense shall carry out subsection (a) through existing Federal programs supporting the Government of Guam and the Guam realignment, whether or not the programs are administered by the Department of Defense or another Federal agency.

(2) COST SHARE ASSISTANCE.—The Secretary may assist the Government of Guam to any cost-sharing obligation imposed on the Government of Guam under any Federal program utilized by the Secretary under paragraph (1).

(c) SOURCE OF FUNDS.—

(1) TRANSFER AUTHORITY.—To the extent necessary to carry out subsection (a), the Secretary may transfer appropriated funds available to the Department of Defense or a military department for operation and maintenance to a different account of the Department of Defense or another Federal agency in order to make funds available to the Government of Guam under a Federal program utilized by the Secretary under subsection (b)(1). Amounts so transferred shall be available only for the purpose of assisting the Government of Guam as described in subsection (a).

(2) ADDITIONAL AUTHORITY.—The transfer authority provided by paragraph (1) is in addition to the transfer authority provided by section 1001.

(d) PROGRESS REPORTS REQUIRED.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives semiannual reports indicating the total amount expended under the authority of this section during the preceding 6-month period, the specific projects for which assistance was provided during such period, and the total amount provided for each project during such period.

(e) TERMINATION.—The authority to provide assistance under this section expires September 30, 2018. Amounts obligated before that date may be expended after that date.

SEC. 2842. MEDICAL CARE COVERAGE FOR H-2B TEMPORARY WORKFORCE ON MILITARY CONSTRUCTION PROJECTS ON GUAM.

(a) LEAD SYSTEM INTEGRATOR FOR WORKFORCE HEALTH CARE.—Subject to subsection (b), the Secretary of the Navy may not award any additional Navy or Marine Corps construction project or associated task order on Guam associated with the Record of Decision for the Guam and CNMI Military Relocation dated September 2010 if the project includes the use of employees holding a visa described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b); known as ''H-2B workers'') until the Secretary of the Navy provides for a lead system integrator for health care for the H-2B workers.

(b) DUTIES.—The lead system integrator for health care shall—

(1) provide a comprehensive medical plan for the H-2B workers to staff, manage, and execute requirements with maximum clinical, fiscal, and administrative efficiencies;

(2) provide comprehensive planning and coordination with contractor-provided healthcare services and with Guam's civilian and military healthcare community; and

(3) access local healthcare assets to help meet the health care needs of the H-2B workers.

(c) ELEMENTS OF MEDICAL PLAN.—The comprehensive medical plan referred to in subsection (b)(1) shall—

(1) address significant health issues, injury, or series of injuries in addition to basic first responder medical services for H-2B workers.

(2) provide pre-deployment health screening at the country of origin of H-2B workers, ensuring—

(A) all major or chronic disease conditions of concern are identified;

(B) proper immunizations are administered;

(C) screening for tuberculosis and communicable diseases are conducted; and

(D) all H-2B workers are fit and healthy for work prior to deployment;

(3) provide arrival health screening process is developed to ensure the H-2B workers are is fit to work and that the risk of spreading communicable diseases to the resident population is minimized; and

(4) provide comprehensive on-site medical services, including emergency medical care for the H-2B workers, primary health care to include care for chronic diseases, preventive services and acute care delivery, and accessible prescription services maintaining oversight, authorization access and delivery of prescription medications to the workforce.

(d) NOTIFICATION.—Upon assignment of the lead system integrator for health care under subsection (a), the Secretary of the Navy shall submit to the congressional defense committees a notification of the assignment and qualifications of the lead system integrator.

SEC. 2843. CERTIFICATION OF MILITARY READINESS NEED FOR FIRING RANGE ON GUAM AS CONDITION ON ESTABLISHMENT OF RANGE.

A firing range on Guam may not be established (including any construction or lease of lands related to such establishment) until the Secretary of Defense certifies to the congressional defense committees that there is a national security need for the firing range related to readiness of the Armed Forces assigned to the United States Pacific Command.

SEC. 2844. REPEAL OF CONDITION ON USE OF SPECIFIC UTILITY CONVEYANCE AUTHORITY REGARDING GUAM INTEGRATED WATER AND WASTEWATER TREATMENT SYSTEM.

Section 2822 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4465) is amended by striking subsection (c).

Subtitle E—Land Conveyances

SEC. 2851. LAND EXCHANGE, FORT BLISS TEXAS.

(a) CONVEYANCE AUTHORIZED.—In exchange for the receipt of the real property described in subsection (b), the Secretary of the Army may convey to the Texas General Land Office (in this section referred to as the ''TGLO'') all right, title, and interest of the United States in and to a parcel of undeveloped real property consisting of approximately 694 acres at Fort Bliss, Texas, for the purpose of facilitating commercial development of the parcel.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), TGLO shall convey to the Secretary of the Army all right, title, and interest of TGLO in and to a parcel of real property, including any improvements thereon, consisting of approximately 2,880 acres adjacent to Fort Bliss training areas to facilitate tactical vehicle ingress and egress between the installation and the training areas and mitigate encroachment issues. If the fair market value of the real property to be acquired by the Secretary is less than the fair market value of the real property to be conveyed under subsection (a),

the Secretary may require a cash equalization payment in an amount equal to the difference in value.

(c) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require TGLO to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from TGLO in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to TGLO.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be exchanged under this section shall be determined by a survey satisfactory to the Secretary of the Army.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the land exchange under this section as the Secretary considers appropriate to protect the interests of the United States.

Subtitle F—Other Matters

SEC. 2861. CHANGE IN NAME OF THE INDUSTRIAL COLLEGE OF THE ARMED FORCES TO THE DWIGHT D. EISENHOWER SCHOOL FOR NATIONAL SECURITY AND RESOURCE STRATEGY.

(a) CHANGE IN NAME.—The Industrial College of the Armed Forces is hereby renamed the ''Dwight D. Eisenhower School for National Security and Resource Strategy''.

(b) COMPONENT OF NATIONAL DEFENSE UNIVERSITY.—Section 2165(b)(2) of title 10, United States Code, is amended by striking ''Industrial College of the Armed Forces'' and inserting ''Dwight D. Eisenhower School for National Security and Resource Strategy''.

(c) CONFORMING AMENDMENT.—Section 663(c)(2) of such title is amended by striking ''Industrial College of the Armed Forces'' and inserting ''Dwight D. Eisenhower School for National Security and Resource Strategy''.

(d) REFERENCES.—Any reference to the Industrial College of the Armed Forces in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Dwight D. Eisenhower School for National Security and Resource Strategy.

SEC. 2862. LIMITATIONS ON REDUCTION IN NUMBER OF MEMBERS OF THE ARMED FORCES ASSIGNED TO PERMANENT DUTY AT A MILITARY INSTALLATION TO EFFECTUATE REALIGNMENT OF INSTALLATION.

(a) NOTICE AND WAIT LIMITATION.—Chapter 50 of title 10, United States Code, is amended by inserting after section 993, as added by section 585, the following new section:

''§ 994. Limitations on permanent relocation of sizable numbers of members of the armed forces

''(a) LIMITATION.—No action may be taken to effect or implement any realignment with respect to any military installation in the United States involving a reduction of more than 1,000 in the number of members of the armed forces assigned to permanent duty at the installation at the time the Secretary of Defense or the Secretary of the military department concerned notifies Congress under subsection (b) of the plan to realign the installation unless and until the provisions of subsection (b) are complied with.

''(b) NOTICE AND WAIT REQUIREMENT.—No action described in subsection (a) with respect to the realignment of any military installation referred to in such subsection may be taken unless and until—

''(1) the Secretary of Defense or the Secretary of the military department concerned—

''(A) notifies the Committees on Armed Services of the Senate and the House of Representatives of the proposed realignment and the number of personnel assignments affected; and

''(B) submits an evaluation of the costs and benefits of such realignment and of the local economic, environmental, strategic, and operational consequences of such realignment; and

''(2) a period of 90 days expires following the day on which the notice and evaluation have been submitted to such committees, during which period no irrevocable action may be taken to effect or implement the realignment.

''(c) EXCEPTIONS.—

''(1) BASE CLOSURE PROCESS.—Subsections (a) and (b) do not apply in the case of the realignment of a military installation pursuant to a base closure law.

''(2) NATIONAL SECURITY OR EMERGENCY.—Subsections (a) and (b) do not apply if the President certifies to the Congress that the realignment of a military installation must be implemented for reasons of national security or a military emergency.

''(d) DEFINITIONS.—In this section:

''(1) The term 'military installation' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

''(2) The term 'realignment' includes any action which both reduces and relocates functions and personnel positions. The term includes the disestablishment or termination of a military command at a military installation, a change in the homeport for a ship, or the permanent relocation of a unit of the armed forces if the permanent duty assignment threshold specified in subsection (a) is met.

''(3) The term 'unit' means a unit of the armed forces at the battalion, squadron, or an equivalent level (or a higher level).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''994. Limitations on permanent relocation of sizable numbers of members of the armed forces.''.

SEC. 2863. PROHIBITION ON NAMING DEPARTMENT OF DEFENSE REAL PROPERTY AFTER A MEMBER OF CONGRESS.

(a) PROHIBITION.—Section 2661 of title 10, United States Code, is amended by inserting after subsection (b) the following new subsection:

''(c) PROHIBITION ON NAMING DEPARTMENT OF DEFENSE REAL PROPERTY AFTER MEMBER OF CONGRESS.—(1) Real property under the jurisdiction of the Secretary of Defense or the Secretary of a military department may not be named after, or otherwise officially identified by the name of, any individual who is a Member of Congress at the time the property is so named or identified.

''(2) In this subsection:

''(A) The term 'Member of Congress' includes a Delegate or Resident Commissioner to the Congress.

''(B) The term 'real property' includes structures, buildings, or other infrastructure of a military installation, roadways and defense access roads, and any other area on the grounds of a military installation.''.

(b) APPLICATION OF AMENDMENT.—The prohibition in subsection (c) of section 2661 of title 10, United States Code, as added by subsection (a), shall apply only with respect to real property of the Department of Defense named after the date of the enactment of this Act.

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.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2012 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 12–D–301, Transuranic (TRU) Waste Facilities, Los Alamos National Laboratory, Los Alamos, New Mexico, $9,881,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2012 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2012 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. ENERGY SECURITY AND ASSURANCE.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2012 for energy security and assurance programs necessary for national security as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. CONSOLIDATED REPORTING REQUIREMENTS RELATING TO NUCLEAR STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE.

(a) CONSOLIDATED PLAN FOR STEWARDSHIP, MANAGEMENT, AND CERTIFICATION OF WARHEADS IN THE NUCLEAR WEAPONS STOCKPILE.—

(1) IN GENERAL.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended to read as follows:

''SEC. 4203. NUCLEAR WEAPONS STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.

''(a) PLAN REQUIREMENT.—The Administrator for Nuclear Security, in consultation with the Secretary of Defense and other appropriate officials of the departments and agencies of the Federal Government, shall develop and annually update a plan for sustaining the nuclear weapons stockpile. The plan shall cover, at a minimum, stockpile stewardship, stockpile management, stockpile surveillance, program direction, infrastructure modernization, human capital, and nuclear test readiness. The plan shall be consistent with the programmatic and technical requirements of the most recent annual Nuclear Weapons Stockpile Memorandum.

''(b) SUBMISSIONS TO CONGRESS.—(1) In accordance with subsection (c), not later than March 15 of each even-numbered year, the Administrator for Nuclear Security shall submit to the congressional defense committees a summary of the plan developed under subsection (a).

''(2) In accordance with subsection (d), not later than March 15 of each odd-numbered year, the Administrator for Nuclear Security shall submit to the congressional defense committees a detailed report on the plan developed under subsection (a).

''(3) The summaries and reports required by this subsection shall be submitted in unclassified form, but may include a classified annex.

''(c) ELEMENTS OF BIENNIAL PLAN SUMMARY.—Each summary of the plan submitted under subsection (b)(1) shall include, at a minimum, the following:

''(1) A summary of the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type.

''(2) A summary of the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types.

''(3) A summary of the methods and information used to determine that the nuclear weapons stockpile is safe and reliable, as well as the relationship of science-based tools to the collection and interpretation of such information.

''(4) A summary of the status of the nuclear security enterprise, including programs and plans for infrastructure modernization and retention of human capital, as well as associated budgets and schedules.

''(5) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).

''(6) Such other information as the Secretary of Energy or the Administrator for Nuclear Security considers appropriate.

''(d) ELEMENTS OF BIENNIAL DETAILED REPORT.—Each detailed report on the plan submitted under subsection (b)(2) shall include, at a minimum, the following:

''(1) With respect to stockpile stewardship and management—

''(A) the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type;

''(B) for each five-year period beginning on the date of the report and ending on the date that is 20 years after the date of the report—

''(i) the planned number of nuclear warheads (including active and inactive) for each warhead type in the nuclear weapons stockpile; and

''(ii) the past and projected future total lifecycle cost of each type of nuclear weapon;

''(C) the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types;

''(D) a description of the process by which the Administrator assesses the lifetimes, and requirements for life extension or replacement, of the nuclear and nonnuclear components of the warheads (including active and inactive warheads) in the nuclear weapons stockpile;

''(E) a description of the process used in recertifying the safety, security, and reliability of each warhead type in the nuclear weapons stockpile;

''(F) any concerns of the Secretary of Energy which would affect the ability of the Secretary to recertify the safety, security, or reliability of warheads in the nuclear weapons stockpile (including active and inactive warheads);

''(G) mechanisms to provide for the manufacture, maintenance, and modernization of each warhead type in the nuclear weapons stockpile, as needed;

''(H) mechanisms to expedite the collection of information necessary for carrying out the stockpile management program required by section 4204, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials;

''(I) mechanisms to ensure the appropriate assignment of roles and missions for each national security laboratory and production plant of the Department of Energy, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel;

''(J) mechanisms to ensure that each national security laboratory has full and complete access to all weapons data to enable a rigorous peer-review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205;

''(K) mechanisms for allocating funds for activities under the stockpile management program required by section 4204, including allocations of funds by weapon type and facility; and

''(L) for each of the five fiscal years following the fiscal year in which the report is submitted, an identification of the funds needed to carry out the program required under section 4204.

''(2) With respect to science-based tools—

''(A) a description of the information needed to determine that the nuclear weapons stockpile is safe and reliable;

''(B) for each science-based tool used to collect information described in subparagraph (A), the relationship between such tool and such information and the effectiveness of such tool in providing such information based on the criteria developed pursuant to section 4202(a); and

''(C) the criteria developed under section 4202(a) (including any updates to such criteria).

''(3) An assessment of the stockpile stewardship program under section 4201 by the Administrator, in consultation with the directors of the national security laboratories, which shall set forth—

''(A) an identification and description of—

''(i) any key technical challenges to the stockpile stewardship program; and

''(ii) the strategies to address such challenges without the use of nuclear testing;

''(B) a strategy for using the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of nuclear testing.

''(C) an assessment of the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory that exist at the time of the assessment compared with the science-based tools expected to exist during the period covered by the future-years nuclear security program; and

''(D) an assessment of the core scientific and technical competencies required to achieve the objectives of the stockpile stewardship program and other weapons activities and weapons-related activities of the Department of Energy, including—

''(i) the number of scientists, engineers, and technicians, by discipline, required to maintain such competencies; and

''(ii) a description of any shortage of such individuals that exists at the time of the assessment compared with any shortage expected to exist during the period covered by the future-years nuclear security program.

''(4) With respect to the nuclear security infrastructure—

''(A) a description of the modernization and refurbishment measures the Administrator determines necessary to meet the requirements prescribed in—

''(i) the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) if such strategy has been submitted as of the date of the plan;

''(ii) the most recent quadrennial defense review if such strategy has not been submitted as of the date of the plan; and

''(iii) the most recent Nuclear Posture Review as of the date of the plan;

''(B) a schedule for implementing the measures described under subparagraph (A) during the 10-year period following the date of the plan; and

''(C) the estimated levels of annual funds the Administrator determines necessary to carry out the measures described under subparagraph (A), including a discussion of the criteria, evidence, and strategies on which such estimated levels of annual funds are based.

''(5) With respect to the nuclear test readiness of the United States—

''(A) an estimate of the period of time that would be necessary for the Secretary of Energy to conduct an underground test of a nuclear weapon once directed by the President to conduct such a test;

''(B) a description of the level of test readiness that the Secretary of Energy, in consultation with the Secretary of Defense, determines to be appropriate;

''(C) a list and description of the workforce skills and capabilities that are essential to carrying out an underground nuclear test at the Nevada National Security Site;

''(D) a list and description of the infrastructure and physical plants that are essential to carrying out an underground nuclear test at the Nevada National Security Site; and

''(E) an assessment of the readiness status of the skills and capabilities described in subparagraph (C) and the infrastructure and physical plants described in subparagraph (D).

''(6) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).

''(e) NUCLEAR WEAPONS COUNCIL ASSESSMENT.—(1) For each detailed report on the plan submitted under subsection (b)(2), the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall conduct an assessment that includes the following:

''(A) An analysis of the plan, including—

''(i) whether the plan supports the requirements of the national security strategy of the United States or the most recent quadrennial defense review, as applicable under subsection (d)(4)(A), and the Nuclear Posture Review; and

''(ii) whether the modernization and refurbishment measures described under subparagraph (A) of paragraph (4) and the schedule described under subparagraph (B) of such paragraph are adequate to support such requirements.

''(B) An analysis of whether the plan adequately addresses the requirements for infrastructure recapitalization of the facilities of the nuclear security enterprise.

''(C) If the Nuclear Weapons Council determines that the plan does not adequately support modernization and refurbishment requirements under subparagraph (A) or the nuclear security enterprise facilities infrastructure recapitalization requirements under subparagraph (B), a risk assessment with respect to—

''(i) supporting the annual certification of the nuclear weapons stockpile; and

''(ii) maintaining the long-term safety, security, and reliability of the nuclear weapons stockpile.

''(2) Not later than 180 days after the date on which the Administrator submits the plan under subsection (b)(2), the Nuclear Weapons Council shall submit to the congressional defense committees a report detailing the assessment required under paragraph (1).

''(f) DEFINITIONS.—In this section:

''(1) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.

''(2) The term 'future-years nuclear security program' means the program required by section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

''(3) The term 'national security laboratory' has the meaning given such term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

''(4) The term 'nuclear security budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Administrator for the National Nuclear Security Administration in support of the budget for that fiscal year.

''(5) The term 'nuclear security enterprise' means the physical facilities, technology, and human capital of—

''(A) the national security laboratories;

''(B) the Pantex Plant;

''(C) the Y–12 National Security Complex;

''(D) the Kansas City Plant;

''(E) the Savannah River Site; and

''(F) the Nevada National Security Site.

''(6) The term 'quadrennial defense review' means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of title 10, United States Code.

''(7) The term 'weapons activities' means each activity within the budget category of weapons activities in the budget of the National Nuclear Security Administration.

''(8) The term 'weapons-related activities' means each activity under the Department of Energy that involves nuclear weapons, nuclear weapons technology, or fissile or radioactive materials, including activities related to—

''(A) nuclear nonproliferation;

''(B) nuclear forensics;

''(C) nuclear intelligence;

''(D) nuclear safety; and

''(E) nuclear incident response.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4203 and inserting the following new item:

''Sec. 4203. Nuclear weapons stockpile stewardship, management, and infrastructure plan.''.

(b) REPEAL OF REQUIREMENT FOR BIENNIAL REPORT ON STOCKPILE STEWARDSHIP CRITERIA.—

(1) IN GENERAL.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended by striking subsections (c) and (d).

(2) TECHNICAL AMENDMENT.—The heading of such section is amended to read as follows: ''**STOCKPILE STEWARDSHIP CRITERIA**''.

(3) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4202 and inserting the following new item:

''Sec. 4202. Stockpile stewardship criteria.''.

(c) REPEAL OF REQUIREMENT FOR BIENNIAL PLAN ON MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.—Section 4203A of the Atomic Energy Defense Act (50 U.S.C. 2523A) is repealed.

(d) REPEAL OF REQUIREMENT FOR ANNUAL UPDATE TO STOCKPILE MANAGEMENT PROGRAM PLAN.—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(1) by striking subsections (c) and (d); and

(2) by redesignating subsection (e) as subsection (c).

(e) REPEAL OF REQUIREMENT FOR REPORTS ON NUCLEAR TEST READINESS.—

(1) AEDA.—Section 4208 of the Atomic Energy Defense Act (50 U.S.C. 2528) is repealed.

(2) NDAA FISCAL YEAR 1996.—Section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 623) is repealed.

SEC. 3112. LIMITATION ON AVAILABILITY OF FUNDS FOR CENTER OF EXCELLENCE ON NUCLEAR SECURITY.

(a) LIMITATION.—Of the funds authorized to be appropriated by section 3101 or otherwise made available for fiscal year 2012 for the National Nuclear Security Administration, not more than $7,000,000 may be obligated or expended for the United States-China Center of Excellence on Nuclear Security until the date on which the Secretary of Energy submits to the appropriate congressional committees the reports under subsection (b)(2) and subsection (c).

(b) NUCLEAR SECURITY.—

(1) REVIEW.—The Secretary of Energy, in coordination with the Secretary of Defense, shall conduct a review of the existing capacity of the People's Republic of China to develop and implement best practices training for nuclear security.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the appropriate congressional committees a report on the review under paragraph (1).

(c) CENTER OF EXCELLENCE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Energy, in coordination with the Secretary of Defense, shall submit to the appropriate congressional committees a report on the extent to which the training and relationship-building activities planned for the United States-China Center of Excellence on Nuclear Security could contribute to improving China's historical patterns with respect to the proliferation of weapons of mass destruction and missiles.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 3113. USE OF SAVINGS FROM PENSION REIMBURSEMENTS FOR BUDGETARY SHORTFALLS.

(a) DETERMINATION OF AMOUNTS.—

(1) DETERMINATION.—From time to time as economic conditions and pension projections change during fiscal year 2012 and each fiscal year thereafter through 2016, the appropriate head of an agency shall determine the amount of funds described in paragraph (2) that exceed the level necessary to satisfy the minimum funding standard required by the Employee Retirement Income Security Act of 1974.

(2) FUNDS DESCRIBED.—The funds described in this paragraph are amounts appropriated pursuant to a DOE national security authorization for any of fiscal years 2012 through 2016 that are made available (including by transfer) for contributions to defined-benefit pension plans for employees of management and operating contractors of—

(A) the National Nuclear Security Administration; or

(B) the Office of Environmental Management of the Department of Energy.

(b) AVAILABILITY OF AMOUNTS.—Upon a determination of amounts under subsection (a)(1), the appropriate head of an agency shall promptly make available (including by transfer, if necessary) the determined amounts to accounts of the agency to be used for high-priority budgetary shortfalls, as identified by the head of the agency. Any determined amounts so transferred shall be available for the same period of time as the accounts to which transferred.

(c) REQUIRED OBLIGATION OF AMOUNTS.—The appropriate head of an agency shall promptly obligate or expend amounts made available under subsection (b) for the purposes provided in such subsection.

(d) TRANSFER AUTHORITY.—

(1) EFFECT ON AUTHORIZATION OF AMOUNTS.—Any transfer made from one account to another under this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(2) ADDITIONAL TRANSFER AUTHORITY.—The transfer authority provided by subsection (b) is in addition to any other transfer authority available to the Department of Energy or the National Nuclear Security Administration.

(e) NOTICE TO CONGRESS.—The appropriate head of an agency shall promptly notify the congressional defense committees of determinations and transfers made under this section. Such notifications shall include plans by the head of the agency to carry out subsection (c) with respect to such determinations and transfers.

(f) SUNSET.—The authorities under this section shall terminate on September 30, 2016.

(g) DEFINITIONS.—In this section:

(1) The term ''appropriate head of an agency'' means—

(A) the Administrator for Nuclear Security, with respect to matters concerning the National Nuclear Security Administration; and

(B) the Assistant Secretary of Energy for Environmental Management, with respect to matters concerning the Office of Environmental Management of the Department of Energy.

(2) The term ''DOE national security authorization'' has the meaning given that term in section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741).

Subtitle C—Reports

SEC. 3121. REPEAL OF CERTAIN REPORT REQUIREMENTS.

(a) REPEAL OF REPORT REQUIREMENT FOR NUCLEAR CITIES INITIATIVE PROGRAM.—Section 3132 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1366) is repealed.

(b) REMOVAL OF REPORT REQUIREMENT FOR NONPROLIFERATION INITIATIVE PROGRAM.—Paragraph (6) of section 4302(a) of the Atomic Energy Defense Act (50 U.S.C. 2562) is amended to read as follows:

''(6) Funds appropriated for the Initiatives for Proliferation Prevention program may not be used to pay any tax or customs duty levied by the government of the Russian Federation. In the event payment of such a tax or customs duty with such funds is unavoidable, the Secretary of Energy shall ensure that sufficient additional funds are provided to the Initiatives for Proliferation Prevention Program to offset the amount of such payment.''.

SEC. 3122. PROGRESS ON NUCLEAR NONPROLIFERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the spread of nuclear and radiological weapons, or weapons-usable material, technology, equipment, information, and expertise, poses a short- and long-term threat to the security of the United States; and

(2) the nonproliferation efforts of the United States should prioritize the programs which most directly address such threat.

(b) ANNUAL REPORT.—

(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter by not later than March 1 of each year through 2016, the Secretary of Energy shall submit to the appropriate congressional committees a report on the strategic plans of the Department of Energy and the National Nuclear Security Administration to prevent the proliferation of materials, technology, equipment, and expertise related to nuclear and radiological weapons in order to minimize the risk of nuclear terrorism and the proliferation of such weapons.

(2) MATTERS INCLUDED.—Each report under paragraph (1) shall include the following:

(A) Progress and challenges in implementing the strategic plans described in paragraph (1), including—

(i) preventing nuclear terrorism by securing and removing highly-enriched uranium and plutonium worldwide;

(ii) converting reactors from highly-enriched uranium to low-enriched uranium in the Russian Federation and other countries;

(iii) providing radiation detection capability at ports and borders;

(iv) securing and removing radiological materials worldwide;

(v) developing and improving technology to—

(I) detect the proliferation and detonation of nuclear weapons;

(II) verify foreign commitments to treaties and agreements with respect to nuclear weapons; and

(III) detect the diversion of nuclear materials, including safeguard technology;

(vi) preventing and countering the proliferation and use of nuclear weapons (including materials, technology, and expertise related to such weapons), including through safeguards, export controls, international regimes, treaties, and agreements;

(vii) disposing of surplus material of both the United States and Russia; and

(viii) preventing the proliferation of nuclear weapons expertise.

(B) An estimate of the budget requirements of the National Nuclear Security Administration, including the costs associated with the implementation of the strategic plans described in paragraph (1) over the 10-year period following the date of the report.

(C) A discussion of the coordination of the programs of the National Nuclear Security Administration with other offices of the Department of Energy and with other agencies and offices of the Federal Government with respect to implementing the strategic plans described in paragraph (1).

(c) ANNUAL ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter by not later than March 1 of each year through 2016, the Secretary of Energy, in coordination with the Office of Intelligence and Counterintelligence of the Department of Energy, shall submit to the appropriate congressional committees an assessment containing the following:

(1) An assessment of the risk that non-nuclear weapons states may acquire nuclear enrichment or reprocessing technology.

(2) A list, by country and site, reflecting the total amount of known highly-enriched uranium around the world, and an assessment of the vulnerability of such uranium to theft or diversion.

(d) FORM.—

(1) IN GENERAL.—Except as provided by paragraph (2), each report and assessment under this section shall be submitted in unclassified form, but may include a classified annex.

(2) LIST.—Each list under subsection (c)(2) may be in classified form if the Secretary determines it necessary.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.

SEC. 3123. REPORTS ON ROLE OF NUCLEAR SITES AND EFFICIENCIES.

(a) DEPARTMENT OF ENERGY REPORT.—

(1) REPORT REQUIRED.—Not later than February 1, 2012, the Secretary of Energy shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report assessing the role of the nuclear security complex sites in supporting a safe, secure, and reliable nuclear deterrent, nuclear weapons reductions, and nuclear nonproliferation, and opportunities for efficiencies and cost savings.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The role of the nuclear security complex sites, including the national security laboratories, in maintaining a reliable, safe, and secure nuclear deterrent, improving verification and detection technology, and supporting nonproliferation.

(B) An assessment of any opportunities for further efficiencies and how these efficiencies could contribute to cost savings and strengthening safety and security.

(C) An assessment of duplicative functions at the nuclear sites, and a description of which duplicative functions remain necessary. The assessment of these functions shall include an analysis of potential for shared use or development of high explosives research and development capacity, supercomputing platforms, and infrastructure maintained for Work for Others programs.

(D) A long-term strategic plan for the nuclear complex.

(b) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the report under subsection (a)(1) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report assessing the report under subsection (a).

(c) FORM.—The reports required by subsection (a) and (b) shall be submitted in unclassified form, but may include a classified index.

(d) NUCLEAR SECURITY COMPLEX DEFINED.—In this section, the term ''nuclear security complex'' means the physical facilities, technology, and human capital of the following:

(1) The national security laboratories.

(2) The Kansas City Plant, Kansas City, Missouri.

(3) The Nevada Nuclear Security Site, Nevada.

(4) The Savannah River Site, Aiken, South Carolina.

(5) The Y–12 National Security Complex, Oak Ridge, Tennessee.

(6) The Pantex Plant, Amarillo, Texas.

SEC. 3124. NET ASSESSMENT OF HIGH-PERFORMANCE COMPUTING CAPABILITIES OF FOREIGN COUNTRIES.

(a) ASSESSMENT REQUIRED.—The Administrator for Nuclear Security, in coordination with the Secretary of Defense, the Director of National Intelligence, the Under Secretary of Energy for Science, and the Under Secretary of Commerce for Industry and Security, shall conduct a net assessment of the high-performance computing capability possessed by foreign countries.

(b) MATTERS COVERED.—The assessment required by subsection (a) shall include—

(1) an analysis of current and expected future capabilities and trends with respect to high-performance computing in the United States and in other countries;

(2) a description of how high-performance computing technology is being used by various countries as compared to the United States;

(3) an evaluation of the similarities and differences in approaches to the innovation, development, and use of high-performance computing among the United States and countries with the most experience, capabilities, or skill with respect to high-performance computing;

(4) estimates of the current and expected future effects of high-performance computing technology on the national security and economic growth of various countries;

(5) recommendations on actions to take to ensure the continued leadership by the United States in high-performance computing and ways to better leverage such technology for innovation, economic growth, and national security; and

(6) such other matters as the Administrator considers appropriate.

(c) COORDINATION WITH OTHER AGENCIES.—

(1) IN GENERAL.—The Administrator shall coordinate the assessment required by subsection (a) with other departments or agencies of the Federal Government as the Administrator considers appropriate.

(2) DEPARTMENT OF DEFENSE.—Upon request by the Administrator, the Secretary of Defense shall provide net assessment expertise and general assistance through the Office of Net Assessment of the Department of Defense or other appropriate agency of the Department of Defense.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report on the results of the assessment required by subsection (a).

(2) FORM.—The report required under this section shall be submitted in unclassified form, but may include a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Energy and Natural Resources, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2012, $29,130,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $14,909,000 for fiscal year 2012 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2012.

Funds are hereby authorized to be appropriated for fiscal year 2012, to be available without fiscal year limitation if so provided in the appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $93,068,000, of which—

(A) $64,183,000 shall remain available until expended for Academy operations; and

(B) $28,885,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $17,100,000, of which—

(A) $2,400,000 shall remain available until expended for student incentive payments;

(B) $3,600,000 shall remain available until expended for direct payments to such academies; and

(C) $11,100,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $18,500,000, to remain available until expended.

(4) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.

(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 6661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United

States Code, $14,260,000, of which $3,740,000 shall remain available until expended for administrative expenses of the program.

SEC. 3502. USE OF NATIONAL DEFENSE RESERVE FLEET AND READY RESERVE FORCE VESSELS.

Section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744(b)) is amended—

(1) in subsection (b), by striking ''or'' after the semicolon at the end of paragraph (4), striking the period at the end of paragraph (5) and inserting ''; or'', and adding at the end the following new paragraph:

''(6) for civil contingency operations and Maritime Administration promotional and media events, in accordance with subsection (f).''; and

(2) by adding at the end the following new subsection:

''(f) USE OF NDRF VESSELS FOR CIVIL CONTINGENCY OPERATIONS AND PROMOTIONAL AND MEDIA EVENTS.—With the concurrence of the Secretary of Defense, the Secretary of Transportation may allow the use of vessels in the National Defense Reserve Fleet (NDRF) for civil contingency operations requested by another Federal agency, and for Maritime Administration promotional and media events relating to demonstration projects and research and development supporting the Administration's mission, if the Secretary of Transportation determines such use is in the best interest of the Government after considering the following factors:

''(1) AVAILABILITY.—The availability of NDRF or Ready Reserve Force (RRF) resources and the impact of such use on NDRF and RRF mission support to the defense and homeland security requirements of the Government.

''(2) INTERFERENCE.—Whether the such use of vessels will support the mission of the Maritime Administration and not significantly interfere with NDRF vessel maintenance, repair, safety, readiness, and resource availability.

''(3) SAFETY.—Whether safety precautions will be taken, including indemnification of liability when applicable.

''(4) COST.—Whether any costs incurred by such use will be funded as a reimbursable transaction between Federal agencies, as applicable.

''(5) OTHER MATTERS.—Any other matters the Maritime Administrator considers appropriate.''.

SEC. 3503. RECRUITMENT AUTHORITY.

Section 51301 of title 46, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by adding at the end the following new subsection:

''(b) RECRUITMENT.—The Secretary of Transportation may, subject to the availability of appropriations, expend funds available for United States Merchant Marine Academy operating expenses for recruiting activities, including advertising, in order to obtain recruits for the Academy and cadet applicants.''.

SEC. 3504. SHIP SCRAPPING REPORTING REQUIREMENT.

Section 3502(f) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as amended by section 3505(a) of the National Defense Authorization Act for Fiscal Year 2006 (119 Stat. 3551), is amended to read as follows:

''(f) BRIEFINGS.—The Maritime Administrator shall, upon request, provide briefings to the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Armed Services of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate, on the progress made in recycling vessels, problems encountered with recycling vessels, issues relating to vessel recycling, and other issues relating to vessel recycling and disposal.''.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
001	UTILITY F/W AIRCRAFT	14,572	14,572
002	C–12 CARGO AIRPLANE		
003	AERIAL COMMON SENSOR (ACS) (MIP)	539,574	15,674
	Early to Need		[–417,900]
	Program Decrease		[–106,000]
004	MQ–1 UAV	658,798	658,798
005	RQ–11 (RAVEN)	70,762	70,762
006	BCT UNMANNED AERIAL VEH (UAVS) INCR 1		
	ROTARY		
007	HELICOPTER, LIGHT UTILITY (LUH)	250,415	250,415
008	AH–64 BLOCK II/WRA		
009	AH–64 APACHE BLOCK IIIA REMAN	411,005	411,005
010	Advance Procurement (CY)	192,764	192,764
011	Advance Procurement (CY)	104,263	104,263
012	UH–60 BLACKHAWK M MODEL (MYP)	1,325,666	1,325,666
013	Advance Procurement (CY)	199,781	199,781
014	CH–47 HELICOPTER	1,305,360	1,305,360
015	Advance Procurement (CY)	54,956	54,956
016	HELICOPTER NEW TRAINING		
017	KIOWA WARRIOR UPGRADE (OH–58 D)/WRA		
	MODIFICATION OF AIRCRAFT		
018	C–12 AIRCRAFT MODS		
019	MQ–1 PAYLOAD—UAS	136,183	136,183
020	MQ–1 WEAPONIZATION—UAS		
021	GUARDRAIL MODS (MIP)	27,575	27,575
022	MULTI SENSOR ABN RECON (MIP)	8,362	8,362
023	AH–64 MODS	331,230	331,230
024	CH–47 CARGO HELICOPTER MODS (MYP)	79,712	79,712
025	UTILITY/CARGO AIRPLANE MODS	22,107	22,107
026	AIRCRAFT LONG RANGE MODS		
027	UTILITY HELICOPTER MODS	80,745	90,745
	Modifications to Aircraft		[10,000]
028	KIOWA WARRIOR	162,052	162,052
029	AIRBORNE AVIONICS		
030	NETWORK AND MISSION PLAN	138,832	138,832
031	COMMS, NAV SURVEILLANCE	132,855	132,855
032	GATM ROLLUP	105,519	105,519
033	RQ–7 UAV MODS	126,239	126,239
	SPARES AND REPAIR PARTS		
034	SPARE PARTS (AIR)		
	GROUND SUPPORT AVIONICS		
035	AIRCRAFT SURVIVABILITY EQUIPMENT	35,993	35,993

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(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
036	SURVIVABILITY CM		
037	CMWS	162,811	162,811
	OTHER SUPPORT		
038	AVIONICS SUPPORT EQUIPMENT	4,840	4,840
039	COMMON GROUND EQUIPMENT	176,212	176,212
040	AIRCREW INTEGRATED SYSTEMS	82,883	82,883
041	AIR TRAFFIC CONTROL	114,844	114,844
042	INDUSTRIAL FACILITIES	1,593	1,593
043	LAUNCHER, 2.75 ROCKET	2,878	2,878
044	AIRBORNE COMMUNICATIONS		
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**7,061,381**	**6,547,481**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	PATRIOT SYSTEM SUMMARY	662,231	662,231
002	MSE MISSILE/PAC–3	74,953	74,953
003	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:		
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	1,410	1,410
	ANTI-TANK/ASSAULT MISSILE SYS		
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	160,767	160,767
006	TOW 2 SYSTEM SUMMARY	61,676	61,676
007	Advance Procurement (CY)	19,886	19,886
008	BCT NON LINE OF SIGHT LAUNCH SYSTEM—INCREM		
009	GUIDED MLRS ROCKET (GMLRS)	314,167	314,167
010	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,175	18,175
011	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	31,674	31,674
	MODIFICATIONS		
012	PATRIOT MODS	66,925	66,925
013	STINGER MODS	14,495	0
	Budget Adjustment per Army Request		[–14,495]
014	ITAS/TOW MODS	13,577	13,577
015	MLRS MODS	8,236	8,236
016	HIMARS MODIFICATIONS	11,670	11,670
017	HELLFIRE MODIFICATIONS		
	SPARES AND REPAIR PARTS		
018	SPARES AND REPAIR PARTS	8,700	8,700
	SUPPORT EQUIPMENT & FACILITIES		
019	AIR DEFENSE TARGETS	3,674	3,674
020	ITEMS LESS THAN $5.0M (MISSILES)	1,459	1,459
021	PRODUCTION BASE SUPPORT	5,043	5,043
	TOTAL MISSILE PROCUREMENT, ARMY	**1,478,718**	**1,464,223**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	632,994	632,994
002	FUTURE COMBAT SYSTEMS: (FCS)		
003	FCS SPIN OUTS		
004	Advance Procurement (CY)		
	MODIFICATION OF TRACKED COMBAT VEHICLES		
005	STRYKER (MOD)	52,797	52,797
006	FIST VEHICLE (MOD)	43,962	43,962
007	BRADLEY PROGRAM (MOD)	250,710	403,710
	Program Increase		[153,000]
008	HOWITZER, MED SP FT 155MM M109A6 (MOD)	46,876	46,876
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	10,452	10,452
010	ASSAULT BREACHER VEHICLE	99,904	99,904
011	M88 FOV MODS	32,483	32,483
012	JOINT ASSAULT BRIDGE		
013	M1 ABRAMS TANK (MOD)	160,578	160,578
014	ABRAMS UPGRADE PROGRAM	181,329	453,329
	Industrial Base and Guard Modernization		[272,000]
	SUPPORT EQUIPMENT & FACILITIES		
015	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,073	1,073
	WEAPONS & OTHER COMBAT VEHICLES		
016	HOWITZER, LIGHT, TOWED, 105MM, M119		
017	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	16,046	16,046
018	M240 MEDIUM MACHINE GUN (7.62MM)		
019	MACHINE GUN, CAL .50 M2 ROLL	65,102	65,102
020	LIGHTWEIGHT .50 CALIBER MACHINE GUN	28,796	28,796
021	M249 SAW MACHINE GUN (5.56MM)		
022	MK–19 GRENADE MACHINE GUN (40MM)		
023	MORTAR SYSTEMS	12,477	12,477
024	M107, CAL. 50, SNIPER RIFLE		
025	XM320 GRENADE LAUNCHER MODULE (GLM)	12,055	12,055
026	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)		
027	M4 CARBINE	35,015	35,015
028	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,707	6,707
029	COMMON REMOTELY OPERATED WEAPONS STATION (CRO		
030	HANDGUN		
031	HOWITZER LT WT 155MM (T)	13,066	13,066
	MOD OF WEAPONS AND OTHER COMBAT VEH		
032	MK–19 GRENADE MACHINE GUN MODS		
033	M4 CARBINE MODS	25,092	25,092
034	M2 50 CAL MACHINE GUN MODS	14,856	14,856
035	M249 SAW MACHINE GUN MODS	8,480	8,480
036	M240 MEDIUM MACHINE GUN MODS	15,718	15,718
037	SNIPER RIFLES MODIFICATIONS	1,994	4,500
	Program Increase		[2,506]
038	M119 MODIFICATIONS	38,701	38,701
039	M16 RIFLE MODS	3,476	3,476
040	M14 7.62 RIFLE MODS		
041	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	2,973	2,973
	SUPPORT EQUIPMENT & FACILITIES		

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Line	Item	FY 2012 Request	House Authorized
042	ITEMS LESS THAN $5.0M (WOCV-WTCV)		
043	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,080	10,080
044	INDUSTRIAL PREPAREDNESS	424	424
045	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,453	2,453
	SPARES		
046	SPARES AND REPAIR PARTS (WTCV)	106,843	106,843
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,933,512**	**2,361,018**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	210,758	210,758
002	CTG, 7.62MM, ALL TYPES	83,730	83,730
003	CTG, 7.62MM, 4 BALL M80 FS, 1 DIM TRCR M276,		
004	CTG, HANDGUN, ALL TYPES	9,064	9,064
005	CTG, .50 CAL, ALL TYPES	131,775	131,775
006	CTG, 20MM, ALL TYPES		
007	CTG, 25MM, ALL TYPES	14,894	14,894
008	OBJECTIVE FAMILY OF WEAPONS AMMUNITION, ALL T	3,399	3,399
009	CTG, 30MM, ALL TYPES	118,966	118,966
010	CTG, 40MM, ALL TYPES	84,799	84,799
011	CTG, CAL .300 WIN MAG, MK 248 MOD 0 (7.62X67M		
	MORTAR AMMUNITION		
012	60MM MORTAR, ALL TYPES	31,287	31,287
013	81MM MORTAR, ALL TYPES	12,187	12,187
014	120MM MORTAR, ALL TYPES	108,416	108,416
	TANK AMMUNITION		
015	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	105,704	105,704
016	CTG, TANK, 120MM, ALL TYPES		
	ARTILLERY AMMUNITION		
017	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	103,227	103,227
018	CTG, ARTY, 105MM: ALL TYPES		
019	ARTILLERY PROJECTILE, 155MM, ALL TYPES	32,887	32,887
020	PROJ 155MM EXTENDED RANGE XM982	69,074	69,074
021	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	48,205	48,205
	ARTILLERY FUZES		
022	ARTILLERY FUZES, ALL TYPES		
	MINES		
023	MINES & CLEARING CHARGES, ALL TYPES	2,518	2,518
024	MINE, CLEARING CHARGE, ALL TYPES		
	NETWORKED MUNITIONS		
025	SPIDER NETWORK MUNITIONS, ALL TYPES	43,123	43,123
026	SCORPION, INTELLIGENT MUNITIONS SYSTEM , ALL		
	ROCKETS		
027	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	19,254	19,254
028	ROCKET, HYDRA 70, ALL TYPES	127,265	127,265
	OTHER AMMUNITION		
029	DEMOLITION MUNITIONS, ALL TYPES	53,685	53,685
030	GRENADES, ALL TYPES	42,558	42,558
031	SIGNALS, ALL TYPES	26,173	26,173
032	SIMULATORS, ALL TYPES	14,108	14,108
033	ALL OTHER (AMMO)	50	50
	MISCELLANEOUS		
034	AMMO COMPONENTS, ALL TYPES	18,296	18,296
035	NON-LETHAL AMMUNITION, ALL TYPES	14,864	14,864
036	CAD/PAD ALL TYPES	5,449	5,449
037	ITEMS LESS THAN $5 MILLION	11,009	11,009
038	AMMUNITION PECULIAR EQUIPMENT	24,200	24,200
039	FIRST DESTINATION TRANSPORTATION (AMMO)	13,711	13,711
040	CLOSEOUT LIABILITIES	103	103
	PRODUCTION BASE SUPPORT		
041	PROVISION OF INDUSTRIAL FACILITIES	199,841	199,841
042	LAYAWAY OF INDUSTRIAL FACILITIES	9,451	9,451
043	MAINTENANCE OF INACTIVE FACILITIES	5,533	5,533
044	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	189,789	189,789
045	ARMS INITIATIVE	3,273	3,273
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,992,625**	**1,992,625**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS		
002	SEMITRAILERS, FLATBED:	13,496	13,496
003	SEMITRAILERS, TANKERS		
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)		
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	432,936	432,936
006	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	21,930	21,930
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	627,294	627,294
008	PLS ESP	251,667	251,667
009	ARMORED SECURITY VEHICLES (ASV)		
010	MINE PROTECTION VEHICLE FAMILY	56,671	56,671
011	FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP)		
012	TRUCK, TRACTOR, LINE HAUL, M915/M916	1,461	1,461
013	HVY EZPANDED MOBILE TACTICAL TRUCK EXT SERV	156,747	156,747
014	HMMWV RECAPITALIZATION PROGRAM	161,631	161,631
015	TACTICAL WHEELED VEHICLE PROTECTION KITS	39,908	39,908
016	MODIFICATION OF IN SVC EQUIP	362,672	362,672
017	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	142,862	142,862
018	ITEMS LESS THAN $5.0M (TAC VEH)		
019	TOWING DEVICE-FIFTH WHEEL		
020	AMC CRITICAL ITEMS, OPA1	20,156	20,156
	NON-TACTICAL VEHICLES		
021	HEAVY ARMORED SEDAN	1,161	1,161
022	PASSENGER CARRYING VEHICLES	3,222	3,222
023	NONTACTICAL VEHICLES, OTHER	19,869	19,869
	COMM—JOINT COMMUNICATIONS		

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Line	Item	FY 2012 Request	House Authorized
024	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	9,984	9,984
025	WIN-T—GROUND FORCES TACTICAL NETWORK	974,186	974,186
026	JCSE EQUIPMENT (USREDCOM)	4,826	4,826
	COMM—SATELLITE COMMUNICATIONS		
028	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	123,859	123,859
029	SHF TERM	8,910	8,910
030	SAT TERM, EMUT (SPACE)		
031	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	29,568	29,568
032	SMART-T (SPACE)	49,704	49,704
033	SCAMP (SPACE)	2,415	2,415
034	GLOBAL BRDCST SVC—GBS	73,374	73,374
035	MOD OF IN-SVC EQUIP (TAC SAT)	31,799	31,799
	COMM—COMBAT SUPPORT COMM		
036	MOD-IN-SERVICE PROFILER	969	969
	COMM—C3 SYSTEM		
037	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	18,788	18,788
	COMM—COMBAT COMMUNICATIONS		
038	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	3,994	3,994
039	JOINT TACTICAL RADIO SYSTEM	775,832	716,032
	Early to Need—GMR		[–35,800]
	Program Decrease—Maritime/Fixed Station		[–24,000]
040	RADIO TERMINAL SET, MIDS LVT(2)	8,336	8,336
041	SINCGARS FAMILY	4,992	4,992
042	AMC CRITICAL ITEMS—OPA2		
043	TRACTOR DESK	10,827	10,827
044	COMMS-ELEC EQUIP FIELDING		
045	SPIDER APLA REMOTE CONTROL UNIT	36,224	36,224
046	IMS REMOTE CONTROL UNIT		
047	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,843	1,843
048	COMBAT SURVIVOR EVADER LOCATOR (CSEL)		
049	GUNSHOT DETECTION SYSTEM (GDS)	3,939	3,939
050	RADIO, IMPROVED HF (COTS) FAMILY	38,535	38,535
051	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	26,232	26,232
	COMM—INTELLIGENCE COMM		
053	CI AUTOMATION ARCHITECTURE	1,547	1,547
054	CIVIL AFFAIRS/INFO OPS	28,266	28,266
	INFORMATION SECURITY		
055	TSEC—ARMY KEY MGT SYS (AKMS)	12,541	12,541
056	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	39,349	39,349
	COMM—LONG HAUL COMMUNICATIONS		
057	TERRESTRIAL TRANSMISSION	2,232	2,232
058	BASE SUPPORT COMMUNICATIONS	37,780	37,780
059	WW TECH CON IMP PROG (WWTCIP)	12,805	12,805
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	187,227	187,227
061	DEFENSE MESSAGE SYSTEM (DMS)	4,393	4,393
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(	310,761	310,761
063	PENTAGON INFORMATION MGT AND TELECOM	4,992	4,992
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
066	JTT/CIBS-M	4,657	4,657
067	PROPHET GROUND	72,041	72,041
068	DIGITAL TOPOGRAPHIC SPT SYS (DTSS)		
069	DRUG INTERDICTION PROGRAM (DIP) (TIARA)		
070	DCGS-A (MIP)	144,548	144,548
071	JOINT TACTICAL GROUND STATION (JTAGS)	1,199	1,199
072	TROJAN (MIP)	32,707	32,707
073	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	9,163	9,163
074	CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP	3,493	3,493
075	ITEMS LESS THAN $5.0M (MIP)	802	802
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
076	LIGHTWEIGHT COUNTER MORTAR RADAR	33,810	33,810
077	CREW	24,104	24,104
078	BCT UNATTENDED GROUND SENSOR		
079	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITES		
080	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,252	1,252
081	CI MODERNIZATION	1,332	1,332
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
082	FAAD GBS	7,958	7,958
083	SENTINEL MODS	41,657	41,657
084	SENSE THROUGH THE WALL (STTW)	47,498	47,498
085	NIGHT VISION DEVICES	156,204	156,204
086	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	102,334	102,334
087	NIGHT VISION, THERMAL WPN SIGHT	186,859	186,859
088	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	10,227	10,227
089	RADIATION MONITORING SYSTEMS		
090	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	15,774	15,774
091	BASE EXPEDITIONARY TARGETING AND SURV SYS		
092	GREEN LASER INTERDICTION SYSTEM	25,356	25,356
093	ARTILLERY ACCURACY EQUIP		
094	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE		
095	PROFILER	3,312	3,312
096	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,005	3,005
097	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)		
098	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	69,514	69,514
099	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	58,042	58,042
100	COMPUTER BALLISTICS: LHMBC XM32		
101	MORTAR FIRE CONTROL SYSTEM	21,022	21,022
102	COUNTERFIRE RADARS	227,629	227,629
103	ARMS CONTROL ENHANCED SENSOR & MONITORING SYSTEM	2,226	2,226
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
104	TACTICAL OPERATIONS CENTERS	54,907	54,907
105	FIRE SUPPORT C2 FAMILY	54,223	54,223
106	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC	12,454	12,454
107	FAAD C2	5,030	5,030

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Line	Item	FY 2012 Request	House Authorized
108	AIR & MSL DEFENSE PLANNING & CONTROL SYS	62,710	62,710
109	KNIGHT FAMILY	51,488	51,488
110	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,807	1,807
111	AUTOMATIC IDENTIFICATION TECHNOLOGY	28,924	28,924
112	TC AIMS II		
113	TACTICAL INTERNET MANAGER		
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE		
115	MANEUVER CONTROL SYSTEM (MCS)	34,031	34,031
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	210,312	210,312
117	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	19,113	19,113
118	MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)		
	ELECT EQUIP—AUTOMATION		
119	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	23,664	23,664
120	ARMY TRAINING MODERNIZATION	11,192	11,192
121	AUTOMATED DATA PROCESSING EQUIP	220,250	220,250
122	CSS COMMUNICATIONS	39,310	39,310
123	RESERVE COMPONENT AUTOMATION SYS (RCAS)	41,248	41,248
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
124	ITEMS LESS THAN $5.0M (A/V)	10,437	10,437
125	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	7,480	7,480
	ELECT EQUIP—SUPPORT		
126	PRODUCTION BASE SUPPORT (C-E)	571	571
127	BCT NETWORK		20,334
	Budget Adjustment per Army Request		[20,334]
	UNDISTRIBUTED		
127A	CLASSIFIED PROGRAMS	4,273	4,273
127U	UNDISTRIBUTED OPA2		4,000
	Electronic Equipment—Automation		[4,000]
	CHEMICAL DEFENSIVE EQUIPMENT		
128	PROTECTIVE SYSTEMS		
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	8,636	8,636
130	BASE DEFENSE SYSTEMS (BDS)	41,204	47,204
	Base Defense Systems		[6,000]
131	CBRN SOLDIER PROTECTION	10,700	10,700
132	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	362	362
	BRIDGING EQUIPMENT		
133	TACTICAL BRIDGING	77,428	77,428
134	TACTICAL BRIDGE, FLOAT-RIBBON	49,154	49,154
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
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	30,297
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		
	COMBAT SERVICE SUPPORT EQUIPMENT		
142	HEATERS AND ECU'S	10,109	10,109
143	LAUNDRIES, SHOWERS AND LATRINES		
144	SOLDIER ENHANCEMENT	9,591	9,591
145	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)		
146	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	8,509	8,509
147	GROUND SOLDIER SYSTEM	184,072	156,072
	Schedule Slip- Nett Warrior, Increment One		[–28,000]
148	MOUNTED SOLDIER SYSTEM	43,419	43,419
149	FORCE PROVIDER		
150	FIELD FEEDING EQUIPMENT	26,860	26,860
151	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	68,392	68,392
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
	PETROLEUM EQUIPMENT		
155	QUALITY SURVEILLANCE EQUIPMENT		
156	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	75,457	75,457
	WATER EQUIPMENT		
157	WATER PURIFICATION SYSTEMS		
	MEDICAL EQUIPMENT		
158	COMBAT SUPPORT MEDICAL	53,450	53,450
	MAINTENANCE EQUIPMENT		
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	16,572	16,572
160	ITEMS LESS THAN $5.0M (MAINT EQ)	3,852	3,852
	CONSTRUCTION EQUIPMENT		
161	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,201	2,201
162	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	8,584	8,584
163	SCRAPERS, EARTHMOVING	21,031	21,031
164	MISSION MODULES—ENGINEERING	43,432	43,432
165	COMPACTOR	2,859	2,859
166	LOADERS		
167	HYDRAULIC EXCAVATOR		
168	TRACTOR, FULL TRACKED	59,534	59,534
169	PLANT, ASPHALT MIXING	8,314	8,314
170	HIGH MOBILITY ENGINEER EXCAVATOR TYPE—FOS	18,974	18,974
171	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA	15,833	15,833
172	CONST EQUIP ESP	9,771	9,771
173	ITEMS LESS THAN $5.0M (CONST EQUIP)	12,654	12,654
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
174	JOINT HIGH SPEED VESSEL (JHSV)	223,845	223,845
175	HARBORMASTER COMMAND AND CONTROL CENTER (HCCC		
176	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	10,175	10,175
	GENERATORS		
177	GENERATORS AND ASSOCIATED EQUIP	31,897	41,897
	Program Increase		[10,000]
	MATERIAL HANDLING EQUIPMENT		
178	ROUGH TERRAIN CONTAINER HANDLER (RTCH)		

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(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
179	FAMILY OF FORKLIFTS	10,944	10,944
180	ALL TERRAIN LIFTING ARMY SYSTEM	21,859	21,859
	TRAINING EQUIPMENT		
181	COMBAT TRAINING CENTERS SUPPORT	133,178	133,178
182	TRAINING DEVICES, NONSYSTEM	168,392	168,392
183	CLOSE COMBAT TACTICAL TRAINER	17,760	17,760
184	AVIATION COMBINED ARMS TACTICAL TRAINER	9,413	9,413
185	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING		
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
186	CALIBRATION SETS EQUIPMENT	13,618	13,618
187	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	49,437	49,437
188	TEST EQUIPMENT MODERNIZATION (TEMOD)	30,451	30,451
	OTHER SUPPORT EQUIPMENT		
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	4,923	4,923
190	PHYSICAL SECURITY SYSTEMS (OPA3)	69,316	69,316
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	93,832
	Budget Adjustment per Army Request		[69,027]
198	BCT TRAINING/LOGISTICS/MANAGEMENT	149,308	26,011
	Budget Adjustment per Army Request		[–123,297]
199	BCT TRAINING/LOGISTICS/MANAGEMENT INC 2	57,103	0
	Budget Adjustment per Army Request		[–57,103]
200	BCT UNMANNED GROUND VEHICLE INC 2	11,924	0
	Budget Adjustment per Army Request		[–11,924]
	OPA2		
201	INITIAL SPARES—C&E	21,647	21,647
	TOTAL OTHER PROCUREMENT, ARMY	**9,682,592**	**9,511,829**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	220,634	220,634
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**220,634**	**220,634**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	EA–18G	1,079,364	1,079,364
002	Advance Procurement (CY)	28,119	28,119
003	F/A–18E/F (FIGHTER) HORNET	2,366,752	2,366,752
004	Advance Procurement (CY)	64,962	64,962
005	JOINT STRIKE FIGHTER CV	1,503,096	1,503,096
006	Advance Procurement (CY)	217,666	217,666
007	JSF STOVL	1,141,933	1,141,933
008	Advance Procurement (CY)	117,229	117,229
009	V–22 (MEDIUM LIFT)	2,224,817	2,224,817
010	Advance Procurement (CY)	84,008	84,008
011	UH–1Y/AH–1Z	700,306	700,306
012	Advance Procurement (CY)	68,310	68,310
013	MH–60S (MYP)	408,921	408,921
014	Advance Procurement (CY)	74,040	74,040
015	MH–60R	791,025	791,025
016	Advance Procurement (CY)	209,431	209,431
017	P–8A POSEIDON	2,018,851	2,018,851
018	Advance Procurement (CY)	256,594	256,594
019	E–2D ADV HAWKEYE	914,892	914,892
020	Advance Procurement (CY)	157,942	157,942
	AIRLIFT AIRCRAFT		
021	C–40A		
	TRAINER AIRCRAFT		
022	JPATS	266,906	266,906
	OTHER AIRCRAFT		
023	HC–130J		
024	KC–130J	87,288	87,288
025	RQ–7 UAV		
026	MQ–8 UAV	191,986	191,986
027	STUASL0 UAV	12,772	12,772
028	OTHER SUPPORT AIRCRAFT		
	MODIFICATION OF AIRCRAFT		
029	EA–6 SERIES	27,734	27,734
030	AEA SYSTEMS	34,065	34,065
031	AV–8 SERIES	30,762	30,762
032	F–18 SERIES	499,597	499,597
033	H–46 SERIES	27,112	27,112
034	AH–1W SERIES	15,828	15,828
035	H–53 SERIES	62,820	62,820
036	SH–60 SERIES	83,394	87,894
	SH–60 Crew and Passenger Survivability Upgrades		[4,500]
037	H–1 SERIES	11,012	11,012
038	EP–3 SERIES	83,181	83,181
039	P–3 SERIES	171,466	171,466
040	E–2 SERIES	29,215	29,215
041	TRAINER A/C SERIES	22,090	22,090
042	C–2A	16,302	16,302
043	C–130 SERIES	27,139	27,139
044	FLEET EW	2,773	2,773
045	CARGO/TRANSPORT A/C SERIES	16,463	16,463
046	E–6 SERIES	165,253	165,253
047	EXECUTIVE HELICOPTERS SERIES	58,011	58,011
048	SPECIAL PROJECT AIRCRAFT	12,248	12,248
049	T–45 SERIES	57,779	57,779

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
050	AIRCRAFT POWER PLANT CHANGES	21,847	21,847
051	JPATS SERIES	1,524	1,524
052	AVIATION LIFE SUPPORT MODS	1,069	1,069
053	COMMON ECM EQUIPMENT	92,072	92,072
054	COMMON AVIONICS CHANGES	147,093	147,093
055	COMMON DEFENSIVE WEAPON SYSTEM		
056	ID SYSTEMS	37,330	37,330
057	P–8 SERIES	2,930	2,930
058	MAGTF EW FOR AVIATION	489	489
059	RQ–7 SERIES	11,419	11,419
060	V–22 (TILT/ROTOR ACFT) OSPREY	60,264	60,264
	AIRCRAFT SPARES AND REPAIR PARTS		
061	SPARES AND REPAIR PARTS	1,331,961	1,331,961
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
062	COMMON GROUND EQUIPMENT	351,685	351,685
063	AIRCRAFT INDUSTRIAL FACILITIES	22,358	22,358
064	WAR CONSUMABLES	27,300	27,300
065	OTHER PRODUCTION CHARGES	10,124	10,124
066	SPECIAL SUPPORT EQUIPMENT	24,395	24,395
067	FIRST DESTINATION TRANSPORTATION	1,719	1,719
068	CANCELLED ACCOUNT ADJUSTMENTS		
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**18,587,033**	**18,591,533**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,309,102	1,309,102
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	3,492	3,492
	STRATEGIC MISSILES		
003	TOMAHAWK	303,306	303,306
	TACTICAL MISSILES		
004	AMRAAM	188,494	188,494
005	SIDEWINDER	47,098	47,098
006	JSOW	137,722	137,722
007	STANDARD MISSILE	420,324	420,324
008	RAM	66,197	66,197
009	HELLFIRE	22,703	22,703
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)		
011	AERIAL TARGETS	46,359	46,359
012	OTHER MISSILE SUPPORT	3,561	3,561
	MODIFICATION OF MISSILES		
013	ESSM	48,486	48,486
014	HARM MODS	73,061	73,061
015	STANDARD MISSILES MODS		
	SUPPORT EQUIPMENT & FACILITIES		
016	WEAPONS INDUSTRIAL FACILITIES	1,979	1,979
017	FLEET SATELLITE COMM FOLLOW-ON	238,215	238,215
018	*Advance Procurement (CY)*		
	ORDNANCE SUPPORT EQUIPMENT		
019	ORDNANCE SUPPORT EQUIPMENT	52,255	52,255
	TORPEDOES AND RELATED EQUIP		
020	ASW TARGETS	31,803	31,803
	MOD OF TORPEDOES AND RELATED EQUIP		
021	MK–54 TORPEDO MODS	78,045	78,045
022	MK–48 TORPEDO ADCAP MODS	42,493	42,493
023	QUICKSTRIKE MINE	5,770	5,770
023A	UNDISTRIBUTED		5,000
	Modification of Torpedoes and Related Equipment		[5,000]
	SUPPORT EQUIPMENT		
024	TORPEDO SUPPORT EQUIPMENT	43,003	43,003
025	ASW RANGE SUPPORT	9,219	9,219
	DESTINATION TRANSPORTATION		
026	FIRST DESTINATION TRANSPORTATION	3,553	3,553
	GUNS AND GUN MOUNTS		
027	SMALL ARMS AND WEAPONS	15,037	15,037
	MODIFICATION OF GUNS AND GUN MOUNTS		
028	CIWS MODS	37,550	37,550
029	COAST GUARD WEAPONS	17,525	17,525
030	GUN MOUNT MODS	43,957	43,957
031	LCS MODULE WEAPONS		
032	CRUISER MODERNIZATION WEAPONS	50,013	50,013
033	AIRBORNE MINE NEUTRALIZATION SYSTEMS	12,203	12,203
	OTHER		
034	CANCELLED ACCOUNT ADJUSTMENTS		
	SPARES AND REPAIR PARTS		
035	SPARES AND REPAIR PARTS	55,953	55,953
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,408,478**	**3,413,478**
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM		
002	CARRIER REPLACEMENT PROGRAM	554,798	554,798
003	VIRGINIA CLASS SUBMARINE	3,232,215	3,232,215
004	VIRGINIA CLASS SUBMARINE	1,524,761	1,524,761
005	CVN REFUELING OVERHAULS		
006	CVN REFUELING OVERHAULS	529,652	529,652
007	SSBN ERO		
008	DDG 1000	453,727	453,727
009	DDG–51	1,980,709	1,980,709
010	*Advance Procurement (CY)*	100,723	100,723
011	LITTORAL COMBAT SHIP	1,802,093	1,802,093
012	*Advance Procurement (CY)*		
	AMPHIBIOUS SHIPS		
013	LPD–17	1,847,444	1,847,444

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
014	Advance Procurement (CY)		
015	LHA REPLACEMENT	2,018,691	1,968,691
	Contract Delay		[–200,000]
	Program Increase		[150,000]
016	Advance Procurement (CY)		
017	JOINT HIGH SPEED VESSEL	185,106	185,106
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
018	OCEANOGRAPHIC SHIPS	89,000	89,000
019	Advance Procurement (CY)	155,200	155,200
020	OUTFITTING	292,871	292,871
021	SERVICE CRAFT	3,863	3,863
022	LCAC SLEP	84,076	84,076
023	COMPLETION OF PY SHIPBUILDING PROGRAMS	73,992	73,992
	UNDISTRIBUTED		
024	UNDISTRIBUTED		
	Advance Procurement and Economic Order Quantity		[150,000]
	Program Decrease		[–150,000]
	TOTAL SHIPBUILDING & CONVERSION, NAVY	**14,928,921**	**14,878,921**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	64,766	64,766
002	JDAM		
003	AIRBORNE ROCKETS, ALL TYPES	38,264	38,264
004	MACHINE GUN AMMUNITION	17,788	17,788
005	PRACTICE BOMBS	35,289	35,289
006	CARTRIDGES & CART ACTUATED DEVICES	49,416	49,416
007	AIR EXPENDABLE COUNTERMEASURES	60,677	60,677
008	JATOS	2,766	2,766
009	5 INCH/54 GUN AMMUNITION	19,006	19,006
010	INTERMEDIATE CALIBER GUN AMMUNITION	19,320	19,320
011	OTHER SHIP GUN AMMUNITION	21,938	21,938
012	SMALL ARMS & LANDING PARTY AMMO	51,819	51,819
013	PYROTECHNIC AND DEMOLITION	10,199	10,199
014	AMMUNITION LESS THAN $5 MILLION	4,107	4,107
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	58,812	58,812
016	LINEAR CHARGES, ALL TYPES	21,434	21,434
017	40 MM, ALL TYPES	84,864	84,864
018	60MM, ALL TYPES	937	937
019	81MM, ALL TYPES	26,324	26,324
020	120MM, ALL TYPES	9,387	9,387
021	CTG 25MM, ALL TYPES	3,889	3,889
022	GRENADES, ALL TYPES	13,452	13,452
023	ROCKETS, ALL TYPES	15,556	15,556
024	ARTILLERY, ALL TYPES	42,526	42,526
025	DEMOLITION MUNITIONS, ALL TYPES	22,786	22,786
026	FUZE, ALL TYPES	9,266	9,266
027	NON LETHALS	2,927	2,927
028	AMMO MODERNIZATION	8,557	8,557
029	ITEMS LESS THAN $5 MILLION	3,880	3,880
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**719,952**	**719,952**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	LM–2500 GAS TURBINE	13,794	13,794
002	ALLISON 501K GAS TURBINE	8,643	8,643
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	22,982	22,982
	PERISCOPES		
004	SUB PERISCOPES & IMAGING EQUIP	60,860	60,860
	OTHER SHIPBOARD EQUIPMENT		
005	DDG MOD	119,522	119,522
006	FIREFIGHTING EQUIPMENT	17,637	17,637
007	COMMAND AND CONTROL SWITCHBOARD	3,049	3,049
008	POLLUTION CONTROL EQUIPMENT	22,266	22,266
009	SUBMARINE SUPPORT EQUIPMENT	15,892	15,892
010	VIRGINIA CLASS SUPPORT EQUIPMENT	100,693	100,693
011	SUBMARINE BATTERIES	42,296	42,296
012	STRATEGIC PLATFORM SUPPORT EQUIP	25,228	25,228
013	DEEP SUBMERGENCE SYSTEMS	2,600	2,600
014	CG MODERNIZATION	590,349	590,349
015	LCAC		
016	UNDERWATER EOD PROGRAMS	18,499	18,499
017	ITEMS LESS THAN $5 MILLION	113,809	113,809
018	CHEMICAL WARFARE DETECTORS	5,508	5,508
019	SUBMARINE LIFE SUPPORT SYSTEM	13,397	13,397
	REACTOR PLANT EQUIPMENT		
020	REACTOR POWER UNITS	436,838	436,838
021	REACTOR COMPONENTS	271,600	271,600
	OCEAN ENGINEERING		
022	DIVING AND SALVAGE EQUIPMENT	11,244	11,244
	SMALL BOATS		
023	STANDARD BOATS	39,793	39,793
	TRAINING EQUIPMENT		
024	OTHER SHIPS TRAINING EQUIPMENT	29,913	29,913
	PRODUCTION FACILITIES EQUIPMENT		
025	OPERATING FORCES IPE	54,642	54,642
	OTHER SHIP SUPPORT		
026	NUCLEAR ALTERATIONS	144,175	144,175
027	LCS MODULES	79,583	79,583
	LOGISTIC SUPPORT		
028	LSD MIDLIFE	143,483	143,483
	SHIP RADARS		

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Line	Item	FY 2012 Request	House Authorized
029	RADAR SUPPORT	18,818	23,818
	Program Increase		[5,000]
	SHIP SONARS		
030	SPQ–9B RADAR	24,613	24,613
031	AN/SQQ–89 SURF ASW COMBAT SYSTEM	73,829	73,829
032	SSN ACOUSTICS	212,913	212,913
033	UNDERSEA WARFARE SUPPORT EQUIPMENT	29,686	29,686
034	SONAR SWITCHES AND TRANSDUCERS	13,537	13,537
035	ELECTRONIC WARFARE MILDEC	18,141	18,141
	ASW ELECTRONIC EQUIPMENT		
036	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,554	20,554
037	SSTD	2,257	2,257
038	FIXED SURVEILLANCE SYSTEM	60,141	60,141
039	SURTASS	29,247	29,247
040	MARITIME PATROL AND RECONNAISANCE FORCE	13,453	13,453
040A	UNDISTRIBUTED		9,600
	Anti-Submarine Warfare Electronic Equipment		[9,600]
	ELECTRONIC WARFARE EQUIPMENT		
041	AN/SLQ–32	43,096	43,096
	RECONNAISSANCE EQUIPMENT		
042	SHIPBOARD IW EXPLOIT	103,645	103,645
043	AUTOMATED IDENTIFICATION SYSTEM (AIS)	1,364	1,364
	SUBMARINE SURVEILLANCE EQUIPMENT		
044	SUBMARINE SUPPORT EQUIPMENT PROG	100,793	100,793
	OTHER SHIP ELECTRONIC EQUIPMENT		
045	COOPERATIVE ENGAGEMENT CAPABILITY	23,332	23,332
046	TRUSTED INFORMATION SYSTEM (TIS)	426	426
047	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	33,017	33,017
048	ATDLS	942	942
049	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	7,896	7,896
050	MINESWEEPING SYSTEM REPLACEMENT	27,868	27,868
051	SHALLOW WATER MCM	1,048	9,023
	Shallow Water Mine Counter Measures		[7,975]
052	NAVSTAR GPS RECEIVERS (SPACE)	9,926	9,926
053	AMERICAN FORCES RADIO AND TV SERVICE	4,370	4,370
054	STRATEGIC PLATFORM SUPPORT EQUIP	4,143	4,143
	TRAINING EQUIPMENT		
055	OTHER TRAINING EQUIPMENT	45,989	45,989
	AVIATION ELECTRONIC EQUIPMENT		
056	MATCALS	8,136	8,136
057	SHIPBOARD AIR TRAFFIC CONTROL	7,394	7,394
058	AUTOMATIC CARRIER LANDING SYSTEM	18,518	18,518
059	NATIONAL AIR SPACE SYSTEM	26,054	26,054
060	FLEET AIR TRAFFIC CONTROL SYSTEMS	7,213	7,213
061	LANDING SYSTEMS	7,138	7,138
062	ID SYSTEMS	33,170	33,170
063	NAVAL MISSION PLANNING SYSTEMS	8,941	8,941
	OTHER SHORE ELECTRONIC EQUIPMENT		
064	DEPLOYABLE JOINT COMMAND AND CONT	8,994	8,994
065	MARITIME INTERGRATED BROADCAST SYSTEM	13,529	13,529
066	TACTICAL/MOBILE C4I SYSTEMS	12,776	12,776
067	DCGS-N	11,201	11,201
068	CANES	195,141	195,141
069	RADIAC	6,201	6,201
070	CANES-INTELL	75,084	75,084
071	ELECTRONIC TEST EQUIPMENT	6,010	6,010
072	INTEG COMBAT SYSTEM TEST FACILITY	4,441	4,441
073	EMI CONTROL INSTRUMENTATION	4,741	4,741
074	ITEMS LESS THAN $5 MILLION	51,716	51,716
	SHIPBOARD COMMUNICATIONS		
075	SHIPBOARD TACTICAL COMMUNICATIONS	26,197	11,197
	Program Decrease		[–15,000]
076	SHIP COMMUNICATIONS AUTOMATION	177,510	177,510
077	MARITIME DOMAIN AWARENESS (MDA)	24,022	24,022
078	COMMUNICATIONS ITEMS UNDER $5M	33,644	33,644
	SUBMARINE COMMUNICATIONS		
079	SUBMARINE BROADCAST SUPPORT	10,357	10,357
080	SUBMARINE COMMUNICATION EQUIPMENT	75,447	75,447
	SATELLITE COMMUNICATIONS		
081	SATELLITE COMMUNICATIONS SYSTEMS	25,522	25,522
082	NAVY MULTIBAND TERMINAL (NMT)	109,022	109,022
	SHORE COMMUNICATIONS		
083	JCS COMMUNICATIONS EQUIPMENT	2,186	2,186
084	ELECTRICAL POWER SYSTEMS	1,329	1,329
085	NAVAL SHORE COMMUNICATIONS	2,418	2,418
	CRYPTOGRAPHIC EQUIPMENT		
086	INFO SYSTEMS SECURITY PROGRAM (ISSP)	119,857	119,857
	CRYPTOLOGIC EQUIPMENT		
087	CRYPTOLOGIC COMMUNICATIONS EQUIP	14,820	14,820
	OTHER ELECTRONIC SUPPORT		
088	COAST GUARD EQUIPMENT	6,848	6,848
	DRUG INTERDICTION SUPPORT		
089	OTHER DRUG INTERDICTION SUPPORT	2,290	2,290
	SONOBUOYS		
090	SONOBUOYS—ALL TYPES	96,314	96,314
	AIRCRAFT SUPPORT EQUIPMENT		
091	WEAPONS RANGE SUPPORT EQUIPMENT	40,697	40,697
092	EXPEDITIONARY AIRFIELDS	8,561	8,561
093	AIRCRAFT REARMING EQUIPMENT	8,941	8,941
094	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	19,777	19,777
095	METEOROLOGICAL EQUIPMENT	22,003	22,003
096	DIGITAL CAMERA RECEIVING STATION	1,595	1,595
097	AVIATION LIFE SUPPORT	66,031	66,031
098	AIRBORNE MINE COUNTERMEASURES	49,668	49,668

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Line	Item	FY 2012 Request	House Authorized
099	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
	SHIP GUN SYSTEM EQUIPMENT		
102	NAVAL FIRES CONTROL SYSTEM	2,049	2,049
103	GUN FIRE CONTROL EQUIPMENT	4,488	4,488
	SHIP MISSILE SYSTEMS EQUIPMENT		
104	NATO SEASPARROW	8,926	8,926
105	RAM GMLS	4,321	4,321
106	SHIP SELF DEFENSE SYSTEM	60,700	60,700
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
	FBM SUPPORT EQUIPMENT		
111	STRATEGIC MISSILE SYSTEMS EQUIP	187,807	187,807
	ASW SUPPORT EQUIPMENT		
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
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	98,847	98,847
117	ITEMS LESS THAN $5 MILLION	4,073	4,073
	OTHER EXPENDABLE ORDNANCE		
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
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
121	PASSENGER CARRYING VEHICLES	6,271	6,271
122	GENERAL PURPOSE TRUCKS	3,202	3,202
123	CONSTRUCTION & MAINTENANCE EQUIP	9,850	9,850
124	FIRE FIGHTING EQUIPMENT	14,315	14,315
125	TACTICAL VEHICLES	16,502	16,502
126	AMPHIBIOUS EQUIPMENT	3,235	3,235
127	POLLUTION CONTROL EQUIPMENT	7,175	7,175
128	ITEMS UNDER $5 MILLION	20,727	20,727
129	PHYSICAL SECURITY VEHICLES	1,142	1,142
	SUPPLY SUPPORT EQUIPMENT		
130	MATERIALS HANDLING EQUIPMENT	14,972	14,972
131	OTHER SUPPLY SUPPORT EQUIPMENT	4,453	4,453
132	FIRST DESTINATION TRANSPORTATION	6,416	6,416
133	SPECIAL PURPOSE SUPPLY SYSTEMS (IT)	51,894	51,894
	TRAINING DEVICES		
134	TRAINING SUPPORT EQUIPMENT	16,353	16,353
	COMMAND SUPPORT EQUIPMENT		
135	COMMAND SUPPORT EQUIPMENT	28,693	28,693
136	EDUCATION SUPPORT EQUIPMENT	2,197	2,197
137	MEDICAL SUPPORT EQUIPMENT	7,175	7,175
138	NAVAL MIP SUPPORT EQUIPMENT	1,457	1,457
140	OPERATING FORCES SUPPORT EQUIPMENT	15,330	15,330
141	C4ISR 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
	PRODUCTIVITY PROGRAMS		
147	JUDGMENT FUND REIMBURSEMENT		
	OTHER		
148	CANCELLED ACCOUNT ADJUSTMENTS		
	CLASSIFIED PROGRAMS		
148A	CLASSIFIED PROGRAMS	14,402	14,402
	SPARES AND REPAIR PARTS		
149	SPARES AND REPAIR PARTS	208,384	208,384
	TOTAL OTHER PROCUREMENT, NAVY	**6,285,451**	**6,293,026**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	9,894	9,894
002	LAV PIP	147,051	147,051
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	11,961	11,961
004	155MM LIGHTWEIGHT TOWED HOWITZER	5,552	5,552
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	14,695	14,695
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	14,868	14,868
	OTHER SUPPORT		
007	MODIFICATION KITS	53,932	53,932
008	WEAPONS ENHANCEMENT PROGRAM	13,795	13,795
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	12,287	12,287
010	JAVELIN		
011	FOLLOW ON TO SMAW	46,563	46,563
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	19,606	19,606
	OTHER SUPPORT		
013	MODIFICATION KITS	4,140	4,140
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	16,755	16,755
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	24,071	24,071
	OTHER SUPPORT (TEL)		
016	COMBAT SUPPORT SYSTEM	25,461	25,461
017	MODIFICATION KITS		
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER $5 MILLION (COMM & ELEC)	5,926	5,926
019	AIR OPERATIONS C2 SYSTEMS	44,152	44,152

SEC. 4101. PROCUREMENT
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Line	Item	FY 2012 Request	House Authorized
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	40,352	40,352
	INTELL/COMM EQUIPMENT (NON-TEL)		
021	FIRE SUPPORT SYSTEM	8,793	8,793
022	INTELLIGENCE SUPPORT EQUIPMENT	64,276	64,276
024	RQ–11 UAV	2,104	2,104
025	DCGS-MC	10,789	10,789
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
028	NIGHT VISION EQUIPMENT	6,847	6,847
	OTHER SUPPORT (NON-TEL)		
029	COMMON COMPUTER RESOURCES	218,869	218,869
030	COMMAND POST SYSTEMS	84,856	84,856
031	RADIO SYSTEMS	89,479	90,479
	CBRNE Response Force Capability Enhancement		[1,000]
032	COMM SWITCHING & CONTROL SYSTEMS	16,598	16,598
033	COMM & ELEC INFRASTRUCTURE SUPPORT	47,505	47,505
	CLASSIFIED PROGRAMS		
033A	CLASSIFIED PROGRAMS	1,606	1,606
	ADMINISTRATIVE VEHICLES		
034	COMMERCIAL PASSENGER VEHICLES	894	894
035	COMMERCIAL CARGO VEHICLES	14,231	14,231
	TACTICAL VEHICLES		
036	5/4T TRUCK HMMWV (MYP)		
037	MOTOR TRANSPORT MODIFICATIONS	8,389	8,389
038	MEDIUM TACTICAL VEHICLE REPLACEMENT	5,833	5,833
039	LOGISTICS VEHICLE SYSTEM REP	972	972
040	FAMILY OF TACTICAL TRAILERS	21,848	21,848
041	TRAILERS		
	OTHER SUPPORT		
042	ITEMS LESS THAN $5 MILLION	4,503	4,503
	ENGINEER AND OTHER EQUIPMENT		
043	ENVIRONMENTAL CONTROL EQUIP ASSORT	2,599	2,599
044	BULK LIQUID EQUIPMENT	16,255	16,255
045	TACTICAL FUEL SYSTEMS	26,853	26,853
046	POWER EQUIPMENT ASSORTED	27,247	27,247
047	AMPHIBIOUS SUPPORT EQUIPMENT	5,533	5,533
048	EOD SYSTEMS	61,753	61,753
	MATERIALS HANDLING EQUIPMENT		
049	PHYSICAL SECURITY EQUIPMENT	16,627	16,627
050	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	10,827	10,827
051	MATERIAL HANDLING EQUIP	37,055	37,055
052	FIRST DESTINATION TRANSPORTATION	1,462	1,462
	GENERAL PROPERTY		
053	FIELD MEDICAL EQUIPMENT	24,079	24,079
054	TRAINING DEVICES	10,277	10,277
055	CONTAINER FAMILY	3,123	3,123
056	FAMILY OF CONSTRUCTION EQUIPMENT	18,137	18,137
057	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)		
058	BRIDGE BOATS		
059	RAPID DEPLOYABLE KITCHEN	5,026	5,026
	OTHER SUPPORT		
060	ITEMS LESS THAN $5 MILLION	5,206	5,206
	SPARES AND REPAIR PARTS		
061	SPARES AND REPAIR PARTS	90	90
	TOTAL PROCUREMENT, MARINE CORPS	**1,391,602**	**1,392,602**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	3,340,615	3,340,615
002	Advance Procurement (CY)	323,477	323,477
003	F–22A	104,118	104,118
	TACTICAL AIRLIFT		
004	C–17A (MYP)		
	OTHER AIRLIFT		
005	C–130J	72,879	72,879
006	Advance Procurement (CY)		
007	HC–130J	332,899	332,899
008	Advance Procurement (CY)		
009	MC–130J	582,466	582,466
010	Advance Procurement (CY)		
011	HC/MC–130 RECAP		
012	Advance Procurement (CY)		
013	C–27J	479,896	479,896
	UPT TRAINERS		
014	LIGHT MOBILITY AIRCRAFT		
015	USAFA POWERED FLIGHT PROGRAM	1,060	1,060
	OPERATIONAL TRAINERS		
016	T–6		
	HELICOPTERS		
017	COMMON VERTICAL LIFT SUPPORT	52,800	52,800
018	Advance Procurement (CY)		
019	V22 OSPREY	339,865	339,865
020	Advance Procurement (CY)	20,000	20,000
	MISSION SUPPORT AIRCRAFT		
021	C–12 A		
022	C–40		
023	CIVIL AIR PATROL A/C	2,190	2,190
024	HH–60M	104,711	34,811
	Early to Need per H.R. 1473		[–69,900]
025	LIGHT ATTACK ARMED RECON ACFT	158,549	158,549
026	RQ–11		
027	STUASL0		
	OTHER AIRCRAFT		
028	ITERIM GATEWAY		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
029	TARGET DRONES	64,268	64,268
030	C–37A	77,842	77,842
031	RQ–4	323,964	323,964
032	Advance Procurement (CY)	71,500	71,500
033	MC 130	108,470	108,470
034	MQ–9	813,092	813,092
	STRATEGIC AIRCRAFT		
035	B–2A	41,315	41,315
036	B–1B	198,007	198,007
037	B–52	93,897	93,897
	TACTICAL AIRCRAFT		
038	A–10	153,128	158,128
	Modification of In Service A–10 Aircraft		[5,000]
039	F–15	222,386	222,386
040	F–16	73,346	56,746
	Early to Need- Mode 5 IFF Block 50/52		[–16,600]
041	F–22A	232,032	232,032
042	F–35 MODIFICATIONS		
	AIRLIFT AIRCRAFT		
043	C–5	11,741	5,741
	Program Decrease		[–6,000]
044	Advance Procurement (CY)		
045	C–5M	851,859	851,859
046	Advance Procurement (CY)	112,200	112,200
047	C–9C	9	9
048	C–17A	202,179	196,179
	Program Decrease		[–6,000]
049	C–21	328	328
050	C–32A	12,157	12,157
051	C–37A	21,986	21,986
052	C–130 AMP	235,635	235,635
	TRAINER AIRCRAFT		
053	GLIDER MODS	123	123
054	T–6	15,086	15,086
055	T–1	238	238
056	T–38	31,032	31,032
	OTHER AIRCRAFT		
057	KC–10A (ATCA)	27,220	27,220
058	C–12	1,777	1,777
059	MC–12W	16,767	16,767
060	C–20 MODS	241	241
061	VC–25A MOD	387	387
062	C–40	206	206
063	C–130	45,876	43,276
	Budget Adjustment per Air Force Request from RDAF–81		[10,400]
	Program Decrease		[–13,000]
064	C–130 INTEL	3,593	3,593
065	C–130J MODS	38,174	38,174
066	C–135	62,210	62,210
067	COMPASS CALL MODS	256,624	256,624
068	RC–135	162,211	162,211
069	E–3	135,031	135,031
070	E–4	57,829	57,829
071	E–8	29,058	29,058
072	H–1	5,280	5,280
073	H–60	34,371	88,971
	Budget Adjustment per Air Force Request from RDAF–81		[54,600]
074	RQ–4 MODS	89,177	89,177
075	AC–130 RECAP	431	431
076	OTHER MODIFICATIONS	115,338	115,338
076A	EHF SATCOM		
076B	JTRS		
077	MQ–1 MODS	158,446	158,446
078	MQ–9 MODS	181,302	181,302
079	MQ–9 UAS PAYLOADS	74,866	74,866
080	CV–22 MODS	14,715	14,715
	AIRCRAFT SPARES + REPAIR PARTS		
081	FIGHTER/UAV INITIAL SPARES/REPAIR PARTS	1,030,364	1,030,364
081A	AIRLIFT/BOMBER INITIAL SPARES/REPAIR PARTS		
	COMMON SUPPORT EQUIPMENT		
082	AIRCRAFT REPLACEMENT SUPPORT EQUIP	92,394	92,394
	POST PRODUCTION SUPPORT		
083	B–1	4,743	4,743
084	B–2A	101	101
085	B–2A	49,319	49,319
086	B–52		
087	C–5	521	521
088	C–5		
089	KC–10A (ATCA)	5,691	5,691
090	C–17A	183,696	183,696
091	C–130	25,646	25,646
092	EC–130J		
093	C–135	2,434	2,434
094	F–15	2,076	2,076
095	F–16	4,537	4,537
096	T–6		
097	OTHER AIRCRAFT	40,025	40,025
	INDUSTRIAL PREPAREDNESS		
098	INDUSTRIAL RESPONSIVENESS	21,050	21,050
	WAR CONSUMABLES		
099	WAR CONSUMABLES	87,220	87,220
	OTHER PRODUCTION CHARGES		
100	OTHER PRODUCTION CHARGES	1,072,858	1,072,858
	DARP		

SEC. 4101. PROCUREMENT
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Line	Item	FY 2012 Request	House Authorized
104	U–2	48,875	48,875
	CLASSIFIED PROGRAMS		
104A	CLASSIFIED PROGRAMS	16,502	16,502
	UNDISTRIBUTED		
105	UNDISTRIBUTED		85,000
	Mobility Aircraft		[60,000]
	Mobility Aircraft Simulators		[25,000]
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**14,082,527**	**14,126,027**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	23,919	23,919
	CARTRIDGES		
002	CARTRIDGES	89,771	89,771
	BOMBS		
003	PRACTICE BOMBS	38,756	38,756
004	GENERAL PURPOSE BOMBS	168,557	168,557
005	JOINT DIRECT ATTACK MUNITION	76,649	76,649
	FLARE, IR MJU–7B		
006	CAD/PAD	42,410	42,410
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	3,119	3,119
008	SPARES AND REPAIR PARTS	998	998
009	MODIFICATIONS	1,132	1,132
010	ITEMS LESS THAN $5,000,000	5,075	5,075
	FUZES		
011	FLARES	46,749	46,749
012	FUZES	34,735	34,735
	SMALL ARMS		
013	SMALL ARMS	7,195	7,195
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**539,065**	**539,065**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	67,745	67,745
	TACTICAL		
002	JASSM	236,193	236,193
003	SIDEWINDER (AIM–9X)	88,769	88,769
004	AMRAAM	309,561	309,561
005	PREDATOR HELLFIRE MISSILE	46,830	46,830
006	SMALL DIAMETER BOMB	7,523	7,523
	INDUSTRIAL FACILITIES		
007	INDUSTR'L PREPAREDNS/POL PREVENTION	726	726
	CLASS IV		
008	ADVANCED CRUISE MISSILE	39	39
009	MM III MODIFICATIONS	125,953	125,953
010	AGM–65D MAVERICK	266	266
011	AGM–88A HARM	25,642	25,642
012	AIR LAUNCH CRUISE MISSILE (ALCM)	14,987	14,987
	MISSILE SPARES + REPAIR PARTS		
013	INITIAL SPARES/REPAIR PARTS	43,241	43,241
	SPACE PROGRAMS		
014	ADVANCED EHF	552,833	552,833
015	Advance Procurement (CY)		
016	WIDEBAND GAPFILLER SATELLITES(SPACE)	468,745	884,745
	Transfer from PDW–20		[416,000]
017	Advance Procurement (CY)		
018	GPS III SPACE SEGMENT	433,526	433,526
019	Advance Procurement (CY)	81,811	81,811
020	SPACEBORNE EQUIP (COMSEC)	21,568	21,568
021	GLOBAL POSITIONING (SPACE)	67,689	67,689
022	DEF METEOROLOGICAL SAT PROG(SPACE)	101,397	101,397
023	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,740,222	1,740,222
024	SBIR HIGH (SPACE)	81,389	81,389
025	Advance Procurement (CY)	243,500	243,500
026	NATL POLAR-ORBITING OP ENV SATELLITE		
	SPECIAL PROGRAMS		
029	DEFENSE SPACE RECONN PROGRAM		
031	SPECIAL UPDATE PROGRAMS	154,727	154,727
	CLASSIFIED PROGRAMS		
031A	CLASSIFIED PROGRAMS	1,159,135	1,159,135
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**6,074,017**	**6,490,017**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	5,621	5,621
	CARGO + UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	18,411	18,411
003	CAP VEHICLES	917	917
004	ITEMS LESS THAN $5,000,000 (CARGO	18,694	18,694
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	5,982	0
	Funding No Longer Required		[–5,982]
006	ITEMS LESS THAN $5,000,000 (SPECIA	20,677	20,677
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	22,881	22,881
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAT $5,000,000	14,978	14,978
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV AND CLEANING EQU	16,556	16,556
010	ITEMS LESS THAN $5M BASE MAINT/CONST	30,225	30,225
	COMM SECURITY EQUIPMENT(COMSEC)		
011	COMSEC EQUIPMENT	135,169	135,169
012	MODIFICATIONS (COMSEC)	1,263	1,263
013	AIR FORCE PHYSICAL SECURITY		

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Line	Item	FY 2012 Request	House Authorized
	INTELLIGENCE PROGRAMS		
014	INTELLIGENCE TRAINING EQUIPMENT	2,645	2,645
015	INTELLIGENCE COMM EQUIPMENT	21,762	21,762
016	ADVANCE TECH SENSORS	899	899
017	MISSION PLANNING SYSTEMS	18,529	18,529
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	32,473	32,473
019	NATIONAL AIRSPACE SYSTEM	51,426	51,426
020	BATTLE CONTROL SYSTEM—FIXED	32,468	32,468
021	THEATER AIR CONTROL SYS IMPROVEMEN	22,813	22,813
022	WEATHER OBSERVATION FORECAST	14,619	14,619
023	STRATEGIC COMMAND AND CONTROL	39,144	39,144
024	CHEYENNE MOUNTAIN COMPLEX	25,992	25,992
025	TAC SIGNIT SPT	217	217
026	DRUG INTERDICTION SUPPORT		
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	52,263	52,263
028	AF GLOBAL COMMAND & CONTROL SYS	16,951	16,951
029	MOBILITY COMMAND AND CONTROL	26,433	26,433
030	AIR FORCE PHYSICAL SECURITY SYSTEM	90,015	90,015
031	COMBAT TRAINING RANGES	23,955	23,955
032	C3 COUNTERMEASURES	7,518	7,518
033	GCSS-AF FOS	72,641	72,641
034	THEATER BATTLE MGT C2 SYSTEM	22,301	22,301
035	AIR & SPACE OPERATIONS CTR-WPN SYS	15,525	15,525
	AIR FORCE COMMUNICATIONS		
036	INFORMATION TRANSPORT SYSTEMS	49,377	49,377
037	BASE INFO INFRASTRUCTURE	41,239	41,239
038	AFNET	228,978	228,978
039	VOICE SYSTEMS	43,603	43,603
040	USCENTCOM- JCSE	30,983	30,983
	DISA PROGRAMS		
041	SPACE BASED IR SENSOR PGM SPACE	49,570	49,570
042	NAVSTAR GPS SPACE	2,008	2,008
043	NUDET DETECTION SYS SPACE	4,863	4,863
044	AF SATELLITE CONTROL NETWORK SPACE	61,386	61,386
045	SPACELIFT RANGE SYSTEM SPACE	125,947	125,947
046	MILSATCOM SPACE	104,720	104,720
047	SPACE MODS SPACE	28,075	28,075
048	COUNTERSPACE SYSTEM	20,718	20,718
	ORGANIZATION AND BASE		
049	TACTICAL C-E EQUIPMENT	227,866	227,866
050	COMBAT SURVIVOR EVADER LOCATER	22,184	22,184
051	RADIO EQUIPMENT	11,408	11,408
052	CCTV/AUDIOVISUAL EQUIPMENT	11,559	11,559
053	BASE COMM INFRASTRUCTURE	105,977	105,977
	MODIFICATIONS		
054	COMM ELECT MODS	76,810	76,810
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	20,008	20,008
056	ITEMS LESS THAN $5,000,000 (SAFETY)	25,499	25,499
	DEPOT PLANT+MTRLS HANDLING EQ		
057	MECHANIZED MATERIAL HANDLING EQUIP	37,829	37,829
	BASE SUPPORT EQUIPMENT		
058	BASE PROCURED EQUIPMENT	16,483	16,483
059	CONTINGENCY OPERATIONS	16,754	16,754
060	PRODUCTIVITY CAPITAL INVESTMENT	3,653	3,653
061	MOBILITY EQUIPMENT	30,345	30,345
062	ITEMS LESS THAN $5,000,000 (BASE S)	2,819	2,819
	SPECIAL SUPPORT PROJECTS		
064	DARP RC135	23,341	23,341
065	DCGS-AF	212,146	212,146
067	SPECIAL UPDATE PROGRAM	410,069	410,069
068	DEFENSE SPACE RECONNAISSANCE PROG.	41,066	41,066
	CLASSIFIED PROGRAMS		
068A	CLASSIFIED PROGRAMS	14,618,160	14,618,160
	SPARES AND REPAIR PARTS		
069	SPARES AND REPAIR PARTS	14,630	14,630
	TOTAL OTHER PROCUREMENT, AIR FORCE	**17,602,036**	**17,596,054**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, BTA		
001	MAJOR EQUIPMENT, BTA		
	MAJOR EQUIPMENT, DCAA		
002	ITEMS LESS THAN $5 MILLION	1,473	1,473
	MAJOR EQUIPMENT, DCMA		
003	MAJOR EQUIPMENT	2,076	2,076
	MAJOR EQUIPMENT, DHRA		
004	PERSONNEL ADMINISTRATION	11,019	11,019
	MAJOR EQUIPMENT, DISA		
013	INTERDICTION SUPPORT		
014	INFORMATION SYSTEMS SECURITY	19,952	19,952
015	GLOBAL COMMAND AND CONTROL SYSTEM	5,324	5,324
016	GLOBAL COMBAT SUPPORT SYSTEM	2,955	2,955
017	TELEPORT PROGRAM	54,743	54,743
018	ITEMS LESS THAN $5 MILLION	174,805	174,805
019	NET CENTRIC ENTERPRISE SERVICES (NCES)	3,429	3,429
020	DEFENSE INFORMATION SYSTEM NETWORK	500,932	84,932
	Transfer to MPAF–16		[–416,000]
021	PUBLIC KEY INFRASTRUCTURE	1,788	1,788
022	CYBER SECURITY INITIATIVE	24,085	24,085
	MAJOR EQUIPMENT, DLA		
023	MAJOR EQUIPMENT	11,537	11,537
	MAJOR EQUIPMENT, DMACT		

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Line	Item	FY 2012 Request	House Authorized
024	MAJOR EQUIPMENT	14,542	14,542
	MAJOR EQUIPMENT, DODEA		
025	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,444	1,444
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
026	EQUIPMENT	971	971
	MAJOR EQUIPMENT, DSS		
027	OTHER CAPITAL EQUIPMENT	974	974
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
028	VEHICLES	200	200
029	OTHER MAJOR EQUIPMENT	12,806	12,806
	MAJOR EQUIPMENT, DTSA		
030	MAJOR EQUIPMENT	447	447
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
031	THAAD PROCUREMENT		
032	AEGIS BMD PROCUREMENT		
033	THAAD	833,150	883,150
	Program Increase		[50,000]
034	AEGIS BMD	565,393	615,393
	Program Increase		[50,000]
035	BMDS AN/TPY–2 RADARS	380,195	380,195
	MAJOR EQUIPMENT, NSA		
043	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,787	5,787
	MAJOR EQUIPMENT, OSD		
045	MAJOR EQUIPMENT, OSD	47,123	47,123
045A	JCTD		
046	MAJOR EQUIPMENT, INTELLIGENCE	20,176	20,176
	MAJOR EQUIPMENT, TJS		
047	MAJOR EQUIPMENT, TJS	29,729	29,729
	MAJOR EQUIPMENT, WHS		
048	MAJOR EQUIPMENT, WHS	31,974	31,974
	CLASSIFIED PROGRAMS		
048A	CLASSIFIED PROGRAMS	554,408	554,408
	AVIATION PROGRAMS		
049	ROTARY WING UPGRADES AND SUSTAINMENT	41,411	41,411
050	MH–47 SERVICE LIFE EXTENSION PROGRAM		
051	MH–60 MODERNIZATION PROGRAM	171,456	171,456
052	NON-STANDARD AVIATION	272,623	222,623
	Unjustified Growth		[–50,000]
053	TANKER RECAPITALIZATION		
054	U–28	5,100	5,100
055	MH–47 CHINOOK	142,783	142,783
056	RQ–11 UNMANNED AERIAL VEHICLE	486	486
057	CV–22 MODIFICATION	118,002	118,002
058	MQ–1 UNMANNED AERIAL VEHICLE	3,025	3,025
059	MQ–9 UNMANNED AERIAL VEHICLE	3,024	3,024
060	RQ–7 UNMANNED AERIAL VEHICLE	450	450
061	STUASL0	12,276	12,276
062	AC/MC–130J	74,891	74,891
063	C–130 MODIFICATIONS	19,665	19,665
064	AIRCRAFT SUPPORT	6,207	6,207
	SHIPBUILDING		
065	UNDERWATER SYSTEMS	6,999	6,999
066	SEAL DELIVERY VEHICLE		
	AMMUNITION PROGRAMS		
067	ORDNANCE REPLENISHMENT	116,009	116,009
068	ORDNANCE ACQUISITION	28,281	28,281
	OTHER PROCUREMENT PROGRAMS		
069	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	87,489	150,289
	Program Growth		[62,800]
070	INTELLIGENCE SYSTEMS	74,702	74,702
071	SMALL ARMS AND WEAPONS	9,196	9,196
072	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	15,621	15,621
074	MARITIME EQUIPMENT MODIFICATIONS		
076	COMBATANT CRAFT SYSTEMS	6,899	66,899
	Program Growth		[60,000]
077	SPARES AND REPAIR PARTS	594	594
078	TACTICAL VEHICLES	33,915	33,915
079	MISSION TRAINING AND PREPARATION SYSTEMS		
080	MISSION TRAINING AND PREPARATION SYSTEMS	46,242	46,242
081	COMBAT MISSION REQUIREMENTS	50,000	50,000
082	MILCON COLLATERAL EQUIPMENT	18,723	18,723
084	CLASSIFIED PROGRAMS		
085	AUTOMATION SYSTEMS	51,232	51,232
086	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,782	7,782
087	OPERATIONAL ENHANCEMENTS INTELLIGENCE	22,960	22,960
088	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	362	362
089	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	15,758	15,758
090	TACTICAL RADIO SYSTEMS	76,459	101,459
	Program Increase		[25,000]
091	MARITIME EQUIPMENT		
092	DRUG INTERDICTION		
093	MISCELLANEOUS EQUIPMENT	1,895	1,895
094	OPERATIONAL ENHANCEMENTS	246,893	246,893
095	MILITARY INFORMATION SUPPORT OPERATIONS	4,142	4,142
	CLASSIFIED PROGRAMS		
095A	CLASSIFIED PROGRAMS	4,012	4,012
	CBDP		
096	INSTALLATION FORCE PROTECTION	15,900	15,900
097	INDIVIDUAL PROTECTION	71,376	71,376
098	DECONTAMINATION	6,466	6,466
099	JOINT BIO DEFENSE PROGRAM (MEDICAL)	11,143	11,143
100	COLLECTIVE PROTECTION	9,414	9,414
101	CONTAMINATION AVOIDANCE	139,948	139,948
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,365,248**	**5,147,048**

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	0
	Unjustified Requirement		[–100,000]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**100,000**	**0**
	NATIONAL GUARD & RESERVE EQUIPMENT		
007	UNDISTRIBUTED		100,000
	Program Increase		[100,000]
	TOTAL NATIONAL GUARD & RESERVE EQUIPMENT		**100,000**
	TOTAL PROCUREMENT	**111,453,792**	**111,385,533**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	C–12 CARGO AIRPLANE	10,500	10,500
	ROTARY		
008	AH–64 BLOCK II/WRA	35,500	0
	Post 2012 Contract Award		[–35,500]
012	UH–60 BLACKHAWK M MODEL (MYP)	72,000	72,000
017	KIOWA WARRIOR UPGRADE (OH–58 D)/WRA	145,500	145,500
	MODIFICATION OF AIRCRAFT		
019	MQ–1 PAYLOAD—UAS	10,800	10,800
022	MULTI SENSOR ABN RECON (MIP)	54,500	54,500
033	RQ–7 UAV MODS	94,600	94,600
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**423,400**	**387,900**
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	107,556	107,556
	ANTI-TANK/ASSAULT MISSILE SYS		
009	GUIDED MLRS ROCKET (GMLRS)	19,000	19,000
	TOTAL MISSILE PROCUREMENT, ARMY	**126,556**	**126,556**
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
020	LIGHTWEIGHT .50 CALIBER MACHINE GUN	5,427	5,427
029	COMMON REMOTELY OPERATED WEAPONS STATION (CRO	14,890	14,890
033	M4 CARBINE MODS	16,800	16,800
	TOTAL PROCUREMENT OF W&TCV, ARMY	**37,117**	**37,117**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
004	CTG, HANDGUN, ALL TYPES	1,200	1,200
009	CTG, 30MM, ALL TYPES	4,800	4,800
010	CTG, 40MM, ALL TYPES	38,000	38,000
	MORTAR AMMUNITION		
013	81MM MORTAR, ALL TYPES	8,000	8,000
014	120MM MORTAR, ALL TYPES	49,140	49,140
	ARTILLERY AMMUNITION		
019	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
	ARTILLERY FUZES		
022	ARTILLERY FUZES, ALL TYPES	5,000	5,000
	ROCKETS		
027	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	5,000	5,000
028	ROCKET, HYDRA 70, ALL TYPES	53,841	53,841
	OTHER AMMUNITION		
029	DEMOLITION MUNITIONS, ALL TYPES	16,000	16,000
031	SIGNALS, ALL TYPES	7,000	7,000
032	SIMULATORS, ALL TYPES	8,000	8,000
	MISCELLANEOUS		
036	CAD/PAD ALL TYPES	2,000	2,000
037	ITEMS LESS THAN $5 MILLION	400	400
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**208,381**	**208,381**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	11,094	11,094
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	47,214	47,214
	NON-TACTICAL VEHICLES		
023	NONTACTICAL VEHICLES, OTHER	3,600	3,600
	COMM—JOINT COMMUNICATIONS		
025	WIN-T—GROUND FORCES TACTICAL NETWORK	547	547
	COMM—COMBAT COMMUNICATIONS		
039	JOINT TACTICAL RADIO SYSTEM	450	450
042	AMC CRITICAL ITEMS—OPA2	8,141	8,141
049	GUNSHOT DETECTION SYSTEM (GDS)	44,100	44,100
051	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	6,443	6,443
	INFORMATION SECURITY		
056	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	54,730	54,730
	COMM—LONG HAUL COMMUNICATIONS		
058	BASE SUPPORT COMMUNICATIONS	5,000	5,000
	COMM—BASE COMMUNICATIONS		
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(	169,500	169,500

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
070	DCGS-A (MIP)	83,000	83,000
072	TROJAN (MIP)	61,100	61,100
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
076	LIGHTWEIGHT COUNTER MORTAR RADAR	54,100	54,100
079	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITES	53,000	53,000
080	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	48,600	48,600
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
084	SENSE THROUGH THE WALL (STTW)	10,000	10,000
095	PROFILER	2,000	2,000
096	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	30,400	30,400
098	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	148,335	148,335
102	COUNTERFIRE RADARS	110,548	110,548
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
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
	ELECT EQUIP—AUTOMATION		
121	AUTOMATED DATA PROCESSING EQUIP	10,000	10,000
	UNDISTRIBUTED		
127A	CLASSIFIED PROGRAMS	795	795
	CHEMICAL DEFENSIVE EQUIPMENT		
128	PROTECTIVE SYSTEMS	11,472	11,472
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	30,000	30,000
131	CBRN SOLDIER PROTECTION	1,200	1,200
	BRIDGING EQUIPMENT		
133	TACTICAL BRIDGING	15,000	15,000
134	TACTICAL BRIDGE, FLOAT-RIBBON	26,900	26,900
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
138	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	3,205	3,205
	COMBAT SERVICE SUPPORT EQUIPMENT		
149	FORCE PROVIDER	68,000	68,000
	MEDICAL EQUIPMENT		
158	COMBAT SUPPORT MEDICAL	15,011	15,011
	MAINTENANCE EQUIPMENT		
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25,129	25,129
	MATERIAL HANDLING EQUIPMENT		
180	ALL TERRAIN LIFTING ARMY SYSTEM	1,800	1,800
	OTHER SUPPORT EQUIPMENT		
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	43,000	43,000
190	PHYSICAL SECURITY SYSTEMS (OPA3)	4,900	4,900
	TOTAL OTHER PROCUREMENT, ARMY	**1,398,195**	**1,398,195**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	1,368,800	1,368,800
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	961,200	961,200
	FORCE TRAINING		
003	TRAIN THE FORCE	247,500	247,500
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**2,577,500**	**2,577,500**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
011	UH–1Y/AH–1Z	30,000	30,000
019	E–2D ADV HAWKEYE	163,500	163,500
	OTHER AIRCRAFT		
028	OTHER SUPPORT AIRCRAFT	21,882	21,882
	MODIFICATION OF AIRCRAFT		
030	AEA SYSTEMS	53,100	53,100
031	AV–8 SERIES	53,485	53,485
032	F–18 SERIES	46,992	46,992
034	AH–1W SERIES	39,418	39,418
035	H–53 SERIES	70,747	70,747
037	H–1 SERIES	6,420	6,420
038	EP–3 SERIES	20,800	20,800
043	C–130 SERIES	59,625	59,625
045	CARGO/TRANSPORT A/C SERIES	25,880	25,880
048	SPECIAL PROJECT AIRCRAFT	11,184	11,184
053	COMMON ECM EQUIPMENT	27,200	27,200
054	COMMON AVIONICS CHANGES	13,467	13,467
055	COMMON DEFENSIVE WEAPON SYSTEM	3,300	3,300
060	V–22 (TILT/ROTOR ACFT) OSPREY	30,000	30,000
	AIRCRAFT SPARES AND REPAIR PARTS		
061	SPARES AND REPAIR PARTS	39,060	39,060
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
062	COMMON GROUND EQUIPMENT	10,800	10,800
065	OTHER PRODUCTION CHARGES	4,100	4,100
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**730,960**	**730,960**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
009	HELLFIRE	14,000	14,000
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	20,000	20,000
	GUNS AND GUN MOUNTS		
027	SMALL ARMS AND WEAPONS	7,070	7,070
	TOTAL WEAPONS PROCUREMENT, NAVY	**41,070**	**41,070**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
003	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
004	MACHINE GUN AMMUNITION	22,400	22,400
007	AIR EXPENDABLE COUNTERMEASURES	20,000	20,000
011	OTHER SHIP GUN AMMUNITION	182	182
012	SMALL ARMS & LANDING PARTY AMMO	4,545	4,545
013	PYROTECHNIC AND DEMOLITION	1,656	1,656
014	AMMUNITION LESS THAN $5 MILLION	6,000	6,000
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	19,575	19,575
016	LINEAR CHARGES, ALL TYPES	6,691	6,691
017	40 MM, ALL TYPES	12,184	12,184
018	60MM, ALL TYPES	10,988	10,988
019	81MM, ALL TYPES	24,515	24,515
020	120MM, ALL TYPES	11,227	11,227
021	CTG 25MM, ALL TYPES	802	802
022	GRENADES, ALL TYPES	5,911	5,911
023	ROCKETS, ALL TYPES	18,871	18,871
024	ARTILLERY, ALL TYPES	57,003	57,003
025	DEMOLITION MUNITIONS, ALL TYPES	7,831	7,831
026	FUZE, ALL TYPES	5,177	5,177
027	NON LETHALS	712	712
029	ITEMS LESS THAN $5 MILLION	630	630
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**317,100**	**317,100**
	OTHER PROCUREMENT, NAVY		
	SMALL BOATS		
023	STANDARD BOATS	13,729	13,729
	AVIATION ELECTRONIC EQUIPMENT		
056	MATCALS	7,232	7,232
	OTHER SHORE ELECTRONIC EQUIPMENT		
066	TACTICAL/MOBILE C4I SYSTEMS	4,000	4,000
	AIRCRAFT SUPPORT EQUIPMENT		
092	EXPEDITIONARY AIRFIELDS	47,000	47,000
095	METEOROLOGICAL EQUIPMENT	10,800	10,800
097	AVIATION LIFE SUPPORT	14,000	14,000
101	OTHER AVIATION SUPPORT EQUIPMENT	18,226	18,226
	ASW SUPPORT EQUIPMENT		
112	SSN COMBAT CONTROL SYSTEMS	7,500	7,500
	OTHER ORDNANCE SUPPORT EQUIPMENT		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	15,700	15,700
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
121	PASSENGER CARRYING VEHICLES	2,628	2,628
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
	SUPPLY SUPPORT EQUIPMENT		
130	MATERIALS HANDLING EQUIPMENT	3,644	3,644
	TRAINING DEVICES		
134	TRAINING SUPPORT EQUIPMENT	5,789	5,789
	COMMAND SUPPORT EQUIPMENT		
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	78,241
	SPARES AND REPAIR PARTS		
149	SPARES AND REPAIR PARTS	473	473
	TOTAL OTHER PROCUREMENT, NAVY	**281,975**	**281,975**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
002	LAV PIP	23,962	23,962
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	16,000	16,000
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	10,488	10,488
	GUIDED MISSILES		
010	JAVELIN	2,527	2,527
	OTHER SUPPORT		
013	MODIFICATION KITS	59,730	59,730
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	19,040	19,040
	OTHER SUPPORT (TEL)		
017	MODIFICATION KITS	2,331	2,331
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER $5 MILLION (COMM & ELEC)	3,090	3,090
019	AIR OPERATIONS C2 SYSTEMS	5,236	5,236
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	26,506	26,506
	INTELL/COMM EQUIPMENT (NON-TEL)		
021	FIRE SUPPORT SYSTEM	35	35
022	INTELLIGENCE SUPPORT EQUIPMENT	47,132	47,132
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
028	NIGHT VISION EQUIPMENT	9,850	9,850
	OTHER SUPPORT (NON-TEL)		
029	COMMON COMPUTER RESOURCES	18,629	18,629
030	COMMAND POST SYSTEMS	31,491	31,491
031	RADIO SYSTEMS	87,027	87,027
032	COMM SWITCHING & CONTROL SYSTEMS	54,177	54,177
033	COMM & ELEC INFRASTRUCTURE SUPPORT	2,200	2,200
	TACTICAL VEHICLES		
037	MOTOR TRANSPORT MODIFICATIONS	95,800	95,800
038	MEDIUM TACTICAL VEHICLE REPLACEMENT	392,391	342,391
	Early to Need		[–50,000]
039	LOGISTICS VEHICLE SYSTEM REP	38,382	38,382
040	FAMILY OF TACTICAL TRAILERS	24,826	24,826

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	ENGINEER AND OTHER EQUIPMENT		
043	ENVIRONMENTAL CONTROL EQUIP ASSORT	18,775	18,775
044	BULK LIQUID EQUIPMENT	7,361	7,361
046	POWER EQUIPMENT ASSORTED	51,895	51,895
048	EOD SYSTEMS	57,237	57,237
	MATERIALS HANDLING EQUIPMENT		
049	PHYSICAL SECURITY EQUIPMENT	42,900	42,900
051	MATERIAL HANDLING EQUIP	42,553	42,553
	GENERAL PROPERTY		
053	FIELD MEDICAL EQUIPMENT	8,307	8,307
054	TRAINING DEVICES	5,200	5,200
055	CONTAINER FAMILY	12	12
056	FAMILY OF CONSTRUCTION EQUIPMENT	28,533	28,533
	TOTAL PROCUREMENT, MARINE CORPS	**1,260,996**	**1,210,996**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	HELICOPTERS		
019	V22 OSPREY	70,000	0
	Funded in H.R. 1473		[–70,000]
	MISSION SUPPORT AIRCRAFT		
024	HH–60M	39,300	39,300
027	STUASL0	2,472	2,472
	AIRLIFT AIRCRAFT		
043	C–5	59,299	59,299
	OTHER AIRCRAFT		
059	MC–12W	17,300	17,300
063	C–130	164,041	164,041
064	C–130 INTEL	4,600	4,600
065	C–130J MODS	27,983	27,983
067	COMPASS CALL MODS	12,000	12,000
075	AC–130 RECAP	34,000	34,000
076	OTHER MODIFICATIONS	15,000	15,000
077	MQ–1 MODS	2,800	2,800
	AIRCRAFT SPARES + REPAIR PARTS		
081	FIGHTER/UAV INITIAL SPARES/REPAIR PARTS	2,800	2,800
	POST PRODUCTION SUPPORT		
090	C–17A	10,970	10,970
	OTHER PRODUCTION CHARGES		
100	OTHER PRODUCTION CHARGES	23,000	23,000
	DARP		
104	U–2	42,300	42,300
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**527,865**	**457,865**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	329	329
	CARTRIDGES		
002	CARTRIDGES	8,014	8,014
	BOMBS		
004	GENERAL PURPOSE BOMBS	17,385	17,385
005	JOINT DIRECT ATTACK MUNITION	34,100	34,100
	FLARE, IR MJU–7B		
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	1,200	1,200
	FUZES		
011	FLARES	11,217	11,217
012	FUZES	8,765	8,765
	SMALL ARMS		
013	SMALL ARMS	11,500	11,500
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**92,510**	**92,510**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
005	PREDATOR HELLFIRE MISSILE	16,120	16,120
006	SMALL DIAMETER BOMB	12,300	12,300
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**28,420**	**28,420**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	2,658	2,658
	CARGO + UTILITY VEHICLES		
004	ITEMS LESS THAN $5,000,000 (CARGO	32,824	32,824
	SPECIAL PURPOSE VEHICLES		
006	ITEMS LESS THAN $5,000,000 (SPECIA	110	110
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	1,662	1,662
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAT $5,000,000	772	772
	BASE MAINTENANCE SUPPORT		
010	ITEMS LESS THAN $5M BASE MAINT/CONST	13,983	13,983
	COMM SECURITY EQUIPMENT(COMSEC)		
013	AIR FORCE PHYSICAL SECURITY	500	500
	ELECTRONICS PROGRAMS		
022	WEATHER OBSERVATION FORECAST	1,800	1,800
025	TAC SIGNIT SPT	7,020	7,020
	SPCL COMM-ELECTRONICS PROJECTS		
030	AIR FORCE PHYSICAL SECURITY SYSTEM	25,920	25,920
	ORGANIZATION AND BASE		
049	TACTICAL C-E EQUIPMENT	9,445	9,445
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	12,900	12,900
	BASE SUPPORT EQUIPMENT		
059	CONTINGENCY OPERATIONS	18,100	18,100
061	MOBILITY EQUIPMENT	9,800	9,800
062	ITEMS LESS THAN $5,000,000 (BASE S)	8,400	8,400

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	SPECIAL SUPPORT PROJECTS		
065	DCGS-AF	3,000	3,000
068	DEFENSE SPACE RECONNAISSANCE PROG.	64,400	64,400
	CLASSIFIED PROGRAMS		
068A	CLASSIFIED PROGRAMS	2,991,347	2,991,347
	TOTAL OTHER PROCUREMENT, AIR FORCE	**3,204,641**	**3,204,641**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
017	TELEPORT PROGRAM	3,307	3,307
	MAJOR EQUIPMENT, NSA		
043	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	3,000	3,000
	MAJOR EQUIPMENT, OSD		
046	MAJOR EQUIPMENT, INTELLIGENCE	8,300	8,300
	CLASSIFIED PROGRAMS		
048A	CLASSIFIED PROGRAMS	101,548	101,548
	AVIATION PROGRAMS		
050	MH–47 SERVICE LIFE EXTENSION PROGRAM	40,500	40,500
051	MH–60 MODERNIZATION PROGRAM	7,800	0
	MH–60 Combat Loss Replacement Funding		[–7,800]
052	NON-STANDARD AVIATION	8,500	8,500
057	CV–22 MODIFICATION	15,000	0
	CV–22 Combat Loss Replacement Funding		[–15,000]
063	C–130 MODIFICATIONS	4,800	4,800
	AMMUNITION PROGRAMS		
067	ORDNANCE REPLENISHMENT	71,659	71,659
068	ORDNANCE ACQUISITION	25,400	25,400
	OTHER PROCUREMENT PROGRAMS		
069	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	2,325	2,325
070	INTELLIGENCE SYSTEMS	43,558	43,558
071	SMALL ARMS AND WEAPONS	6,488	6,488
072	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,601	2,601
078	TACTICAL VEHICLES	15,818	15,818
085	AUTOMATION SYSTEMS	13,387	13,387
087	OPERATIONAL ENHANCEMENTS INTELLIGENCE	5,800	5,800
088	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	34,900	34,900
089	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	3,531	3,531
090	TACTICAL RADIO SYSTEMS	2,894	2,894
093	MISCELLANEOUS EQUIPMENT	7,220	7,220
094	OPERATIONAL ENHANCEMENTS	41,632	41,632
	TOTAL PROCUREMENT, DEFENSE-WIDE	**469,968**	**447,168**
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	50,000
	Unjustified Requirement		[–50,000]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**100,000**	**50,000**
	MINE RESISTANT AMBUSH PROT VEH FUND		
001	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**
	NATIONAL GUARD & RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	UNDISTRIBUTED		225,000
	Program Increase		[225,000]
	TOTAL NATIONAL GUARD & RESERVE EQUIPMENT		**225,000**
	TOTAL PROCUREMENT	**15,021,824**	**15,018,524**

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	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,064	21,064
002	0601102A	DEFENSE RESEARCH SCIENCES	213,942	215,942
		Program Increase		[2,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,977	89,977
		Clinical Care and Research		[2,000]
		Program Increase		[7,000]
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	120,937	105,692
		Realignment of Funds for Proper Oversight and Execution		[–15,245]
		SUBTOTAL BASIC RESEARCH	**436,920**	**432,675**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	30,258	40,758
		Program Increase		[10,500]
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	43,521	53,521
		Program Increase		[10,000]
007	0602122A	TRACTOR HIP	14,230	14,230
008	0602211A	AVIATION TECHNOLOGY	44,610	44,610

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,790	15,790
010	0602303A	MISSILE TECHNOLOGY	50,685	50,685
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	20,034	20,034
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	20,933	30,933
		Program Increase		[10,000]
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,306	64,306
014	0602618A	BALLISTICS TECHNOLOGY	59,214	59,214
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,877	4,877
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	8,244	8,244
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	39,813	69,813
		Program Increase		[30,000]
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	62,962	62,962
019	0602709A	NIGHT VISION TECHNOLOGY	57,203	69,203
		Program Increase		[12,000]
020	0602712A	COUNTERMINE SYSTEMS	20,280	24,780
		Program Increase		[4,500]
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,801	21,801
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,837	20,837
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	26,116	26,116
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	8,591	8,591
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	80,317	86,317
		Rotary Wing Surfaces		[6,000]
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,946	18,946
027	0602786A	WARFIGHTER TECHNOLOGY	29,835	29,835
028	0602787A	MEDICAL TECHNOLOGY	105,929	118,897
		Program Increase		[12,968]
		SUBTOTAL APPLIED RESEARCH	**869,332**	**965,300**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	52,979	57,979
		Program Increase		[5,000]
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	68,171	94,171
		Program Increase		[23,000]
		Treatment of Wounded Warriors		[3,000]
031	0603003A	AVIATION ADVANCED TECHNOLOGY	62,193	89,993
		Advanced Rotorcraft Flight Research		[8,000]
		Program Increase		[19,800]
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	77,077	82,077
		Program Increase		[5,000]
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	106,145	106,145
034	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	5,312	8,312
		Communications Advanced Technology		[3,000]
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	10,298	10,298
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	57,963	57,963
037	0603009A	TRACTOR HIKE	8,155	8,155
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,936	17,936
039	0603020A	TRACTOR ROSE	12,597	12,597
040	0603105A	MILITARY HIV RESEARCH	6,796	6,796
041	0603125A	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	12,191	12,191
042	0603130A	TRACTOR NAIL	4,278	4,278
043	0603131A	TRACTOR EGGS	2,261	2,261
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	23,677	23,677
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	90,602	101,152
		Program Increase		[10,550]
046	0603322A	TRACTOR CAGE	10,315	10,315
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	183,150	183,150
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	31,541	31,541
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	7,686	7,686
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	42,414	56,214
		Night Vision Advanced Technology		[4,800]
		Program Increase		[9,000]
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,959	15,959
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	36,516	43,516
		Base Camp Fuel		[2,000]
		Military Engineering Advanced Technology		[5,000]
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	30,600	30,600
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**976,812**	**1,074,962**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603024A	UNIQUE ITEM IDENTIFICATION (UID)		
055	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE)	21,126	21,126
055A	0603XXXA	INDIRECT FIRE PROTECTION	14,883	14,883
056	0603308A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	9,612	9,612
057	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING		
058	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	35,383	35,383
059	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	9,501	4,501
		Engineering, Modeling and Environmental Studies for SOD and SOM systems – funding unjustified		[–5,000]
060	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	39,693	39,693
061	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	101,408	101,408
062	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	9,747	9,747
063	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	5,766	5,766
064	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT		
065	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY	4,946	12,946

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
		Army Net Zero Programs		[8,000]
066	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL	297,955	297,955
067	0603790A	NATO RESEARCH AND DEVELOPMENT	4,765	4,765
068	0603801A	AVIATION—ADV DEV	7,107	7,107
069	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	19,509	19,509
070	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	5,258	5,258
071	0603807A	MEDICAL SYSTEMS—ADV DEV	34,997	34,997
072	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	19,598	19,598
073	0603850A	INTEGRATED BROADCAST SERVICE	1,496	1,496
074	0604115A	TECHNOLOGY MATURATION INITIATIVES	10,181	10,181
075	0604131A	TRACTOR JUTE	15,609	0
		Unjustified Requirement		[–15,609]
076	0604284A	JOINT COOPERATIVE TARGET IDENTIFICATION—GROUND (JCTI-G) / TECHNOLOGY DEVELOPME	41,652	41,652
077	0305205A	ENDURANCE UAVS	42,892	42,892
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**753,084**	**740,475**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
078	0604201A	AIRCRAFT AVIONICS	144,687	144,687
079	0604220A	ARMED, DEPLOYABLE HELOS	166,132	130,632
		Early to Need		[–35,500]
080	0604270A	ELECTRONIC WARFARE DEVELOPMENT	101,265	101,265
081	0604280A	JOINT TACTICAL RADIO		
082	0604321A	ALL SOURCE ANALYSIS SYSTEM	17,412	17,412
083	0604328A	TRACTOR CAGE	26,577	26,577
084	0604601A	INFANTRY SUPPORT WEAPONS	73,728	76,728
		Portable Helicopter Oxygen Delivery Systems		[3,000]
085	0604604A	MEDIUM TACTICAL VEHICLES	3,961	3,961
086	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD		
087	0604611A	JAVELIN	17,340	17,340
088	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	5,478	5,478
089	0604633A	AIR TRAFFIC CONTROL	22,922	22,922
090	0604642A	LIGHT TACTICAL WHEELED VEHICLES		
091	0604646A	NON-LINE OF SIGHT LAUNCH SYSTEM		
092	0604660A	FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE		
093	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	383,872	383,872
094	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS		
095	0604663A	FCS UNMANNED GROUND VEHICLES	143,840	143,840
096	0604664A	FCS UNATTENDED GROUND SENSORS	499	499
097	0604665A	FCS SUSTAINMENT & TRAINING R&D		
098	0604710A	NIGHT VISION SYSTEMS—SDD	59,265	59,265
099	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)		
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	22,226	22,226
108	0604802A	WEAPONS AND MUNITIONS—SDD	13,828	3,828
		Program Reduction- Precision Guidance Kit		[–10,000]
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—SDD	251,104	226,104
		Joint Light Tactical Vehicle Schedule Slip		[–25,000]
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD	137,811	137,811
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—SDD	27,160	27,160
112	0604808A	LANDMINE WARFARE/BARRIER—SDD	87,426	87,426
113	0604814A	ARTILLERY MUNITIONS	42,627	42,627
114	0604817A	COMBAT IDENTIFICATION		
115	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	123,935	125,935
		Army Tactical Command and Control Hardware and Software		[2,000]
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	40,709
		Early to Need- Nett Warrior		[–7,600]
120	0604854A	ARTILLERY SYSTEMS	120,146	120,146
121	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	406,605	257,105
		Program Decrease		[–149,500]
122	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,398	7,398
123	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	37,098	37,098
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	19,931
127	0605456A	PAC–3/MSE MISSILE	88,993	88,993
128	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	270,607	270,607
129	0605625A	MANNED GROUND VEHICLE	884,387	884,387
130	0605626A	AERIAL COMMON SENSOR	31,465	31,465
131	0303032A	TROJAN—RH12	3,920	3,920
132	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,819	13,819
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**4,190,788**	**3,968,188**
		RDT&E MANAGEMENT SUPPORT		
133	0604256A	THREAT SIMULATOR DEVELOPMENT	16,992	16,992

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
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		5,000
		Small Business Innovative Research		[5,000]
140	0605601A	ARMY TEST RANGES AND FACILITIES	262,456	362,456
		Program Increase		[100,000]
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
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	58,872
		Program Reduction		[–5,000]
153	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	57,142	62,142
		Program Increase		[5,000]
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		
157	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS		
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,048,671**	**1,153,671**
		OPERATIONAL SYSTEMS DEVELOPMENT		
158	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	66,641	66,641
159	0603820A	WEAPONS CAPABILITY MODIFICATIONS UAV	24,142	0
		Unjustified Requirement		[–24,142]
160	0102419A	AEROSTAT JOINT PROJECT OFFICE	344,655	344,655
161	0203347A	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP		
162	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	29,546	29,546
163	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	53,307	78,307
		Program Increase		[25,000]
164	0203740A	MANEUVER CONTROL SYSTEM	65,002	65,002
165	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	163,205	163,205
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)		
169	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	44,560	59,060
		Program Increase for Stinger per Army Request		[14,500]
170	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS		
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	61,220
177	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	100,505	100,505
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	40,650
182	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	44,198	44,198
183	0305219A	MQ–1 SKY WARRIOR A UAV	137,038	137,038
184	0305232A	RQ–11 UAV	1,938	1,938
185	0305233A	RQ–7 UAV	31,940	31,940
186	0307207A	AERIAL COMMON SENSOR (ACS)		
187	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,018	15,018
188	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,297	66,297
		End Item Industrial Preparedness Activities		[7,000]
188A	9999999999	CLASSIFIED PROGRAMS	4,536	4,536
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,408,373**	**1,430,731**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**9,683,980**	**9,766,002**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,157	123,157
		Program Increase		[10,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,092	18,092
003	0601153N	DEFENSE RESEARCH SCIENCES	446,123	450,623
		Program Increase		[2,500]
		Study of Renewable and Alternative Energy Applications in the Pacific Region		[2,000]
		SUBTOTAL BASIC RESEARCH	**577,372**	**591,872**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	104,804	104,804
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	156,901	158,901
		Alternative Energy for Mobile Power Applications		[2,000]

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Line	Program Element	Item	FY 2012 Request	House Authorized
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	44,845	47,845
		Marine Corps Landing Force Technology		[3,000]
007	0602234N	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY		
008	0602235N	COMMON PICTURE APPLIED RESEARCH	65,448	65,448
009	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	101,205	103,705
		Warfighter Sustainment Applied Research		[2,500]
010	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	108,329	108,329
011	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	50,076	50,076
012	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,937	5,937
013	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	108,666	108,666
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,583	45,583
		Mine and Expeditionary Warfare Applied Research		[8,000]
		SUBTOTAL APPLIED RESEARCH	**783,794**	**799,294**
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	114,270	114,270
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	64,057	71,157
		Advanced Battery Technologies		[2,000]
		Lightweight Body Armor		[5,100]
017	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY	49,068	49,068
018	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	71,232	71,232
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	102,535	102,535
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	124,324	124,324
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,286	11,286
022	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,119	18,119
023	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	37,121	37,121
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	50,157	50,157
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	6,048	6,048
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**648,217**	**655,317**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
026	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	94,972	94,972
027	0603216N	AVIATION SURVIVABILITY	10,893	10,893
028	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,702	3,702
029	0603251N	AIRCRAFT SYSTEMS	10,497	10,497
030	0603254N	ASW SYSTEMS DEVELOPMENT	7,915	7,915
031	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,978	5,978
032	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,418	1,418
033	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	142,657	142,657
034	0603506N	SURFACE SHIP TORPEDO DEFENSE	118,764	118,764
035	0603512N	CARRIER SYSTEMS DEVELOPMENT	54,072	54,072
036	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT		
037	0603525N	PILOT FISH	96,012	96,012
038	0603527N	RETRACT LARCH	73,421	73,421
039	0603536N	RETRACT JUNIPER	130,267	130,267
040	0603542N	RADIOLOGICAL CONTROL	1,338	1,338
041	0603553N	SURFACE ASW	29,797	33,297
		Surface Anti-Submarine Warfare		[3,500]
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	856,326	865,326
		Program Increase		[9,000]
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,253	9,253
044	0603563N	SHIP CONCEPT ADVANCED DESIGN	14,308	14,308
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	22,213	42,113
		Ship Preliminary Design and Feasibility Studies		[19,900]
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	463,683	463,683
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	18,249	28,249
		Program Increase		[10,000]
048	0603576N	CHALK EAGLE	584,159	584,159
049	0603581N	LITTORAL COMBAT SHIP (LCS)	286,784	286,784
050	0603582N	COMBAT SYSTEM INTEGRATION	34,157	34,157
051	0603609N	CONVENTIONAL MUNITIONS	4,753	4,753
052	0603611M	MARINE CORPS ASSAULT VEHICLES	12,000	12,000
053	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	79,858	54,858
		Joint Light Tactical Vehicle Schedule Slip		[–25,000]
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	33,654	33,654
055	0603658N	COOPERATIVE ENGAGEMENT	54,783	54,783
056	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	9,996	9,996
057	0603721N	ENVIRONMENTAL PROTECTION	21,714	21,714
058	0603724N	NAVY ENERGY PROGRAM	70,538	70,538
059	0603725N	FACILITIES IMPROVEMENT	3,754	3,754
060	0603734N	CHALK CORAL	79,415	79,415
061	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,137	4,137
062	0603746N	RETRACT MAPLE	276,383	276,383
063	0603748N	LINK PLUMERIA	52,721	52,721
064	0603751N	RETRACT ELM	160,964	160,964
065	0603755N	SHIP SELF DEFENSE		
066	0603764N	LINK EVERGREEN	144,985	144,985
067	0603787N	SPECIAL PROCESSES	43,704	43,704
068	0603790N	NATO RESEARCH AND DEVELOPMENT	9,140	9,140
069	0603795N	LAND ATTACK TECHNOLOGY	421	421
070	0603851M	NONLETHAL WEAPONS	40,992	40,992
071	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS	121,455	121,455
072	0603879N	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE)		

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073	0603889N	COUNTERDRUG RDT&E PROJECTS		
074	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS		
075	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	64,107	64,107
076	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
077	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	62,044	62,044
078	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	22,665	4,465
		Cancelation of FMU–164/B Bomb Fuze Program		[–18,200]
079	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	33,621	33,621
080	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	1,078	1,078
081	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP		
082	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	625	625
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,481,053**	**4,480,253**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
083	0604212N	OTHER HELO DEVELOPMENT	35,651	35,651
084	0604214N	AV–8B AIRCRAFT—ENG DEV	30,676	30,676
085	0604215N	STANDARDS DEVELOPMENT	51,191	51,191
086	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	17,673	17,673
087	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	5,922	5,922
088	0604221N	P–3 MODERNIZATION PROGRAM	3,417	3,417
089	0604230N	WARFARE SUPPORT SYSTEM	9,944	9,944
090	0604231N	TACTICAL COMMAND SYSTEM	81,257	81,257
091	0604234N	ADVANCED HAWKEYE	110,994	110,994
092	0604245N	H–1 UPGRADES	72,569	72,569
093	0604261N	ACOUSTIC SEARCH SENSORS	56,509	56,509
094	0604262N	V–22A	84,477	84,477
095	0604264N	AIR CREW SYSTEMS DEVELOPMENT	3,249	3,249
096	0604269N	EA–18	17,100	17,100
097	0604270N	ELECTRONIC WARFARE DEVELOPMENT	89,418	89,418
098	0604273N	VH–71A EXECUTIVE HELO DEVELOPMENT	180,070	180,070
099	0604274N	NEXT GENERATION JAMMER (NGJ)	189,919	189,919
100	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	688,146	688,146
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	47,635
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	121,150
108	0604501N	ADVANCED ABOVE WATER SENSORS	60,790	60,790
108A	0604XXXN	AIR AND MISSILE DEFENSE RADAR	166,568	166,568
109	0604503N	SSN–688 AND TRIDENT MODERNIZATION	100,591	100,591
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	107,235
		Program Increase		[10,000]
114	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,466	48,466
115	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	161,099	161,099
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
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	670,723
129	0604800N	JOINT STRIKE FIGHTER (JSF)	677,486	677,486
130	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	27,461	27,461
131	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	58,764	58,764
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)		
135	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	118,395	118,395
136	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	622,713	622,713
137	0204201N	CG(X)		
138	0204202N	DDG–1000	261,604	261,604
139	0304231N	TACTICAL COMMAND SYSTEM—MIP	979	979
140	0304503N	SSN–688 AND TRIDENT MODERNIZATION—MIP		
141	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	31,740	31,740
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,475,528**	**6,485,528**
		RDT&E MANAGEMENT SUPPORT		
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	23,454

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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	68,301
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		
161	0909980N	JUDGMENT FUND REIMBURSEMENT		
162	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS		
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**859,423**	**859,423**
		OPERATIONAL SYSTEMS DEVELOPMENT		
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
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	110,412
		Cancelation of Multi-Purpose Bomb Racks Program		[–22,600]
		Electrophotonic Component Capability Development		[10,000]
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	209,396	209,396
191	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	45,172	45,172
192	0206625M	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)	12,906	12,906
202	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	25,229	25,229
203	0303150M	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	1,250	1,250
204	0303238N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)—MIP	6,602	6,602
206	0305149N	COBRA JUDY	40,605	40,605
207	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	904	904
208	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	4,099	4,099
209	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,353	19,353
		TACAIR-Launched UAS Capability Development		[10,000]
210	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS		3,000
		Advance Reconnaissance Systems		[3,000]
211	0305207N	MANNED RECONNAISSANCE SYSTEMS		
212	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	23,785	23,785
213	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,487	25,487
214	0305220N	RQ–4 UAV	548,482	548,482
215	0305231N	MQ–8 UAV	108,248	108,248
216	0305232M	RQ–11 UAV	979	979
217	0305233N	RQ–7 UAV	872	872
218	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)		
219	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	22,698	22,698
220	0305237N	MEDIUM RANGE MARITIME UAS	15,000	15,000
221	0305239M	RQ–21A	26,301	26,301
222	0307217N	EP–3E REPLACEMENT (EPX)		
223	0308601N	MODELING AND SIMULATION SUPPORT	8,292	8,292
224	0702207N	DEPOT MAINTENANCE (NON-IF)	21,609	21,609
225	0702239N	AVIONICS COMPONENT IMPROVEMENT PROGRAM		
226	0708011N	INDUSTRIAL PREPAREDNESS	54,031	59,031
		Industrial Preparedness		[5,000]
227	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000

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227A	9999999999	CLASSIFIED PROGRAMS	1,308,608	1,308,608
227U	0607UNDN	UNDISTRIBUTED		
		Aviation Component Development		[10,000]
		Program Decrease		[–20,000]
		UAS Development		[10,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**4,131,044**	**4,136,444**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**17,956,431**	**18,008,131**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	364,328	364,328
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	140,273	147,273
		Program Increase		[7,000]
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,258	14,258
		SUBTOTAL BASIC RESEARCH	**518,859**	**525,859**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	136,230	136,230
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	147,628	147,628
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	86,663	88,863
		Program Increase		[2,200]
007	0602203F	AEROSPACE PROPULSION	207,508	209,508
		Program Increase		[2,000]
008	0602204F	AEROSPACE SENSORS	134,787	134,787
009	0602601F	SPACE TECHNOLOGY	115,285	118,285
		Program Increase		[3,000]
010	0602602F	CONVENTIONAL MUNITIONS	60,692	60,692
011	0602605F	DIRECTED ENERGY TECHNOLOGY	111,156	111,156
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	127,866	127,866
013	0602890F	HIGH ENERGY LASER RESEARCH	54,059	54,059
		SUBTOTAL APPLIED RESEARCH	**1,181,874**	**1,189,074**
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,738	49,738
		Program Increase—Metals Affordability Iniatitive		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	5,780	5,780
016	0603203F	ADVANCED AEROSPACE SENSORS	53,075	53,075
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	67,474	67,474
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY		
018A	0603XXXF	FUELS	6,770	6,770
018B	0603XXXF	POWER TECHNOLOGY	5,747	5,747
018C	0603XXXF	PROPULSION	80,833	80,833
018D	0603XXXF	ROCKET PROPULSION	27,603	27,603
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	22,268	22,268
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	74,636	74,636
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	13,555	13,555
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	25,319	25,319
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	54,042	54,042
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	28,683	28,683
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	40,103	40,103
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	38,656	42,656
		Program Increase		[4,000]
027	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	1,122	1,122
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**585,404**	**599,404**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,013	4,013
029	0603287F	PHYSICAL SECURITY EQUIPMENT	3,586	3,586
030	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT		
031	0603430F	ADVANCED EHF MILSATCOM (SPACE)	421,687	279,487
		Transfer to RDAF–49		[–142,200]
032	0603432F	POLAR MILSATCOM (SPACE)	122,991	122,991
033	0603438F	SPACE CONTROL TECHNOLOGY	45,755	45,755
034	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	38,496	38,496
035	0603790F	NATO RESEARCH AND DEVELOPMENT	4,424	4,424
036	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	642	642
037	0603830F	SPACE PROTECTION PROGRAM (SPP)	9,819	9,819
038	0603850F	INTEGRATED BROADCAST SERVICE	20,046	20,046
039	0603851F	INTERCONTINENTAL BALLISTIC MISSILE	67,202	87,202
		Program increase		[20,000]
040	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,804	12,804
041	0603859F	POLLUTION PREVENTION	2,075	2,075
042	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS	20,112	20,112
043	0604015F	NEXT GENERATION BOMBER	197,023	197,023
044	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	60,250	60,250
045	0604317F	TECHNOLOGY TRANSFER	2,553	11,553
		Program Increase		[9,000]
046	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	38,248	38,248
047	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	29,759	29,759
048	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	24,217	24,217
049	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT		142,200
		Transfer from RDAF-031		[142,200]

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050	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	24,467	24,467
051	0604796F	ALTERNATIVE FUELS		
052	0604830F	AUTOMATED AIR-TO-AIR REFUELING		
053	0604857F	OPERATIONALLY RESPONSIVE SPACE	86,543	106,543
		Program Increase		[20,000]
054	0604858F	TECH TRANSITION PROGRAM	2,773	2,773
055	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	444,900	444,900
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,684,385**	**1,733,385**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
056	0603840F	GLOBAL BROADCAST SERVICE (GBS)	5,680	5,680
057	0604222F	NUCLEAR WEAPONS SUPPORT	18,538	18,538
058	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	21,780	21,780
059	0604270F	ELECTRONIC WARFARE DEVELOPMENT	26,880	26,880
060	0604280F	JOINT TACTICAL RADIO		
061	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	52,355	52,355
062	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
063	0604329F	SMALL DIAMETER BOMB (SDB)	132,891	132,891
064	0604421F	COUNTERSPACE SYSTEMS	31,913	31,913
065	0604425F	SPACE SITUATION AWARENESS SYSTEMS	273,689	273,689
066	0604429F	AIRBORNE ELECTRONIC ATTACK	47,100	47,100
067	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	621,629	641,629
		Program Increase		[20,000]
068	0604443F	THIRD GENERATION INFRARED SURVEILLANCE (3GIRS)		
069	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	10,055	10,055
070	0604604F	SUBMUNITIONS	2,427	2,427
071	0604617F	AGILE COMBAT SUPPORT	11,878	11,878
072	0604618F	JOINT DIRECT ATTACK MUNITION		
073	0604706F	LIFE SUPPORT SYSTEMS	11,280	11,280
074	0604735F	COMBAT TRAINING RANGES	28,106	28,106
075	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	10
076	0604750F	INTELLIGENCE EQUIPMENT	995	995
077	0604800F	JOINT STRIKE FIGHTER (JSF)	1,387,926	1,388,926
		Establish Protocols for Joint Strike Fighter Lead-Free Electronic Components		[1,000]
078	0604851F	INTERCONTINENTAL BALLISTIC MISSILE	158,477	158,477
079	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	20,028	20,028
080	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	877,084	849,884
		Program Reduction		[–27,200]
081	0605229F	CSAR HH–60 RECAPITALIZATION	94,113	11,000
		Budget Adjustment per Air Force Request to APAF–63		[–10,400]
		Budget Adjustment per Air Force Request to APAF–73		[–54,600]
		Program Reduction		[–18,113]
082	0605277F	CSAR-X RDT&E		
083	0605278F	HC/MC–130 RECAP RDT&E	27,071	27,071
084	0605452F	JOINT SIAP EXECUTIVE PROGRAM OFFICE		
085	0101125F	NUCLEAR WEAPONS MODERNIZATION	93,867	93,867
086	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS	23,721	23,721
087	0207451F	SINGLE INTEGRATED AIR PICTURE (SIAP)		
088	0207701F	FULL COMBAT MISSION TRAINING	39,826	39,826
089	0401138F	JOINT CARGO AIRCRAFT (JCA)	27,089	27,089
090	0401318F	CV–22	20,723	20,723
091	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	12,535	12,535
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**4,079,717**	**3,990,404**
		RDT&E MANAGEMENT SUPPORT		
092	0604256F	THREAT SIMULATOR DEVELOPMENT	22,420	22,420
093	0604759F	MAJOR T&E INVESTMENT	62,206	62,206
094	0605101F	RAND PROJECT AIR FORCE	27,579	27,579
095	0605502F	SMALL BUSINESS INNOVATION RESEARCH		
096	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	17,767	17,767
097	0605807F	TEST AND EVALUATION SUPPORT	654,475	763,475
		Program Increase		[109,000]
098	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	158,096	33,596
		Program Reduction		[–124,500]
099	0605864F	SPACE TEST PROGRAM (STP)	47,926	47,926
100	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	44,547	44,547
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		
106	1001004F	INTERNATIONAL ACTIVITIES	3,798	3,798
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,114,196**	**1,098,696**
		OPERATIONAL SYSTEMS DEVELOPMENT		
107	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	390,889	390,889
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	340,819

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116	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	23,072	23,072
117	0101314F	NIGHT FIST—USSTRATCOM	5,421	0
		Program Termination		[–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	39,934
		Mixed Conventional Load Capacity for Bomber Aircraft		[20,000]
123	0205219F	MQ–9 UAV	146,824	146,824
124	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT		
125	0207131F	A–10 SQUADRONS	11,051	11,051
126	0207133F	F–16 SQUADRONS	143,869	143,869
127	0207134F	F–15E SQUADRONS	207,531	207,531
128	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,253	13,253
129	0207138F	F–22A SQUADRONS	718,432	718,432
130	0207142F	F–35 SQUADRONS	47,841	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	182,967
140	0207277F	ISR INNOVATIONS		
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	135,961
145	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	8,309	8,309
146	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	90,083	90,083
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	15,978
151	0207445F	FIGHTER TACTICAL DATA LINK		
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	121,610
155	0207590F	SEEK EAGLE	18,599	18,599
156	0207601F	USAF MODELING AND SIMULATION	23,091	23,091
157	0207605F	WARGAMING AND SIMULATION CENTERS	5,779	5,779
158	0207697F	DISTRIBUTED TRAINING AND EXERCISES	5,264	5,264
159	0208006F	MISSION PLANNING SYSTEMS	69,918	69,918
160	0208021F	INFORMATION WARFARE SUPPORT	2,322	2,322
161	0208059F	CYBER COMMAND ACTIVITIES	702	702
168	0301400F	SPACE SUPERIORITY INTELLIGENCE	11,866	11,866
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	101,788
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)		
175	0303601F	MILSATCOM TERMINALS	238,729	238,729
177	0304260F	AIRBORNE SIGINT ENTERPRISE		
177A	0304XXXF	RE–135	34,744	34,744
177B	0304XXXF	COMMON DEVELOPMENT	87,004	87,004
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 (ATCALS)	63,367	63,367
186	0305116F	AERIAL TARGETS	50,620	50,620
189	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	366	366
190	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	39	39
192	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	133,601	133,601
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		
200	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	52,425	52,425
201	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	106,877	106,877
202	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,049	13,049
203	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	90,724	90,724
204	0305219F	MQ–1 PREDATOR A UAV	14,112	14,112
205	0305220F	RQ–4 UAV	423,462	423,462
206	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,348	7,348
207	0305265F	GPS III SPACE SEGMENT	463,081	463,081
208	0305614F	JSPOC MISSION SYSTEM	118,950	118,950
209	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	14,736	14,736

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210	0305913F	NUDET DETECTION SYSTEM (SPACE)	81,989	81,989
211	0305924F	NATIONAL SECURITY SPACE OFFICE		
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	24,509
216	0401119F	C–5 AIRLIFT SQUADRONS (IF)	24,941	24,941
217	0401130F	C–17 AIRCRAFT (IF)	128,169	128,169
218	0401132F	C–130J PROGRAM	39,537	39,537
219	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	7,438	7,438
220	0401139F	LIGHT MOBILITY AIRCRAFT (LIMA)	1,308	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	82,591
224	0401315F	C-STOL AIRCRAFT		
225	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,118	7,118
226	0702207F	DEPOT MAINTENANCE (NON-IF)	1,531	1,531
227	0702976F	FACILITIES RESTORATION & MODERNIZATION—LOGISTICS		
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		
232	0804743F	OTHER FLIGHT TRAINING	322	322
233	0804757F	JOINT NATIONAL TRAINING CENTER	11	11
234	0804772F	TRAINING DEVELOPMENTS		
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	8,041
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 DEVELOPMENT	101,317	101,317
242	0902998F	MANAGEMENT HQ—ADP SUPPORT (AF)	299	299
242A	9999999999	CLASSIFIED PROGRAMS	12,063,140	12,088,140
		Defense Reconnaissance Support Activites		[25,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**18,573,266**	**18,612,845**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**27,737,701**	**27,749,667**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	47,737	47,737
002	0601101E	DEFENSE RESEARCH SCIENCES	290,773	290,773
003	0601110D8Z	BASIC RESEARCH INITIATIVES	14,731	14,731
004	0601111D8Z	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH		
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	37,870	37,870
006	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	101,591	86,591
		Program Reduction		[–15,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	52,617	52,617
		SUBTOTAL BASIC RESEARCH	**545,319**	**530,319**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	21,592	21,592
009	0602115E	BIOMEDICAL TECHNOLOGY	110,000	110,000
010	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE		25,245
		Program Increase		[10,000]
		Realignment of Funds for Proper Oversight and Execution		[15,245]
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	37,916	37,916
012	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH	4,381	4,381
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	400,499	350,499
		Program Reduction		[–50,000]
014	0602304E	COGNITIVE COMPUTING SYSTEMS	49,365	49,365
015	0602305E	MACHINE INTELLIGENCE	61,351	61,351
016	0602383E	BIOLOGICAL WARFARE DEFENSE	30,421	30,421
017	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	219,873	224,873
		Program Increase		[5,000]
018	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH	9,235	5,235
		Program Reduction		[–4,000]
019	0602668D8Z	CYBER SECURITY RESEARCH	9,735	9,735
020	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH	14,923	10,923
		Program Reduction		[–4,000]
021	0602702E	TACTICAL TECHNOLOGY	206,422	206,422
022	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	237,837	237,837
023	0602716E	ELECTRONICS TECHNOLOGY	215,178	215,178
024	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	196,954	201,954
		Program Increase		[5,000]
025	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	26,591	26,591
026	1160407BB	SOF MEDICAL TECHNOLOGY DEVELOPMENT		
		SUBTOTAL APPLIED RESEARCH	**1,852,273**	**1,829,518**
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		
027	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	24,771	24,771
028	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	45,028	45,028

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029	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,019	100,219
		Program Increase		[23,200]
030	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	283,073	283,073
031	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	75,003	75,003
032	0603200D8Z	JOINT ADVANCED CONCEPTS	7,903	7,903
033	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,372	20,372
034	0603250D8Z	SYSTEMS 2020 ADVANCED TECHNOLOGY DEVELOPMENT	4,381	4,381
035	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	998	998
036	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	61,458	61,458
037	0603286E	ADVANCED AEROSPACE SYSTEMS	98,878	98,878
038	0603287E	SPACE PROGRAMS AND TECHNOLOGY	97,541	97,541
039	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	229,235	229,235
040	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	7,287	7,287
041	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	187,707	167,707
		Unjustified Growth		[–20,000]
042	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	23,890	23,890
043	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT	9,235	5,235
		Program Reduction		[–4,000]
044	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY	10,762	10,762
045	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	10,709	10,709
046	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	18,179	14,179
		Program Reduction		[–4,000]
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	17,888	19,888
		Defense Alternative Energy		[2,000]
048	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	26,972	26,972
049	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,756	9,756
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	23,887	38,887
		Secure Microelectronics		[15,000]
051	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	41,976	41,976
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	66,409	77,159
		Offshore Range Environmental Baseline Assessment		[1,750]
		Program Increase		[5,000]
		Radiological Contamination Research		[4,000]
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	91,132	83,132
		Microelectronics Technlogy Development and Support		[3,000]
		Program Reduction		[–11,000]
054	0603727D8Z	JOINT WARFIGHTING PROGRAM	10,547	10,547
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	160,286	160,286
056	0603745D8Z	SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD)		
057	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM		
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	296,537	246,537
		Program Reduction		[–50,000]
059	0603765E	CLASSIFIED DARPA PROGRAMS	107,226	107,226
060	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	235,245	235,245
061	0603767E	SENSOR TECHNOLOGY	271,802	271,802
062	0603768E	GUIDANCE TECHNOLOGY		
063	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,579	13,579
064	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	30,424	30,424
065	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	89,925	89,925
066	0603828D8Z	JOINT EXPERIMENTATION	58,130	58,130
067	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	37,029	31,029
		Program Reduction		[–6,000]
068	0603901C	DIRECTED ENERGY RESEARCH	96,329	146,329
		Program Increase		[50,000]
069	0603902C	NEXT GENERATION AEGIS MISSILE	123,456	123,456
070	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	99,593	99,593
071	0603942D8Z	TECHNOLOGY TRANSFER		
072	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	20,444	34,444
		Operational Energy Improvement Pilot Project		[4,000]
		Program Increase		[10,000]
073	0303310D8Z	CWMD SYSTEMS	7,788	7,788
074	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	35,242	40,242
		Program Increase		[5,000]
075	1160422BB	AVIATION ENGINEERING ANALYSIS	837	837
076	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY	4,924	4,924
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT (ATD)	**3,270,792**	**3,298,742**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
077	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	36,798	36,798
078	0603527D8Z	RETRACT LARCH	21,040	21,040
079	0603600D8Z	WALKOFF	112,142	112,142
080	0603709D8Z	JOINT ROBOTICS PROGRAM	11,129	11,129
081	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	18,408	18,408
082	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	63,606	33,606
		Realignment to RDDW-082A		[–30,000]
082A	0603XXXD8Z	INSTALLATION ENERGY TEST BED		47,000
		Installation Energy Test Bed Program Increase		[15,000]
		Microgrid Pilot Program		[2,000]
		Realignment from RDDW-082		[30,000]
083	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	290,452	290,452
084	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,161,001	1,261,001
		Program increase		[100,000]
085	0603883C	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
086	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	261,143	261,143
087	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	222,374	222,374
088	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS	1,071,039	1,071,039
089	0603890C	BMD ENABLING PROGRAMS	373,563	373,563
090	0603891C	SPECIAL PROGRAMS—MDA	296,554	296,554
091	0603892C	AEGIS BMD	960,267	965,267
		AEGIS Ballistic Missile Defense		[5,000]
092	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	96,353	96,353
093	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	7,951	7,951
094	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI	364,103	364,103
095	0603897C	BALLISTIC MISSILE DEFENSE HERCULES		
096	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	41,225	41,225
097	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	69,325	69,325
098	0603906C	REGARDING TRENCH	15,797	15,797
099	0603907C	SEA BASED X-BAND RADAR (SBX)	177,058	177,058
100	0603911C	BMD EUROPEAN CAPABILITY		
101	0603913C	ISRAELI COOPERATIVE PROGRAMS	106,100	216,100
		Program Increase		[110,000]
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	13,521
		Department of Defense Corrosion Protection Projects		[10,300]
105	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	25,120	25,120
106	0604648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS		
107	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING	10,309	10,309
108	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	13,024	13,024
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	464,454
		Program Increase		[40,000]
112	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E	160,818	0
		Program Reduction		[–160,818]
113	0604884C	AIRBORNE INFRARED (ABIR)	46,877	66,877
		Program Increase		[20,000]
114	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST		
115	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,358	3,358
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,808,233**	**6,949,715**
		SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)		
116	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)		
117	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	7,220	7,220
118	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	204,824	179,824
		Program Reduction		[–25,000]
119	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	400,608	400,608
120	0604709D8Z	JOINT ROBOTICS PROGRAM	2,782	2,782
121	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	49,198	49,198
122	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	17,395	17,395
123	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,888	5,888
124	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,228	12,228
125	0605018BTA	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS)		
126	0605020BTA	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES		
127	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	389	389
128	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,929	1,929
129	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	4,993	4,993
130	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	134,285	134,285
131	0605075D8Z	DCMO POLICY AND INTEGRATION	41,808	41,808
132	0605140D8Z	TRUSTED FOUNDRY		
133	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	14,950	14,950
134	0605648D8Z	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM		
135	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,837	19,837
136	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE		
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)	**918,334**	**893,334**
		RDT&E MANAGEMENT SUPPORT		
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 EVAULATION 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	34,213
144	0605110D8Z	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	1,486	18
		Program Decrease		[–1,468]
145	0605117D8Z	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	64,524	64,524
146	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	79,859	79,859
147	0605128D8Z	CLASSIFIED PROGRAM USD(P)		
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		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
155	0605502BR	SMALL BUSINESS INNOVATION RESEARCH		
156	0605502C	SMALL BUSINESS INNOVATIVE RESEARCH—MDA		
157	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH		
158	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH		
159	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH		
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		
163	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	56,269	51,269
		Program Increase		[–5,000]
164	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	49,810	49,810
165	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,805	15,805
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	10,000
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		
182	0901598C	MANAGEMENT HQ—MDA	28,908	28,908
183	0901598D8W	IT SOFTWARE DEV INITIATIVES	167	167
184	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS		
184A	9999999999	CLASSIFIED PROGRAMS	82,627	82,627
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**961,682**	**955,214**
		OPERATIONAL SYSTEMS DEVELOPMENT		
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	8,366
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	348,593
208	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	5,500	5,500
209	0303148K	DISA MISSION SUPPORT OPERATIONS		
210	0303149J	C4I FOR THE WARRIOR		
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 APPILCATIONS FOR CONTINGENCIES	5,045	9,045
		Special Applications for Contingencies		[4,000]
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	6,603
229	0305199D8Z	NET CENTRICITY	14,926	14,926
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	0708011S	INDUSTRIAL PREPAREDNESS	23,103	28,103
		Industrial Preparedness Manufacturing Technology		[5,000]
249	0708012S	LOGISTICS SUPPORT ACTIVITIES	2,466	2,466
250	0902298J	MANAGEMENT HEADQUARTERS (JCS)	2,730	2,730
251	1001018D8Z	NATO AGS		
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		
256	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	89,382	89,382
257	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	799	799
258	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	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		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
262	1160426BB	OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT		
263	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	4,617	4,617
264	1160428BB	UNMANNED VEHICLES (UV)		
265	1160429BB	AC/MC–130J	18,571	18,571
266	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	1,392	1,392
267	1160476BB	SOF TACTICAL RADIO SYSTEMS		
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	4,227,920
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**5,399,045**	**5,408,045**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**19,755,678**	**19,864,887**
		OPERATIONAL TEST & EVAL, DEFENSE		
		RDT&E MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	60,444	60,444
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	12,126	12,126
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	118,722	118,722
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**191,292**	**191,292**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**191,292**	**191,292**
		TOTAL RDT&E	**75,325,082**	**75,579,979**

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	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		RDT&E MANAGEMENT SUPPORT		
140	0605601A	ARMY TEST RANGES AND FACILITIES	8,513	8,513
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**8,513**	**8,513**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**8,513**	**8,513**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	1,500	1,500
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,500**	**1,500**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
097	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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**11,050**	**11,050**
		OPERATIONAL SYSTEMS DEVELOPMENT		
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
227A	9999999999	CLASSIFIED PROGRAMS	33,784	33,784
227U	0607UNDN	UNDISTRIBUTED		
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**41,334**	**41,334**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**53,884**	**53,884**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		OPERATIONAL SYSTEMS DEVELOPMENT		
200	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	73,000	73,000
242A	9999999999	CLASSIFIED PROGRAMS	69,000	69,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**142,000**	**142,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**142,000**	**142,000**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		RDT&E MANAGEMENT SUPPORT		
152	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	9,200	9,200
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**9,200**	**9,200**
		OPERATIONAL SYSTEMS DEVELOPMENT		
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	135,361
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**183,161**	**183,161**
		UNDISTRIBUTED		
279	0901560D	CONTINUING RESOLUTION PROGRAMS		
		SUBTOTAL UNDISTRIBUTED		
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**192,361**	**192,361**
		TOTAL RDT&E	**396,758**	**396,758**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,399,804	1,399,804
020	MODULAR SUPPORT BRIGADES	104,629	104,629
030	ECHELONS ABOVE BRIGADE	815,920	815,920
040	THEATER LEVEL ASSETS	825,587	825,587
050	LAND FORCES OPERATIONS SUPPORT	1,245,231	1,245,231
060	AVIATION ASSETS	1,199,340	1,199,340
070	FORCE READINESS OPERATIONS SUPPORT	2,939,455	2,943,455
	Simulation Training Systems		[4,000]
080	LAND FORCES SYSTEMS READINESS	451,228	451,228
090	LAND FORCES DEPOT MAINTENANCE	1,179,675	1,179,675
100	BASE OPERATIONS SUPPORT	7,637,052	7,867,052
	Army Base Operating Services		[230,000]
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	2,495,667	2,757,047
	Army Industrial Facility Energy monitoring		[2,380]
	Army Sustainment, Restoration and Modernization to 100%		[259,000]
120	MANAGEMENT AND OPERATIONAL HQ	397,952	397,952
130	COMBATANT COMMANDERS CORE OPERATIONS	171,179	171,179
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	459,585	459,585
	SUBTOTAL OPERATING FORCES	**21,322,304**	**21,817,684**
	MOBILIZATION		
180	STRATEGIC MOBILITY	390,394	390,394
190	ARMY PREPOSITIONING STOCKS	169,535	169,535
200	INDUSTRIAL PREPAREDNESS	6,675	6,675
	SUBTOTAL MOBILIZATION	**566,604**	**566,604**
	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
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
	SUBTOTAL TRAINING AND RECRUITING	**4,873,028**	**4,873,028**
	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	490,075
	Army Arsenals		[6,000]
380	AMMUNITION MANAGEMENT	457,741	457,741
390	ADMINISTRATION	775,313	775,313
400	SERVICEWIDE COMMUNICATIONS	1,534,706	1,490,706
	Realignment of funds to support the Financial Improvement and Audit Readiness Plan		[–44,000]
410	MANPOWER MANAGEMENT	316,924	316,924
420	OTHER PERSONNEL SUPPORT	214,356	214,356
430	OTHER SERVICE SUPPORT	1,093,877	1,083,877
	Unjustified program growth—Joint DOD Support		[–5,000]
	Unjustified program growth—PA Strategic Communications		[–5,000]
440	ARMY CLAIMS ACTIVITIES	216,621	216,621
450	REAL ESTATE MANAGEMENT	180,717	180,717
455	FINANCIAL IMPROVEMENT AND AUDIT READINESS		44,000
	Realignment of funds to support the Financial Improvement and Audit Readiness Plan		[44,000]
460	SUPPORT OF NATO OPERATIONS	449,901	449,901
470	MISC. SUPPORT OF OTHER NATIONS	23,886	23,886
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**7,973,280**	**7,969,280**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	UNDISTRIBUTED		
480	*UNDISTRIBUTED*		*–395,600*
	Army unobligated balances estimate		*[–384,600]*
	Center for Military Family and Community Outreach		*[1,000]*
	Printing & Reproduction (10% cut)		*[–10,600]*
	Studies, Analysis & Evaluations (10% cut)		*[–1,400]*
	SUBTOTAL UNDISTRIBUTED		***–395,600***
	TOTAL OPERATION & MAINTENANCE, ARMY	***34,735,216***	***34,830,996***
	OPERATION & MAINTENANCE, NAVY		
	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*	*1,101,503*
	Aviation Depot Maintenance (Active)		*[71,200]*
070	*AIRCRAFT DEPOT OPERATIONS SUPPORT*	*37,403*	*37,403*
080	*AVIATION LOGISTICS*	*238,007*	*265,007*
	Aviation Logistics		*[27,000]*
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*	*5,338,609*
	Ship Depot Maintenance (Active)		*[366,000]*
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*	*162,303*
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*	*2,298,779*
	Navy Metering		*[3,000]*
	Navy Sustainment Restoration and Modernization to 100%		*[349,000]*
300	*BASE OPERATING SUPPORT*	*4,610,525*	*4,610,525*
305	*UNDISTRIBUTED*		*2,000*
	Navy Emergency Management and Preparedness		*[2,000]*
	SUBTOTAL OPERATING FORCES	***32,164,377***	***32,982,577***
	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*
	SUBTOTAL MOBILIZATION	***801,962***	***801,962***
	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*	*255,843*
	Navy Recruiting and Advertising		*[983]*
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*
	SUBTOTAL TRAINING AND RECRUITING	***1,810,041***	***1,811,024***

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	754,483	692,483
	Realignment of funds to support the Financial Improvement and Audit Readiness Plan		[–62,000]
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
545	FINANCIAL IMPROVEMENT AND AUDIT READINESS		62,000
	Realignment of funds to support the Financial Improvement and Audit Readiness Plan		[62,000]
550	SERVICEWIDE TRANSPORTATION	190,662	190,662
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
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	5,516	5,516
705	CLASSIFIED PROGRAMS	552,715	552,715
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,588,308**	**4,588,308**
	UNDISTRIBUTED		
710	UNDISTRIBUTED		–445,700
	Navy unobligated balances estimate		[–435,900]
	Printing & Reproduction (10% cut)		[–7,100]
	Studies, Analysis & Evaluations (10% cut)		[–2,700]
	SUBTOTAL UNDISTRIBUTED		**–445,700**
	TOTAL OPERATION & MAINTENANCE, NAVY	**39,364,688**	**39,738,171**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	715,196	723,696
	CBRNE Response Force Capability Enhancement		[8,500]
020	FIELD LOGISTICS	677,608	677,608
030	DEPOT MAINTENANCE	190,713	190,713
040	MARITIME PREPOSITIONING	101,464	101,464
060	SUSTAINMENT, RESTORATION, & MODERNIZATION	823,390	891,390
	Marine Corps Sustainment Restoration and Modernization to 100%		[68,000]
070	BASE OPERATING SUPPORT	2,208,949	2,208,949
	SUBTOTAL OPERATING FORCES	**4,717,320**	**4,793,820**
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	18,280	18,280
090	OFFICER ACQUISITION	820	820
100	SPECIALIZED SKILL TRAINING	85,816	85,816
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
	SUBTOTAL TRAINING AND RECRUITING	**710,512**	**710,512**
	ADMIN & SRVWD ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	36,021	36,021
190	ADMINISTRATION	405,431	414,431
	USMC Expeditionary Energy Office—Experimental Forward Operating Base		[9,000]
200	ACQUISITION & PROGRAM MANAGEMENT	91,153	91,153
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**532,605**	**541,605**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		–70,000
	Marine Corps unobligated balances estimate		[–66,000]
	Mental Health Support for Military Personnel and Families		[3,000]
	Printing & Reproduction (10% cut)		[–6,500]
	Studies, Analysis & Evaluations (10% cut)		[–500]
	SUBTOTAL UNDISTRIBUTED		**–70,000**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**5,960,437**	**5,975,937**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	4,224,400	4,224,400

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
020	COMBAT ENHANCEMENT FORCES	3,417,731	3,417,731
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,482,814	1,482,814
050	DEPOT MAINTENANCE	2,204,131	2,204,131
060	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,652,318	1,924,238
	Air Force Sustainment, Restoration and Modernization to 100%		[271,920]
070	BASE SUPPORT	2,507,179	2,507,179
080	GLOBAL C3I AND EARLY WARNING	1,492,459	1,492,459
090	OTHER COMBAT OPS SPT PROGRAMS	1,046,226	1,046,226
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	696,188	696,188
110	LAUNCH FACILITIES	321,484	321,484
120	SPACE CONTROL SYSTEMS	633,738	633,738
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	735,488	735,488
140	COMBATANT COMMANDERS CORE OPERATIONS	170,481	170,481
	SUBTOTAL OPERATING FORCES	**20,584,637**	**20,856,557**
	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 & MODERNIZATION	388,103	442,221
	Air Force Sustainment, Restoration and Modernization to 100%		[54,118]
190	BASE SUPPORT	674,230	674,230
	SUBTOTAL MOBILIZATION	**4,574,846**	**4,628,964**
	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 & MODERNIZATION	430,090	501,430
	Air Force Sustainment, Restoration and Modernization to 100%		[71,340]
240	BASE SUPPORT	789,654	789,654
250	SPECIALIZED SKILL TRAINING	481,357	481,357
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
	SUBTOTAL TRAINING AND RECRUITING	**3,784,222**	**3,855,562**
	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 & MODERNIZATION	416,588	498,952
	Air Force Sustainment, Restoration and Modernization to 100%		[82,364]
390	BASE SUPPORT	1,219,043	1,219,043
400	ADMINISTRATION	662,180	662,180
410	SERVICEWIDE COMMUNICATIONS	650,689	650,689
420	OTHER SERVICEWIDE ACTIVITIES	1,078,769	954,769
	Air Force funds for Space Shuttle (for museum)		[–14,000]
	Realignment of funds to support the Financial Improvement and Audit Readiness Plan		[–110,000]
425	FINANCIAL IMPROVEMENT AND AUDIT READINESS		110,000
	Realignment of funds to support the Financial Improvement and Audit Readiness Plan		[110,000]
430	CIVIL AIR PATROL	23,338	23,338
460	INTERNATIONAL SUPPORT	72,589	72,589
465	CLASSIFIED PROGRAMS	1,215,848	1,215,848
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**7,251,428**	**7,319,792**
	UNDISTRIBUTED		
470	UNDISTRIBUTED		–410,500
	Air Force unobligated balances estimate		[–400,800]
	Printing & Reproduction (10% cut)		[–7,200]
	Studies, Analysis & Evaluations (10% cut)		[–2,500]
	SUBTOTAL UNDISTRIBUTED		**–410,500**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**36,195,133**	**36,250,375**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	563,787	563,787

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
020	SPECIAL OPERATIONS COMMAND	3,986,766	3,989,766
	Cold Weather Protective Equipment		[3,000]
	SUBTOTAL OPERATING FORCES	**4,550,553**	**4,553,553**
	TRAINING AND RECRUITING		
030	DEFENSE ACQUISITION UNIVERSITY	124,075	124,075
040	NATIONAL DEFENSE UNIVERSITY	93,348	93,348
	SUBTOTAL TRAINING AND RECRUITING	**217,423**	**217,423**
	ADMIN & SRVWD ACTIVITIES		
050	CIVIL MILITARY PROGRAMS	159,692	149,323
	Innovative Readiness Training (Section 591)		[–10,369]
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	677,419
	Voluntary Separation Repayment		[1,000]
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,360,392	1,360,392
140	DEFENSE LEGAL SERVICES AGENCY	37,367	37,367
150	DEFENSE LOGISTICS AGENCY	450,863	456,863
	Procurement Technical Assistance Centers		[6,000]
160	DEFENSE MEDIA ACTIVITY	256,133	256,133
170	DEFENSE POW/MIA OFFICE	22,372	22,372
180	DEFENSE SECURITY COOPERATION AGENCY—GLOBAL TRAIN AND EQUIP	500,000	400,000
	Reduction to Global Train and Equip		[–100,000]
185	DEFENSE SECURITY COOPERATION AGENCY—OTHER	182,831	182,831
190	DEFENSE SECURITY SERVICE	505,366	505,366
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	33,848	33,848
210	DEFENSE THREAT REDUCTION AGENCY	432,133	432,133
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,768,677	2,768,677
230	MISSILE DEFENSE AGENCY	202,758	202,758
250	OFFICE OF ECONOMIC ADJUSTMENT	81,754	81,754
260	OFFICE OF THE SECRETARY OF DEFENSE	2,201,964	2,300,964
	Department of Defense Corrosion Protection Projects		[22,700]
	DOD Installation Energy Manager Training Program		[3,000]
	Education and Employment Advocacy Program for Wounded Members of the Armed Forces		[15,000]
	Establish Office of Language and Policy		[6,000]
	Insider Threat Detection Program		[5,000]
	Office of Net Assessment		[1,300]
	Sexual Assault Response Coordinators and Victim Advocates		[45,000]
	Wounded Warriors Career Program		[1,000]
270	WASHINGTON HEADQUARTERS SERVICE	563,184	563,184
275	CLASSIFIED PROGRAMS	14,068,492	14,068,492
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**26,172,433**	**26,168,064**
	UNDISTRIBUTED		
280	UNDISTRIBUTED		–413,000
	Defense-wide unobligated balances estimate		[–456,800]
	DOD Impact Aid (Section 581)		[40,000]
	Printing & Reproduction (10% cut)		[–4,300]
	Red Cross Reimbursement for Humanitarian Support to Service Members		[25,000]
	Studies, Analysis & Evaluations (10% cut)		[–16,900]
	SUBTOTAL UNDISTRIBUTED		**–413,000**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**30,940,409**	**30,526,040**
	OPERATION & MAINTENANCE, ARMY RESERVE		
	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	71,666
	Restore Flying Hours to Army Reserve		[4,300]
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	590,078
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	255,618	282,618
	Army Reserve Sustainment, Restoration and Modernization to 100%		[27,000]
	SUBTOTAL OPERATING FORCES	**2,951,894**	**2,983,194**
	ADMIN & SRVWD ACTIVITIES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**157,282**	**157,282**
	TOTAL OPERATION & MAINTENANCE, ARMY RESERVE	**3,109,176**	**3,140,476**
	OPERATION & MAINTENANCE, NAVY RESERVE		
	OPERATING FORCES		
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	125,047
	Aviation Depot Maintenance		[1,500]
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	54,916
	Ship Depot Maintenance (Reserve)		[1,000]
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
	SUBTOTAL OPERATING FORCES	**1,301,473**	**1,303,973**
	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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**21,661**	**21,661**
	TOTAL OPERATION & MAINTENANCE, NAVY RESERVE	**1,323,134**	**1,325,634**
	OPERATION & MAINTENANCE, MARINE CORPS RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	94,604	94,604
020	DEPOT MAINTENANCE	16,382	16,382
040	SUSTAINMENT, RESTORATION AND MODERNIZATION	31,520	31,520
050	BASE OPERATING SUPPORT	105,809	105,809
	SUBTOTAL OPERATING FORCES	**248,315**	**248,315**
	ADMIN & SRVWD ACTIVITIES		
070	SERVICEWIDE TRANSPORTATION	852	852
080	ADMINISTRATION	13,257	13,257
090	RECRUITING AND ADVERTISING	9,019	9,019
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**23,128**	**23,128**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS RESERVE	**271,443**	**271,443**
	OPERATION & MAINTENANCE, AIR FORCE RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,171,853	2,208,753
	Restore Flying Hours to FY11 levels		[36,900]
020	MISSION SUPPORT OPERATIONS	116,513	116,513
030	DEPOT MAINTENANCE	471,707	471,707
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	77,161	91,161
	Air Force Reserve Sustainment, Restoration and Modernization to 100%		[14,000]
050	BASE SUPPORT	308,974	308,974
	SUBTOTAL OPERATING FORCES	**3,146,208**	**3,197,108**
	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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**128,151**	**128,151**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE RESERVE	**3,274,359**	**3,325,259**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY NATIONAL GUARD		
	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	861,768
	Restore O&M Funding for Guard C–23		[7,720]
070	FORCE READINESS OPERATIONS SUPPORT	706,299	713,299
	Increase funding for Guard simulator training		[5,000]
	Simulation Training Systems		[2,000]
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	1,028,126
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	618,513	684,513
	Army National Guard Sustainment, Restoration and Modernization to 100%		[66,000]
120	MANAGEMENT AND OPERATIONAL HQ	792,575	792,575
	SUBTOTAL OPERATING FORCES	**6,419,544**	**6,500,264**
	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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**621,888**	**621,888**
	TOTAL OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	**7,041,432**	**7,122,152**
	OPERATION & MAINTENANCE, AIR NATIONAL GUARD		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,651,900	3,703,000
	Restore Flying Hours to FY11 Levels		[51,100]
020	MISSION SUPPORT OPERATIONS	751,519	751,519
030	DEPOT MAINTENANCE	753,525	753,525
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	284,348	330,348
	Air National Guard Sustainment, Restoration and Modernization to 100%		[46,000]
050	BASE SUPPORT	621,942	621,942
	SUBTOTAL OPERATING FORCES	**6,063,234**	**6,160,334**
	ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	39,387	39,387
070	RECRUITING AND ADVERTISING	33,659	33,659
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**73,046**	**73,046**
	TOTAL OPERATION & MAINTENANCE, AIR NATIONAL GUARD	**6,136,280**	**6,233,380**
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,861	13,861
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	107,662	107,662
030	COOPERATIVE THREAT REDUCTION	508,219	508,219
040	ACQ WORKFORCE DEV FD	305,501	305,501
050	ENVIRONMENTAL RESTORATION, ARMY	346,031	346,031
060	ENVIRONMENTAL RESTORATION, NAVY	308,668	308,668
070	ENVIRONMENTAL RESTORATION, AIR FORCE	525,453	503,453
	Unjustified program growth		[–22,000]
080	ENVIRONMENTAL RESTORATION, DEFENSE	10,716	10,716
090	ENVIRONMENTAL RESTORATION, FORMERLY USED SITES	276,495	276,495
100	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	5,000	0
	Program Reduction		[–5,000]
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	**2,407,606**	**2,380,606**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**2,407,606**	**2,380,606**
	TOTAL OPERATION & MAINTENANCE	**170,759,313**	**171,120,469**

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	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
040	THEATER LEVEL ASSETS	3,424,314	3,424,314
050	LAND FORCES OPERATIONS SUPPORT	1,534,886	1,534,886
060	AVIATION ASSETS	87,166	87,166
070	FORCE READINESS OPERATIONS SUPPORT	2,675,821	2,675,821
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	951,371
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	250,000	250,000
140	ADDITIONAL ACTIVITIES	22,998,441	22,998,441
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	425,000	425,000
160	RESET	3,955,429	3,955,429
	SUBTOTAL OPERATING FORCES	**37,881,428**	**37,881,428**
	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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**6,420,852**	**6,420,852**
	TOTAL OPERATION & MAINTENANCE, ARMY	**44,302,280**	**44,302,280**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	1,058,114	1,058,114
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
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	352,210
	SUBTOTAL OPERATING FORCES	**6,261,464**	**6,261,464**
	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	258,278
	SUBTOTAL MOBILIZATION	**321,588**	**321,588**
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	69,961	69,961
430	TRAINING SUPPORT	5,400	5,400
	SUBTOTAL TRAINING AND RECRUITING	**75,361**	**75,361**
	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
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
705	CLASSIFIED PROGRAMS	2,060	2,060
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**348,154**	**348,154**
	TOTAL OPERATION & MAINTENANCE, NAVY	**7,006,567**	**7,006,567**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	2,069,485	2,069,485
020	FIELD LOGISTICS	575,843	575,843
030	DEPOT MAINTENANCE	251,100	251,100
070	BASE OPERATING SUPPORT	82,514	82,514
	SUBTOTAL OPERATING FORCES	**2,978,942**	**2,978,942**
	TRAINING AND RECRUITING		
130	TRAINING SUPPORT	209,784	209,784
	SUBTOTAL TRAINING AND RECRUITING	**209,784**	**209,784**
	ADMIN & SRVWD ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	376,495	376,495
190	ADMINISTRATION	5,989	5,989
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**382,484**	**382,484**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**3,571,210**	**3,571,210**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,115,901	2,115,901
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 & MODERNIZATION	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	46,390
	SUBTOTAL OPERATING FORCES	**5,914,957**	**5,914,957**
	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 & MODERNIZATION	9,485	9,485
190	BASE SUPPORT	30,033	30,033
	SUBTOTAL MOBILIZATION	**3,819,950**	**3,819,950**
	TRAINING AND RECRUITING		
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	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
	SUBTOTAL TRAINING AND RECRUITING	**34,378**	**34,378**
	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
465	CLASSIFIED PROGRAMS	54,000	54,000
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**949,902**	**949,902**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**10,719,187**	**10,719,187**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	2,000	2,000

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
020	SPECIAL OPERATIONS COMMAND	3,269,939	3,269,939
	SUBTOTAL OPERATING FORCES	**3,271,939**	**3,271,939**
	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	102,322
160	DEFENSE MEDIA ACTIVITY	15,457	15,457
185	DEFENSE SECURITY COOPERATION AGENCY—OTHER	2,200,000	2,200,000
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	194,100	194,100
260	OFFICE OF THE SECRETARY OF DEFENSE	143,870	143,870
275	CLASSIFIED PROGRAMS	3,065,800	3,065,800
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**5,997,472**	**5,997,472**
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	**9,269,411**	**9,269,411**
	OPERATION & MAINTENANCE, ARMY RESERVE		
	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	20,700
100	BASE OPERATIONS SUPPORT	84,500	84,500
	SUBTOTAL OPERATING FORCES	**217,500**	**217,500**
	TOTAL OPERATION & MAINTENANCE, ARMY RESERVE	**217,500**	**217,500**
	OPERATION & MAINTENANCE, NAVY RESERVE		
	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
	SUBTOTAL OPERATING FORCES	**74,148**	**74,148**
	TOTAL OPERATION & MAINTENANCE, NAVY RESERVE	**74,148**	**74,148**
	OPERATION & MAINTENANCE, MARINE CORPS RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	31,284	31,284
050	BASE OPERATING SUPPORT	4,800	4,800
	SUBTOTAL OPERATING FORCES	**36,084**	**36,084**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS RESERVE	**36,084**	**36,084**
	OPERATION & MAINTENANCE, AIR FORCE RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	4,800	4,800
030	DEPOT MAINTENANCE	131,000	131,000
050	BASE SUPPORT	6,250	6,250
	SUBTOTAL OPERATING FORCES	**142,050**	**142,050**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE RESERVE	**142,050**	**142,050**
	OPERATION & MAINTENANCE, ARMY NATIONAL GUARD		
	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
100	BASE OPERATIONS SUPPORT	34,788	34,788
120	MANAGEMENT AND OPERATIONAL HQ	21,967	21,967
	SUBTOTAL OPERATING FORCES	**387,544**	**387,544**
	TOTAL OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	**387,544**	**387,544**
	OPERATION & MAINTENANCE, AIR NATIONAL GUARD		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	34,050	34,050
	SUBTOTAL OPERATING FORCES	**34,050**	**34,050**
	TOTAL OPERATION & MAINTENANCE, AIR NATIONAL GUARD	**34,050**	**34,050**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	INFRASTRUCTURE	1,304,350	1,304,350
020	EQUIPMENT AND TRANSPORTATION	1,667,905	1,667,905
030	TRAINING AND OPERATIONS	751,073	751,073
040	SUSTAINMENT	3,331,774	3,331,774
	SUBTOTAL MINISTRY OF DEFENSE	**7,055,102**	**7,055,102**
	MINISTRY OF INTERIOR		
060	INFRASTRUCTURE	1,128,584	1,128,584
070	EQUIPMENT AND TRANSPORTATION	1,530,420	1,530,420
080	TRAINING AND OPERATIONS	1,102,430	1,102,430
090	SUSTAINMENT	1,938,715	1,938,715
	SUBTOTAL MINISTRY OF INTERIOR	**5,700,149**	**5,700,149**
	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
	SUBTOTAL ASSOCIATED ACTIVITIES	**44,749**	**44,749**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**12,800,000**	**12,800,000**
	PAKISTAN COUNTERINSURGENCY FUND		
	UNDISTRIBUTED		
010	UNDISTRIBUTED		1,100,000
	Realignment of funds from Department of State		[1,100,000]
	SUBTOTAL UNDISTRIBUTED		**1,100,000**
	TOTAL PAKISTAN COUNTERINSURGENCY FUND		**1,100,000**
	AFGHANISTAN INFRASTRUCTURE FUND		
	POWER		
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
	SUBTOTAL POWER	**475,000**	**475,000**
	TOTAL AFGHANISTAN INFRASTRUCTURE FUND	**475,000**	**475,000**
	TOTAL OPERATION & MAINTENANCE	**89,035,031**	**90,135,031**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	*FY 2012 Request*	*House Authorized*
MILITARY PERSONNEL	*142,828,848*	*142,164,158*
Increase in Authorized Strengths for Marine Corps Officers on Active Duty in Field Grades (Section 501)		*6,000*
Retain Carrier Air Wing Staff (Section 1095)		*2,310*
Travel and Transportation Allowances for Non-Medical Attendants		*20,000*
Unobligated Balances (Section 421)		*[–693,000]*

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	*FY 2012 Request*	*House Authorized*
MILITARY PERSONNEL	*11,228,566*	*11,228,566*

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2012 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	101,194	101,194
TOTAL WORKING CAPITAL FUND, ARMY	**101,194**	**101,194**
WORKING CAPITAL FUND, AIR FORCE		
WAR RESERVE MATERIAL	65,372	65,372
TOTAL WORKING CAPITAL FUND, AIR FORCE	**65,372**	**65,372**
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	31,614	31,614
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**31,614**	**31,614**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	1,376,830	1,378,830
Enhanced Commissary Stores Pilot Program		[2,000]
TOTAL WORKING CAPITAL FUND, DECA	**1,376,830**	**1,378,830**
NATIONAL DEFENSE SEALIFT FUND		
MPF MLP	425,865	425,865
POST DELIVERY AND OUTFITTING	24,161	24,161
NATIONAL DEF SEALIFT VESSEL	1,138	1,138
LG MED SPD RO/RO MAINTENANCE	92,567	92,567
DOD MOBILIZATION ALTERATIONS	184,109	184,109
TAH MAINTENANCE	40,831	40,831
RESEARCH AND DEVELOPMENT	48,443	48,443
READY RESERVE FORCE	309,270	309,270
TOTAL NATIONAL DEFENSE SEALIFT FUND	**1,126,384**	**1,126,384**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	8,148,856	8,148,856
PRIVATE SECTOR CARE	16,377,272	16,377,272
CONSOLIDATED HEALTH SUPPORT	2,193,821	2,193,821
INFORMATION MANAGEMENT	1,422,697	1,403,467
Electronic Health Record Way Ahead		[–15,480]
Virtual Electronic Health Record		[–3,750]
MANAGEMENT ACTIVITIES	312,102	312,102
EDUCATION AND TRAINING	705,347	705,347
BASE OPERATIONS/COMMUNICATIONS	1,742,451	1,742,451
UNDISTRIBUTED		–178,500
Collaborative Military-Civilian Trauma Training Programs		[3,000]
Competitive Programs for Alcohol and Substance Use Disorders		[5,000]
Cooperative Health Care Agreements		[500]
Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury		[2,000]
GAO Estimate of Unobligated Balances		[–225,000]
Mental Health Initiatives		[10,000]
Military Adaptive Sports Programs Section 582		[5,000]
Prohibit TRICARE Prime Fee Increase for 1 year		[45,000]
Prohibit TRICARE Prime Fee Increase for 1 year		[–25,000]
Prohibit TRICARE Prime Fee Increase for 1 year		[–20,000]
TBI and PTSD Initiatives		[20,000]
Traumatic Brain Injury		[1,000]
RDT&E		
IN-HOUSE LABORATORY INDEPENDENT RESEARCH	2,935	2,935
APPLIED BIOMEDICAL TECHNOLOGY	33,805	33,805
MEDICAL TECHNOLOGY	3,694	3,694
MEDICAL ADVANCED TECHNOLOGY	767	767
MEDICAL TECHNOLOGY DEVELOPMENT	181,042	181,042
MEDICAL PRODUCTS SUPPORT AND ADVANCED CONCEPT DEVELOPMENT	167,481	167,481
INFORMATION TECHNOLOGY DEVELOPMENT	176,345	164,235

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2012 Request	House Authorized
Electronic Health Record Way Ahead		[–11,360]
Virtual Electronic Health Record		[–750]
MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	34,559	34,559
MEDICAL PROGRAM-WIDE ACTIVITIES	48,313	48,313
MEDICAL PRODUCTS AND CAPABILITIES ENHANCEMENT ACTIVITIES	14,765	14,765
UNDISTRIBUTED		2,000
Prostate Cancer Imaging Research Initiative		[2,000]
PROCUREMENT		
DEFENSE HEALTH PROGRAM	632,518	604,348
Electronic Health Record Way Ahead		[–28,170]
TOTAL DEFENSE HEALTH PROGRAM	**32,198,770**	**31,962,760**
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	1,147,691	1,147,691
CHEM DEMILITARIZATION—RDT&E	406,731	406,731
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**1,554,422**	**1,554,422**
DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	1,156,282	1,156,282
TOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	**1,156,282**	**1,156,282**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	286,919	287,919
DOD IG Inspection of Military Cemeteries, Section 562		[1,000]
RDT&E	1,600	1,600
PROCUREMENT	1,000	1,000
TOTAL OFFICE OF THE INSPECTOR GENERAL	**289,519**	**290,519**
MISSION FORCE ENHANCEMENT TRANSFER FUND		
		348,256
Creation of the Mission Force Enhancement Transfer Fund		[1,000,000]
Program Decreases		[–651,744]
TOTAL MISSION FORCE ENHANCEMENT TRANSFER FUND		**348,256**
TOTAL OTHER AUTHORIZATIONS	**37,900,387**	**38,015,633**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	*FY 2012 Request*	*House Authorized*
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	*54,000*	*54,000*
TOTAL WORKING CAPITAL FUND, ARMY	***54,000***	***54,000***
WORKING CAPITAL FUND, AIR FORCE		
TRANSPORTATION FALLEN HEROES	*10,000*	*10,000*
CONTAINER DECONSOLIDATION	*2,000*	*2,000*
TOTAL WORKING CAPITAL FUND, AIR FORCE	***12,000***	***12,000***
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	*369,013*	*369,013*
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	***369,013***	***369,013***
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	*641,996*	*641,996*
PRIVATE SECTOR CARE	*464,869*	*464,869*
CONSOLIDATED HEALTH SUPPORT	*95,994*	*95,994*
INFORMATION MANAGEMENT	*5,548*	*5,548*
MANAGEMENT ACTIVITIES	*751*	*751*
EDUCATION AND TRAINING	*16,859*	*16,859*
BASE OPERATIONS/COMMUNICATIONS	*2,271*	*2,271*
TOTAL DEFENSE HEALTH PROGRAM	***1,228,288***	***1,228,288***
DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	*486,458*	*486,458*
TOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES	***486,458***	***486,458***
OFFICE OF THE INSPECTOR GENERAL		
OPERATION & MAINTENANCE	*11,055*	*11,055*
TOTAL OFFICE OF THE INSPECTOR GENERAL	***11,055***	***11,055***
TOTAL OTHER AUTHORIZATIONS	***2,160,814***	***2,160,814***

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	Afghanistan			
Army	Bagram Air Base	Barracks, Ph 5	29,000	29,000
Army	Bagram Air Base	Construct Drainage System, Ph 3	31,000	31,000
Army	Bagram Air Base	Entry Control Point	20,000	20,000
	Alabama			
Army	Fort Rucker	Combat Readiness Center	11,600	11,600
	Alaska			
Army	Fort Wainwright	Aviation Complex, Ph 3a	114,000	114,000
Army	Joint Base Elmendorf-Richardson	Brigade Complex, Ph 2	74,000	74,000
Army	Joint Base Elmendorf-Richardson	Organizational Parking	3,600	3,600
Army	Joint Base Elmendorf-Richardson	Physical Fitness Facility	26,000	26,000
	California			
Army	Fort Irwin	Infantry Squad Battle Course	7,500	7,500
Army	Fort Irwin	Qualification Training Range	15,500	15,500
Army	Presidio Monterey	General Instruction Building	3,000	3,000
	Colorado			
Army	Fort Carson	Aircraft Loading Area	34,000	34,000
Army	Fort Carson	Aircraft Maintenance Hangar	63,000	63,000
Army	Fort Carson	Barracks	46,000	46,000
Army	Fort Carson	Barracks	67,000	67,000
Army	Fort Carson	Brigade Headquarters	14,400	14,400
Army	Fort Carson	Control Tower	14,200	14,200
	Georgia			
Army	Fort Benning	Land Acquisition	25,000	25,000
Army	Fort Benning	Land Acquisition	5,100	5,100
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
	Germany			
Army	Germersheim	Central Distribution Facility	21,000	21,000
Army	Germersheim	Infrastructure	16,500	16,500
Army	Grafenwoehr	Barracks	17,500	17,500
Army	Grafenwoehr	Chapel	15,500	15,500
Army	Grafenwoehr	Convoy Live Fire Range	5,000	5,000
Army	Landstuhl	Satellite Communications Center	39,000	39,000
Army	Landstuhl	Satellite Communications Center	24,000	24,000
Army	Oberdachstetten	Automated Record Fire Range	12,200	12,200
Army	Stuttgart	Access Control Point	12,200	12,200
Army	Vilseck	Barracks	20,000	20,000
	Hawaii			
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
	Honduras			
Army	Honduras Various	Barracks	25,000	25,000
	Kansas			
Army	Forbes Air Field	Deployment Support Facility	5,300	5,300
Army	Fort Riley	Chapel	10,400	10,400
Army	Fort Riley	Physical Fitness Facility	13,000	13,000
Army	Fort Riley	Unmanned Aerial Vehicle Maintenance Hangar	60,000	60,000
	Kentucky			
Army	Fort Campbell	Barracks	23,000	23,000
Army	Fort Campbell	Barracks Complex	65,000	65,000
Army	Fort Campbell	Physical Fitness Facility	18,500	18,500
Army	Fort Campbell	Scout/Recce Gunnery Range	18,000	18,000
Army	Fort Campbell	Unmanned Aerial Vehicle Maintenance Hangar	67,000	67,000
Army	Fort Campbell	Vehicle Maintenance Facility	16,000	16,000
Army	Fort Campbell	Vehicle Maintenance Facility	40,000	40,000
Army	Fort Knox	Automated Infantry Platoon Battle Course	7,000	7,000
Army	Fort Knox	Battalion Complex	48,000	48,000
	Korea			
Army	Camp Carroll	Barracks	41,000	41,000
Army	Camp Henry	Barracks Complex	48,000	48,000
	Louisiana			
Army	Fort Polk	Brigade Complex	23,000	23,000
Army	Fort Polk	Fire Station	9,200	9,200
Army	Fort Polk	Land Acquisition	27,000	27,000
Army	Fort Polk	Military Working Dog Facility	2,600	2,600
Army	Fort Polk	Multipurpose Machine Gun Range	8,300	8,300
	Maryland			
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
	Missouri			
Army	Fort Leonard Wood	Vehicle Maintenance Facility	49,000	49,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	New York			
Army	Fort Drum	Ammunition Supply Point	5,700	5,700
Army	Fort Drum	Chapel	7,600	7,600
	North Carolina			
Army	Fort Bragg	Access Roads, Ph 2	18,000	18,000
Army	Fort Bragg	Battle Command Training Center	23,000	23,000
Army	Fort Bragg	Brigade Complex Facilities	49,000	49,000
Army	Fort Bragg	Nco Academy	42,000	42,000
Army	Fort Bragg	Unmanned Aerial Vehicle Maintenance Hangar	54,000	54,000
	Oklahoma			
Army	Fort Sill	Battle Command Training Center	23,000	23,000
Army	Fort Sill	Chapel	13,200	13,200
Army	Fort Sill	Physical Fitness Facility	25,000	25,000
Army	Fort Sill	Rail Deployment Facility	3,400	3,400
Army	Fort Sill	Reception Station, Ph 1	36,000	36,000
Army	Fort Sill	Thaad Instruction Facility	33,000	33,000
Army	Fort Sill	Vehicle Maintenance Facility	51,000	51,000
Army	Mcalester	Ammunition Loading Pads	1,700	1,700
Army	Mcalester	Railroad Tracks	6,300	6,300
	South Carolina			
Army	Fort Jackson	Modified Record Fire Range	4,900	4,900
Army	Fort Jackson	Trainee Barracks Complex, Ph 2	59,000	59,000
	Texas			
Army	Fort Bliss	Applied Instruction Building	8,300	8,300
Army	Fort Bliss	Barracks Complex	13,000	13,000
Army	Fort Bliss	Electronics Maintenance Facility	14,600	14,600
Army	Fort Bliss	Infrastructure	14,600	14,600
Army	Fort Bliss	Jlens Tactical Training Facility	39,000	39,000
Army	Fort Bliss	Vehicle Maintenance Facility	24,000	24,000
Army	Fort Bliss	Vehicle Maintenance Facility	19,000	19,000
Army	Fort Bliss	Vehicle Maintenance Facility	14,600	14,600
Army	Fort Bliss	Water Well, Potable	2,400	2,400
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	Joint Base San Antonio	Vehicle Maintenance Facility	10,400	10,400
Army	Red River Army Depot	Maneuver Systems Sustainment Ctr, Ph 3	44,000	44,000
	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 Infrastucture Improvements	31,000	31,000
Army	Joint Base Langley Eustis	Aviation Training Facility	26,000	26,000
	Washington			
Army	Joint Base Lewis Mcchord	Air Support Operations Facilities	7,300	7,300
Army	Joint Base Lewis Mcchord	Aviation Complex, Ph 1b	48,000	48,000
Army	Joint Base Lewis Mcchord	Aviation Unit Complex, Ph 1a	34,000	34,000
Army	Joint Base Lewis Mcchord	Battalion Complex	59,000	59,000
Army	Joint Base Lewis Mcchord	Brigade Complex, Ph 2	56,000	56,000
Army	Joint Base Lewis Mcchord	Infrastructure, Ph 1	64,000	64,000
Army	Joint Base Lewis Mcchord	Operational Readiness Training Cplx, Ph 1	28,000	28,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Community Facilities	0	10,000
Army	Unspecified Worldwide Locations	Host Nation Support	25,500	25,500
Army	Unspecified Worldwide Locations	Minor Construction	20,000	20,000
Army	Unspecified Worldwide Locations	Planning & Design	229,741	229,741
Army	Unspecified Worldwide Locations	R&d Facilities	0	20,000
Army	Unspecified Worldwide Locations	Supply Facilities	0	0
Army	Unspecified Worldwide Locations	Training Facilities	0	20,000
Army	Unspecified Worldwide Locations	Troop Housing Facilities	0	0
Army	Unspecified Worldwide Locations	Troop Housing Facilities	0	10,000
Army	Unspecified Worldwide Locations	Utilities and Ground Improvements	0	10,000
Total Military Construction, Army			**3,235,991**	**3,305,991**
	Arizona			
Navy	Yuma	Aircraft Maintenance Hangar	39,515	39,515
Navy	Yuma	Double Aircraft Maintenance Hangar	81,897	81,897
Navy	Yuma	JSF Auxiliary Landing Field	41,373	41,373
	Bahrain Island			
Navy	Sw Asia	Bachelor Enlisted Quarters	55,010	55,010
Navy	Sw Asia	Waterfront Development Phase 4	45,194	45,194
	California			
Navy	Barstow	Dip Tank Cleaning Facility	8,590	8,590
Navy	Bridgeport	Multi-Purpose Building—Addition	19,238	19,238
Navy	Camp Pendleton	Armory, 1st Marine Division	12,606	12,606
Navy	Camp Pendleton	Individual Equipment Issue Warehouse	16,411	16,411
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	Mv–22 Aviation Fuel Storage	6,163	6,163
Navy	Camp Pendleton	Mv–22 Aviation Pavement	18,530	18,530
Navy	Camp Pendleton	Mv–22 Double Hangar Replacement	48,345	48,345

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
Navy	Camp Pendleton	New Potable Water Conveyance	113,091	113,091
Navy	Camp Pendleton	North Area Waste Water Conveyance	78,271	78,271
Navy	Coronado	Fitness Center North Island	46,763	46,763
Navy	Coronado	Rotary Aircraft Depot Maint Fac (North Is.)	61,672	61,672
Navy	Point Mugu	E–2d Aircrew Training Facility	15,377	15,377
Navy	Twentynine Palms	Child Development Center	23,743	23,743
Navy	Twentynine Palms	Land Expansion	8,665	8,665
Navy	Twentynine Palms	Multi-Use Operational Fitness Area	18,819	18,819
Navy	Twentynine Palms	Tracked Vehicle Maintenance Cover	15,882	15,882
	Diego Garcia			
Navy	Diego Garcia	Potable Water Plant Modernization	35,444	35,444
	Djibouti			
Navy	Camp Lemonier	Aircraft Logistics Apron	35,170	35,170
Navy	Camp Lemonier	Bachelor Quarters	43,529	43,529
Navy	Camp Lemonier	Taxiway Enhancement	10,800	10,800
	Florida			
Navy	Jacksonville	Bams UAS Operator Training Facility	4,482	4,482
Navy	Jacksonville	P–8a Hangar Upgrades	6,085	6,085
Navy	Jacksonville	P–8a Training Facility	25,985	25,985
Navy	Mayport	Massey Avenue Corridor Improvements	14,998	0
Navy	Whiting Field	Applied Instruction Facilities, EOD Course	20,620	20,620
	Georgia			
Navy	Kings Bay	Crab Island Security Enclave	52,913	52,913
Navy	Kings Bay	Wra Land/Water Interface	33,150	33,150
	Guam			
Navy	Joint Region Marianas	Finegayan Water Utilities	77,267	77,267
Navy	Joint Region Marianas	North Ramp Utilities—Anderson AFB (Inc)	78,654	78,654
	Hawaii			
Navy	Barking Sands	North Loop Electrical Replacement	9,679	9,679
Navy	Joint Base Pearl Harbor-Hickam	Navy Information Operations Command Fes Fac	7,492	7,492
Navy	Kaneohe Bay	MCAS Operations Complex	57,704	57,704
	Illinois			
Navy	Great Lakes	Decentralize Steam System	91,042	91,042
	Maryland			
Navy	Indian Head	Decentralize Steam System	67,779	67,779
Navy	Patuxent River	Aircraft Prototype Facility Phase 2	45,844	45,844
	North Carolina			
Navy	Camp Lejeune	2nd Combat Engineer Maintenance/Ops Complex	75,214	75,214
Navy	Camp Lejeune	Bachelor Enlisted Quarters—Wallace Creek	27,439	27,439
Navy	Camp Lejeune	Base Entry Point and Road	81,008	81,008
Navy	Camp Lejeune	Squad Battle Course	16,821	16,821
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 Additiion	9,419	9,419
	South Carolina			
Navy	Beaufort	Vertical Landing Pads	21,096	21,096
	Virginia			
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	Academic Instruction Facility	75,304	75,304
Navy	Quantico	Bachelor Enlisted Quarters	31,374	31,374
Navy	Quantico	Embassy Security Group Facilities	27,079	27,079
Navy	Quantico	Enlisted Dining Facility	5,034	5,034
Navy	Quantico	Realign Purvis Rd/Russell Rd Intersection	6,442	6,442
Navy	Quantico	the Basic School Student Quarters—Phase 6	28,488	28,488
Navy	Quantico	Waste Water Treatment Plant—Upshur	9,969	9,969
	Washington			
Navy	Bremerton	Integrated Dry Dock Water Treatment Fac Ph1	13,341	13,341
Navy	Kitsap	Ehw Security Force Facility (Bangor)	25,948	25,948
Navy	Kitsap	Explosives Handling Wharf #2 (Inc. 1)	78,002	78,002
Navy	Kitsap	Waterfront Restricted Area Vehicle Barriers	17,894	17,894
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Maintenance & Production Facilities	0	10,000
Navy	Unspecified Worldwide Locations	Planning and Design	84,362	69,362
Navy	Unspecified Worldwide Locations	R&d Facilities	0	20,000
Navy	Unspecified Worldwide Locations	Troop Housing Facilities	0	29,998
Navy	Unspecified Worldwide Locations	Unspecified Minor Constr	21,495	21,495
Total Military Construction, Navy			**2,461,547**	**2,491,547**
	Alaska			
AF	Eielson AFB	Dormitory (168 Rm)	45,000	45,000
AF	Joint Base 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			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
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—Incr 2	79,000	49,000
	Germany			
AF	Ramstein Ab	Dormitory (192 Rm)	34,697	34,697
	Greenland			
AF	Thule Ab	Dormitory (72 Pn)	28,000	28,000
	Guam			
AF	Joint Region Marianas	Air Freight Terminal Complex	35,000	35,000
AF	Joint Region Marianas	Guam Strike Clear Water Rinse Facility	7,500	7,500
AF	Joint Region Marianas	Guam Strike Conventional Munitions Maintenanc	11,700	11,700
AF	Joint Region Marianas	Guam Strike Fuel Systems Maintenance Hangar, Incr 1	128,000	64,000
AF	Joint Region Marianas	Prtc Combat Communications Combat Support	9,800	9,800
AF	Joint Region Marianas	Prtc Combat Communications Transmission Syst	5,600	5,600
AF	Joint Region Marianas	Prtc Red Horse Cantonment Operations Facility	14,000	14,000
	Italy			
AF	Sigonella	UAS SATCOM Relay Pads and Facility	15,000	15,000
	Kansas			
AF	Fort Riley	Air Support Operations Center	7,600	7,600
	Korea			
AF	Osan Ab	Dormitory (156 Rm)	23,000	23,000
	Louisiana			
AF	Barksdale AFB	Mission Support Group Complex	23,500	23,500
	Missouri			
AF	Whiteman AFB	Wsa Security Control Facility	4,800	4,800
	Nebraska			
AF	Offutt AFB	STRATCOM Replacement Facility Incr 1	150,000	150,000
	Nevada			
AF	Nellis AFB	Communications Network Control Center	11,600	11,600
AF	Nellis AFB	F–35 Add/Alter Engine Shop	2,750	2,750
AF	Nellis AFB	F–35a Age Facility	21,500	21,500
	New Mexico			
AF	Cannon AFB	Adal Wastewater Treatment Plant	7,598	7,598
AF	Cannon AFB	Dormitory (96 Rm)	15,000	15,000
AF	Holloman AFB	Child Development Center	11,200	11,200
AF	Holloman AFB	F–16 Academic Facility	5,800	5,800
AF	Holloman AFB	F–16 Sead Training Facility	4,200	4,200
AF	Holloman AFB	Parallel Taxiway 07/25	8,000	8,000
AF	Kirtland AFB	Afnwc Sustainment Center	25,000	25,000
	North Carolina			
AF	Pope AFB	C–130 Flight Simulator	6,000	6,000
	North Dakota			
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
AF	Minot AFB	Dormitory (168 Rm)	22,000	22,000
	Qatar			
AF	AL Udeid	Blatchford Preston Complex, Phase Iv	37,000	37,000
	Texas			
AF	Joint Base San Antonio	Adv Indiv Training (Ait) Barracks (300 Rm)	46,000	46,000
AF	Joint Base San Antonio	Bmt Recruit Dormitory 4, Phase Iv	64,000	64,000
	Utah			
AF	Hill AFB	F–22 System Support Facility	16,500	16,500
AF	Hill AFB	F–35 Adal Hangar 45e/AMU	6,800	6,800
	Virginia			
AF	Joint Base Langley Eustis	Ait Barracks Complex, Ph 2	50,000	50,000
	Washington			
AF	Fairchild AFB	Sere Force Support Ph 2	14,000	14,000
AF	Fairchild AFB	Wing Headquarters	13,600	13,600
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Community Facilities	0	10,000
AF	Unspecified Worldwide Locations	Community Facilities	0	10,000
AF	Unspecified Worldwide Locations	Maintenance & Production Facilities	0	10,000
AF	Unspecified Worldwide Locations	Operational Facilities	0	20,000
AF	Unspecified Worldwide Locations	Planning & Design	81,913	81,913
AF	Unspecified Worldwide Locations	Supporting Facilities	0	10,000
AF	Unspecified Worldwide Locations	Unspecified Minor Construction	20,000	20,000
Total Military Construction, Air Force			**1,364,858**	**1,330,858**
	Alabama			
Def-Wide	Redstone Arsenal	Von Braun Complex Phase Iv	58,800	58,800
	Alaska			
Def-Wide	Anchorage	SOF Cold Weather Maritime Training Facility	18,400	18,400
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
	Belgium			
Def-Wide	Brussels	NATO Headquarters Facility	24,118	24,118
	California			
Def-Wide	Camp Pendleton	SOF Military Working Dog Facility	3,500	3,500
Def-Wide	Camp Pendleton	SOF Range 130 Support Projects	8,641	8,641

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
Def-Wide	Coronado	SOF Support Activity Operations Facility	42,000	42,000
Def-Wide	Defense Distribution Depot-Tracy	Replace Public Safety Center	15,500	15,500
Def-Wide	Point Loma Annex	Replace Fuel Storage Facilities Incr 4	27,000	27,000
Def-Wide	San Clemente	Replace Fuel Storage Tanks & Pipeline	21,800	21,800
	Colorado			
Def-Wide	Buckley AFB	Mountainview Operations Facility, Incr 1	140,932	70,932
	District of Columbia			
Def-Wide	Bolling AFB	Cooling Tower Expansion	2,070	2,070
Def-Wide	Bolling AFB	Diac Parking Garage	13,586	13,586
Def-Wide	Bolling AFB	Electrical Upgrades	1,080	1,080
	Florida			
Def-Wide	Eglin AFB	Medical Clinic	11,600	11,600
Def-Wide	Eglin AFB	SOF Company Operations Facility (Gsb)	21,000	21,000
Def-Wide	Eglin AFB	SOF Company Operations Facility (Gstb)	19,000	19,000
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 (Phase Ii)	15,200	15,200
Def-Wide	Whiting Field	Truck Load/Unload Facility	3,800	3,800
	Georgia			
Def-Wide	Fort Benning	Replace Mcbride Elementary School	37,205	37,205
Def-Wide	Fort Gordon	Whitelaw Wedge Building Addition	11,340	11,340
Def-Wide	Fort Stewart	Hospital Addition/Alteration Phase 2	72,300	72,300
	Germany			
Def-Wide	Ansbach	Ansbach Middle/High School Addition	11,672	11,672
Def-Wide	Baumholder	Replace Wetzel-Smith Elementary Schools	59,419	59,419
Def-Wide	Grafenwoehr	Netzaberg MS School Addition	6,529	6,529
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 1	70,592	70,592
Def-Wide	Spangdalem Ab	Replace Bitburg Elementary School	41,876	41,876
Def-Wide	Spangdalem Ab	Replace Bitburg Middle & High School	87,167	87,167
Def-Wide	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,434	2,434
	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	Alter Warehouse Space	9,200	9,200
Def-Wide	Joint Base Pearl Harbor-Hickam	Upgrade Refuler Truck Parking Area	5,200	5,200
	Illinois			
Def-Wide	Great Lakes	Health Clinic Demolition	16,900	16,900
	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
	Kentucky			
Def-Wide	Fort Campbell	Hospital Addition/Alteration	56,600	56,600
Def-Wide	Fort Campbell	SOF Mh47 Aviation Facility	43,000	43,000
Def-Wide	Fort Campbell	SOF Rotary Wing Hangar	38,900	38,900
Def-Wide	Fort Knox	Replace Kingsolver-Pierce Elementary Schools	38,845	38,845
	Louisiana			
Def-Wide	Barksdale AFB	Hydrant Fuel System	6,200	6,200
	Maryland			
Def-Wide	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	Fort Meade	High Performance Computing Capacity Inc 1	29,640	29,640
Def-Wide	Joint Base Andrews	Ambulatory Care Center, Incr 1	242,900	169,600
Def-Wide	Joint Base Andrews	Dental Clinic Replacement	22,800	22,800
	Massachusetts			
Def-Wide	Hanscom AFB	Replace Hanscom Middle School	34,040	34,040
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
Def-Wide	Gulfport	Medical Clinic Replacement	34,700	34,700
	Missouri			
Def-Wide	Arnold	Data Ctr West #1 Power & Cooling Upgrade	9,253	9,253
	New Mexico			
Def-Wide	Cannon AFB	SOF Adal Simulator Facility	9,600	9,600
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 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 Hangar Aircraft Maintenance Unit	41,200	41,200
Def-Wide	Cannon AFB	SOF Squadron Operations Facility	17,300	17,300
	New York			
Def-Wide	Fort Drum	Dental Clinic Addition/Alteration	4,700	4,700
Def-Wide	Fort Drum	Medical Clinic	15,700	15,700
	North Carolina			
Def-Wide	Camp Lejeune	SOF Armory Facility Expansion	6,670	6,670
Def-Wide	Fort Bragg	Hospital Alteration	57,600	57,600
Def-Wide	Fort Bragg	Replace District Superintendant's Office	3,138	3,138
Def-Wide	Fort Bragg	SOF Administrative Annex	12,000	12,000
Def-Wide	Fort Bragg	SOF Battalion Operations Complex	23,478	23,478
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	41,000	41,000
Def-Wide	Fort Bragg	SOF Brigade Headquarters	19,000	19,000
Def-Wide	Fort Bragg	SOF Communications Training Complex	10,758	10,758
Def-Wide	Fort Bragg	SOF Entry Control Point	2,300	2,300

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Account	State/Country and Installation	Project Title	Budget Request	House Agreement
Def-Wide	Fort Bragg	SOF Group Headquarters	26,000	26,000
Def-Wide	Fort Bragg	SOF Squadron HQ Addition	11,000	11,000
Def-Wide	New River	Replace Delalio Elementary School	22,687	22,687
Def-Wide	Pope AFB	SOF Training Facility	5,400	5,400
	Ohio			
Def-Wide	Columbus	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	3,000
Def-Wide	Def Distribution Depot New Cumberland	Replace General Purpose Warehouse	25,500	25,500
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
	Texas			
Def-Wide	Fort Bliss	Hospital Replacement Incr 3	136,700	86,700
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 3	161,300	161,300
Def-Wide	Joint Base San Antonio	Hospital Nutrition Care Department Add/Alt	33,000	33,000
	United Kingdom			
Def-Wide	Menwith Hill Station	Mhs Psc Construction Generator Plant	68,601	68,601
Def-Wide	Royal Air Force Alconbury	Replace Alconbury High School	35,030	35,030
	Utah			
Def-Wide	Camp Williams	Ic Cnci Data Center 1 Inc 3	246,401	246,401
	Virginia			
Def-Wide	Charlottesville	Remote Delivery Facility	10,805	10,805
Def-Wide	Dahlgren	Dahlgren E/MS School Addition	1,988	1,988
Def-Wide	Dam Neck	SOF Building Renovation	3,814	3,814
Def-Wide	Dam Neck	SOF Logistic Support Facility	14,402	14,402
Def-Wide	Dam Neck	SOF Military Working Dog Facility	4,900	4,900
Def-Wide	Fort Belvoir	Technology Center Third Floor Fit-Out	54,625	54,625
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Seal Team Operations Facility	37,000	37,000
Def-Wide	Pentagon	Heliport Control Tower/Fire Station	6,457	6,457
Def-Wide	Pentagon	Pentagon Memorial Pedestrian Plaza	2,285	2,285
Def-Wide	Quantico	Defense Access Road Improvements-Telegraph Rd	4,000	4,000
Def-Wide	Quantico	Dss Headquarters Addition	42,727	42,727
	Washington			
Def-Wide	Joint Base Lewis Mcchord	Replace Fuel Distribution Facilities	14,000	14,000
Def-Wide	Joint Base Lewis Mcchord	SOF Company Operations Facility	21,000	21,000
Def-Wide	Whidbey Island	Replace Fuel Pipeline	25,000	25,000
	West Virginia			
Def-Wide	Camp Dawson	Replace Hydrant Fuel System	2,200	2,200
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
Def-Wide	Unspecified Worldwide Locations	Defense Access Roads	0	40,000
Def-Wide	Unspecified Worldwide Locations	Energy Conservation Investment Program	135,000	135,000
Def-Wide	Unspecified Worldwide Locations	Exercise Related Construction	8,417	8,417
Def-Wide	Unspecified Worldwide Locations	Minor Construction	6,100	6,100
Def-Wide	Unspecified Worldwide Locations	Planning and Design	31,468	31,468
Def-Wide	Unspecified Worldwide Locations	Planning and Design	3,043	3,043
Def-Wide	Unspecified Worldwide Locations	Planning and Design	52,974	52,974
Def-Wide	Unspecified Worldwide Locations	Planning and Design	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	8,368	8,368
Def-Wide	Unspecified Worldwide Locations	Planning and Design	5,277	5,277
Def-Wide	Unspecified Worldwide Locations	Planning and Design	48,007	48,007
Def-Wide	Unspecified Worldwide Locations	Planning and Design	6,000	6,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	1,993	1,993
Def-Wide	Unspecified Worldwide Locations	SOF Land Acquisition	0	10,000
Def-Wide	Unspecified Worldwide Locations	Supporting Activities	0	0
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	8,876	8,876
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Milcon	6,365	6,365
Def-Wide	Various Worldwide Locations	Planning and Design	66,974	66,974
Def-Wide	Various Worldwide Locations	Planning and Design	227,498	227,498
Def-Wide	Various Worldwide Locations	Unspecified Minor Construction	6,571	6,571
Total Military Construction, Defense-Wide			**3,848,757**	**3,705,457**
	Colorado			
Chem Demil	Pueblo Depot	Ammunition Demilitarization Facility, Ph Xiii	15,338	15,338
	Kentucky			
Chem Demil	Blue Grass Army Depot	Ammunition Demilitarization Ph Xii	59,974	59,974
Total Chemical Demilitarization Construction, Defense			**75,312**	**75,312**
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	272,611	272,611
Total NATO Security Investment Program			**272,611**	**272,611**
	Alabama			
Army NG	Fort Mcclellan	Readiness Center Ph2	16,500	16,500

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Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	Arizona			
Army NG	Papago Military Reservation	Readiness Center	17,800	17,800
	Arkansas			
Army NG	Fort Chaffee	Convoy Live Fire/Entry Control Point Range	3,500	3,500
	California			
Army NG	Camp Roberts	Tactical Unmanned Aircraft System Facility	6,160	6,160
Army NG	Camp Roberts	Utilities Replacement Ph1	32,000	32,000
Army NG	Camp San Luis Obispo	Field Maintenance Shop	8,000	8,000
	Colorado			
Army NG	Alamosa	Readiness Center	6,400	6,400
Army NG	Aurora	Tactical Unmanned Aircraft System Facility	3,600	3,600
Army NG	Fort Carson	Barracks Complex (Ortc)	43,000	43,000
	District of Columbia			
Army NG	Anacostia	US Property & Fiscal Office Add/Alt	5,300	5,300
	Florida			
Army NG	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
	Georgia			
Army NG	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 Ph1	14,500	14,500
	Hawaii			
Army NG	Kalaeloa	Readiness Center Ph1	33,000	33,000
	Illinois			
Army NG	Normal	Readiness Center	10,000	10,000
	Indiana			
Army NG	Camp Atterbury	Deployment Processing Facility	8,900	8,900
Army NG	Camp Atterbury	Operations Readiness Training Cmplx 2	27,000	27,000
Army NG	Camp Atterbury	Operations Readiness Training Complex 1	25,000	25,000
Army NG	Camp Atterbury	Railhead Expansion & Container Facility	21,000	21,000
Army NG	Indianapolis	JFHQ Add/Alt	25,700	25,700
	Maine			
Army NG	Bangor	Readiness Center	15,600	15,600
Army NG	Brunswick	Armed Forces Reserve Center	23,000	23,000
	Maryland			
Army NG	Dundalk	Readiness Center Add/Alt	16,000	16,000
Army NG	LA Plata	Readiness Center	9,000	9,000
Army NG	Westminster	Readiness Center Add/Alt	10,400	10,400
	Massachusetts			
Army NG	Natick	Readiness Center	9,000	9,000
	Minnesota			
Army NG	Camp Ripley	Multipurpose Machine Gun Range	8,400	8,400
	Mississippi			
Army NG	Camp Shelby	Deployment Processing Facility	12,600	12,600
Army NG	Camp Shelby	Operational Readiness Training Cmplx Ph1	27,000	27,000
Army NG	Camp Shelby	Troop Housing (Ortc) Ph1	25,000	25,000
	Nebraska			
Army NG	Grand Island	Readiness Center	22,000	22,000
Army NG	Mead	Readiness Center	9,100	9,100
	Nevada			
Army NG	Las Vegas	Field Maintenance Shop	23,000	23,000
	New Jersey			
Army NG	Lakehurst	Army Aviation Suport Facility	49,000	49,000
	New Mexico			
Army NG	Santa Fe	Readiness Center Add/Alt	5,200	5,200
	North Carolina			
Army NG	Greensboro	Readiness Center Add/Alt	3,700	3,700
	Oklahoma			
Army NG	Camp Gruber	Live Fire Shoot House	3,000	3,000
Army NG	Camp Gruber	Upgrade-Combined Arms Collective Training Fac	10,361	10,361
	Oregon			
Army NG	the Dalles	Readiness Center	13,800	13,800
	Puerto Rico			
Army NG	Fort Buchanan	Readiness Center	57,000	57,000
	South Carolina			
Army NG	Allendale	Readiness Center Add/Alt	4,300	4,300
	Utah			
Army NG	Camp Williams	Multi Purpose Machine Gun Range	6,500	6,500
	Virginia			
Army NG	Fort Pickett	Combined Arms Collective Training Facility	11,000	11,000
	West Virginia			
Army NG	Buckhannon	Readiness Center Ph1	10,000	10,000
	Wisconsin			
Army NG	Camp Williams	Tactical Unmanned Aircraft System Facility	7,000	7,000
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Maintenance & Production Facilities	0	10,000
Army NG	Unspecified Worldwide Locations	Maintenance & Production Facilities	0	20,000
Army NG	Unspecified Worldwide Locations	Operational Facilities	0	10,000
Army NG	Unspecified Worldwide Locations	Planning and Design	20,671	20,671
Army NG	Unspecified Worldwide Locations	Training Facilities	0	10,000
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	11,700	11,700
	Wyoming			
Army NG	Cheyenne	Readiness Center	8,900	8,900

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Account	State/Country and Installation	Project Title	Budget Request	House Agreement
Total Military Construction, Army National Guard			**773,592**	**823,592**
	California			
Army Res	Fort Hunter Liggett	Automated Multipurpose Machine Gun (Mpmg)	5,200	5,200
	Colorado			
Army Res	Fort Collins	Army Reserve Center	13,600	13,600
	Illinois			
Army Res	Homewood	Army Reserve Center	16,000	16,000
Army Res	Rockford	Army Reserve Center/Land	12,800	12,800
	Indiana			
Army Res	Lawrence	Army Reserve Center	57,000	57,000
	Kansas			
Army Res	Kansas City	Army Reserve Center/Land	13,000	13,000
	Massachusetts			
Army Res	Attleboro	Army Reserve Center/Land	22,000	22,000
	Minnesota			
Army Res	Saint Joseph	Army Reserve Center	11,800	11,800
	Missouri			
Army Res	Weldon Springs	Army Reserve Center	19,000	19,000
	New York			
Army Res	Schenectady	Army Reserve Center	20,000	20,000
	North Carolina			
Army Res	Greensboro	Army Reserve Center/Land	19,000	19,000
	South Carolina			
Army Res	Orangeburg	Army Reserve Center/Land	12,000	12,000
	Wisconsin			
Army Res	Fort Mccoy	Automated Record Fire Range	4,600	4,600
Army Res	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	Ncoa Phase Iii—Billeting	12,000	12,000
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	28,924	28,924
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	2,925	2,925
Total Military Construction, Army Reserve			**280,549**	**280,549**
	Pennsylvania			
N/MC Res	Pittsburg	Armed Forces Reserve Center (Pittsburgh)	13,759	13,759
	Tennessee			
N/MC Res	Memphis	Reserve Training Center	7,949	7,949
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	Mcnr Unspecified Minor Construction	2,000	2,000
N/MC Res	Unspecified Worldwide Locations	Planning and Design	2,591	2,591
Total Military Construction, Navy and Marine Corps Reserve			**26,299**	**26,299**
	California			
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
	Hawaii			
Air NG	Joint Base Pearl Harbor-Hickam	TFI—F–22 Combat Aircraft Parking Apron	12,721	0
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
	Indiana			
Air NG	Fort Wayne IAP	a–10 Facility Conversion—Munitions	4,000	4,000
	Maryland			
Air NG	Martin State Airport	TFI—C–27 Conversion - Squadron Operations	4,900	4,900
	Massachusetts			
Air NG	Otis ANGB	TFI—CNAF Beddown - Upgrade Facility	7,800	7,800
	Ohio			
Air NG	Springfield Beckley-Map	Alter Predator Operations Center	6,700	6,700
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Maintenance & Production Facilities	0	20,000
Air NG	Unspecified Worldwide Locations	Operational Facilities	0	10,000
Air NG	Various Worldwide Locations	Minor Construction	9,000	9,000
Air NG	Various Worldwide Locations	Planning and Design	12,225	12,225
Total Military Construction, Air National Guard			**116,246**	**133,525**
	California			
AF Res	March AFB	Airfield Control Tower/Base Ops	16,393	16,393
	South Carolina			
AF Res	Charleston AFB	TFI Red Horse Readiness & Trng Center	9,593	9,593
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	2,200	2,200
AF Res	Unspecified Worldwide Locations	Training Facilities	0	10,000
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	5,434	5,434
Total Military Construction, Air Force Reserve			**33,620**	**43,620**
	Belgium			
FH Con Army	Brussels	Land Purchase for Gfoq (10 Units)	10,000	10,000

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Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	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 Worldwide Locations	Construction Improvements (276 Units)	103,000	103,000
FH Con Army	Unspecified Worldwide Locations	Family Housing P&d	7,897	7,897
Total Family Housing Construction, Army			**186,897**	**186,897**
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings Account	14,256	14,256
FH Ops Army	Unspecified Worldwide Locations	Leasing	204,426	204,426
FH Ops Army	Unspecified Worldwide Locations	Maintenance of Real Property	105,668	105,668
FH Ops Army	Unspecified Worldwide Locations	Management Account	54,728	54,728
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous Account	605	605
FH Ops Army	Unspecified Worldwide Locations	Privatization Support Costs	25,741	25,741
FH Ops Army	Unspecified Worldwide Locations	Services Account	15,797	15,797
FH Ops Army	Unspecified Worldwide Locations	Utilities Account	73,637	73,637
Total Family Housing Operation & Maintenance, Army			**494,858**	**494,858**
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Classified Improvements	50	50
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	80,546	80,546
FH Con AF	Unspecified Worldwide Locations	Planning and Design	4,208	4,208
Total Family Housing Construction, Air Force			**84,804**	**84,804**
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings Account	35,290	35,290
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	47,571	47,571
FH Ops AF	Unspecified Worldwide Locations	Leasing	80,775	80,775
FH Ops AF	Unspecified Worldwide Locations	Leasing Account	122	122
FH Ops AF	Unspecified Worldwide Locations	Maintenance (Rpma & Rpmc)	98,132	98,132
FH Ops AF	Unspecified Worldwide Locations	Maintenance Account	2,001	2,001
FH Ops AF	Unspecified Worldwide Locations	Management Account	1,996	1,996
FH Ops AF	Unspecified Worldwide Locations	Management Account	55,395	55,395
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous Account	2,165	2,165
FH Ops AF	Unspecified Worldwide Locations	Services Account	13,675	13,675
FH Ops AF	Unspecified Worldwide Locations	Utilities Account	67,639	67,639
Total Family Housing Operation & Maintenance, Air Force			**404,761**	**404,761**
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Design	3,199	3,199
FH Con Navy	Unspecified Worldwide Locations	Improvements	97,773	97,773
Total Family Housing Construction, Navy and Marine Corps			**100,972**	**100,972**
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings Account	15,979	15,979
FH Ops Navy	Unspecified Worldwide Locations	Leasing	79,798	79,798
FH Ops Navy	Unspecified Worldwide Locations	Maintenance of Real Property	97,231	97,231
FH Ops Navy	Unspecified Worldwide Locations	Management Account	61,090	61,090
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous Account	476	476
FH Ops Navy	Unspecified Worldwide Locations	Privatization Support Costs	28,582	28,582
FH Ops Navy	Unspecified Worldwide Locations	Services Account	14,510	14,510
FH Ops Navy	Unspecified Worldwide Locations	Utilities Account	70,197	70,197
Total Family Housing Operation & Maintenance, Navy and Marine Corps			**367,863**	**367,863**
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	70	70
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	19	19
FH Ops DW	Unspecified Worldwide Locations	Furnishings Account	2,699	2,699
FH Ops DW	Unspecified Worldwide Locations	Leasing	36,552	36,552
FH Ops DW	Unspecified Worldwide Locations	Leasing	10,100	10,100
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	70	70
FH Ops DW	Unspecified Worldwide Locations	Maintenance of Real Property	546	546
FH Ops DW	Unspecified Worldwide Locations	Management Account	347	347
FH Ops DW	Unspecified Worldwide Locations	Services Account	30	30
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	280	280
FH Ops DW	Unspecified Worldwide Locations	Utilities Account	10	10
Total Family Housing Operation & Maintenance, Defense-Wide			**50,723**	**50,723**
	Worldwide Unspecified			
HOAP	Unspecified Worldwide Locations	Homeowers Assistance Program	1,284	1,284
Total Homeowners Assistance Fund			**1,284**	**1,284**
	Worldwide Unspecified			

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Account	State/Country and Installation	Project Title	Budget Request	House Agreement
FHIF	Unspecified Worldwide Locations	Family Housing Improvement Fund	2,184	2,184
Total DOD Family Housing Improvement Fund			**2,184**	**2,184**
	Worldwide Unspecified			
BRAC 05	Unspecified Worldwide Locations	Comm Add 3: Galena Fol, AK	933	933
BRAC 05	Unspecified Worldwide Locations	Don–100: Planing, Design and Management	6,090	6,090
BRAC 05	Unspecified Worldwide Locations	Don–101: Various Locations	5,021	5,021
BRAC 05	Unspecified Worldwide Locations	Don–126: Nscs, Athens, GA	325	325
BRAC 05	Unspecified Worldwide Locations	Don–138: NAS Brunswick, ME	421	421
BRAC 05	Unspecified Worldwide Locations	Don–157: Mcsa Kansas City, MO	1,442	1,442
BRAC 05	Unspecified Worldwide Locations	Don–158: NSA New Orleans, LA	2,056	2,056
BRAC 05	Unspecified Worldwide Locations	Don–172: NWS Seal Beach, Concord, CA	9,763	9,763
BRAC 05	Unspecified Worldwide Locations	Don–2: Ns Pascagoula, MS	515	515
BRAC 05	Unspecified Worldwide Locations	Don–84: JRB Willow Grove & Cambria Reg Ap	196	196
BRAC 05	Unspecified Worldwide Locations	Ind–106: Kansas Army Ammunition Plant, KS	45,769	45,769
BRAC 05	Unspecified Worldwide Locations	Ind–110: Mississippi Army Ammo Plant, MS	122	122
BRAC 05	Unspecified Worldwide Locations	Ind–112: River Bank Army Ammo Plant, CA	320	320
BRAC 05	Unspecified Worldwide Locations	Ind–117: Deseret Chemical Depot, UT	34,011	34,011
BRAC 05	Unspecified Worldwide Locations	Ind–119: Newport Chemical Depot, in	467	467
BRAC 05	Unspecified Worldwide Locations	Ind–120: Umatilla Chemical Depot, OR	9,092	9,092
BRAC 05	Unspecified Worldwide Locations	Ind–122: Lone Star Army Ammo Plant, TX	19,367	19,367
BRAC 05	Unspecified Worldwide Locations	Int–4: NGA Activities	1,791	1,791
BRAC 05	Unspecified Worldwide Locations	Med–2: Walter Reed Nmmc, Bethesda, MD	18,586	18,586
BRAC 05	Unspecified Worldwide Locations	Med–57: Brooks City Base, TX	205	205
BRAC 05	Unspecified Worldwide Locations	Program Management Various Locations	32,298	32,298
BRAC 05	Unspecified Worldwide Locations	Program Management Various Locations	828	828
BRAC 05	Unspecified Worldwide Locations	Usa–113: Fort Monroe, VA	23,601	23,601
BRAC 05	Unspecified Worldwide Locations	Usa–121: Fort Gillem, GA	8,903	8,903
BRAC 05	Unspecified Worldwide Locations	Usa–131: USAR Command and Control -Se	250	250
BRAC 05	Unspecified Worldwide Locations	Usa–166: USAR Command and Control—Nw	1,000	1,000
BRAC 05	Unspecified Worldwide Locations	Usa–167: USAR Command and Control—NE	250	250
BRAC 05	Unspecified Worldwide Locations	Usa–168: USAR Command and Control—Sw	250	250
BRAC 05	Unspecified Worldwide Locations	Usa–222: Fort Mcpherson, GA	9,921	9,921
BRAC 05	Unspecified Worldwide Locations	Usa–223: Fort Monmouth, NJ	21,908	21,908
BRAC 05	Unspecified Worldwide Locations	Usa–242: Rc Transformation in NY	259	259
BRAC 05	Unspecified Worldwide Locations	Usa–36: Red River Army Depot	1,207	1,207
BRAC 05	Unspecified Worldwide Locations	Usa–63: U.S. Army Garrison (Selfridge)	1,609	1,609
Total Base Realignment and Closure Account 2005			**258,776**	**258,776**
	Worldwide Unspecified			
BRAC IV	Base Realignment & Closure, Air Force	Base Realignment & Closure	123,476	123,476
BRAC IV	Base Realignment & Closure, Army	Base Realignment & Closure	70,716	70,716
BRAC IV	Base Realignment & Closure, Navy	Base Realignment & Closure	129,351	129,351
Total Base Realignment and Closure Account 1990			**323,543**	**323,543**
Total Military Construction			**14,766,047**	**14,766,026**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
ENERGY SECURITY AND ASSURANCE	6,187	6,187
Atomic Energy Defense Activities		
National nuclear security administration:		
WEAPONS ACTIVITIES	7,629,716	7,629,716
DEFENSE NUCLEAR NONPROLIFERATION	2,549,492	2,549,492
NAVAL REACTORS	1,153,662	1,153,662
OFFICE OF THE ADMINISTRATOR	450,060	450,060
Total, National nuclear security administration	**11,782,930**	**11,782,930**
Environmental and other defense activities:		
DEFENSE ENVIRONMENTAL CLEANUP	5,406,781	5,406,781
OTHER DEFENSE ACTIVITIES	859,952	859,952
DEFENSE NUCLEAR WASTE DISPOSAL	0	0
Total, Environmental & other defense activities	6,266,733	6,266,733
Total, Atomic Energy Defense Activities	18,049,663	18,049,663
Total, Discretionary Funding	**18,055,850**	**18,055,850**
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration	6,187	6,187
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	109,518
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**	**497,627**
Weapons dismantlement and disposition		
Operations and maintenance	56,770	56,770
Total, Weapons dismantlement and disposition	**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**	**1,963,583**
Campaigns:		
Science campaign		
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

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
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	86,259
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**	**476,274**
Advanced simulation and computing campaign	**628,945**	**628,945**
Readiness Campaign		
Nonnuclear readiness	65,000	65,000
Tritium readiness	77,491	77,491
Total, Readiness campaign	**142,491**	**142,491**
Total, Campaigns	**1,796,727**	**1,796,727**
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	156,217	156,217
Lawrence Livermore National Laboratory	83,990	83,990
Los Alamos National Laboratory	318,526	318,526
Nevada Test Site	97,559	97,559
Pantex	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**	**1,485,254**
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**	**1,705,624**
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 Pantex Plant, Amarillo, 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**	**2,326,134**
Secure transportation asset		
Operations and equipment	149,274	149,274
Program direction	101,998	101,998
Total, Secure transportation asset	**251,272**	**251,272**
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	11,752
Total, Construction	**11,752**	**11,752**
Total, Defense nuclear security	**722,857**	**722,857**
Cyber security	126,614	126,614
Total, Safeguards and security	**849,471**	**849,471**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
National security applications	**20,000**	20,000
Subtotal, Weapons activities	**7,629,716**	**7,629,716**
Adjustments		
Use of prior year balances	0	0
Total, Weapons Activities	**7,629,716**	**7,629,716**
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	417,598	417,598
Total, Operations and maintenance	**417,598**	**417,598**
Total, Nonproliferation & verification R&D	**417,598**	**417,598**
Nonproliferation and international security	**161,833**	**161,833**
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	274,790
U.S. uranium disposition	26,435	26,435
Total, Operations and maintenance	**301,225**	**301,225**
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	176,000
99–D–141–02 Waste Solidification Building, Savannah River, SC	17,582	17,582
Total, Construction	**578,754**	**578,754**
Total, U.S. surplus fissile materials disposition	**879,979**	**879,979**
Russian surplus materials disposition	10,174	10,174
Total, Fissile materials disposition	**890,153**	**890,153**
Global threat reduction initiative	508,269	508,269
Total, Defense Nuclear Nonproliferation	**2,549,492**	**2,549,492**
Naval Reactors		
Naval reactors development		
Operation and maintenance		
Operation and maintenance	1,069,262	1,069,262
Total, 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 station, 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
Total, Naval Reactors	**1,153,662**	**1,153,662**
Office Of The Administrator		
Office of the administrator	450,060	450,060
Congressionally directed projects	0	0
Subtotal, Office of the Administrator	**450,060**	**450,060**
Adjustments:		
Use of prior year balances	0	0
Subtotal, Office of the Administrator	**450,060**	**450,060**
Transfer of prior year balances (OMB scoring)	0	0
Total, Office Of The Administrator	**450,060**	**450,060**
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

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
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*	*357,939*
Total, NNSA sites and Nevada off-sites	***423,692***	***423,692***
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*
OR reservation community and regulatory support 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*	*840,000*
Total, Waste treatment and immobilization plant	***840,000***	***840,000***
Tank farm activities		
Rad liquid tank waste stabilization and disposition	*521,391*	*521,391*
Total, Tank farm activities	***521,391***	***521,391***
Total, Office of River protection	***1,361,391***	***1,361,391***
Savannah River site:		
Nuclear material stabilization and disposition	*235,000*	*235,000*
Radioactive liquid tank waste stabilization and disposition	*748,896*	*748,896*
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***	***1,224,144***
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*
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***	***5,410,162***
Use of prior year balances	*–3,381*	*–3,381*
Total, Defense Environmental Cleanup	***5,406,781***	***5,406,781***
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***

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
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 sitewide 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***

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112–88 or section 6 of House Resolution 276, and amendments en bloc described in section 3 of that resolution. Each amendment printed in the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

All points of order against amendments printed in the report or against amendments en bloc described in section 3 of House Resolution 276 are waived.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

AMENDMENT NO. 1 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–88.

Mr. WITTMAN. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 34, after line 26, insert the following:

SEC. 127. FORD-CLASS AIRCRAFT CARRIER PROCUREMENT.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of the Navy may enter into multiyear contracts for the start of major construction of the Ford-class aircraft carriers designated CVN 79 and CVN 80 and for the construction of major components, modules, or other structures related to such carriers.

(b) REQUIREMENTS.—In carrying out this section, the Secretary of the Navy may—

(1) enter into contracts under subsection (a) in a manner that the Secretary determines will result in the lowest cost to the United States given the variability of shipyard industrial capacity and other factors; and

(2) enter into contracts with the prime contractor chosen for major fabrication and construction of the vessels or directly with other contractors to supply materiel and equipments for the construction of the vessels in such a manner as to reduce cost to the United States of such materiel and equipments by purchasing in economic order quantities.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2012 is subject to the availability of appropriations for that purpose for such later fiscal year.

(d) OTHER AUTHORITY.—Section 121(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104) is amended by striking ''three fiscal years'' and inserting ''four fiscal years''.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. I yield myself such time as I may consume.

Madam Chairman, I would first like to thank Chairman MCKEON for his hard work and leadership on bringing the NDAA to the floor. Thank you so much, we appreciate that. I also want to recognize Ranking Member SMITH for his efforts. This is a long and arduous process, and I know that the hours to come on the floor will be very fruitful, I'm sure, for everybody to have the opportunity to speak on this bill.

I rise today to offer an amendment to address how we build Ford-class aircraft carriers, our Nation's next class of nuclear-powered carriers that will sail throughout the 21st century. This amendment simply grants the Secretary of the Navy the authority for advance purchase of major components for the next two aircraft carriers. This would allow the Navy to achieve cost savings and would ensure critical skills in the aircraft carrier industrial base are maintained.

Furthermore, this amendment ensures that carriers are constructed on a 5-year cycle with continuous and incremental funding for carrier procurement. Given these tight budgetary constraints, we need to be looking for ways to spend taxpayer dollars to support our national defense in the most efficient way possible. Madam Chairman, this amendment allows us to do just that. It allows us to properly space construction, and it allows us to get out in front to purchase materials when we can purchase them in the most cost-effective manner possible.

So I would urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. COURTNEY. Madam Chair, I claim time in opposition to the amendment, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Connecticut is recognized for 5 minutes.

There was no objection.

Mr. COURTNEY. I yield myself such time as I may consume.

Very briefly, I rise in support of the gentleman from Virginia's amendment, which is a smart amendment. It gives the Navy the flexibility it should have to make sure that it gets the best deal for the taxpayer while at the same time providing a mechanism to preserve the industrial base.

My friend from Virginia and I cochair the Shipbuilding Caucus, which is a bipartisan caucus, one of whose main goals is to strengthen and preserve America's shipbuilding industrial base, and that's precisely what this amendment will do. And again, it aligns the construction schedule with the statutory empowerment to the Secretary of Navy to achieve all those goals.

Madam Chair, I yield back the balance of my time.

Mr. WITTMAN. Madam Chairman, I urge my colleagues to adopt this

amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. WOOLSEY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–88.

Ms. WOOLSEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 34, after line 26, insert the following:

SEC. 127. ELIMINATION OF AVAILABILITY OF FUNDS FOR PROCUREMENT OF V–22 OSPREY AIRCRAFT.

Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in division D, is hereby reduced by $2,224,817,000, with the amount of the reduction to be derived from Line 009 V–22 (Medium Lift) as set forth in the table under section 4101; and

(2) the amount authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in division D, is hereby reduced by $339,865,000, with the amount of the reduction to be derived from Line 019 V22-Osprey as set forth in the table under section 4101.

The Acting CHAIR. Pursuant to House Resolution 276, the gentlewoman from California (Ms. WOOLSEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

□ 1510

Ms. WOOLSEY. Madam Chair, in the current budget debate, I often hear from my Republican colleagues that everything should be on the table. By that they usually mean every domestic program that helps working families make ends meet should be on the table.

But if everything is really on the table, that has to include expensive weapons systems that have failed to contribute to our national security, like the V–22 Osprey aircraft. That's why I'm offering this amendment to the National Defense Authorization Act, which will eliminate funding for the V–22 Osprey aircraft.

The Osprey's mishaps have become practically the stuff of legend. It's a poster child for the excesses and inefficiencies of the military industrial complex.

Its safety record is abysmal. Thirty Americans have been killed during V–22 training exercises. Most recently, Madam Chair, during a public demonstration in New York last spring, its prop rotors knocked down tree limbs and injured 10 civilian bystanders.

The Marine Corps itself has even concluded that leaving the engine idling could generate such high temperatures that the entire flight deck could melt in 10 minutes. In 2009, a GAO report gave the Osprey mediocre marks and questioned its ability to perform all of the functions of the helicopter it's supposed to replace. From its ability to operate in high-threat environments to carrying troops and transporting cargo, the Osprey underperformed across the board. I'm still trying to figure out what good it is to have a combat plane that doesn't operate well in high-threat environments. That's like having a coat that doesn't do well in the cold. If you had one, you'd stop wearing it; and you wouldn't spend more and more each year on the same flawed coat.

The V–22 Osprey is a boondoggle. One aspect of its maintenance even includes a special lightweight paint that costs $75,000 per aircraft—and we thought $600 toilet seats at the Pentagon were a rip-off. At a time when Americans are being forced to tighten their belts, they don't want to pay $75,000 to paint a plane that has done little to keep the country safe.

It's the job of the Pentagon to protect the American people, not to make defense contractors rich by perpetuating systems and programs long beyond the point that they've failed. That's why the cochairs of the Fiscal Commission, Erskine Bowles and former Senator Alan Simpson, recommended canceling the V–22. That's why the most hawkish of any U.S. Government official I can remember, a former Defense Secretary named Dick Cheney, wanted to terminate it at least 20 years ago.

The V–22 Osprey has been given more than enough time to prove its worth. It has been over a quarter of a century. It has cost taxpayers over $32 billion—money we could have been spending on programs the American people need. And for the sake of our national defense, and in the name of fiscal discipline, this V–22 must go. So I urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

Mr. THORNBERRY. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. I yield myself such time as I may consume.

Madam Chair, Will Rogers was quoted as having said, ''It ain't so much what a man doesn't know that causes him so many problems but what he thinks he knows that just ain't so.'' And there have been so many arguments today and in the past about the V–22 that are just ain't so that I suggest that Members have some responsibility to learn the facts themselves.

Some of those facts are that as of February 2011, V–22 has exceeded 100,000 total flight hours since the program's inception. For the Marines, over the last 10 years the V–22 has the lowest Class A mishap rate of any currently fielded tactical rotor craft. The unrefueled combat radius of the V–22 is more than twice that of the helicopter it's replacing, and it flies at more than 100 miles an hour faster.

On March 22 this year it was V–22s that went in to rescue the Air Force pilot who went down over Libya. And the list goes on and on.

The V–22 is performing very well, previously in Iraq and right now in Afghanistan.

Madam Chair, I don't know if any of the Members are particularly interested in learning the ground truth of what's going on with the V–22 or have talked with marines or Special Operations Forces about how it's performing; but I'd suggest if they want to know the real facts, they ought to go talk to the people who really fly it because that way they will learn about what is really happening.

A month ago, I did have the opportunity to fly in the V–22 in Afghanistan, and I did talk to the pilots about how it's performing, about any maintenance issues they had, and a whole variety of things—all of which they thought was performing very, very well.

But, Madam Chair, the most memorable exchange I had was talking with a young marine who had lost a buddy of his because the helicopter that was trying to get his buddy to the hospital couldn't make it there to the hospital in that first hour after he was wounded. And that's the critical time. And this young marine told me, he said, I keep thinking that if we'd had the V–22s available at that time, my buddy might have made it there on time.

Now, the bottom line is this aircraft is saving lives; it is enabling our marines and special operators to do the mission that we've asked them to do. It is on-target as far as cost, production schedule, the rest. It is doing more than we expected, and such amendments to remove it at this stage are shortsighted at best.

With that, I reserve the balance of my time.

Ms. WOOLSEY. Madam Chairman, I wouldn't blame the gentleman from Texas for supporting the V–22 when a great bit of it is built in his district and he needs to defend it.

But I'd like to just repeat so that people understand this. So far, the V–22 has cost over $32 billion. When it was initiated in 1986, it was estimated to cost $39 billion. Today, it's estimated to cost $53 billion. Terminating the V–22 would save $10 billion to $12 billion over the next 10 years. Actually, it would save $2½ billion in funding for procurement of the Navy and Air Force just this year alone.

With that, Madam Chair, I'd like to say if you're talking about everything on the table, look at this. It's had its turn, 20, 30 years to prove itself; and it's time that we end this relationship.

I yield back the balance of my time.

Mr. THORNBERRY. Madam Chair, noting that it's not about where it's built, it's about saving lives and completing the mission, I would yield to my colleague from Texas, the ranking member of the Air and Land Subcommittee, Mr. REYES, such time as he would consume.

Mr. REYES. I thank the gentleman for yielding.

Just in fairness, none of the manufacturing of this great aircraft is in my district. So what I'm saying is based on my experience and what I know about the capabilities of this great aircraft.

First and foremost, if we had had the Osprey when we went into combat in Tora Bora, we wouldn't have had the casualties that we suffered there because it's got much better capabilities than even the upgraded CH–47s that we were using at the time.

Secondly, in February, along with the chairman and another member of our committee, we flew the MV–22 in Afghanistan. I also had an opportunity to talk to the pilots and talk to the crew chief, mainly because that's what I did when I was in the Army. I was in aviation. And I wanted to get a sense from them as to what they felt about the aircraft.

□ 1520

All of them said this was a great aircraft with great capabilities—a technological marvel.

The bottom line is that is it effective. It is not how much have we paid for it but, rather, how many lives have we saved with it, and how many lives will we save because of it.

In closing, Madam Chair, I submit for the RECORD a letter from the Commandant of the U.S. Marine Corps, and I want to read a paragraph from that letter.

It reads, ''This aircraft is safe and survivable, effective and efficient. The MV–22 has operated successfully in extreme environmental conditions—'' extreme environmental conditions like the ones we were in when we were in Afghanistan ''—during nine combined deployments to Iraq, Afghanistan and aboard amphibious shipping. It has the lowest Class A flight mishap rate of any United States Marine Corps rotorcraft in the past 10 years. In addition to being safe, our Osprey offers a very efficient use of resources. In 2010, the MV–22 had the lowest cost per seat mile of any Department of the Navy rotorcraft. Those figures will only improve as our cost per flight hour continues to decrease and our readiness rates continue to rise.''

Vote ''no.''

FEBRUARY 15, 2011.

Hon. C.W. BILL YOUNG,
Chairman, Subcommittee on Defense, Committee on Appropriations, Washington, DC.

DEAR MR. CHAIRMAN: In light of the current debate regarding the MV–22, I appreciate this opportunity to expound upon this important issue. The effectiveness and survivability of the MV–22 Osprey have been demonstrated repeatedly in combat, from land-based operations in Iraq and Afghanistan to sea-based operations in Haiti and the Horn of Africa. The Osprey is giving our Combatant Commanders unprecedented agility and operational reach. As we remain actively engaged in combat for the foreseeable future, the revolutionary capability of the MV–22 will be a cornerstone of our Marine Air Ground Task Force.

Without a doubt, this great country faces tough challenges in the coming years. Continuous forward engagement, coupled with growing fiscal pressures at home, presents a dilemma in the face of public demands for dramatic action. The MV–22 is the medium lift assault support aircraft for the Marine Corps, and we must have it in sufficient quantities to support our ground forces and ensure robust sustainment from industry. The cost of introducing a second aircraft to make up the difference in medium lift would be extreme. A prudent evaluation of the facts makes it clear that the V–22 Program of Record must be kept intact.

This aircraft is safe and survivable, effective and efficient. The MV–22 has operated successfully in extreme environmental conditions during nine combined deployments to Iraq, Afghnistan, and aboard amphibious shipping. It has the lowest Class A flight mishap rate of any USMC rotorcraft in the past ten years. In addition to being safe, our Osprey offers a very efficient use of resources. In 2010, the MV–22 had the lowest cost per seat mile of any Department of the Navy rotorcraft. Those figures will only improve as our cost per flight hour continues to decrease and our readiness rates continue to rise.

As we consider the likely challenges of the next two decades and how the Corps will meet them, one thing emains clear: America needs an Expeditionary Force in Readiness that is prepared to respond to any crisis. We are a maritime Nation with global responsibilities requiring ready, agile sea-based forces. These forces are organized, trained and equipped to conduct operations in the littorals—from humanitarian assistance to major combat—and ''such other duties as the President may direct.'' This has been, and will remain, the Marine Corps' primary role in providing for the Nation's defense. The MV–22 serves as a critical linchpin that will enable our Corps to deliver this capability across the spectrum of operations.

Again, I appreciate the opportunity to provide these details, and I stand ready to answer any additional questions you or others on your Committee may have.

Sincerely,

JAMES F. AMOS,
General, U.S. Marine Corps,
Commandant of the Marine Corps.

The Acting CHAIR. All time for debate has expired.

The question is on the amendment offered by the gentlewoman from California (Ms. WOOLSEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. WOOLSEY. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chairwoman, pursuant to H. Res. 276, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 21, 29, 34, 35, and 36 printed in House Report 112–88 and amendment No. 5 as specified by section 6 of House Resolution 276 offered by Mr. MCKEON:

AMENDMENT NO. 3 OFFERED BY MR. TONKO

Page 92, after line 12, insert the following:

SEC. 254. APPLICATION OF RNA BIOLOGICAL AND FUNCTIONAL SCIENCE AND TECHNOLOGY.

In carrying out the medical advanced technology program, the Secretary of Defense shall ensure that, when applicable, RNA biological and functional science and technology are used for research in which RNA may be a translational tool and potentially therapeutic, including—

(1) infectious diseases employed by terrorists or other entities to have a battlefield effect;

(2) memory disorders;

(3) rare diseases; and

(4) other diseases affecting military readiness.

AMENDMENT NO. 4 OFFERED BY MS. HAYWORTH

Page 92, after line 12, insert the following:

SEC. 254. SENSE OF CONGRESS ON ACTIVE MATRIX ORGANIC LIGHT EMITTING DIODE TECHNOLOGY.

It is the sense of Congress that—

(1) active matrix organic light emitting diode (in this section referred to as ''OLED'') technology displays have the potential to reduce the size, weight, and energy consumption of both dismounted and mounted systems of the Armed Forces;

(2) the United States has a limited OLED manufacturing industry;

(3) to ensure a reliable domestic source of OLED displays, the Secretary of Defense should use existing programs, including the ManTech program, to support the reduction of the costs and risks related to OLED manufacturing technologies; and

(4) the reduction of such costs and risks of OLED manufacturing has the potential to enable the affordable production and sustainment of future weapon systems, as well as the affordable transition of new technologies that can enhance capabilities of current force systems.

AMENDMENT NO. 7 OFFERED BY MRS. MILLER OF MICHIGAN

At the end of subtitle B of title V, add the following:

SEC. 515. CHIEF OF NATIONAL GUARD BUREAU.

(a) ROLE AS ADVOCATE AND LIAISON.—Section 10502 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (c), the following new subsection:

''(d) ADVOCATE AND LIAISON FOR STATE NATIONAL GUARDS.—The Chief of the National Guard Bureau shall serve as an advocate and liaison for the National Guard of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands and inform such National Guards of all actions that could affect their Federal or State missions, including any equipment level or force structure changes.''.

(b) INCLUSION AS MEMBER OF JOINT CHIEFS OF STAFF.—

(1) IN GENERAL.—Section 10502 of title 10, United States Code, is further amended by inserting after subsection (d) (as amended by subsection (a) of this section), the following new subsection:

''(e) MEMBER OF JOINT CHIEFS OF STAFF.—

''(1) The Chief of the National Guard Bureau shall be a member of the Joint Chiefs of Staff (as described in section 151 of this title).

''(2) As a member of the Joint Chiefs of Staff, the Chief of the National Guard Bureau has the specific responsibility of advocating for the National Guards of the States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands and coordinating the efforts of the

warfighting support and force provider mission of the National Guard with the homeland defense, defense support to civil authorities, and State emergency response missions of the National Guard to ensure the National Guard has the resources to perform its multiple missions.

''(3) The Chief of the National Guard Bureau shall consult with the Governors and the Adjutants General of the States before any changes are made in National Guard force structure or equipment levels (or both) to determine the impact such changes may have on the homeland defense, defense support to civil authorities, and State emergency response missions of the National Guard.''.

(2) CONFORMING AMENDMENT.—Section 151(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) The Chief of the National Guard Bureau.''.

AMENDMENT NO. 8 OFFERED BY MR. SCHOCK

At the end of subtitle C of title V, add the following new section:

SEC. 5___. LIMITATION ON SIMULTANEOUS DEPLOYMENT TO COMBAT ZONES OF DUAL-MILITARY COUPLES WHO HAVE MINOR DEPENDENTS.

(a) AUTHORITY TO OBTAIN DEFERMENT.—In the case of a member of the Armed Forces with minor dependents who has a spouse who is also a member of the Armed Forces, and the spouse is deployed in an area for which imminent danger pay is authorized under section 310 of title 37, United States Code, the member may request a deferment of a deployment to such an area until the spouse returns from such deployment.

(b) APPROVAL OF REQUEST.—The Secretary of the military department concerned, and the Secretary of Homeland Security in the case of members of the Coast Guard, shall approve a request submitted by a member pursuant to subsection (a).

(c) REPEAL OF LIMITED AUTHORITY.—Section 586 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 11–181; 112 Stat. 132; 10 U.S.C. 991 note) is amended by striking the second sentence.

AMENDMENT NO. 9 OFFERED BY MR. BACA

At the end of subtitle C of title V, add the following new section:

SEC. 5___. DEPARTMENT OF DEFENSE SUICIDE PREVENTION PROGRAM.

(a) PROGRAM ENHANCEMENTS.—

(1) ENHANCEMENT.—The Secretary of Defense shall take appropriate actions to enhance the suicide prevention program of the Department of Defense through the provision of suicide prevention information and resources to members of the Armed Forces from their initial enlistment or appointment through their final retirement or separation.

(2) COOPERATIVE EFFORT.—The Secretary of Defense shall develop suicide prevention information and resources in consultation with—

(A) the Secretary of Veterans Affairs, the National Institute of Mental Health, and the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services; and

(B) to the extent appropriate, institutions of higher education and other public and private entities, including international entities, with expertise regarding suicide prevention.

(b) SUICIDE PREVENTION TRAINING COMPONENT DURING RECRUIT BASIC TRAINING.—

(1) ARMY.—

(A) TRAINING REQUIRED.—Chapter 401 of title 10, United States Code, is amended by inserting after section 4320 the following new section:

''§ 4320a. Recruit basic training: availability of suicide prevention resources

''(a) AVAILABILITY.—As part of the initial entry training program of the Army that constitutes the basic training of new recruits, the Secretary of the Army shall include a training component on suicide prevention.

''(b) ELEMENTS.—The suicide prevention training component shall include the following:

''(1) Methods for recognizing risk factors for suicide.

''(2) Protocols for responding to crisis situations involving members who may be at high risk for suicide.

''(3) Information about suicide prevention services available to members, including toll-free hotlines and Internet resources.

''(4) Information on best practices for suicide prevention.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4320 the following new item:

''4320a. Recruit basic training: availability of suicide prevention resources.''.

(2) NAVY AND MARINE CORPS.—

(A) TRAINING REQUIRED.—Chapter 602 of such title is amended by adding at the end the following new section:

''§ 6933. Recruit basic training: availability of suicide prevention resources

''(a) AVAILABILITY.—As part of the initial entry training program of the Navy and the Marine Corps that constitutes the basic training of new recruits, the Secretary of the Navy shall include a training component on suicide prevention.

''(b) ELEMENTS.—The suicide prevention training component shall include the following:

''(1) Methods for recognizing risk factors for suicide.

''(2) Protocols for responding to crisis situations involving members who may be at high risk for suicide.

''(3) Information about suicide prevention services available to members, including toll-free hotlines and Internet resources.

''(4) Information on best practices for suicide prevention.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''602. Recruit basic training: availability of suicide prevention resources.''.

(3) AIR FORCE.—

(A) TRAINING REQUIRED.—Chapter 901 of such title is amended by inserting after section 9320 the following new section:

''§ 9320a. Recruit basic training: availability of suicide prevention resources

''(a) AVAILABILITY.—As part of the initial entry training program of the Air Force that constitutes the basic training of new recruits, the Secretary of the Air Force shall include a training component on suicide prevention.

''(b) ELEMENTS.—The suicide prevention training component shall include the following:

''(1) Methods for recognizing risk factors for suicide.

''(2) Protocols for responding to crisis situations involving members who may be at high risk for suicide.

''(3) Information about suicide prevention services available to members, including toll-free hotlines and Internet resources.

''(4) Information on best practices for suicide prevention.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4320 the following new item:

''4320a. Recruit basic training: availability of suicide prevention resources.''.

(c) PRESEPARATION COUNSELING.—Section 1142(b)(8) of such title is amended by inserting before the period the following: ''and the availability to the member and the member's family of the suicide prevention resources described in section 1177(d) of this title''.

(d) FUNDING INCREASE AND OFFSETTING REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 421 for military personnel, as specified in the corresponding funding table in division D, is hereby increased by $5,000,000, with the amount of the increase allocated to carrying out this section and the amendments made by this section; and

(2) the amount authorized to be appropriated in section 101 for other procurement, Air Force, as specified in the corresponding funding table in division D, is hereby reduced by $5,000,000, with the amount of the reduction to be derived from Joint Tactical Radio System Maritime-Fixed radios under line 049 Tactical Communications Electronic Equipment, as specified in the corresponding funding table in section 4101.

AMENDMENT NO. 10 OFFERED BY MR. COHEN

At the end of subtitle C of title V, add the following new section:

SEC. 5___. DESIGNATION OF PERSONS AUTHORIZED TO DIRECT DISPOSITION OF REMAINS OF MEMBERS OF THE ARMED FORCES.

Section 1482(c) of title 10, United States Code, is amended—

(1) by striking ''Only the'' in the matter preceding paragraph (1) and inserting ''The'';

(2) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(3) in paragraph (5), as so redesignated, by striking ''clauses (1)-(3)'' and inserting ''paragraphs (1) through (4)''; and

(4) by inserting before paragraph (2), as so redesignated, the following new paragraph:

''(1) The person identified by the decedent on the record of emergency data maintained by the Secretary concerned (DD Form 93 or any successor to that form), as the Person Authorized to Direct Disposition (PADD), regardless of the relationship of the designee to the decedent.''.

AMENDMENT NO. 11 OFFERED BY MR. BECERRA

At the end of subtitle E of title V, add the following new section:

SEC. 5___. DIVERSITY RECRUITMENT EFFORTS FOR THE MILITARY SERVICE ACADEMIES.

(a) FUNDS FOR DIVERSITY RECRUITMENT EFFORTS.—The amounts authorized to be appropriated by section 301 for operation and maintenance for the Army, Navy, and Air Force for officer acquisition, as specified in the corresponding funding table in section 4301, are each increased by $1,400,000 to expand diversity recruitment efforts for the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.

(b) OFFSET FROM JOINT TACTICAL RADIO SYSTEM.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for other procurement, Air Force, as specified in the corresponding funding table in division D, is hereby reduced by $4,200,000, with the amount of the reduction to be derived from Joint Tactical Radio System Maritime-Fixed radios under Line 049 Tactical Communications-Electronic Equipment as set forth in the table under section 4101.

(c) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in subsection (a) with or to a specific entity shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

AMENDMENT NO. 13 OFFERED BY MR. MC NERNEY

At the end of subtitle H of title V, add the following new section:

SEC. 577. SENSE OF CONGRESS REGARDING FINANCIAL COUNSELING FOR MILITARY FAMILIES.

It is the sense of Congress that the Secretary of Defense should work with the Consumer Financial Protection Bureau to ensure coordination with the Office of Service Member Affairs to provide financial counseling for members of the Armed Forces and their families.

AMENDMENT NO. 14 OFFERED BY MR. MC NERNEY

Strike section 591 and insert the following new section:

SEC. 591. AUTHORITY TO PROVIDE SUPPORT AND SERVICES FOR CERTAIN ORGANIZATIONS AND ACTIVITIES OUTSIDE DEPARTMENT OF DEFENSE.

Section 2012 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(k) LIMITATION ON ANNUAL OBLIGATION OF FUNDS.—Not more than $20,000,000 may be obligated during fiscal year 2012 or any fiscal year thereafter to provide support and services to non-Department of Defense organizations and activities under this section.''.

AMENDMENT NO. 15 OFFERED BY MR. KING OF NEW YORK

At the end of subtitle J of title V of division A, add the following new section:

SEC. 598. POSTAL BENEFITS PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Supply Our Soldiers Act of 2011''.

(b) POSTAL BENEFITS PROGRAM FOR MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the United States Postal Service, shall provide for a program under which postal benefits shall be provided to qualified individuals in accordance with succeeding provisions of this section.

(2) QUALIFIED INDIVIDUAL.—For purposes of this section, the term ''qualified individual'' means an individual who is—

(A) a member of the Armed Forces of the United States on active duty (as defined in section 101 of title 10, United States Code); and

(B)(i) serving in Iraq or Afghanistan; or

(ii) hospitalized at a facility under the jurisdiction of the Armed Forces of the United States as a result of a disease or injury incurred as a result of service in Iraq or Afghanistan.

(3) POSTAL BENEFITS DESCRIBED.—

(A) IN GENERAL.—The postal benefits provided under this section shall consist of such coupons or other similar evidence of credit (whether in printed, electronic, or other format, and hereinafter in this section referred to as ''vouchers'') as the Secretary of Defense (in consultation with the Postal Service) shall determine, entitling the bearer or user to make qualified mailings free of postage.

(B) QUALIFIED MAILING.—For purposes of this section, the term ''qualified mailing'' means the mailing of a single mail piece which—

(i) is described in clause (i) or (ii) of subparagraph (C);

(ii) is sent from within an area served by a United States post office; and

(iii) is addressed to a qualified individual.

(C) MAIL DESCRIBED.—Mail described in this subparagraph is—

(i) any first-class mail (including any sound- or video-recorded communication) not exceeding 13 ounces in weight and having the character of personal correspondence; and

(ii) parcel post not exceeding 15 pounds in weight.

(D) LIMITATIONS.—

(i) NUMBER.—An individual shall be eligible for one voucher for each two-month period in which such individual is a qualified individual.

(ii) USE.—Any such voucher may not be used—

(I) for more than a single qualified mailing; or

(II) after the expiration date of such voucher, as designated by the Secretary of Defense.

(E) COORDINATION RULE.—Postal benefits under this section shall be in addition to, and not in lieu of, any reduced rates of postage or other similar benefits which might otherwise be available by or under law, including any rates of postage resulting from the application of section 3401(b) of title 39, United States Code.

(4) REGULATIONS.—Not later than 30 days after the date of the enactment of this section, the Secretary of Defense (in consultation with the Postal Service) shall prescribe any regulations necessary to carry out this section, including—

(A) procedures by which vouchers will be provided or made available in timely manner to persons duly identified by qualified individuals to receive those vouchers; and

(B) procedures to ensure that the number of vouchers provided or made available with respect to any qualified individual complies with paragraph (3)(D)(i).

(c) FUNDING.—

(1) FUNDING INCREASE AND OFFSETTING REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D, to carry out this section during fiscal year 2012—

(A) the amount authorized to be appropriated in section 301 for operation and maintenance, Defense-wide, as specified in the corresponding funding table in division D, is hereby increased by $12,000,000, with the amount of the increase allocated to the Office of the Secretary of Defense, as set forth in the table under section 4301, to carry out this section; and

(B) the amount authorized to be appropriated in section 101 for other procurement, Army, as specified in the corresponding funding table of division D, is hereby reduced by $12,000,000 with the amount of the reduction to be derived from the Joint Tactical Radio System, Ground Mobile Radio Program under Line 039 Joint Tactical Radio System as set forth in the table under section 4101.

(2) TRANSFERS TO POSTAL SERVICE.—

(A) BASED ON ESTIMATES.—The Department of Defense shall transfer to the Postal Service, out of any amount so appropriated and in advance of each calendar quarter for fiscal year 2012 beginning on or after January 1, 2012, and during which postal benefits under this section may be used, an amount equal to the amount of postal benefits that the Department of Defense estimates will be used during such quarter, reduced or increased (as the case may be) by any amounts by which the Department finds that a determination under this subsection for a prior quarter was greater than or less than the amount finally determined for such quarter.

(B) BASED ON FINAL DETERMINATION.—A final determination of the amount necessary to correct any previous determination under this subsection, and any transfer of amounts between the Postal Service and the Department of Defense based on that final determination, shall be made not later than six months after the end of fiscal year 2012.

(3) CONSULTATION REQUIRED.—All estimates and determinations under this subsection of the amount of postal benefits under this section used in any period shall be made by the Department of Defense in consultation with the Postal Service.

(d) DURATION.—The postal benefits under this section shall apply with respect to mail matter sent during the period beginning on October 1, 2011, and ending on September 30, 2012.

AMENDMENT NO. 16 OFFERED BY MR. RUPPERSBERGER

At the end of subtitle C of title VI, add the following new section:

SEC. 623. INCLUSION OF MEMBERS OF THE ARMED FORCES ASSIGNED TO EGYPT MULTI-NATIONAL FORCE AND OBSERVERS MISSION IN UNITED STATES CENTRAL COMMAND REST AND RECUPERATION ABSENCE PROGRAM.

(a) INCLUSION OF MNFOM MEMBERS.—Subsection (b) of section 705a of title 10, United States Code, as added by section 532 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4216), is amended to read as follows:

''(b) ELIGIBLE MEMBERS.—Subject to such other criteria as the Secretary of Defense may prescribe in the regulations required by subsection (a), the following members of the armed forces are eligible for selection to receive the benefits described in subsection (c):

''(1) A member who is assigned or deployed for at least 270 days in an area or location—

''(A) that is designated by the President as a combat zone; and

''(B) in which hardship duty pay is authorized to be paid under section 305 of title 37.

''(2) A member who is assigned to duty for at least 270 days as a participant in the Egypt Multi-National Force and Observers Mission.''.

(b) FUNDING SOURCE.—Notwithstanding the amounts set forth in the funding table in section 4501, the Secretary of Defense may transfer up to $4,000,000 from the Mission Force Enhancement Transfer Fund established by section 1433 to another account of the Department of Defense to mitigate unfunded requirements for fiscal year 2012 incurred as a result of the amendment made by subsection (a).

(c) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for other procurement, Army, as specified in the corresponding funding table in division D, is hereby reduced by $5,000,000, with the amount of the reduction to be derived from Joint Tactical Radio System Maritime-Fixed radios under Line 039 Joint Tactical Radio System as set forth in the table under section 4101.

AMENDMENT NO. 17 OFFERED BY MR. CARTER

At the end of title VI, add the following new section:

SEC. 662. TREATMENT OF MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN THE NOVEMBER 5, 2009, ATTACK AT FORT HOOD, TEXAS.

(a) TREATMENT.—For purposes of all applicable Federal laws, regulations, and policies, a member of the Armed Forces or civilian employee of the Department of Defense who was killed or wounded in the attack that occurred at Fort Hood, Texas, on November 5, 2009, shall be deemed as follows:

(1) In the case of a member, to have been killed or wounded in a combat zone as the result of an act of an enemy of the United States.

(2) In the case of a civilian employee of the Department of Defense—

(A) to have been killed or wounded while serving with the Armed Forces in a contingency operation; and

(B) to have been killed or wounded in a terrorist attack.

(b) EXCEPTION.—Subsection (a) shall not apply to a member of the Armed Forces whose death or wound as described in that subsection is the result of the willful misconduct of the member.

AMENDMENT NO. 21 OFFERED BY MR. SESSIONS

Page 345, after line 8, insert the following:

SEC. 731. PILOT PROGRAM ON PAYMENT FOR TREATMENT OF MEMBERS OF THE ARMED FORCES AND VETERANS FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) PAYMENT PROCESS.—The Secretary of Defense and the Secretary of Veterans Affairs shall carry out a five-year pilot program under which each such Secretary shall establish a process through which each Secretary shall provide payment for treatments (including diagnostic testing) of traumatic brain injury or post-traumatic stress disorder received by members of the Armed Forces and veterans in health care facilities other than military treatment facilities or Department of Veterans Affairs medical facilities. Such process shall provide that payment be made directly to the health care facility furnishing the treatment.

(b) CONDITIONS FOR PAYMENT.—The approval by a Secretary for payment for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved or cleared by the Food and Drug Administration for any purpose.

(2) The treatment must have been approved by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

(3) The treatment (including any patient disclosure requirements) must be used by the health care provider delivering the treatment.

(4) The patient receiving the treatment must demonstrate an improvement as a result of the treatment on one or more of the following:

(A) Standardized independent pre-treatment and post-treatment neuropsychological testing.

(B) Accepted survey instruments.

(C) Neurological imaging.

(D) Clinical examination.

(5) The patient receiving the treatment must be receiving the treatment voluntarily.

(6) The patient receiving the treatment may not be a retired member of the uniformed services or of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act.

(c) ADDITIONAL RESTRICTIONS PROHIBITED.—Except as provided in this subsection (b), no restriction or condition for reimbursement may be placed on any health care provider that is operating lawfully under the laws of the State in which the provider is located with respect to the receipt of payment under this section.

(d) PAYMENT DEADLINE.—The Secretary of Defense and the Secretary of Veterans Affairs shall make a payment for a treatment pursuant to subsection (a) not later than 30 days after a member of the Armed Forces or veteran (or health care provider on behalf of such member or veteran) submits to the Secretary documentation regarding the treatment. The Secretary of Defense and the Secretary of Veterans Affairs shall ensure that the documentation required under this subsection may not be an undue burden on the member of the Armed Forces or veteran or on the health care provider.

(e) PAYMENT AUTHORITY.—

(1) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall make payments under this section for treatments received by members of the Armed Forces using the authority in subsection (c)(1) of section 1074 of title 10, United States Code.

(2) DEPARTMENT OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall make payments under this section for treatments received by veterans using the authority in section 1728 of title 38, United States Code.

(f) PAYMENT AMOUNT.—A payment under this section shall be made at the equivalent Centers for Medicare and Medicaid Services reimbursement rate in effect for appropriate treatment codes for the State or territory in which the treatment is received. If no such rate is in effect, payment shall be made at a fair market rate, as determined by the Secretary of Defense, in consultation with the Secretary of Health and Human Services, with respect to a patient who is a member of the Armed Forces or the Secretary of Veterans Affairs with respect to a patient who is a veteran.

(g) DATA COLLECTION AND AVAILABILITY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretaries shall ensure that the database preserves confidentiality and be made available only—

(A) for third-party payer examination;

(B) to the appropriate congressional committees and employees of the Department of Defense, the Department of Veterans Affairs, the Department of Health and Human Services, and appropriate State agencies; and

(C) to the primary investigator of the institutional review board that approved the treatment, in the case of data relating to a patient case involving the use of such treatment.

(2) ENROLLMENT IN INSTITUTIONAL REVIEW BOARD STUDY.—In the case of a patient enrolled in a registered institutional review board study, results may be publically distributable in accordance with the regulations prescribed pursuant to the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191) and other regulations and practices in effect as of the date of the enactment of this Act.

(3) QUALIFIED INSTITUTIONAL REVIEW BOARDS.—The Secretary of Defense and the Secretary of Veterans Affairs shall each ensure that the Internet Web site of their respective departments includes a list of all civilian institutional review board studies that have received a payment under this section.

(h) ASSISTANCE FOR MEMBERS TO OBTAIN TREATMENT.—

(1) ASSIGNMENT TO TEMPORARY DUTY.—The Secretary of a military department may assign a member of the Armed Forces under the jurisdiction of the Secretary to temporary duty or allow the member a permissive temporary duty in order to permit the member to receive treatment for traumatic brain injury or post-traumatic stress disorder, for which payments shall be made under subsection (a), at a location beyond reasonable commuting distance of the member's permanent duty station.

(2) PAYMENT OF PER DIEM.—A member who is away from the member's permanent station may be paid a per diem in lieu of subsistence in an amount not more than the amount to which the member would be entitled if the member were performing travel in connection with a temporary duty assignment.

(3) GIFT RULE WAIVER.—Notwithstanding any rule of any department or agency with respect to ethics or the receipt of gifts, any assistance provided to a member of the Armed Forces with a service-connected injury or disability for travel, meals, or entertainment incidental to receiving treatment under this section, or for the provision of such treatment, shall not be subject to or covered by any such rule.

(i) RETALIATION PROHIBITED.—No retaliation may be made against any member of the Armed Forces or veteran who receives treatment as part of registered institutional review board study carried out by a civilian health care practitioner.

(j) TREATMENT OF UNIVERSITY AND NATIONALLY ACCREDITED INSTITUTIONAL REVIEW BOARDS.—For purposes of this section, a university-affiliated or nationally accredited institutional review board shall be treated in the same manner as a Government institutional review board.

(k) MEMORANDA OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Veterans Affairs shall seek to expeditiously enter into memoranda of understandings with civilian institutional review boards described in subsection (j) for the purpose of providing for members of the Armed Forces and veterans to receive treatment carried out by civilian health care practitioners under a treatment approved by and under the oversight of civilian institutional review boards that would qualify for payment under this section.

(l) OUTREACH REQUIRED.—

(1) OUTREACH TO VETERANS.—The Secretary of Veterans Affairs shall notify each veteran with a service-connected injury or disability of the opportunity to receive treatment pursuant to this section.

(2) OUTREACH TO MEMBERS OF THE ARMED FORCES.—The Secretary of Defense shall notify each member of the Armed Forces with a service-connected injury or disability of the opportunity to receive treatment pursuant to this section.

(m) REPORT TO CONGRESS.—Not later than 30 days after the last day of each fiscal year during which the Secretary of Defense and the Secretary of Veterans Affairs are authorized to make payments under this section, the Secretaries shall jointly submit to Congress an annual report on the implementation of this section. Such report shall include each of the following for that fiscal year:

(1) The number of individuals for whom the Secretary has provided payments under this section.

(2) The condition for which each such individual receives treatment for which payment is provided under this section and the success rate of each such treatment.

(3) Treatment methods that are used by entities receiving payment provided under this section and the respective rate of success of each such method.

(4) The recommendations of the Secretaries with respect to the integration of treatment methods for which payment is provided under this section into facilities of the Department of Defense and Department of Veterans Affairs.

(n) TERMINATION.—The authority to make a payment under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(o) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each fiscal year during which the Secretary of Veterans Affairs and the Secretary of Defense

are authorized to make payments under this section.

(p) FUNDING INCREASE AND OFFSETTING REDUCTION.—

(1) IN GENERAL.—Notwithstanding the amounts set forth in the funding tables in division D, to carry out this section during fiscal year 2012—

(A) the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in division D, is hereby increased by $10,000,000, with the amount of the increase allocated to the Defense Health Program, as set forth in the table under section 4501, to carry out this section; and

(B) the amount authorized to be appropriated in section 101 for other procurement, Army, as specified in the corresponding funding table in division D, is hereby reduced by $10,000,000, with the amount of the reduction to be derived from Joint Tactical Radio System, ground-mobile radio program under Line 039 Joint Tactical Radio System as set forth in the table under section 4101.

(2) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds referred to in paragraph (1)(A) with or to a specific entity shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

AMENDMENT NO. 29 OFFERED BY MS. WATERS

At the end of title VIII, add the following new section:

SEC. 845. PREFERENCE FOR POTENTIAL CONTRACTORS THAT CARRY OUT CERTAIN ACTIVITIES.

In evaluating offers submitted in response to a solicitation for contracts, the Secretary of Defense shall provide a preference to any offeror that—

(1) enhances undergraduate, graduate, and doctoral programs in science, technology, engineering and math (in this section referred to as ''STEM'' disciplines);

(2) makes investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools;

(3) encourages employees to volunteer in Title I schools in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist faculty at such colleges and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

(5) establishes partnerships between the offeror and historically Black colleges and universities and minority institutions for the purpose of training students in scientific disciplines;

(6) awards scholarships and fellowships, and establishes cooperative work-education programs in scientific disciplines; or

(7) conducts recruitment activities at historically black colleges and universities and other minority-serving institutions or offers internships or apprenticeships.

AMENDMENT NO. 34 OFFERED BY MS. HAYWORTH

Page 429, after line 13, insert the following:

SEC. 965. SENSE OF CONGRESS REGARDING THE PERFORMANCE OF COMMERCIALLY-AVAILABLE ACTIVITIES BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) our Nation's economic strength is characterized by individual freedom and the competitive enterprise system, and as such, the Federal Government should not compete with its citizens and private enterprise;

(2) in recognition of this policy, the Government should rely on commercially available sources to provide commercial products and services and should not start or carry on any activity to provide a commercial product or service if the product or service can be procured more economically from a commercial source; and

(3) the Department of Defense should not convert the performance of any function from performance by a contractor to performance by Department of Defense civilian employees unless the function is inherently governmental in nature.

(b) DEFINITION OF INHERENTLY GOVERNMENTAL.—In this section, the term ''inherently governmental'' has the meaning given that term in section 5(2) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501 note).

AMENDMENT NO. 35 OFFERED BY MR. CUELLAR

Page 431, line 13, strike ''**Counter-Drug Activities**'' and insert ''**Counter-Drug Activities and Counter Transnational Criminal Activities**''.

At the end of subtitle B of title X (page 434, after line 7), add the following new section:

SEC. 1015. MITIGATION OF NATIONAL SECURITY THREATS ALONG THE BORDER OF THE UNITED STATES AND MEXICO.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense should continue to increase intelligence and technology sharing information and capability with the Secretary of Homeland Security and other agencies to mitigate national security threats along the international border between the United States and Mexico, including threats of infiltration and border breaches by transnational criminal organizations; and

(2) the Secretary of Defense should strongly consider operationally testing, along the international border between the United States and Mexico, emerging technology capabilities developed for the purposes of detection, intelligence, and surveillance.

(b) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees on the effectiveness of the ongoing collaborative programs with the Government of Mexico intended to strengthen the capability of Mexican forces to detect and deter infiltration of the United States border and other national security threats by transnational crime organizations.

AMENDMENT NO. 36 OFFERED BY MR. HUNTER

Page 438, after line 2, insert the following:

SEC. 1022. NAMING OF NAVAL VESSEL AFTER UNITED STATES MARINE CORPS SERGEANT RAFAEL PERALTA.

Congress strongly encourages the Secretary of the Navy to name the next available Naval vessel after United States Marine Corps Sergeant Rafael Peralta.

AMENDMENT NO. 5 OFFERED BY MR. SCHIFF

Page 113, after line 17, insert the following:

SEC. 317. HEALTH ASSESSMENT REPORTS REQUIRED WHEN WASTE IS DISPOSED OF IN OPEN-AIR BURN PITS.

Section 317 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2250; 10 U.S.C. 2701 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) HEALTH ASSESSMENT REPORTS.—Not later than 180 days after notice is due under subsection (a)(2), the Secretary shall submit to the Committee on Armed Services of the Senate and the House of Representatives a health assessment report on each open-air burn pit at a location where at least 100 personnel have been employed for 90 consecutive days or more. Each such report shall include each of the following:

''(1) An epidemiological description of the short-term and long-term health risks posed to personnel in the area where the burn pit is located because of exposure to the open-air burn pit.

''(2) A copy of the methodology used to determine the health risks described in paragraph (1).

''(3) A copy of the assessment of the operational risks and health risks when making the determination pursuant to subsection (a) that no alternative disposal method is feasible for the open-air burn pit.''.

MODIFICATION TO AMENDMENT NO. 5

Mr. MCKEON. Madam Chair, I ask unanimous consent that amendment No. 5 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Page 113, after line 17, insert the following:

SEC. 317. HEALTH ASSESSMENT REPORTS REQUIRED WHEN WASTE IS DISPOSED OF IN OPEN-AIR BURN PITS.

Section 317 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2250; 10 U.S.C. 2701 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) HEALTH ASSESSMENT REPORTS.—Not later than 180 days after notice is due under subsection (a)(2), the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a health assessment report on each open-air burn pit at a location where at least 100 personnel have been employed for 90 consecutive days or more. Each such report shall include each of the following:

''(1) An epidemiological description of the short-term and long-term health risks posed to personnel in the area where the burn pit is located because of exposure to the open-air burn pit.

''(2) A copy of the methodology used to determine the health risks described in paragraph (1).

''(3) A copy of the assessment of the operational risks and health risks when making the determination pursuant to subsection (a) that no alternative disposal method is feasible for the open-air burn pit.''.

Mr. MCKEON (during the reading). I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Without objection, the modification is agreed to.

There was no objection.

MODIFICATION TO AMENDMENT NO. 34

Mr. MCKEON. I ask unanimous consent that amendment No. 34 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

The amendment as modified is as follows:

Page 429, after line 13, insert the following:

SEC. 965. SENSE OF CONGRESS REGARDING THE PERFORMANCE OF COMMERCIALLY-AVAILABLE ACTIVITIES BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) our Nation's economic strength is characterized by individual freedom and the competitive enterprise system, and as such, the Federal Government should not compete with its citizens and private enterprise;

(2) in recognition of this policy, the Government should rely on commercially available sources to provide commercial products and services and should not start or carry on any activity to provide a commercial product or service if the product or service can be procured more economically from a commercial source;

(3) this policy conforms with Department of Defense Total Force Management procedures aimed at improving total manpower requirements, determinations, and planning to facilitate decisions regarding which sector (military, civilian, or contractor personnel) should perform each requirement; and

(4) the Department of Defense should not convert the performance of any function from performance by a contractor to performance by Department of Defense civilian employees unless the function is inherently governmental in nature or the conversion is necessary to comply with section 129a of title 10, United States Code, as amended by this Act.

(b) DEFINITION OF INHERENTLY GOVERNMENTAL.—In this section, the term ''inherently governmental'' has the meaning given that term in section 5(2) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501 note).

Mr. MCKEON (during the reading). I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Without objection, the modification is agreed to.

There was no objection.

MODIFICATION TO AMENDMENT NO. 36

Mr. MCKEON. I ask unanimous consent that amendment No. 36 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Page 438, after line 2, insert the following:

SEC. 1022. NAMING OF NAVAL VESSEL AFTER UNITED STATES MARINE CORPS SERGEANT RAFAEL PERALTA.

Congress strongly encourages the Secretary of the Navy to name the next available Naval vessel after United States Marine Corps Sergeant Rafael Peralta.

Mr. MCKEON (during the reading). I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Without objection, the modification is agreed to.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Madam Chair, I urge the Committee to adopt the amendments en bloc, all of which have been examined by the majority and the minority.

I now yield 2 minutes to my friend and colleague, the gentleman from Illinois (Mr. SCHOCK).

Mr. SCHOCK. Madam Chairman, if you want to be reminded of what an American hero is today, you don't have to search far within the ranks of our military to find one. Today, I'd like to share the story of a couple of such heroes—in fact, a family of them.

Army Specialist Ron Gebur was a 23-year-old sniper who was killed by an IED in Iraq 5 years ago. Ron's wife, Bethany, also served as an Army medic.

At the time of Ron's death, they had a 9-month-old son, Gage, and Bethany had just received orders to deploy to Iraq herself. Her orders would have required her to leave well before Ron was scheduled to return home from his service in Iraq.

Recently, Ron's mother-in-law contacted me. She asked me to stand up for these dual military families to ensure children like Gage don't grow up as orphans or have to go through the experience of seeing both Mom and Dad deployed at the very same time.

Today, I am offering an amendment that would give these dual military families with children some flexibility, knowing that they have an option to defer concurrent deployment into a war zone. We need to ensure that these families don't have to choose between serving their families and serving their country.

Specialist Ron Gebur gave the ultimate sacrifice, and I offer this amendment in his honor.

Mr. SMITH of Washington. Madam Chair, I support the amendment being offered.

With that, I yield 1 minute to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Madam Chair, my amendment encourages the DOD Medical Research Program to use the most advanced research technology possible when researching certain diseases.

The DOD Medical Research Program has made great advances in diagnostics relative to breast cancer and prostate cancer, but traditional drug therapies have had limited success. Recent breakthroughs in RNA-based treatments hold the promise of overcoming major limitations of current medicines which are able to target only a limited number of proteins involved in diseased pathways. This would tremendously increase the effectiveness of drug treatments for these devastating illnesses. Over the past several years, scientific and technical breakthroughs have significantly advanced the field of RNA-based therapeutics. Encouraging DOD to use RNA science and technology would make a profound and viable contribution to the eight current medical research programs.

Finally, Madam Chair, this new technology can help identify different drug candidates to treat memory deficiencies and memory disorders that are a factor in Post-Traumatic Stress Disorder, including depression. With the thousands of young men and women returning home from Iraq and Afghanistan who are experiencing PTSD and depression, we must do everything we can to treat these disorders. We owe it to these brave Americans to use every technology that we can to help ease their transition here at home.

Madam Chair, I ask my colleagues to join me in support of this amendment.

Mr. MCKEON. Madam Chair, I yield 2 minutes to my friend and colleague, the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Currently, private health care providers are treating brain injury patients with new and innovative treatments with remarkable results. Surprisingly, many of these treatments are not currently available within military and veteran medical facilities for our heroes suffering from traumatic brain injuries.

In an effort to fix this delinquency, I introduced the TBI Treatment Act (H.R. 396) in January, and am offering it as an amendment today. The TBI Treatment Act establishes a 5-year ''pay-for-performance'' pilot program. Private health care providers are authorized and reimbursed to provide proven treatments to active duty soldiers and veterans at no cost to the patient.

My amendment helps expedite these ground-breaking treatments to our Nation's veterans and active duty soldiers who are suffering from traumatic brain injury. I ask that everyone in this House to join me in supporting this amendment to NDAA.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the ranking member for yielding, and I thank both the ranking member and the chairman for their work on this particular set of amendments that have been put together en bloc.

I want to just say that I have an amendment here that I hope that we can not only use in the future, but I hope it is one that will help America continue to seek out the best and the brightest to service in our military, both in the ranks of our troops and also as our officers.

As we all know, one of the great privileges we have as Members of Congress is to nominate the future leaders, the officer corps of our military. Through the military academies that we have, we have an opportunity to train young men and women to be our future leaders in our military but, more importantly, our future leaders of America because many go on beyond

military service to become future leaders in the civic world. So this amendment makes sure that our military academies have an opportunity to go to every corner of our country to find the best and brightest.

□ 1530

Some areas have been harder to reach out to than others. Working with our Members of Congress through the nominations process, we hope that the Pentagon and military services, with their academies, can reach out to all those young people who are ready to serve.

I thank both the chairman and the ranking member for making this amendment part of the en bloc series of amendments.

Mr. MCKEON. Madam Chair, I yield 1 minute to my friend and colleague, the gentlelady from New York (Ms. HAYWORTH).

Ms. HAYWORTH. Thank you and the committee, Mr. Chairman, for your support of my amendment.

The amendment that I have offered, No. 4, simply adds the sense of Congress that the Federal Government should not be in the business of competing with its citizens in private enterprise. As such, the Federal Government should not carry on activities if they can be procured more economically from a commercial source.

What we are talking about here is insourcing of activities that ordinarily should be available commercially, such as food services, mapping, audio-visual services. And we have an example in our own district in the food services area. Unfortunately, in-sourcing does not produce net savings in such cases. It is often the case that higher costs, lower quality, and less support for local businesses are the case.

We want to make sure our Armed Forces have everything they need to be as effective as they can be. Therefore, this amendment specifically exempts positions that are inherently governmental in nature. But I do hope that we will give favorable consideration to our local contractors and our local economies and not have the Federal Government compete with local businesses.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Today and each day, on average, 18 American warriors take their own lives. Over the last 2 years, America has lost more troops to suicide than to combat itself. Yes, you heard me correctly. These painful facts were ignored by the majority last night when they blocked an amendment I offered to this bill.

As I explained to the Rules Committee, this amendment that I offered had passed the House previously, and would have provided badly needed suicide prevention services to over 123,000 Guard and Reserve combat veterans who currently have no established suicide prevention network. My amendment proposed a tested, effective approach to counseling.

The message to these Guard and Reserve combat veterans is unmistakable. If the intrusive memories of the horrors you have witnessed in war are too much for you and you are thinking of ending your own life, you are on your own.

Yes, I am angry. Blocking this amendment is an insult to the servicemembers and the families who have already lost a loved one to suicide. The deliberate exclusion of this badly needed suicide prevention, by itself, is a compelling reason to vote against this bill.

Mr. MCKEON. I reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from California (Mr. BACA).

Mr. BACA. Madam Chair, I rise in support of my amendment, No. 9, to H.R. 1540. I would like to thank Chairman BUCK MCKEON, Ranking Member ADAM SMITH, and the staff for their hard work in adding my Baca amendment to the series.

As a Vietnam veteran, I am very upset with witnessing the alarming rates of suicide amongst our military ranks. In my visit to Walter Reed, I had an opportunity to speak firsthand to many of the soldiers suffering from posttraumatic stress disorder. My amendment enhances the suicide prevention program at the Department of Defense by specifically requiring that each branch of the military include suicide prevention training during recruit training, and pre-separation counseling.

Each suicide prevention training run by the various military services shall include at a minimum: methods for recognizing risk factors for suicide; protocols for responding to crisis situations involving members who may be at high risk; information about suicide prevention services available to members, including a toll free hotline, Internet service; and information for best practices for suicide prevention.

This amendment is strongly supported by the Iraq and Afghanistan Veterans of America and the American Foundation for Suicide Prevention.

I urge my colleagues to vote for this amendment so that it will hopefully reduce the number of military suicides.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Madam Chair, I rise in support of my amendment, No. 35, that directs the Department of Defense to make available for border defense the same technology and intelligence gathering practices it is currently using in conducting war overseas.

The assault on our southern border today by transnational criminal organizations is a national security threat. They dig tunnels under the border, they fly ultralight crafts, and they try to breach our borders. My amendment brings state-of-the-art military technology to bear on this problem.

In fact, also what it does is it looks at the other side of the border to make sure that the Department of Defense evaluates and briefs Congress on our efforts to build Mexico's capacity to combat these organizations. This dual-pronged approach brings our military technological advantage to bear on this southern threat and measures how we are building the Mexican capacity that will put additional constraints on these criminal organizations. Again, this will be a true way to make sure that we face the threat that we face on our border.

I urge my colleagues to support this amendment.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Madam Chair, I rise in support of my amendment, No. 29, which is being offered en bloc by the House Armed Services Committee.

My amendment to H.R. 1540 provides a preference for potential Department of Defense contractors that carry out certain investment and philanthropic activities to bolster education, training, and employment in science, technology, engineering, and mathematics, all of the STEM disciplines.

My amendment is intended to promote enhanced public and private partnerships, civic, and investment activities to strengthen our Nation's STEM pipeline and ensure that the United States continues to produce highly skilled STEM professionals that are both diverse and innovative.

Waters amendment No. 29 will signal to potential contractors that the Federal Government is serious about improving STEM education and creating a pipeline that will protect the Nation's economic future.

I urge my colleagues to support passage of this amendment.

Mr. KING of New York. Madam Chair, I rise today in support of my amendment to H.R. 1540, the National Defense Authorization Act, which would provide free postal benefits to active duty soldiers' families.

While our soldiers do not have to pay for the letters they send home, their families often spend hundreds of dollars to send care packages and letters of their own. The program authorized by this amendment would provide soldiers serving active duty in Iraq and Afghanistan with one postal voucher every other month to transfer to their loved ones to send letters and packages to these soldiers at no cost.

I fully support this postal benefits program and urge my colleagues to vote in favor of my amendment. I would like to thank the Members and staff of the House Armed Services Committee for working with me and accepting this amendment.

Mr. SMITH of Washington. I have no further requests for time, and I yield back the balance of my time.

Mr. MCKEON. I have no further requests for time, I encourage the acceptance of the amendments en bloc, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments, as modified, were agreed to.

AMENDMENT NO. 6 OFFERED BY MR. CARTER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–88.

Mr. CARTER. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 178, after line 8, insert the following new section:

SEC. 527. PROTECTED COMMUNICATIONS BY MEMBERS OF THE ARMED FORCES AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.

Section 1034(c)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(C) Ideologically based threats or actions of another member that the member providing the information reasonably believes could be counterproductive or detrimental to United States interests or security.''.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Texas (Mr. CARTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CARTER. Madam Chair, this is an amendment to extend whistleblower protection for American soldiers for the protection of American soldiers both at home and abroad. The bottom line is this amendment would extend protected communications covered under the Whistleblower Protection Acts to include ideologically based threats or actions; that if a servicemember reasonably believes that the actions of an individual could be counterproductive or detrimental to the United States' interests or security, they would be able to report these under the Whistleblower Protection Act.

The Fort Hood shooting, which unfortunately was in my district, taught us that servicemembers are becoming increasingly afraid to report questionable incidents for fear of reprisal. Despite numerous red flags concerning Major Hasan and his dangerous tendencies, no negative personnel action was taken. He was promoted to the rank of major, and he was allowed to provide psychological counseling to battle weary soldiers.

□ 1540

Our military personnel asserted that because of Major Hasan's Muslim heritage, that they feared adverse actions would be held against them and that they would be accused of profiling Major Hasan.

Coming forward about potentially dangerous situations should never be considered profiling. While no one should be targeted solely on their religious affiliation, all servicemembers should feel free and safe to report dangerous behavior.

And I will tell you that it was reported to me by more than a dozen soldiers in the training command and in medical school that this dangerous behavior was discussed constantly, and they were all concerned about reporting it.

The Whistleblower Act already provides for guidance on what should be reported in terms of violations. It extends to military personnel protection from negative reporting. It protects the servicemembers on their ability to communicate dangerous behavior, mismanagement of funds, abuses of authority to Congress and to an IG or to the chain of command.

This amendment would further extend protective communications to include ''ideologically based threats or actions'' that the reporting servicemember ''reasonably believes could be counterproductive or detrimental to the United States' interests or security.''

This amendment does not target any specific belief, religious or otherwise. This amendment seeks to instill the confidence necessary to protect our Armed Forces from further attacks from within.

I reserve the balance of my time.

Mr. SMITH of Washington. I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I do rise to oppose this amendment. I am very sympathetic to the direction that the sponsor is headed—the notion that we need to make sure that if people see something that is a threat to them, or the service, or to our national interests at all, they should feel free reporting it.

The problem I have with this amendment is current law protects that. We have current statute with whistleblower protection that very clearly says that if you have any reason to believe that something is going on that is counterproductive or detrimental to the United States' interests or security, you are free to report that to the appropriate superiors. That law is there and is protected.

Now I will agree with the sponsor that people nonetheless are reluctant to come forward and provide that information. But what we need to do is we need to educate people about that protection being there in the current law.

What this amendment does is broadens that to the point where it's going to sweep a lot of stuff up that we don't want to hear about. It isn't necessarily going to make it any more likely that what we want to hear about is going to be reported by saying ''ideologically based threats or actions.'' That is beyond broad, it almost is beyond definition. It is the freedom to say anything about anyone any time with this protection, which I don't think we want, which I think would undermine the broader mission.

So the current law makes it clear. If you are a servicemember who sees a threat or perceives a threat for any reason, ideologically based or otherwise, frankly I don't see why it makes any difference whether or not it's ideologically based; we want it reported.

So that is current law, it's protected. We need to make sure that everyone, not just servicemembers, but everyone in society feels free to report such threats to the appropriate authorities.

This amendment is overly broad and would cause more trouble than it would solve. So, therefore, I oppose the amendment and urge the body to do so.

I reserve the balance of my time.

Mr. CARTER. I would point out to my friend that 13 American soldiers died, 13 people died, 12 American soldiers and one civilian, and 43 people were wounded by an individual whose ideological preaching was well-known in the medical community, in the school community where he studied and at Fort Hood. To almost every soldier that he talked to, he preached his ideological belief about the wrongness of the American action.

But it's clear that each of these servicemembers were concerned enough to talk to other servicemembers about it, but they were afraid to go up the chain of command strictly because of the nature of the environment we function in today, and we need to make it clear to them.

It doesn't matter what the ideological bent of anybody is, if they are talking about things that are detrimental to the American serviceman, they have a duty to report that—and know that the Whistleblower Act will protect them. They knew about the Whistleblower Act, but they were afraid it would not protect them because there happened to be a politically correct, if you will, faction in this whole issue that they were afraid would change the view of their superior officers on their promotions.

I don't like the idea of having to do it this way either, but I also don't like the idea that there are dozens—and I would say more than dozens of American soldiers—that could have prevented this if they had stepped forward. And all of them feared, because of the environment of political correctness that seems to be rampant in this country, they were afraid to come forward.

Therefore, I think we ought to clarify it, and I don't care who you are or what your background is: If you are talking something that's detrimental to the American soldier or his mission, it has to be reported, and there will not be sanctions against you.

That's the purpose of my amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. Madam Chair, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Ladies and gentlemen of the House, I share my friend from Texas' goal, but I don't share his way of meeting that goal.

I certainly think that any uniformed person who reports something that they are reasonably suspicious of should be protected by the Whistleblower Act and should not have to worry about political correctness or any other standard, but I think that's already the law.

The whistleblower law that already exists frankly says if you blow the whistle on someone for doing something wrong, you are protected.

It is wrong to plan to shoot people on a military base or commit treason against the country, but it is not wrong to look a certain way or be a certain way or think a certain way. So I think that the whistleblower protection, as it exists, protects the situation that my friend from Texas wants to protect, and I believe we all want to protect.

So while I would share his objective in this matter, I think that this amendment is not necessary because present law solves that problem and protects that whistleblower.

Mr. SMITH of Washington. Madam Chair, just to close, I agree with the gentleman's remarks.

Let me just say if I thought that there was the tiniest little bit possibility that this amendment would prevent the type of tragedy that happened at Fort Hood, I would support it unquestionably, but I don't believe it will. The concerns, the back and forth about whether or not to report something that is concerning, they exist, they need to be dealt with. They will exist whether or not this amendment is passed.

We need to work to educate people to report threats, but making it ideologically based, I think, opens up more problems and shifts the focus away from what we need. And what we need is whether the threat is ideological or whatever the cause, we need to encourage people to go to their superiors, report it, and make sure that they are better safe than sorry. I would encourage that, but I don't think this amendment does that. Again, I would urge a ''no'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CARTER).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. HUNTER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 112–88.

Mr. HUNTER. I have an amendment at the desk, Madam Chair.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle H of title V, add the following new section:

SEC. 5___. PILOT PROGRAM ON SCHOLARSHIPS FOR MILITARY DEPENDENT CHILDREN WITH SPECIAL EDUCATION NEEDS.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in conjunction with the Secretaries of the military departments, carry out a pilot program to assess the feasibility and advisability of awarding scholarships to military children with special education needs described in subsection (b) in order to cover the costs of such children in attending a school described in subsection (c) for the purpose of ensuring military children with special education needs a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living. Such scholarships shall be known as ''academic opportunity scholarships''.

(2) PURPOSES.—The purposes of the pilot program shall be as follows:

(A) To identify and assess obstacles faced by military families with children with special education needs in obtaining a free appropriate public education to address such needs.

(B) To develop options for military children with special education needs to attend public or private schools through scholarships.

(C) To identify and assess evidence-based research and best practices for providing special education and related services (as those terms are defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)) for military children with special education needs.

(D) To assess timeliness in obtaining special education and related services described in subparagraph (C).

(E) To identify and document improvements in academic performance of military children with special education needs as a result of the scholarships under the pilot program.

(F) To determine and document the cost associated with obtaining special education and related services described in subparagraph (C) through such scholarships.

(3) CRITERIA.—The Secretary of Defense shall carry out the pilot program based on uniform criteria established by the Secretary, in consultation with the Secretary of Education or the appropriate State government agency.

(4) COMMENCEMENT.—The Secretary of Defense shall commence carrying out the pilot program beginning with the 2012-2013 academic year.

(b) COVERED MILITARY DEPENDENT CHILDREN.—A military dependent child described in this subsection is a child who—

(1) is a dependent of a member of the Armed Forces;

(2) is a member of a family enrolled in the Exceptional Family Member program administered by the Secretary of the military department concerned;

(3) is a child with a disability under section 602 of the Individuals with Disabilities Education Act; and

(4) is covered by a current individualized education program developed and approved in accordance with section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414) or has been identified as needing special education and related services.

(c) COVERED SCHOOLS.—A school described in this subsection is any elementary or secondary school as follows:

(1) A private elementary school or secondary school.

(2) A public school in a local educational agency or location other than the local educational agency or location, as the case may be, in which the military dependent child concerned resides.

(3) A public charter school in a local educational agency or location other than the local educational agency or location, as the case may be, in which the military dependent child concerned resides.

(d) AMOUNT, PAYMENT, AND USE OF SCHOLARSHIP.—

(1) AMOUNT.—The amount of the scholarship awarded a military dependent child under the pilot program for an academic year may not exceed the lesser of—

(A) the amount required for such academic year for the payment of tuition, fees, transportation, and other expenses in connection with attendance at a school described in subsection (c) for the purpose specified in subsection (a); or

(B) $7,500.

(2) PAYMENT.—Payment of the amount of a scholarship awarded a military dependent child shall be made to the parent or guardian of the child for an academic year.

(3) USE.—Subject to regulations prescribed by the Secretary of Defense for purposes of the pilot program, the amount of the scholarship awarded a military dependent child shall be utilized for the payment of tuition, fees, transportation, and other expenses in connection with attendance at a school described in subsection (c) for the purpose specified in subsection (a).

(e) EVALUATION OF PERFORMANCE OF RECIPIENT MILITARY DEPENDENT CHILDREN.—

(1) IN GENERAL.—The Secretary of Defense shall conduct an evaluation of the performance of military dependent children awarded scholarships under the pilot program. The evaluation shall address the following:

(A) The progress made by military dependent children awarded scholarships in academic and social performance.

(B) The success of the scholarships in expanding choice in education and related services for military dependent children described in subsection (b).

(C) The success of the scholarships in ensuring timely access of military dependent children described in subsection (b) to special education and related services required under their individualized education programs.

(D) Such other matters as the Secretary considers appropriate.

(2) COMPLETION.—The evaluation required by paragraph (1) shall be completed not later than December 31, 2015.

(f) OPTIONS FOR IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN WITH SPECIAL EDUCATION NEEDS.—

(1) DEVELOPMENT OF OPTIONS.—The Secretary of the Defense shall, in consultation with the Secretary of Education, develop a variety of options for military families with children with special education needs to enhance the benefits available to such families and children under the Individuals with Disabilities Education Act and better assist such families in meeting such needs.

(2) ACTIONS.—In developing actions under paragraph (1), the Secretaries shall consider the following:

(A) The feasibility of establishing an individualized education program for military children with special education needs that is applicable across jurisdictions of local educational agencies in order to achieve reciprocity among States in acknowledging such programs.

(B) Means of improving oversight and compliance with the provisions of section 614 of the Individuals with Disabilities Education Act that require local educational agencies to support an existing individualized education program for a military child with special education needs who is relocating to another State pursuant to the permanent

change of station of a military parent until an individualized education program is developed and approved for such child in the State to which the child relocates.

(C) The feasibility of establishing an expedited process for resolution of complaints by military parents with a child with special education needs about lack of access to education and related services otherwise specified in the individualized education program of such child.

(D) The feasibility of permitting the Department of Defense to contact the State to which a military family with a child with special education needs will relocate pursuant to a permanent change of station when the orders for such change of station are issued, but before the family takes residence in such State, for the purpose of commencing preparation for education and related services specified in the individualized education program of such child.

(E) The feasibility of establishing a system within the Department of Defense to document complaints by military parents regarding access to free and appropriate public education for their children with special education needs

(F) Means to strengthen the monitoring and oversight of education and related services for military children with special education needs under the Interstate Compact on Educational Opportunities for Military Children.

(G) Such other matters as the Secretaries jointly consider appropriate.

(g) REPORTS.—

(1) REPORT ON IMPROVEMENTS OF EDUCATIONAL OPPORTUNITIES.—Not later than September 30, 2013, the Secretary of Defense shall submit to Congress a report setting forth the options developed under subsection (f). The report shall include—

(A) a description of any options developed; and

(B) recommendations for such legislative or administrative action as the Secretary of Defense and the Secretary of Education jointly consider appropriate to implement such options.

(2) REPORT ON IMPLEMENTATION OF PILOT PROGRAM.—Not later than September 30, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the plans of the Secretary for the award of scholarships under the pilot program, including any regulations prescribed for purposes of subsection (d)(3).

(3) FINAL REPORT ON PILOT PROGRAM.—Not later than September 30, 2016, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the scholarships awarded under the pilot program. The report shall include—

(A) a description of the scholarships awarded under the pilot program, including the number and amount of scholarships by school year;

(B) the results of the evaluation required by subsection (e); and

(C) such other matters as the Secretary considers appropriate.

(h) FUNDING FOR SCHOLARSHIPS.—

(1) ADDITIONAL, DISCRETIONARY BUDGET AUTHORITY.—Of the amounts authorized to be appropriated by section 301 for Defense-wide operation and maintenance for family advocacy activities, as specified in the corresponding funding table in division D, the Secretary of Defense shall obligate an additional $10,000,000 to award scholarships to military dependent children under the pilot program.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than five percent of the amount specified in paragraph (1) may be used to cover administrative expenses to carry out the pilot program.

(3) MERIT-BASED OR COMPETITIVE DECISIONS.—A decision to commit, obligate, or expend funds made available under paragraph (1) with or to a specific entity or person shall—

(A) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(B) comply with other applicable provisions of law.

(i) SUNSET.—The pilot program shall expire on September 30, 2016. No scholarship may be awarded under the pilot program for an academic year that begins on or after that date.

(j) FUNDING INCREASE AND OFFSETTING REDUCTION.—Notwithstanding the amounts set forth in the funding tables in division D—

(1) the amount authorized to be appropriated in section 301 for Defense-wide operation and maintenance, as specified in the corresponding funding table in division D, is hereby increased by $10,000,000, with the amount of the increase allocated to carrying out the pilot program; and

(2) the amount authorized to be appropriated in section 1433 for the Mission Force Enhancement Transfer Fund, as specified in the corresponding funding table in division D, is hereby reduced by $10,000,000.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Madam Chair, this amendment is very simple.

The most important assets we have in our United States military are our personnel, the men and women that we move around. They get moved around, they usually don't have a choice of where they move from base to base and camp to camp, and this amendment specifically covers those ladies and men who protect us that have special needs children, those children that would otherwise be covered under the IDEA, the disability act for kids, ensuring them a good education. However, these parents don't always know where they're going.

□ 1550

What this would do would start a pilot program for up to 250 kids to allow them to choose whatever school fits their needs best, whether it's a private school, a charter school or public school, and to see if that helps alleviate some of the pain that the families face as they travel from base to base, as they go overseas to Iraq and Afghanistan, so we can take care of their kids here at home. It's a pilot program.

I would like to say on our side the only issue that we had with this amendment was its funding source. I have spoken to the chairman from California, the chairman of the Armed Services Committee; and we are going to pull the funding source out of DOD and find another funding stream for this in conference.

So with that taken care of, I would like to yield 2 minutes to my good friend from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. I thank the gentleman.

Madam Chair, all of us are grateful to the men and women who put themselves in harm's way between the malevolent and the innocents for the sake of this country. We need to remind ourselves that they don't fight because they hate the enemy or hate what's in front of them. They fight because they love what's behind them. They love us, they love their country, they love the cause of freedom, and they love their families. They love their families more than anything, Madam Chair; and they want to make sure that their children have the very best future that they can give them.

Madam Chair, this amendment that I am so thankful to Mr. HUNTER for bringing forth would allow parents an extra option for their children, especially when their special needs children, in the midst of all the travel that the armed services people have to make, they need this option, Madam Chair; and I just think it's unbelievable that we wouldn't support them. Because, fundamentally, one of two people will choose the educational values, the educational substance of our children's future. It will be one of two. It will either be a person who doesn't know their name, or a person called a parent who would die for them in a moment.

I would submit, Madam Chair, that that decision is best left to the parents. Notwithstanding the opposition from the teachers unions, the parents are the best ones to be able to choose the school that their children go to. Nothing will shape the future of America more than the values and the academics that are inculcated in the hearts and minds of our children, and that should belong to parents, especially those who are fighting and dying for this country and they have a special needs child. We should give this to them.

I encourage my colleagues to support this amendment.

Mr. SMITH of Washington. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself such time as I may consume.

I rise in opposition to this amendment for a couple of reasons. First of all, I'm curious about the ''we're not actually going to fund it out of DOD, we will fund the money somewhere else in conference'' argument because it's funded out of DOD right now. Unless this is now being offered as a sense of Congress with no money attached to it, in a minute I would be curious to hear exactly how that works.

But beyond that, this is not what is in the best interests of the children of our servicemembers. To give them a $7,500 voucher to go get special needs education is a license for them not to get the education they need. As everyone in this body knows, the costs of

special needs children can sometimes be as much as $100,000 a year to our public schools. There are some children out there who have some very, very strong needs.

Fortunately, because of the IDEA, the public schools in this country are 100 percent obligated to meet that need. Talk to any school superintendent who has to deal with this, it's an enormous cost, but it's also an enormous benefit to these children. They have to meet those needs, and if they don't, it is precisely the parent who has the law on his or her side to say the public school must meet that requirement.

If you give them a $7,500 voucher and send them off to whatever private school is out there, they are not subject to those same requirements. They do not have to meet that same dollar value. What you are doing is you are undermining the education for these special needs children in a way that could be very detrimental to our families.

Now, we had a very long debate on this in the Armed Services Committee. This amendment was defeated on a bipartisan basis in committee for a variety of different reasons. I want to make it clear, it was stated throughout, how can you not care about the children of our servicemembers, and more than one Member on our side said, we do. This is not what this is about. We absolutly care about the children of our servicemembers. We want them to get the best education possible. But taking special needs families, giving them a $7,500 voucher and sending them out into the public and private school world and saying, good luck, is not what is in the best interests of parents with special needs children. It simply isn't. They are not getting the type of protections that they have under the law if they go out in that situation.

I would strongly urge a ''no'' vote on this amendment.

With that, I reserve the balance of my time.

Mr. HUNTER. I would like to yield 30 seconds to the distinguished gentleman from California and chairman of the Armed Services Committee, Mr. MCKEON.

Mr. MCKEON. I thank the gentleman for yielding, and I thank him for working with the staff to try to find a way to get this pilot program moving forward to help our parents in the military of those who have special needs. One of the things that is different between the military and other people is they are moved often, and they don't have time to go through all of the process to get all of the help they need. This would help them. It's a pilot program.

I encourage the adoption of the amendment.

Mr. SMITH of Washington. Madam Chair, I yield myself the remainder of my time.

I find that last argument interesting to say that they move around a lot. I think that is very true. I think they do, and that is a challenge. And they don't have time to make all of these decisions. But they do have time to take a $7,500 voucher and search across all the different schools to see which private schools are going to take it. Because keep in mind, that's another critical aspect of this. Private schools do not have to accept a single solitary student. They don't. You show up with a $7,500 voucher and they say, we're sorry, your child is going to cost more than that. They just say no and move on.

Public schools do have to accept these children and do have to fund it. I really do believe that this will be a step in the wrong direction. The cost is also going to be an issue. We are going to have to find the money for this somewhere. It's not going to improve the education or the lives of our servicemembers and their families, and it is going to wind up costing money.

Again, I would urge a ''no'' vote;

I reserve the balance of my time.

Mr. HUNTER. Madam Chair, I would like to inquire how much time is remaining.

The Acting CHAIR. The gentleman from California has 2 minutes remaining. The gentleman from Washington has 1½ minutes remaining.

Mr. HUNTER. Madam Chair, I would like to yield the balance of my time to the gentlelady from Washington (Mrs. MCMORRIS RODGERS).

Mrs. MCMORRIS RODGERS. I appreciate the gentleman yielding, and I rise in strong support of Mr. HUNTER's amendment.

Last November, we recognized the 35th anniversary of IDEA, the Individuals With Disabilities Education Act. And prior to IDEA, one out of five children was denied access to a quality education through the public school system because of a disability. IDEA has changed the opportunity for education, but the reality for many special needs students is it still requires an attorney in order to get the education that they need. From the time that a special needs student begins their education, a family needs an attorney. In fact, I was encouraged to hire an attorney to navigate the educational process for my son, Cole.

But picture this scenario: for the men and women who serve our country, many of whom are parents of children with special needs, between deployment and transfers, our servicemen and -women don't have the resources to go through litigation, nor should they.

Most military families do not choose where they live, and they usually don't get the choice when it comes to their schools. But the amendment we are offering today would allow these families to recognize the opportunities of IDEA and authorize scholarships for military families with special needs to be able to choose the school that best fits the needs of their child, whether it be a public school, a private school, or a charter school.

This initiative will provide valuable information and data for Congress as we move to reform and reauthorize IDEA and address this issue over the long term. There is no doubt that IDEA is flawed. This would help us get the information to make it better for all children with special needs.

The Acting CHAIR. The gentleman from California has 15 seconds remaining.

Mr. HUNTER. Madam Chair, I would obviously urge a ''yes'' vote on this amendment and yield back the balance of my time.

Mr. SMITH of Washington. I yield the remainder of my time to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

I think there's universal agreement that we all want the finest quality education for all children and in this case for special needs children. I actually think that the effect of this amendment is to narrow educational opportunities for special needs children in the following way.

The provision sets up a $7,500 subsidy each year that the parents can choose to use as they see fit. That, I think, narrows the choices already available under the Individuals With Disabilities Education Act, IDEA. Presently, what happens if a servicemember family is located in a certain community and they have a special needs child, the school district in which that child resides is under a Federal legal obligation to provide the highest quality education, the least restrictive educational environment for that child. And if the parents disagree with the choice that is made by the school system, by the Child Study Team, they frankly have the right through Federal law to appeal it and change it.

□ 1600

So I think what actually happens here is that by limiting the level of financial support for these families, we are limiting the educational opportunities for the child; whereas the IDEA puts the force of Federal law behind the best outcome for that child. So I think we all want to accomplish the same thing. I respectfully believe the present law accomplishes that better than the amendment would, and I urge a ''no'' vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 19 OFFERED BY MR. CARSON OF INDIANA

The Acting CHAIR (Mr. MCCLINTOCK). It is now in order to consider

amendment No. 19 printed in House Report 112–88.

Mr. CARSON of Indiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 325, after line 9, insert the following:

SEC. 705. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.

(a) MENTAL HEALTH EXAMINATIONS DURING A DEPLOYMENT.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074l the following new section:

"§ 1074m. Mental health assessments for members of the armed forces deployed in support of a contingency operation

''(a) MENTAL HEALTH ASSESSMENTS.—(1) The Secretary of Defense shall provide a person-to-person mental health assessment for each member of the armed forces who is deployed in support of a contingency operation as follows:

''(A) Once during the period beginning 60 days before the date of the deployment.

''(B) Once during each 180-day period in which the member is so deployed.

''(C) Once during the period beginning 90 days after the date of redeployment from the contingency operation and ending 180 days after such redeployment date.

''(D) Subject to subsection (d), not later than once during each of—

''(i) the period beginning 180 days after the date of redeployment from the contingency operation and ending one year after such redeployment date;

''(ii) the period beginning one year after such redeployment date and ending two years after such redeployment date; and

''(iii) the period beginning two years after such redeployment date and ending three years after such redeployment date.

''(2) A mental health assessment is not required for a member of the armed forces under subparagraphs (C) and (D) of paragraph (1) if the Secretary determines that—

''(A) the member was not subjected or exposed to operational risk factors during deployment in the contingency operation concerned; or

''(B) providing such assessment to the member during the time periods under such subparagraphs would remove the member from forward deployment or put members or operational objectives at risk.

''(b) PURPOSE.—The purpose of the mental health assessments provided pursuant to this section shall be to identify post-traumatic stress disorder, traumatic brain injury, suicidal tendencies, and other behavioral health conditions identified among members of the armed forces described in subsection (a) in order to determine which such members are in need of additional care and treatment for such health conditions.

''(c) ELEMENTS.—(1) The mental health assessments provided pursuant to this section shall—

''(A) be performed by personnel trained and certified to perform such assessments and may be performed—

''(i) by licensed mental health professionals if such professionals are available and the use of such professionals for the assessments would not impair the capacity of such professionals to perform higher priority tasks; and

''(ii) by personnel at private facilities in accordance with section 1074(c) of this title.

''(B) include a person-to-person dialogue between members of the armed forces described in subsection (a) and the professionals or personnel described by paragraph (1), as applicable, on such matters as the Secretary shall specify in order that the assessments achieve the purpose specified in subsection (b) for such assessments;

''(C) be conducted in a private setting to foster trust and openness in discussing sensitive health concerns;

''(D) be provided in a consistent manner across the military departments; and

''(E) include a review of the health records of the member that are related to each previous deployment of the member or other relevant activities of the member while serving in the armed forces, as determined by the Secretary.

''(2) The Secretary may treat periodic health assessments and other person-to-person assessments that are provided to members of the armed forces, including examinations under section 1074f, as meeting the requirements for mental health assessments required under this section if the Secretary determines that such assessments and person-to-person assessments meet the requirements for mental health assessments established by this section.

''(d) CESSATION OF ASSESSMENTS.—No mental health assessment is required to be provided to an individual under subsection (a)(1)(D) after the individual's discharge or release from the armed forces.

''(e) DIAGNOSES DURING DEPLOYMENT.—(1) In order to prevent suicide, self-harm, harm to others, and under-performance of members of the armed forces, the Secretary shall, with respect to a member described in paragraph (2)—

''(A) retire the member pursuant to section 1201 of this title if such member is otherwise qualified for such retirement; or

''(B) redeploy such member from the contingency operation to a location where the member may receive appropriate medical treatment.

''(2) A member described in this paragraph is a member of the armed forces who, as a result of a mental health assessment conducted under subsection (a)(1)(B)—

''(A) is diagnosed with post-traumatic stress disorder, traumatic brain injury, suicidal tendencies, or other behavioral health condition; and

''(B) as part of such diagnosis, is determined to—

''(i) require care or monitoring that the Secretary determines cannot be provided while the member is deployed in support of a contingency operation;

''(ii) be at risk of self-harm or harming other members of the armed forces; or

''(iii) be unable to perform duties assigned during such deployment.

''(f) SHARING OF INFORMATION.—(1) The Secretary of Defense shall share with the Secretary of Veterans Affairs such information on members of the armed forces that is derived from confidential mental health assessments, including mental health assessments provided pursuant to this section and health assessments and other person-to-person assessments provided before the date of the enactment of this section as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate to ensure continuity of mental health care and treatment of members of the armed forces during the transition from health care and treatment provided by the Department of Defense to health care and treatment provided by the Department of Veterans Affairs.

''(2) Any sharing of information under paragraph (1) shall occur pursuant to a protocol jointly established by the Secretary of Defense and the Secretary of Veterans Affairs for purposes of this subsection. Any such protocol shall be consistent with the following:

''(A) Applicable provisions of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note), including section 1614 of that Act (122 Stat. 443; 10 U.S.C. 1071 note).

''(B) Section 1720F of title 38.

''(3) Before each mental health assessment is conducted under subsection (a), the Secretary of Defense shall ensure that the member of the armed forces is notified of the sharing of information with the Secretary of Veterans Affairs under this subsection.

''(g) REGULATIONS.—The Secretary of Defense, in consultation with the other administering Secretaries, shall prescribe regulations for the administration of this section.

''(h) REPORTS.—(1) Upon the issuance of the regulations prescribed under subsection (g), the Secretary of Defense shall submit to Congress a report describing such regulations.

''(2)(A) Not later than 270 days after the date of the issuance of the regulations prescribed under subsection (g), the Secretary shall submit to Congress an initial report on the implementation of the regulations by the military departments.

''(B) Not later than two years after the date of the issuance of the regulations prescribed under subsection (g), the Secretary shall submit to Congress a report on the implementation of the regulations by the military departments. The report shall include an evidence-based assessment of the effectiveness of the mental health assessments provided pursuant to the regulations in achieving the purpose specified in subsection (b) for such assessments.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1074l the following new item:

''1074m. Mental health assessments for members of the armed forces deployed in support of a contingency operation.''.

(3) REGULATIONS.—The Secretary of Defense shall prescribe an interim final rule with respect to the amendment made by paragraph (1), effective not later than 90 days after the date of the enactment of this Act.

(b) CONFORMING REPEAL.—Section 708 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2376; 10 U.S.C. 1074f note) is repealed.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Indiana (Mr. CARSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. CARSON of Indiana. I yield myself such time as I may consume.

Mr. Chairman, my amendment seeks to address shortfalls in the current Department of Defense mental health assessment process.

Currently, our servicemembers only receive mental health assessments prior to deployment and after returning home. My amendment simply requires the Department of Defense to provide mental health assessments to our troops during deployment, improving chances that post-traumatic stress disorder, traumatic brain injury, depression, and other mental health issues are detected and treated early.

The amendment also requires that medical records from past unit assignments and the VA be reviewed whenever possible. Currently, these records

are rarely considered. As we all well know, our troops are under a constant threat while deployed in Iraq and Afghanistan. Many are injured or see their friends injured or killed. And throughout it all, they perform amazingly and should be commended.

But these are the exact experiences that lead to serious mental health issues. Yet, despite this ongoing exposure, Mr. Chairman, most do not receive a mental health assessment until they return home from combat, often coping with PTSD, TBI, or depression for months without receiving treatment.

By the time they return home, the stigma attached to mental illness keeps many away from pursuing treatment at all. And among those that do, many still fall into drug and alcohol abuse, domestic violence, homelessness, and suicide.

Tragically, the oversights addressed by this amendment have impacted my congressional district. In 2009, Army Specialist Chancellor Keesling committed suicide while deployed in Iraq. His commanders never knew that he had been placed on suicide watch by a previous unit and had been treated for a mental illness by the VA.

Upon reassignment to a new unit and redeployment to Iraq, records from his past tour and from the VA were never reviewed. During deployment, he was never reassessed. Chance's father, Gregg, has recently reviewed my amendment and he believes that it could have saved his son's life had it been in place in 2009.

This is just one example of the tragic implications of mental health issues in the military. There are countless examples from my district and across this great Nation that I could provide as evidence of why this amendment is so critical and necessary. Some of these terrible problems can be avoided, and I believe lives can be saved by comprehensively addressing mental illness in our military at its source during deployment.

Mr. Chairman, I encourage all of my colleagues to support improved mental health for our troops by voting ''yes'' on the Carson amendment.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I claim the time in opposition to the amendment, although I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Chairman, I believe the case for my amendment is very clear. Many of our men and women in uniform are living through months of deployment with mental health issues like PTSD, TBI, and depression going completely undiagnosed.

My amendment simply calls on the DOD to help our servicemembers catch and treat these issues through early assessments during deployment. This is a very important step that will save lives and help our men and women in uniform build productive lives for themselves on returning to civilian lives.

I urge a ''yes'' vote on this amendment.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I want to commend the gentleman for bringing his very thoughtful amendment to the floor. I think it will be a strong addition to the bill. I encourage also that our colleagues support his amendment.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. CARSON).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 276, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 44, 45, 51, 52, 58, 68, 73, 74–75, 76, 77, 78, 79, 80, 81, 82, 83, 98, and 99 printed in House Report 112–88 offered by Mr. MCKEON:

AMENDMENT NO. 44 OFFERED BY MS. HANABUSA

Page 461, after line 24, insert the following:

SEC. 1043. PROHIBITION ON UNITED STATES CITIZENSHIP FOR DETAINEES REPATRIATED TO THE FEDERATED STATES OF MICRONESIA, THE REPUBLIC OF PALAU, AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) PROHIBITION ON CITIZENSHIP.—Notwithstanding the Compact of Free Association, an individual described in subsection (b) who has been repatriated to the Federated States of Micronesia, the Republic of Palau, or the Republic of the Marshall Islands may not be afforded the rights and benefits put forth in the Compact of Free Association.

(b) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is located at United States Naval Station, Guantanamo Bay, Cuba, on or after September 11, 2001, while—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

AMENDMENT NO. 45 OFFERED BY MS. HANABUSA

Page 507, after line 2, insert the following:

SEC. 1078. REPORT ON CERTAIN UNNECESSARY OR UNWANTED DEPARTMENT OF DEFENSE PROGRAMS.

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

(1) On March 31, 2011, Secretary of Defense Gates testified before the Armed Services Committee of the House of Representatives that the initial cost of United States operations in Libya was approximately $550,000,000 and was estimated to cost an additional $40,000,000 a month after that.

(2) Secretary Gates testified that he was unaware of what the total cost of United States assistance to Japan would be in the aftermath of the earthquake, tsunami, and Fukushima Daiichi incident, but indicated it would be less than $500,000,000.

(3) Secretary Gates testified that the Department of Defense would not need to ask for more money to cover these costs within the Overseas Contingency Operations accounts because ''There's several billion dollars in there we can move around . . . that would cover these costs . . . things that we don't need or want.''.

(b) DETERMINATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall determine and make publically available the programs funded through the Overseas Contingency Operations accounts during the five-year period preceding the date of the enactment of this Act that are unnecessary or unwanted.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representative a report that contains the results of the determination required by subsection (b). Such report shall include—

(1) a description of each program that the Secretary determines is unnecessary or unwanted;

(2) a description of the amount authorized to be appropriated and the amount authorized to be appropriated for each fiscal year for each program described under paragraph (1); and

(3) any other information the Secretary considers relevant.

AMENDMENT NO. 45 OFFERED BY MR. ROGERS OF MICHIGAN

Page 531, after line 2, insert the following:

SEC. 1099C. EXHUMATION AND TRANSFER OF REMAINS OF DECEASED MEMBERS OF THE ARMED FORCES BURIED IN TRIPOLI, LIBYA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense shall take whatever steps may be necessary to—

(1) exhume the remains of any deceased members of the Armed Forces of the United States buried at a burial site described in subsection (b);

(2) transfer such remains to an appropriate forensics laboratory to be identified;

(3) in the case of any remains that are identified, transport the remains to a veterans cemetery located in proximity, as determined by the Secretary, to the closest living family member of the deceased individual or at another cemetery as determined by the Secretary;

(4) for any member of the Armed Forces whose remains are identified, provide a military funeral and burial; and

(5) in the case of any remains that are unable to be identified, transport the remains to Arlington National Cemetery for interment at the Tomb of the Unknowns.

(b) BURIAL SITES DESCRIBED.—The burial sites described in this subsection are the following:

(1) The mass burial site containing the remains of five United States sailors located in Protestant Cemetery in Tripoli, Libya.

(2) The mass burial site containing the remains of eight United States sailors located near the walls of the Tripoli Castle in Tripoli, Libya.

(c) EFFECTIVE DATE.—This section takes effect on the date on which NATO's Operation Unified Protector or any successor operation terminates.

AMENDMENT NO. 52 OFFERED BY MR. CAMPBELL

Page 548, after line 8, add the following new section:

SEC. 1115. TERMINATION OF JOINT SAFETY CLIMATE ASSESSMENT SYSTEM.

Effective as of October 1, 2011, or the date of the enactment of this Act, whichever is later, the Joint Safety Climate Assessment

System of the Department of Defense is terminated.

AMENDMENT NO. 58 OFFERED BY MR. GARRETT

At the end of subtitle C of title XII of division A of the bill, add the following:

SEC. 12xx. RULE OF CONSTRUCTION RELATING TO SITUATION IN LIBYA.

Nothing in this Act or any amendment made by this Act shall be construed to authorize military operations in Libya.

AMENDMENT NO. 68 OFFERED BY MR. YOUNG OF ALASKA

At the end of title XXXV add the following:

SEC. ___. STRATEGIC PORT ASSESSMENT AND REPORT.

(a) IN GENERAL.—Not later than six months after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an assessment and report on port facilities used for military purposes at ports designated by the Department of Defense as strategic seaports, regarding the following:

(1) The structural integrity and deficiencies of the port facilities and infrastructure improvements needed directly and indirectly to meet national security and readiness requirements.

(2) The impact on operational readiness if the improvements are not undertaken.

(3) Identifying, to the maximum extent practical, all potential funding sources for the needed improvements from existing authorities.

(b) CONSULTATION.—The Secretary of Defense shall prepare the report required by subsection (a) in consultation with the Maritime Administrator and each of the port facilities used for military purposes at ports designated by the Department of Defense as strategic seaports.

AMENDMENT NO. 73 OFFERED BY MR. MCKEON

Page 712, line 8, strike ''**SIMULATION TRAINING SYSTEMS**'' and insert ''**CIVIL SUPPORT TEAM INFORMATION MANAGEMENT SYSTEMS**''.

Page 712, line 13, after ''Budget Activity 12'' insert '', Line 070, Force Readiness Operations Support''.

Page 712, line 17, strike ''simulation training systems'' and insert ''Civil Support Team Information Management Systems''.

AMENDMENT NO. 74 OFFERED BY MR. AKIN

At the end of title VIII, add the following new section:

SEC. 845. SENSE OF CONGRESS ON LONG-TERM CONTRACTING FOR ALTERNATIVE FUELS.

It is the sense of Congress that long-term contracting for alternative fuels is in the best interests of the Department of Defense and is a wise use of taxpayer resources. Long-term contracts provide stability for industry, which allows them to drive the cost down. Long-term contracts also provide some insulation to the Department of Defense from fuel price increases. The Department of Defense has asked for the authority to enter into long-term contracts for alternative fuels, and it is the sense of Congress that this is a valuable proposal and should be supported.

AMENDMENT NO. 75 OFFERED BY MR. BRALEY OF IOWA

Page 594, after line 21, insert the following:

SEC. 1231. REPORT ON LONG-TERM COSTS OF OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, AND OPERATION ODYSSEY DAWN.

(a) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of Veterans Affairs, shall submit to Congress a report containing an estimate of the long-term costs of Operation New Dawn and Operation Enduring Freedom for each the following scenarios:

(1) The scenario in which the number of members of the Armed Forces deployed in support of Operation New Dawn and Operation Enduring Freedom is reduced from roughly 190,000 in 2011 to 150,000 in 2012, 65,000 in 2013, and 30,000 by the beginning of 2014, and remains at 30,000 through 2020.

(2) The scenario in which the number of members of the Armed Forces deployed in support of Operation New Dawn and Operation Enduring Freedom rises to approximately 235,000 in 2011, is reduced to 230,000 in 2012, 195,000 in 2013, 135,000 in 2014, 80,000 in 2015, 60,000 in 2016, and remains at 60,000 through 2020.

(3) An alternative scenario, determined by the President and based on current contingency operation and withdrawal plans, which takes into account expected force levels and the expected length of time that members of the Armed Forces will be deployed in support of Operation New Dawn and Operation Enduring Freedom.

(b) ESTIMATES TO BE USED IN PREPARATION OF REPORT.—In preparing the report required by subsection (b), the President shall make estimates and projections through at least fiscal year 2020, adjust any dollar amounts appropriately for inflation, and take into account and specify each of the following:

(1) The total number of members of the Armed Forces expected to be deployed in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn, including—

(A) the number of members of the Armed Forces actually deployed in Southwest Asia in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn;

(B) the number of members of reserve components of the Armed Forces called or ordered to active duty in the United States for the purpose of training for eventual deployment in Southwest Asia, backfilling for deployed troops, or supporting other Department of Defense missions directly or indirectly related to Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn; and

(C) the break-down of deployments of members of the regular and reserve components and activation of members of the reserve components.

(2) The number of members of the Armed Forces, including members of the reserve components, who have previously served in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn and who are expected to serve multiple deployments.

(3) The number of contractors and private military security firms that have been used and are expected to be used during the course of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(4) The number of veterans currently suffering and expected to suffer from post-traumatic stress disorder, traumatic brain injury, or other mental injuries.

(5) The number of veterans currently in need of and expected to be in need of prosthetic care and treatment because of amputations incurred during service in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(6) The current number of pending Department of Veterans Affairs claims from veterans of military service in Iraq, Afghanistan, and Libya, and the total number of such veterans expected to seek disability compensation from the Department of Veterans Affairs.

(7) The total number of members of the Armed Forces who have been killed or wounded in Iraq, Afghanistan, or Libya, including noncombat casualties, the total number of members expected to suffer injuries in Iraq, Afghanistan, and Libya, and the total number of members expected to be killed in Iraq, Afghanistan, and Libya, including noncombat casualties.

(8) The amount of funds previously appropriated for the Department of Defense, the Department of State, and the Department of Veterans Affairs for costs related to Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom, including an account of the amount of funding from regular Department of Defense, Department of State, and Department of Veterans Affairs budgets that has gone and will go to costs associated with such operations.

(9) Current and future operational expenditures associated with Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn including—

(A) funding for combat operations;

(B) deploying, transporting, feeding, and housing members of the Armed Forces (including fuel costs);

(C) activation and deployment of members of the reserve components of the Armed Forces;

(D) equipping and training of Iraqi and Afghani forces;

(E) purchasing, upgrading, and repairing weapons, munitions, and other equipment consumed or used in Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn; and

(F) payments to other countries for logistical assistance in support of such operations.

(10) Past, current, and future costs of entering into contracts with private military security firms and other contractors for the provision of goods and services associated with Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(11) Average annual cost for each member of the Armed Forces deployed in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn, including room and board, equipment and body armor, transportation of troops and equipment (including fuel costs), and operational costs.

(12) Current and future cost of combat-related special pays and benefits, including reenlistment bonuses.

(13) Current and future cost of calling or ordering members of the reserve components to active duty in support of Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn.

(14) Current and future cost for reconstruction, embassy operations and construction, and foreign aid programs for Iraq and Afghanistan.

(15) Current and future cost of bases and other infrastructure to support members of the Armed Forces serving in Iraq and Afghanistan.

(16) Current and future cost of providing health care for veterans who served in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, and Operation Odyssey Dawn—

(A) the cost of mental health treatment for veterans suffering from post-traumatic stress disorder and traumatic brain injury, and other mental problems as a result of such service; and

(B) the cost of lifetime prosthetics care and treatment for veterans suffering from amputations as a result of such service.

(17) Current and future cost of providing Department of Veterans Affairs disability benefits for the lifetime of veterans who incur disabilities while serving in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

(18) Current and future cost of providing survivors' benefits to survivors of members of the Armed Forces killed while serving in support of Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

(19) Cost of bringing members of the Armed Forces and equipment back to the United States upon the conclusion of Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn, including the cost of demobilization, transportation costs (including fuel costs), providing transition services for members of the Armed Forces transitioning from active duty to veteran status, transporting equipment, weapons, and munitions (including fuel costs), and an estimate of the value of equipment that will be left behind.

(20) Cost to restore the military and military equipment, including the equipment of the reserve components, to full strength after the conclusion of Operation New Dawn or Operation Enduring Freedom.

(21) Amount of money borrowed to pay for Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn, and the sources of that money.

(22) Interest on money borrowed, including interest for money already borrowed and anticipated interest payments on future borrowing, for Operation Iraqi Freedom, Operation New Dawn, Operation Enduring Freedom, or Operation Odyssey Dawn.

(c) REPORT REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the President, with contributions from the Secretary of Defense, the Secretary of State, and the Secretary of Veterans Affairs, shall submit to Congress a report containing an estimate of the long-term costs of Operation New Dawn and Operation Enduring Freedom for each the following scenarios:

(1) The scenario in which the number of members of the Armed Forces deployed in support of Operation New Dawn and Operation Enduring Freedom is reduced from roughly 190,000 in 2011 to 150,000 in 2012, 65,000 in 2013, and 30,000 by the beginning of 2014, and remains at 30,000 through 2020.

(2) The scenario in which the number of members of the Armed Forces deployed in support of Operation New Dawn and Operation Enduring Freedom rises to approximately 235,000 in 2011, is reduced to 230,000 in 2012, 195,000 in 2013, 135,000 in 2014, 80,000 in 2015, 60,000 in 2016, and remains at 60,000 through 2020.

(3) An alternative scenario, determined by the President and based on current contingency operation and withdrawal plans, which takes into account expected force levels and the expected length of time that members of the Armed Forces will be deployed in support of Operation New Dawn and Operation Enduring Freedom.

AMENDMENT NO. 76 OFFERED BY MR. BISHOP OF UTAH

At the end of subtitle E of title XXVIII, add the following new section:

SEC. 2852. LAND CONVEYANCE, FORMER DEFENSE DEPOT OGDEN, UTAH.

(a) CONVEYANCE OF RESIDUAL INTERESTS.—To facilitate the conveyance of a parcel of real property consisting of approximately 2.73 acres at the former Defense Depot Ogden, Utah, from the Weber Basin Disabled Corporation to the Ogden City Redevelopment Authority (in this section referred to as the ''Redevelopment Authority''), the Secretary of the Army and the Secretary of Health and Human Services (in this section referred to as the ''Secretaries''), may convey, by quit claim deed, all residual right, title, and interest of the United States (including reversionary interests) in and to the property for the purpose of permitting the Redevelopment Authority to take immediate steps to prevent the further deterioration of the building on the parcel and subsequently redevelop the parcel.

(b) CONSIDERATION.—As consideration for the conveyance of residual United States interests in the property described in subsection (a), the Redevelopment Authority shall pay an amount equal to the fair market value of the conveyed interests, as determined by the Secretaries. Amounts received under this subsection shall be deposited in the Department of Defense Base Closure Account 2005. The amounts deposited shall be merged with other amounts in such fund and be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund.

(c) PAYMENT OR COSTS OF CONVEYANCE.—

(1) IN GENERAL.—The Secretaries shall require the Redevelopment Authority to cover costs to be incurred by the Secretaries, or to reimburse the Secretaries for costs incurred by the Secretaries, to carry out the conveyance under subsection (a), including costs related to environmental documentation and other administrative costs. If amounts are collected from the Redevelopment Authority in advance of the Secretaries incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretaries to carry out the conveyance, the Secretaries shall refund the excess amount to the Redevelopment Authority.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretaries.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretaries may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretaries considers appropriate to protect the interests of the United States.

AMENDMENT NO. 77 OFFERED BY MR. BISHOP OF UTAH

Page 121, after line 10, insert the following:

SEC. 328. MODIFICATION OF REQUIREMENTS RELATING TO MINIMUM CAPITAL INVESTMENT FOR CERTAIN DEPOTS.

Section 2476 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting ''maintenance, repair, and overhaul'' after ''combined'';

(2) in subsection (b), by inserting ''facilities,'' before ''infrastructure'';

(3) in subsection (d), by adding at the end the following new subparagraph:

''(E) A table showing the funded workload performed by each covered depot for the preceding three fiscal years and actual investment funds allocated to each depot for the period covered by the report.''; and

(4) in subsection (e)(1), by adding at the end the following new subparagraph:

''(I) Tooele Army Depot, Utah.''.

AMENDMENT NO. 78 OFFERED BY MR. BISHOP OF NEW YORK

Page 531, after line 2, insert the following:

SEC. 1099C. SENSE OF CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.

Congress makes the following findings:

(1) Commencing August 26, 1946, through late February 1947 the United States Navy Antarctic Developments Program Task Force 68, codenamed ''Operation Highjump'' initiated and undertook the largest ever-to-this-date exploration of the Antarctic continent.

(2) The primary mission of the Task Force 68 organized by Rear Admiral Richard E. Byrd Jr. USN, (Ret) and led by Rear Admiral Richard H. Cruzen, USN, was to do the following:

(A) Establish the Antarctic research base Little America IV.

(B) In the defense of the United States of America from possible hostile aggression from abroad—to train personnel test equipment, develop techniques for establishing, maintaining and utilizing air bases on ice, with applicability comparable to interior Greenland, where conditions are similar to those of the Antarctic.

(C) Map and photograph a full two-thirds of the Antarctic Continent during the classified, hazardous duty/volunteer-only operation involving 4700 sailors, 23 aircraft and 13 ships including the first submarine the U.S.S. Sennet, and the aircraft carrier the U.S.S. Philippine Sea, brought to the edge of the ice pack to launch (6) Navy ski-equipped, rocket-assisted R4Ds.

(D) Consolidate and extend United States sovereignty over the largest practicable area of the Antarctic continent.

(E) Determine the feasibility of establishing, maintaining and utilizing bases in the Antarctic and investigating possible base sites.

(3) While on a hazardous duty/all volunteer mission vital to the interests of National Security and while over the eastern Antarctica coastline known as the Phantom Coast, the PBM-5 Martin Mariner ''Flying Boat'' ''George 1'' entered a whiteout over Thurston Island. As the pilot attempted to climb, the aircraft grazed the glacier's ridgeline and exploded within 5 seconds instantly killing Ensign Maxwell Lopez, Navigator and Wendell ''Bud'' Hendersin, Aviation Machinists Mate 1st Class while Frederick Williams, Aviation Radioman 1st Class died several hours later. Six other crewmen survived including the Captain of the ''George 1's'' seaplane tender U.S.S. Pine Island.

(4) The bodies of the dead were protected from the desecration of Antarctic scavenging birds (Skuas) by the surviving crew wrapping the bodies and temporarily burying the men under the starboard wing engine nacelle.

(5) Rescue requirements of the ''George 1'' survivors forced the abandonment of their crewmates' bodies.

(6) Conditions prior to the departure of Task Force 68 precluded a return to the area to the recover the bodies.

(7) For nearly 60 years Navy promised the families that they would recover the men: ''If the safety, logistical, and operational prerequisites allow a mission in the future, every effort will be made to bring our sailors home.''.

(8) The Joint POW/MIA Accounting Command twice offered to recover the bodies of this crew for Navy.

(9) A 2004 NASA ground penetrating radar overflight commissioned by Navy relocated the crash site three miles from its crash position.

(10) The Joint POW/MIA Accounting Command offered to underwrite the cost of an aerial ground penetrating radar (GPR) survey of the crash site area by NASA.

(11) The Joint POW/MIA Accounting Command studied the recovery with the recognized recovery authorities and national scientists and determined that the recovery is only ''medium risk''.

(12) National Science Foundation and scientists from the University of Texas, Austin, regularly visit the island.

(13) The crash site is classified as a ''perishable site'', meaning a glacier that will calve into the Bellingshausen Sea.

(14) The National Science Foundation maintains a presence in area of the Pine Island Glacier.

(15) The National Science Foundation Director of Polar Operations will assist and provide assets for the recovery upon the request of Congress.

(16) The United States Coast Guard is presently pursuing the recovery of 3 WWII air crewmen from similar circumstances in Greenland.

(17) On Memorial Day, May 25, 2009, President Barak Obama declared: ''. . . the support of our veterans is a sacred trust . . . we need to serve them as they have served us . . . that means bringing home all our POWs and MIAs . . .''.

(18) The policies and laws of the United States of America require that our armed service personnel be repatriated.

(19) The fullest possible accounting of United States fallen military personnel means repatriating living American POWs and MIAs, accounting for, identifying, and recovering the remains of military personnel who were killed in the line of duty, or providing convincing evidence as to why such a repatriation, accounting, identification, or recovery is not possible.

(20) It is the responsibility of the Federal Government to return to the United States for proper burial and respect all members of the Armed Forces killed in the line of duty who lie in lost graves.

(b) SENSE OF CONGRESS.—In light of the findings under subsection (a), Congress—

(1) reaffirms its support for the recovery and return to the United States, the remains and bodies of all members of the Armed Forces killed in the line of duty, and for the efforts by the Joint POW-MIA Accounting Command to recover the remains of members of the Armed Forces from all wars, conflicts and missions;

(2) recognizes the courage and sacrifice of all members of the Armed Forces who participated in Operation Highjump and all missions vital to the national security of the United States of America;

(3) acknowledges the dedicated research and efforts by the US Geological Survey, the National Science Foundation, the Joint POW/MIA Accounting Command, the Fallen American Veterans Foundation and all persons and organizations to identify, locate, and advocate for, from their temporary Antarctic grave, the recovery of the well-preserved frozen bodies of Ensign Maxwell Lopez, Naval Aviator, Frederick Williams, Aviation Machinist's Mate 1st Class, Wendell Hendersin, Aviation Radioman 1st Class of the ''George 1'' explosion and crash; and

(4) encourages the Department of Defense to review the facts, research and to pursue new efforts to undertake all feasible efforts to recover, identify, and return the well-preserved frozen bodies of the ''George 1'' crew from Antarctica's Thurston Island.

AMENDMENT NO. 79 OFFERED BY MR. BISHOP OF NEW YORK

Page 345, after line 8, insert the following:

SEC. 731. REPORT ON ESTABLISHMENT OF REGISTRY ON OCCUPATIONAL AND ENVIRONMENTAL CHEMICAL HAZARDS.

(a) REPORT REQUIRED.—Not later than March 31, 2012, the Secretary of Defense shall submit to the congressional defense committees a report on establishing an active registry for each incidence of a member of the Armed Forces being exposed to occupational and environmental chemical hazards, including waste disposal, during contingency operations in order to monitor possible health risks and to provide necessary treatment to such members.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include a discussion of each of the following:

(1) Processes in which members of the Armed Forces may be included in the registry described in subsection (a).

(2) Procedures to ensure that members eligible to be included in the registry are provided appropriate medical examinations.

(3) Using existing medical surveillance systems to establish the registry.

AMENDMENT NO. 80 OFFERED BY MR. BISHOP OF NEW YORK

At the end of subtitle D of title X, add the following:

SEC. ____. SENSE OF CONGRESS REGARDING THE EFFORTS BY THE DEPARTMENT OF DEFENSE TO KEEP AMERICA SAFE FROM TERRORIST ATTACKS SINCE 9/11.

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

(1) Since September 11, 2001, at least 30 planned terrorist attacks have been foiled and Special Operation forces completed the mission to kill Osama bin Laden.

(2) The Department of Defense and the Armed Services have worked diligently and honorably to protect citizens at home and abroad.

(3) The Department of Defense and the Armed Services are meeting the challenges of the global struggle against terrorism.

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

(1) we continue to affirm our commitment to support the Department of Defense and the United States Armed Forces;

(2) we recognize that the Department of Defense and the United States Armed Forces have worked diligently and honorably to protect citizens of the United States at home and abroad;

(3) we recognize that the Department of Defense and the United States Armed Forces are meeting the challenges of the global struggle against terrorism;

(4) we commend the men and women of the Department of Defense and the United States Armed Forces for the tremendous commitment to keeping our country safe; and

(5) we honor the Department of Defense and the United States Armed Forces for their success in preventing terrorist attacks on U.S. soil and around the world since 9/11.

AMENDMENT NO. 81 OFFERED BY MR. BLUMENAUER

Page 377, after line 7, insert the following:

SEC. 845. REPORTS ON USE OF INDEMNIFICATION AGREEMENTS.

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following:

''§ 2335. Reports on use of indemnification agreements

''(a) IN GENERAL.—Beginning October 1, 2011, not later than 90 days after the date on which any action described in subsection (b)(1) occurs, the Secretary of Defense shall submit to the congressional defense committees and the Committees on the Budget of the House of Representatives and the Senate a report on such action.

''(b) ACTION DESCRIBED.—(1) An action described in this paragraph is the Secretary of Defense—

''(A) entering into a contract that includes an indemnification agreement; or

''(B) modifying an existing indemnification agreement in any contract.

''(2) Paragraph (1) shall not apply to any contract awarded in accordance with—

''(A) section 2354 of this title; or

''(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

''(c) MATTERS INCLUDED.—For each contract covered in a report under subsection (a), the report shall include—

''(1) the name of the contractor;

''(2) the actual cost or estimated potential cost involved;

''(3) a description of the items, property, or services for which the contract is awarded; and

''(4) a justification of the contract including the indemnification agreement.

''(d) NATIONAL SECURITY.—The Secretary may omit any information in a report under subsection (a) if the Secretary—

''(1) determines that the disclosure of such information is not in the national security interests of the United States; and

''(2) includes in the report a justification of the determination made under paragraph (1).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2335. Reports on use of indemnification agreements.''.

AMENDMENT NO. 82 OFFERED BY MR. BLUMENAUER

Page 132, after line 10, insert the following new section:

SEC. 346. ADDITIONAL MATTERS FOR INCLUSION IN ANNUAL REPORT ON OPERATIONAL ENERGY.

Section 2529(b)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by adding at the end the following new subparagraph:

''(E) An evaluation of practices used in contingency operations during the previous fiscal year and potential improvements to such practices to reduce vulnerabilities associated with fuel convoys, including improvements in tent and structure efficiency, improvements in generator efficiency, and displacement of liquid fuels with on-site renewable energy generation. Such evaluation should identify challenges associated with the deployment of more efficient structures and equipment and renewable energy generation, and recommendations for overcoming such challenges.''.

AMENDMENT NO. 83 OFFERED BY MR. BOREN

Page 270, after line 4, insert the following:

SEC. 598. PROHIBITION ON THE UNAUTHORIZED USE OF NAMES AND IMAGES OF MEMBERS OF THE ARMED FORCES.

(a) PROHIBITION.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 988. Unauthorized use of names and images of members of the armed forces

''(a) PROHIBITION.—Except with the permission of the individual or individuals designated under subsection (d), no person may knowingly use the name or image of a protected individual in connection with any merchandise, retail product, impersonation, solicitation, or commercial activity in a manner reasonably calculated to connect the protected individual with that individual's service in the armed forces.

''(b) AUTHORITY TO ENJOIN VIOLATIONS.—Whenever it appears to the Attorney General that any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice. Such court shall proceed as soon as practicable to the hearing and determination of such action and may, at any time before final determination, enter such restraining orders or prohibitions, or take such other actions as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.

''(c) PROTECTED INDIVIDUAL.—For purposes of this section, a protected individual is any person who—

''(1) is a member of the armed forces; or

''(2) was a member of the armed forces at any time after April 5, 1917, and, if not living, has a surviving spouse, child, parent, grandparent, or sibling.

''(d) DESIGNATED INDIVIDUAL OR INDIVIDUALS.—(1) The individual or individuals designated under this subsection, with respect to a protected individual—

''(A) is the protected individual, if living; and

''(B) otherwise is the living survivor or survivors of the protected individual highest on the following list:

''(i) The surviving spouse.

''(ii) The children.

''(iii) The parents.

''(iv) The grandparents.

''(v) The siblings.

''(2) In the case of a protected individual for whom more than one individual is designated under clause (ii), (iii), (iv), or (v) of paragraph (1)(B), the prohibition under subsection (a) shall apply unless permission is obtained from each designated individual.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''988. Unauthorized use of names and images of members of the armed forces.''.

AMENDMENT NO. 98 OFFERED BY MS. DELAURO

At the end of subtitle C of title XII of division A of the bill, add the following:

SEC. 12xx. PROHIBITION ON PROCUREMENTS FROM COMMUNIST CHINESE MILITARY COMPANIES.

(a) WAIVER AUTHORIZED.—Subsection (c) of section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3461; 10 U.S.C. 2302 note) is amended to read as follows:

''(c) WAIVER AUTHORIZED.—The Secretary of Defense may waive the limitation on procurement of a good or service under subsection (a) if the good or service is critical to the needs of the Department of Defense and is otherwise unavailable to the Department of Defense and the Secretary submits to the congressional defense committees a report described in subsection (d) not less than 15 days before issuing the waiver under this subsection.''.

(b) REPORT.—Such section is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) REPORT.—The report referred to in subsection (c) is a report that identifies the specific reasons for the waiver issued under subsection (c) and includes recommendations as to what actions may be taken to develop alternative sourcing capabilities in the future.''.

(c) DEFINITION OF COMMUNIST CHINESE MILITARY COMPANY.—Subsection (e) of such section, as redesignated by subsection (b)(1) of this section, is amended by striking paragraph (1) and inserting the following:

''(1) The term 'Communist Chinese military company' means—

''(A) any person identified in the Defense Intelligence Agency publication numbered VP-1920-271-90, dated September 1990, or PC-1921-57-95, dated October 1995, and any update of those publications for the purposes of this section; and

''(B) any other person that—

''(i) is owned or controlled by, directed by or from, operating with delegated authority from, or affiliated with, the People's Liberation Army or the government of the People's Republic of China or that is owned or controlled by an entity affiliated with the defense industrial base of the People's Republic of China; and

''(ii) is engaged in providing commercial services, manufacturing, producing, or exporting.''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to contracts and subcontracts of the Department of Defense entered into on or after the date of the enactment of this Act.

AMENDMENT NO. 99 OFFERED BY MR. DONNELLY OF INDIANA

Page 364, after line 2, insert the following:

SEC. 825. QUALITY ASSURANCE SURVEILLANCE PLAN FOR SECURITY CONTRACTORS OPERATING IN AFGHANISTAN AND IN SUPPORT OF OTHER CONTINGENCY OPERATIONS.

(a) IN GENERAL.—The Secretary of Defense shall establish a plan to be known as a ''Quality Assurance Surveillance Plan'' setting standards that must be incorporated in Department of Defense oversight plans governing all security contractors operating in Afghanistan, and other future contingency operations, under a contract or subcontract funded by the Department of Defense. The Secretary shall designate a single appropriate official stationed in the country of operations to review each security contract or subcontract involving security contractors funded by the Department of Defense for compliance with the Quality Assurance Surveillance Plan. Such official shall certify that the official has reviewed the oversight plan for that contract, that the oversight plan is appropriate for that contract, that there is an appropriate number of appropriately trained personnel available to oversee that contract, and confirm that any and all licenses and permits required by the security contractor and its employees have been reviewed and verified as current and authentic.

(b) DEADLINE FOR IMPLEMENTATION.—These requirements under subsection (a) shall be implemented by not later than six months after the date of enactment of this Act.

(c) COMPTROLLER GENERAL ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment the Department of Defense's compliance with this section and, not later than 6 months after the requirements of this section are implemented pursuant to subsection (b), shall submit to Congress a report on such assessment.

MODIFICATION TO AMENDMENT NO. 68

Mr. MCKEON. Mr. Chairman, I ask unanimous consent that amendment No. 68 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

At the end of title XXXV add the following:

SEC. ___. STRATEGIC PORT ASSESSMENT AND REPORT.

(a) IN GENERAL.—Not later than six months after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an assessment and report on port facilities used for military purposes at ports designated by the Department of Defense as strategic seaports, regarding the following:

(1) The structural integrity and deficiencies of the port facilities and infrastructure improvements needed directly and indirectly to meet national security and readiness requirements.

(2) The impact on operational readiness if the improvements are not undertaken.

(3) Identifying, to the maximum extent practical, all potential funding sources for the needed improvements from existing authorities.

(4) The authority necessary for the Department of Defense to support section 50302 of title 46, United States Code.

(b) CONSULTATION.—The Secretary of Defense shall prepare the report required by subsection (a) in consultation with the Maritime Administrator and each of the port facilities used for military purposes at ports designated by the Department of Defense as strategic seaports.

Mr. MCKEON (during the reading). I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

MODIFICATION TO AMENDMENT NO. 73

Mr. MCKEON. I ask unanimous consent that amendment No. 73 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

The amendment as modified is as follows:

At the end of subtitle C of title XII of division A of the bill, add the following:

SEC. 12xx. REPORT ON EXPANSION OF PARTICIPATION IN EURO-NATO JOINT JET PILOT TRAINING PROGRAM.

(a) REPORT REQUIRED.— Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force, in consultation with the Secretary of State, shall submit 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 a report on the desirability and feasibility of expanding participation in the Euro-NATO Joint Jet Pilot Training (ENJJPT) program to include additional countries.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) A description of the benefits of the ENJJPT program to United States national security.

(2) An assessment of the current participation in the ENJJPT program and whether it fully meets the needs of the program and United States and NATO objectives.

(3) An analysis of whether participation of additional countries in the ENJJPT program would benefit the program and United States national security.

(4) A recommendation of additional countries that could participate in the ENJJPT

program, including NATO member nations not currently participating in the program, major non-NATO allies, Partnership for Peace nations, and other countries.

(5) The restrictions or limitations that currently prevent additional countries from participating in the ENJJPT program.

(6) A discussion of the benefits to the United States and other countries of a United States-sponsored scholarship program to assist certain countries to meet the cost-sharing obligations of participation in the ENJJPT program, and whether authorities currently exist to institute such a scholarship program.

Page 712, line 8, strike ''**SIMULATION TRAINING SYSTEMS**'' and insert ''**CIVIL SUPPORT TEAM INFORMATION MANAGEMENT SYSTEMS**''.

Page 712, line 13, after ''Budget Activity 12'' insert '', Line 070, Force Readiness Operations Support''.

Page 712, line 17, strike ''simulation training systems'' and insert ''Civil Support Team Information Management Systems''.

Mr. MCKEON (during the reading). I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

MODIFICATION TO AMENDMENT NO. 82

Mr. MCKEON. Mr. Chairman, I ask unanimous consent that amendment No. 82 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

The amendment as modified is as follows:

Page 132, after line 10, insert the following new section:

SEC. 346. ADDITIONAL MATTERS FOR INCLUSION IN ANNUAL REPORT ON OPERATIONAL ENERGY.

Section 2925(b)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by adding at the end the following new subparagraph:

''(E) An evaluation of practices used in contingency operations during the previous fiscal year and potential improvements to such practices to reduce vulnerabilities associated with fuel convoys, including improvements in tent and structure efficiency, improvements in generator efficiency, and displacement of liquid fuels with on-site renewable energy generation. Such evaluation should identify challenges associated with the deployment of more efficient structures and equipment and renewable energy generation, and recommendations for overcoming such challenges.''.

Mr. MCKEON (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the Committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

I yield 2 minutes to the gentleman from New Jersey (Mr. LOBIONDO), a member of the committee.

Mr. LOBIONDO. Mr. Chairman, I rise in strong support of the underlying bill and in strong support of the en bloc amendment.

Specifically, I want to speak on the Rogers-LoBiondo amendment, No. 51, that helps repatriate the heroes that were killed in 1804 in the fight against piracy in Tripoli, Libya.

□ 1610

They were led by Commander Richard Somers with the Intrepid when he was attempting to fight the pirates at that point in time. They have unceremoniously been buried in mass graves without the formal military tradition that we have in foreign countries.

This amendment seeks to right a wrong that has been in place for more than 200 years. And Somers Point, New Jersey, a town in my district, is where Commander Richard Somers hailed from. So it's extremely important to all of the United States of America. The American Legion of the United States has endorsed this amendment, and I urge all the Members to strongly support it.

Mr. SMITH of Washington. Mr. Chairman, I support the amendment.

I have no speakers at this time; so I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the chairman.

Today, I stand here to introduce this amendment, No. 58, to the National Defense Authorization Act to clearly set out congressional intent with regard to military operations in Libya.

The amendment is simple: it clarifies that this authorization bill does not serve as congressional authorization for any military operation in Libya. The Constitution explicitly grants Congress the sole power to declare war, to authorize it. And we know that the War Powers Resolution was enacted to give the President the ability to commit forces to defend American interests in an expedited manner for up to 60 days before having to seek that congressional authorization. Subsequent military engagement must then, under that act, be authorized by this Congress.

But despite that clear standard, Presidents have routinely disregarded the Constitution and the War Powers Resolution and the role of Congress. As you know, President Obama consulted the U.N. and the Arab League of Nations before engaging in hostilities. However, the whole of Congress was not consulted nor authorized and to date has not authorized any military action in Libya whatsoever.

I do believe firmly that the President must come to this Congress for authorization to continue any and all U.S. military action. So I encourage Members of this House to support this amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, as I appreciate the cooperation of the ranking member and the Chair on a couple of items that we've placed in this en bloc amendment.

One of them deals with the necessity of providing energy efficiencies that could save billions of dollars. It requires the Department of Defense to valuate energy efficiency benefits and recommend how to deploy them.

Fuel is carried on expensive supply convoys that often travel through indefensible areas. One out of every 24 fuel convoys represents casualties. We're spending $24 billion a year to protect convoys to forward operating bases in Afghanistan, and 65 percent of all electricity on bases in Afghanistan is for air conditioning and heating leaky tents. Reducing this fuel use is a simple way to reduce fuel convoys, which reduces costs and casualties. And this amendment requiring a report on energy efficiency and onsite renewable generation will expedite energy efficiency deployment across the armed services.

Additionally, there is an amendment that I have cosponsored with my friend, the gentleman from Oregon (Mr. SCHRADER), that will deal with what happens with contracts that are issued on defense activities where the Federal Government has provided indemnification. We've been dealing with an issue that involves the Oregon National Guard where we really can't understand exactly what elements were related to this indemnification. We can't get the full information. When the government agrees to shoulder financial responsibility for a contractor's risk, it may be necessary, but ambiguities in the current law do not have, I think, the best interests of our troops or taxpayers in mind in terms of making sure that this is very limited in nature.

This amendment would require the Secretary of Defense to notify Congress within 90 days whenever the Department enters into or modifies an indemnification agreement and explain why such provision is necessary.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I'm happy to yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. Thank you.

The more limited these indemnification provisions can be, the less likely that we're going to have contractors who don't really have the full financial incentive to make sure that they are acting in the best interests of our troops. I've seen examples that really give me pause. The inclusion of this amendment will help make that less likely, and I appreciate it.

Mr. MCKEON. Mr. Chairman, I continue to reserve the balance of my time.

Mr. SMITH of Washington. I have no further requests for time, and I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I encourage Members to support this en bloc amendment. It will make the bill stronger.

Mr. DONNELLY of Indiana. Mr. Chair, on February 19, 2010, a constituent of mine, Marine Lance Corporal Joshua Birchfield of Westville, Indiana, was shot and killed while on patrol by a local Afghan security contractor who had been hired, with six other colleagues, to guard a nearby construction project and road. The construction project and the security contractor were funded by the U.S. Department of Defense. While the shooter was immediately apprehended and would later admit to the shooting and be sentenced to 15 years in prison by an Afghan court, I am deeply troubled by the fact that insufficient contract oversight by our government may have lead to this tragedy.

According to NCIS documents obtained by the Birchfield family through a Freedom of Information Act request, the seven Afghan guards taken into custody were found in possession of five ounces of opium and some of them were presenting symptoms of opium withdrawal. Several of the guards admitted that they had little to no training, and most of them stated they had none of the permits required for their jobs. Their employer, a subcontractor providing security for the project, admitted his employees were not properly licensed and that he did not know where he was supposed to obtain licenses.

Last month, the Department of Defense confirmed to me that the project these security guards were subcontracted under was funded by U.S. funds known as Commander's Emergency Response Program funds, or "CERP."

It appears clear that proper oversight of these security contractors paid by our government did not happen. These private security contractors were operating without the licenses that are required of private security contractors in Afghanistan, they were not properly trained, and several of them were drug users. I cannot say that had there been better oversight by our government this tragedy would have been avoided, but we owe it to our service men and women in harm's way to get this right. I believe DoD must significantly improve their oversight of private security contractors.

According to the Congressional Research Service, right now the DoD relies on 19,000 private security contractors in Afghanistan, a force equal to almost 20 percent of all U.S. military personnel in that country. Not only is the ratio of armed contractors to U.S. forces higher in Afghanistan than it ever was in Iraq where we had many more troops, 95 percent of the security contractors in Afghanistan are Afghans, a much, much higher reliance on local security contractors than Iraq. Meanwhile, the performance and reliability of Afghan security contractors is spotty and continues to be. If we are going to continue to rely on local security contractors in Afghanistan, we must make oversight a top priority. And that means ensuring that rigorous oversight on the ground is getting done.

The Congress and GAO have been critical of DoD's security contract oversight for years. In the 2008 NDAA, Congress directed DoD and the State Department to prescribe regulations for the use of private security contractors in an area of combat operations by May of 2008. In 2009, GAO recommended specific steps that DoD implement to satisfactorily comply with Congress' directive on security contractors, including the screening, training, equipping and oversight of contractors. Currently, the GAO considers all of these recommendations as either only partially implemented or not implemented at all.

Further, the DoD has acted to try to improve oversight, but the fact is, I don't think they are focusing enough properly trained personnel on oversight maintenance. Many contract officers are not even in the same country as the project they are responsible for managing. And often the responsibility for on the ground oversight falls to a service member designated as a Contracting Officer's Representative (COR) whose primary responsibility likely has nothing to do with contracting and who may have had only minimal contract oversight training before arriving in the field. DoD needs to do more than come up with plans and guidance, they need to ensure that sufficient personnel who are adequately trained are in place and actually doing their job, especially when the contracts involve paying and arming Afghan security personnel in a theatre of combat.

My amendment to H.R. 1540 does two things which I believe are crucially important but also should not be difficult for DoD to comply with.

First, my amendment directs the Secretary of Defense to establish a Quality Assurance Surveillance Plan which would set uniform standards for contract oversight plans for all private security contracts funded by DoD in Afghanistan and in any future contingency. Beyond just ensuring that paperwork is in order, all security contracts would require a plan clearly laying out an oversight strategy and designating sufficient personnel to exercise necessary oversight to ensure contract performance and reliability.

Second, my amendment directs the Secretary of Defense to designate a single official in the country of operations with the responsibility of reviewing private security contracts to ensure compliance with the Quality Assurance Surveillance Plan. Further, this official must certify that they have reviewed the oversight plan for a security contract, that the oversight plan is appropriate for that contract, that there is an appropriate number of appropriately trained personnel available to oversee that contract, and confirm that any and all licenses and permits required of a security contractor and its employees have been reviewed and verified as current and authentic.

The Congressional Budget Office has reviewed my amendment and has advised me that it does not affect direct spending or discretionary authorizations.

Mr. Chair, if we have the time, money and resources to bid and hire private security contractors, and if these private security contractors are essential to successfully executing military operations and reconstruction in Afghanistan, then we should make sure that we've clearly planned how we will maximize contract performance and ensure safety and reliability, and make sure someone is held accountable for seeing that this is actually carried out.

Mr. MCKEON. I have no further requests for time, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments, as modified, were agreed to.

AMENDMENT NO. 24 OFFERED BY MR. SARBANES

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in House Report 112–88.

Mr. SARBANES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 937.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Maryland (Mr. SARBANES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. SARBANES. Mr. Chair, I appreciate the opportunity to speak to this amendment, and I want to thank the cosponsors: Representatives HANABUSA, LANGEVIN, LOEBSACK, and REYES.

This amendment is designed to preserve current law with respect to the service contracts and outsourcing activity of the Department of Defense.

Current law now has in place a requirement that before the Department of Defense can do more outsourcing, can do more privatization of service contracts, they have to do an inventory of the contracting activity that's already in place. And this makes perfect sense. This is really a good government proposition if you think about it. It's important enough that it was included in the 2010 Defense Authorization Act; so it is part of current law.

Unfortunately, the proposed bill, the new Defense Authorization Act, would remove this requirement. And if you remove that requirement, you're really undermining the public's stake in making sure that government is functioning in an efficient manner.

Now, the impetus for having this kind of requirement in place—and the amendment that we're putting forward here today would maintain the requirement that's currently in law—the impetus came from a lot of research that showed that in many instances the costs to the government and, therefore, to the taxpayer of outsourcing these various services of the Federal Government, particularly within the Department of Defense that this is directed

at, the costs did not justify the activity, and in many instances you didn't get better performance when you had this outsourcing. In fact, you got worse performance.

□ 1620

So when those studies were done and that research was done, there was a move to make sure that the Department of Defense would conduct an inventory. The current law says that no further contracting can occur until the Secretary has certified to Congress that a contractor inventory has been developed, reviewed, and integrated into the budget process. That makes a lot of sense. Our amendment would restore this provision and therefore keep current law in place with respect to this contracting activity and inventory.

Mr. Chairman, I reserve the balance of my time.

Mr. FORBES. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. FORBES. I yield myself such time as I may consume.

I thank the gentleman for his amendment, but, Mr. Chairman, most of all, I thank the chairman of the committee and the ranking member of the committee for doing what many people often think is impossible in this House, and that is bringing forth a bipartisan bill, 60–1. 60–1, in the committee, this bill passed with this provision in it.

One of the keys with bipartisanship is that the American people realize it's important when we come to national defense that we have both Republicans and Democrats supporting in the same direction. And the key to that oftentimes is the word ''balance,'' which is not always a sexy issue, but it is so important.

Mr. Chairman, I will tell you, when it comes to the workforce, there are some people who don't like the word ''balance.'' They either want every single employee to be a government employee and hired by the government—some on this side, some on this side—but then, Mr. Chairman, there are other people who want everybody to be in the private sector. I think the beauty of this piece of legislation is it struck the right balance for the national defense of this country because it struck a balance. And it said what we realize is from every general, every admiral, everyone who testified: We can no longer do it with just all government employees; we can't do it with all military employees; we can't do it with all contract employees; but every single one of them will tell you we need that mix.

The wonderful thing about this piece of legislation that this amendment tries to take away is that it creates a comprehensive approach to workforce management and a total force management, which is what we need to do, the most important thing this legislation does, which is to defend and protect the people of the United States of America.

So, Mr. Chairman, I hope we will reject this amendment, that we will keep the bipartisan approach that came out of this committee's work, that we will keep the balance, we will not remove this tool from the arsenal that the Department of Defense needs, and we will reject the amendment.

I reserve the balance of my time.

Mr. SARBANES. Mr. Chairman, may I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Maryland has 2 minutes remaining; the gentleman from Virginia has 3 minutes remaining.

Mr. SARBANES. Well, I couldn't agree with what my colleague said more. I mean, we do want to have a balanced approach. Nobody's arguing—certainly I'm not arguing that we should eliminate outsourcing or the privatization of certain services where that makes sense. In fact, what the amendment that we're proposing here would do is keep in law a process whereby the Department of Defense looks at its contracting activities through a commonsense lens and determines whether continued outsourcing in some instances makes sense, whether additional outsourcing makes sense.

Right now, there does not exist a comprehensive inventory of these contracting activities, so how are you going to make a commonsense judgment about where to allocate your resources going forward if you don't have that at your disposal? That's why the requirement was put in place. I think it's very bipartisan in that sense because it's saying let's get as much knowledge as we can so the government can run efficiently and make these decisions in an efficient way, which is very much in keeping with what the public wants to see these days.

So this is about good government. It's about having good information at your fingertips.

We think that the requirement to do this kind of inventory ought to stay in place. The underlying bill right now would remove that commonsense requirement, and this amendment would put it back. That is why we are putting forward the amendment today.

I reserve the balance of my time.

Mr. FORBES. Mr. Chairman, I yield myself such time as I may consume.

I don't think the gentleman is on the Armed Services Committee so oftentimes might not have heard so many times the people who meet with us and tell us the importance they need for this overall comprehensive approach. And I'll just point out to the gentleman, as he mentioned the need for an inventory, it's in the bill.

The second thing I would tell you is the inventory alone doesn't do anything unless we go the next step, which is in this bill, which is to say that we're going to develop a policy from the inventory. We can have all the inventory, all the statistics in the world, but what's wonderful about this bill and what this bill does is it takes all of that information and it creates a total force management approach, which is exactly what we need for the national defense of this country.

Mr. Chairman, for the life of me, I don't know why we would want to try to skew that one way or the other and take away opportunities for the Department of Defense to get the right balance between military, civilian, and contractor personnel.

The bill that came out of the committee—again, 60–1, overwhelmingly supported by the people who have been at all the hearings, heard all the testimony—is a bipartisan approach, strikes the right balance. This amendment would skew that balance.

I hope we will reject the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SARBANES. In closing, let me just say in support of this amendment that I am not on the House Armed Services Committee, but what I understand is the report that was approved last week by the committee criticized the Department of Defense for failing to inventory service contracts, which is what we are trying to accomplish here. That is why we are supporting this amendment.

I yield back the balance of my time.

Mr. FORBES. Mr. Chairman, I would just say to the gentleman, he is right. That's why we have the inventory included in here. That's why we require the policy. All of that is included in here, it's just that the approach that the Armed Services Committee has done is a much more balanced approach. It's one that gives the Department of Defense the tools they need.

Mr. Chairman, I yield back the balance of my time and hope we will defeat this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. SARBANES).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SARBANES. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 25 OFFERED BY MR. MURPHY OF CONNECTICUT

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 112–88.

Mr. MURPHY of Connecticut. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows: 02

At the end of subtitle E of title VIII, add the following new section:

SEC. 845. CONSIDERATION AND VERIFICATION OF INFORMATION RELATING TO EFFECT ON DOMESTIC EMPLOYMENT OF AWARD OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Section 2305(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6)(A) The head of an agency, in issuing a solicitation for competitive proposals, shall state in the solicitation that the agency may consider information (in this paragraph referred to as a 'jobs impact statement') that the offeror may include in its offer related to the effects on employment within the United States of the contract if it is awarded to the offeror.

''(B) The information that may be included in a jobs impact statement may include the following:

''(i) The number of jobs expected to be created in the United States, or the number of jobs retained that otherwise would be lost, if the contract is awarded to the offeror.

''(ii) The number of jobs created or retained in the United States by the subcontractors expected to be used by the offeror in the performance of the contract.

''(iii) A guarantee from the offeror that jobs created or retained in the United States will not be moved outside the United States after award of the contract.

''(C) The contracting officer may consider the information in the jobs impact statement in the evaluation of the offer and may request further information from the offeror in order to verify the accuracy of any such information submitted.

''(D) In the case of a contract awarded to an offeror that submitted a jobs impact statement with the offer for the contract, the agency shall, not later than six months after the award of the contract and annually thereafter for the duration of the contract or contract extension, assess the accuracy of the jobs impact statement.

''(E) The Secretary of Defense shall submit to Congress an annual report on the frequency of use within the Department of Defense of jobs impact statements in the evaluation of competitive proposals.

''(F) In any contract awarded to an offeror that submitted a jobs impact statement with its offer in response to the solicitation for proposals for the contract, the agency shall track the number of jobs created or retained during the performance of the contract. If the number of jobs that the agency estimates will be created (by using the jobs impact statement) significantly exceeds the number of jobs created or retained, then the agency may evaluate whether the contractor should be proposed for debarment.''.

(b) REVISION OF FEDERAL ACQUISITION REGULATION.—The Federal Acquisition Regulation shall be revised to implement the amendment made by this section.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Connecticut (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. MURPHY of Connecticut. Mr. Chairman, the amendment before the House now is a relatively simple one. We have, over the last 10 years, lost 42,000 factories in this country. We have lost 5 million jobs in manufacturing. And we've had a long discussion here in this Congress over the past 3 years as to what we can do to stimulate that engine of middle class job growth and security.

This amendment seeks to increase our defense industrial capacity without spending any additional money. What the amendment before us simply allows is for the Federal Government to be able to consider at their leisure the amount of jobs being created here in the United States by a particular bid for U.S. defense work.

Frankly, most of my constituents think this already happens. Most of my constituents think that there is an ability for the Federal Government today to factor in, when awarding a particular bid, which bid is going to create more jobs here in the United States versus overseas. This amendment is purely permissive. Frankly, if it were up to me, I would make it mandatory. But this amendment, which in bill form came out of the Government Oversight Committee last Congress unanimously, allows an individual contractor in their bid submission to state how many American jobs they are going to create, and then simply allows the contracting agency to factor that into their bid award, and then requires a report back to Congress as to how often that information, that job impact statement was used.

This seems like common sense to me. The reason to make sure that our taxpayer dollars are spent through the Defense Department on U.S. jobs is certainly economic in nature. At 9 percent unemployment, we should be better stewards of U.S. taxpayer dollars, on making sure that to the extent possible they are spent on U.S. jobs.

□ 1630

But it is also a very important strategic defense policy for this Nation. As our supply chain for DOD gets internationalized on a daily and weekly basis, we're putting this country at jeopardy. In my own district, I have one of the last—in fact, the last American company that makes copper-nickel tubing for the sub-fleet. Because there is one foreign manufacturer that is on the verge of putting them out of business, we are about to lose our only domestic capability for a critical component of that sub-fleet. It makes sense to give them some capacity to at least make the case to the U.S. contracting agencies that this work should stay here.

I think this is an important amendment for job creation but, frankly, just as important for U.S. strategic purposes.

I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. I do oppose the gentleman from Connecticut's amendment on the grounds that it's really bad policy.

Having spent several years working with the acquisition system, that is relatively complicated throughout the Department of Defense, to add one more layer of considerations to that system is, in my view, wrongheaded.

While the amendment allows this information to be provided, it provides for some punitive teeth in the amendment that should a contractor, either in good faith or bad faith, overstate the number of jobs created or retained, then that contractor would be debarred from being able to participate in the acquisitions process.

At the end of the day, at the beginning of the day, whatever part of the day you want to talk about, acquisition by the Department of Defense should be about something this straightforward. It should be about buying the gear, the equipment, and the goods and services our warfighters need at the time they need it at a price that is appropriate for the taxpayer to pay. And while jobs get created under that circumstance, that should not be a consideration as to what the warfighter needs, how we get it, how it's acquired, and that process.

My colleague has said this is simply a suggestion. That's how you get to mandatory. He already said, if it were up to him, it would be mandatory. We put this in as a ''suggestion,'' and the next step will be for him to ask that it be made mandatory and that we drive higher costs into the systems, because then the criterion for deciding on a contract is not is this the goods and service that we need at a price we can afford, and, oh, by the way, which one of these guys uses the most number of people to do that. That's counter to getting the best deal for the American taxpayer.

I want the contractors to use whatever the appropriate number of people is to build a piece of equipment that we need, provide a good or service that we need at a cost that the American taxpayer can afford.

At a time when we're going to squeeze on the Department of Defense to force higher costs through this policy, in my view, is wrongheaded.

I reserve the balance of my time.

Mr. MURPHY of Connecticut. I will make three quick points in response.

First, the amendment does not require that contractor to be debarred. It just simply allows for the possibility of debarment if they have significantly undersold or oversold, frankly, the amount of jobs that are going to be created. It is just an ability, frankly, that would exist under current law as to permissive debarment.

Second, I think my constituents are reflective of most people's constituents here. I think they expect that when they send their taxpayer dollars to Washington that there will be a preference for U.S. jobs. Most people I talk to are surprised that it's not a factor.

And third, we have to look at the holistic cost about sourcing to the Federal Government. It may be so that a particular part for a jet engine is 10 percent cheaper to buy it from a Chinese shop than an American shop. But when that American shop goes out of business, it costs the U.S. Government more money, not less, because we then have to pay unemployment compensation. We lose all of the tax revenue. We

likely have to pay other social safety net costs.

So we have to start being smart about how we use taxpayer dollars and recognize that when we buy something overseas, the contract price may be 10 percent less, but the overall cost to the U.S. Government is much more.

With that, I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, I would just simply respond that, again, the value for the taxpayer at the end of the day is what we need to do.

We're going to have to cut costs across this government, and that's going to mean that people are going to have to do something differently than they have done in the past. And to simply say that the American manufacturing jobs should have absolute preference over getting the best deal for the taxpayer, in my view, doesn't make sense.

We've got a very complicated acquisition process in place right now. And it reminds me of the headlines that were shown in the last couple of days of the number of folks who got money from the vaunted stimulus plan that was—in fact, whose sole purpose was to really create jobs, unlike acquisition for the military and Department of Defense whose sole purpose is to provide the goods and services and equipment needed for our warfighters at the point and time they need it at a cost that makes sense for the taxpayer. The job creation of the stimulus plan, that emphasis was flawed in the extreme. And I don't believe that adding that emphasis to defense acquisition will make for a better acquisition process or will make for a better piece of equipment that we get.

And the analogy that the country that goes out of business costs all of these other kinds of things, that's basically hyperbole. I don't think my good colleague has any of the facts to associate that with.

At the end of the day, it's the private sector that drives this economy. You cannot flourish an economy with growing government jobs. It must be in the private sector. The private sector does it best, and this would impede that.

I yield back the balance of my time.

Mr. MURPHY of Connecticut. I think this is a very important debate to have to show who is really focusing on the best use of taxpayer dollars for the creation of U.S. jobs. I appreciate the opportunity to have this debate on the floor of the House.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Mr. MURPHY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MURPHY of Connecticut. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Connecticut will be postponed.

It is now in order to consider amendment No. 26 printed in House Report 112–88.

AMENDMENT NO. 27 OFFERED BY MR. COLE

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in House Report 112–88.

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows: 02

At the end of subtitle E of title VIII, add the following new section:

SEC. 845. PROHIBITION ON DISCLOSURE OF POLITICAL CONTRIBUTIONS.

(a) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

"§ 4712. Prohibition on disclosure of political contributions

''(a) PROHIBITION.—An executive agency may not require an entity submitting an offer for a Federal contract or otherwise participating in acquisition of property or services by the Federal Government to disclose any of the following information as a condition of submitting the offer or otherwise participating in such acquisition:

''(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

''(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any individual or entity with the intent or the reasonable expectation that the individual or entity will use the funds to make a payment described in paragraph (1).

''(b) NO EFFECT ON OTHER DISCLOSURE REQUIREMENTS.—Nothing in this section may be construed to waive or otherwise affect the application to an entity described in subsection (a) of any provision of law (including the Federal Election Campaign Act of 1971) that requires the entity to disclose information on contributions, expenditures, independent expenditures, or electioneering communications.

''(c) DEFINITIONS.—In this section—

''(1) each of the terms 'contribution', 'expenditure', 'independent expenditure', 'electioneering communication', 'candidate', 'election', and 'Federal office' has the meaning given such term in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.); and

''(2) the term 'acquisition' has the meaning given that term in section 131 of this title.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 47 of title 41, United States Code, is amended by inserting after the item relating to section 4711 the following new item:

''4712. Prohibition on disclosure of political contributions.''.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Oklahoma (Mr. COLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. I thank the chairman.

Mr. Chairman, last month a draft Executive order was circulated that would require companies to disclose all Federal campaign contributions as a condition for submitting a bid on a Federal contract. If implemented, this Executive order would effectively politicize the Federal procurement process. Companies and their bids would run the risk of being judged on the basis of politics as opposed to their professional capabilities. The danger of that is obvious. It's never a good idea to mix politics and contracting. My amendment would prevent the President from implementing his proposed disclosure requirements.

And it's worth noting for the record, Congress actually considered something similar in the 111th Congress, the so-called DISCLOSE Act, and chose not to pass that particular legislation. This is, in effect, a backdoor effort to implement something that Congress has previously decided not to legislate on.

It's worth also noting that all current Federal campaign requirements and disclosure requirements would remain effective. There is nothing in this amendment that affects current law. However, we do prevent the administration from taking that extra step and chilling the First Amendment rights of companies and corporate executives.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. I claim the time in opposition.

The Acting CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, I rise in very strong opposition to this amendment. The amendment is nothing more than a legislative attempt to circumvent a draft Executive order, which would provide for increased disclosure of political contributions of government contractors.

The draft Executive order being developed by the Obama administration would require Federal contractors to disclose more information about their political contributions than they currently provide, particularly those contributions given to third-party entities.

□ 1640

Some have said that they oppose this effort because additional information could be used nefariously to create a ''Nixonian type enemies list.'' In other words, they argue that companies should not disclose more information because people in power could misuse the information to retaliate against them.

I have a fundamental problem with this premise. Under this logic, all campaign disclosures would be bad, not just the new ones. Government contractors already disclose contributions and expenditures by their PACs and those who contribute to them. Contributions by the officers and directors of government contractors are also required to be disclosed. Should we eliminate those provisions, too? Of course not.

A second argument made by the opponents is that contracting officers might review political contributions in order to reward allies or to punish foes by awarding or withholding government contracts. Again, this could happen now under current disclosure rules, but Federal procurement law prohibits this.

The draft executive order also reiterates ''every stage of the contracting process'' must be ''free from the undue influence of factors extraneous to the underlying merits of the contracting decision-making, such as political activity or political favoritism.''

A third argument that the draft executive order violates the First Amendment is also grossly misplaced. Even in the recent Citizens United case, eight of the nine Supreme Court Justices agreed that campaign disclosure rules are consistent with the First Amendment because they do not prohibit contributions and ''do not prevent anyone from speaking.''

For all of these reasons, a broad coalition of dozens of open government organizations strongly supports the administration's draft executive order; and more than 30 groups, including nonpartisan, nonprofit organizations like Democracy 21, the Project on Government Oversight, Public Citizen, and many others have concluded that the draft executive order would enhance transparency and decrease—decrease—corruption.

These are not the only groups that support the draft executive order. Two weeks ago, a coalition of institutional investors and investor coalitions, collectively managing $130 billion in assets, also wrote to express their support. In their letter, they explained, ''Corporate political activity presents significant risks to shareholder value,'' and ''transparency allows investors to put together a more complete picture of the various risks to our investments.''

As the Los Angeles Times said in a recent editorial, ''Disclosure is the solution, not the problem.''

I firmly believe that to be the case, and I urge Members to defeat the amendment.

I reserve the balance of my time.

Mr. COLE. I couldn't disagree more strongly with my friend from Maryland.

Quite frankly, the information that this proposed executive order would extract and require from companies is not necessary to evaluate any bid that they've made. It's a political quest, not a quest for more information, for a better product or a better bid, and it legitimately raises political fear of retaliation. We've seen time and time and time again in history where politics have been linked to contracts. This is yet another effort to do it.

I also dispute my friend about whether or not it is appropriate for the executive branch to even consider this in the first place. It is not the job of the executive branch to legislate. That's actually our job in this body. If we want to add additional requirements, we can do so. We looked at requirements very much like this last year in a Congress which was controlled at both ends of the building by my friends on the other side, and it did not enact such legislation. I think to do so now actually through executive fiat raises even more concerning fears.

All I am asking is that we leave the law as it is, the disclosure requirements as they are, and, frankly, keep the executive branch from engaging in fishing expeditions and from potentially imputative political activity against companies and individuals who are simply exercising their First Amendment rights.

I reserve the balance of my time.

Mr. CUMMINGS. May I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. CUMMINGS. Mr. Chairman, I don't know what we're afraid of. What are we afraid of? This is about the American people knowing what these people are spending. That's what it's about. It's not about trying to make decisions on contracting.

I just said, Mr. Chairman, that the law is very clear that they cannot do that. It's about the American people knowing what's going on. I think we have to guard our democracy, and one of the best ways to guard it is through disclosure. If folks aren't doing anything, there's nothing to be afraid of. So why do we want to hide? We need a transparent democracy. That's what this is all about: transparency.

I yield back the balance of my time.

Mr. COLE. Mr. Chairman, if the information isn't necessary for the bid or for the evaluation of the bid, then it's not necessary for the executive branch to have it or for us to run the risk that it might be misused, so I urge the adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CUMMINGS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in House Report 112–88.

Mr. GARAMENDI. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title VIII, add the following new section:

SEC. 845. REQUIREMENT TO SET ASIDE WORK FOR LOCAL QUALIFIED SUBCONTRACTORS.

The Secretary of Defense shall require each contractor of the Department of Defense performing a prime contract at a military installation in the United States to set aside 40 percent, by dollar value, of its subcontracting work under the contract for local qualified subcontractors. For purposes of the preceding sentence, a subcontractor shall be considered local if its headquarters is within 60 miles of the military installation.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, this is a very simple amendment. This is about local jobs for local companies.

Many of us have in our districts military facilities of large and small size. All too often those facilities and the work done on those facilities, performed by contractors, often national contractors, totally ignores and provides little or no opportunity for local subcontractors. This amendment would simply require that for prime contractors on military installations across this Nation they would be required to allow 40 percent of their contracts, by dollar value, to be available for local subcontractors.

Not a bad idea, it seems to me.

I know that, in my area of Travis Air Force Base in Solano County, there are constant—constant—complaints from local contractors that the big boys come in, hog all the work, and leave nothing behind except a few more burgers bought at McDonald's.

Not good enough.

This amendment deals with that issue by providing local contractors, often Republican contractors, the opportunity to have work in their communities, and ''local'' is defined as within 60 miles of the base. So I ask for an aye vote.

I reserve the balance of my time.

Mr. CONAWAY. I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, I have to oppose the gentleman from California's amendment. While it is straightforward, it is bad policy, quite frankly.

At first blush, where is the 60 miles? It just says ''military installations.'' If you go to Fort Hood, there are a lot of places around that are way further than 60 miles away from the west edge on the east side of the State. The amendment doesn't even say from the flagpole or the central location. Where do you measure the 60 miles? It's kind of a straightforward problem there.

It also doesn't provide for historically underutilized businesses. So you've got an historically underutilized business, a HUB, that is 61 miles outside whatever the measurement might be. They would be excluded under this provision from competing for that 40 percent because they would be an arbitrary 61 miles, 60.5 miles, 60 miles and 1 foot—or whatever the criterion is—which is not stated in this amendment.

You can't fence out competition. I understand that folks don't like to compete. This morning at baseball practice for the Republicans, we had a bunch of new guys out of the 87, and the coach said, Folks, all nine positions are up for competition. Well, I'm No. 2 on the depth chart. I'm not real happy about that, but it spurred me to compete better for that position.

Competition works. It works for the big guys, and it works for the little guys. To arbitrarily and capriciously set a 60-mile perimeter around a military base and say 40 percent of everything has to be provided to the folks inside that is wrong-headed, so I oppose this amendment.

I reserve the balance of my time.

□ 1650

Mr. GARAMENDI. I am shocked, absolutely shocked that my Republican friend isn't standing firm for small businesses in their communities. Would you like 61 or 60,000 miles? Whatever it is, we want the small contractors to have a shot at it. Be happy to amend to whatever mileage you would like.

I yield 1 minute to the ranking member of the committee, the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, this may not be the best way to get at this problem, but this is a problem. There is nothing wrong with competition, but what's happening right now with a lot of DOD contracts is not competition. The DOD has gone in, in a very arbitrary way, picked large contractors from a long ways away, and not even allowed, in many instances, local contractors to compete for that work.

This is a very real problem. It's a bipartisan problem. We had a Republican Member testify before the Armed Services Committee about his concerns about this. They are driving work away from local contractors and away from local workers, not allowing them to compete for that work by showing a bias in favor of a large, one-size-fits-all contractor. Not good for the Department of Defense.

Also, with all of our bases, the local community is a critical support structure for that base. Once you take that out, once you take local workers, local contractors out of the equation, it makes it that much more difficult to get the local community to give the base the support that it deserves. This is not competition as it's currently constructed. I applaud the gentleman for offering his amendment. I urge support, and I urge that this committee look more closely at this issue.

Mr. CONAWAY. May I inquire as to how much time is remaining on both sides.

The Acting CHAIR. The gentleman from Texas has 3½ minutes. The gentleman from California has 2¼ minutes.

Mr. CONAWAY. I yield 2 minutes to my colleague from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman from Texas, and I rise in opposition to this amendment.

We on this side of the aisle do stand with small business; but this is an arbitrary amendment, sets up arbitrary mileage, dollar amounts that is not going to get at the heart of the problem. I agree with the ranking member that the big boys, one-size-fits-all doesn't always work. But we have to figure out a process and put it in place that is going to streamline the process for small business, not set up, as I said, arbitrary mileage and dollar amounts that are going to, I believe, hurt small business.

There will be small businesses that are outside that 60-mile area that can't come in and compete. And when you reduce competition, you drive up costs. We want to see competition. This amendment, there is no waiver in it to provisions or any consideration for special needs for the DOD, including urgency of mission or direct support to the warfighter.

It adds additional steps in the contracting process. It requires the DOD to devote additional time and resources to monitoring contracts, once again driving up costs and the complexity. In addition, contractors must devote additional time to comply with the requirements and expand resources on reporting compliance, driving costs further up on these costs.

This is not going to, again, help small businesses. I believe it's going to hurt them. The requirements work against established business practices and programs and will not garner additional benefits to small business, again, driving up costs, stopping small businesses that are 61 or 62 miles outside of that circle. Drives away competition and hurts those folks that could compete that are small businesses.

But I agree with what the ranking member said, and in principle with the gentleman from California. We have got to put processes in place that support small businesses. And I intend to work with the committee, with other members of the committee to try to figure out how we put those in place in a reasonable and sound way that drive costs down and allows our small businesses to participate in the process.

Mr. GARAMENDI. I yield myself such time as I may consume.

I am delighted to hear that my colleagues on the other side of the aisle agree there is a problem. I would suggest to them that we put this amendment into the bill so that we have the opportunity in the weeks ahead, as this bill matures in the two Houses and in the conference committee, that we deal with it.

There is nothing special about 60 or 61 miles, but there is certainly something special about providing local contractors with the opportunity. As I understand, Fort Hood is a very, very big facility. Perhaps you would like 63¼ miles from the outside edge of the perimeter of the facility. Whatever. The problem remains.

I would really urge my colleagues to allow this amendment to go forward so that there is a basis for negotiations in this legislation. Otherwise, we are going to wait a year before we will be able to come back to deal with this. And in that period of time, thousands upon thousands of small businesses will be excluded. There is a problem. We know there is a problem. Move this amendment along, and then spend the next month, 2 months until this bill matures, and then we can work out the appropriate language. But let's all recognize there is a problem and we need to get to it. So let's move the bill.

With that, I reserve the balance of my time.

The Acting CHAIR. The gentleman from Texas is recognized for 1½ minutes.

Mr. CONAWAY. Mr. Chair, if I thought there was a mileage issue that made sense, then the proponent's amendment might make sense. But I quite frankly don't believe that is the case. As my colleague from Pennsylvania said, if we need to streamline the processes within the Department of Defense acquisition to allow small businesses to compete regardless of where they are for some of this work, let's do that.

But quite frankly, there is no—and my colleague made the point by saying, well, is it 60? It could be 60, 70, I mean, went up to 60,000—that would be a bit of a stretch—miles. You can't use a miles fence. And so I am going to oppose the amendment because that's not the way. All of us are for small businesses. There is not anybody in here who is remotely going to stand up and say they are not for small business.

We want small businesses to be able to compete. If there are systemic issues and barriers to them to be able to compete, then let's fix that as opposed to some sort of an artificial cone of protection around a particular set.

The other point I would like to make is what if the subcontracting work that needs to be done is greater than—that would eat into the 40 percent is not available within the 60 miles? And so we just have that work not be done because we couldn't find a contractor. The other thing this would promote is the artificial circumstances where they will set up a shop just inside the 60 miles with a post office box or whatever in order to comply with this artificial restraint of trade, restraint of competition. If we need to fix the way the Department of Defense goes at it, fine. This one is not the way to get at it.

I would urge opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 1 minute.

Mr. GARAMENDI. I think the gentleman from Texas missed the point entirely. It is not about mileage. It is

about giving local contractors the opportunity. The offer I made to my colleagues on the right, my Republican colleagues, is put this amendment forward so that we have the opportunity in this legislation to work our way through this. We all understand there is a problem. We all want our local contractors, whatever that means, to have an opportunity at these jobs.

There is a problem. The large national contractors are taking it all. They are coming into our communities and walking away with all of it. That's a problem for all of us who represent any military facility in this Nation. So let's move forward with this, put this amendment in, and then we will work it out. Maybe mileage isn't the best way. Local, maybe that needs to be defined. Forty percent, 39 percent, we can pick a number, or maybe no number at all. But we do know there is a problem, and we ought to be addressing it in this legislation this year. I would ask for your support. If you care about small businesses, then don't wait another year to solve the problem.

I ask for an ''aye'' vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. MCKEON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER CONSIDERATION OF AMENDMENT NO. 26 TO H.R. 1540

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1540 pursuant to House Resolution 276, amendment No. 26 printed in House Report 112–88 may be considered out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The SPEAKER pro tempore. Pursuant to House Resolution 112–88 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1540.

□ 1701

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1540) to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes, with Mr. MCCLINTOCK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 28 printed in House Report 112–88 by the gentleman from California (Mr. GARAMENDI) had been postponed.

AMENDMENT NO. 26 OFFERED BY MRS. MALONEY

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 26 printed in House Report 112–88.

Mrs. MALONEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title VIII, add the following new section:

SEC. 845. PUBLIC DISCLOSURE OF SENIOR DEPARTMENT OF DEFENSE OFFICIALS EMPLOYED WITH DEFENSE CONTRACTORS.

(a) AMENDMENT.—Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 243; 10 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

''(e) PUBLIC AVAILABILITY.—Not later than 30 days after the provision of the written opinion under subsection (a)(3), the Secretary of Defense shall publish on a publicly available website the information submitted under this section, including the names of each official or former official described in subsection (a)(1) and the contractor from whom such official or former official expects to receive compensation.''.

(b) PREVIOUSLY SUBMITTED INFORMATION.—With respect to the publication of information required by subsection (e) of section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 243; 10 U.S.C. 1701 note), as added by subsection (a), for information that was submitted before the date of the enactment of this Act, the Secretary of Defense shall publish such information on a publicly available website not later than 30 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 276, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY. Mr. Chairman, this amendment would require public disclosure of information submitted under section 847 of this act.

This amendment is about bringing more accountability and sunshine to the $379 billion average annual defense contracting business by making a revolving door database, which already exists, publicly available. It would allow the public access to important ethics information about some DOD employees who leave to go through the resolving door to jobs in the defense contracting industry, often with companies with whom they have been negotiating billions of dollars in contracts.

Current and former public servants should not be able to use their positions for private gain, and powerful defense contractors should not be able to rig the system.

But, unfortunately, this relationship is not uncommon. One way contractors gain influence in the government is to hire away civil servants and political appointees with access to inside people and information from their government positions. In some cases, highly skilled and well-connected former senior government officials enter the private sector as executives or officers or lobbyists or on the boards of directors of government contractors, a practice known as the revolving door.

It is also widely acknowledged that there are inherent conflicts of interest in the revolving door, potential ethical problems that can lead to the wasteful spending of taxpayers' dollars and worse.

For this reason, DOD currently collects ethics opinions on certain acquisition employees who go to work for contractors within 2 years of leaving DOD. This amendment would simply require this database to be publicly available online.

This amendment would not add any requirements or change the current post-employment restrictions. The law already requires DOD employees who hold a key acquisition position to obtain a written ethics opinion from a DOD ethics counselor before taking a job with a contractor in the 2 years after leaving DOD.

The National Defense Authorization Act for fiscal year 2008 mandated that covered DOD acquisition officials, that would be certain executive schedule, Senior Executive Service, and general or flag officer positions, must obtain a post-employment ethics opinion before accepting a paid position from a DOD contractor within 2 years after they leave DOD service. It also requires that DOD contractors ensure that new hires have an ethics opinion.

The law also requires that each request for a written opinion made pursuant to this section, and each written opinion provided pursuant to such a request, shall be retained by the Department of Defense in a central database for not less than 5 years beginning on the date in which the written opinion was provided.

But these ethics opinions are not currently shared with the public. Why should this information be secret and hidden from public view?

At times the overly cozy relationships between DOD and contractors lead to cost overruns, loose ethical standards, and lack of accountability. This problem is compounded by the dramatic increase in DOD contract spending in recent years. The inability of DOD's acquisition workforce to effectively manage that dramatic growth and increasing industry consolidation have caused DOD to become too dependent on a handful of companies to provide essential goods and services.

It has become impractical or even outright impossible for DOD to bar any of these companies from contracting or impose punishment more severe than a mere slap on the wrist.

Mrs. MALONEY. Mr. Chair, the examples of lack of accountability are endless:

BAE Systems: Last year, BAE settled an international bribery case in the U.S. and UK for $450 million and pleaded guilty to criminal charges. But it was allowed to keep doing business with the federal government and has won billions of dollars in contracts since then. Even last week's run-in with the State Department, when BAE paid $79 million after State discovered they had withheld vital info while negotiating last year's settlement, hasn't hurt it.

BP: Last year, the EPA was considering debarring BP for its many environmental and workplace safety violations, but DoD pressured them to back off because BP supplies 80 percent of the fuel to U.S. forces.

KBR: Still a key DoD supplier despite a long history of misconduct, including incidents that put the lives of soldiers and employees at risk.

Charles Tiefer of the Commission on Wartime Contracting nicknamed five large companies that do business with DoD (KBR, Agility, Louis Berger Group, Tamimi, First Kuwaiti) the "Flagrant Five" for continuing to receive contracts despite claims of fraud, misconduct and poor performance.

At a time when the public is questioning the ethics and integrity of the federal government and its spending of taxpayer dollars, the very least we can do is to shine a little light on the revolving door between the government and large private contractors.

This amendment would do just that.

It would direct DoD to make the information they already collect publicly available online to increase accountability and improve the ethics in relationships between DoD acquisitions and defense contractors. Groups like the nonpartisan Project On Government Oversight have urged DoD to make the database public, to no avail. DoD is not prohibited from putting the information online, but clearly has resisted doing so.

There is no public interest in keeping this information secret or hidden from view. The only interest served by keeping this ethics information in the shadows are those of current and former public servants use their positions for private gain means powerful private corporations can rig the system in their favor. This costs taxpayers, limits or eliminates competition from businesses that may be the best for the job, and results in flawed policies and bad procurement decisions. It also harms the public trust.

Public access to the revolving door database represents the kind of open government that the public wants and deserves, especially at this time of ever-escalating spending of taxpayer dollars by the Pentagon. It will improve the integrity of the federal contracting system, shine light on the revolving door between the Pentagon and the defense industry, and act as a deterrent to overly-cozy relationship that could lead to wasted taxpayer dollars.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. MCKEON. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, I will just make three brief points.

Public disclosure of this personal information serves no purpose but to infringe on the rights and the privacy of civil servants.

The second point, the data required is already being reviewed by the DOD Inspector General. There's no oversight value in making it publicly available. This will only hamper the DOD's efforts to recruit talented acquisition personnel.

I yield such time as he may consume to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, in addition, I think it should be pointed out that in the FY 2010 National Defense Authorization Act, the Congress required that the Panel on Contracting Integrity review policies related to post-employment restrictions. Now that report is supposed to be delivered this summer.

□ 1710

It seems to me to be prudent that we listen to what we ordered them to tell us before we start making new restrictions and new requirements without even hearing what their report says.

So I appreciate the concerns that the gentlelady brings up on this issue. But as the chairman indicated, study after study related to our acquisition process talks about the difficulty of attracting top quality acquisition folks and yet the importance of having those very people.

I think it's very important, while we obviously must consider the ethical considerations, we also, just as obviously, have to consider whether we are attracting top quality talent or repelling top quality talent. And it would be very helpful for Congress to hold off and listen to the report that we have ordered them to give us before we start making additional legislation and additional requirements that could have severe adverse consequences in this area.

So, I think we should reject this amendment, listen to the report, see what it says, and see if and when additional action is needed after that.

Mr. MCKEON. How much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2¾ minutes remaining.

Mr. MCKEON. Mr. Chair, I think one of the things that we do in this bill is look at redundancy and the things that we are trying to make simpler, not more complex. I think, as the gentleman said, we've already asked for a report on this. We will get that report back, and then there will be time to see if there is any reason to go further in this direction.

I would encourage my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 30 OFFERED BY MR. HIMES

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in House Report 112–88.

Mr. HIMES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 414, line 4, strike "and".

Page 414, line 20, strike the period and insert "; and".

Page 414, after line 20, insert the following:

(5) by adding at the end the following:

"(h) DIRECTION OF FUNDS.—Any savings realized under this section shall be deposited into the general fund of the Treasury and used for deficit reduction.".

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Connecticut (Mr. HIMES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. HIMES. I yield myself such time as I may consume.

Mr. Chairman, I rise today to speak on behalf of my amendment to H.R. 1540. The underlying text of the National Defense Authorization Act calls for the shift of certain inherently governmental functions, currently being performed by contractors, to civilian employees within the Department of Defense.

My amendment is simple. It requires that any cost savings achieved by this transfer be used for deficit reduction. I'm going to say that again. Any cost savings associated with shifting work from contractors to civilian employees will get used for deficit reduction.

Reaching the debt limit last week was a stark reminder of the consequences of ballooning spending throughout the Federal Government, including defense spending. Committing cost savings to deficit reduction is the first step toward returning to a fiscally sustainable budget. By reducing

the deficit with identified savings from the Department of Defense, we will help to ensure that we have enough to invest in education, infrastructure, and job-creating priorities that we all share while cutting spending to reduce the deficit.

This is a smart and fiscally responsible amendment. I urge my colleagues to adopt it.

I reserve the balance of my time.

Mr. FORBES. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. FORBES. First of all, I want to thank the gentleman for bringing this amendment. I know he is sincere in talking about deficit reduction, and I certainly appreciate that. All of us on this side are equally sincere. In fact, I'm one of only 17 Members of this body who voted against every single one of the bailouts and stimulus bills because we realized what it was doing to the deficit in this country.

Secondly, I share the gentleman's concern when he talks about some of DOD's decisions to change from private contractors to civilians because some of those decisions haven't been based on business models. But just because they have not all been correct doesn't mean they have all been wrong. And the problem with this approach is that it's exactly the wrong approach because it will be a disincentive to the Department of Defense to try to reach these efficiencies.

The reason that DOD has an incentive to try to make these efficiencies is so that they can reprioritize and use these dollars for programs that are absolutely vital and important for the national defense of the country. To say that every time they make those savings we are going to take off of the top line of the Department of Defense will be a disincentive for the Department of Defense to make those savings.

And here are the effects that we have. If we don't have civilians doing these jobs, we have had testimony coming before our committee from our generals and our admirals that basically what that means is they have to take military personnel to do that work, which means they don't have the time to do the training that they need to do to be prepared to fight and defend this country.

The other concern we have with some of the reductions that we would be taking out of DOD, in the budget submitted to us this year, they were actually pushing back on facility maintenance that we needed to keep our facilities updated to only 80 percent of the maintenance that was required.

So, Mr. Chairman, I think it's vitally important that we do a lot for deficit reduction. I think it's vitally important that we look at the fact, for example, that on some of our stimulus bills we're talking about $800 billion. In this, we're talking about several million dollars.

But I think the most important thing, Mr. Chairman, is that we make sure we are giving DOD the incentives they need to make sure they are prioritizing correctly the dollars that they have and that we not take money off of the top line of the defense budget, which I think would be detrimental to us at this time.

With that, Mr. Chairman, I hope we will oppose the amendment, and I reserve the balance of my time.

Mr. HIMES. Mr. Chairman, if I understand the argument of my colleague from Virginia, he is saying that by taking away money for the purposes of debt reduction from the DOD that we will be disincentivizing action, which we all know to be the right thing to do here.

So let me just toss out a couple of facts.

Fact No. 1, Admiral Mullen, Chairman of the Joint Chiefs of Staff, has identified the debt of this country as perhaps the single largest strategic threat to the security of the country.

Fact No. 2, in DOD, we are talking about people who, if anywhere in the government are dedicated to doing the right thing by all of us, sacrificing for the good of this Nation, and their leader said that the single largest strategic threat to this country is our debt, how can you make an argument against this amendment? Think about the words of Admiral Mullen.

The argument seems to me to be an insider Washington argument, which is if you take away their cheese, they're going to be angry. They won't do the right thing because you're taking away their cheese.

I will stop speaking, but I will just ask my colleague from Virginia whether he believes in the context of what Admiral Mullen said about deficit reduction and the debt and whether he really believes that the DOD will do the wrong thing here.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. FORBES. Mr. Chairman, I would be glad to answer my good friend's question by saying I absolutely believe what Admiral Mullen said. When you look at the efficiencies that the Department of Defense has been talking about, we're talking about roughly $179 million. But I would suggest my friend look at comparing that to the $800 billion that we spent on a stimulus package which I voted against because I realized what it was doing to the deficit in this country, exactly what the admiral mentioned.

The other thing, Mr. Chairman, that I would suggest to the gentleman is, quite honestly, I will tell him I do not know if the Constitution mandates or gives us the authority to bail out the auto industry or the insurance industry or the banking industry or the mortgage industry or whatever else we've been bailing out, but one thing I do know is this. When some of the smartest people this Nation has ever birthed came together and agreed on one thing in our Constitution, the thing they mandated that this Congress do is to maintain strong armies and navies and to defend this country. And one of the things I unabashedly will say is that we need to stand firm and make sure the Department of Defense has the dollars that they need to defend and protect freedom and to pass it on to our children and our grandchildren. And I believe this amendment goes a step towards taking that ability away from them.

With that, Mr. Chairman, I hope we will reject the amendment, and I yield back the balance of my time.

The Acting CHAIR. The gentleman from Connecticut has 2¼ minutes remaining.

Mr. HIMES. Mr. Chairman, all I've got to say about that is, wow. Here we are talking about the DOD and what we should do with savings found in the DOD, and the gentleman from Virginia is bringing up stimulus and TARP and $800 billion, which has absolutely nothing to do with the question at hand, a mechanism that is used all too often by the other side.

The gentleman mentions the Constitution. Nobody in this room is saying that we shouldn't adequately fund the Department of Defense. That's not what this is about any more than this is about TARP or stimulus or any of the other things that my colleague spoke about.

The Constitution also says that it is this body—this body—that will determine how funds are spent. My colleague from Virginia is saying that extra money at the DOD that is saved in a mechanism that we all agree makes sense, that it should be a slush fund, if you will, that the DOD should decide how they use that. The Constitution of the United States is very clear. That's our job.

□ 1720

Nobody is saying that we should underfund defense; that is not what this is about. And I am delighted that the gentleman takes such great pride in having voted against the stimulus and the TARP, which by the way, I would say the day after Chrysler has repaid its government loan 6 years early, the gentleman might revisit his point on that, but that is not what this is about.

This is about good government and deficit reduction and abiding by the spirit of the Constitution that says we decide how money is used, not the agencies.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Mr. HIMES).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FORBES. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentleman from Connecticut will be postponed.

AMENDMENT NO. 31 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in House Report 112–88.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 417, after line 7, insert the following:

SEC. 941. ASSESSMENT OF CONTRACTOR PERFORMANCE OF CERTAIN FUNCTIONS ON SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN AND MINORITIES.

No Department of Defense function that is performed by Department of Defense civilian employees and is tied to a certain military base may be converted to performance by a contractor until the Secretary of Defense conducts an outreach program to benefit small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act) that are located in the geographic area near the military base.

The Acting CHAIR. Pursuant to House Resolution 276, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chairman, I thank you very much. I see my good friend from Pennsylvania is on his feet, and I know that he is going to help me help small businesses because that is the simplicity of this amendment.

It is simple. It is engaging, embracing. It is recognizing that all of us have our good neighbors back in our district. It is also an affirmation of the importance of the work of the United States military, and the many, many small businesses who desire to be of service. And so this amendment is simply informational, but it has a basis in success; outreach, to make sure that our small businesses around the Nation have a sense of what available opportunities are there for them.

It calls for renewed vigor in advocating and constructing effective policies that will make the United States the most talented, diverse, effective, and powerful workforce in the increasingly globalized economy.

We also realize, and I always say to my small businesses that they are the job creators of the 21st Century, and they do so in conjunction with the United States military. It may be janitorial services, painting buildings, mowing lawns, and related activities. Our small businesses can do that.

So this amendment simply asks the Department of Defense, as it outsources its work, to make sure that it reaches out to the small business community so that they will be, if I might use the vernacular, in the mix. They will have the understanding and the opportunity to get jobs, to get business based on their qualifications and based upon their ability to do work.

In addition, might I say that many of us have come across situations where our base leadership is trying to be fiscally responsible and has taken in business that they had heretofore outsourced. My point is that it is important to assess that impact on small businesses.

I heard a discussion earlier on the floor that we want to equalize the playing field for our small businesses. We know that the larger companies, they have got the roadmap. This is simply an opportunity to say to Americans, all of you are taxpayers, all of you have the opportunity to do something for the United States military, and that may be using your talents as a small business to have the opportunity.

Let's outreach so they have the information. Let's make sure that we are engaged. Let's make sure that we create jobs.

Mr. Chair, I rise today in support of my amendment #31 to H.R. 1540, "National Defense Authorization Act For Fiscal Year 2011," which requires the Secretary of Defense to utilize an outreach program to attract small and minority owned businesses prior to the outsourcing of military contracts related to local military bases.

Throughout my tenure in Congress, I have sponsored legislation that promotes diversity. I stand proudly before you today to call for renewed vigor in advocating and constructing effective policies that will make the United States the most talented, diverse, effective, and powerful workforce in an increasingly globalized economy. This amendment will require the Department of Defense to consider the impact that changes to current outsourcing guidelines will have on small minority and women owned business by requiring them to engage with these businesses. Promoting diversity is more than just an idea it requires an understanding that there is a need to have a process that will ensure the inclusion of minorities and women in all areas of American life.

As a practical matter the Department of Defense has the discretion to choose whether a contract should be in-sourced or out-source. Since March of 2009 it is understood that certain federal contracts that were formerly completed by civilian employees would be returned to federal employees. It is important to find balance between contracts that should be conducted by the federal government versus civilian contractors. As it stands the policies implemented by the DOD has the unintended consequence of harming small minority and women owned businesses by taking away civilian contracts that are not inherently serving a federal government purpose such as janitorial services, painting building, mowing lawns and related activities. These service contracts which tend to be the bread and butter for minority and women owned business are slowly being withdrawn and returned to the federal government.

JOHN FREEMAN, PRESIDENT OF HALLMARK

Take for example my constituent John Freeman.

Mr. Freeman operates Hallmark Capitol group, a Houston based small women and veteran owned business which specializes in providing transportation services, vehicle repair, and preventive vehicle maintenance.

Mr. Freeman currently has 14 Department of Defense contracts across the US.

One of Mr. Freeman's contracts is at Patrick Air force base in Florida. The Department of Defense decided to in- source VOM (Vehicle Operation Maintenance). The value of this contract is approximately $4 million a year and Hallmark employees nearly 40 people on this contract. The government has decided to insource this contract effective which will result in the loss of nearly 40 jobs. They will be out of a job by the end of the year and will not receive any preferential hiring treatment from the federal government.

Hallmark filed a lawsuit in the court of federal claims to prevent the Air Force from insourcing this federal contract. The Court of Federal claims ruled on May 15th that contractors lack any standing or jurisdiction to question the government's decision to in source contracts. Shortly thereafter, Hallmark filed an Appeal of the Court of Federal claims decision. They are currently awaiting the outcome of the appeal.

We must take a closer look at the impact changes in the new Department of Defense out sourcing and in-sourcing policies are having on small minority, veteran and women owned businesses. The Department of Defense must review their policies to fairly balance the need to return inherently federal operations from those that can be done by civilian contractors.

Frankly, we can all agree that painting the side of a building is not an inherently government function. These service type contracts are mainly conducted by small business who will be at a distinct disadvantage if their contracts are suspended.

Small businesses represent more than the American dream—they represent the American economy. Small businesses account for 95 percent of all employers, create half of our gross domestic product, and provide three out of four new jobs in this country.

Small business growth means economic growth for the nation. But to keep this segment of our economy thriving, entrepreneurs need access to loans. Through loans, small business owners can expand their businesses, hire more workers and provide more goods and services. The Small Business Administration (SBA), a federal organization that aids small businesses with loan and development programs, is a key provider of support to small businesses. The SBA's main loan program accounts for 30 percent of all long-term small business borrowing in America.

I have worked hard to help small business owners to fully realize their potential. That is why I support entrepreneurial development programs, including the Small Business Development Center and Women's Business Center programs. These initiatives provide counseling in a variety of critical areas, including business plan development, finance, and marketing. My amendment would require the Department of Defense to utilize a similar outreach program prior to outsourcing. The Department of Defense should investigate what impact changes

to current outsourcing guidelines will have on minority and women owned small businesses. Outreach is key to developing healthy and diverse small businesses.

There are 5.8 million minority owned businesses in the United States, representing a significant aspect of our economy. In 2007, minority owned businesses employed nearly 6 million Americans and generated $1 trillion dollars in economic output.

Women owned businesses have increased 20% since 2002, and currently total close to 8 million. These organizations make up more than half of all businesses in health care and social assistance.

My home city of Houston, Texas is home to more than 60,000 women owned businesses, and more than 60,000 African American owned businesses.

According to the Council on Foreign Relations, there has been an average of between 15,000 and 20,000 private contractors working in Iraq providing a variety of services for the military. These private contractors are hired for everything, from supplying translators, and maintaining surveillance systems to preparing meals and washing uniforms.

The Department of Defense (DOD) estimates that during the Vietnam War, the ratio of contractors to soldiers was 1 in 10. This rate increases to about 1 contractor for every soldier during Operation Iraqi Freedom. These contracts generate billions of dollars in revenue for the companies to which they are awarded.

Women owned businesses were awarded 3.4% of DOD prime contracts in Fiscal Year 2009. Small Disadvantaged Businesses were awarded 7.2%, while Historically Underutilized Businesses got 3.3%.

According to a 2009 report published by the Economic Policy Institute, ''Starting in 2004, the Small Business Administration (SBA) set goals for small business participation in federal contracts.

It encouraged agencies to award contracts to companies owned by women, veterans, and minorities or those located in economically challenged areas and gave them benchmarks to work toward. The targets are specific: 23% of contracts to small business, 5% to woman-owned small businesses, and 3% to disabled veteran-owned and HUBZone small businesses.''

Women and minority owned businesses generate billions of dollars and employ millions of people. They are certainly qualified to receive these contracts. A mandatory DOD outreach program would make women and minority owned businesses aware of all of the contract opportunities available to them.

I offered two additional amendments that were not made in order that would have required the Department of Defense to conduct an assessment on the impact changes in their outsource guidelines would have on small minority owned business. The Department of Defense must consider the potential negative impact proposed outsourcing changes would have on small and minority owned businesses.

We need to help small businesses keep up with their big business competition. Right now, the federal marketplace favors big businesses and corporations. Small businesses have lost an estimated $13.8 billion in business opportunity because they could not fairly compete for federal contracts because larger companies are allowed to bundle contracts—the practice of accepting ''mega-contracts'' for large jobs that only they have the resources to handle on the condition that they receive smaller contracts that could have been given out to small businesses. For every 100 bundled contracts, 106 individual contracts are no longer available to small businesses. For every $100 awarded on a ''bundled'' contract, there is a $33 decrease to small businesses.

Small businesses deserve a fair shot at federal contracts. They have a chance to compete for overseas contracts with the Department of Defense as well as access to international contracts with the United States Agency for International Development. In addition, I believe that work needs to be done to modernize key contracting developmental programs designed to increase opportunities for women, minorities and low-income individuals. Programs like the Outreach Program that I support through my amendment. These actions will reduce the current barriers and ensure small businesses have access to perform federal contracts. This can save taxpayer dollars, because the increased competition for government contracts will lead to better prices and better quality.

Currently companies that ship jobs to other countries receive federal tax breaks to give them an edge against foreign competition. This means that the current tax code encourages companies to move their production centers out of the U.S. to save money. It also gives them an unfair advantage in competing against small businesses that employ American workers and make their goods here.

I am committed to providing the technical assistance and necessary tools small businesses need to break into new markets and sell their products abroad. By pursuing fair trade strategies that open markets we will ensure a level playing field for American workers and businesses, and strengthen critical domestic industries, such as our manufacturing, intellectual property, and technology sectors. We want fair trade policies that keep jobs here and provide opportunities for American small businesses and their employees.

The vibrancy of our economic prosperity depends on the ability of our nation's small business community to adapt to opportunities at home and abroad. The skill required to navigate the many regulations imposed by the Federal government is essential to maximize any business plan. Alliances made between the private sector and government allows small business owners to be empowered by the Federal regulatory process and not the victim of it. The hearing today will allow for the constructive dialogue needed to ensure that all Americans continue to prosper in the age of low unemployment and Federal budget surpluses.

Out Reach programs that are properly designed and implemented, strengthen the national community, promote its economic well being, and maximize the benefits of our great diversity. The Department of Defense should be required to reach out to small minority and women owned business to hear their concern and to recognize the important role they play in revitalizing our economy.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. I appreciate the gentlelady from Texas offering this amendment, and I want to restate what it attempts to do.

It will prohibit outsourcing of DOD functions until the Secretary of Defense conducts an outreach program to benefit women- and minority-owned small businesses. Well, in fact, it is a duplication of what is already in the law. It duplicates section 891 of the fiscal year 2011 National Defense Authorization Act which requires the establishment of an outreach program to firms near DOD installations. This act simply delays allowing for outsourcing to come back in and be part of the benefits that it provides to this Nation, reducing cost, streamlining the process.

So again, this is already in law. As I said, this is nothing more than a delay tactic to stop outsourcing. We need to use outsourcing where it makes sense, to utilize the benefits of reducing cost, which has the potential to help our small businesses, which I think we all support. Whether they are women-owned or minority-owned businesses, small businesses are important, and I think outsourcing does that.

In fact, in my district, Letterkenny Army Depot has public-private partnerships today through outsourcing with small businesses and large alike. The Heritage Foundation did a study commending what is going on at Letterkenny Army Depot utilizing DOD civilians as well as the private sector, coming together where it makes sense, where we can have a tremendously positive impact on the work that goes there. So there is a model out there, and outsourcing is important.

Again, I urge my colleagues to vote ''no'' on this amendment because again, it already is established in last year's defense authorization bill exactly what the gentlelady from Texas wants to be established.

With that, I reserve the balance of my time.

Ms. JACKSON LEE of Texas. How much time do I have remaining?

The Acting CHAIR. The gentlewoman has 2½ minutes remaining.

Ms. JACKSON LEE of Texas. Mr. Chairman, I would like to yield 1 minute to the distinguished ranking member.

Mr. SMITH of Washington. Mr. Chairman, I rise in support of this amendment. I think it is a very reasonable request. I think making sure that minority-and women-owned businesses are protected is an important part of building a strong economy and a strong country, and it is reflected in many different aspects of Federal law, to try and make sure that opportunities are made available for women- and minority-owned businesses.

I will also add that this amendment does not presume that outsourcing is harmful to women and minority-owned businesses; it simply wants to gauge the effect. It is quite possible the effect is positive, and it is going to create an opportunity for them that would not

otherwise be created. But in making those decisions, the impact on women- and minority-owned businesses is an important part of that decision, and I believe should be reflected.

So this amendment is not meant in any way to restrict outsourcing. There are a lot of different decisions that have to be made in doing that. It just says that when you do that, keep this important consideration in mind.

I urge support for the amendment. I thank the gentlelady from Texas for bringing it to the committee's attention.

Mr. SHUSTER. I agree with the distinguished ranking member, and I believe that he supported last year in the National Defense Authorization Act section 891, which in fact does what the gentlelady from Texas wants to do.

So again, this is a delay tactic to put outsourcing back on the table, back in play, back in part of our toolbox.

Again, I urge all of my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, I hope my good friend from Pennsylvania listens to both the distinguished ranking member and myself. This is not an amendment that opposes outsourcing. In fact, it is an amendment that affirms that outsourcing occurs, and to ask that that playing field be even more even by attention being given to our small, minority- and women-owned businesses.

It has been documented that small businesses have lost an estimated $13.8 billion in business opportunity because they cannot fairly compete for Federal contracts because larger companies are allowed to bundle the contracts, the practice of accepting mega-contracts for large jobs that only they have the resources to handle—under the condition that they receive smaller contracts that could have been given out to small businesses.

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I want our small businesses and minority-owned businesses and women-owned businesses to be in the mix, have an outreach program. There's nothing wrong with added leverage of outreach for all our small businesses.

And let me say something else, Mr. Chairman. It is also to say that if a small business has a contract and it's hauled back in, it's pulled back in, let us assess how that is impacting the loss of jobs. Forty jobs, a constituent that came to our attention, Hallmark, lost by bringing in the business.

So by no means is this an opportunity to block outsourcing, and I call it contracting out. It is the business of supporting our small businesses.

Mr. Chairman, I ask my colleagues to support this very evenhanded, very vigorous amendment to support the hard-working Americans—small, women-owned, and minority-owned businesses. I ask my colleagues to support the amendment.

The Acting CHAIR. The time of the gentlewoman has expired.

The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 32 OFFERED BY MR. ANDREWS

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in House Report 112–88.

Mr. ANDREWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 417, after line 7, insert the following (and conform the table of contents accordingly):

SEC. 941. TEMPORARY SUSPENSION OF IMPLEMENTATION AND ENFORCEMENT OF WORKFORCE MANAGEMENT AND SOURCING POLICES PURSUANT TO "EFFICIENCY INITIATIVE".

(a) TEMPORARY SUSPENSION.—During the period beginning on the date of enactment of this Act and ending on the date that is 60 days after the first date on which the Secretary of Defense has submitted to the congressional defense committees both the report required in subsection (b) and the certification required under subsection (c), no workforce management and sourcing policies, directives, guidance, or memoranda issued pursuant to the Department of Defense's ''Efficiency Initiative'' may be announced, carried out, continued, implemented, or enforced.

(b) REPORT REQUIRED.—The Secretary of Defense, acting through the Under Secretary of Defense for Personnel and Readiness, shall undertake a comprehensive review of the workforce management and sourcing policies announced by the Department of Defense pursuant to the ''Efficiency Initiative'' and submit to the congressional defense committees a report that describes alternative policies that—

(1) ensure performance decisions are based on law, risk, policy, and cost;

(2) reflect a total force policy that takes into account the strengths and capacities of active and reserve components, civil servants, contractors, and retired military personnel in achieving national security objectives and missions; and

(3) are consistent with the statutory framework for workforce management and sourcing, including sections 129 and 129a of title 10, United States Code.

(c) CERTIFICATION REQUIRED.—The Secretary of Defense shall publish in the Federal Register and submit to the congressional defense committees a certification that—

(1) the Secretary of Defense has completed and submitted to the congressional defense committees a complete inventory of contracts for services for or on behalf of the Department in compliance with the requirements of subsection (c) of section 2330a of title 10, United States Code; and

(2) the Secretary of each military department and the head of each Defense Agency responsible for activities in the inventory has initiated the review and planning activities of subsection (e) of such section.

(d) COMPTROLLER GENERAL REVIEW.—Not later than 30 days after the first date on which both the report required under subsection (b) and the certification required under subsection (c) have been submitted to the congressional defense committees, the Comptroller General shall conduct an assessment of the report required under subsection (b), determine whether the Department of Defense is compliant with the certification requirement in subsection (c), and submit to the congressional defense committees a report on the findings resulting from those activities.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. I yield myself such time as I may consume.

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. One of the questions, Mr. Chairman, that this body and the administration often face is whether a certain task is best performed by employees of the Department of Defense or whether that task is best performed by those working for contractors competing for the right to do that business.

There are two things I know about this issue. The first is that it is one we always debate because it's a very difficult one to resolve. And the second is that I don't think either answer is always the right one. I think any strategy that presupposes that having employees do a job isn't right and a strategy that presupposes having contractors do a job isn't right.

I think we've built a bipartisan consensus around the proposition that, on a case-by-case basis over time, we should collect evidence and decide whether or not a certain function is best performed by employees of the Department of Defense or whether it is best performed on a competitive contracted-out basis.

The purpose of my amendment is to address what I believe is an imbalance in this evidence-gathering process that goes under the name of an efficiency initiative.

I don't think there's a Member on this floor who would oppose an efficiency initiative. But efficiency is not something that presupposes that one answer is always better than the others. And I think the record shows that we're presently living under an initiative that presupposes that contracting out is better than having Federal employees perform that function.

Here's the evidence:

Between fiscal year 2001 and fiscal year 2010, Department of Defense services performed by contracting agencies—that is to say companies—increased from $73 billion in fiscal 2001 to $181 billion in fiscal 2010. This is an increase of 147 percent, or about 15 percent per year. During the same period of time, the cost of compensating Department of Defense civilian employees

grew from $41 billion in fiscal 2001 to $69 billion in fiscal 2010, a 68 percent increase, or just under 7 percent per year.

Now, I am not prejudging as to whether the decisions that make up those aggregate numbers were all right or all wrong. That would be certainly beyond anyone's capability to do. But I think that kind of imbalance shows that we're not conducting the kind of careful, fact-driven, merit-driven evidentiary process that we ought to be following.

So here's what my amendment does. It says that when our bill is signed by the President, that there will be a 60-day period where there will just be a timeout, where we will stop the contracting-out process. We'll ask the Department of Defense, we'll direct the Department of Defense to do two things: to answer the question of whether the decisions it has been taking are truly based on the merits and cost benefit or whether there are other factors involved. It will then ask the Department of Defense to certify that the laws and procedures that we set up in the past to make such decisions have, in fact, been followed. At the conclusion of that 60-day period, reports will be given to the Armed Services Committee and the other defense committees of the Congress, and we will collectively review those reports and make a decision, in time for next year's bill, what to do.

So this is an amendment that does not favor contracting out or keeping work in the hands of Federal employees. This is an amendment that says that we should reflect on the fact that we've had a 147 percent increase in contracted-out services at the time we've had a 68 percent increase in the compensation of civilian employees. We should pause for 60 days after the bill is enacted, reflect the accuracy of that record, and then collectively make a decision for the future as to what's best for the country.

I think this is a reasonable approach to this issue. I would urge a ''yes'' vote from both Republicans and Democrats.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FORBES. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. FORBES. Mr. Chairman, first of all, I appreciate the gentleman's amendment and I appreciate his work on the Armed Services Committee. He's always very thoughtful and always committed to the national defense of our country.

As I listened to him over and over again, I was agreeing with many of the things that he said. I think oftentimes the decisions that the Department of Defense has made under the guise of efficiencies have not been efficiencies at all. They could have actually cost us more. I think, secondly, they have been made without being well thought out. I think sometimes they have backfilled their analyses after they made those decisions.

But as I read the gentleman's amendment, basically it would suspend all the sourcing and workforce management policies based on all of DOD's efficiency initiatives, which is a wide gamut. Mr. Chairman, I think that, even though, as I mentioned before, I think oftentimes the Department of Defense has been wrong in some of its efficiencies, that doesn't mean they've been wrong in every situation. And one of the things that I think is a vital flaw in the gentleman's amendment is that there's no offset for the amendment to cover the reverse on the planned savings. In fact, according to the information I have been given, the cost of not implementing these efficiencies could be as much as $3 billion. That is off of the top line of the Defense budget. And I know the gentleman would agree with me that, at this particular point in time, such a huge hit to the Department of Defense would not be in the best interest of the national defense of the country.

So, with that, Mr. Chairman, I hope we will oppose the amendment. I hope that I can work with the gentleman and other members of the committee so we can make sure DOD gets this right as they move down the road. But certainly we don't want to put this kind of impact on our men and women in uniform at this time.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ANDREWS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 33 OFFERED BY MS. LEE

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in House Report 112–88.

Ms. LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title X of division A, add the following new section:

SEC. 10____. LIMITATION IN FUNDING LEVEL TO FISCAL YEAR 2008 FUNDING LEVEL.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds are authorized to be made available under this division for any account of the Department of Defense (other than accounts listed in subsection (b)) in excess of the amount made available for such account for fiscal year 2008.

(b) EXEMPTED ACCOUNTS.—The accounts exempted pursuant to this subsection are the following accounts:

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

The Acting CHAIR. Pursuant to House Resolution 276, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Mr. Chairman, I do intend to withdraw this amendment, but I'd like to just say why I offered it and why I think this debate is so important.

We're talking about now trying to address a deficit, which we all want to address. We do not want to leave this debt to our children and our grandchildren. That's a given. The big issue I think for many of us is how do we get there and what do we do? And how do we ensure that we have a budget that reflects, yes, our national security priorities, but also a budget that protects the most vulnerable in our country and a budget that ensures that we have priorities to create jobs and to turn this economy around?

And so I believe that we have to talk about not only discretionary spending and entitlement cuts, which the other side is talking about and making such an issue of. We have not really talked about the Pentagon budget. We have not talked about looking at what it would mean if we cut the defense budget back to 2008 as the Republicans want to do with regard to our domestic discretionary spending.

And so what this amendment basically does is just say that if we are going to do this, we need to engage in a debate that is honest and we need to put everything on the table, and that includes the Pentagon. And in fact, we need to begin to look at how we cut back to 2008 levels.

We all know that there is waste, fraud and abuse in the Pentagon. We still haven't been able to come up with a way to audit the Pentagon funds, and so we need to do that. I think we should actually put a freeze on defense spending until we know where our tax dollars are going and until we know that our tax dollars are being spent in a prudent way. We don't even know that because we can't even get an audit of the Pentagon.

We also need to recognize that there are weapons systems that do not need to be built because they have nothing to do with our national security interests now. I mean, we are out of the Cold War. We are looking at asymmetrical warfare. We need to have a research and development program and a defense budget that reflects this new world that we're in, rather than going back to the Cold War and developing these Cold War-era weapons systems. So there are billions of dollars in those accounts.

And so it is just prudent, I think, upon us to really begin to look at why, if we're going to start cutting food stamps and Community Development Block Grants and housing, and if we start cutting workforce training and

Head Start and health care and all of the areas which the majority of the American people rely on as taxpayers, then we need to really look at where a huge portion of our budget falls, and that's within the Pentagon's budget.

Also, we again want to talk about reducing the deficit, cutting the deficit. There is no way we will even touch this unless we begin to look at the defense budget and the Pentagon's budget.

And so basically, once again, this amendment, what it does is it forces us to pause; it forces us to look at what type of savings there would be if we go back to 2008 as we want to do with domestic discretionary spending.

Again, I hope that we can discuss this amendment, have this debate. I know there are not enough votes to get this passed, but I do know that we need to begin this process of looking at and examining the defense budget so that the American people can know where their tax dollars are going and to recognize that there are billions of dollars in waste, fraud and abuse that we need to look at in the Pentagon budget.

And we need to put all of this on hold and go back to 2008 levels, be honest with the American people, and begin to have some real debate about deficit reduction, job creation, and the reduction of spending.

With that, Mr. Chairman, I will withdraw my amendment. Thank you for the time, and let's hope that we can have a debate on the Pentagon budget at some point, a real debate.

The Acting CHAIR. The gentlewoman from California begs leave to withdraw her amendment.

Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 37 OFFERED BY MR. RICHMOND

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in House Report 112–88.

Mr. RICHMOND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 438, after the matter after line 2, insert the following:

SEC. 1022. PROHIBITION ON PAYMENT OF FUNDS RELATED TO CLOSURE OF CERTAIN SHIPYARD FACILITY.

The Secretary of Defense may not make any payments pursuant to section 2325 of title 10, United States Code, to a contractor related to the restructuring or closure of the shipyard manufacturing complex located in Avondale, Louisiana.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Louisiana (Mr. RICHMOND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. RICHMOND. I yield myself such time as I may consume.

Mr. Chairman, I rise to ask my colleagues to support an amendment and restore fiscal common sense back to government.

This amendment would save the U.S. taxpayers up to $310 million, which would be paid to a private company in Avondale, Louisiana for what? For closing. And before we get too far into policy and other things, I want to actually read the language of the amendment so that the American people can understand exactly what we're doing, Mr. Chairman.

The amendment simply says that the Secretary of Defense may not make any payments pursuant to section 2325 of title 10, United States Code, to a contractor related to the restructuring or closure of a shipyard manufacturing complex located in Avondale, Louisiana.

Now, many people may say, well, what am I attempting to stop? Let me just take a minute and say what's going on here. We have a business in Avondale, Louisiana that employs almost 5,000 shipbuilders. They were spun off this year. Northrop Grumman received $1.4 billion for this company. By the way, Northrop Grumman made $530 million this quarter. So the new company, Huntington Ingalls, is closing the shipyard. And because they're closing the shipyard, the U.S. Government—the taxpayers of this country—will pay them up to $310 million for closing.

That's insanity, Mr. Chairman. And as I met with those employees last week, they said, Congressman, we don't know if you can stop it, but the offensive part, the part that makes this very hard for us, is the fact that our tax dollars are being used to pay our employer who is giving us all pink slips.

So I would just implore my colleagues to save the Federal Government $310 million in a time when we're cutting Medicare, in a time when we're cutting our children's future, cutting their education, and we're not feeding the hungry. So this is an attempt to save $310 million.

And I would also add to all of my colleagues who have great ideas and are looking for a pay-for, I am volunteering $310 million out of my district so that we can put back into the Federal Government so that we can pay down the debt and do other things. But we do not need this $310 million going to a private company who made $45 million just this quarter for closing.

Mr. Chairman, I reserve the balance of my time.

Mr. AKIN. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Missouri is recognized for 5 minutes.

Mr. AKIN. Mr. Chairman, the question involves the Avondale shipyard—which used to be Northrop Grumman, it is now a part of Huntington—and there are essentially three possibilities of what might happen to the shipyard. One possibility is that we leave the shipyard there to build ships for the Navy. The trouble is that we don't have enough demand or we don't have enough money to buy the ships that we would need to keep that shipyard busy, which then means that we are trying to build ships at a lot of locations where we don't have enough ships to get any economic benefits.

The result of that is it is going to cost the taxpayer and the Navy a whole lot more money to keep a shipyard open when we don't really have work for the shipyard. So that's one possibility. You could force it to stay open; it's going to cost the most to the taxpayer.

Another possibility is that the shipyard, because of the many people that work there, could be retooled and redesigned to use it for building other kinds of things other than Navy ships. That would preserve the jobs. And the Navy is willing to invest some money—as long as it is less than what it would cost to keep the thing open. They're willing to invest some money to help with that transition so those people won't be unemployed.

The other thing that could be done is you could just close the shipyard down. Now, what this amendment does is it says, well, we're not going to allow the Navy to invest in retooling. So it's sort of like a dare because it's really begging to have the whole shipyard close down and not used for anything else. So it's kind of a gamble to try to say, well, we're going to save $310 million and gamble that that shipyard is going to stay open. Because the possibility is if you say the Navy is not going to invest the money, they may just say, well, close it down. Then you would lose all those jobs. So this amendment may do the exact opposite of what you are trying to do.

I would now yield 1½ minutes to the gentleman from Virginia (Mr. WITTMAN).

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Mr. WITTMAN. Thank you, Mr. Chairman, and I want to also rise in opposition to this amendment.

Passage of this amendment may result in the government being liable for the costs of maintaining these idle facilities. If we're looking at the total picture here, we want to make sure we are making the most efficient decision in right-sizing this industry. And after a thorough review and endorsement by the Department of Defense, the contractor's plans to wind down ship construction were approved back in 2010.

This amendment seeks to prohibit payments under existing Federal law for restructuring costs associated with the transition of the Avondale shipyard. And I want to emphasize ''transition'' is the key word here because as the law is currently written, it allows the facility in Louisiana to potentially be reconfigured to an alternate use in the future.

So if we want to transition, make sure we are using that yard, using the employees there, if we don't have the capacity needed to build ships, we want to make sure we can transition.

If this amendment were to become law, there is no chance of transitioning the Avondale facility to something other than shipbuilding, and the government may be held liable for the costs of maintaining an idle shipyard. We don't want that. We want to make sure that capacity is used in a productive way.

So simply put, this amendment will not prevent the closure of Avondale. And I urge my colleagues to oppose the amendment.

Mr. AKIN. How much time do I have remaining?

The Acting CHAIR. The gentleman from Missouri has 1½ minutes remaining.

Mr. AKIN. The basic point is that the fact that this is going to save $310 million is not true. What this in fact is going to do is to force a solution that will be more expensive for the government and not very good for the employees down at Avondale either.

So I have to say along with the Navy and the leadership on the committee that we cannot really support this amendment. I think that the gentleman had very good intentions of what he's trying to accomplish, but I don't believe it's going to work the way he thinks it's going to. It's going to probably force a closure and a whole lot of layoffs that unnecessarily would not have to happen if we don't pass this amendment. So I'm going to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Louisiana has 2½ minutes remaining.

Mr. RICHMOND. Thank you, Mr. Chairman.

I just want to clear up some things.

I don't want this shipyard to close, but I want to be crystal clear about this. The Huntington Eagles just christened a ship a couple of weeks ago; and while they christened the ship with all of their employees there, they took the time to announce to their employees that we are closing. The 3,000 employees that are here, you will no longer be here. We are shutting down. We're closing. It's not personal. It's business.

As much as I don't like it, this is a private business that has decided that they are going to close. What I don't want to do is take those taxpayer dollars and reward them for closing in the process.

So when you talk about they can retool or do something in the future, Mr. Chairman, I don't want to pretend or mislead the American people. They have yet to bid on a shipbuilding contract since they have acquired the yard. They have no intentions to build ships there in the future.

As we talk about what they could do with the yard and this may force a closure, they have decided that they are going to close. They made $45 million in the first quarter of this year. They announced that they're not going to bid on ships, they're not going to do anything. They're not going to stay open. Why would we give them $310 million of taxpayer dollars and then pretend that we're fiscally responsible? It's not fiscally responsible.

The good thing for me is I don't have to go back to my district, whether it's Virginia or Missouri, and explain to my constituents why I'm fighting to give a company in Louisiana $310 million while I'm cutting Medicare, Medicaid, Social Security and all of these other things.

I just wanted to clear up the fact that it's not an assumption that they're going to close. They already have informed their employees that we're closing. Hey, it's been a good ride. Thirty-five hundred employees. See you later. Six thousand indirect jobs. We wish we could stay, but we've made another decision.

It is a private company's right to decide when they want to close. And I disagree with their decision, but I respect that this is America and they have a right to do that. But I have a right to be upset and to try to block Federal dollars going to them, and that's $310 million going to a company for quitting. That's not the American way, Mr. Chairman.

And I would just ask my colleagues to support the amendment and not give $310 million to a company who just made $45 million in 3 months that's quitting on the American people.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. RICHMOND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RICHMOND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Louisiana will be postponed.

AMENDMENT NO. 38 OFFERED BY MR. MICA

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in House Report 112–88.

Mr. MICA. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle H of title X, add the following new section:

SEC. 1085. RULES OF ENGAGEMENT FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN DESIGNATED HOSTILE FIRE AREAS.

The Secretary of Defense shall ensure that the rules of engagement applicable to members of the Armed Forces assigned to duty in any hostile fire area designated for purposes of section 310 or 351(a)(1) of title 37, United States Code—

(1) fully protect the members' right to bear arms; and

(2) authorize the members to fully defend themselves from hostile actions.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Thank you, Mr. Chairman.

First I want to thank the members of the committee for allowing me to bring forth this amendment, also the Rules Committee for allowing me to have it considered by the House.

This is a simple amendment, and this is an amendment that I almost think I'm offering not on behalf of myself but on behalf of our troops. I usually don't get involved in armed services matters, but I did have the opportunity to visit our troops in Afghanistan in March of some weeks past. And I was out in some of the forward operating positions in Afghanistan, and I asked the troops a question—you know, sometimes you get a few minutes of quiet time with our troops that are serving us out there in those dangerous areas out there. And I said, When I return to Congress, what could I do to help you do a better job? What would assist you?

And every one of them said to me, Mr. MICA, could you change the rules of engagement?

So I'm offering this amendment on their behalf and on behalf of all the servicemen and -women who should be able to defend themselves in hostile areas. I'm not trying to micromanage the military, but I have just a basic provision that says—and let me read it: ''The Secretary of Defense shall ensure that the rules of engagement applicable to members of the armed services assigned to duty in any hostile fire area''—and we have a definition for that—''shall,'' and then ''one, fully protect the members' rights to bear arms; and, two, to authorize the members to fully defend themselves from hostile actions.'' The Secretary would set those parameters.

This is my amendment. I believe that implementing a successful calendar insurgency strategy should not come at the cost of needlessly increasing American or coalition military casualties.

If we ask members of our Armed Forces to risk their lives to protect the home front, we must do all we can to help them with the material and the options and the ability to preserve their lives to fight on our behalf in hostile areas.

Please help me in arming our Armed Forces and also providing them with what I believe is the opportunity to adequately defend themselves in hostile theaters.

I reserve the balance of my time.

Mr. SMITH of Washington. I claim the time in opposition.

The Acting CHAIR. The gentleman from Washington is recognized for 5 minutes.

Mr. SMITH of Washington. I will begin by yielding 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend for yielding.

My objection, respectfully, to this amendment is it supplants the decision of the commander in the field with the judgment of the Congress. I frankly agree that there are very, very few circumstances I could imagine where we would not want our troops in the field to be fully armed to their complete comfort and satisfaction level. And so it's hard for me to imagine a circumstance where that's not the case.

But it's easy for me to understand a circumstance where the person in the field who is charged with the responsibility of achieving the mission and achieving maximum protection of his or her troops should have the authority to make that decision.

So my objection to this is not the intent. I think we share it. My objection is the fact that the amendment supplants the judgment of that commander in the field and replaces it with the judgment we are making here thousands of miles away based on facts that we could not possibly foresee.

So although I share the gentleman's intent, for that reason I would respectfully encourage the Members to vote ''no'' on the amendment.

□ 1800

The Acting CHAIR. The gentleman from Florida has 2½ minutes remaining.

Mr. MICA. I reserve the balance of my time.

Mr. SMITH of Washington. I yield myself the balance of my time.

Mr. Chair, I rise in opposition for a very simple reason.

As the gentleman said in his opening remarks in favor of the amendment, he does not wish to micromanage what goes on in the field. I think there can be no more blatant micromanaging than this. Having Congress insert itself into the debate about what the rules of engagement should be in the field of operations for the military is micromanaging in the absolute worst way. We should trust our commanders in the field to make those decisions, and those decisions are and always will be controversial, both ways, in terms of what the rules of engagement should be.

I will simply make the very clear statement that I want our trained commanders in the field to make the decision on what the rules of engagement should be in any given environment, not the United States Congress. This is not a debate that we should insert ourselves into, and I believe that we should defeat this amendment and leave the authority with the commanders, where it belongs.

I yield back the balance of my time.

Mr. MICA. Let me say that the United States Congress does set the policy for engaging in war and hostile actions. The Secretary of Defense has clearly given the authority here to provide, again, applicable provisions for how this would apply.

In closing, our troops, our servicemen and -women, should not be used at target practice in any hostile theater. They should be given the basic right to bear arms and defend themselves.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MICA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. BISHOP of Utah) assumed the chair.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, repoted and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1893. An Act to amend the Internal Revenue Code of 1986 to extend the the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

The Committee resumed its sitting.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112–88 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. WOOLSEY of California.

Amendment No. 12 by Mr. HUNTER of California.

Amendment No. 24 by Mr. SARBANES of Maryland.

Amendment No. 25 by Mr. MURPHY of Connecticut.

Amendment No. 27 by Mr. COLE of Oklahoma.

Amendment No. 28 by Mr. GARAMENDI of California.

Amendment No. 26 by Mrs. MALONEY of New York.

Amendment No. 30 by Mr. HIMES of Connecticut.

Amendment No. 31 by Ms. JACKSON LEE of Texas.

Amendment No. 32 by Mr. ANDREWS of New Jersey.

Amendment No. 37 by Mr. RICHMOND of Louisiana.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MS. WOOLSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WOOLSEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 83, noes 334, not voting 14, as follows:

[Roll No. 343]

AYES—83

Amash
Baldwin
Bass (CA)
Becerra
Berman
Blumenauer
Campbell
Capuano
Clarke (MI)
Clarke (NY)
Cohen
Conyers
Cooper
DeGette
Deutch
Dingell
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Frank (MA)
Garamendi
Gutierrez
Hastings (FL)
Hirono
Holt
Honda
Keating
Kind
Kucinich
Larson (CT)
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Lynch
Maloney
Markey
Matsui
McCollum
McGovern
Michaud
Miller, George
Moore
Nadler
Neal
Olver
Pallone
Paul
Payne
Pingree (ME)
Polis
Quigley
Rangel
Ribble
Richmond
Roybal-Allard
Royce
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schrader
Serrano
Slaughter
Speier
Stark
Thompson (CA)
Tierney
Tonko
Towns
Upton
Velázquez
Walden
Walz (MN)
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—334

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa

Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Scalise
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tsongas
Turner
Van Hollen
Visclosky
Walberg
Walsh (IL)
Wasserman Schultz
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Berkley
Braley (IA)
Costa
Filner
Frelinghuysen
Giffords
Grijalva
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)
Miller (NC)
Sewell
Waters

□ 1830

Messrs. McDERMOTT, JONES, CLAY, Ms. FUDGE, Mr. McNERNEY, Ms. WASSERMAN SCHULTZ and Mr. FATTAH changed their vote from ''aye'' to ''no.''

Messrs. WU, WALDEN, DINGELL and Ms. CLARKE of New York changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 343, I was away from the Capital region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "aye."

Stated against:

Mr. LARSON of Connecticut. Mr. Chair, on Wednesday, May 25, 2011, my vote on rollcall vote No. 343 was incorrectly recorded as "aye", when I intended to vote "no."

AMENDMENT NO. 12 OFFERED BY MR. HUNTER

The Acting CHAIR (Mr. BISHOP of Utah). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUNTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 203, noes 213, not voting 15, as follows:

[Roll No. 344]

AYES—203

Adams
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Clay
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dreier
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Granger
Griffin (AR)
Griffith (VA)
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Pence
Petri
Pitts
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schweikert
Scott (SC)
Scott, Austin
Sessions
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—213

Ackerman
Altmire
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Flake
Fleming
Frank (MA)
Fudge
Garamendi
Gerlach
Gingrey (GA)
Gonzalez
Goodlatte
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (FL)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Ross (AR)
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schmidt
Schock
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shimkus
Shuler
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Weiner
Welch
Whitfield
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Clarke (MI)
Conyers
Filner
Frelinghuysen
Giffords
Grimm
Hall
Hastings (WA)
Jackson (IL)
Long
Maloney
McCarthy (NY)
Miller (NC)
Schakowsky
Schrader

□ 1834

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 344, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary

Celebration. Had I been present, I would have voted "no."

Ms. SCHAKOWSKY. Mr. Chair, on rollcall No. 344, had I been present, I would have voted, "no."

AMENDMENT NO. 24 OFFERED BY MR. SARBANES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. SARBANES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 198, noes 225, not voting 8, as follows:

[Roll No. 345]

AYES—198

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gerlach
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rogers (AL)
Ros-Lehtinen
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shimkus
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth

NOES—225

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Johnson (OH)
Long
McCarthy (NY)

□ 1838

Ms. JACKSON LEE of Texas changed her vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 345, I was away from the Capital region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted, "aye."

AMENDMENT NO. 25 OFFERED BY MR. MURPHY OF CONNECTICUT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Mr. MURPHY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 212, not voting 11, as follows:

[Roll No. 346]

AYES—208

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Emerson
Engel
Eshoo
Farr
Fattah
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Goodlatte
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hurt
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCollum
McCotter
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Platts
Price (NC)
Quigley
Rahall
Rangel
Renacci
Reyes
Richardson
Richmond
Rogers (KY)
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler

Sires
Slaughter
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—212

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Conaway
Conyers
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Dreier
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Clarke (MI)
Coffman (CO)
Diaz-Balart
Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)
Smith (NJ)

□ 1842

Mr. HOLT changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 346, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted, ''aye.''

AMENDMENT NO. 27 OFFERED BY MR. COLE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. COLE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 163, not voting 7, as follows:

[Roll No. 347]

AYES—261

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Fudge
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Waters
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—163

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—7

Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)

□ 1848

Mr. CLEAVER changed his vote from ''aye'' to ''no.''

Ms. WATERS and Ms. SPEIER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chair, on rollcall 347, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted, "no."

AMENDMENT NO. 28 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 168, noes 256, not voting 7, as follows:

[Roll No. 348]

AYES—168

Ackerman
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heck
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lummis
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Runyan
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott, David
Serrano
Sewell
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—256

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Hensarling
Herger
Herrera Beutler
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lofgren, Zoe
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Watt
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—7

Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)

□ 1853

Ms. LORETTA SANCHEZ of California and Ms. PELOSI changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 348, I was away from the Capital region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "aye."

AMENDMENT NO. 26 OFFERED BY MRS. MALONEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 248, not voting 7, as follows:

[Roll No. 349]

AYES—176

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dingell
Doggett
Donnelly (IN)
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richmond
Rohrabacher
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—248

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—7

Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)

□ 1857

Mr. ROHRABACHER changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 349, I was away from the Capitol region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted, ''aye.''

AMENDMENT NO. 30 OFFERED BY MR. HIMES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Mr. HIMES) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 7, as follows:

[Roll No. 350]

AYES—184

Ackerman
Adams
Altmire
Amash
Andrews
Baca
Baldwin
Barrow
Bartlett
Barton (TX)
Bass (CA)
Berman
Bilirakis
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Broun (GA)
Brown (FL)
Burgess
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castor (FL)
Cicilline
Clarke (MI)
Clay
Coble
Cohen
Cooper
Costa
Costello
Courtney
Cravaack
Critz
Crowley
Cuellar
Cummings
DeGette
DeLauro
Dent
DesJarlais
Dingell
Doggett
Donnelly (IN)
Doyle
Duffy
Duncan (TN)
Ellison
Ellmers
Eshoo
Farr
Fattah
Fitzpatrick
Fortenberry
Frank (MA)
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Green, Al
Griffith (VA)
Grijalva
Hastings (FL)
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Holden
Huizenga (MI)
Hurt
Inslee
Israel
Jackson Lee (TX)
Johnson (IL)
Johnson (OH)
Jones
Kildee
Kind
Kissell
Lance
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lummis
Lynch
Maloney
Markey
Matheson
McClintock
McCollum
McGovern
McIntyre
McNerney
Meehan
Mica
Michaud
Miller, George
Murphy (CT)
Napolitano
Neal
Olver
Owens
Pallone
Paul
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Renacci
Ribble
Richardson
Richmond
Roe (TN)
Rohrabacher
Rooney
Rothman (NJ)
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shuler
Sires
Smith (NJ)
Smith (WA)
Speier
Stivers
Thompson (MS)
Tierney
Tipton
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walden
Walz (MN)
Wasserman Schultz
Waters
Waxman
Weiner
Welch
West
Wilson (FL)
Yarmuth
Yoder
Young (FL)

NOES—240

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Bass (NH)
Becerra
Benishek
Berg
Berkley
Biggert
Bilbray
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Braley (IA)
Brooks
Buchanan
Bucshon
Buerkle
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Carter
Chabot
Chaffetz
Chandler
Chu
Clarke (NY)
Cleaver
Clyburn
Coffman (CO)
Cole
Conaway
Connolly (VA)
Conyers
Crawford
Crenshaw
Culberson
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
Denham
Deutch
Diaz-Balart
Dicks
Dold
Dreier
Duncan (SC)
Edwards
Emerson
Engel
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Fudge
Gallegly
Garamendi
Garrett
Gonzalez
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Heinrich
Hensarling
Herger
Hirono
Holt
Honda
Hoyer
Huelskamp
Hultgren
Hunter
Issa
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jordan
Kaptur
Keating
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Landry
Lankford
Latham
LaTourette
Latta
Lee (CA)
Lewis (CA)
Loebsack
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matsui
McCarthy (CA)
McCaul
McCotter
McDermott
McHenry
McKeon
McKinley
McMorris Rodgers
Meeks
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pascrell
Pastor (AZ)
Pearce
Pence
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Rangel
Reichert
Reyes
Rigell
Rivera
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Roybal-Allard
Ruppersberger
Rush
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Slaughter
Smith (NE)
Smith (TX)
Southerland
Stark
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tonko
Turner
Upton
Walberg
Walsh (IL)
Watt
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Young (AK)
Young (IN)

NOT VOTING—7

Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)

□ 1903

Messrs. HUNTER, CONNOLLY of Virginia, CHANDLER and STARK, Ms. CLARKE of New York and Mrs. SCHMIDT changed their vote from ''aye'' to ''no.''

Messrs. JOHNSON of Ohio, BROUN of Georgia, DOGGETT and DUFFY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 350, I was away from the Capital region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "aye."

AMENDMENT NO. 31 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 232, not voting 8, as follows:

[Roll No. 351]

AYES—191

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Renacci
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Weiner
Welch
West
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—232

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Conaway
Costa
Cravaack
Crawford
Crenshaw
Critz
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)
Smith (TX)

□ 1908

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair on rollcall 351, I was away from the Capital region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted, "aye."

AMENDMENT NO. 32 OFFERED BY MR. ANDREWS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 246, not voting 7, as follows:

[Roll No. 352]

AYES—178

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Runyan
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney

Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—246

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Wasserman Schultz
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—7

Filner
Frelinghuysen
Giffords
Hastings (WA)
Jackson (IL)
Long
McCarthy (NY)

□ 1911

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 352, I was away from the Capital region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "aye."

AMENDMENT NO. 37 OFFERED BY MR. RICHMOND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. RICHMOND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 246, not voting 8, as follows:

[Roll No. 353]

AYES—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeLauro
Deutch
Dingell
Doggett
Donnelly (IN)
Doyle
Ellison
Engel
Eshoo
Farr
Fattah
Fortenberry
Frank (MA)
Fudge
Garamendi
Gohmert
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Landry
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lummis
Lynch
Maloney
Markey
Matsui
McClintock
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Paulsen
Payne
Pelosi
Peters
Peterson
Petri
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Renacci
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schwartz
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (WA)
Speier
Stark
Stearns
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Walden
Wasserman Schultz
Waters
Watt
Weiner
Welch
Whitfield
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—246

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costello
Courtney
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
DeGette
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
Lewis (CA)
Lipinski
LoBiondo
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paul
Pearce
Pence
Perlmutter
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)
Sessions
Shimkus
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tsongas
Turner
Upton
Visclosky
Walberg
Walsh (IL)
Walz (MN)
Waxman
Webster
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Filner
Frelinghuysen
Giffords
Hastings (WA)
Hirono
Jackson (IL)
Long
McCarthy (NY)

□ 1915

Mr. LIPINSKI changed his vote from "aye" to "no."

Mr. KUCINICH changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 353, I was away from the Capital region attending the Civil Rights Freedom Riders' 50th Anniversary Celebration. Had I been present, I would have voted "aye."

AMENDMENT NO. 39 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in House Report 112–88.

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. SENSE OF CONGRESS REGARDING DEPLOYMENT OF NATIONAL GUARD TO SOUTHWESTERN BORDER OF UNITED STATES.

It is the sense of the Congress that the deployment of National Guard personnel (as defined in section 101(c) of title 10, United States Code) along the southwestern border of the United States for the purposes of assisting United States Customs and Border Protection in securing the international border between the United States and Mexico, should continue through the end of fiscal year 2011.

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment would simply include sense of Congress language in the bill that would express that Congress supports extending the current deployment of National Guard troops on the border through the rest of the fiscal year.

As many are aware, in October of last year about 1,200 National Guard troops were deployed along the southwestern border. According to the Department of Homeland Security, the presence of National Guard troops is helping to bridge the gap until we train enough border agents to patrol the rest of the border as authorized by Congress.

To be more specific, the Governor of Arizona recently indicated that under this deployment, the Arizona National Guard has been involved in approximately 19,000 observations, 10,000 apprehension assists, 235 drug seizure assists involving about 18 tons of marijuana.

However, unless action is taken, this deployment will end at the end of next month when troops will be coming off the border; they will be coming off the border likely before that as well.

In Arizona, those in the Yuma sector will tell you that the presence of National Guard troops has been instrumental in us achieving actually operational control, which means that if an illegal alien crosses the border in the Yuma sector, you have a reasonable expectation of catching him or her.

So we need that there to maintain operational control, and we also need that presence in the Tucson sector where we have something far from operational control. It would be a step backwards in the Tucson sector which continues to deal with human smuggling and drug smuggling.

Whether we like it or not, the southwestern border is not secure. In February of this year, the GAO testified that "the Border Patrol reported achieving varying levels of operational control—873, 44 percent, of nearly 2,000 southwest border miles by the end of fiscal year 2010."

□ 1920

So we have a long ways to go, and we certainly need these National Guard troops there. It is not the time to do that. When you talk particularly with the local ranchers, farmers and residents along the border who regularly come in contact with groups coming across the border, many times armed and many times carrying drugs, they certainly support the stay of the National Guard. When I talk to the ranchers, they have particular praise for the actions of the National Guard there. They've done a good job. So, until we can have operational control of more of the border, we've got to ensure that these National Guard troops stay.

My understanding is that the President now supports keeping them there if we can find the resources to do so.

I yield back the balance of my time.

Mr. SMITH of Washington. I rise to claim time in opposition, although I am not in opposition to the amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. I just want to express my support for the amendment.

Certainly, border security continues to be a challenge and a priority. The National Guard troops are helping. Now, in a bipartisan way, there is agreement on that, so I support Mr. FLAKE's amendment, and I urge the body to support it as well.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

AMENDMENT NO. 40 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 40 printed in House Report 112–88.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle I of title X, insert the following:

SEC. 1099C. CLOSING OF NATIONAL DRUG INTELLIGENCE CENTER.

Section 9078 of the Department of Defense Appropriations Act, 1993 (Public Law 102–396; 106 Stat. 1919) is amended by striking "There is established" and all that follows through "That section 8083" and inserting "Section 8083".

The Acting CHAIR. Pursuant to House Resolution 276, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment is straightforward. It simply seeks to repeal the authorization for the National Drug Intelligence Center which was included in the 1993 Defense Appropriations Act.

The NDIC is an entity that has received hundreds of millions of taxpayer dollars over the years. This is despite steady criticism that it has been ineffective at accomplishing its mission. This is a mission that has been described as duplicative and ought to be realigned elsewhere.

The Wall Street Journal noted on January 31, "Conservatives have argued the center is a waste of taxpayer money, and critics argue it has never fulfilled its promise to provide high-quality analysis of drug networks."

I have come to this floor many times, seeking to eliminate funding or to otherwise close the NDIC. However, reducing funding or ending funding for the NDIC has been far from a solo mission. Earlier this year, we voted in the CR debate to end funding for the NDIC.

According to Citizens Against Government Waste, President Bush proposed the termination of the NDIC in budget requests for fiscal years 2006, 2007 and 2008.

In 2006, a spokesman for the Department of Justice asserted that the resources of the NDIC should be "realigned to support priority counterterrorism and national security initiatives."

Even the current administration's Deputy Attorney General James Cole said that many of the center's functions can be performed elsewhere, as reported in "CQ Today" on February 14 of this year.

As I mentioned, during consideration of H.R. 1, 262 Members of this body voiced their opposition to the NDIC when they voted in favor of an amendment that I offered to strike funding in its entirety for fiscal year 2011. Yet the NDIC still received more than $34 million in fiscal year 2011, and stands to receive more in fiscal year 2012 unless we do something to stop it.

I reserve the balance of my time.

Mr. CRITZ. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. CRITZ. Mr. Chairman, right now, as we discuss the NDIC once again, I am concerned for the folks who are working at the NDIC, doing the great work, and am worried about them as their work and their jobs are, again, turned into a political football.

As the gentleman from Arizona has said, this is obviously not the first time that he has offered amendments or has offered legislation to close the NDIC. I am a reasonable human being, and at the vote that he referenced earlier this year, I sent Mr. FLAKE a note on February 22, asking him for the information that he was just citing. I want to do good things for this country, and if there had been duplicative functions and if the NDIC had not been doing the job that they tell me, I wanted to see that information. I did not receive any response to that February 22 information, so I then had my staff do research.

I found that some of the information being referenced was from a GAO report from April 1993. Some of the personal testimonies against the NDIC were from a gentleman who was fired and from another man who hadn't worked there for 16 years.

I then quantified/qualified what NDIC does, and noted that they are the only strategic drug threat assessment organization in the country. Many times, they're compared to the El Paso Intelligence Center, EPIC, which does tactical, ''tactical'' meaning that they have a 24-hour watch system that is prepared to respond quickly to requests from law enforcement. Many times, they're talked about as the ''fusion centers.'' Well, the fusion centers are operational. They support multi-jurisdictional investigations.

The NDIC is the only strategic drug intelligence center in the country. They offer strategic drug threat assessments, money laundering reporting, issue-based intelligence reports, support to the intelligence community and senior policymakers. They also have a product called DOMEX, Document and Media Exploitation Support.

What's interesting is that the prior amendment talked about the borders of Arizona and how important it was to secure them. DOMEX and the NDIC also have operations in Arizona, and according to the Phoenix DEA, they are doing an incredible job assisting and enhancing the Strike Force investigations being conducted here in Arizona.

The Arizona Attorney General's Office recently sent a letter to NDIC, stating, ''I wish to take this opportunity to express the appreciation of this office for all of the work NDIC has done in connection with the investigation of money laundering.''

Now, when talking about money laundering and the work the NDIC is doing, the money that is made illicitly through drugs also finds its way into illicit activity and terrorism as well, so the NDIC serves as the center where all the information comes in. They produce the reports and then ship them out to all the agencies. They eliminate redundancy. That's their whole mission.

In fact, on March 31 of this year, Donna Bucella, Assistant Commissioner of Office of Intelligence and Operations Coordination, testified before a Senate committee, and cited NDIC's participation in a weekly briefing, which includes over 290 participants, talking about the illicit drug trafficking across the world. They produce eight analytical mapping products each week that are a key centerpiece of the briefings in the teleconference.

In their budget request, the Department of Justice says that the NDIC ''facilitates the development of sound strategies, initiatives, policies, and regulations to counter threats, and promotes effective, intelligence-driven decision-making in support of the Attorney General's priorities.''

The NDIC is not duplicative. They've proven it time and time again. It is time we stopped rehashing information from the mid-1990s to eliminate this center.

Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. NADLER), a member of the Judiciary Committee.

The Acting CHAIR. The gentleman is recognized for 30 seconds.

Mr. NADLER. Mr. Chairman, nowhere in this bill is the National Drug Intelligence Center either authorized or funded at all. That was changed a few years ago. It used to be funded from DOD. It's now entirely funded and authorized in the Department of Justice. This amendment has no business in this bill. It ought to be in the authorization or in, perhaps, the appropriations bill for the Department of Justice.

The only reason that the parliamentarian might rule this germane is that the rule waives all points of order. Yet this should not be voted on. This should not be considered in this bill. It has nothing to do with this bill. It's authorized and appropriated in the Department of Justice bill.

□ 1930

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman from Arizona has 3 minutes remaining.

Mr. FLAKE. I yield myself the balance of my time.

Let me just say that two successive administrations, one Republican, one Democrat, have either called for eliminating or severely reducing the funding that goes to the NDIC because, as we have heard before, the programs are duplicative, wasteful. And there is no doubt that some good work goes on there. Nobody is disputing that. But there is also good work that goes on at the ONDCP or the DEA or other drug enforcement agencies or other agencies that have that as part of their portfolio.

That's the problem here. For years and years, we have been funding programs just because a particular powerful Member of this body or somebody sought an earmark or several earmarks or earmarks over a series of years to fund particular institutions or programs. That's what we have here. That's the legacy we are left with here. And we are simply trying to say enough is enough. We have got to save money somewhere. And if we can't do it with a program like this, where can we do it? When are we going to get serious about this debt and deficit that we have?

So that's what we're doing here. The reason we're doing it on this is because we're seeking to strike authorization. As we know, if we don't have authorization for a program, it's more difficult for that program to be funded. Believe me, we will be back in the appropriations process to go after this funding as well, but we thought we ought to go here. This was ruled in order. It is germane to the bill. And that's why we are here.

Let me just stress again, we have to get serious about this fiscal situation we are in. If we can't get serious about a program like this that's been called duplicative and wasteful, and two successive administrations, one Republican, one Democratic, have urged to either eliminate or severely reduce funding for, and yet Congress keeps coming back and providing far more money than the administration even wants for this because they know there are other programs, other agencies, other institutions that are doing this same work, if we can't save money here, I don't know where we're going to save it, Mr. Chairman.

So I would urge adoption of the amendment. Let's do something here for the taxpayer and something for our defense and intelligence and our anti-drug efforts by making sure that programs that are not effective end and that funding be placed elsewhere.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CRITZ. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 41 OFFERED BY MS. SCHAKOWSKY

The Acting CHAIR. It is now in order to consider amendment No. 41 printed in House Report 112–88.

Ms. SCHAKOWSKY. I would like to speak in favor of the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle F of title X, add the following new section:

SEC. 1068. FREEZE IN BUDGET OF DEPARTMENT OF DEFENSE UNTIL UNQUALIFIED AUDIT OPINIONS ACHIEVED.

(a) FREEZE.—

(1) IN GENERAL.—Unless and until the requirement specified in paragraph (2) is met for the entire Department of Defense, except as provided in subsection (b), the aggregate

amount of funds appropriated or otherwise made available for military functions administered by the Department of Defense (other than the functions excluded by subsection (c)) for a fiscal year may not exceed—

(A) in the case of fiscal year 2012, the aggregate amount of funds appropriated or otherwise made available for military functions administered by the Department of Defense (other than the functions excluded by subsection (b)) for fiscal year 2011; and

(B) in each fiscal year after fiscal year 2012, the aggregate amount of funds appropriated or otherwise made available for such functions for the previous fiscal year.

(2) REQUIREMENT FOR UNQUALIFIED AUDIT OPINION.—The requirement of this paragraph is that the Department of Defense (including every major Pentagon component and every major defense acquisition program of the Department) is certified by the Inspector General of the Department of Defense or an independent public accountant as achieving an unqualified audit opinion.

(b) WAIVER.—The President may waive subsection (a) with respect to a component or program of the Department if the President certifies that applying the subsection to that component or program would harm national security or members of the Armed Forces who are in combat.

(c) EXCLUSION OF OVERSEAS CONTINGENCY OPERATIONS AND MILITARY PERSONNEL PAY AND BENEFITS.—In determining the aggregate amount of funds appropriated or otherwise made available for military functions administered by the Department of Defense for fiscal year 2012 or any subsequent fiscal year for purposes of subsection (a), there shall be excluded all amounts appropriated or otherwise made available—

(1) in any supplemental appropriations Act; or

(2) in any general appropriations Acts for—

(A) overseas contingency operations;

(B) military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense, generally title I of the annual Department of Defense appropriations Act; and

(C) wounded warrior programs of the Department of Defense.

The Acting CHAIR. Pursuant to House Resolution 276, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Mr. Chairman, I yield myself as much time as I may consume.

For those who are interested in fiscal responsibility, this amendment would freeze Department of Defense spending until the Pentagon is able to pass an audit—able to pass an audit. This freeze could be waived by the President if it would harm our national security. And my amendment excludes spending for Wounded Warriors and defense personnel accounts as well as for overseas contingency operations.

Though defense spending currently accounts for over 20 percent of our Federal budget, DOD remains one of the few Federal agencies unable to pass an independent audit. This leaves the Pentagon vulnerable to serious waste and fraud. A recent GAO review of selected major weapons systems found that $70 billion had been lost through waste, mainly due to ''poor management and execution problems.'' Tens of billions more have been paid to fraudulent contractors.

I remember back in 2002, then-Secretary of Defense Rumsfeld admitted that he could not account for $2.3 trillion in Pentagon expenditures. For over two decades, the Pentagon has been under obligation to face an audit, and currently it must be auditable by September 2017. But recent status reports have raised serious concerns that this goal will not be met.

Waste and fraud in the Pentagon have serious consequences, both for our fiscal stability and our national security. My amendment provides a real incentive for the Pentagon finally to pass an audit. It is irresponsible to continue what Secretary Gates has called the gusher of defense spending without ensuring that we know where taxpayer dollars are going.

I believe this is a commonsense idea. It is also a bipartisan one. My amendment is very similar to a proposal that Senator COBURN made to the National Commission on Fiscal Responsibility and Reform on which I also served last year. It is a constitutional requirement that ''a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.'' Well, these are very difficult financial times, and we're faced with difficult choices and the prospect of cutting critical government programs. This accounting of funds has become more important than ever, including the Pentagon.

I yield 1 minute of my remaining time to the gentlewoman from California, BARBARA LEE.

Ms. LEE. Mr. Chair, I rise in strong support of this very commonsense amendment. And I want to thank my colleague, Congresswoman JAN SCHAKOWSKY, who has been such a strong leader on sensible and serious deficit reduction efforts.

This amendment is very similar to an amendment that I submitted to Rules. And I want to thank Congresswoman SCHAKOWSKY for continuing to move this forward, because it is just extremely important that the financial statements of the Defense Department be audited.

Where are our defense dollars going? We have no idea. Sadly, the Department of Defense Inspector General and the GAO have documented time and time again the Department's inability to answer this very basic question. Some of my colleagues may make the argument the Department of Defense is making so much progress on this issue in response to congressional engagement requiring the records to be audited by September 2017, but this is too late. Billions of dollars are going out of the door each month.

The American people deserve to know where our defense dollars are going. There can be no more blank checks and certainly no blank checkbook to be handed over to any President.

I thank the gentlelady for yielding and for this very commonsense amendment.

Mr. FORBES. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. FORBES. Mr. Chairman, first of all, I want to applaud the gentleladies for the amendment they have brought forward because they have hit a true problem with the Department of Defense. There is a statute requiring that the Department of Defense audit their financial records, and they have failed do that. They didn't do it in 2007, didn't do it in 2008, didn't do it in 2009, didn't do it in 2010. They are not going to do it this year. But this is part of a bigger problem.

Mr. Chairman, one of the things that we have got to do for the national defense of this country, first of all, is determine what the true threat assessment is without having budgetary influences. The independent panel that reviewed our QDR has said that they are very, very concerned that our QDR, our defense strategies, are dictated more by the budget than they are by risk assessments. And I am proud of the fact that the chairman and the ranking member have fought very hard to make sure in this bill they have moved us in that direction.

Secondly, we've got to determine the true cost of defending the country based on those risk assessments. And thirdly, we've got to determine what the risks are if we don't do it. And the fourth thing, as the gentlelady mentioned, we've got to know where our money is going, and right now we do not know that. But the unfortunate thing is this bill is just a bridge too far. It is a risky situation to begin cutting all of the funding from many of these operations and we are not cutting the missions.

While I agree with the gentlelady's concern and think we need to work towards it, I am proud of the work that we have done in this committee this year to move that forward. I can assure the gentlelady we are going to continue to work to hold DOD's feet to the fire and to make sure they're accountable for the dollars they spend. The American taxpayers deserve that.

But I hope we will reject this amendment because our men and women in uniform and the people of the United States also deserve to make sure we're doing everything possible to defend and protect this country, and I'm afraid this amendment would put that defense in jeopardy. For that reason, Mr. Chairman, I hope we will reject the amendment.

I reserve the balance of my time.

□ 1940

The Acting CHAIR. The gentlewoman from Illinois has 1½ minutes remaining.

Ms. SCHAKOWSKY. Mr. Chairman, it seems to me, since we agree, that the

problem is that the Pentagon has never explained where its money is going, and because there are waivers within this, that anything declared in need of national defense, and we certainly take care of our troops, will be excluded from the legislation, that it is time, finally. It's not just the last year, the year before, the year before that. It's been about 20 years before the Pentagon itself has explained where all the money goes.

And being such a huge part of our budget, it seems like now would be a good time, particularly because there are so many open doors left in this so that our national security and our troops are in no way jeopardized by my bill. I would really appreciate all of us being able to work together to make sure that the taxpayers know where this huge amount of money is going. The time is long overdue.

I reserve the balance of my time.

Mr. FORBES. May I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman from Virginia has 3 minutes remaining.

Mr. FORBES. Mr. Chairman, the gentlelady makes a good point, it is past time this happened, but this is a very risky thing to do.

One of the things, these waivers are limited. The second thing is, it's very difficult for the President to come in and make sure he is making all the appropriate waivers. This could jeopardize monies that we are spending for training, money that we are spending for modeling and simulation to forecast risk assessments that may hit the United States and where they hit the United States.

I think we need to be very, very careful before we come in with a sledge hammer and begin hitting all of this funding across the board, that we make sure that we recognize we have a problem. But the key for us, Mr. Chairman, is to make sure we are very, very deliberate and very careful about how we address that problem.

I think we have done it in this bill. I think we have done it in a bipartisan manner. It was 60–1 in the bill, and I think, Mr. Chairman, I hope that we will reject this avenue because I don't think we can afford to just go in and carte blanche cut off all the funding, as much as I may wish we could do that. I think it's dangerous for the American people and for the defense of the country. I hope, once again, we will defeat the amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. May I ask how much time remains?

The Acting CHAIR. The gentlewoman from Illinois has 30 seconds remaining.

Ms. SCHAKOWSKY. Vote ''yes.''

I yield back the balance of my time.

Mr. FORBES. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The amendment was rejected.

AMENDMENT NO. 42 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 42 printed in House Report 112–88.

Mr. SMITH of Washington. I have an amendment at the desk.

Mr. MCKEON. I ask unanimous consent that the debate time for consideration of amendment No. 42 be expanded by 10 minutes and that such time shall be equally divided and controlled by the gentleman from Washington (Mr. SMITH) and myself.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 456, line 13, insert before the period at the end the following: '', except for the purpose of prosecuting such individual in a United States court''.

Page 456, starting on line 14, strike subsection (b) and insert the following:

(b) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who is not a citizen of the United States or a member of the Armed Forces.

Page 456, after line 23, insert the following:

(c) TRANSFER LIMITATION.—During fiscal year 2012, the Secretary of Defense may not use any of the amounts authorized to be appropriated in this Act or otherwise available to the Department of Defense to transfer any individual described in subsection (b) to the United States, its territories, or possessions, until 45 days after the President has submitted to the congressional defense committees the plan described in subsection (d).

(d) COMPREHENSIVE PLAN REQUIRED.—The President shall submit to the congressional defense committees a plan for the disposition of each individual described in subsection (b) who is proposed to be transferred to the United States, its territories, or possessions. Such plan for each individual shall include, at a minimum—

(1) an assessment of the risk that the individual described in subsection (b) poses to the national security of the United States, its territories, or possessions;

(2) a proposal for the disposition of each such individual;

(3) the measures to be taken to mitigate any risks described in paragraph (1);

(4) the location or locations at which the individual will be held under the proposal for disposition required by paragraph (2);

(5) the costs associated with executing the plan, including technical and financial assistance required to be provided to State and local law enforcement agencies, if necessary, to carry out the plan;

(6) a summary of the consultation required in subsection (e); and

(7) a certification by the Attorney General that under the plan the individual poses little or no security risk to the United States, its territories, or possessions.

(e) CONSULTATION REQUIRED.—The President shall consult with the chief executive of the State, the District of Columbia, or the territory or possession of the United States to which the disposition in subsection (d)(2) includes transfer to that State, District of Columbia, or territory or possession.

The Acting CHAIR. Pursuant to House Resolution 276, and the previous order, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

This amendment has to do with whether or not to try anyone in Guantanamo or any non-U.S. citizen captured abroad going forward in Article 3 courts in the United States. The underlying legislation prohibits anyone currently at Guantanamo or anyone who would be brought there in the future and, for that matter, any non-U.S. citizen captured abroad from being tried in Article 3 courts.

This really grew out of the larger debate over whether or not to close Guantanamo Bay. But one thing I want to make clear, you can support my amendment even if you believe that Guantanamo Bay should remain open. Now, I don't. I believe that we should close it, that we should handle those terrorists, whether we handle them by military commission, by Article 3 court, or by indefinite detention, that they should not be held at Guantanamo. But you can still hold Guantanamo Bay open and support my amendment.

What my amendment says is we want to make sure that Article 3 courts are still a possibility for trying these terrorists. The main problem I have with the underlying bill is it takes that possibility off the table and requires either a military commission or indefinite detention, and I think that is a bad and dangerous policy.

Now, we have to understand that we have already tried and convicted over 400 international terrorists in our Federal courts, in our Article 3 courts. As we sit here right now, or as I stand here right now, we have over 300 convicted terrorists being held in prisons in the United States. There is no question that we can do this, no question that we can do it safely. By going in this bill and taking off the table the option of Article 3 courts, all we are doing is we are tying the hands of our Department of Justice and our President as they seek ways to bring terrorists to justice and take them off the battlefield.

Right now we have over 170 inmates at Guantanamo Bay. We don't know what to do with a fair number of them for a variety of different reasons. That undermines our ability to fight the terrorism threat that we are trying to confront. It doesn't help it. So I ask simply that we give the President all the tools in his toolbox.

I support military commissions. I support indefinite detention. In certain instances that's going to be necessary, but I also support our Article 3 courts that have over 200 years of history, that are some of the most respected courts in the world for their ability to bring swift and fair justice to all criminals.

We should not undermine our President's ability to make use of those courts in prosecuting our fight against

the terrorists and, therefore, I urge you to support this amendment.

I will add one thing, actually. In my amendment, if the President is going to bring people from Guantanamo Bay to be tried here in Article 3 courts, he does have to notify Congress. He does have to establish that he feels that can be done in that particular case safely and fairly. It does require that. But I think more than anything it gives the President the option of Article 3 courts, which he needs in order to properly prosecute the war against terrorism.

I reserve the balance of my time.

Mr. MCKEON. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Washington is recognized for 10 minutes.

Mr. MCKEON. I yield myself such time as I may consume.

My good friend and colleague, Ranking Member SMITH, and I and our staffs and others have been working together for a long time to try to come to agreement, and we have come to agreement on many points of this bill, but there are a few little differences here.

His amendment would be a change and a weakening of existing law regarding restrictions relating to Guantanamo detainees. The National Defense Authorization Act of the year 2011, last year, prohibited the transfer of Guantanamo detainees to the United States, prohibited certain detainee transfers to countries overseas and prohibited the construction or modification of facilities in the United States to house Guantanamo detainees. Ranking Member Smith amendment's would relax all of these restrictions. His amendment would allow Guantanamo detainees and other detainees to be transferred to the United States to face prosecution.

I share his goal of seeking justice for victims of terrorism. However, I disagree that it's necessary to bring detainees to the United States to do so.

I feel strongly that many Guantanamo detainees and other law of war detainees overseas should be prosecuted in the military commission system instead of bringing them into the United States. We currently have multimillion-dollar facilities ready to try detainees for their war crimes at Guantanamo that are sitting empty.

Additionally, Guantanamo detainees who already have habeas protection would likely be granted further constitutional rights if brought onto U.S. soil. I strongly oppose Ranking Member SMITH's amendment. There is no need to bring Guantanamo or other law of war detainees into the United States.

And with our increasing concerns relating to the recidivist rates and activities of Guantanamo detainees, there is also no reason to loosen restrictions on transferring detainees overseas to countries where they are likely to return to the fight and threaten our men and women in uniform, U.S. citizens, or the U.S. homeland.

I strongly oppose this amendment.

I reserve the balance of my time.

□ 1950

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks).

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of the amendment offered by my colleague and the ranking member, Mr. SMITH of Washington, to strike language in the bill concerning the transfer of detainees to U.S. soil for prosecution.

Mr. Chairman, simply put, this amendment does not require that detainees be transferred to U.S. soil. It simply allows a range of options for prosecution of terror suspects and supports our most sacred national values.

As currently written, this legislation ties our hands at a crucial time in Gitmo's history. It's important to note that, as of today, over 400 terrorism convictions have occurred in U.S. Federal courts since 9/11. Prosecuting terrorists in the U.S. is just one of many options, including military commissions and detainee transfers, which must be available in order to bring these terrorists to justice.

Now, a ''yes'' vote for the amendment is a vote for our national values, for due process, and for leaving all our prosecutorial options on the table when dealing with the world's most hardened terrorists.

Again, I want to thank the gentleman from Washington for his thoughtful amendment. Again, this does not require that detainees be transferred to U.S. soil. It just leaves that potential option on the table if the President so deems that that would be an option that should be exercised.

Mr. MCKEON. I yield 2 minutes to my friend and colleague, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I think the bottom line here is that the American people have made their views on this subject quite clear, and their views are they do not want Guantanamo terrorists brought here to our homeland. And that view has been reflected in legislation that was passed even in an overwhelmingly Democratic Congress during the last term.

And I would suggest that there are good reasons that the American people feel that way, that they don't want terrorists brought here to our homeland. Part of that reason, I would suggest, is that the administration has not done a lot to promote confidence in its ability to handle these situations. They come up with one plan, they get criticism, and they back off. It's back and forth. And so we have had needless delays ever since this administration has been in office because, frankly, they have been inept when it comes to having a plan that deals with terrorists that the American people can trust.

Now, maybe if we had a different history there could be some greater confidence in giving greater options, as the gentleman wants to do, or to having some other possibilities. But we cannot rewrite history, and the trust is simply not there.

Instead, what we have are some rather petulant comments by the Attorney General saying that, well, they still want to close Guantanamo and they still want to try them in Article 3 courts even though the law is the other way and the opinion of the American people is clearly the other way. So I believe that the current law that we had in last year's bill should be the same policy for next year.

I do think it's important to point out that this only applies to the coming fiscal year. This is not a forever thing. But this does continue the ban on bringing terrorists here to our homeland for the coming fiscal year. If you're given the history of where we've been and where we are, that's what the American people want.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Mr. Chairman, this amendment is not about closing Guantanamo. As was said before, it does not demand the closing of Guantanamo. It does say that detainees, whether they're held at Guantanamo or held somewhere else, can come to the United States if the administration decides that they should be tried in a regular court or can be tried in the military court at Guantanamo or presumably even in a military court somewhere else.

We keep talking about terrorists. Some of these people are terrorists. Some are accused of being terrorists and are not. Some were simply picked up by some rival group in Afghanistan and sold for $5,000 for a bounty to American troops and labeled as terrorists. And it may be that the prosecuting authorities, that the military authorities decide that it will be better justice or for the convenience of the Armed Forces to have this person tried in a regular court. Now, we know that the regular courts have convicted 470, I think, terrorists; whereas, the military courts have convicted all of five or six.

We also know that the statutory underpinnings of the military courts are under challenge and will be under challenge in front of the courts and that anyone convicted there is probably going to go for years before that conviction is affirmed by the Supreme Court. So it may very well be that in some or many cases or a few cases it makes sense from justice and from operational efficiency to try people in a regular court as we have done since the Declaration of Independence.

That's what the gentleman's amendment does. It gives the executive

branch the power, the discretion, and the authority to make intelligent decisions. We can all agree or disagree whether the current or next administration makes intelligent decisions. That's what political debate is about. But we shouldn't tie their hands. We should let them use military tribunals; although, I hope they do that very sparingly. We should let them use Article 3 courts as American tradition and justice would normally dictate, and we should stand on our Constitution and our traditions of due process. And, therefore, I support the amendment.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Illinois (Mr. SCHILLING).

Mr. SCHILLING. Thank you, Chairman.

I oppose this amendment for a very simple but serious reason. This amendment seeks to loosen the prohibition on detainee transfers from Guantanamo into the United States. I must strongly oppose it.

The amendment would permit the President to commence detainee transfers merely by producing a plan and receiving certification from the Attorney General. It gives Congress no authority to alter or disapprove such a plan once submitted. This is fundamentally no different from the state of affairs that existed in 2009 when President Obama and Attorney General Holder created a fiasco by trying to bring Khalid Sheikh Mohammed to New York for trial.

By seeking to strike section 1037, this amendment would also pave the way for transfer of detainees to military bases inside of the United States prior to prosecution or civilian facilities like Thompson prison, which is in my home State of Illinois.

There is no reason to bring detainees to the United States of America. I have been to Guantanamo, and the detention facilities there are state-of-the-art facilities. They are safe and humane.

I want to thank our soldiers who stand guard day and night with the worst of the worst.

Mr. SMITH of Washington. Mr. Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I assume we universally share the view that we want those who have committed acts of terrorism against innocent people be brought to justice. And we have entrusted that responsibility to prosecutors in the military, the Justice Department, and to our intelligence community. This amendment lets those prosecutors do their job unimpeded by judgments that we are making without all the facts.

If this amendment doesn't pass, the underlying bill says to those prosecutors, even if you think, as has been the case with over 400 other suspects convicted in Article 3 courts, that an Article 3 trial is the right thing to do, you may not do it. It says to those prosecutors, even if you think live testimony from a Guantanamo detainee in a criminal court in this country in someone else's trial will help you win a conviction, you may not do it. Even if you think that we could gain standing with allies by having such a person tried in another jurisdiction, it would achieve a better result for our country and for an alliance against terrorism, you may not make that choice.

Congress should set broad policy for our country. We should not Monday morning quarterback or backseat drive. By limiting the options of our prosecutors, I believe that's what we're doing, and we are risking the undesired and ironic result that will make it more difficult for those with whom we've entrusted this task to achieve the goal of bringing these people to justice.

Mr. SMITH's amendment is well considered. It broadens the options of those prosecutors and, I think, hastens the day when those who deserve to be brought to justice will, in fact, be brought to justice.

I urge a ''yes'' vote on Mr. SMITH's amendment.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Virginia (Mr. WITTMAN).

NOTICE

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1673. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Residential Clothes Dryers and Room Air Conditioners [Docket Number: EERE-2007-BT-STD-0010] (RIN: 1904-AA89) received April 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1674. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Obstetrical and Gynecological Devices; Classification of the Hemorrhoid Prevention Pressure Wedge [Docket No.: FDA-2011-N-0118] received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1675. A letter from the Chairman, Broadcasting Board of Governors, transmitting a report providing information on U.S.-funded international broadcasting efforts in Iran pursuant to the requirements of Section 1264 of the National Defense Authorization Act; to the Committee on Foreign Affairs.

1676. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2010 through January 31, 2011 pursuant to Section 620C(c) of the Foreign Assistance Act of 1961 as amended; to the Committee on Foreign Affairs.

1677. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report concerning proposed amendments to parts 120 and 124 of the International Traffic in Arms Regulations (ITAR), promulgated pursuant to the Arms Export Control Act, 22 U.S.C. Section 2778 et seq; to the Committee on Foreign Affairs.

1678. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Protective Regulations for Killer Whales in the Northwest Region Under the Endangered Species Act and Marine Mammal Protection Act [Docket No.: 070821475-91169-02] (RIN: 0648-AV15) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1679. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 101029427-0609-02] (RIN: 0648-XA301) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1680. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA319) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1681. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30776; Amdt. No. 3420] received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1682. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Creighton, NE [Docket No.: FAA-2010-1170; Airspace Docket No. 10-ACE-13] received May, 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1683. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule —

Amendment of Class E Airspace; West Yellowstone, MT [Docket No.: FAA-2010-1209; Airspace Docket No. 10-ANM-10] received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1684. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kahului, HI [Docket No.: FAA-2010-1233; Airspace Docket No. 10-AWP-21] received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1685. A letter from the Administrator, Environmental Protection Agency, transmitting the Environmental Protection Agency (EPA)'s Report on the Great Lakes Ecosystem to Congress as required by Section 118 of the Clean Water Act; to the Committee on Transportation and Infrastructure.

1686. A letter from the President and Chief Executive Officer, National Railroad Passenger Corporation, transmitting Amtrak's Fiscal Year 2012 General and Legislative Annual Report pursuant to Section 24315(b) of Title 49 U.S. Code and the ''Consolidated Appropriations Act, 2010'' (P.L. 111-117); to the Committee on Transportation and Infrastructure.

1687. A letter from the Deputy Chief Counsel, Regulations and Security Standards, Department of Homeland Security, transmitting the Department's final rule — Reporting of Security Issues [Docket No.: TSA-2009-0014; Amendment No. 1503-4] (RIN: 1652-AA66) received April 15, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BACHUS: Committee on Financial Services. H.R. 1315. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer financial Protection, with an amendment (Rept. 112–89). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. STARK (for himself, Mr. COURTNEY, Mr. PAULSEN, Mr. TIBERI, Mr. CROWLEY, Mr. MCDERMOTT, Mr. RANGEL, Mr. HERGER, and Mr. REICHERT):

H.R. 1978. A bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 1979. A bill to amend title 10, United States Code, to expand eligibility for concurrent receipt of military retired pay and veterans' disability compensation to include additional chapter 61 disability retirees, to coordinate eligibility for combat-related special compensation and concurrent receipt, to eliminate the reduction of SBP survivor annuities by dependency and indemnity compensation, and to enhance the ability of members of the reserve components who serve on active duty or perform active service to receive credit for such service in determining eligibility for early receipt of nonregular service retired pay; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUNYAN (for himself, Mr. WALZ of Minnesota, Mr. GUINTA, Mr. LOBIONDO, Mr. LANCE, Mr. GRIMM, Ms. RICHARDSON, Mr. BACHUS, Mrs. DAVIS of California, Mrs. ELLMERS, Mr. FLORES, Mr. KING of New York, Mrs. MCMORRIS RODGERS, Mr. CONAWAY, Mr. BARTLETT, Mr. KISSELL, Mr. GARAMENDI, Mr. TURNER, Mr. CRITZ, Mr. GARRETT, Mr. YOUNG of Indiana, Mr. ISRAEL, Mr. PALLONE, Mr. MCKEON, Mr. GRIFFIN of Arkansas, Mr. ROE of Tennessee, Mr. WILSON of South Carolina, and Mr. MCCOTTER):

H.R. 1980. A bill to authorize the Gold Star Mothers National Monument Foundation to establish a national monument in the District of Columbia; to the Committee on Natural Resources.

By Mr. SMITH of Texas (for himself and Ms. WASSERMAN SCHULTZ):

H.R. 1981. A bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses; to the Committee on the Judiciary.

By Mr. REICHERT (for himself and Mr. THOMPSON of California):

H.R. 1982. A bill to provide a Federal tax exemption for forest conservation bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts (for himself, Mr. ROHRABACHER, Mr. STARK, and Mr. POLIS):

H.R. 1983. A bill to provide for the rescheduling of marijuana and for the medical use of marijuana in accordance with the laws of the various States; to the Committee on Energy and Commerce.

By Mr. POLIS (for himself, Mr. STARK, Mr. PAUL, and Mr. FRANK of Massachusetts):

H.R. 1984. A bill to amend title 31, United States Code, to allow States to certify a business as legitimate for purposes of a financial institution's suspicious activity reporting requirements, facilitate unambiguous compliance of such businesses with State law, and provide regulatory relief for financial institutions; to the Committee on Financial Services.

By Mr. STARK (for himself, Mr. ROHRABACHER, Mr. POLIS, Mr. PAUL, and Mr. FRANK of Massachusetts):

H.R. 1985. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for expenses in connection with the trade or business of selling marijuana intended for patients for medical purposes pursuant to State law; to the Committee on Ways and Means.

By Mr. DAVIS of Kentucky (for himself, Mr. CHANDLER, Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. YARMUTH, Mr. GUTHRIE, Mr. BOUSTANY, and Mr. SCALISE):

H.R. 1986. A bill to exempt the natural aging process in the determination of the production period for distilled spirits under section 263A of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. ACKERMAN:

H.R. 1987. A bill to amend the Securities Investor Protection Act of 1970 to provide insurance coverage for certain indirect investors caught in Ponzi schemes, and for other purposes; to the Committee on Financial Services.

By Mrs. DAVIS of California (for herself and Ms. SCHWARTZ):

H.R. 1988. A bill to amend the Internal Revenue Code of 1986 to extend the qualifying therapeutic discovery project credit; to the Committee on Ways and Means, and in addition to the Committees on Appropriations, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 1989. A bill to withdraw certain Federal lands and interests located in Pima and Santa Cruz counties, Arizona, from the mining and mineral leasing laws of the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1990. A bill to expand the boundary of Saguaro National Park, to study additional land for future adjustments to the boundary of the Park, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1991. A bill to direct the Secretary of the Interior to take lands in Yuma County, Arizona, into trust as part of the reservation of the Cocopah Tribe of Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA:

H.R. 1992. A bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to transfer the credit for electricity produced from renewable resources; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Ms. BERKLEY, and Mr. MCKINLEY):

H.R. 1993. A bill to amend the Internal Revenue Code of 1986 to modify timing rules for determining gross income with respect to certain construction contracts; to the Committee on Ways and Means.

By Mr. HOLT (for himself, Mr. WU, and Mr. TONKO):

H.R. 1994. A bill to improve foreign language instruction; to the Committee on Education and the Workforce.

By Mr. LOEBSACK (for himself, Mr. BOSWELL, Mr. WAXMAN, Mr. BRALEY of Iowa, and Mr. COURTNEY):

H.R. 1995. A bill to establish an Office of Specialized Instructional Support in the Department of Education and to provide grants to State educational agencies to reduce barriers to learning; to the Committee on Education and the Workforce.

By Mrs. LUMMIS (for herself, Mr. BISHOP of Utah, Mr. THOMPSON of Pennsylvania, Mr. SIMPSON, Mr. CHAFFETZ, Mr. YOUNG of Alaska, Mr. TIPTON, Mr. DENHAM, Mr. CONAWAY, Mr. REHBERG, Mr. COFFMAN of Colorado, Mr. FRANKS of Arizona, Mr. NUNES, Mrs. NOEM, Mr. LAMBORN, Mr. DUNCAN of Tennessee, Mr. PEARCE, Mr. HERGER, and Mr. FLAKE):

H.R. 1996. A bill to amend titles 5 and 28, United States Code, with respect to the award of fees and other expenses in cases brought against agencies of the United States, to require the Administrative Conference of the United States to compile, and make publically available, certain data relating to the Equal Access to Justice Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of Florida (for himself, Mr. ROSS of Arkansas, Mr. LATTA, and Mr. SHULER):

H.R. 1997. A bill to amend the Land and Water Conservation Fund Act of 1965 to ensure that amounts are made available for

projects to provide recreational public access, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 1998. A bill to amend the District of Columbia Home Rule Act to permit the District of Columbia to impose a tax on income earned as a professional athlete by nonresidents of the District; to the Committee on Oversight and Government Reform.

By Mr. TURNER:

H.R. 1999. A bill to provide procedures for the selection of the Commandant of the Air Force Institute of Technology, and for other purposes; to the Committee on Armed Services.

By Mrs. McMORRIS RODGERS:

H. Con. Res. 55. Concurrent resolution disapproving of the participation of the United States in the provision by the International Monetary Fund of a multibillion dollar funding package for the European Union, until the member states of the European Union comply with the economic requirements of membership in the European Union; to the Committee on Financial Services.

By Mr. DREIER:

H. Res. 278. A resolution electing Chaplain of the House of Representatives; considered and agreed to.

By Mr. CHANDLER:

H. Res. 279. A resolution raising awareness of the risk of internal bleeding for patients taking anti-coagulant drugs; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

24. The SPEAKER presented a memorial of the Senate of the State of Arizona, relative to Concurrent Resolution No. 2002 urging the United States Congress to take immediate action to delist the gray wolf from the Endangered Species Act; to the Committee on Natural Resources.

25. Also, a memorial of the Senate of the State of Arizona, relative to Concurrent Resolution No. 1007 urging the Secretary of the United States Department of the Interior to refrain from withdrawing Arizona lands from new mining claims and exploration; to the Committee on Natural Resources.

26. Also, a memorial of the Senate of the State of Arizona, relative to Concurrent Resolution No. 1005 urging the United States Congress to pass on October 1, 2011, an amendment to the United States Constitution requiring a balanced budget; to the Committee on the Judiciary.

27. Also, a memorial of the Senate of the State of Arizona, relative to Concurrent Resolution No. 1024 urging that the Members of the Legislature support the continued sovereignty and jurisdiction of the states to regulate intrastate water resources and oppose any attempt by the federal government to diminish this jurisdiction unnecessarily; to the Committee on Transportation and Infrastructure.

28. Also, a memorial of the Senate of the State of Arizona, relative to Concurrent Resolution No. 1008 urging the United States Congress and appropriate federal government agencies to fully support and fund a federal flood control project for the Lower Santa Cruz River watershed in Pinal County, Arizona; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. STARK:

H.R. 1978.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. ANDREWS:

H.R. 1979.

Congress has the power to enact this legislation pursuant to the following:

''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.''

By Mr. RUNYAN:

H.R. 1980.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the Constitution

By Mr. SMITH of Texas:

H.R. 1981.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. REICHERT:

H.R. 1982.

Congress has the power to enact this legislation pursuant to the following:

''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Mr. FRANK of Massachusetts:

H.R. 1983.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. POLIS:

H.R. 1984.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. STARK:

H.R. 1985.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

By Mr. DAVIS of Kentucky:

H.R. 1986.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. ACKERMAN:

H.R. 1987.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause

Art. 1

Sec. 8

Clause 3

By Mrs. DAVIS of California:

H.R. 1988.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GRIJALVA:

H.R. 1989.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to the power of Congress to provide for the general welfare of the United States), and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GRIJALVA:

H.R. 1990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to the power of Congress to provide for the general welfare of the United States), Clause 3 (relating to the power to regulate commerce among the several states), and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GRIJALVA:

H.R. 1991.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to the power of Congress to provide for the general welfare of the United States), Clause 3 (relating to the power to regulate commerce among the several states), and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. GRIJALVA:

H.R. 1992.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to the power of Congress to provide for the general welfare of the United States), Clause 3 (relating to the power to regulate commerce among the several states), and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HERGER:

H.R. 1993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. HOLT:

H.R. 1994.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Mr. LOEBSACK:

H.R. 1995.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mrs. LUMMIS:

H.R. 1996.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MILLER of Florida:

H.R. 1997.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8.

By Ms. NORTON:

H.R. 1998.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. TURNER:

H.R. 1999.

Congress has the power to enact this legislation pursuant to the following:

Military Regulation: Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

Necessary and Proper Regulations to Effectuate Powers: Article I, Section 8, Clause 18 The Congress shall have Power * * * To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. ALTMIRE.
H.R. 63: Mr. ISRAEL.
H.R. 64: Mr. GRIJALVA, Mr. COSTELLO, Mr. FILNER, Ms. SCHAKOWSKY, and Mr. SHERMAN.
H.R. 66: Mr. MILLER of North Carolina and Mr. SIRES.
H.R. 328: Ms. LEE of California.
H.R. 373: Mr. SCHOCK.
H.R. 402: Mr. LIPINSKI, Mr. HOLT, and Mr. SIRES.
H.R. 420: Mr. TIPTON, Mr. AUSTRIA, Mr. WALBERG, Mr. RUNYAN, Mr. NUNES, and Mr. BOUSTANY.
H.R. 432: Mr. BLUMENAUER.
H.R. 440: Mr. JOHNSON of Ohio and Mr. KILDEE.
H.R. 452: Mr. GUINTA, Mr. WHITFIELD, Ms. LINDA T. SÁNCHEZ of California, and Mr. SOUTHERLAND.
H.R. 459: Mr. TIBERI.
H.R. 595: Mr. JOHNSON of Ohio.
H.R. 603: Mr. PAYNE.
H.R. 604: Mr. PAYNE.
H.R. 607: Mr. DOGGETT.
H.R. 645: Mr. BOUSTANY and Mr. AUSTRIA.
H.R. 672: Mr. COFFMAN of Colorado.
H.R. 679: Mr. SIRES.
H.R. 680: Mr. GIBBS.
H.R. 683: Mr. RUSH.
H.R. 706: Mrs. LOWEY.
H.R. 709: Ms. ROYBAL-ALLARD and Mr. LUJÁN.
H.R. 718: Mr. KINZINGER of Illinois, Mr. GIBSON, Ms. CLARKE of New York, Mr. BACHUS, Mr. ALTMIRE, Mr. HEINRICH, Mr. SESSIONS, and Mr. LOEBSACK.
H.R. 719: Mr. WITTMAN and Mr. CRAVAACK.
H.R. 725: Mr. JOHNSON of Ohio, Mr. KUCINICH, Mr. LATTA, Mr. TIBERI, Mr. JORDAN, Mr. CHABOT, and Mr. STIVERS.
H.R. 733: Ms. CLARKE of New York.
H.R. 735: Mr. LABRADOR and Ms. JENKINS.
H.R. 805: Mr. JONES.
H.R. 812: Mr. CONNOLLY of Virginia, Ms. HIRONO, Mr. ALTMIRE, and Mr. MCNERNEY.
H.R. 814: Mr. BISHOP of New York.
H.R. 822: Mr. SCHRADER and Mr. FINCHER.
H.R. 855: Mr. HIMES.
H.R. 860: Mr. WILSON of South Carolina, Mr. ISRAEL, Mr. LARSEN of Washington, and Mr. WITTMAN.
H.R. 886: Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. GOHMERT, and Mr. PITTS.
H.R. 890: Mr. COBLE, Ms. SCHWARTZ, Mr. MCCOTTER, Mr. WEINER, Ms. BROWN of Florida, Mr. TOWNS, Mr. ENGEL, Mrs. BLACKBURN, and Mr. CANSECO.
H.R. 894: Mr. TIERNEY.
H.R. 895: Mr. GRIFFIN of Arkansas.
H.R. 949: Mr. MORAN.
H.R. 972: Mr. COBLE.
H.R. 1041: Mr. ROKITA, Mr. ROGERS of Alabama, Mr. LYNCH, and Ms. PINGREE of Maine.
H. R. 1058: Mr. KING of Iowa, Mr. DANIEL E. LUNGREN of California, Ms. HERRERA Beutler, Mr. CULBERSON, and Mr. LUETKEMEYER.
H.R. 1075: Mr. CULBERSON, Mr. LAMBORN, and Mr. FLEMING.
H.R. 1090: Mr. LOEBSACK.
H.R. 1106: Ms. ZOE LOFGREN of California.
H.R. 1121: Mr. KLINE.
H.R. 1173: Mr. ROSS of Florida.
H.R. 1181: Mr. WITTMAN.
H.R. 1182: Mr. HERGER, Mr. SENSENBRENNER, Mr. CANSECO, and Mr. MCHENRY.
H.R. 1186: Mr. GRIFFIN of Arkansas.
H.R. 1204: Mr. SARBANES, Ms. NORTON, Ms. HIRONO, and Ms. ZOE LOFGREN of California.
H.R. 1206: Mr. JOHNSON of Ohio.
H.R. 1211: Mr. BROUN of Georgia.
H.R. 1236: Mr. MICHAUD, Mr. UPTON, and Ms. PINGREE of Maine.
H.R. 1259: Mr. CARTER, Mr. WITTMAN, Mr. GINGREY of Georgia, and Mr. PAUL.
H.R. 1262: Mr. ELLISON and Mr. QUIGLEY.
H.R. 1265: Mr. LUJÁN.
H.R. 1269: Mr. CONNOLLY of Virginia, Ms. FUDGE, Ms. WASSERMAN SCHULTZ, and Mr. BERMAN.
H.R. 1283: Mr. HECK.
H.R. 1288: Mr. Bartlett, Mr. ANDREWS, Ms. ROYBAL-ALLARD, Mr. ROHRABACHER, Mr. KISSELL, and Mr. NEAL.
H.R. 1297: Mrs. MCCARTHY of New York.
H.R. 1327: Mr. ROSS of Arkansas.
H.R. 1330: Mr. KING of New York.
H.R. 1351: Mr. REYES, Mr. RANGEL, and Ms. BERKLEY.
H.R. 1354: Mr. SIRES.
H.R. 1370: Mrs. BLACK.
H.R. 1386: Mr. RYAN of Ohio, Mr. SARBANES, Mr. JACKSON of Illinois, Mr. BACA, Mr. BARROW, Ms. MOORE, Mr. DOYLE, Mr. RUNYAN, Mr. LUJÁN, Ms. MCCOLLUM, Mr. CARSON of Indiana, and Mr. FILNER.
H.R. 1391: Mr. SCHOCK, Mr. CUELLAR, Mr. AUSTRIA, and Mr. CAMP.
H.R. 1417: Mr. FARR, Mr. HIMES, and Ms. PINGREE of Maine.
H.R. 1418: Mr. LATOURETTE.
H.R. 1459: Mr. COBLE.
H.R. 1462: Mr. PAYNE.
H.R. 1465: Ms. FUDGE.
H.R. 1475: Mr. QUIGLEY.
H.R. 1479: Mr. MCKINLEY and Mr. LARSON of Connecticut.
H.R. 1485: Mrs. LUMMIS.
H.R. 1489: Ms. WATERS and Ms. FUDGE.
H.R. 1498: Mrs. LOWEY, Mr. RIVERA, and Mrs. NOEM.
H.R. 1499: Mr. LUETKEMEYER.
H.R. 1546: Mr. ALTMIRE and Ms. LORETTA SANCHEZ of California.
H.R. 1578: Mr. CRITZ.
H.R. 1639: Mr. WITTMAN.
H.R. 1656: Mr. PASCRELL, Mr. RUNYAN, and Mr. COURTNEY.
H.R. 1683: Mr. CASSIDY.
H.R. 1723: Mr. BURTON of Indiana, Mr. HARRIS, and Ms. GRANGER.
H.R. 1732: Mr. SIRES.
H.R. 1735: Mr. BLUMENAUER and Mr. FARR.
H.R. 1736: Mr. HOLDEN, Ms. NORTON, and Mrs. MILLER of Michigan.
H.R. 1741: Mr. BILBRAY.
H.R. 1744: Mr. DAVIS of Kentucky and Mrs. BLACK.
H.R. 1748: Mr. MICHAUD.
H.R. 1754: Ms. ESHOO and Mr. GALLEGLY.
H.R. 1755: Mr. GRAVES of Missouri, Mr. WALBERG, Mr. NEUGEBAUER, and Mr. ROGERS of Michigan.
H.R. 1805: Mr. POLIS, Ms. SCHAKOWSKY, Ms. JACKSON LEE of Texas, Mr. SCOTT of Virginia, and Ms. RICHARDSON.
H.R. 1815: Mr. COOPER.
H.R. 1817: Mr. POLIS.
H.R. 1839: Mr. ROSS of Arkansas and Mr. WELCH.
H.R. 1842: Ms. ESHOO and Ms. CASTOR of Florida.
H.R. 1848: Mr. WESTMORELAND.
H.R. 1852: Mr. TIBERI, Ms. ESHOO, Mr. RANGEL, and Mr. CRENSHAW.
H.R. 1856: Mr. GOWDY and Mr. POE of Texas.
H.R. 1864: Mr. GOWDY, Mr. CHAFFETZ, and Mr. SESSIONS.
H.R. 1878: Mr. TOWNS.
H.R. 1897: Ms. LORETTA SANCHEZ of California, Mr. ROSS of Arkansas, Mr. FRANK of Massachusetts, Mr. RYAN of Ohio, Mrs. MALONEY, Mr. BARROW, Ms. MOORE, Mr. GERLACH, Mr. RUNYAN, and Mr. FILNER.
H.R. 1901: Mr. LEWIS of Georgia, Mr. SIRES, and Ms. BROWN of Florida.
H.R. 1906: Mr. KLINE and Mr. ROE of Tennessee.
H.R. 1912: Mr. FILNER and Ms. SEWELL.
H.R. 1917: Mr.YOUNG of Alaska.
H.R. 1936: Mr. ROSS of Arkansas.
H.R. 1939: Mr. BARTON of Texas.
H.R. 1941: Mr. KIND, Mrs. MALONEY, Mr. CRITZ, and Mr. WEST.
H.R. 1964: Mr. FORTENBERRY, Mr. HUIZENGA of Michigan, and Mr. WITTMAN.
H.J. Res. 42: Mr. AUSTRIA and Mr. MCCAUL.
H. Con. Res. 25: Mr. SHUSTER.
H. Res. 19: Mr. ELLISON.
H. Res. 25: Mr. ENGEL and Mr. PERLMUTTER.
H. Res. 134: Mr. DANIEL E. LUNGREN of California.
H. Res. 137: Mr. TERRY.
H. Res. 241: Mr. LABRADOR.
H. Res. 254: Mr. MCCOTTER.
H. Res. 256: Mr. HONDA.
H. Res. 262: Ms. SPEIER and Mr. HONDA.
H. Res. 270: Mr. ROONEY, Mr. LANCE, Mr. NUNNELEE, and Mr. MCKINLEY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 1194, to renew the authority of the Secretary of

Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.