

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1540

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## AN ACT

To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “National Defense Au-  
 5 thorization Act for Fiscal Year 2012”.

6 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**  
 7 **CONTENTS.**

8        (a) DIVISIONS.—This Act is organized into four divi-  
 9 sions as follows:

10            (1) Division A—Department of Defense Au-  
 11 thorizations.

12            (2) Division B—Military Construction Author-  
 13 izations.

14            (3) Division C—Department of Energy Na-  
 15 tional Security Authorizations and Other Authoriza-  
 16 tions.

17            (4) Division D—Funding Tables.

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

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

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**1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

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

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

6 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

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

11 **Subtitle B—Army Programs**

12 **SEC. 111. LIMITATION ON RETIREMENT OF C-23 AIRCRAFT.**

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

16 (1) 11 shall be available for the active compo-  
17 nent of the Army;

18 (2) 4 shall be available for training operations;  
19 and

20 (3) 22 shall be available for domestic operations  
21 in the continental United States.

22 (b) LIMITATION ON RETIREMENT.—The Secretary of  
23 the Army may not retire (or prepare to retire) any C-  
24 23 aircraft or keep any such aircraft in a status consid-  
25 ered excess to the requirements of the possessing com-

1 mand and awaiting disposition instructions until the date  
2 that is one year after the date on which each report under  
3 subsection (c)(2), (d)(2), and (e)(2) has been received by  
4 the congressional defense committees.

5 (c) AIRLIFT STUDY AND REPORT.—

6 (1) STUDY.—The Director of the National  
7 Guard Bureau, in consultation with the Chief of  
8 Staff of the Army, the Chief of Staff of the Air  
9 Force, the Commander of the United States North-  
10 ern Command, the Commander of the United States  
11 Pacific Command, and the Administrator of the  
12 Federal Emergency Management Agency, shall con-  
13 duct a study to determine the number of fixed-wing  
14 and rotary-wing aircraft required to support the fol-  
15 lowing missions at low, medium, moderate, high, and  
16 very-high levels of operational risk:

17 (A) Homeland defense.

18 (B) Contingency response.

19 (C) Natural disaster-related response.

20 (D) Humanitarian response.

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

24 (d) FLEET VIABILITY ASSESSMENT.—

1           (1) ASSESSMENT.—The Secretary of the Army,  
2           in coordination with the Director of the Fleet Viabil-  
3           ity Board of the Air Force, shall conduct a fleet via-  
4           bility assessment with respect to C-23 aircraft.

5           (2) REPORT.—The Secretary shall submit to  
6           the congressional defense committees a report con-  
7           taining the assessment under paragraph (1).

8           (e) GAO SUFFICIENCY REVIEW.—

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

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

18 **SEC. 112. LIMITATION ON PROCUREMENT OF STRYKER**

19 **COMBAT VEHICLES.**

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

1           (b) WAIVER.—The Secretary of the Army may waive  
2 the limitation under subsection (a) if the Secretary sub-  
3 mits to the congressional defense committees written cer-  
4 tification by the Assistant Secretary of the Army for Ac-  
5 quisition, Technology, and Logistics that—

6           (1) there are validated needs of the Army re-  
7 quiring the waiver;

8           (2) all Stryker combat vehicles required to fully  
9 equip the nine Stryker brigades and to meet other  
10 validated requirements regarding the vehicle have  
11 been procured or placed on contract for procure-  
12 ment;

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

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



1 **SEC. 113. MULTIYEAR PROCUREMENT AUTHORITY FOR AIR-**  
2 **FRAMES FOR ARMY UH-60M/HH-60M HELI-**  
3 **COPTERS AND NAVY MH-60R/MH-60S HELI-**  
4 **COPTERS.**

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

13 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-  
14 MENTS.—A contract entered into under subsection (a)  
15 shall provide that any obligation of the United States to  
16 make a payment under the contract for a fiscal year after  
17 fiscal year 2012 is subject to the availability of appropria-  
18 tions for that purpose for such later fiscal year.

19 **Subtitle C—Navy Programs**

20 **SEC. 121. MULTIYEAR FUNDING FOR DETAIL DESIGN AND**  
21 **CONSTRUCTION OF LHA REPLACEMENT SHIP**  
22 **DESIGNATED LHA-7.**

23 Section 111(a) of the Ike Skelton National Defense  
24 Authorization Act for Fiscal Year 2011 (Public Law 111-  
25 383; 124 Stat. 4152) is amended by striking “and 2012”  
26 and inserting “, 2012, and 2013”.

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

3 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—  
4 Notwithstanding paragraphs (1) and (7) of section  
5 2306b(i) of title 10, United States Code, the Secretary  
6 of the Navy may enter into a multiyear contract, begin-  
7 ning with the fiscal year 2012 program year, for the pro-  
8 curement of DDG–51 Arleigh Burke-class destroyers and  
9 Government-furnished equipment associated with such de-  
10 stroyers.

11 (b) **REPORT OF FINDINGS.**—

12 (1) **IN GENERAL.**—Not later than 30 days be-  
13 fore the date on which a contract is awarded under  
14 subsection (a), the Secretary shall submit to the con-  
15 gressional defense committees a report on such con-  
16 tract containing the findings required under sub-  
17 section (a) of section 2306b of title 10, United  
18 States Code, including the analysis described in  
19 paragraph (2) of this subsection.

20 (2) **DETERMINATION OF SUBSTANTIAL SAV-**  
21 **INGS.**—In conducting an analysis of substantial sav-  
22 ings pursuant to subsection (a)(1) of such section  
23 2306b, the Secretary shall employ a full-scale anal-  
24 ysis of the anticipated cost avoidance resulting from  
25 the use of multiyear procurement and the potential  
26 benefit that any accrued savings might have to fu-

1        ture shipbuilding programs if such savings are used  
2        for further ship construction.

3        (c) **CONDITION OF OUT-YEAR CONTRACT PAY-**  
4 **MENTS.**—A contract entered into under subsection (a)  
5 shall provide that any obligation of the United States to  
6 make a payment under the contract is subject to the avail-  
7 ability of appropriations for that purpose.

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

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

17        (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
18 **MENTS.**—A contract entered into under subsection (a)  
19 shall provide that any obligation of the United States to  
20 make a payment under the contract for a fiscal year after  
21 fiscal year 2012 is subject to the availability of appropria-  
22 tions for that purpose for such later fiscal year.

1 **SEC. 124. SEPARATE PROCUREMENT LINE ITEM FOR CER-**  
2 **TAIN LITTORAL COMBAT SHIP MISSION MOD-**  
3 **ULES.**

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

12 (b) **FORM.**—The Secretary shall ensure that any clas-  
13 sified components of covered modules not included in a  
14 procurement line item under subsection (a) shall be in-  
15 cluded in a classified annex.

16 (c) **COVERED MODULE.**—In this section, the term  
17 “covered module” means, with respect to mission modules  
18 of the Littoral Combat Ship, the following modules:

- 19 (1) Surface warfare.  
20 (2) Mine countermeasures.  
21 (3) Anti-submarine warfare.

1 **SEC. 125. LIFE-CYCLE COST-BENEFIT ANALYSIS ON ALTER-**  
2 **NATIVE MAINTENANCE AND SUSTAINABILITY**  
3 **PLANS FOR THE LITTORAL COMBAT SHIP**  
4 **PROGRAM.**

5 (a) COST-BENEFIT ANALYSIS.—The Secretary of the  
6 Navy shall conduct a life-cycle cost-benefit analysis, in ac-  
7 cordance with the Office of Management and Budget Cir-  
8 cular A–94, comparing alternative maintenance and sus-  
9 tainability plans for the Littoral Combat Ship program.

10 (b) REPORT.—At the same time that the budget of  
11 the President is submitted to Congress under section  
12 1105(a) of title 31, United States Code, for fiscal year  
13 2013, the Secretary of the Navy shall submit to the con-  
14 gressional defense committees a report on the cost-benefit  
15 analysis conducted under subsection (a).

16 **SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR F/**  
17 **A-18 SERVICE LIFE EXTENSION PROGRAM.**

18 None of the funds authorized to be appropriated by  
19 this Act or otherwise made available for fiscal year 2012  
20 or any fiscal year thereafter for a program to extend the  
21 service life of F/A–18 aircraft beyond 8,600 hours may  
22 be obligated or expended until the date that is 30 days  
23 after the date on which the Secretary of the Navy submits  
24 to the congressional defense committees the report under  
25 section 114(a)(2) of the Ike Skelton National Defense Au-

1 thorization Act for Fiscal Year 2011 (Public Law 111–  
2 383; 124 Stat. 4155).

3 **SEC. 127. FORD-CLASS AIRCRAFT CARRIER PROCUREMENT.**

4 (a) IN GENERAL.—Subject to the availability of ap-  
5 propriations for such purpose, the Secretary of the Navy  
6 may enter into multiyear contracts for the start of major  
7 construction of the Ford-class aircraft carriers designated  
8 CVN 79 and CVN 80 and for the construction of major  
9 components, modules, or other structures related to such  
10 carriers.

11 (b) REQUIREMENTS.—In carrying out this section,  
12 the Secretary of the Navy may—

13 (1) enter into contracts under subsection (a) in  
14 a manner that the Secretary determines will result  
15 in the lowest cost to the United States given the var-  
16 iability of shipyard industrial capacity and other fac-  
17 tors; and

18 (2) enter into contracts with the prime con-  
19 tractor chosen for major fabrication and construc-  
20 tion of the vessels or directly with other contractors  
21 to supply materiel and equipments for the construc-  
22 tion of the vessels in such a manner as to as to re-  
23 duce cost to the United States of such materiel and  
24 equipments by purchasing in economic order quan-  
25 tities.

1           (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**  
2 **MENTS.**—A contract entered into under subsection (a)  
3 shall provide that any obligation of the United States to  
4 make a payment under the contract for a fiscal year after  
5 fiscal year 2012 is subject to the availability of appropria-  
6 tions for that purpose for such later fiscal year.

7           (d) **OTHER AUTHORITY.**—Section 121(a) of the John  
8 Warner National Defense Authorization Act for Fiscal  
9 Year 2007 (Public Law 109–364; 120 Stat. 2104) is  
10 amended by striking “three fiscal years” and inserting  
11 “four fiscal years”.

## 12           **Subtitle D—Air Force Programs**

### 13           **SEC. 131. B-1 BOMBER FORCE STRUCTURE.**

14           (a) **REQUIREMENTS.**—

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

17                       (A) may not retire more than six B–1 air-  
18 craft;

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

21                       (C) shall maintain in a common capability  
22 configuration a primary aircraft inventory of  
23 not less than 56 such aircraft, a backup aircraft  
24 inventory of not less than 2 such aircraft, and

1 an attrition reserve aircraft inventory of not  
2 less than 2 such aircraft; and

3 (D) may not keep any such aircraft re-  
4 ferred to in subparagraph (C) in a status con-  
5 sidered excess to the requirements of the pos-  
6 sessing command and awaiting disposition in-  
7 structions.

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

13 (A) January 1, 2018; and

14 (B) the date as of which a long-range  
15 strike replacement bomber aircraft with equal  
16 or greater capability than the B-1 model air-  
17 craft has attained initial operational capability  
18 status.

19 (b) DEFINITIONS.—In this section:

20 (1) The term “primary aircraft inventory”  
21 means aircraft assigned to meet the primary aircraft  
22 authorization to—

23 (A) a unit for the performance of its war-  
24 time mission;



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

4 (C) a test unit for testing of the aircraft  
5 or its components for purposes of research, de-  
6 velopment, test and evaluation, operational test  
7 and evaluation, or to support testing programs;  
8 or

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

11 (2) The term “backup aircraft inventory”  
12 means aircraft above the primary aircraft inventory  
13 used to facilitate scheduled and unscheduled depot  
14 level maintenance, modifications, inspections, and re-  
15 pairs, and certain other mitigating circumstances,  
16 without reduction of aircraft available for the as-  
17 signed mission.

18 (3) The term “attrition reserve aircraft inven-  
19 tory” means aircraft required to replace anticipated  
20 losses of primary aircraft inventory because of  
21 peacetime accidents or wartime attrition.

22 **SEC. 132. PROCUREMENT OF ADVANCED EXTREMELY HIGH**  
23 **FREQUENCY SATELLITES.**

24 (a) CONTRACT AUTHORITY.—

1           (1) IN GENERAL.—The Secretary of the Air  
2 Force may procure two advanced extremely high fre-  
3 quency satellites by entering into a fixed-price con-  
4 tract. Such procurement may also include—

5                   (A) material and equipment in economic  
6 order quantities when cost savings are achiev-  
7 able; and

8                   (B) cost reduction initiatives.

9           (2) USE OF INCREMENTAL FUNDING.—With re-  
10 spect to a contract entered into under paragraph (1)  
11 for the procurement of advanced extremely high fre-  
12 quency satellites, the Secretary may use incremental  
13 funding for a period not to exceed five fiscal years.

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

22           (b) LIMITATION OF COSTS.—

23                   (1) LIMITATION.—Except as provided by sub-  
24 section (c), and excluding amounts described in  
25 paragraph (2), the total amount obligated or ex-

1        pended for the procurement of two advanced ex-  
2        tremely high frequency satellites authorized by sub-  
3        section (a) may not exceed \$3,100,000,000.

4            (2) EXCLUSION.—The amounts described in  
5        this paragraph are amounts associated with the fol-  
6        lowing:

7                    (A) Plans.

8                    (B) Technical data packages.

9                    (C) Post-delivery and program support  
10        costs.

11        (c) WAIVER AND ADJUSTMENT TO LIMITATION  
12        AMOUNT.—

13            (1) WAIVER.—In accordance with paragraph  
14        (2), the Secretary may waive the limitation in sub-  
15        section (b)(1) if the Secretary submits to the con-  
16        gressional defense committees written notification of  
17        the adjustment made to the amount set forth in  
18        such subsection.

19            (2) ADJUSTMENT.—Upon waiving the limita-  
20        tion under paragraph (1), the Secretary may adjust  
21        the amount set forth in subsection (b)(1) by the fol-  
22        lowing:

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

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

5           (C) The amounts of increases or decreases  
6           in costs of the satellites that are attributable to  
7           insertion of new technology into an advanced  
8           extremely high frequency satellite, as compared  
9           to the technology built into such a satellite pro-  
10          cured prior to fiscal year 2012, if the Secretary  
11          determines, and certifies to the congressional  
12          defense committees, that insertion of the new  
13          technology is—

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

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

19          (d) REPORT.—Not later than 30 days after the date  
20          on which the Secretary awards a contract under sub-  
21          section (a), the Secretary shall submit to the congressional  
22          defense committees a report on such contract, including  
23          the following:

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

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

3           (3) The total contract value.

4           (4) The funding profile by year.

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

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

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

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

19                   (C) the objectives for each such activity or  
20 subprogram and the criteria used by the Sec-  
21 retary to determine which such activity or sub-  
22 program to fund;

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

1 (E) the process for determining how and  
2 when such activities and subprograms would  
3 transition to an existing program or be estab-  
4 lished as a new program of record.

5 **Subtitle E—Joint and Multiservice**  
6 **Matters**

7 **SEC. 141. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT**  
8 **FUND.**

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

19 (b) MONTHLY OBLIGATIONS AND EXPENDITURE RE-  
20 PORTS.—Not later than 15 days after the end of each  
21 month of fiscal year 2012, the Secretary of Defense shall  
22 provide to the congressional defense committees a report  
23 on the Joint Improvised Explosive Device Defeat Fund ex-  
24 plaining monthly commitments, obligations, and expendi-  
25 tures by line of action.

1 **SEC. 142. CONTRACTS FOR COMMERCIAL IMAGING SAT-**  
2 **ELLITE CAPACITIES.**

3 Section 127 of the Ike Skelton National Defense Au-  
4 thorization Act for Fiscal Year 2011 (Public Law 111-  
5 383; 124 Stat. 4161; 10 U.S.C. 2302 note) is repealed.

6 **SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR AC-**  
7 **QUISITION OF JOINT TACTICAL RADIO SYS-**  
8 **TEM.**

9 (a) LIMITATION.—Of the funds authorized to be ap-  
10 propriated by this Act or otherwise made available for fis-  
11 cal year 2012 for other procurement, Army, for covered  
12 programs of the joint tactical radio system, not more than  
13 70 percent may be obligated or expended until the date  
14 on which the Secretary of the Army submits to the con-  
15 gressional defense committees written certification that  
16 the acquisition strategy for the full-rate production of cov-  
17 ered programs of such radio system includes full and open  
18 competition (as defined in section 2302(3)(D) of title 10,  
19 United States Code) that includes commercially developed  
20 systems that the Secretary determines are qualified with  
21 respect to successful testing by the Army and certification  
22 by the National Security Agency.

23 (b) LRIP.—The limitation under subsection (a) shall  
24 not apply to the low-rate initial production of covered pro-  
25 grams.

1 (c) COVERED PROGRAMS.—In this section, the term  
2 “covered programs” means, with respect to the joint tac-  
3 tical radio system, the following:

4 (1) The ground mobile radio.

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

6 **SEC. 144. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
7 **AVIATION FOREIGN INTERNAL DEFENSE**  
8 **PROGRAM.**

9 (a) LIMITATION.—Of the funds authorized to be ap-  
10 propriated by this Act or otherwise made available for fis-  
11 cal year 2012 for the procurement of fixed-wing non-  
12 standard aviation aircraft in support of the aviation for-  
13 eign internal defense program, not more than 50 percent  
14 may be obligated or expended until the date that is 30  
15 days after the date on which the Commander of the United  
16 States Special Operations Command submits the report  
17 under subsection (b)(1).

18 (b) REPORT REQUIRED.—

19 (1) REPORT.—Not later than January 15,  
20 2012, the Commander of the United States Special  
21 Operations Command shall submit to the congres-  
22 sional defense committees a report on the aviation  
23 foreign internal defense program.

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



1 (A) The results of an analysis of alter-  
2 natives and efficiencies review conducted prior  
3 to fiscal year 2012 with respect to a contract  
4 awarded for the aviation foreign internal de-  
5 fense program.

6 (B) An explanation of plans or business-  
7 case analyses justifying new procurements rath-  
8 er than leased platforms, including an expla-  
9 nation of any efficiencies and savings.

10 (C) A comprehensive strategy outlining  
11 and justifying the overall projected growth of  
12 the aviation foreign internal defense program to  
13 satisfy the increased requirements of the com-  
14 manders of the geographic combatant com-  
15 mands.

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

19 (3) FORM.—The report under paragraph (1)  
20 shall be submitted in unclassified form, but may in-  
21 clude a classified annex.

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

24 Of the funds authorized to be appropriated by this  
25 Act or otherwise made available for fiscal year 2012 for

1 the procurement of a commercial satellite by the Director  
2 of the Defense Information Systems Agency or the Sec-  
3 retary of the Air Force, not more than 20 percent may  
4 be obligated or expended until the date that is 30 days  
5 after the date on which the Secretary of Defense submits  
6 to the congressional defense committees an independent  
7 assessment of the analysis of alternatives for the procure-  
8 ment of such satellite, including—

9           (1) an assessment of why noncommercial sat-  
10 ellites owned and operated by the Federal Govern-  
11 ment would not meet the needs of the Department  
12 of Defense;

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

15           (3) a cost-benefit comparison of such alter-  
16 natives;

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

22           (5) mitigation measures, including estimated  
23 cost impacts, for such risks and vulnerabilities com-  
24 pared under paragraph (4); and

1 (6) any other matters the Secretary considers  
2 appropriate.

3 **SEC. 146. PROCUREMENT OF TENTS OR OTHER TEM-**  
4 **PORARY STRUCTURES.**

5 (a) IN GENERAL.—In procuring tents or other tem-  
6 porary structures for use by the Armed Forces, and in  
7 establishing or maintaining an alternative source for such  
8 tents and structures, the Secretary of Defense shall award  
9 contracts that provide the best value to the United States.  
10 In determining the best value to the United States under  
11 this section, the Secretary shall consider the total life-cycle  
12 costs of such tents or structures, including the costs asso-  
13 ciated with any equipment or fuel needed to heat or cool  
14 such tents or structures.

15 (b) INTERAGENCY PROCUREMENT.—The require-  
16 ments of this section shall apply to any agency or depart-  
17 ment of the United States that procures tents or other  
18 temporary structures on behalf of the Department of De-  
19 fense.

20 **SEC. 147. SEPARATE PROCUREMENT LINE ITEM FOR NON-**  
21 **LETHAL WEAPONS FUNDING.**

22 In the budget materials submitted to the President  
23 by the Secretary of Defense in connection with the submis-  
24 sion to Congress, pursuant to section 1105 of title 31,  
25 United States Code, of the budget for fiscal year 2013,

1 and each subsequent fiscal year, the Secretary shall ensure  
2 that within each military department procurement ac-  
3 count, a separate, dedicated procurement line item is des-  
4 ignated for non-lethal weapons.

5 **SEC. 148. STUDY ON DOMESTIC CAPACITY FOR MANUFAC-**  
6 **TURE OF SHIP SHAFTS AND OTHER FORGED**  
7 **COMPONENTS.**

8 The Secretary of Defense shall conduct a study to  
9 measure the domestic capacity in accordance with the De-  
10 fense Acquisition Regulations System to manufacture ship  
11 shafts and other forged components used by surface and  
12 sub-surface vessels of the Navy.

13 **TITLE II—RESEARCH, DEVELOP-**  
14 **MENT, TEST, AND EVALUA-**  
15 **TION**

16 **Subtitle A—Authorization of**  
17 **Appropriations**

18 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

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

1 **Subtitle B—Program Requirements, Restrictions, and Limitations**  
2 **ments, Restrictions, and Limitations**  
3 **tions**

4 **SEC. 211. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
5 **THE GROUND COMBAT VEHICLE PROGRAM.**

6 Of the funds authorized to be appropriated by this  
7 Act or otherwise made available for fiscal year 2012 for  
8 research, development, test, and evaluation, Army, for the  
9 ground combat vehicle program, not more than 70 percent  
10 may be obligated or expended until the date on which the  
11 Secretary of the Army submits to the congressional de-  
12 fense committees a report containing an updated analysis  
13 of alternatives, including a quantitative analysis, of such  
14 program that compares the vehicle survivability, force pro-  
15 tection, mobility, and other key capabilities of—

16 (1) each alternative to the ground combat vehi-  
17 cle, including the upgraded Bradley fighting vehicle  
18 that was included in the original analysis of alter-  
19 natives of such program; and

20 (2) the revised ground combat vehicle design  
21 concept.

22 **SEC. 212. LIMITATION ON THE INDIVIDUAL CARBINE PRO-**  
23 **GRAM.**

24 (a) **LIMITATION.**—Notwithstanding any other provi-  
25 sion of law, and except as provided by subsection (b), the

1 individual carbine program may not receive Milestone C  
2 approval (as defined in section 2366(e)(8) of title 10,  
3 United States Code) until the date on which the Secretary  
4 of the Army submits to the congressional defense commit-  
5 tees an analysis of alternatives of such program, including,  
6 at a minimum, comparisons of the capabilities and costs  
7 of—

8           (1) commercially available weapon systems as of  
9           the date of the analysis, including complete weapon  
10          systems and kits to apply to existing weapon sys-  
11          tems; and

12          (2) weapon systems that are fielded as of the  
13          date of the analysis that include any required im-  
14          provements.

15          (b) WAIVER AUTHORITY.—The Secretary of Defense  
16          may waive the limitation under subsection (a) if the Sec-  
17          retary submits to the congressional defense committees  
18          written certification that the waiver is in the national secu-  
19          rity interests of the United States because such limitation  
20          is delaying the fielding of capabilities that address urgent  
21          operational needs with respect to combat theaters of oper-  
22          ations.

1 **SEC. 213. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **OHIO-CLASS BALLISTIC MISSILE SUBMARINE**  
3 **REPLACEMENT PROGRAM.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) On May 13, 2010, the President submitted  
6 to Congress the report required under section 1251  
7 of the National Defense Authorization Act for Fiscal  
8 Year 2010 (Public Law 111–84; 123 Stat. 2549)  
9 that stated, “The Secretary of Defense, based on  
10 recommendations from the Joint Chiefs of Staff, has  
11 established a baseline nuclear force structure that  
12 fully supports U.S. security requirements and con-  
13 forms to the New START limits. . . The United  
14 States will reduce the number of SLBM launchers  
15 (launch tubes) from 24 to 20 per SSBN, and deploy  
16 no more than 240 SLBMs at any time.”.

17 (2) On January 10, 2011, the Under Secretary  
18 of Defense for Acquisition, Technology, and Logis-  
19 tics issued an acquisition decision memorandum for  
20 the Ohio-class submarine replacement program  
21 whereby the Navy received Milestone A approval to  
22 proceed with a replacement design based on 16 mis-  
23 sile tubes.

24 (3) Consistent with the reductions and limita-  
25 tions established in the New START Treaty, which  
26 entered into force on February 5, 2011, more than

1 two-thirds of the deployed nuclear deterrent force of  
2 the United States are planned to be carried on bal-  
3 listic missile submarines.

4 (4) The Commander of the United States Stra-  
5 tegic Command testified on March 2, 2011, that,  
6 “The issue of the number of tubes is not a simple  
7 black and white answer,” but rather it is comprised  
8 of several issues including, “the overall number of  
9 tubes we wind up with at the end. . . flexibility and  
10 options with how many warheads per missile per  
11 tube. . . the overall number of boats. . . and many  
12 other factors.”. He further stated that, “Sixteen  
13 [missile tubes per submarine] will meet  
14 STRATCOM’s requirements, given that we are sit-  
15 ting here 20 years in advance.”.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that—

18 (1) the long-term ability of the United States to  
19 maintain a nuclear force sufficient to address the  
20 range of mission requirements necessary to deter,  
21 dissuade, and defeat potential adversaries and as-  
22 sure allies and partners must not be comprised sole-  
23 ly on the basis of the promise of potential cost sav-  
24 ings resulting from the decision of the Secretary of  
25 Defense to reduce the planned number of missile



1 tubes per Ohio-class ballistic missile submarine from  
2 24 to 16; and

3 (2) because the planned Ohio-class replacement  
4 ballistic submarine is expected to be in operation  
5 through 2080, near-term design decisions should  
6 take into consideration uncertainties in the future  
7 threat and strategic environment.

8 (c) LIMITATION.—

9 (1) IN GENERAL.—Of the funds authorized to  
10 be appropriated by this Act or otherwise made avail-  
11 able for fiscal year 2012 for research, development,  
12 test, and evaluation, Navy, for the Ohio-class bal-  
13 listic submarine replacement program, not more  
14 than 90 percent may be obligated or expended until  
15 the date on which the Secretary of Defense submits  
16 to the congressional defense committees a report  
17 containing—

18 (A) a summary of the analysis conducted  
19 to support the acquisition decision memo-  
20 randum, including any assessment of the threat  
21 and strategic environment and mission require-  
22 ments that informed the decision to reduce the  
23 planned number of missile tubes per submarine  
24 from 20 (as stated in the report submitted to  
25 Congress under section 1251 of the National

1 Defense Authorization Act for Fiscal Year 2010  
2 (Public Law 111–84; 123 Stat. 2549)) to 16  
3 (as stated in the acquisition decision memo-  
4 randum);

5 (B) a description of the threat and stra-  
6 tegic environment assumed by the Secretary  
7 throughout the expected operational lifetime of  
8 the program, including how the Secretary would  
9 address significant changes to such threat and  
10 strategic environment;

11 (C) a description of any other assumptions  
12 made by the Secretary throughout the expected  
13 operational lifetime of the program that pro-  
14 vides the rationale of the Secretary to reduce  
15 the planned number of missile tubes per sub-  
16 marine to 16, including assumptions regard-  
17 ing—

18 (i) changes in nuclear policy and  
19 strategy;

20 (ii) changes in the role of ballistic  
21 missile submarines as a part of the overall  
22 nuclear forces of the United States; and

23 (iii) further nuclear reductions, wheth-  
24 er conducted under an international agree-  
25 ment or unilaterally;

1 (D) an identification of key risks to mis-  
2 sions or requirements that may be increased be-  
3 cause of the Secretary's decision to reduce the  
4 planned number of missile tubes per submarine  
5 to 16, including whether the Secretary plans to  
6 accept or mitigate such risks; and

7 (E) a summary of the rigorous cost com-  
8 parison of the designs for 16 missile tubes per  
9 submarine and 20 missile tubes per submarine,  
10 consistent with the direction provided in the ac-  
11 quisition decision memorandum, including the  
12 accuracy of the cost estimate of the procure-  
13 ment cost of each submarine.

14 (2) FORM.—The report under paragraph (1)  
15 shall be submitted in unclassified form, but may in-  
16 clude a classified annex.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “acquisition decision memo-  
19 randum” means the acquisition decision memo-  
20 randum regarding the Ohio-class submarine replace-  
21 ment program issued by the Under Secretary of De-  
22 fense for Acquisition, Technology, and Logistics on  
23 January 10, 2011.

24 (2) The term “New START Treaty” means the  
25 Treaty between the United States of America and

1 the Russian Federation on Measures for the Further  
2 Reduction and Limitation of Strategic Offensive  
3 Arms, signed on April 8, 2010, and entered into  
4 force on February 5, 2011.

5 **SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
6 **AMPHIBIOUS ASSAULT VEHICLES OF THE MA-**  
7 **RINE CORPS.**

8 (a) LIMITATION.—Except as provided by subsection  
9 (d), none of the funds authorized to be appropriated by  
10 this Act or otherwise made available for fiscal year 2012  
11 for procurement, Marine Corps, or research, development,  
12 test, and evaluation, Navy, may be obligated or expended  
13 for the amphibious programs described in subsection (c)  
14 until the date on which the Secretary of the Navy, in co-  
15 ordination with the Commandant of the Marine Corps,  
16 submits to the congressional defense committees a report  
17 containing—

18 (1) written certification of the requirements for  
19 amphibious assault vehicles of the Marine Corps,  
20 based on the needs of the commanders of the com-  
21 batant commands, relating to—

22 (A) the distance from the shore needed to  
23 begin an amphibious assault; and

1 (B) the speed at which the vehicle must  
2 travel in order to reach the shore in the time  
3 required for such assault; and

4 (2) the analysis of alternatives conducted under  
5 subsection (b)(1).

6 (b) ANALYSIS OF ALTERNATIVES.—

7 (1) ANALYSIS.—The Secretary of the Navy, in  
8 coordination with the Commandant of the Marine  
9 Corps, shall conduct an analysis of alternatives of  
10 the amphibious assault vehicles described in para-  
11 graph (2). With respect to such vehicles, such anal-  
12 ysis shall include—

13 (A) comparisons of the capabilities and  
14 total lifecycle ownership costs (including costs  
15 with respect to research, development, test, and  
16 evaluation, procurement, and operation and  
17 maintenance); and

18 (B) an analysis of cost and operational ef-  
19 fectiveness prepared by a federally funded re-  
20 search and development center.

21 (2) AMPHIBIOUS ASSAULT VEHICLES DE-  
22 SCRIBED.—The amphibious assault vehicles de-  
23 scribed in this paragraph are amphibious assault ve-  
24 hicles that—

1 (A) meet the requirements described in  
2 subsection (a)(1), including—

3 (i) an upgraded assault amphibious  
4 vehicle 7A1;

5 (ii) the expeditionary fighting vehicle;

6 and

7 (iii) a new amphibious combat vehicle;

8 and

9 (B) include at least one vehicle that is ca-  
10 pable of accelerating until the vehicle moves  
11 along the top of the water (commonly known as  
12 “getting up on plane”) and at least one vehicle  
13 that is not capable of such acceleration.

14 (c) AMPHIBIOUS PROGRAMS DESCRIBED.—The am-  
15 phibious programs described in this subsection are the fol-  
16 lowing:

17 (1) The assault amphibious vehicle 7A1, pro-  
18 gram element 206623M.

19 (2) The Marine Corps assault vehicle, program  
20 element 603611M.

21 (3) The termination of the expeditionary fight-  
22 ing vehicle program.

23 (d) AAV781 IMPROVEMENT PROGRAM.—The limita-  
24 tion in subsection (a) shall not apply to funds made avail-

1 able before the date of the enactment of this Act for the  
2 procurement of an assault amphibious vehicle 7A1 with—

3 (1) survivability upgrades under the surviv-  
4 ability product improvement program;

5 (2) other necessary survivability capabilities  
6 that are in response to urgent operational needs; or

7 (3) interior upgrades that provide increased  
8 support and survivability to members of the Armed  
9 Forces.

10 **SEC. 215. LIMITATION ON OBLIGATION OF FUNDS FOR THE**  
11 **PROPULSION SYSTEM FOR THE F-35 LIGHT-**  
12 **NING II AIRCRAFT PROGRAM.**

13 (a) LIMITATION.—None of the funds authorized to  
14 be appropriated by this Act or otherwise made available  
15 for fiscal year 2012 for the propulsion system for the F-  
16 35 Lightning II aircraft program may be obligated or ex-  
17 pended for performance improvements to such propulsion  
18 system unless the Secretary of Defense ensures the com-  
19 petitive development and production of such propulsion  
20 system.

21 (b) PERFORMANCE IMPROVEMENT DEFINED.—In  
22 this section, the term “performance improvement”, with  
23 respect to the propulsion system for the F-35 Lightning  
24 II aircraft program, means an increase in fan or core en-  
25 gine airflow volume or maximum thrust in military or

1 afterburner settings for the primary purpose of improving  
2 the takeoff performance or vertical load bring back of such  
3 aircraft. The term does not include development or pro-  
4 curement improvements with respect to weight, acquisition  
5 costs, operations and support costs, durability, manufac-  
6 turing efficiencies, observability requirements, or repair  
7 costs.

8 **SEC. 216. LIMITATION ON OBLIGATION OF FUNDS FOR**  
9 **JOINT REPLACEMENT FUZE PROGRAM.**

10 Of the funds authorized to be appropriated by this  
11 Act or otherwise made available for fiscal year 2012 for  
12 research, development, test, and evaluation, Air Force, for  
13 the joint replacement fuze program for nuclear warheads  
14 of the Navy and the Air Force, not more than 75 percent  
15 may be obligated or expended until the date on which the  
16 Secretary of Defense submits to the congressional defense  
17 committees a report on the feasibility of such program.

18 **SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
19 **THE JOINT SPACE OPERATIONS CENTER**  
20 **MANAGEMENT SYSTEM.**

21 (a) SENSE OF CONGRESS.—It is the sense of Con-  
22 gress that—

23 (1) improvements to the space situational  
24 awareness and space command and control capabili-  
25 ties of the United States are necessary; and



1           (2) the traditional defense acquisition process is  
2           not optimal for developing the services-oriented ar-  
3           chitecture and net-centric environment planned for  
4           the Joint Space Operations Center management sys-  
5           tem.

6           (b) LIMITATION.—None of the funds authorized to  
7           be appropriated by this Act or otherwise made available  
8           for fiscal year 2012 for research, development, test, and  
9           evaluation, Air Force, for release one of the Joint Space  
10          Operations Center management system may be obligated  
11          or expended until the date on which the Secretary of the  
12          Air Force and the Under Secretary of Defense for Acquisi-  
13          tion, Technology, and Logistics jointly submit to the con-  
14          gressional defense committees the acquisition strategy for  
15          such management system, including—

16                (1) a description of the acquisition policies and  
17                procedures applicable to such management system;  
18                and

19                (2) a description of any additional acquisition  
20                authorities necessary to ensure that such manage-  
21                ment system is able to implement a services-oriented  
22                architecture and net-centric environment for space  
23                situational awareness and space command and con-  
24                trol.

1 **SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **WIRELESS INNOVATION FUND.**

3 Of the funds authorized to be appropriated by this  
4 Act or otherwise made available for fiscal year 2012 for  
5 the wireless innovation fund within the Defense Advanced  
6 Research Projects Agency, not more than 10 percent may  
7 be obligated or expended until the date that is 30 days  
8 after the date on which the Under Secretary of Defense  
9 for Acquisition, Technology, and Logistics submits to the  
10 congressional defense committees a report on how such  
11 fund will be managed and executed, including—

12 (1) a concept of operation for how such fund  
13 will operate, particularly with regards to supporting  
14 the interagency community;

15 (2) a description of—

16 (A) the governance structure, including  
17 how decision-making with interagency partners  
18 will be conducted;

19 (B) the funding mechanism for interagency  
20 collaborators;

21 (C) the metrics for measuring the perform-  
22 ance and effectiveness of the program; and

23 (D) the reporting mechanisms to provide  
24 oversight of the fund by the Department of De-  
25 fense, the interagency partners, and Congress;  
26 and

1           (3) any other matters the Under Secretary con-  
2           siders appropriate.

3 **SEC. 219. ADVANCED ROTORCRAFT FLIGHT RESEARCH AND**  
4 **DEVELOPMENT.**

5           (a) PROGRAM REQUIRED.—The Secretary of the  
6 Army may conduct a program for flight research and dem-  
7 onstration of advanced rotorcraft technology.

8           (b) GOALS AND OBJECTIVES.—The goals and objec-  
9 tives of the program authorized by subsection (a) are as  
10 follows:

11           (1) To flight demonstrate the ability of ad-  
12 vanced rotorcraft technology to expand the flight en-  
13 velope and improve the speed, range, ceiling, surviv-  
14 ability, reliability, and affordability of current and  
15 future rotorcraft of the Department of Defense.

16           (2) To mature advanced rotorcraft technology  
17 and obtain flight-test data to—

18           (A) support the assessment of such tech-  
19 nology for future rotorcraft platform develop-  
20 ment programs of the Department; and

21           (B) have the ability to add such technology  
22 to the existing rotorcraft of the Department to  
23 extend the capability and life of such rotorcraft  
24 until next-generation platforms are fielded.

1 (c) ELEMENTS OF PROGRAM.—The program author-  
2 ized by subsection (a) shall include—

3 (1) integration and demonstration of advanced  
4 rotorcraft technology to meet the goals and objec-  
5 tives described in subsection (b); and

6 (2) flight demonstration of the advanced rotor-  
7 craft technology test bed under the experimental air-  
8 worthiness process of the Federal Aviation Adminis-  
9 tration or other appropriate airworthiness process  
10 approved by the Secretary of Defense.

11 (d) QUALIFIED CONTRACTOR.—

12 (1) IN GENERAL.—The Secretary of the Army  
13 may award a contract for the program authorized by  
14 subsection (a) to a contractor that—

15 (A) has demonstrated the capability to de-  
16 sign, fabricate, qualify, and flight test experi-  
17 mental rotorcraft; and

18 (B) maintains a reasonable level of aircraft  
19 flight risk liability insurance that names the  
20 Federal Government as an additional insured  
21 party.

22 (2) SMALL BUSINESS CONCERN.—In awarding  
23 a contract under paragraph (1), the Secretary shall  
24 fully consider proposals submitted by small business

1 concerns (as defined in section 2225(f)(3) of title  
2 10, United States Code).

3 **SEC. 220. DESIGNATION OF MAIN PROPULSION SYSTEM OF**  
4 **THE NEXT-GENERATION LONG-RANGE**  
5 **STRIKE BOMBER AIRCRAFT AS MAJOR SUB-**  
6 **PROGRAM.**

7 (a) DESIGNATION AS MAJOR SUBPROGRAM.—Not  
8 later than 30 days after the date of the enactment of this  
9 Act, the Secretary of Defense shall designate the develop-  
10 ment and procurement of the main propulsion system of  
11 the next-generation long-range strike bomber aircraft as  
12 a major subprogram of the next-generation long-range  
13 strike bomber aircraft major defense acquisition program,  
14 in accordance with section 2430a of title 10, United States  
15 Code.

16 (b) COMPETITIVE ACQUISITION STRATEGY.—The  
17 Secretary of the Air Force shall develop an acquisition  
18 strategy for the major subprogram designated in sub-  
19 section (a) that is in accordance with subsections (a) and  
20 (b) of section 202 of the Weapon Systems Acquisition Re-  
21 form Act of 2009 (Public Law 111–23; 123 Stat. 1720;  
22 10 U.S.C. 2430 note).

1 **SEC. 221. DESIGNATION OF ELECTROMAGNETIC AIRCRAFT**  
2 **LAUNCH SYSTEM DEVELOPMENT AND PRO-**  
3 **CUREMENT PROGRAM AS MAJOR SUBPRO-**  
4 **GRAM.**

5 Not later than 30 days after the date of the enact-  
6 ment of this Act, the Secretary of Defense shall designate  
7 the electromagnetic aircraft launch development and pro-  
8 curement program as a major subprogram of the CVN-  
9 78 Ford-class aircraft carrier major defense acquisition  
10 program, in accordance with section 2430a of title 10,  
11 United States Code.

12 **SEC. 222. PROHIBITION ON DELEGATION OF BUDGETING**  
13 **AUTHORITY FOR CERTAIN RESEARCH AND**  
14 **EDUCATIONAL PROGRAMS.**

15 (a) PROHIBITION ON DELEGATION.—Subsection (a)  
16 of section 2362 of title 10, United States Code, is amend-  
17 ed—

18 (1) by striking “The Secretary of Defense” and  
19 inserting “(1) The Secretary of Defense”; and

20 (2) by adding at the end the following new  
21 paragraph:

22 “(2) The Secretary of Defense may not delegate to  
23 an individual outside the Office of the Secretary of De-  
24 fense the authority regarding the programming or budg-  
25 eting of the program established by this section that is

1 carried out by the Assistant Secretary of Defense for Re-  
2 search and Engineering.”.

3 (b) CONFORMING AMENDMENTS.—Such section 2362  
4 is amended further—

5 (1) in subsection (b), by striking “established  
6 under subsection (a)” and inserting “established by  
7 subsection (a)(1)”; and

8 (2) in subsection (c), by striking “subsection  
9 (a)” and inserting “subsection (a)(1)”.

10 **SEC. 223. LIMITATION ON AVAILABILITY OF FUNDS FOR FU-**  
11 **TURE UNMANNED CARRIER-BASED STRIKE**  
12 **SYSTEM.**

13 (a) LIMITATION.—Of the funds authorized to be ap-  
14 propriated by this Act or otherwise made available for fis-  
15 cal year 2012 for research, development, test, and evalua-  
16 tion, Navy, for the Future Unmanned Carrier-based  
17 Strike System, not more than 15 percent may be obligated  
18 or expended until the date that is 60 days after the date  
19 on which—

20 (1) the Chairman of the Joint Requirements  
21 Oversight Council certifies to the congressional de-  
22 fense committees that—

23 (A) such system is required to fill a vali-  
24 dated capability gap of the Department of De-  
25 fense; and

1 (B) the Council has reviewed and approved  
2 the capability and development document relat-  
3 ing to such system;

4 (2) the Assistant Secretary of the Navy for Re-  
5 search, Development, and Acquisition submits to the  
6 congressional defense committees a report con-  
7 taining—

8 (A) a delineation of threshold and objective  
9 key performance parameters;

10 (B) a certification that the threshold and  
11 objective key performance parameters for such  
12 system have been established and are achiev-  
13 able; and

14 (C) a description of the requirements of  
15 such system with respect to—

16 (i) weapons payload;

17 (ii) intelligence, reconnaissance, and  
18 surveillance equipment;

19 (iii) electronic attack and electronic  
20 protection equipment;

21 (iv) communications equipment;

22 (v) range;

23 (vi) mission endurance for un-refueled  
24 and aerial refueled operations;

25 (vii) low-observability characteristics;



- 1 (viii) affordability;
- 2 (ix) survivability; and
- 3 (x) interoperability with other Navy
- 4 and joint-service unmanned aerial systems
- 5 and mission control stations; and

6 (3) the Under Secretary of Defense for Acquisi-

7 tion, Technology, and Logistics certifies to the con-

8 gressional defense committees that—

9 (A) the Secretary of the Navy has com-

10 pleted a comprehensive analysis of alternatives

11 for such system;

12 (B) the acquisition strategy of the Sec-

13 retary for the engineering, manufacturing, de-

14 velopment, and fielding phases of such system

15 is achievable and presents medium, or less, risk;

16 (C) such acquisition strategy integrates a

17 fair and open competitive acquisition strategy

18 environment for all potential competitors;

19 (D) the data, information, and lessons

20 learned from the Unmanned Carrier-based Air-

21 craft System of the Navy are sufficiently inte-

22 grated into the acquisition strategy of the Fu-

23 ture Unmanned Carrier-based Strike System

24 and that the level of concurrency between the

25 programs is prudent and reasonable; and

1           (E) the Secretary has sufficient fiscal re-  
2           sources budgeted in the future years defense  
3           plan and extended planning period that sup-  
4           ports the acquisition strategy described in sub-  
5           paragraph (B).

6           (b) GAO BRIEFING.—Not later than 90 days after  
7           the date on which the certifications and report under sub-  
8           section (a) are received by the congressional defense com-  
9           mittees, the Comptroller General of the United States  
10          shall brief the congressional defense committees on an  
11          evaluation of the acquisition strategy of the Secretary of  
12          the Navy for the Future Unmanned Carrier-based Strike  
13          System.

14          (c) FORM.—The report required by subsection (a)(2)  
15          shall be submitted in unclassified form, but may include  
16          a classified annex.

## 17                   **Subtitle C—Missile Defense** 18                   **Programs**

### 19   **SEC. 231. ACQUISITION ACCOUNTABILITY REPORTS ON THE** 20                   **BALLISTIC MISSILE DEFENSE SYSTEM.**

21          (a) BASELINE REQUIRED.—

22                  (1) IN GENERAL.—Chapter 9 of title 10, United  
23          States Code, is amended by inserting after section  
24          224 the following new section:

1 **“§ 225. Acquisition accountability reports on the bal-**  
2 **listic missile defense system**

3 “(a) BASELINES REQUIRED.—(1) In accordance with  
4 paragraph (2), the Director of the Missile Defense Agency  
5 shall establish and maintain an acquisition baseline for—

6 “(A) each program element of the ballistic mis-  
7 sile defense system, as specified in section 223 of  
8 this title; and

9 “(B) each designated major subprogram of  
10 such program elements.

11 “(2) The Director shall establish an acquisition base-  
12 line required by paragraph (1) before the date on which  
13 the program element or major subprogram enters—

14 “(A) engineering and manufacturing develop-  
15 ment; and

16 “(B) production and deployment.

17 “(3) Except as provided by subsection (d), the Direc-  
18 tor may not adjust or revise an acquisition baseline estab-  
19 lished under this section.

20 “(b) ELEMENTS OF BASELINES.—Each acquisition  
21 baseline required by subsection (a) for a program element  
22 or major subprogram shall include the following:

23 “(1) A comprehensive schedule, including—

24 “(A) research and development milestones;

25 “(B) acquisition milestones, including de-  
26 sign reviews and key decision points;

1           “(C) key test events, including ground and  
2 flight tests and ballistic missile defense system  
3 tests;

4           “(D) delivery and fielding schedules;

5           “(E) quantities of assets planned for ac-  
6 quisition and delivery in total and by fiscal  
7 year; and

8           “(F) planned contract award dates.

9           “(2) A detailed technical description of—

10           “(A) the capability to be developed, includ-  
11 ing hardware and software;

12           “(B) system requirements, including per-  
13 formance requirements;

14           “(C) how the proposed capability satisfies  
15 a capability identified by the commanders of the  
16 combatant commands on a prioritized capabili-  
17 ties list;

18           “(D) key knowledge points that must be  
19 achieved to permit continuation of the program  
20 and to inform production and deployment deci-  
21 sions; and

22           “(E) how the Director plans to improve  
23 the capability over time.

24           “(3) A cost estimate, including—

1           “(A) a life-cycle cost estimate that sepa-  
2           rately identifies the costs regarding research  
3           and development, procurement, military con-  
4           struction, operations and sustainment, and dis-  
5           posal;

6           “(B) program acquisition unit costs for the  
7           program element;

8           “(C) average procurement unit costs and  
9           program acquisition costs for the program ele-  
10          ment; and

11          “(D) an identification of when the docu-  
12          ment regarding the program joint cost analysis  
13          requirements description is scheduled to be ap-  
14          proved.

15          “(4) A test baseline summarizing the com-  
16          prehensive test program for the program element or  
17          major subprogram outlined in the integrated master  
18          test plan.

19          “(c) ANNUAL REPORTS ON ACQUISITION BASE-  
20          LINES.—(1) Not later than February 15 of each year, the  
21          Director shall submit to the congressional defense commit-  
22          tees a report on the acquisition baselines required by sub-  
23          section (a).

1       “(2)(A) The first report under paragraph (1) shall  
2 set forth each acquisition baseline required by subsection  
3 (a) for a program element or major subprogram.

4       “(B) Each subsequent report under paragraph (1)  
5 shall include—

6           “(i) any new acquisition baselines required by  
7 subsection (a) for a program element or major sub-  
8 program; and

9           “(ii) with respect to an acquisition baseline that  
10 was previously included in a report under paragraph  
11 (1), an identification of any changes or variances  
12 made to the elements described in subsection (b) for  
13 such acquisition baseline, as compared to—

14           “(I) the initial acquisition baseline for such  
15 program element or major subprogram; and

16           “(II) the acquisition baseline for such pro-  
17 gram element or major subprogram that was  
18 submitted in the report during the previous  
19 year.

20       “(3) Each report under this subsection shall be sub-  
21 mitted in unclassified form, but may include a classified  
22 annex.

23       “(d) EXCEPTION TO LIMITATION ON REVISION.—  
24 The Director may adjust or revise an acquisition baseline

1 established under this section if the Director submits to  
2 the congressional defense committees notification of—

3 “(1) a justification for such adjustment or revi-  
4 sion;

5 “(2) the specific adjustments or revisions made  
6 to the acquisition baseline, including to the elements  
7 described in subsection (b); and

8 “(3) the effective date of the adjusted or revised  
9 acquisition baseline.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-  
11 tions at the beginning of such chapter is amended  
12 by adding at the end the following new item:

“225. Acquisition accountability reports on the ballistic missile defense system.”.

13 (b) CONFORMING AMENDMENTS.—

14 (1) FISCAL YEAR 2011 NDAA.—Section 225 of  
15 the Ike Skelton National Defense Authorization Act  
16 for Fiscal Year 2011 (Public Law 111–383; 124  
17 Stat. 4170; 10 U.S.C. 223 note) is repealed.

18 (2) FISCAL YEAR 2008 NDAA.—Section 223 of  
19 the National Defense Authorization Act for Fiscal  
20 Year 2008 (Public Law 110–181; 122 Stat. 39; 10  
21 U.S.C. 223 note) is amended by striking subsection  
22 (g).

23 (3) FISCAL YEAR 2003 NDAA.—Section 221 of  
24 the Bob Stump National Defense Authorization Act

1 for Fiscal Year 2003 (Public Law 107–314; 116  
2 Stat. 2484; 10 U.S.C. 2431 note) is repealed.

3 **SEC. 232. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
4 **MEDIUM EXTENDED AIR DEFENSE SYSTEM.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that—

7 (1) the United States should pursue options  
8 with respect to multilaterally terminating the con-  
9 tract covering the medium extended air defense sys-  
10 tem in order to lessen the contract termination li-  
11 ability belonging to the United States;

12 (2) the Secretary of Defense must now sustain  
13 the Patriot air and missile defense system longer  
14 than previously planned;

15 (3) the Secretary of Defense should identify  
16 promising technologies from the medium extended  
17 air defense system, whether the technology origi-  
18 nated in the United States or in a partner country,  
19 as soon as practicable and transition such tech-  
20 nologies into a Patriot air and missile defense sys-  
21 tem upgrade effort or other program of record; and

22 (4) the Secretary of Defense should continue to  
23 pursue international cooperative missile defense ac-  
24 tivities that are affordable and benefit the security  
25 of all parties.



1           (b) LIMITATION.—None of the funds authorized to  
2 be appropriated by this Act or otherwise made available  
3 for fiscal year 2012 for the medium extended air defense  
4 system program may be obligated or expended until the  
5 date on which the Secretary of Defense—

6           (1) either—

7                   (A) negotiates a multilateral termination  
8 with respect to the contract covering the pro-  
9 gram; or

10                   (B) restructures such program and ensures  
11 that specific deliverables under such contract  
12 will be transitioned to one or more current pro-  
13 grams of record by not later than September  
14 30, 2013; and

15           (2) submits to the congressional defense com-  
16 mittees written notification of—

17                   (A) the amount of the total cost for which  
18 the United States is liable with respect to ter-  
19 minating the contract under paragraph (1)(A)  
20 or restructuring the program under paragraph  
21 (1)(B), as the case may be;

22                   (B) the terms of such contract termination  
23 or program restructuring;

1 (C) the program schedule and specific ele-  
2 ments of the program to be delivered to the  
3 United States;

4 (D) the specific technologies identified by  
5 the Secretary to be transitioned from the pro-  
6 gram to one or more current programs of  
7 record, including the plans for such transition;  
8 and

9 (E) how the Secretary plans to address the  
10 air and missile defense requirements of the De-  
11 partment of Defense in the absence of a fielded  
12 medium extended air defense system capability,  
13 including a summary of activities, the cost esti-  
14 mate, and the funding profile necessary to sus-  
15 tain and upgrade the Patriot air and missile de-  
16 fense system.

17 **SEC. 233. HOMELAND DEFENSE HEDGING POLICY AND**  
18 **STRATEGY.**

19 (a) **POLICY.**—It is the policy of the United States to  
20 develop and maintain a hedging strategy to provide for  
21 the protection of the homeland of the United States that—

22 (1) provides such protection through the  
23 phased, adaptive approach to missile defense in Eu-  
24 rope if—

1 (A) the intercontinental ballistic missile  
2 threat from the Middle East to the United  
3 States materializes earlier than 2020 (the year  
4 in which phase four of the phased, adaptive ap-  
5 proach is planned to begin protecting the home-  
6 land of the United States); or

7 (B) technical challenges or schedule delays  
8 affect the availability of the standard missile—3  
9 block IIB interceptor planned for fielding in  
10 Europe by 2020 in order to protect the home-  
11 land of the United States as part of such phase  
12 four;

13 (2) provides such protection if the interconti-  
14 nental ballistic missile threat from East Asia to the  
15 United States materializes more rapidly than ex-  
16 pected;

17 (3) provides capabilities that improve or en-  
18 hance the protection of the United States beyond the  
19 ground-based midcourse defense capabilities cur-  
20 rently deployed for the defense of the United States;  
21 and

22 (4) includes plans for ensuring that such hedg-  
23 ing capabilities described in paragraphs (1) through  
24 (3)—

1 (A) are suitable to perform the assigned  
2 mission;

3 (B) are operationally effective; and

4 (C) use technologies that are sufficiently  
5 matured and tested prior to fielding.

6 (b) STRATEGY.—

7 (1) IN GENERAL.—In light of the policy de-  
8 scribed in subsection (a), the Secretary of Defense  
9 shall develop a hedging strategy to provide for the  
10 protection of the homeland of the United States.

11 (2) ELEMENTS.—The strategy under paragraph  
12 (1) shall include the following:

13 (A) A description of the hedging alter-  
14 natives and capabilities considered by the Sec-  
15 retary.

16 (B) A summary of the analyses conducted,  
17 including—

18 (i) criteria used to assess such options  
19 and capabilities; and

20 (ii) the findings and recommendations  
21 of such analyses.

22 (C) Detailed plans, programs, and a budg-  
23 et profile for implementing the strategy through  
24 2022.

1 (D) The criteria to be used in determining  
2 when each item contained in the strategy  
3 should be implemented and the schedule re-  
4 quired to implement each item.

5 (E) Any other information the Secretary  
6 considers necessary.

7 (3) SUBMISSION.—The Secretary shall submit  
8 to the congressional defense committees the strategy  
9 developed under paragraph (1) by the earlier of the  
10 following:

11 (A) December 5, 2011.

12 (B) The date on which the Secretary com-  
13 pletes the development of such strategy.

14 **SEC. 234. GROUND-BASED MIDCOURSE DEFENSE SYSTEM.**

15 (a) FINDINGS.—Congress finds the following:

16 (1) The last two intercept flight tests of the  
17 ground-based midcourse defense system in January  
18 2010 and December 2010 failed to intercept, and in  
19 January 2011, the Director of the Missile Defense  
20 Agency halted deliveries of completed exo-atmos-  
21 pheric kill vehicles until the root cause of such fail-  
22 ures is determined and resolved.

23 (2) The ground-based midcourse defense system  
24 is currently the only missile defense system that pro-

1        tects the homeland of the United States from long-  
2        range ballistic missile threats.

3            (3) In the fiscal year 2010 budget request, the  
4        ground-based midcourse defense system element was  
5        reduced by \$524,600,000 from the fiscal year 2009  
6        level while the fiscal year 2011 budget request re-  
7        stored \$318,800,000 of this funding.

8            (4) The fiscal year 2012 budget request further  
9        reduces the ground-based midcourse defense system  
10       element by \$185,000,000 for fiscal year 2012 and  
11       further reduces such element by an additional  
12       \$1,000,000,000 for the years covering the future-  
13       years defense program from the amount projected in  
14       the fiscal year 2011 budget request.

15           (5) According to the Missile Defense Agency,  
16       the combination of the two flight-test failures and  
17       operating under the reduced spending limits of the  
18       Continuing Resolutions during fiscal year 2011 be-  
19       fore the date on which the Department of Defense  
20       and Full-Year Continuing Appropriations Act, 2011  
21       (Public Law 112–10) was enacted have resulted in  
22       the delay or restructuring of several activities within  
23       the ground-based midcourse defense system element,  
24       including—

1 (A) delays to ground-based interceptor  
2 manufacturing and fleet upgrades;

3 (B) Stockpile Reliability Program compo-  
4 nent testing;

5 (C) new capability development, modeling,  
6 testing, and fielding;

7 (D) Fort Greely missile defense complex  
8 communications upgrades; and

9 (E) delays to flight testing of the two-stage  
10 ground-based interceptor.

11 (6) According to the Missile Defense Agency  
12 and the United States Northern Command, the pro-  
13 curement of additional ground-based interceptors  
14 will be necessary in light of the recent flight-test re-  
15 sults.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that the ground-based midcourse defense system is  
18 currently the only missile defense system that protects the  
19 homeland of the United States from long-range ballistic  
20 missile threats and therefore—

21 (1) the system should be given sufficient  
22 prioritization and funding to ensure its long-term re-  
23 liability, effectiveness, and ability to adapt to ad-  
24 vances in such threats;

1           (2) the Director of the Missile Defense Agency  
2           should thoroughly identify the root cause associated  
3           with the exo-atmospheric kill vehicle that led to the  
4           flight-test failures described in subsection (a)(1) and  
5           identify other potential technical issues associated  
6           with the exo-atmospheric kill vehicle or ground-based  
7           midcourse defense system that have materialized in  
8           recent testing;

9           (3) implementation of corrective measures and  
10          flight testing should be undertaken as soon as pos-  
11          sible to provide commanders of the combatant com-  
12          mands and the American people greater confidence  
13          in the reliability and effectiveness of the system; and

14          (4) the procurement of additional ground-based  
15          interceptors will be necessary in light of recent  
16          flight-test results.

17          (c) PLAN AND CERTIFICATION REQUIRED.—Not  
18          later than 30 days after the date of the enactment of this  
19          Act, or on the date on which the Failure Review Board  
20          has completed the review of the ground-based midcourse  
21          defense system flight-test failures described in subsection  
22          (a)(1), whichever is later, the Secretary of Defense shall  
23          submit to the congressional defense committees the fol-  
24          lowing:



1           (1) A plan by the Director of the Missile De-  
2           fense Agency to address the flight-test failures, in-  
3           cluding—

4                   (A) an identification of the root cause as-  
5                   sociated with the exo-atmospheric kill vehicle  
6                   that led to the flight-test failures;

7                   (B) an identification of other potential  
8                   technical issues associated with the exo-atmos-  
9                   pheric kill vehicle or ground-based midcourse  
10                  defense system that have materialized in recent  
11                  testing;

12                  (C) how the Director will resolve the issues  
13                  identified in subparagraphs (A) and (B), includ-  
14                  ing a consideration of whether a re-designed  
15                  exo-atmospheric kill vehicle is necessary;

16                  (D) a description of planned flight tests of  
17                  the exo-atmospheric kill vehicle with any imple-  
18                  mented fixes;

19                  (E) a summary of the measures required  
20                  by the Commander of the United States North-  
21                  ern Command based on the flight-test failures  
22                  in order to meet operational requirements; and

23                  (F) the schedule and additional resources  
24                  necessary to implement the plan.

1           (2) Written certification by the Secretary  
2       that—

3           (A) the Director has thoroughly inves-  
4       tigated the root cause of the flight-test failures  
5       and any other potential technical issues associ-  
6       ated with the exo-atmospheric kill vehicle or  
7       ground-based midcourse defense system that  
8       have materialized in recent testing;

9           (B) the plan under paragraph (1) is suffi-  
10      cient to resolve the issues identified in subpara-  
11      graphs (A) and (B) of such paragraph;

12          (C) the schedule and additional resources  
13      described in subparagraph (F) of paragraph (1)  
14      are sufficient to implement the plan under such  
15      paragraph; and

16          (D) the Director has sufficiently prioritized  
17      the implementation of corrective measures and  
18      flight testing of the ground-based midcourse de-  
19      fense system.

20 **SEC. 235. STUDY ON SPACE-BASED INTERCEPTOR TECH-**  
21 **NOLOGY.**

22       (a) STUDY ON SPACE-BASED INTERCEPTOR TECH-  
23 NOLOGY.—

24           (1) STUDY.—Of the funds authorized to be ap-  
25      propriated by this Act or otherwise made available

1 for fiscal year 2012 for ballistic missile defense tech-  
2 nology, \$8,000,000 shall be obligated or expended by  
3 the Secretary of Defense to conduct a study exam-  
4 ining the technical and operational considerations  
5 associated with developing and operating a limited  
6 space-based interceptor capability and to submit the  
7 report under paragraph (2). At minimum, the study  
8 shall include—

9 (A) the identification of the technical risks,  
10 gaps, and constraints associated with the devel-  
11 opment and operation of such a capability;

12 (B) an assessment of the maturity levels of  
13 various technologies needed to develop and op-  
14 erate such a capability;

15 (C) the key knowledge, research, and test-  
16 ing that would be needed for any nation to de-  
17 velop and operate an effective space-based in-  
18 terceptor capability; and

19 (D) the estimated effectiveness and cost of  
20 potential options for developing and operating  
21 such a capability, including their effectiveness  
22 in conjunction with existing and planned terres-  
23 trially-based missile defense systems.

24 (2) REPORT.—

1 (A) Not later than one year after the date  
2 of the enactment of this Act, the Secretary of  
3 Defense shall submit to the congressional de-  
4 fense committees a report on the study required  
5 under paragraph (1).

6 (B) The report submitted under this para-  
7 graph shall be in unclassified form, but may in-  
8 clude a classified annex.

9 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—  
10 With respect to carrying out subsection (a), a decision to  
11 commit, obligate, or expend funds with or to a specific  
12 entity shall—

13 (1) be based on merit-based selection proce-  
14 dures in accordance with the requirements of sec-  
15 tions 2304(k) and 2374 of title 10, United States  
16 Code, or on competitive procedures; and

17 (2) comply with other applicable provisions of  
18 law.

## 19 **Subtitle D—Reports**

### 20 **SEC. 241. ANNUAL COMPTROLLER GENERAL REPORT ON** 21 **THE KC-46A AIRCRAFT ACQUISITION PRO-** 22 **GRAM.**

23 (a) ANNUAL GAO REVIEW.—During the period be-  
24 ginning on the date of the enactment of this Act and end-  
25 ing on March 1, 2017, the Comptroller General of the

1 United States shall conduct an annual review of the KC-  
2 46A aircraft acquisition program.

3 (b) ANNUAL REPORTS.—

4 (1) IN GENERAL.—Not later than March 1 of  
5 each year beginning in 2012 and ending in 2017,  
6 the Comptroller General shall submit to the congres-  
7 sional defense committees a report on the review of  
8 the KC-46A aircraft acquisition program conducted  
9 under subsection (a).

10 (2) MATTERS TO BE INCLUDED.—Each report  
11 on the review of the KC-46A aircraft acquisition  
12 program shall include the following:

13 (A) The extent to which the program is  
14 meeting engineering, manufacturing, develop-  
15 ment, and procurement cost, schedule, perform-  
16 ance, and risk mitigation goals.

17 (B) With respect to meeting the desired  
18 initial operational capability and full operational  
19 capability dates for the KC-46A aircraft, the  
20 progress and results of—

21 (i) developmental and operational test-  
22 ing of the aircraft; and

23 (ii) plans for correcting deficiencies in  
24 aircraft performance, operational effective-  
25 ness, reliability, suitability, and safety.

1           (C) An assessment of KC-46A aircraft  
2 procurement plans, production results, and ef-  
3 forts to improve manufacturing efficiency and  
4 supplier performance.

5           (D) An assessment of the acquisition strat-  
6 egy of the KC-46A aircraft, including whether  
7 such strategy is in compliance with acquisition  
8 management best-practices and the acquisition  
9 policy and regulations of the Department of De-  
10 fense.

11           (E) A risk assessment of the integrated  
12 master schedule and the test and evaluation  
13 master plan of the KC-46A aircraft as it re-  
14 lates to—

15                   (i) the probability of success;

16                   (ii) the funding required for such air-  
17 craft compared with the funding budgeted;

18                   and

19                   (iii) development and production con-  
20 currency.

21           (3) ADDITIONAL INFORMATION.—In submitting  
22 to the congressional defense committees the first re-  
23 port under paragraph (1) and a report following any  
24 changes made by the Secretary of the Air Force to  
25 the baseline documentation of the KC-46A aircraft

1 acquisition program, the Comptroller General shall  
2 include, with respect to such program, an assess-  
3 ment of the sufficiency and objectivity of—

4 (A) the integrated baseline review docu-  
5 ment;

6 (B) the initial capabilities document;

7 (C) the capabilities development document;

8 and

9 (D) the systems requirement document.

10 **SEC. 242. INDEPENDENT REVIEW AND ASSESSMENT OF**  
11 **CRYPTOGRAPHIC MODERNIZATION PRO-**  
12 **GRAM.**

13 (a) INDEPENDENT REVIEW AND ASSESSMENT.—Not  
14 later than 30 days after the date of the enactment of this  
15 Act, the Secretary of Defense shall select an appropriate  
16 entity outside the Department of Defense to conduct an  
17 independent review and assessment of the cryptographic  
18 modernization program of the Department of Defense.

19 (b) ELEMENTS.—The review and assessment re-  
20 quired by subsection (a) shall include the following:

21 (1) For each military department and appro-  
22 priate defense agency, an analysis of the adequacy  
23 of the program management structure for executing  
24 the cryptographic modernization program, including

1 resources, personnel, requirements generation, and  
2 business process metrics.

3 (2) An analysis of the ability of the program to  
4 deliver capabilities to the user community while com-  
5 plying with the budget and schedule for the pro-  
6 gram, including the programmatic risks that nega-  
7 tively affect such compliance.

8 (c) REPORT.—

9 (1) REPORT REQUIRED.—Not later than 120  
10 days after the date of the enactment of this Act, the  
11 entity conducting the review and assessment under  
12 subsection (a) shall submit to the Secretary and the  
13 congressional defense committees a report con-  
14 taining—

15 (A) the results of the review and assess-  
16 ment; and

17 (B) recommendations for improving the  
18 management of the cryptographic moderniza-  
19 tion program.

20 (2) FORM.—The report required by paragraph  
21 (1) shall be submitted in unclassified form, but may  
22 include a classified annex.



1 **SEC. 243. REPORT ON FEASIBILITY OF ELECTROMAGNETIC**  
2 **RAIL GUN SYSTEM.**

3 Not later than 180 days after the date of the enact-  
4 ment of this Act, the Secretary of Defense shall submit  
5 to the congressional defense committees a report on the  
6 feasibility of developing and deploying the electromagnetic  
7 rail gun system to be used for either land- or ship-based  
8 force protection.

9 **Subtitle E—Other Matters**

10 **SEC. 251. REPEAL OF REQUIREMENT FOR TECHNOLOGY**  
11 **TRANSITION INITIATIVE.**

12 (a) IN GENERAL.—

13 (1) REPEAL.—Section 2359a of title 10, United  
14 States Code, is repealed.

15 (2) CLERICAL AMENDMENT.—The table of sec-  
16 tions at the beginning of chapter 139 of such title  
17 is amended by striking the item relating to section  
18 2359a.

19 (b) EFFECTIVE DATE.—The amendments made by  
20 subsection (a) shall take effect on October 1, 2012.

21 **SEC. 252. PRESERVATION AND STORAGE OF CERTAIN**  
22 **PROPERTY RELATED TO F136 PROPULSION**  
23 **SYSTEM.**

24 (a) PLAN.—The Secretary of Defense shall develop  
25 and carry out a plan for the preservation and storage of  
26 property owned by the Federal Government that was ac-

1 quired under the F136 propulsion system development  
2 contract. The plan shall—

3 (1) ensure that the Secretary preserves and  
4 stores such property in a manner that—

5 (A) allows the development of the F136  
6 propulsion system to be restarted after a period  
7 of idleness;

8 (B) provides for the long-term sustainment  
9 and repair of such property; and

10 (C) allows for such preservation and stor-  
11 age to be conducted at either the facilities of  
12 the Federal Government or a contractor under  
13 such contract;

14 (2) with respect to the supplier base of such  
15 property, identify the costs of restarting develop-  
16 ment;

17 (3) ensure that the Secretary, at no cost to the  
18 Federal Government, provides support and allows  
19 for the use of such property by the contractor under  
20 such contract to conduct research, development, test-  
21 ing, and evaluation of the F136 engine, if such ac-  
22 tivities are self-funded by the contractor; and

23 (4) identify any contract modifications, addi-  
24 tional facilities, or funding that the Secretary deter-  
25 mines necessary to carry out the plan.

1 (b) PROHIBITION ON DISPOSING PROPERTY.—None  
2 of the amounts authorized to be appropriated by this Act  
3 or otherwise made available for fiscal year 2012 for re-  
4 search, development, test, and evaluation, Navy, or re-  
5 search, development, test, and evaluation, Air Force, for  
6 the F-35 Lightning II aircraft program may be obligated  
7 or expended for activities related to destroying or dis-  
8 posing of the property described in subsection (a).

9 (c) REPORT.—Not later than 45 days after the date  
10 of the enactment of this Act, the Secretary of Defense  
11 shall submit to the congressional defense committees a re-  
12 port on the plan under subsection (a).

13 **SEC. 253. EXTENSION OF AUTHORITY FOR MECHANISMS TO**  
14 **PROVIDE FUNDS FOR DEFENSE LABORA-**  
15 **TORIES FOR RESEARCH AND DEVELOPMENT**  
16 **OF TECHNOLOGIES FOR MILITARY MISSIONS.**

17 Section 219(c) of the Duncan Hunter National De-  
18 fense Authorization Act for Fiscal Year 2009 (10 U.S.C.  
19 2358 note) is amended by striking “October 1, 2013” and  
20 inserting “September 30, 2016”.

21 **SEC. 254. APPLICATION OF RNA BIOLOGICAL AND FUNC-**  
22 **TIONAL SCIENCE AND TECHNOLOGY.**

23 In carrying out the medical advanced technology pro-  
24 gram, the Secretary of Defense shall ensure that, when  
25 applicable, RNA biological and functional science and

1 technology are used for research in which RNA may be  
2 a translational tool and potentially therapeutic, includ-  
3 ing—

4 (1) infectious diseases employed by terrorists or  
5 other entities to have a battlefield effect;

6 (2) memory disorders;

7 (3) rare diseases; and

8 (4) other diseases affecting military readiness.

9 **SEC. 255. SENSE OF CONGRESS ON ACTIVE MATRIX OR-**  
10 **GANIC LIGHT EMITTING DIODE TECH-**  
11 **NOLOGY.**

12 It is the sense of Congress that—

13 (1) active matrix organic light emitting diode  
14 (in this section referred to as “OLED”) technology  
15 displays have the potential to reduce the size,  
16 weight, and energy consumption of both dismantled  
17 and mounted systems of the Armed Forces;

18 (2) the United States has a limited OLED  
19 manufacturing industry;

20 (3) to ensure a reliable domestic source of  
21 OLED displays, the Secretary of Defense should use  
22 existing programs, including the ManTech program,  
23 to support the reduction of the costs and risks re-  
24 lated to OLED manufacturing technologies; and

1           (4) the reduction of such costs and risks of  
2           OLED manufacturing has the potential to enable  
3           the affordable production and sustainment of future  
4           weapon systems, as well as the affordable transition  
5           of new technologies that can enhance capabilities of  
6           current force systems.

7   **SEC. 256. PROHIBITION ON USE OF FUNDS FOR NEWLY DE-**  
8                                   **SIGNED FLIGHT SUIT.**

9           None of the funds authorized to be appropriated by  
10          this Act may be used to research, develop, manufacture,  
11          or procure a newly designed flight suit for members of  
12          the Armed Forces.

13   **SEC. 257. NATIONAL DEFENSE EDUCATION PROGRAM.**

14          If the total amount authorized to be appropriated by  
15          this Act for the National Defense Education Program for  
16          fiscal year 2012 is less than the amount requested by the  
17          President for such program in the budget submitted to  
18          Congress under section 1105 of title 31, United States  
19          Code, for such fiscal year, the Secretary of Defense may  
20          not derive the difference between such amounts from the  
21          K–12 component of such program.

1       **TITLE III—OPERATION AND**  
2                   **MAINTENANCE**

3           **Subtitle A—Authorization of**  
4                   **Appropriations**

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

6       Funds are hereby authorized to be appropriated for  
7   fiscal year 2012 for the use of the Armed Forces and other  
8   activities and agencies of the Department of Defense for  
9   expenses, not otherwise provided for, for operation and  
10  maintenance, as specified in the funding table in section  
11  4301.

12                   **Subtitle B—Energy and**  
13                   **Environmental Provisions**

14  **SEC. 311. DESIGNATION OF SENIOR OFFICIAL OF JOINT**  
15                   **CHIEFS OF STAFF FOR OPERATIONAL EN-**  
16                   **ERGY PLANS AND PROGRAMS AND OPER-**  
17                   **ATIONAL ENERGY BUDGET CERTIFICATION.**

18       Section 138c of title 10, United States Code, is  
19  amended—

20                   (1) in subsection (d)—

21                           (A) by redesignating paragraphs (3) and  
22                           (4) as paragraphs (4) and (5), respectively; and

23                           (B) by inserting after paragraph (2) the  
24                   following new paragraph (3):

1       “(3) The Chairman of the Joint Chiefs of Staff shall  
2 designate a senior official under the jurisdiction of the  
3 Chairman who shall be responsible for operational energy  
4 plans and programs for the Joint Chiefs of Staff and the  
5 Joint Staff. The official so designated shall be responsible  
6 for coordinating with the Assistant Secretary and imple-  
7 menting initiatives pursuant to the strategy with regard  
8 to the Joint Chiefs of Staff and the Joint Staff.”; and

9               (2) in subsection (e)(4), by striking “10 days”  
10       and inserting “30 days”.

11 **SEC. 312. MILITARY INSTALLATION IMPLEMENTATION OF**  
12               **LAND MANAGEMENT PLANS AND SUSTAIN-**  
13               **ABILITY STUDIES.**

14       Section 2694(b)(2) of title 10, United States Code,  
15 is amended—

16               (1) in subparagraph (A), by inserting “and,  
17       subject to the availability of appropriations, imple-  
18       mentation by the military installation” after “devel-  
19       opment”; and

20               (2) in subparagraph (B), by inserting “and sus-  
21       tainability” after “safety”.

1 **SEC. 313. IMPROVED SIKES ACT COVERAGE OF STATE-**  
2 **OWNED FACILITIES USED FOR THE NA-**  
3 **TIONAL DEFENSE.**

4 (a) IMPROVEMENTS TO ACT.—The Sikes Act (16  
5 U.S.C. 670 et seq.) is amended as follows:

6 (1) DEFINITIONS.—Section 100 (16 U.S.C.  
7 670) is amended—

8 (A) by redesignating paragraphs (2) and  
9 (3) as paragraphs (4) and (5), respectively; and

10 (B) by inserting after paragraph (1) the  
11 following new paragraphs:

12 “(2) STATE.—The term ‘State’ means any of  
13 the several States, the District of Columbia, the  
14 Commonwealth of Puerto Rico, Guam, the Common-  
15 wealth of the Northern Mariana Islands, American  
16 Samoa, and the Virgin Islands.

17 “(3) STATE-OWNED NATIONAL GUARD INSTAL-  
18 LATION.—The term ‘State-owned National Guard  
19 installation’ means land owned and operated by a  
20 State when such land is used for training the Na-  
21 tional Guard pursuant to chapter 5 of title 32,  
22 United State Code, with funds provided by the Sec-  
23 retary of Defense or the Secretary of a military de-  
24 partment, even though such land is not under the  
25 jurisdiction of the Department of Defense.”.



1           (2) FUNDING OF INTEGRATED NATURAL RE-  
2 SOURCES MANAGEMENT PLANS.—Section 101 (16  
3 U.S.C. 670a) is amended—

4           (A) in subsection (a)(1)(B)—

5                 (i) by inserting “(i)” before “To facili-  
6 tate”; and

7                 (ii) by adding at the end the following  
8 new clause:

9                 “(ii) The Secretary of a military de-  
10 partment may, subject to the availability of  
11 appropriations, develop and implement an  
12 integrated natural resources management  
13 plan for a State-owned National Guard in-  
14 stallation. Such a plan shall be developed  
15 and implemented in coordination with the  
16 chief executive officer of the State in which  
17 the State-owned National Guard installa-  
18 tion is located. Such a plan is deemed, for  
19 purposes of any other provision of law, to  
20 be for lands or other geographical areas  
21 owned or controlled by the Department of  
22 Defense, or designated for its use.”;

23           (B) in subsection (a)(2), by inserting “or  
24 State-owned National Guard installation” after  
25 “military installation” both places it appears;

1 (C) in subsection (a)(3)—

2 (i) by redesignating subparagraphs  
3 (A), (B), and (C) as clauses (i), (ii), and  
4 (iii), respectively;

5 (ii) by inserting “(A)” before “Con-  
6 sistent”;

7 (iii) in subparagraph (A), as des-  
8 ignated by clause (ii) of this subparagraph,  
9 by inserting “and State-owned National  
10 Guard installations” after “military instal-  
11 lations” the first place it appears;

12 (iv) in clause (i) of subparagraph (A),  
13 as redesignated by clause (i) of this sub-  
14 paragraph, by striking “military installa-  
15 tions” and inserting “such installations”;

16 (v) in clause (ii) of subparagraph (A),  
17 as redesignated by clause (i) of this sub-  
18 paragraph, by inserting “on such installa-  
19 tions” after “resources”; and

20 (vi) by adding at the end the following  
21 subparagraph:

22 “(B) In the case of a State-owned National  
23 Guard installation, such program shall be car-  
24 ried out in coordination with the chief executive

1 officer of the State in which the installation is  
2 located.”;

3 (D) in subsection (b), by inserting “and  
4 State-owned National Guard installations” after  
5 “military installations” the first place it ap-  
6 pears;

7 (E) in subparagraphs (G) and (I) of sub-  
8 section (b)(1), by striking “military installa-  
9 tion” each place it appears and inserting “in-  
10 stallation”; and

11 (F) in subsection (b)(3), by inserting “, in  
12 the case of a military installation,” after “(3)  
13 may”.

14 (3) COOPERATIVE AGREEMENTS.—Section  
15 103a(a) (16 U.S.C. 670c-1(a)) is amended—

16 (A) in paragraph (1), by striking “Depart-  
17 ment of Defense installations” and inserting  
18 “military installations and State-owned Na-  
19 tional Guard installations”; and

20 (B) in paragraph (2), by striking “Depart-  
21 ment of Defense installation” and inserting  
22 “military installation or State-owned National  
23 Guard installation”.

24 (b) SECTION AND SUBSECTION HEADINGS.—Such  
25 Act is further amended as follows:

1 (1) Section 101 (16 U.S.C. 670a) is amended—

2 (A) by inserting at the beginning the fol-  
3 lowing:

4 **“SEC. 101. COOPERATIVE PLAN FOR CONSERVATION AND**  
5 **REHABILITATION.”;**

6 (B) by striking “SEC. 101.”;

7 (C) in subsection (c), by inserting “PROHI-  
8 BITIONS ON SALE AND LEASE OF LANDS UN-  
9 LESS EFFECTS COMPATIBLE WITH PLAN.—”  
10 after “(c)”;

11 (D) in subsection (d), by inserting “IMPLE-  
12 MENTATION AND ENFORCEMENT OF INTE-  
13 GRATED NATURAL RESOURCES MANAGEMENT  
14 PLANS.—” after “(d)”;

15 (E) in subsection (e)—

16 (i) by inserting “APPLICABILITY OF  
17 OTHER LAWS” after “(e)”; and

18 (ii) by inserting a comma after  
19 “Code”.

20 (2) Section 102 (16 U.S.C. 670b) is amended—

21 (A) by inserting at the beginning the fol-  
22 lowing:

1 **“SEC. 102. MIGRATORY GAME BIRDS; HUNTING PERMITS.”;**

2 (B) by striking “SEC. 102.” and inserting

3 “(a) INTEGRATED NATURAL RESOURCES MAN-  
4 AGEMENT PLAN.—”; and

5 (C) by striking “agency:” and all that fol-  
6 lows through “possession” and inserting “agen-  
7 cy.

8 “(b) APPLICABILITY OF OTHER LAWS.—Possession”.

9 (3) Section 103a (16 U.S.C. 670c-1) is further  
10 amended—

11 (A) by inserting at the beginning the fol-  
12 lowing:

13 **“SEC. 103A. COOPERATIVE AND INTERAGENCY AGREE-  
14 MENTS FOR LAND MANAGEMENT ON INSTAL-  
15 LATIONS.”;**

16 (B) by striking “SEC. 103A.”;

17 (C) in subsection (a), by inserting “AU-  
18 THORITY OF SECRETARY OF MILITARY DE-  
19 PARTMENT.—” after “(a)”;

20 (D) in subsection (c), by inserting “AVAIL-  
21 ABILITY OF FUNDS; AGREEMENTS UNDER  
22 OTHER LAWS.—” after “(c)”.

23 (4) Section 104 (16 U.S.C. 670d) is amended—

24 (A) by inserting at the beginning the fol-  
25 lowing:

1 **“SEC. 104. LIABILITY FOR FUNDS; ACCOUNTING TO COMP-**  
2 **TROLLER GENERAL.”; and**

3 (B) by striking “SEC. 104.”.

4 (5) Section 105 (16 U.S.C. 670e) is amended—

5 (A) by inserting at the beginning the fol-  
6 lowing:

7 **“SEC. 105. APPLICABILITY TO OTHER LAWS; NATIONAL**  
8 **FOREST LANDS.”; and**

9 (B) by striking “SEC. 105.”.

10 (6) Section 108 (16 U.S.C. 670f) is amended—

11 (A) by inserting at the beginning the fol-  
12 lowing:

13 **“SEC. 108. APPROPRIATIONS AND EXPENDITURES.”;**

14 (B) by striking “SEC. 108.”;

15 (C) in subsection (a), by inserting “EX-  
16 PENDITURES OF COLLECTED FUNDS UNDER  
17 INTEGRATED NATURAL RESOURCES MANAGE-  
18 MENT PLANS.—” after “(a)”;

19 (D) in subsection (b), by inserting “AU-  
20 THORIZATION OF APPROPRIATIONS TO SEC-  
21 RETARY OF DEFENSE.—” after “(b)”;

22 (E) in subsection (c), by inserting “AU-  
23 THORIZATION OF APPROPRIATIONS TO SEC-  
24 RETARY OF THE INTERIOR.—” after “(c)”;

1 (F) in subsection (D), by inserting “USE  
2 OF OTHER CONSERVATION OR REHABILITA-  
3 TION AUTHORITIES.—” after “(d)”.

4 (7) Section 201 (16 U.S.C. 670g) is amended—  
5 (A) by inserting at the beginning the fol-  
6 lowing:

7 **“SEC. 201. WILDLIFE, FISH, AND GAME CONSERVATION AND**  
8 **REHABILITATION PROGRAMS.”;**

9 (B) by striking “SEC. 201.”;

10 (C) in subsection (a), by inserting “PRO-  
11 GRAMS REQUIRED.—” after “(a)”;

12 (D) in subsection (b), by inserting “IMPLE-  
13 MENTATION OF PROGRAMS.—” after “(b)”.

14 (8) Section 202 (16 U.S.C. 670h) is amended—  
15 (A) by inserting at the beginning the fol-  
16 lowing:

17 **“SEC. 202. COMPREHENSIVE PLANS FOR CONSERVATION**  
18 **AND REHABILITATION PROGRAMS.”;**

19 (B) by striking “SEC. 202.”;

20 (C) in subsection (a), by inserting “DE-  
21 VELOPMENT OF PLANS.—” after “(a)”;

22 (D) in subsection (b), by inserting “CON-  
23 SISTENCY WITH OVERALL LAND USE AND  
24 MANAGEMENT PLANS; HUNTING, TRAPPING,  
25 AND FISHING.—” after “(b)”;

1 (E) in subsection (c), by inserting “COOP-  
2 ERATIVE AGREEMENTS BY STATE AGENCIES  
3 FOR IMPLEMENTATION OF PROGRAMS.—” after  
4 “(c)”;

5 (F) in subsection (d), by inserting “STATE  
6 AGENCY AGREEMENTS NOT COOPERATIVE  
7 AGREEMENTS UNDER OTHER PROVISIONS.—”  
8 after “(d)”.

9 (9) Section 203 (16 U.S.C. 670i) is amended—

10 (A) by inserting at the beginning the fol-  
11 lowing:

12 **“SEC. 203. PUBLIC LAND MANAGEMENT AREA STAMPS FOR**  
13 **HUNTING, TRAPPING, AND FISHING ON PUB-**  
14 **LIC LANDS SUBJECT TO PROGRAMS.”;**

15 (B) by striking “SEC. 203.”;

16 (C) in subsection (a), by inserting  
17 “AGREEMENTS TO REQUIRE STAMPS.—” after  
18 “(a)”;

19 (D) in subsection (b)—

20 (i) by inserting “CONDITIONS FOR  
21 AGREEMENTS.—” after “(b)”;

22 (ii) by moving paragraph (3) 2 ems to  
23 the right, so that the left-hand margin  
24 aligns with that of paragraph (2).



1           (10) Section 204 (16 U.S.C. 670j) is amend-  
2       ed—

3           (A) by inserting at the beginning the fol-  
4       lowing:

5       **“SEC. 204. ENFORCEMENT PROVISIONS.”;**

6           (B) by striking “SEC. 204.”;

7           (C) in subsection (a), by inserting “VIOLA-  
8       TIONS AND PENALTIES.—” after “(a)”;

9           (D) in subsection (b), by inserting “EN-  
10       FORCEMENT POWERS AND PROCEEDINGS.—”  
11       after “(b)”;

12          (E) in subsection (c), by inserting “SEI-  
13       ZURE AND FORFEITURE.—” after “(c)”;

14          (F) in subsection (d), by inserting “APPLI-  
15       CABILITY OF CUSTOMS LAWS.—” after “(d)”.

16       (11) Section 205 (16 U.S.C. 670k) is amend-  
17       ed—

18           (A) by inserting at the beginning the fol-  
19       lowing:

20       **“SEC. 205. DEFINITIONS.”; and**

21           (B) by striking “SEC. 205.”.

22       (12) Section 206 (16 U.S.C. 670l) is amend-  
23       ed—

24           (A) by inserting at the beginning the fol-  
25       lowing:

1 **“SEC. 206. STAMP REQUIREMENTS NOT APPLICABLE TO**  
2 **FOREST SERVICE AND BUREAU OF LAND**  
3 **MANAGEMENT LANDS; AUTHORIZED FEES.”;**

4 **and**

5 (B) by striking “SEC. 206.”.

6 (13) Section 207 (16 U.S.C. 670m) is amend-  
7 ed—

8 (A) by inserting at the beginning the fol-  
9 lowing:

10 **“SEC. 207. INDIAN RIGHTS; STATE OR FEDERAL JURISDIC-**  
11 **TION REGULATING INDIAN RIGHTS.”; and**

12 (B) by striking “SEC. 207.”.

13 (14) Section 209 (16 U.S.C. 670o) is amend-  
14 ed—

15 (A) by inserting at the beginning the fol-  
16 lowing:

17 **“SEC. 209. AUTHORIZATION OF APPROPRIATIONS.”;**

18 (B) by striking “SEC. 209.”;

19 (C) in subsection (a), by inserting “FUNC-  
20 TIONS AND RESPONSIBILITIES OF SECRETARY  
21 OF THE INTERIOR.—” after “(a)”;

22 (D) in subsection (b), by inserting “FUNC-  
23 TIONS AND RESPONSIBILITIES OF SECRETARY  
24 OF AGRICULTURE.—” after “(b)”;

1 (E) in subsection (c), by inserting “USE  
2 OF OTHER CONSERVATION OR REHABILITA-  
3 TION AUTHORITIES” after “(c)”; and

4 (F) in subsection (d), by inserting “CON-  
5 TRACT AUTHORITY” after “(d)”.

6 (c) CODIFICATION OF CHANGE OF NAME.—Section  
7 204(b) of such Act (16 U.S.C. 670j) is amended by strik-  
8 ing “magistrate” both places it appears and inserting  
9 “magistrate judge”.

10 (d) REPEAL OF OBSOLETE SECTION.—Section 208  
11 of such Act is repealed, and section 209 of such Act (16  
12 U.S.C. 670o) is redesignated as section 208.

13 **SEC. 314. DISCHARGE OF WASTES AT SEA GENERATED BY**  
14 **SHIPS OF THE ARMED FORCES.**

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

19 “(b)(1) Except as provided in paragraph (3), this Act  
20 shall not apply to—

21 “(A) a ship of the Armed Forces described in  
22 paragraph (2); or

23 “(B) any other ship specifically excluded by the  
24 MARPOL Protocol or the Antarctic Protocol.

1       “(2) A ship described in this paragraph is a ship that  
2 is owned or operated by the Secretary, with respect to the  
3 Coast Guard, or by the Secretary of a military depart-  
4 ment, and that, as determined by the Secretary con-  
5 cerned—

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

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

13       “(3)(A) Notwithstanding any provision of the  
14 MARPOL Protocol, the requirements of Annex V to the  
15 Convention shall apply to all ships referred to in sub-  
16 section (a) other than those described in paragraph (2).

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

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

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

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

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

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

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

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

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

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

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

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

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

11          “(E) This paragraph shall not apply when discharge  
12 of any garbage is necessary for the purpose of securing  
13 the safety of the ship, the health of the ship’s personnel,  
14 or saving life at sea. Not later than 270 days after such  
15 a discharge, the discharge shall be reported to the Sec-  
16 retary, with respect to the Coast Guard, or the Secretary  
17 concerned.

18          “(F) This paragraph shall not apply during time of  
19 war or a national emergency declared by the President or  
20 Congress.”.

21          (b) CONFORMING AMENDMENTS.—Section 3(f) of the  
22 Act to Prevent Pollution from Ships (33 U.S.C. 1902(f))  
23 is amended—

24                 (1) in paragraph (1), by striking “Annex V to  
25                 the Convention on or before the dates referred to in

1 subsections (b)(2)(A) and (c)(1)” and inserting  
2 “subsection (b)”;

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

6 **SEC. 315. DESIGNATION OF DEPARTMENT OF DEFENSE EX-**  
7 **ECUTIVE AGENT FOR ALTERNATIVE FUEL DE-**  
8 **VELOPMENT.**

9 (a) DESIGNATION OF EXECUTIVE AGENT.—The As-  
10 sistant Secretary of Defense for Operational Energy,  
11 Plans, and Programs shall recommend, and the Secretary  
12 of Defense shall designate, the Secretary of one of the  
13 military departments to serve as the Executive Agent for  
14 Alternative Fuel Development for the Department of De-  
15 fense. The Executive Agent shall—

16 (1) lead the military departments in the devel-  
17 opment of alternative fuel;

18 (2) streamline the current investments of each  
19 of the military departments and ensure that such in-  
20 vestments account for the requirements of the mili-  
21 tary departments;

22 (3) work jointly with the Assistant Secretary of  
23 Defense for Research and Engineering;

24 (4) collaborate with and leverage investments  
25 made by the Department of Energy to advance al-

1       ternative fuel development to the benefit of the De-  
2       partment of Defense; and

3             (5) coordinate proposed alternative fuel invest-  
4       ments in accordance with section 138c(e) of title 10,  
5       United States Code.

6       (b) IMPLEMENTATION.—The Assistant Secretary of  
7       Defense for Operational Energy, Plans, and Programs  
8       shall prescribe policy for the Executive Agent, establish  
9       guidelines for streamlining alternative fuel investments  
10      across the Department of Defense, and certify the budget  
11      associated with such investments.

12      (c) NOTIFICATION.—Not later than 180 days after  
13      the date of the enactment of this Act, the Secretary of  
14      Defense shall submit to the congressional defense commit-  
15      tees notification of the Secretary designated as the Execu-  
16      tive Agent for Alternative Fuel Development for the De-  
17      partment of Defense under subsection (a) and a copy of  
18      the policy prescribed under subsection (b).

19      **SEC. 316. FAVORABLE CONSIDERATION OF ENERGY-EFFI-**  
20                    **CIENT TECHNOLOGIES IN CONTRACTS FOR**  
21                    **LOGISTICS SUPPORT OF CONTINGENCY OP-**  
22                    **ERATIONS.**

23      (a) FAVORABLE CONSIDERATION.—In evaluating of-  
24      fers for defense logistics support contracts for contingency  
25      operations, the Secretary of Defense shall give favorable



1 consideration, consistent with the energy performance  
2 goals and energy performance master plan for the Depart-  
3 ment of Defense developed under section 2911 of title 10,  
4 United States Code, to offers that include energy-efficient  
5 or energy reduction technologies or processes meeting the  
6 requirements of subsection (b).

7 (b) REQUIREMENTS FOR ENERGY TECHNOLOGIES  
8 AND PROCESSES.—Favorable consideration shall be given  
9 to an offer for a defense logistics support contract under  
10 subsection (a) if any energy technology or process included  
11 in the offer meets the following criteria:

12 (1) The technology or process achieves long-  
13 term savings for the Government by reducing overall  
14 demand for fuel and other sources of energy in con-  
15 tingency operations.

16 (2) The technology or process does not disrupt  
17 the mission, the logistics, or the core requirements  
18 in the contingency operation concerned.

19 (3) The technology or process is able to inte-  
20 grate seamlessly into the existing infrastructure in  
21 the contingency operation concerned.

22 (c) ADDITIONAL REQUIREMENTS.—

23 (1) LIFECYCLE COST SAVINGS REQUIRED TO BE  
24 DEMONSTRATED.—Favorable consideration may not  
25 be given under subsection (a) to an offer for a de-

1       fense logistics support contract unless the offer con-  
2       tains information demonstrating the total lifecycle  
3       cost savings achieved using the energy technology or  
4       process in the offer over traditional technologies.

5           (2) RELATIONSHIP TO OTHER FACTORS.—The  
6       favorable consideration given under subsection (a)  
7       with respect to a defense logistics support contract  
8       does not outweigh other factors set forth by the se-  
9       lection authority for the evaluation of the contract.

10       (d) REGULATIONS AND GUIDANCE.—

11           (1) REGULATIONS.—The Defense Supplement  
12       to the Federal Acquisition Regulation shall be re-  
13       vised to implement this section.

14           (2) GUIDANCE.—Not later than 180 days after  
15       the date of the enactment of this Act, the Secretary  
16       of Defense shall issue comprehensive guidance on  
17       the implementation of this section.

18       (e) REPORT.—The annual report required by section  
19       2925(b) of title 10, United States Code, shall include in-  
20       formation on the progress in the implementation of this  
21       section, including savings achieved by the Department re-  
22       sulting from such implementation.

23       (f) DEFINITIONS.—In this section:

24           (1) DEFENSE LOGISTICS SUPPORT CON-  
25       TRACT.—The term “defense logistics support con-

1       tract” means a contract for services, or a task order  
2       under such a contract, awarded by the Department  
3       of Defense to provide logistics support during times  
4       of military mobilizations, including contingency oper-  
5       ations, in any amount greater than the simplified ac-  
6       quisition threshold.

7               (2) CONTINGENCY OPERATION.—The term  
8       “contingency operation” has the meaning provided  
9       in section 101(a)(13) of title 10, United States  
10       Code.

11       (g) SENSE OF CONGRESS.—It is the sense of Con-  
12       gress that favorable consideration of energy-efficient or  
13       energy reduction technologies or processes under this sec-  
14       tion should include a focus on alternative, self-sufficient  
15       energy sources that reduce costs in the long term.

16       **SEC. 317. HEALTH ASSESSMENT REPORTS REQUIRED WHEN**  
17                       **WASTE IS DISPOSED OF IN OPEN-AIR BURN**  
18                       **PITS.**

19       Section 317 of the National Defense Authorization  
20       Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.  
21       2250; 10 U.S.C. 2701 note) is amended—

22               (1) by redesignating subsection (c) as sub-  
23       section (d); and

24               (2) by inserting after subsection (b) the fol-  
25       lowing new subsection (c):

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

9           “(1) An epidemiological description of the  
10 short-term and long-term health risks posed to per-  
11 sonnel in the area where the burn pit is located be-  
12 cause of exposure to the open-air burn pit.

13           “(2) A copy of the methodology used to deter-  
14 mine the health risks described in paragraph (1).

15           “(3) A copy of the assessment of the oper-  
16 ational risks and health risks when making the de-  
17 termination pursuant to subsection (a) that no alter-  
18 native disposal method is feasible for the open-air  
19 burn pit.”.

20 **SEC. 318. FIRE SUPPRESSION AGENTS.**

21       Section 605(a) of the Clean Air Act (42 U.S.C.  
22 7671d(a)) is amended—

23           (1) by striking “or” at the end of paragraph  
24           (2);

1 (2) by striking the period at the end of para-  
2 graph (3) and inserting “; or”; and

3 (3) by adding the following new paragraph after  
4 paragraph (3):

5 “(4) is listed as acceptable for use as a fire sup-  
6 pression agent for nonresidential applications in ac-  
7 cordance with section 612(c).”.

8 **Subtitle C—Logistics and**  
9 **Sustainment**

10 **SEC. 321. DEFINITION OF DEPOT-LEVEL MAINTENANCE**  
11 **AND REPAIR.**

12 Section 2460 of title 10, United States Code, is  
13 amended to read as follows:

14 **“§ 2460. Definition of depot-level maintenance and re-**  
15 **pair**

16 “(a) IN GENERAL.—In this chapter, the term “depot-  
17 level maintenance and repair” means (except as provided  
18 in subsection (b)) the processes of material maintenance  
19 or repair involving the overhaul, upgrading, rebuilding,  
20 testing, inspection, and reclamation (as necessary) of  
21 weapon systems, equipment end items, parts, components,  
22 assemblies, and subassemblies. The term includes—

23 “(1) all aspects of software maintenance;

24 “(2) the installation of parts or components for  
25 modifications; and

1           “(3) associated technical assistance to inter-  
2           mediate maintenance organizations, operational  
3           units, and other activities.

4           “(b) EXCEPTION.—The term does not include the nu-  
5           clear refueling of an aircraft carrier.”.

6   **SEC. 322. CORE LOGISTICS CAPABILITIES.**

7           (a) MODIFICATIONS TO CORE LOGISTICS CAPABILI-  
8           TIES REQUIREMENTS.—Section 2464 of title 10, United  
9           States Code, is amended—

10           (1) in subsection (a)—

11                   (A) in paragraph (3), by striking “systems  
12                   and equipment under special access programs,  
13                   nuclear aircraft carriers,” and inserting “the  
14                   nuclear refueling of an aircraft carrier”; and

15                   (B) in paragraph (4), by striking “facili-  
16                   ties” each place it appears and inserting “in-  
17                   dustrial facilities”;

18           (2) by redesignating subsections (b) and (c) as  
19           subsections (c) and (d), respectively;

20           (3) by inserting after subsection (a) the fol-  
21           lowing new subsection (b):

22           “(b) ANNUAL REPORT.—Not later than 90 days after  
23           the date on which the budget of the President for a fiscal  
24           year is submitted to Congress pursuant to section 1105  
25           of title 31, the Secretary of Defense shall submit to Con-

1 gress a report identifying, for each of the armed forces  
2 (other than the Coast Guard) each of the following:

3 “(1) The core logistics capability requirements  
4 identified in subsection (a)(2).

5 “(2) The depot maintenance workloads required  
6 to cost-effectively support core logistics capability re-  
7 quirements.

8 “(3) The additional depot maintenance work-  
9 loads, beyond the workloads identified under para-  
10 graph (2), needed to ensure that not more than 50  
11 percent of the non-exempt depot maintenance fund-  
12 ing is expended for performance by non-federal gov-  
13 ernmental personnel in accordance with section 2466  
14 of this title.

15 “(4) The allocation of workload for each Center  
16 of Industrial and Technical Excellence as designated  
17 in accordance with section 2474 of this title.

18 “(5) The depot maintenance capital investments  
19 required to be made in order to ensure compliance  
20 with subsection (a) by not later than four years after  
21 achieving initial operational capacity.”; and

22 (4) by adding at the end the following new sub-  
23 section:

24 “(e) INDUSTRIAL FACILITY DEFINED.—In this sec-  
25 tion, the term ‘industrial facility’ includes government-

1 owned ammunition plants, arsenals, depots, and manufac-  
2 turing plants and facilities designated for the purpose of  
3 conducting depot-level maintenance and repair.”.

4 (b) EFFECTIVE DATE.—The amendments made by  
5 subsection (a)(1) shall apply with respect to contracts en-  
6 tered into after the date of the enactment of this Act.

7 **SEC. 323. DESIGNATION OF MILITARY INDUSTRIAL FACILI-**  
8 **TIES AS CENTERS OF INDUSTRIAL AND TECH-**  
9 **NICAL EXCELLENCE.**

10 Section 2474(a)(1) of title 10, United States Code,  
11 is amended by inserting “or military industrial facility”  
12 after “depot-level activity”.

13 **SEC. 324. REDESIGNATION OF CORE COMPETENCIES AS**  
14 **CORE LOGISTICS CAPABILITIES FOR CEN-**  
15 **TERS OF INDUSTRIAL AND TECHNICAL EX-**  
16 **CELLENCE.**

17 Section 2474 of title 10, United States Code, is  
18 amended—

19 (1) by striking “core competencies” each place  
20 it appears and inserting “core logistics capabilities”;  
21 and

22 (2) in subsection (a)(2), by striking “core com-  
23 petency” and inserting “core logistics capability”.



1 **SEC. 325. PERMANENT AND EXPANDED AUTHORITY FOR**  
2 **ARMY INDUSTRIAL FACILITIES TO ENTER**  
3 **INTO CERTAIN COOPERATIVE ARRANGE-**  
4 **MENTS WITH NON-ARMY ENTITIES.**

5 (a) IN GENERAL.—Section 4544 of title 10, United  
6 States Code, is amended—

7 (1) in subsection (a), by striking the second  
8 sentence; and

9 (2) by striking subsection (k).

10 (b) REPORT.—Section 328(b)(A) of the National De-  
11 fense Authorization Act for Fiscal Year 2008 (Public Law  
12 110–181; 122 Stat. 66; 10 U.S.C. 4544 note) is amended  
13 by striking “the advisability” and all that follows through  
14 the end and inserting “the effect of the use of such author-  
15 ity on the rates charged by each Army industrial facility  
16 when bidding on contracts for the Army or for a Defense  
17 agency and providing recommendations to improve the  
18 ability of each category of Army industrial facility (as de-  
19 fined in section 4544(j) of title 10, United States Code)  
20 to compete for such contracts;”.

21 **SEC. 326. AMENDMENT TO REQUIREMENT RELATING TO**  
22 **CONSIDERATION OF COMPETITION**  
23 **THROUGHOUT OPERATION AND**  
24 **SUSTAINMENT OF MAJOR WEAPON SYSTEMS.**

25 Section 202(d) of the Weapon Systems Acquisition  
26 Reform Act of 2009 (10 U.S.C. 2430 note) is amended

1 by inserting after “major weapon system” the following:  
2 “or a subsystem or component of a major weapon sys-  
3 tem”.

4 **SEC. 327. IMPLEMENTATION OF CORRECTIVE ACTIONS RE-**  
5 **SULTING FROM CORROSION STUDY OF THE**  
6 **F-22 AND F-35 AIRCRAFT.**

7 (a) IMPLEMENTATION; CONGRESSIONAL BRIEF-  
8 ING.—Not later than January 31, 2012, the Under Sec-  
9 retary of Defense for Acquisition, Technology, and Logis-  
10 tics shall implement the recommended actions described  
11 in subsection (b) and provide to the congressional defense  
12 committees a briefing on the actions taken by the Under  
13 Secretary to implement such recommended actions.

14 (b) RECOMMENDED ACTIONS.—The recommended  
15 actions described in this subsection are the following four  
16 recommended actions included in the report of the Govern-  
17 ment Accountability Office report numbered GAO–11–  
18 117R and titled “Defense Management: DOD Needs to  
19 Monitor and Assess Corrective Actions Resulting from Its  
20 Corrosion Study of the F–35 Joint Strike Fighter”:

21 (1) The documentation of program-specific rec-  
22 ommendations made as a result of the corrosion  
23 study described in subsection (d) with regard to the  
24 F–35 and F–22 aircraft and the establishment of a  
25 process for monitoring and assessing the effective-

1       ness of the corrective actions taken with respect to  
2       such aircraft in response to such recommendations.

3           (2) The documentation of program-specific rec-  
4       ommendations made as a result of such corrosion  
5       study with regard to the other weapon systems iden-  
6       tified in the study, specifically the CH-53K heli-  
7       copter, the Joint High Speed Vessel, the Broad Area  
8       Maritime Surveillance Unmanned Aircraft System,  
9       and the Joint Light Tactical Vehicle, and the estab-  
10      lishment of a process for monitoring and assessing  
11      the effectiveness of the corrosion prevention and con-  
12      trol programs implemented for such weapons sys-  
13      tems in response to such recommendations.

14           (3) The documentation of Air Force-specific  
15      and Navy-specific recommendations made as a result  
16      of such corrosion study and the establishment of a  
17      process for monitoring and assessing the effective-  
18      ness of the corrective actions taken by the Air Force  
19      and the Navy in response to such recommendations.

20           (4) The documentation of Department of De-  
21      fense-wide recommendations made as a result of  
22      such corrosion study, the implementation of any  
23      needed changes in policies and practices to improve  
24      corrosion prevention and control in new systems ac-  
25      quired by the Department, and the establishment of

1 a process for monitoring and assessing the effective-  
2 ness of the corrective actions taken by the Depart-  
3 ment in response to such recommendations.

4 (c) DEADLINE FOR COMPLIANCE.—Not later than  
5 December 31, 2012, the Under Secretary of Defense for  
6 Acquisition, Technology, and Logistics, in conjunction  
7 with the directors of the F-35 and F-22 program offices,  
8 the directors of the program offices for the weapons sys-  
9 tems referred to in subsection (b)(2), the Secretary of the  
10 Army, the Secretary of the Air Force, and the Secretary  
11 of the Navy, shall—

12 (1) take whatever steps necessary to comply  
13 with the recommendations documented pursuant to  
14 the required implementation under subsection (a) of  
15 the recommended actions described in subsection  
16 (b); or

17 (2) submit to the congressional defense commit-  
18 tees written justification of why compliance was not  
19 feasible or achieved.

20 (d) CORROSION STUDY.—The corrosion study de-  
21 scribed in this subsection is the study required in House  
22 Report 111-166 accompanying H.R. 2647 of the 111th  
23 Congress conducted by the Office of the Director of Corro-  
24 sion Policy and Oversight of the Office of the Secretary

1 of Defense and titled “Corrosion Evaluation of the F-22  
2 Raptor and F-35 Lightning II Joint Strike Fighter”.

3 **SEC. 328. MODIFICATION OF REQUIREMENTS RELATING TO**  
4 **MINIMUM CAPITAL INVESTMENT FOR CER-**  
5 **TAIN DEPOTS.**

6 Section 2476 of title 10, United States Code, is  
7 amended—

8 (1) in subsection (a), by inserting “mainte-  
9 nance, repair, and overhaul” after “combined”;

10 (2) in subsection (b), by inserting “facilities,”  
11 before “infrastructure”;

12 (3) in subsection (d), by adding at the end the  
13 following new subparagraph:

14 “(E) A table showing the funded workload per-  
15 formed by each covered depot for the preceding  
16 three fiscal years and actual investment funds allo-  
17 cated to each depot for the period covered by the re-  
18 port.”; and

19 (4) in subsection (e)(1), by adding at the end  
20 the following new subparagraph:

21 “(I) Tooele Army Depot, Utah.”.

## **Subtitle D—Readiness**

**SEC. 331. MODIFICATION OF DEPARTMENT OF DEFENSE  
AUTHORITY TO ACCEPT VOLUNTARY CON-  
TRIBUTIONS 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.”.

1 **SEC. 333. SENSE OF CONGRESS REGARDING INTEGRATION**  
2 **OF BALLISTIC MISSILE DEFENSE TRAINING**  
3 **ACROSS AND BETWEEN COMBATANT COM-**  
4 **MANDS AND MILITARY SERVICES.**

5 (a) FINDINGS.—Congress finds that ballistic missile  
6 defense is an inherently joint operation that requires close  
7 coordination between combatant commands and military  
8 services at all levels, from the strategic to the operational  
9 to the tactical. Since the time available to identify, track,  
10 and intercept ballistic missiles will be less than 30 min-  
11 utes, joint training to improve the ability of the military  
12 departments and combatant commands to work together  
13 is essential for successfully planning and conducting bal-  
14 listic missile defense operations. Congress has previously  
15 expressed concern that gaps in joint missile defense train-  
16 ing, from the lowest sensor or shooter operator level to  
17 the highest levels of decision-making on combatant com-  
18 mand staffs, must be identified and rectified.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that—

21 (1) improving the integration of ballistic missile  
22 defense training across and between combatant com-  
23 mands and military services and fully identifying the  
24 training requirements, capabilities, and resources  
25 that the Department of Defense needs to effectively  
26 train for this complex mission is vital to the protec-

1 tion of the United States against ballistic missile at-  
2 tacks;

3 (2) identifying and addressing training gaps in  
4 integrating missile defense training is essential for  
5 successfully employing the Ballistic Missile Defense  
6 System; and

7 (3) identifying the capabilities and funding  
8 needed to effectively and adequately integrate train-  
9 ing across and between the combatant commands  
10 and military services is important to ensure that  
11 training priorities are being met and that resources  
12 are aligned to support the training.

## 13 **Subtitle E—Reports**

### 14 **SEC. 341. ANNUAL CERTIFICATION AND MODIFICATIONS OF** 15 **ANNUAL REPORT ON PREPOSITIONED MATE-** 16 **RIEL AND EQUIPMENT.**

17 (a) ANNUAL CERTIFICATION.—Section 2229 of title  
18 10, United States Code, is amended by adding at the end  
19 the following new subsection:

20 “(d) ANNUAL CERTIFICATION.—(1) Not later than  
21 the date of the submission of the President’s budget re-  
22 quest for a fiscal year under section 1105 of title 31, the  
23 Secretary of Defense shall submit to the congressional de-  
24 fense committees certification in writing that the  
25 prepositioned stocks of each of the military departments



1 meet all operations plans, in both fill and readiness, that  
2 are in effect as of the date of the submission of the certifi-  
3 cation.

4 “(2) If, for any year, the Secretary cannot certify  
5 that any of the prepositioned stocks meet such operations  
6 plans, the Secretary shall include with the certification for  
7 that year a list of the operations plans affected, a descrip-  
8 tion of any measures that have been taken to mitigate any  
9 risk associated with prepositioned stock shortfalls, and an  
10 anticipated timeframe for the replenishment of the stocks.

11 “(3) A certification under this subsection shall be in  
12 an unclassified form but may have a classified annex.”.

13 (b) ANNUAL REPORT.—Section 2229a(a) of title 10,  
14 United States Code, is amended by adding at the end the  
15 following new paragraphs:

16 “(7) A list of any non-standard items slated for  
17 inclusion in the prepositioned stocks and a plan for  
18 funding the inclusion and sustainment of such items.

19 “(8) A list of any equipment used in support of  
20 Operation Iraqi Freedom, Operation New Dawn, or  
21 Operation Enduring Freedom slated for retrograde  
22 and subsequent inclusion in the prepositioned stocks.

23 “(9) An efficiency strategy for limited shelf-life  
24 medical stock replacement.

1           “(10) The status of efforts to develop a joint  
2 strategy, integrate service requirements, and elimi-  
3 nate redundancies.

4           “(11) The operational planning assumptions  
5 used in the formulation of prepositioned stock levels  
6 and composition.

7           “(12) A list of any strategic plans affected by  
8 changes to the levels, composition, or locations of the  
9 prepositioned stocks and a description of any action  
10 taken to mitigate any risk that such changes may  
11 create.”.

12 **SEC. 342. MODIFICATION OF REPORT ON MAINTENANCE**  
13 **AND REPAIR OF VESSELS IN FOREIGN SHIP-**  
14 **YARDS.**

15 Section 7310(c) of title 10, United States Code, is  
16 amended—

17           (1) in paragraph (3)(A), by inserting after  
18 “justification under law” the following: “and oper-  
19 ational justification”; and

20           (2) in paragraph (4), by adding at the end the  
21 following new subparagraph:

22           “(C) A vessel not described in subparagraph  
23 (A) or (B) that is operated pursuant to a contract  
24 entered into by the Military Sealift Command, the

1 Maritime Administration, or the United States  
2 Transportation Command.”.

3 **SEC. 343. ADDITIONAL REQUIREMENTS FOR ANNUAL RE-**  
4 **PORT ON MILITARY WORKING DOGS.**

5 Section 358(c) of the Duncan Hunter National De-  
6 fense Authorization Act for Fiscal Year 2009 (Public Law  
7 110–417; 122 Stat. 4427; 10 U.S.C. 2302 note) is amend-  
8 ed—

9 (1) in the matter preceding paragraph (1), by  
10 striking “for the fiscal year covered by the report”;

11 (2) in paragraph (1), by striking “The number”  
12 and inserting “For the fiscal year covered by the re-  
13 port, the number”;

14 (3) in paragraph (2), by striking “The cost”  
15 and inserting “For such fiscal year”;

16 (4) in paragraph (3), by inserting “during such  
17 fiscal year” before the period at the end; and

18 (5) by adding at the end the following new  
19 paragraphs:

20 “(4) For such fiscal year, the number of mili-  
21 tary working dogs providing services under a con-  
22 tract for each military department or Defense Agen-  
23 cy.

1           “(5) For such fiscal year, the number of mili-  
2           tary working dogs bred by each military department  
3           or Defense Agency.

4           “(6) An evaluation of military working dog  
5           breeding programs that addresses—

6                   “(A) the cost of acquiring dogs through  
7                   such breeding programs compared to the cost of  
8                   purchasing the dogs;

9                   “(B) a plan for how the Department could  
10                  better leverage existing departmental and non-  
11                  departmental domestic breeding programs; and

12                  “(C) other considerations as determined  
13                  appropriate by the Secretary.

14           “(7) The future force structure requirements  
15           for the military working dog program.”.

16 **SEC. 344. ASSESSMENT AND REPORTING REQUIREMENTS**  
17                   **REGARDING THE STATUS OF COMPLIANCE**  
18                   **WITH JOINT MILITARY TRAINING AND FORCE**  
19                   **ALLOCATIONS.**

20           (a) **ASSESSMENT REQUIRED.**—At the beginning of  
21           each even-numbered year, the Secretary of Defense shall  
22           conduct an assessment of joint military training and force  
23           allocations to determine—

24                   (1) the compliance of the military departments  
25                   with the joint training, doctrine, and resource alloca-

1       tion recommendations promulgated by the Joint  
2       Chiefs of Staff; and

3               (2) the effectiveness of the Joint Staff in car-  
4       rying out the missions of planning and experimen-  
5       tation formerly accomplished by Joint Forces Com-  
6       mand.

7       (b) **RELATION TO NATIONAL MILITARY STRATEGY**  
8 **ASSESSMENTS.**—The assessments required by this section  
9 are in addition to the assessments of the National Military  
10 Strategy conducted by the Chairman of the Joint Chiefs  
11 of Staff under section 153(b) of title 10, United States  
12 Code.

13       (c) **REPORTS ON RESULTS OF ASSESSMENT.**—Not  
14 later than March 31, 2012, and March 31 of each even-  
15 numbered year thereafter, the Secretary of Defense shall  
16 submit to the congressional defense committees a report  
17 containing the results of the most recently concluded as-  
18 sessment conducted under subsection (a).

19 **SEC. 345. STUDY OF UNITED STATES PACIFIC COMMAND**  
20 **TRAINING READINESS.**

21       (a) **STUDY REQUIRED.**—In fulfillment of the rec-  
22 ommendations in the 2010 Quadrennial Defense Review,  
23 the Secretary of Defense, in conjunction with the Com-  
24 mander of the United States Pacific Command, shall con-  
25 duct a study to identify current and future training re-

1 requirements for all members of the Armed Forces assigned  
2 to the Pacific Command area of responsibility, the suffi-  
3 ciency of current training infrastructure to meet those re-  
4 quirements, and the effect on operational readiness of pro-  
5 viding additional training venues.

6 (b) TRAINING LOCATIONS.—

7 (1) IN GENERAL.—In carrying out the study re-  
8 quired under subsection (a), the Secretary of De-  
9 fense and the Commander of the United States Pa-  
10 cific Command shall identify locations within the  
11 United States Pacific Command’s area of responsi-  
12 bility as suitable to establish combat training centers  
13 to fulfill requirements for live-fire and simulated in-  
14 dividual, small-unit, and collective pre-deployment  
15 and post-deployment training of United States com-  
16 bat forces in joint, multi-national, and coalition full-  
17 spectrum operations as well as counterinsurgency,  
18 stability, and humanitarian operations.

19 (2) SUITABILITY FOR TRAINING.—The locations  
20 identified by the Secretary and the Commander of  
21 the United States Pacific Command pursuant to  
22 paragraph (1) shall be suitable for training forces  
23 equivalent to a Marine Expeditionary Force, an  
24 Army division, an Air and Space Expeditionary  
25 Force, or a Navy carrier strike group.

1           (3) LOCATIONS FOR CONSIDERATION.—In iden-  
2           tifying locations to be studied pursuant to paragraph  
3           (1), the Secretary and the Commander of the United  
4           States Pacific Command may consider, among oth-  
5           ers, current as well as former United States military  
6           installations.

7           (c) STUDY REQUIREMENTS.—In carrying out the  
8           study required under subsection (a), the Secretary and the  
9           Commander of the United States Pacific Command  
10          shall—

11           (1) determine cost estimates for any necessary  
12           acquisition, development (including military con-  
13           struction), operation, and maintenance of the loca-  
14           tions identified under subsection (b);

15           (2) determine the estimated cost to upgrade  
16           any current infrastructure at any location identified  
17           to bring the location to a state required for the  
18           training described in subsection (b);

19           (3) provide a description of the possible envi-  
20           ronmental impact of conducting the training de-  
21           scribed in subsection (b);

22           (4) include an estimate of the potential eco-  
23           nomic impact, either positive or negative, to the local  
24           community of accommodating the training described  
25           in subsection (b); and

1           (5) provide a description of the anticipated im-  
2           pact on the quality of life for military personnel who  
3           would train at the identified locations.

4           (d) ASSESSMENT OF READINESS IMPACT.—The Sec-  
5           retary and the Commander of the United States Pacific  
6           Command shall include in the study required under this  
7           section an assessment of the effect on operational and  
8           training readiness that would be achieved by providing  
9           training at the training locations identified under sub-  
10          section (b).

11          (e) REPORT.—Not later than February 28, 2013, the  
12          Secretary shall submit to the Committee on Armed Serv-  
13          ices of the House of Representatives and the Committee  
14          on Armed Services of the Senate a report that contains  
15          the results of the study required under this section along  
16          with any conclusions and recommendations of the Sec-  
17          retary and the Commander of the United States Pacific  
18          Command regarding the activation and implementation of  
19          training sites in the Pacific Command area of responsi-  
20          bility.

21          (f) COMPTROLLER GENERAL BRIEFING.—Not later  
22          than 120 days after the submittal of the report under sub-  
23          section (e), the Comptroller General of the United States  
24          shall provide to the Committee on Armed Services of the  
25          House of Representatives and the Committee on Armed



1 Services of the Senate a briefing on the completeness of  
2 the Secretary's report in fulfilling the requirements of this  
3 section and the feasibility of successfully establishing addi-  
4 tional training opportunities based on the recommenda-  
5 tions included in the report.

6 **SEC. 346. ADDITIONAL MATTERS FOR INCLUSION IN AN-**  
7 **NUAL REPORT ON OPERATIONAL ENERGY.**

8 Section 2925(b)(2) of title 10, United States Code,  
9 is amended—

10 (1) by redesignating subparagraph (E) as sub-  
11 paragraph (F); and

12 (2) by adding at the end the following new sub-  
13 paragraph:

14 “(E) An evaluation of practices used in contin-  
15 gency operations during the previous fiscal year and  
16 potential improvements to such practices to reduce  
17 vulnerabilities associated with fuel convoys, including  
18 improvements in tent and structure efficiency, im-  
19 provements in generator efficiency, and displacement  
20 of liquid fuels with on-site renewable energy genera-  
21 tion. Such evaluation should identify challenges asso-  
22 ciated with the deployment of more efficient struc-  
23 tures and equipment and renewable energy genera-  
24 tion, and recommendations for overcoming such  
25 challenges.”.

1           **Subtitle F—Limitations and**  
2           **Extensions of Authority**

3   **SEC. 351. ADOPTION OF MILITARY WORKING DOG BY FAM-**  
4                   **ILY OF DECEASED OR SERIOUSLY WOUNDED**  
5                   **MEMBER OF THE ARMED FORCES WHO WAS**  
6                   **THE DOG’S HANDLER.**

7           Section 2583(c) of title 10, United States Code, is  
8 amended—

9           (1) by inserting “(1)” before “Military ani-  
10           mals”; and

11           (2) by adding at the end the following new  
12           paragraph:

13           “(2) For purposes of making a determination under  
14           subsection (a)(2), unusual or extraordinary circumstances  
15           may include situations in which the handler of a military  
16           working dog is killed in action, dies of wounds received  
17           in action, or is so seriously wounded in action that the  
18           member will (or most likely will) receive a medical dis-  
19           charge. If the Secretary of the military department con-  
20           cerned determines that an adoption is justified in such a  
21           situation, the military working dog shall be made available  
22           for adoption only by the immediate family of the mem-  
23           ber.”.

1 **SEC. 352. PROHIBITION ON EXPANSION OF THE AIR FORCE**  
2 **FOOD TRANSFORMATION INITIATIVE.**

3 The Secretary of the Air Force may not expand the  
4 Air Force food transformation initiative (hereinafter re-  
5 ferred to as the “initiative”) to include any base other  
6 than the six bases initially included in the pilot program  
7 until 270 days after the date on which the Secretary of  
8 the Air Force submits to the Committees on Armed Serv-  
9 ices of the Senate and House of Representatives a report  
10 on the initiative. Such report shall include the following:

11 (1) A description of the effects of the initiative  
12 on all employees who are paid through non-  
13 appropriated funds.

14 (2) A detailed plan for any new information  
15 technology systems, along with a funding plan, that  
16 may be required to fully implement the initiative.

17 (3) A description of the performance metrics  
18 developed to objectively measure the initiative at the  
19 six bases participating in the initiative as of the date  
20 of the enactment of this Act.

21 (4) An explanation of how appropriated and  
22 non-appropriated funds used in the initiative are  
23 being tracked to ensure that such funds remain seg-  
24 regated.

1           (5) An estimate of the cost savings and effi-  
2           ciencies associated with the initiative, and an expla-  
3           nation of how such savings are achieved.

4           (6) The rationale for any increases in food  
5           prices at both the appropriated facilities on the mili-  
6           tary bases participating in the initiative as of the  
7           date of the enactment of this Act and the non-appro-  
8           priated funded facilities on such bases.

9           (7) An explanation of any challenges or barriers  
10          encountered at such bases and a plan for addressing  
11          those challenges or barriers to implementation.

12          (8) A description of the training programs  
13          being developed to assist the transition for all em-  
14          ployees affected by the initiative.

15          (9) A detailed plan for addressing any rec-  
16          ommendations made by the Comptroller General of  
17          the United States following the Comptroller Gen-  
18          eral's review of the initiative.

19   **SEC. 353. LIMITATION ON OBLIGATION AND EXPENDITURE**  
20                           **OF FUNDS FOR THE MIGRATION OF ARMY EN-**  
21                           **TERPRISE EMAIL SERVICES.**

22          Of the funds authorized to be appropriated by this  
23   Act or otherwise made available to the Department of De-  
24   fense for fiscal year 2012 for procurement or operation  
25   and maintenance for the migration to enterprise email

1 services by the Department of the Army, not more than  
2 2 percent may be obligated or expended until the date that  
3 is 30 days after the date on which the Secretary of Army  
4 submits to the congressional defense committees a report  
5 that includes a comparison of the relative merits of  
6 transitioning to Defense Information Systems Agency en-  
7 terprise email services and Army Knowledge Online. The  
8 report shall address each of the following:

9 (1) The original business case analysis sup-  
10 porting the decision to transition to Defense Infor-  
11 mation Systems Agency enterprise email services.

12 (2) An analysis of alternatives to the decision  
13 that were considered.

14 (3) The proposed formal acquisition oversight  
15 body and process with respect to the transition.

16 (4) An economic analysis (including a life-cycle  
17 cost analysis) of the proposed transition, including a  
18 cost-benefit analysis and assessment of sustainment  
19 costs.

20 **SEC. 354. ONE-YEAR EXTENSION OF PILOT PROGRAM FOR**  
21 **AVAILABILITY OF WORKING-CAPITAL FUNDS**  
22 **TO ARMY FOR CERTAIN PRODUCT IMPROVE-**  
23 **MENTS.**

24 Section 330(f) of the National Defense Authorization  
25 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.

1 68) is amended by striking “October 1, 2013” and insert-  
2 ing “October 1, 2014”.

3 **SEC. 355. MODIFICATION OF REPORT ON SEAD/DEAD MIS-**  
4 **SION REQUIREMENTS OF THE AIR FORCE.**

5 Section 334 of the Ike Skelton National Defense Au-  
6 thorization Act for Fiscal Year 2011 (Public Law 111-  
7 383; 124 Stat. 4188) is amended—

8 (1) in subsection (a)—

9 (A) by striking “120 days after the date of  
10 the enactment of this Act” and inserting “Au-  
11 gust 1, 2011”;

12 (B) by striking “designating” and insert-  
13 ing “expanding the role of the Air National  
14 Guard in conducting”; and

15 (C) by striking “as a responsibility of the  
16 Air National Guard”; and

17 (2) in subsection (b)(2), by adding at the end  
18 the following:

19 “(D) The capacity and capability of the  
20 Air National Guard to assume an increased  
21 level of the Department’s SEAD/DEAD mission  
22 responsibilities.”.

1 **SEC. 356. LIMITATION ON OBLIGATION AND EXPENDITURE**  
2 **OF FUNDS FOR MIGRATION OF MANAGEMENT**  
3 **OF AIR FORCE ENTERPRISE LOGISTICS SYS-**  
4 **TEMS PROGRAM EXECUTIVE OFFICE PEND-**  
5 **ING COST-BENEFIT ANALYSIS.**

6 Of the funds authorized to be appropriated by this  
7 Act or otherwise made available to the Department of De-  
8 fense for fiscal year 2012 for procurement or operation  
9 and maintenance for the migration to management for the  
10 Enterprise Logistics System Program Executive Office by  
11 the Department of the Air Force, not more than 10 per-  
12 cent may be obligated or expended until the date that is  
13 30 days after the date on which the Secretary of Air Force  
14 submits to the congressional defense committees a report  
15 on the cost-benefit analysis of migrating the management  
16 headquarters for the Enterprise Logistics System Pro-  
17 gram Executive Office. The report shall address each of  
18 the following:

19 (1) The business case analysis supporting the  
20 decision.

21 (2) An analysis of alternatives to the decision  
22 that were considered.

23 (3) An economic analysis (including a life-cycle  
24 cost analysis) of the proposed transition, including a  
25 cost-benefit analysis and assessment of sustainment  
26 costs.

1           **Subtitle G—Other Matters**

2   **SEC. 361. CONSIDERATION OF FORECLOSURE CIR-**  
3                   **CUMSTANCES IN ADJUDICATION OF SECU-**  
4                   **RITY CLEARANCES.**

5           (a) **IN GENERAL.**—Chapter 80 of title 10, United  
6 States Code, is amended by inserting after section 1564a  
7 the following new section:

8   **“§ 1564b. Security clearance adjudications**

9           “**In carrying out a security clearance adjudication of**  
10 **a member of the armed forces, the Secretary of Defense**  
11 **shall give special consideration to any such member with**  
12 **a record of a foreclosure on the credit report of such mem-**  
13 **ber.”.**

14           (b) **REGULATIONS.**—Not later than 180 days after  
15 the date of the enactment of this section, the Secretary  
16 shall issue regulations to carry out section 1564b of title  
17 10, United States Code, as added by subsection (a).

18           (c) **CLERICAL AMENDMENT.**—The table of sections  
19 at the beginning of such chapter is amended by inserting  
20 after the item relating to section 1564a the following new  
21 item:

“1564b. Security clearance adjudications.”.



1 **SEC. 362. AUTHORITY TO PROVIDE INFORMATION FOR**  
 2 **MARITIME SAFETY OF FORCES AND HYDRO-**  
 3 **GRAPHIC SUPPORT.**

4 (a) **AUTHORITY.**—Part IV of subtitle C of title 10,  
 5 United States Code, is amended by adding at the end the  
 6 following new chapter:

7 **“CHAPTER 669—MARITIME SAFETY OF**  
 8 **FORCES**

“Sec.

“7921. Safety and effectiveness information; hydrographic information.

9 **“§ 7921. Safety and effectiveness information; hydro-**  
 10 **graphic information**

11 “(a) **SAFETY AND EFFECTIVENESS INFORMATION.**—

12 (1) The Secretary of the Navy shall maximize the safety  
 13 and effectiveness of all maritime vessels, aircraft, and  
 14 forces of the armed forces by means of—

15 “(A) marine data collection;

16 “(B) numerical weather and ocean prediction;

17 and

18 “(C) forecasting of hazardous weather and  
 19 ocean conditions.

20 “(2) The Secretary may extend similar support to  
 21 forces of the North Atlantic Treaty Organization, and to  
 22 coalition forces, that are operating with the armed forces.

23 “(b) **HYDROGRAPHIC INFORMATION.**—The Secretary  
 24 of the Navy shall collect, process, and provide to the Direc-

1 tor of the National Geospatial-Intelligence Agency hydro-  
 2 graphic information to support preparation of maps,  
 3 charts, books, and geodetic products by that Agency.”.

4 (b) CLERICAL AMENDMENT.—The table of chapters  
 5 at the beginning of subtitle C of such title, and the table  
 6 of chapters at the beginning of part IV of such subtitle,  
 7 are each amended by inserting after the item relating to  
 8 chapter 667 the following new item:

“669. Maritime Safety of Forces ..... 7921”.

9 **SEC. 363. DEPOSIT OF REIMBURSED FUNDS UNDER RECIP-**  
 10 **ROCAL FIRE PROTECTION AGREEMENTS.**

11 (a) IN GENERAL.—Subsection (b) of section 5 of the  
 12 Act of May 27, 1955 (42 U.S.C. 1856d(b)) is amended  
 13 to read as follows:

14 “(b) Notwithstanding subsection (a), all sums re-  
 15 ceived as reimbursements for costs incurred by any De-  
 16 partment of Defense activity for fire protection rendered  
 17 pursuant to this Act shall be credited to the same appro-  
 18 priation or fund from which the expenses were paid or,  
 19 if the period of availability for obligation for that appro-  
 20 priation has expired, to the appropriation or fund that is  
 21 currently available to the activity for the same purpose.  
 22 Amounts so credited shall be subject to the same provi-  
 23 sions and restrictions as the appropriation or account to  
 24 which credited.”.

1 (b) APPLICABILITY.—The amendment made by sub-  
2 section (a) shall apply with respect to reimbursements for  
3 expenditures of funds appropriated after the date of the  
4 enactment of this Act.

5 **SEC. 364. REDUCTION IN AMOUNTS OTHERWISE AUTHOR-**  
6 **IZED TO BE APPROPRIATED TO THE DEPART-**  
7 **MENT OF DEFENSE FOR PRINTING AND RE-**  
8 **PRODUCTION.**

9 The following amounts otherwise authorized to be ap-  
10 propriated for fiscal year 2012 for the Department of De-  
11 fense are hereby reduced by 10 percent:

12 (1) The amount for Operation and Maintenance  
13 for the Army, for printing and reproduction.

14 (2) The amount for Operation and Maintenance  
15 for the Navy, for printing and reproduction.

16 (3) The amount for Operation and Maintenance  
17 for the Marine Corps, for printing and reproduction.

18 (4) The amount for Operation and Maintenance  
19 for the Air Force, for printing and reproduction.

20 (5) The amount for Operation and Maintenance  
21 for Defense-wide activities, for printing and repro-  
22 duction.

1 **SEC. 365. REDUCTION IN AMOUNTS OTHERWISE AUTHOR-**  
2 **IZED TO BE APPROPRIATED TO THE DEPART-**  
3 **MENT OF DEFENSE FOR STUDIES, ANALYSIS,**  
4 **AND EVALUATIONS.**

5 The following amounts otherwise authorized to be ap-  
6 propriated for fiscal year 2012 for the Department of De-  
7 fense are hereby reduced by 10 percent:

8 (1) The amount for Operation and Maintenance  
9 for the Army, for studies, analysis, and evaluations.

10 (2) The amount for Operation and Maintenance  
11 for the Navy, for studies, analysis, and evaluations.

12 (3) The amount for Operation and Maintenance  
13 for the Marine Corps, for studies, analysis, and eval-  
14 uations.

15 (4) The amount for Operation and Maintenance  
16 for the Air Force, for studies, analysis, and evalua-  
17 tions.

18 (5) The amount for Operation and Maintenance  
19 for Defense-wide activities, for studies, analysis, and  
20 evaluations.

21 **SEC. 366. CLARIFICATION OF THE AIRLIFT SERVICE DEFINI-**  
22 **TIONS RELATIVE TO THE CIVIL RESERVE**  
23 **AIR FLEET.**

24 (a) CLARIFICATION.—Section 41106 of title 49,  
25 United States Code, is amended—

1 (1) in subsections (a)(1), (b), and (c), by strik-  
2 ing “transport category aircraft” each place it ap-  
3 pears and inserting “CRAF-eligible aircraft”; and

4 (2) in subsection (c), by striking “that has air-  
5 craft in the civil reserve air fleet” and inserting “re-  
6 ferred to in subsection (a)”.

7 (b) **CRAF-ELIGIBLE AIRCRAFT DEFINED.**—Such  
8 section is further amended by adding at the end the fol-  
9 lowing new subsection:

10 “(e) **CRAF-ELIGIBLE AIRCRAFT DEFINED.**—In this  
11 section, ‘CRAF-eligible aircraft’ means aircraft of a type  
12 the Secretary of Defense has determined to be eligible to  
13 participate in the civil reserve air fleet.”.

14 **SEC. 367. RATEMAKING PROCEDURES FOR CIVIL RESERVE**  
15 **AIR FLEET CONTRACTS.**

16 (a) **IN GENERAL.**—Chapter 931 of title 10, United  
17 States Code, is amended by inserting after section 9511  
18 the following new section:

19 **“§ 9511a. Civil Reserve Air Fleet contracts: payment**  
20 **rate**

21 “(a) **AUTHORITY.**—The Secretary of Defense shall  
22 determine a fair and reasonable rate of payment for airlift  
23 services provided to the Department of Defense by air car-  
24 riers who are participants in the Civil Reserve Air Fleet  
25 program.

1           “(b) REGULATIONS.—The Secretary of Defense shall  
2 prescribe regulations for purposes of subsection (a). The  
3 Secretary may exclude from the applicability of those reg-  
4 ulations any airlift services contract made through the use  
5 of competitive procedures.

6           “(c) COMMITMENT OF AIRCRAFT AS A BUSINESS  
7 FACTOR.—The Secretary may, in determining the quan-  
8 tity of business to be received under an airlift services con-  
9 tract for which the rate of payment is determined in ac-  
10 cordance with subsection (a), use as a factor the relative  
11 amount of airlift capability committed by each air carrier  
12 to the Civil Reserve Air Fleet.

13           “(d) INAPPLICABLE PROVISIONS OF LAW.—An airlift  
14 services contract for which the rate of payment is deter-  
15 mined in accordance with subsection (a) shall not be sub-  
16 ject to the provisions of section 2306a of this title or to  
17 the provisions of subsections (a) and (b) of section 1502  
18 of title 41.”.

19           (b) CLERICAL AMENDMENT.—The table of sections  
20 at the beginning of such chapter is amended by inserting  
21 after the item relating to section 9511 the following new  
22 item:

“9511a. Civil Reserve Air Fleet contracts: payment rate.”.

23           (c) INITIAL REGULATIONS.—Regulations shall be  
24 prescribed under section 9511a(b) of title 10, United

1 States Code, as added by subsection (a), not later than  
2 180 days after the date of the enactment of this Act.

3 **SEC. 368. SENSE OF CONGRESS ON PROPOSED FEDERAL**  
4 **AVIATION ADMINISTRATION CHANGES TO**  
5 **FLIGHT CREW MEMBER DUTY AND REST RE-**  
6 **QUIREMENTS.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

9 (1) Section 212 of the Airline Safety and Fed-  
10 eral Aviation Administration Extension Act of 2010  
11 (Public Law 111–216; 49 U.S.C. 44701 note) di-  
12 rected the Administrator of the Federal Aviation Ad-  
13 ministration to issue regulations, based on the best  
14 available scientific information, to specify limitations  
15 on the hours of flight and duty time allowed for pi-  
16 lots to address problems relating to pilot fatigue.

17 (2) On September 14, 2010, the Federal Avia-  
18 tion Administration issued a Notice of Proposed  
19 Rulemaking titled “Flightcrew Member Duty and  
20 Rest Requirements”.

21 (3) Between March 2010 and March 2011, the  
22 Air Mobility Command and its Civil Reserve Air  
23 Fleet partners airlifted more than 2,000,000 pas-  
24 sengers and 848,000 tons of cargo around the world

1 in support of the missions of the Department of De-  
2 fense.

3 (4) An Air Force Institute of Technology study  
4 titled “Civil Reserve Airlift Fleet (CRAF) Crew Rest  
5 Study” analyzed 2264 missions flown by Civil Re-  
6 serve Air Fleet carriers under contract with the De-  
7 partment of Defense between May and September  
8 2011, and concluded that over 80 percent of those  
9 missions may have been infeasible had the proposed  
10 rule referred to in paragraph (2) been in effect dur-  
11 ing such period.

12 (5) On February 15, 2011, General Duncan J.  
13 McNabb, Commander of the United States Trans-  
14 portation Command, wrote to the Administrator of  
15 the Federal Aviation Administration expressing sig-  
16 nificant concern about the proposed rule change and  
17 stating that the Operational Risk Management ap-  
18 proach of the United States Transportation Com-  
19 mand mitigated operational hazards and included  
20 “reasonable measures to reduce risk to personnel,  
21 equipment and the mission”. In the letter, General  
22 McNabb noted that he believes there is room for  
23 proper exceptions to the proposed rule and went on  
24 to write that “through cooperation, we can develop  
25 mutually acceptable guidelines that not only mitigate



1 the impact of crew fatigue, but afford all carriers  
2 the flexibility to implement safer aircrew processes”.

3 (6) The United States Transportation Com-  
4 mand is relying heavily on the Civil Reserve Air  
5 Fleet as a critical partner as they effectively and ef-  
6 ficiently deploy and sustain the warfighter in simul-  
7 taneous operations in Afghanistan, Iraq, and Libya  
8 and in relief operations in Japan.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-  
10 gress that—

11 (1) when faced with immediate and long-term  
12 world events, the superb team of the United States  
13 Transportation Command successfully overcomes  
14 many obstacles to support the national security ob-  
15 jectives of the United States with world-class logis-  
16 tics and the Civil Reserve Air Fleet program is one  
17 of the major reasons they deliver both combat power  
18 and humanitarian relief on time, on target, and at  
19 best value to the taxpayer;

20 (2) the Administrator of the Federal Aviation  
21 Administration should make every effort to ensure  
22 that any changes to guidelines, regulations, and  
23 rules of the Federal Aviation Administration, includ-  
24 ing changes to the Flightcrew Member Duty and  
25 Rest Requirements, fully consider the impact of such

1 changes on Civil Reserve Air Fleet carriers, the  
2 United States Transportation Command, and the  
3 Department of Defense; and

4 (3) the Administrator of the Federal Aviation  
5 Administration, in consultation with the Commander  
6 of the United States Transportation Command,  
7 should develop guidelines that address not only crew  
8 fatigue, but also enhance safety while minimizing the  
9 impact on the mission of the United States Trans-  
10 portation Command and the Department of Defense.

11 **SEC. 369. POLICY ON ACTIVE SHOOTER TRAINING FOR CER-**  
12 **TAIN LAW ENFORCEMENT PERSONNEL.**

13 The Secretary of Defense shall establish policy and  
14 promulgate guidelines to ensure civilian and military law  
15 enforcement personnel charged with security functions on  
16 military installations shall receive Active Shooter Training  
17 as described in finding 4.3 of the document entitled “Pro-  
18 tecting the Force: Lessons From Fort Hood”.

19 **SEC. 370. ASSISTANCE FOR HOMELAND DEFENSE MISSION**  
20 **TRAINING.**

21 (a) ASSISTANCE AUTHORIZED.—Chapter 9 of title  
22 32, United States Code, is amended by adding at the end  
23 the following new section:

1 **“§ 909. Training assistance**

2       “(a) ASSISTANCE AUTHORIZED.—To improve the  
3 training of National Guard units and Federal agencies  
4 performing homeland defense activities, the Secretary of  
5 Defense may provide funding assistance through a special  
6 military cooperative agreement for the operation and  
7 maintenance of any State training center certified by the  
8 Federal Emergency Management Agency as capable of  
9 providing emergency response training.

10       “(b) MERIT-BASED OR COMPETITIVE DECISIONS.—  
11 A decision to commit, obligate, or expend funds under sub-  
12 section (a) with or to a specific entity shall—

13               “(1) be based on merit-based selection proce-  
14 dures in accordance with the requirements of sec-  
15 tions 2304(k) and 2374 of title 10 or on competitive  
16 procedures; and

17               “(2) comply with other applicable provisions of  
18 law.”.

19       (b) CLERICAL AMENDMENT.—The table of sections  
20 at the beginning of such chapter is amended by adding  
21 at the end the following new item:

“909. Training assistance.”.

1                   **TITLE IV—MILITARY**  
2           **PERSONNEL AUTHORIZATIONS**  
3                   **Subtitle A—Active Forces**

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

5           The Armed Forces are authorized strengths for active  
6   duty personnel as of September 30, 2012, as follows:

- 7                   (1) The Army, 562,000.  
8                   (2) The Navy, 325,739.  
9                   (3) The Marine Corps, 202,100.  
10                  (4) The Air Force, 332,800.

11   **SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END**  
12                   **STRENGTH MINIMUM LEVELS.**

13           Section 691(b) of title 10, United States Code, is  
14   amended by striking paragraphs (1) through (4) and in-  
15   serting the following new paragraphs:

- 16                   “(1) For the Army, 562,000.  
17                   “(2) For the Navy, 325,739.  
18                   “(3) For the Marine Corps, 202,100.  
19                   “(4) For the Air Force, 332,800.”.

20                   **Subtitle B—Reserve Forces**

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

22           (a) IN GENERAL.—The Armed Forces are authorized  
23   strengths for Selected Reserve personnel of the reserve  
24   components as of September 30, 2012, as follows:

1           (1) The Army National Guard of the United  
2 States, 358,200.

3           (2) The Army Reserve, 205,000.

4           (3) The Navy Reserve, 66,200.

5           (4) The Marine Corps Reserve, 39,600.

6           (5) The Air National Guard of the United  
7 States, 106,700.

8           (6) The Air Force Reserve, 71,400.

9           (7) The Coast Guard Reserve, 10,000.

10       (b) END STRENGTH REDUCTIONS.—The end  
11 strengths prescribed by subsection (a) for the Selected Re-  
12 serve of any reserve component shall be proportionately  
13 reduced by—

14           (1) the total authorized strength of units orga-  
15 nized to serve as units of the Selected Reserve of  
16 such component which are on active duty (other  
17 than for training) at the end of the fiscal year; and

18           (2) the total number of individual members not  
19 in units organized to serve as units of the Selected  
20 Reserve of such component who are on active duty  
21 (other than for training or for unsatisfactory partici-  
22 pation in training) without their consent at the end  
23 of the fiscal year.

24       (c) END STRENGTH INCREASES.—Whenever units or  
25 individual members of the Selected Reserve of any reserve

1 component are released from active duty during any fiscal  
2 year, the end strength prescribed for such fiscal year for  
3 the Selected Reserve of such reserve component shall be  
4 increased proportionately by the total authorized strengths  
5 of such units and by the total number of such individual  
6 members.

7 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**  
8 **DUTY IN SUPPORT OF THE RESERVES.**

9 Within the end strengths prescribed in section  
10 411(a), the reserve components of the Armed Forces are  
11 authorized, as of September 30, 2012, the following num-  
12 ber of Reserves to be serving on full-time active duty or  
13 full-time duty, in the case of members of the National  
14 Guard, for the purpose of organizing, administering, re-  
15 cruiting, instructing, or training the reserve components:

16 (1) The Army National Guard of the United  
17 States, 32,060.

18 (2) The Army Reserve, 16,261.

19 (3) The Navy Reserve, 10,337.

20 (4) The Marine Corps Reserve, 2,261.

21 (5) The Air National Guard of the United  
22 States, 14,833.

23 (6) The Air Force Reserve, 2,662.

1 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**  
2 **(DUAL STATUS).**

3 The minimum number of military technicians (dual  
4 status) as of the last day of fiscal year 2012 for the re-  
5 serve components of the Army and the Air Force (notwith-  
6 standing section 129 of title 10, United States Code) shall  
7 be the following:

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

9 (2) For the Army National Guard of the United  
10 States, 27,210.

11 (3) For the Air Force Reserve, 10,777.

12 (4) For the Air National Guard of the United  
13 States, 22,509.

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

16 (a) LIMITATIONS.—

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

22 (A) For the Army National Guard of the  
23 United States, 1,600.

24 (B) For the Air National Guard of the  
25 United States, 350.

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

4           (3) AIR FORCE RESERVE.—The number of non-  
5           dual status technicians employed by the Air Force  
6           Reserve as of September 30, 2012, may not exceed  
7           90.

8           (b) NON-DUAL STATUS TECHNICIANS DEFINED.—In  
9           this section, the term “non-dual status technician” has the  
10          meaning given that term in section 10217(a) of title 10,  
11          United States Code.

12       **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**  
13                               **THORIZED TO BE ON ACTIVE DUTY FOR**  
14                               **OPERATIONAL SUPPORT.**

15          During fiscal year 2012, the maximum number of  
16          members of the reserve components of the Armed Forces  
17          who may be serving at any time on full-time operational  
18          support duty under section 115(b) of title 10, United  
19          States Code, is the following:

20               (1) The Army National Guard of the United  
21               States, 17,000.

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

23               (3) The Navy Reserve, 6,200.

24               (4) The Marine Corps Reserve, 3,000.



1           (5) The Air National Guard of the United  
2 States, 16,000.

3           (6) The Air Force Reserve, 14,000.

4           **Subtitle C—Authorization of**  
5           **Appropriations**

6   **SEC. 421. MILITARY PERSONNEL.**

7           (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
8 are hereby authorized to be appropriated for fiscal year  
9 2012 for the use of the Armed Forces and other activities  
10 and agencies of the Department of Defense for expenses,  
11 not otherwise provided for, for military personnel, as spec-  
12 ified in the funding table in section 4401.

13          (b) CONSTRUCTION OF AUTHORIZATION.—The au-  
14 thorization of appropriations in subsection (a) supersedes  
15 any other authorization of appropriations (definite or in-  
16 definite) for such purpose for fiscal year 2012.

1 **TITLE V—MILITARY PERSONNEL**  
 2 **POLICY**  
 3 **Subtitle A—Officer Personnel**  
 4 **Policy Generally**

5 **SEC. 501. INCREASE IN AUTHORIZED STRENGTHS FOR MA-**  
 6 **RINE CORPS OFFICERS ON ACTIVE DUTY IN**  
 7 **GRADES OF MAJOR, LIEUTENANT COLONEL,**  
 8 **AND COLONEL.**

9 The table in subsection (a)(1) of section 523 of title  
 10 10, United States Code, is amended by striking the items  
 11 relating to the total number of commissioned officers (ex-  
 12 cluding officers in categories specified in subsection (b)  
 13 of such section) serving on active duty in the Marine Corps  
 14 in the grades of major, lieutenant colonel, and colonel, re-  
 15 spectively, 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”.

16 **SEC. 502. GENERAL OFFICER AND FLAG OFFICER REFORM.**

17 (a) REMOVAL OF CERTAIN POSITIONS FROM EXCEP-  
 18 TION TO DISTRIBUTION LIMITS.—

19 (1) REMOVAL OF POSITIONS.—Subsection (b) of  
 20 section 525 of title 10, United States Code, is  
 21 amended to read as follows:

1 “(b) The limitations of subsection (a) do not include  
2 the following:

3 “(1) An officer released from a joint duty as-  
4 signment, but only during the 60-day period begin-  
5 ning on the date the officer departs the joint duty  
6 assignment, except that the Secretary of Defense  
7 may authorize the Secretary of a military depart-  
8 ment to extend the 60-day period by an additional  
9 120 days, but no more than three officers from each  
10 armed forces may be on active duty who are ex-  
11 cluded under this paragraph.

12 “(2) The number of officers required to serve in  
13 joint duty assignments as authorized by the Sec-  
14 retary of Defense under section 526(b) for each mili-  
15 tary service.”.

16 (2) EFFECTIVE DATE.—The amendment made  
17 by paragraph (1) shall take effect on January 1,  
18 2012.

19 (b) LIMITATION ON NUMBER OF AIR FORCE GEN-  
20 ERAL OFFICERS ON ACTIVE DUTY.—

21 (1) LIMITATION; EXCLUSION FOR JOINT DUTY  
22 REQUIREMENTS.—Section 526 of such title is  
23 amended—

24 (A) in subsection (a)(3), by striking “208”  
25 and inserting “197”; and

1 (B) in subsection (b)(2)(C), by striking  
2 “76” and inserting “73”.

3 (2) EFFECTIVE DATE.—The amendments made  
4 by paragraph (1) shall take effect on October 1,  
5 2013.

6 (c) LIMITED EXCLUSION FOR JOINT DUTY ASSIGN-  
7 MENTS FROM AUTHORIZED STRENGTH LIMITATION.—

8 (1) EXCLUSION.—Subsection (b) of section 526  
9 of such title is amended by striking “324” and in-  
10 serting “310”.

11 (2) EFFECTIVE DATE.—The amendment made  
12 by paragraph (1) shall take effect on January 1,  
13 2012.

14 (d) ELIMINATION OF COMPLETE EXCLUSION FOR  
15 OFFICERS SERVING IN CERTAIN INTELLIGENCE POSI-  
16 TIONS.—

17 (1) ELIMINATION OF CURRENT BROAD EXCLU-  
18 SION.—Section 528 of such title is amended by  
19 striking subsections (b), (c), and (d) and inserting  
20 the following new subsections:

21 “(b) DIRECTOR AND DEPUTY DIRECTOR OF CIA.—  
22 When the position of Director or Deputy Director of the  
23 Central Intelligence Agency is held by an officer of the  
24 armed forces, the position, so long as the officer serves  
25 in the position, shall be designated, pursuant to subsection

1 (b) of section 526 of this title, as one of the general officer  
2 and flag officer positions to be excluded from the limita-  
3 tions in subsection (a) of such section.

4 “(c) ASSOCIATE DIRECTOR OF MILITARY AFFAIRS,  
5 CIA.—When the position of Associate Director of Military  
6 Affairs, Central Intelligence Agency, or any successor po-  
7 sition, is held by an officer of the armed forces, the posi-  
8 tion, so long as the officer serves in the position, shall  
9 be designated, pursuant to subsection (b) of section 526  
10 of this title, as one of the general officer and flag officer  
11 positions to be excluded from the limitations in subsection  
12 (a) of such section.

13 “(d) OFFICERS SERVING IN OFFICE OF DNI.—When  
14 a position in the Office of the Director of National Intel-  
15 ligence designated by agreement between the Secretary of  
16 Defense and the Director of National Intelligence is held  
17 by a general officer or flag officer of the armed forces,  
18 the position, so long as the officer serves in the position,  
19 shall be designated, pursuant to subsection (b) of section  
20 526 of this title, as one of the general officer and flag  
21 officer positions to be excluded from the limitations in sub-  
22 section (a) of such section. However, not more than five  
23 of such positions may be included among the excluded po-  
24 sitions at any time.”.

25 (2) CLERICAL AMENDMENTS.—

1 (A) SECTION HEADING.—The heading of  
2 such section is amended to read as follows:

3 **“§ 528. Officers serving in certain intelligence posi-**  
4 **tions: military status; application of dis-**  
5 **tribution and strength limitations; pay**  
6 **and allowances”.**

7 (B) TABLE OF SECTIONS.—The table of  
8 sections at the beginning of chapter 32 of such  
9 title is amended by striking the item relating to  
10 section 528 and inserting the following new  
11 item:

“528. Officers serving in certain intelligence positions: military status; applica-  
tion of distribution and strength limitations; pay and allow-  
ances.”.

12 **Subtitle B—Reserve Component**  
13 **Management**

14 **SEC. 511. LEADERSHIP OF NATIONAL GUARD BUREAU.**

15 (a) CHIEF OF THE NATIONAL GUARD BUREAU.—

16 (1) GRADE AND EXCLUSION FROM GENERAL  
17 AND FLAG OFFICER AUTHORIZED STRENGTH.—Sub-  
18 section (d) of section 10502 of title 10, United  
19 States Code, is amended to read as follows:

20 “(d) GRADE AND EXCLUSION FROM GENERAL AND  
21 FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Chief  
22 of the National Guard Bureau shall be appointed to serve  
23 in the grade of general.

1       “(2) The Secretary of Defense shall designate, pursu-  
2 ant to subsection (b) of section 526 of this title, the posi-  
3 tion of Chief of the National Guard Bureau as one of the  
4 general officer and flag officer positions to be excluded  
5 from the limitations in subsection (a) of such section.”.

6           (2) SUCCESSION.—Subsection (e) of such sec-  
7 tion is amended to read as follows:

8       “(e) SUCCESSION.—(1) When there is a vacancy in  
9 the office of the Chief of the National Guard Bureau or  
10 in the absence or disability of the Chief, the Vice Chief  
11 of the National Guard Bureau acts as Chief and performs  
12 the duties of the Chief until a successor is appointed or  
13 the absence or disability ceases.

14       “(2) When there is a vacancy in the offices of both  
15 the Chief and the Vice Chief of the National Guard Bu-  
16 reau or in the absence or disability of both the Chief and  
17 the Vice Chief of the National Guard Bureau, or when  
18 there is a vacancy in one such office and in the absence  
19 or disability of the officer holding the other, the senior  
20 officer of the Army National Guard of the United States  
21 or the Air National Guard of the United States on duty  
22 with the National Guard Bureau shall perform the duties  
23 of the Chief until a successor to the Chief or Vice Chief  
24 is appointed or the absence or disability of the Chief or  
25 Vice Chief ceases, as the case may be.”.

1           (3) EXCLUSION FOR CHIEF OF NATIONAL  
2 GUARD BUREAU FROM GENERAL OFFICER DISTRIBU-  
3 TION LIMITATIONS.—Section 525 of such title is  
4 amended—

5           (A) in subsection (b)(1), by striking sub-  
6 paragraph (D); and

7           (B) in subsection (g)—

8           (i) by striking paragraph (2); and

9           (ii) by redesignating paragraph (3) as  
10 paragraph (2).

11       (b) VICE CHIEF OF THE NATIONAL GUARD BU-  
12 REAU.—

13           (1) REDESIGNATION OF DIRECTOR OF THE  
14 JOINT STAFF OF THE NATIONAL GUARD BUREAU.—  
15 Subsection (a)(1) of section 10505 of such title is  
16 amended by striking “Director of the Joint Staff of  
17 the National Guard Bureau, selected by the Sec-  
18 retary of Defense from” and inserting “Vice Chief of  
19 the National Guard Bureau, appointed by the Presi-  
20 dent, by and with the advice and consent of the Sen-  
21 ate. The appointment shall be made from”.

22           (2) ELIGIBILITY REQUIREMENTS.—Subsection  
23 (a)(1) of such section is further amended—

24           (A) in subparagraph (A), by striking “rec-  
25 ommended” and inserting “nominated”;



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

4 (C) in subparagraph (E), as so redesign-  
5 nated, by striking “colonel” and inserting  
6 “brigadier general”; and

7 (D) by inserting after subparagraph (A)  
8 the following new subparagraphs:

9 “(B) are recommended by the Secretary of the  
10 Army, in the case of officers of the Army National  
11 Guard of the United States, or by the Secretary of  
12 the Air Force, in the case of officers of the Air Na-  
13 tional Guard of the United States, and by the Sec-  
14 retary of Defense;

15 “(C) are determined by the Chairman of the  
16 Joint Chiefs of Staff, in accordance with criteria and  
17 as a result of a process established by the Chairman,  
18 to have significant joint duty experience;”.

19 (3) GRADE AND EXCLUSION FROM GENERAL  
20 AND FLAG OFFICER AUTHORIZED STRENGTH.—Sub-  
21 section (c) of such section is amended to read as fol-  
22 lows:

23 “(c) GRADE AND EXCLUSION FROM GENERAL AND  
24 FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Vice

1 Chief of the National Guard Bureau shall be appointed  
2 to serve in the grade of lieutenant general.

3 “(2) The Secretary of Defense shall designate, pursu-  
4 ant to subsection (b) of section 526 of this title, the posi-  
5 tion of Vice Chief of the National Guard Bureau as one  
6 of the general officer and flag officer positions to be ex-  
7 cluded from the limitations in subsection (a) of such sec-  
8 tion.”.

9 (c) CONFORMING AMENDMENTS REGARDING REF-  
10 ERENCES TO DIRECTOR.—

11 (1) CROSS REFERENCES IN SECTION 10505.—

12 Section 10505 of such title is further amended—

13 (A) in subsection (a)—

14 (i) in paragraphs (2), (3), and (4), by  
15 striking “Director of the Joint Staff” each  
16 place in appears and inserting “Vice  
17 Chief”; and

18 (ii) in paragraph (3)(B), by striking  
19 “as the Director” and inserting “as the  
20 Vice Chief”; and

21 (B) in subsection (b), by striking “Director  
22 of the Joint Staff” and inserting “Vice Chief”.

23 (2) CROSS REFERENCES IN SECTION 10506.—

24 Section 10506(a)(1) of such title is amended by  
25 striking “Chief of the National Guard Bureau and

1 the Director of the Joint Staff” and inserting “Chief  
2 and Vice Chief”.

3 (3) OTHER REFERENCES.—Any reference in  
4 any law, regulation, document, paper, or other  
5 record of the United States to the Director of the  
6 Joint Staff of the National Guard Bureau shall be  
7 deemed to be a reference to the Vice Chief of the  
8 National Guard Bureau.

9 (d) CLERICAL AMENDMENTS.—

10 (1) SECTION HEADING.—The heading of section  
11 10505 of such title is amended to read as follows:

12 **“§ 10505. Vice Chief of the National Guard Bureau”.**

13 (2) TABLE OF SECTIONS.—The item relating to  
14 such section in the table of sections at the beginning  
15 of chapter 1011 of such title is amended to read as  
16 follows:

“10505. Vice Chief of the National Guard Bureau.”.

17 (e) TREATMENT OF CURRENT DIRECTOR OF THE  
18 JOINT STAFF OF THE NATIONAL GUARD BUREAU.—The  
19 officer who is serving as Director of the Joint Staff of  
20 the National Guard Bureau on the date of the enactment  
21 of this Act shall serve, in the grade of major general, as  
22 acting Vice Chief of the National Guard Bureau until the  
23 appointment of a Vice Chief of the National Guard Bu-  
24 reau in accordance with subsection (a) of section 10505  
25 of title 10, United States Code, as amended by subsection

1 (b). Notwithstanding the amendment made by subsection  
2 (b)(3), the acting Vice Chief of the National Guard Bu-  
3 reau shall not be excluded from the limitations in section  
4 526(a) of such title.

5 **SEC. 512. PRESEPARATION COUNSELING FOR MEMBERS OF**  
6 **THE RESERVE COMPONENTS.**

7 (a) REQUIREMENT; EXCEPTION.—Subsection (a)(1)  
8 of section 1142 of title 10, United States Code, is amend-  
9 ed—

10 (1) in the first sentence—

11 (A) by striking “Within” and inserting  
12 “(A) Within”; and

13 (B) by striking “of each member” and all  
14 that follows through the period at the end of  
15 the sentence and inserting the following: “of—

16 “(i) each member of the armed forces whose  
17 discharge or release from active duty is anticipated  
18 as of a specific date; and

19 “(ii) each member of a reserve component not  
20 covered by clause (i) whose discharge or release from  
21 service is anticipated as of a specific date.”; and

22 (2) in the second sentence, by striking “A nota-  
23 tion of the provision of such counseling” and insert-  
24 ing the following:

1 “(B) A notation of the provision of preseparation  
2 counseling”.

3 (b) MODIFICATION OF TIME PERIOD IN WHICH  
4 PRESEPARATION COUNSELING MUST BE PROVIDED.—  
5 Subsection (a)(3) of such section is amended—

6 (1) in subparagraph (A), by striking “subpara-  
7 graph (B)” and inserting “subparagraphs (B) and  
8 (C)”; and

9 (2) by adding at the end the following new sub-  
10 paragraph:

11 “(C) In the event that a member of a reserve compo-  
12 nent is being released from active duty for a period of  
13 more than 30 days under circumstances in which the Sec-  
14 retary concerned determines operational requirements  
15 make compliance with the 90-day requirement under sub-  
16 paragraph (A) unfeasible, preseparation counseling shall  
17 begin as soon as possible within the remaining period of  
18 service.”.

19 (c) CONFORMING AMENDMENT REGARDING COV-  
20 ERED MATTERS.—Subsection (b)(7) of such section is  
21 amended by striking “from active duty”.

1 **SEC. 513. CLARIFICATION OF APPLICABILITY OF AUTHOR-**  
2 **ITY FOR DEFERRAL OF MANDATORY SEPARA-**  
3 **TION OF MILITARY TECHNICIANS (DUAL STA-**  
4 **TUS) UNTIL AGE 60.**

5 (a) DISCRETIONARY DEFERRAL OF MANDATORY  
6 SEPARATION.—Section 10216(f) of title 10, United States  
7 Code, is amended—

8 (1) in the subsection heading, by inserting “AU-  
9 THORITY FOR” before “DEFERRAL OF MANDATORY  
10 SEPARATION”;

11 (2) by striking “shall implement” and inserting  
12 “may each implement”;

13 (3) by inserting “, at the discretion of the Sec-  
14 retary concerned,” after “so as to allow”; and

15 (4) by striking “for officers”.

16 (b) CONFORMING AMENDMENT.—Section  
17 10218(a)(3)(A)(i) of such title is amended by striking “if  
18 qualified be appointed” and inserting “if qualified may be  
19 appointed”.

20 **SEC. 514. MODIFICATION OF ELIGIBILITY FOR CONSIDER-**  
21 **ATION FOR PROMOTION FOR RESERVE OFFI-**  
22 **CERS EMPLOYED AS MILITARY TECHNICIANS**  
23 **(DUAL STATUS).**

24 Section 14301 of title 10, United States Code, is  
25 amended by adding at the end the following new sub-  
26 section:

1       “(i) RESERVE OFFICERS EMPLOYED AS MILITARY  
2     TECHNICIAN (DUAL STATUS).—A reserve officer of the  
3     Army or Air Force employed as a military technician (dual  
4     status) under section 10216 of this title who has been re-  
5     tained beyond the mandatory removal date for years of  
6     service pursuant to subsection (f) of such section or sec-  
7     tion 14702(a)(2) of this title is not eligible for consider-  
8     ation for promotion by a mandatory promotion board con-  
9     vened under section 14101(a) of this title.”.

10   **SEC. 515. CHIEF OF NATIONAL GUARD BUREAU.**

11       (a) ROLE AS ADVOCATE AND LIAISON.—Section  
12     10502 of title 10, United States Code, is amended—

13             (1) by redesignating subsections (d) and (e) as  
14             subsections (f) and (g), respectively; and

15             (2) by inserting after subsection (c), the fol-  
16             lowing new subsection:

17       “(d) ADVOCATE AND LIAISON FOR STATE NATIONAL  
18     GUARDS.—The Chief of the National Guard Bureau shall  
19     serve as an advocate and liaison for the National Guard  
20     of each State, the Commonwealth of Puerto Rico, the Dis-  
21     trict of Columbia, Guam, and the Virgin Islands and in-  
22     form such National Guards of all actions that could affect  
23     their Federal or State missions, including any equipment  
24     level or force structure changes.”.

1 (b) INCLUSION AS MEMBER OF JOINT CHIEFS OF  
2 STAFF.—

3 (1) IN GENERAL.—Section 10502 of title 10,  
4 United States Code, is further amended by inserting  
5 after subsection (d) (as amended by subsection (a)  
6 of this section), the following new subsection:

7 “(e) MEMBER OF JOINT CHIEFS OF STAFF.—

8 “(1) The Chief of the National Guard Bureau  
9 shall be a member of the Joint Chiefs of Staff (as  
10 described in section 151 of this title).

11 “(2) As a member of the Joint Chiefs of Staff,  
12 the Chief of the National Guard Bureau has the spe-  
13 cific responsibility of advocating for the National  
14 Guards of the States, the Commonwealth of Puerto  
15 Rico, the District of Columbia, Guam, and the Vir-  
16 gin Islands and coordinating the efforts of the  
17 warfighting support and force provider mission of  
18 the National Guard with the homeland defense, de-  
19 fense support to civil authorities, and State emer-  
20 gency response missions of the National Guard to  
21 ensure the National Guard has the resources to per-  
22 form its multiple missions.

23 “(3) The Chief of the National Guard Bureau  
24 shall consult with the Governors and the Adjutants  
25 General of the States before any changes are made



1 in National Guard force structure or equipment lev-  
2 els (or both) to determine the impact such changes  
3 may have on the homeland defense, defense support  
4 to civil authorities, and State emergency response  
5 missions of the National Guard.”.

6 (2) CONFORMING AMENDMENT.—Section  
7 151(a) of title 10, United States Code, is amended  
8 by adding at the end the following new paragraph:

9 “(7) The Chief of the National Guard Bu-  
10 reau.”.

## 11 **Subtitle C—General Service** 12 **Authorities**

### 13 **SEC. 521. FINDINGS REGARDING UNIQUE NATURE, DE-** 14 **MANDS, AND HARDSHIPS OF MILITARY SERV-** 15 **ICE.**

16 (a) CODIFICATION.—Chapter 37 of title 10, United  
17 States Code, is amended by inserting before section 651  
18 the following new section:

#### 19 **“§ 650. Findings regarding unique nature, demands,** 20 **and hardships of service in the armed** 21 **forces**

22 “Congress makes the following findings:

23 “(1) Section 8 (clauses 12, 13, and 14) of Arti-  
24 cle I of the Constitution of the United States com-  
25 mits exclusively to Congress the powers to raise and

1 support armies, provide and maintain a Navy, and  
2 make rules for the government and regulation of the  
3 land and naval forces.

4 “(2) There is no constitutional right to serve in  
5 the armed forces.

6 “(3) Pursuant to the powers conferred by sec-  
7 tion 8 of article I of the Constitution of the United  
8 States, it lies within the discretion of the Congress  
9 to establish qualifications for and conditions of serv-  
10 ice in the armed forces.

11 “(4) The primary purpose of the armed forces  
12 is to prepare for and to prevail in combat should the  
13 need arise.

14 “(5) The conduct of military operations re-  
15 quires members of the armed forces to make ex-  
16 traordinary sacrifices, including the ultimate sac-  
17 rifice, in order to provide for the common defense.

18 “(6) Success in combat requires military units  
19 that are characterized by high morale, good order  
20 and discipline, and unit cohesion.

21 “(7) One of the most critical elements in com-  
22 bat capability is unit cohesion, that is, the bonds of  
23 trust among individual service members that make  
24 the combat effectiveness of a military unit greater

1 than the sum of the combat effectiveness of the indi-  
2 vidual unit members.

3 “(8) Military life is fundamentally different  
4 from civilian life in that—

5 “(A) the extraordinary responsibilities of  
6 the armed forces, the unique conditions of mili-  
7 tary service, and the critical role of unit cohe-  
8 sion, require that the military community, while  
9 subject to civilian control, exist as a specialized  
10 society; and

11 “(B) the military society is characterized  
12 by its own laws, rules, customs, and traditions,  
13 including numerous restrictions on personal be-  
14 havior, that would not be acceptable in civilian  
15 society.

16 “(9) The standards of conduct for members of  
17 the armed forces regulate a member’s life for 24  
18 hours each day beginning at the moment the mem-  
19 ber enters military status and not ending until that  
20 person is discharged or otherwise separated from the  
21 armed forces.

22 “(10) Those standards of conduct, including the  
23 Uniform Code of Military Justice, apply to a mem-  
24 ber of the armed forces at all times that the member  
25 has a military status, whether the member is on

1 base or off base, and whether the member is on duty  
2 or off duty.

3 “(11) The pervasive application of the stand-  
4 ards of conduct is necessary because members of the  
5 armed forces must be ready at all times for world-  
6 wide deployment to a combat environment.

7 “(12) The worldwide deployment of United  
8 States military forces, the international responsibil-  
9 ities of the United States, and the potential for in-  
10 volvement of the armed forces in actual combat rou-  
11 tinely make it necessary for members of the armed  
12 forces involuntarily to accept living conditions and  
13 working conditions that are often spartan, primitive,  
14 and characterized by forced intimacy with little or  
15 no privacy.

16 “(13) The armed forces must maintain per-  
17 sonnel policies that are intended to recruit and re-  
18 tain only those persons whose presence in the armed  
19 forces serve the needs of the armed forces, con-  
20 tribute to the accomplishment of the missions of the  
21 armed forces, and maintain the armed forces’ high  
22 standards of morale, good order and discipline, and  
23 unit cohesion that are the essence of military capa-  
24 bility.”.

25 (b) CLERICAL AMENDMENTS.—

1           (1) TABLE OF SECTIONS.—The table of sections  
 2           at the beginning of such chapter is amended by in-  
 3           serting before the item relating to section 651 the  
 4           following new item:

“650. Findings regarding unique nature, demands, and hardships of service in  
 the armed forces.”.

5           (2) TABLE OF CHAPTERS.—The table of chap-  
 6           ters at the beginning of subtitle A of such title and  
 7           at the beginning of part II of such subtitle are  
 8           amended by striking the item relating to chapter 37  
 9           and inserting the following new item:

“37. General Service Requirements ..... 650”.

10 **SEC. 522. POLICY ADDRESSING DWELL TIME AND MEAS-**  
 11 **UREMENT AND DATA COLLECTION REGARD-**  
 12 **ING UNIT OPERATING TEMPO AND PER-**  
 13 **SONNEL TEMPO.**

14           (a) POLICY ADDRESSING DWELL TIME.—Subsection  
 15 (a) of section 991 of title 10, United States Code, is  
 16 amended by adding at the end the following new para-  
 17 graph:

18           “(4) The Secretary of Defense shall prescribe a policy  
 19 that addresses the amount of dwell time a member of the  
 20 armed forces or unit remains at the member’s or unit’s  
 21 permanent duty station or home port, as the case may  
 22 be, between deployments.”.

1           (b) UNIT OPERATING TEMPO AND PERSONNEL  
2 TEMPO RECORDKEEPING.—Subsection (c) of such section  
3 is amended to read as follows:

4           “(c) RECORDKEEPING.—(1) The Secretary of De-  
5 fense shall—

6                   “(A) establish a system for tracking and re-  
7 cording the number of days that each member of the  
8 armed forces is deployed;

9                   “(B) prescribe policies and procedures for  
10 measuring operating tempo and personnel tempo;  
11 and

12                   “(C) maintain a central data collection reposi-  
13 tory to provide information for research, actuarial  
14 analysis, interagency reporting and evaluation of De-  
15 partment of Defense programs and policies.

16           “(2) The data collection repository shall be able to  
17 identify—

18                   “(A) the active and reserve component units of  
19 the armed forces that are participating at the bat-  
20 talion, squadron, or an equivalent level (or a higher  
21 level) in contingency operations, major training  
22 events, and other exercises and contingencies of such  
23 a scale that the exercises and contingencies receive  
24 an official designation; and

25                   “(B) the duration of their participation.

1       “(3) For each of the armed forces, the data collection  
2 repository shall be able to indicate, for a fiscal year—

3           “(A) the number of members who received the  
4 high-deployment allowance under section 436 of title  
5 37 (or who would have been eligible to receive the  
6 allowance if the duty assignment was not excluded  
7 by the Secretary of Defense);

8           “(B) the number of members who received each  
9 rate of allowance paid (estimated in the case of  
10 members described in the parenthetical phrase in  
11 subparagraph (A));

12           “(C) the number of months each member re-  
13 ceived the allowance (or would have received it in the  
14 case of members described in the parenthetical  
15 phrase in subparagraph (A)); and

16           “(D) the total amount expended on the allow-  
17 ance.

18       “(4) For each of the armed forces, the data collection  
19 repository shall be able to indicate, for a fiscal year, the  
20 number of days that high demand, low density units (as  
21 defined by the Chairman of the Joint Chiefs of Staff) were  
22 deployed, and whether these units met the force goals for  
23 limiting deployments, as described in the personnel tempo  
24 policies applicable to that armed force.”.

1 (c) DEFINITIONS.—Such section is further amended  
2 by adding at the end the following new subsection:

3 “(f) OTHER DEFINITIONS.—In this section:

4 “(1)(A) Subject to subparagraph (B), the term  
5 ‘dwell time’ means the time a member of the armed  
6 forces or a unit spends at the permanent duty sta-  
7 tion or home port after returning from a deploy-  
8 ment.

9 “(B) The Secretary of Defense may modify the  
10 definition of dwell time specified in subparagraph  
11 (A). If the Secretary establishes a different defini-  
12 tion of such term, the Secretary shall transmit the  
13 new definition to Congress.

14 “(2) The term ‘operating tempo’ means the rate  
15 at which units of the armed forces are involved in  
16 all military activities, including contingency oper-  
17 ations, exercises, and training deployments.

18 “(3) The term ‘personnel tempo’ means the  
19 amount of time members of the armed forces are en-  
20 gaged in their official duties at a location or under  
21 circumstances that make it infeasible for a member  
22 to spend off-duty time in the housing in which the  
23 member resides.”.

24 (d) CLERICAL AMENDMENTS.—



1           (1) SECTION HEADING.—The heading of section  
2       991 of such title is amended to read as follows:

3       **“§ 991. Management of deployments of members and  
4                           measurement and data collection of unit  
5                           operating and personnel tempo”.**

6           (2) TABLE OF SECTIONS.—The table of sections  
7       at the beginning of chapter 50 of such title is  
8       amended by striking the item relating to section 991  
9       and inserting the following new item:

          “991. Management of deployments of members and measurement and data collection of unit operating and personnel tempo.”.

10       **SEC. 523. AUTHORIZED LEAVE AVAILABLE FOR MEMBERS  
11                           OF THE ARMED FORCES UPON BIRTH OR  
12                           ADOPTION OF A CHILD.**

13       Section 701 of title 10, United State Code, is amend-  
14       ed—

15           (1) by striking subsections (i) and (j) and in-  
16       serting the following new subsection:

17       “(i)(1) A member of the armed forces who gives birth  
18       to a child or who adopts a child in a qualifying child adop-  
19       tion and will be primary caregiver for the adopted child  
20       shall receive 42 days of leave after the birth or adoption  
21       to be used in connection with the birth or adoption of the  
22       child.

23       “(2) A married member of the armed forces on active  
24       duty whose wife gives birth to a child or who adopts a

1 child in a qualifying child adoption, but will not be pri-  
2 mary caregiver for the adopted child, shall receive 10 days  
3 of leave to be used in connection with the birth or adoption  
4 of the child.

5 “(3) If two members of the armed forces who are  
6 married to each other adopt a child in a qualifying child  
7 adoption, only one of the members may be designated as  
8 primary caregiver for purposes of paragraph (1). In the  
9 case of a dual-military couple, the member authorized  
10 leave under paragraph (1) and the member authorized  
11 leave under paragraph (2) may utilize the leave at the  
12 same time.

13 “(4) For the purpose of this subsection, an adoption  
14 of a child by a member is a qualifying child adoption if  
15 the member is eligible for reimbursement of qualified  
16 adoption expenses for such adoption under section 1052  
17 of this title.

18 “(5) Leave authorized under this subsection is in ad-  
19 dition to other leave provided under other provisions of  
20 this section.

21 “(6) The Secretary of Defense may prescribe such  
22 regulations as may be necessary to carry out this sub-  
23 section.”; and

24 (2) by redesignating subsection (k) as sub-  
25 section (j).

1 **SEC. 524. EXTENSION OF AUTHORITY TO CONDUCT PRO-**  
2 **GRAMS ON CAREER FLEXIBILITY TO EN-**  
3 **HANCE RETENTION OF MEMBERS OF THE**  
4 **ARMED FORCES.**

5 (a) DURATION OF PROGRAM AUTHORITY.—Sub-  
6 section (l) of section 533 of the Duncan Hunter National  
7 Defense Authorization Act for Fiscal Year 2009 (Public  
8 Law 110–417; 10 U.S.C. 701 note) is amended to read  
9 as follows:

10 “(l) DURATION OF PROGRAM AUTHORITY.—No  
11 member of the Armed Forces may be released from active  
12 duty under a pilot program conducted under this section  
13 after December 31, 2015.”.

14 (b) CONTINUATION OF ANNUAL LIMITATION ON SE-  
15 LECTION OF PARTICIPANTS.—Subsection (c) of such sec-  
16 tion is amended by striking “each of calendar years 2009  
17 through 2012” and inserting “a calendar year”.

18 (c) ADDITIONAL REPORTS REQUIRED.—Subsection  
19 (k) of such section is amended—

20 (1) in paragraph (1), by striking “June 1,  
21 2011, and June 1, 2013” and inserting “June 1 of  
22 2011, 2013, 2015, and 2017”; and

23 (2) in paragraph (2), by striking “March 1,  
24 2016” and inserting “March 1, 2019”.

1 **SEC. 525. POLICY ON MILITARY RECRUITMENT AND EN-**  
2 **LISTMENT OF GRADUATES OF SECONDARY**  
3 **SCHOOLS.**

4 (a) **EQUAL TREATMENT FOR SECONDARY SCHOOL**  
5 **GRADUATES.—**

6 (1) **EQUAL TREATMENT.**—For the purposes of  
7 recruitment and enlistment in the Armed Forces, the  
8 Secretary of a military department shall treat a  
9 graduate described in paragraph (2) in the same  
10 manner as a graduate of a secondary school (as de-  
11 fined in section 9101(38) of the Elementary and  
12 Secondary Education Act of 1965 (20 U.S.C.  
13 7801(38)).

14 (2) **COVERED GRADUATES.**—Paragraph (1) ap-  
15 plies with respect to person who—

16 (A) receives a diploma from a secondary  
17 school that is legally operating; or

18 (B) otherwise completes a program of sec-  
19 ondary education in compliance with the edu-  
20 cation laws of the State in which the person re-  
21 sides.

22 (b) **POLICY ON RECRUITMENT AND ENLISTMENT.**—  
23 Not later than 180 days after the date of the enactment  
24 of this Act, the Secretary of Defense shall prescribe a pol-  
25 icy on recruitment and enlistment that incorporates the  
26 following:

1           (1) Means for identifying persons described in  
2           subsection (a)(2) who are qualified recruitment and  
3           enlistment in the Armed Forces, which may include  
4           the use of a non-cognitive aptitude test, adaptive  
5           personality assessment, or other operational attrition  
6           screening tool to predict performance, behaviors, and  
7           attitudes of potential recruits that influence attrition  
8           and the ability to adapt to a regimented life in the  
9           Armed Forces.

10          (2) Means for assessing how qualified persons  
11          fulfill their enlistment obligation.

12          (3) Means for maintaining data, by each di-  
13          ploma source, which can be used to analyze attrition  
14          rates among qualified persons.

15          (c) RECRUITMENT PLAN.—As part of the policy re-  
16          quired by subsection (b), the Secretary of each of the mili-  
17          tary departments shall develop a recruitment plan that in-  
18          cludes a marketing strategy for targeting various seg-  
19          ments of potential recruits with all types of secondary edu-  
20          cation credentials.

21          (d) COMMUNICATION PLAN.—The Secretary of each  
22          of the military departments shall develop a communication  
23          plan to ensure that the policy and recruitment plan are  
24          understood by military recruiters.

1 **SEC. 526. NAVY RECRUITING AND ADVERTISING.**

2 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
3 ITY.—In the budget submitted to Congress under section  
4 1105 of title 31, United States Code, for fiscal year 2012,  
5 the President requested \$254,860,000 for Recruiting and  
6 Advertising. Of the amounts authorized to be appropriated  
7 by section 301, as specified in the corresponding funding  
8 table in division D, the Secretary of the Navy shall obli-  
9 gate an additional \$983,000 for the professional develop-  
10 ment of youth ages 11 to 17, to promote interest and skill  
11 in seamanship and aviation while instilling qualities that  
12 mold strong moral character in an anti-drug and anti-  
13 gang environment in furtherance of national security ob-  
14 jectives.

15 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
16 decision to commit, obligate, or expend funds referred to  
17 in the second sentence of subsection (a) with or to a spe-  
18 cific entity shall—

19 (1) be based on merit-based selection proce-  
20 dures in accordance with the requirements of sec-  
21 tions 2304(k) and 2374 of title 10, United States  
22 Code, or on competitive procedures; and

23 (2) comply with other applicable provisions of  
24 law.

1 **SEC. 527. LIMITATION ON SIMULTANEOUS DEPLOYMENT TO**  
2 **COMBAT ZONES OF DUAL-MILITARY COUPLES**  
3 **WHO HAVE MINOR DEPENDENTS.**

4 (a) **AUTHORITY TO OBTAIN DEFERMENT.**—In the  
5 case of a member of the Armed Forces with minor depend-  
6 ents who has a spouse who is also a member of the Armed  
7 Forces, and the spouse is deployed in an area for which  
8 imminent danger pay is authorized under section 310 of  
9 title 37, United States Code, the member may request a  
10 deferment of a deployment to such an area until the  
11 spouse returns from such deployment.

12 (b) **APPROVAL OF REQUEST.**—The Secretary of the  
13 military department concerned, and the Secretary of  
14 Homeland Security in the case of members of the Coast  
15 Guard, shall approve a request submitted by a member  
16 pursuant to subsection (a).

17 (c) **REPEAL OF LIMITED AUTHORITY.**—Section 586  
18 of the National Defense Authorization Act for Fiscal Year  
19 2008 (Public Law 110–181; 112 Stat. 132; 10 U.S.C. 991  
20 note) is amended by striking the second sentence.

21 **SEC. 528. DEPARTMENT OF DEFENSE SUICIDE PREVENTION**  
22 **PROGRAM.**

23 (a) **PROGRAM ENHANCEMENTS.**—

24 (1) **ENHANCEMENT.**—The Secretary of Defense  
25 shall take appropriate actions to enhance the suicide  
26 prevention program of the Department of Defense

1 through the provision of suicide prevention informa-  
2 tion and resources to members of the Armed Forces  
3 from their initial enlistment or appointment through  
4 their final retirement or separation.

5 (2) COOPERATIVE EFFORT.—The Secretary of  
6 Defense shall develop suicide prevention information  
7 and resources in consultation with—

8 (A) the Secretary of Veterans Affairs, the  
9 National Institute of Mental Health, and the  
10 Substance Abuse and Mental Health Services  
11 Administration of the Department of Health  
12 and Human Services; and

13 (B) to the extent appropriate, institutions  
14 of higher education and other public and pri-  
15 vate entities, including international entities,  
16 with expertise regarding suicide prevention.

17 (b) SUICIDE PREVENTION TRAINING COMPONENT  
18 DURING RECRUIT BASIC TRAINING.—

19 (1) ARMY.—

20 (A) TRAINING REQUIRED.—Chapter 401 of  
21 title 10, United States Code, is amended by in-  
22 serting after section 4320 the following new  
23 section:



1 **“§ 4320a. Recruit basic training: availability of sui-**  
2 **cide prevention resources**

3 “(a) AVAILABILITY.—As part of the initial entry  
4 training program of the Army that constitutes the basic  
5 training of new recruits, the Secretary of the Army shall  
6 include a training component on suicide prevention.

7 “(b) ELEMENTS.—The suicide prevention training  
8 component shall include the following:

9 “(1) Methods for recognizing risk factors for  
10 suicide.

11 “(2) Protocols for responding to crisis situa-  
12 tions involving members who may be at high risk for  
13 suicide.

14 “(3) Information about suicide prevention serv-  
15 ices available to members, including toll-free hotlines  
16 and Internet resources.

17 “(4) Information on best practices for suicide  
18 prevention.”.

19 (B) CLERICAL AMENDMENT.—The table of  
20 sections at the beginning of such chapter is  
21 amended by inserting after the item relating to  
22 section 4320 the following new item:

“4320a. Recruit basic training: availability of suicide prevention resources.”.

23 (2) NAVY AND MARINE CORPS.—

1 (A) TRAINING REQUIRED.—Chapter 602 of  
2 such title is amended by adding at the end the  
3 following new section:

4 **“§ 6933. Recruit basic training: availability of suicide**  
5 **prevention resources**

6 “(a) AVAILABILITY.—As part of the initial entry  
7 training program of the Navy and the Marine Corps that  
8 constitutes the basic training of new recruits, the Sec-  
9 retary of the Navy shall include a training component on  
10 suicide prevention.

11 “(b) ELEMENTS.—The suicide prevention training  
12 component shall include the following:

13 “(1) Methods for recognizing risk factors for  
14 suicide.

15 “(2) Protocols for responding to crisis situa-  
16 tions involving members who may be at high risk for  
17 suicide.

18 “(3) Information about suicide prevention serv-  
19 ices available to members, including toll-free hotlines  
20 and Internet resources.

21 “(4) Information on best practices for suicide  
22 prevention.”.

23 (B) CLERICAL AMENDMENT.—The table of  
24 sections at the beginning of such chapter is

1           amended by adding at the end the following  
2           new item:

“602. Recruit basic training: availability of suicide prevention resources.”.

3           (3) AIR FORCE.—

4                   (A) TRAINING REQUIRED.—Chapter 901 of  
5           such title is amended by inserting after section  
6           9320 the following new section:

7   **“§ 9320a. Recruit basic training: availability of sui-**  
8                   **cide prevention resources**

9           “(a) AVAILABILITY.—As part of the initial entry  
10          training program of the Air Force that constitutes the  
11          basic training of new recruits, the Secretary of the Air  
12          Force shall include a training component on suicide pre-  
13          vention.

14          “(b) ELEMENTS.—The suicide prevention training  
15          component shall include the following:

16                  “(1) Methods for recognizing risk factors for  
17          suicide.

18                  “(2) Protocols for responding to crisis situa-  
19          tions involving members who may be at high risk for  
20          suicide.

21                  “(3) Information about suicide prevention serv-  
22          ices available to members, including toll-free hotlines  
23          and Internet resources.

24                  “(4) Information on best practices for suicide  
25          prevention.”.

1 (B) CLERICAL AMENDMENT.—The table of  
2 sections at the beginning of such chapter is  
3 amended by inserting after the item relating to  
4 section 4320 the following new item:

“4320a. Recruit basic training: availability of suicide prevention resources.”.

5 (c) PRESEPARATION COUNSELING.—Section  
6 1142(b)(8) of such title is amended by inserting before  
7 the period the following: “and the availability to the mem-  
8 ber and the member’s family of the suicide prevention re-  
9 sources described in section 1177(d) of this title”.

10 (d) FUNDING INCREASE AND OFFSETTING REDUC-  
11 TION.—Notwithstanding the amounts set forth in the  
12 funding tables in division D—

13 (1) the amount authorized to be appropriated in  
14 section 421 for military personnel, as specified in  
15 the corresponding funding table in division D, is  
16 hereby increased by \$5,000,000, with the amount of  
17 the increase allocated to carrying out this section  
18 and the amendments made by this section; and

19 (2) the amount authorized to be appropriated in  
20 section 101 for other procurement, Air Force, as  
21 specified in the corresponding funding table in divi-  
22 sion D, is hereby reduced by \$5,000,000, with the  
23 amount of the reduction to be derived from Joint  
24 Tactical Radio System Maritime-Fixed radios under  
25 line 049 Tactical Communications Electronic Equip-

1           ment, as specified in the corresponding funding table  
2           in section 4101.

3 **SEC. 529. DESIGNATION OF PERSONS AUTHORIZED TO DI-**  
4                   **RECT DISPOSITION OF REMAINS OF MEM-**  
5                   **BERS OF THE ARMED FORCES.**

6           Section 1482(c) of title 10, United States Code, is  
7 amended—

8           (1) by striking “Only the” in the matter pre-  
9           ceding paragraph (1) and inserting “The”;

10          (2) by redesignating paragraphs (1) through  
11          (4) as paragraphs (2) through (5), respectively;

12          (3) in paragraph (5), as so redesignated, by  
13          striking “clauses (1)-(3)” and inserting “paragraphs  
14          (1) through (4)”; and

15          (4) by inserting before paragraph (2), as so re-  
16          designated, the following new paragraph:

17               “(1) The person identified by the decedent on  
18               the record of emergency data maintained by the Sec-  
19               retary concerned (DD Form 93 or any successor to  
20               that form), as the Person Authorized to Direct Dis-  
21               position (PADD), regardless of the relationship of  
22               the designee to the decedent.”.

1 **SEC. 530. PROTECTED COMMUNICATIONS BY MEMBERS OF**  
2 **THE ARMED FORCES AND PROHIBITION OF**  
3 **RETALIATORY PERSONNEL ACTIONS.**

4 Section 1034(e)(2) of title 10, United States Code,  
5 is amended by adding at the end the following new sub-  
6 paragraph:

7 “(C) Ideologically based threats or actions  
8 of another member that the member providing  
9 the information reasonably believes could be  
10 counterproductive or detrimental to United  
11 States interests or security.”.

12 **SEC. 531. RETROACTIVE AWARD OF ARMY COMBAT ACTION**  
13 **BADGE.**

14 (a) **AUTHORITY TO AWARD.**—The Secretary of the  
15 Army may award the Army Combat Action Badge (estab-  
16 lished by order of the Secretary of the Army through  
17 Headquarters, Department of the Army Letter 600-05-1,  
18 dated June 3, 2005) to a person who, while a member  
19 of the Army, participated in combat during which the per-  
20 son personally engaged, or was personally engaged by, the  
21 enemy at any time during the period beginning on Decem-  
22 ber 7, 1941, and ending on September 18, 2001 (the date  
23 of the otherwise applicable limitation on retroactivity for  
24 the award of such decoration), if the Secretary determines  
25 that the person has not been previously recognized in an  
26 appropriate manner for such participation.

1 (b) PROCUREMENT OF BADGE.—The Secretary of  
2 the Army may make arrangements with suppliers of the  
3 Army Combat Action Badge so that eligible recipients of  
4 the Army Combat Action Badge pursuant to subsection  
5 (a) may procure the badge directly from suppliers, thereby  
6 eliminating or at least substantially reducing administra-  
7 tive costs for the Army to carry out this section.

8 **SEC. 532. NOTIFICATION REQUIREMENT FOR DETERMINA-**  
9 **TION MADE IN RESPONSE TO REVIEW OF**  
10 **PROPOSAL FOR AWARD OF MEDAL OF HONOR**  
11 **NOT PREVIOUSLY SUBMITTED IN TIMELY**  
12 **FASHION.**

13 Section 1130(b) of title 10, United States Code, is  
14 amended by adding at the end the following new sentence:  
15 “If the determination includes a favorable recommenda-  
16 tion for the award of the Medal of Honor, the Secretary  
17 of Defense, instead of the Secretary concerned, shall make  
18 the submission under this subsection.”.

19 **Subtitle D—Military Justice and**  
20 **Legal Matters**

21 **SEC. 531. PROCEDURES FOR JUDICIAL REVIEW OF MILI-**  
22 **TARY PERSONNEL DECISIONS RELATING TO**  
23 **CORRECTION OF MILITARY RECORDS.**

24 (a) JUDICIAL REVIEW PROCEDURES.—

1           (1) IN GENERAL.—Chapter 79 of title 10,  
2           United States Code, is amended by inserting after  
3           section 1558 the following new section:

4   **“§ 1558a. Judicial review of certain decisions relating**  
5                           **to correction of military records**

6           “(a) AVAILABILITY OF JUDICIAL REVIEW.—After a  
7           final decision is issued by the Secretary concerned pursu-  
8           ant to section 1552 of this title or by the Secretary of  
9           Homeland Security or the Secretary of Defense pursuant  
10          to subsection (f) or (g) of section 1034 of this title, any  
11          person aggrieved by such a decision may obtain judicial  
12          review of the decision.

13          “(b) BASIS TO SET-ASIDE DECISION.—In exercising  
14          its authority under this section, the reviewing court shall  
15          review the record of the decision and may hold unlawful  
16          and set aside any decision demonstrated by the petitioner  
17          in the record to be—

18                   “(1) arbitrary or capricious;

19                   “(2) not based on substantial evidence;

20                   “(3) a result of material error of fact or mate-  
21          rial administrative error, but only if the petitioner  
22          identified to the correction board how the failure to  
23          follow such procedures substantially prejudiced the  
24          petitioner’s right to relief, and shows to the review-



1       ing court by a preponderance of the evidence that  
2       the error was harmful; or

3               “(4) otherwise contrary to law.

4       “(c) RELIEF.—In exercising its authority under this  
5 section, the reviewing court shall affirm, modify, vacate,  
6 or reverse the decision, or remand the matter, as appro-  
7 priate.

8       “(d) MATTERS MUST BE JUSTICIABLE.—Notwith-  
9 standing subsections (a), (b), and (c), the reviewing court  
10 does not have jurisdiction to entertain any matter or issue  
11 raised in a petition of review that is not justiciable.

12       “(e) DECISION MUST BE FINAL.—(1) No judicial re-  
13 view may be made under this section unless the petitioner  
14 shall first have requested a correction under section 1552  
15 of this title, and the Secretary concerned shall have ren-  
16 dered a final decision denying that correction in whole or  
17 in part. In a case in which the final decision of the Sec-  
18 retary concerned is subject to review by the Secretary of  
19 Defense under section 1034(g) of this title, the petitioner  
20 is not required to seek such review by the Secretary of  
21 Defense before obtaining judicial review under this sec-  
22 tion. If the petitioner seeks review by the Secretary of De-  
23 fense under section 1034(g) of this title, no judicial review  
24 may be made until the Secretary of Defense shall have

1 rendered a final decision denying that request in whole  
2 or in part.

3 “(2) In the case of a final decision described in sub-  
4 section (a) made after the end of the one-year period be-  
5 ginning on the date of the enactment of the National De-  
6 fense Authorization Act for Fiscal Year 2012, a petition  
7 for judicial review under this section must be filed within  
8 one year after the date of that final decision.

9 “(f) EXCEPTIONS.—(1) A decision by a board estab-  
10 lished under section 1552(a)(1) of this title declining to  
11 excuse the untimely filing of a request for correction of  
12 military records is not subject to judicial review under this  
13 section or otherwise subject to review in any court.

14 “(2) A decision by a board established under section  
15 1552(a)(1) of this title declining to reconsider or reopen  
16 a previous denial or partial denial of a request for correc-  
17 tion of military records is not subject to judicial review  
18 under this section or otherwise subject to review in any  
19 court.

20 “(3) Notwithstanding subsection (e)(2), a decision by  
21 a board established under section 1552(a)(1) of this title  
22 that results in denial, in whole or in part, of any request  
23 for correction of military records that is received by the  
24 board more than six years after the date of discharge, re-  
25 tirement, release from active duty, or death while on active

1 duty of the person whose military records are the subject  
2 of the correction request is not subject to judicial review  
3 under this section or otherwise subject to review in any  
4 court.

5 “(g) SOLE BASIS FOR JUDICIAL REVIEW.—(1) In the  
6 case of a cause of action arising after the end of the one-  
7 year period beginning on the date of the enactment of the  
8 National Defense Authorization Act for Fiscal Year 2012,  
9 no court shall have jurisdiction to entertain any request  
10 for correction of records cognizable under subsection (f)  
11 or (g) of section 1034 or section 1552 of this title except  
12 as provided in this section.

13 “(2) In the case of a cause of action arising after  
14 the end of such one-year period, except as provided by  
15 chapter 153 of title 28 and chapter 79 of this title, no  
16 court shall have jurisdiction over any civil action or claim  
17 seeking, in whole or in part, to challenge any decision for  
18 which administrative review is available under section  
19 1552 of this title.”.

20 (2) CLERICAL AMENDMENT.—The table of sec-  
21 tions at the beginning of such chapter is amended  
22 by inserting after the item relating to section 1558  
23 the following new item:

“1558a. Judicial review of certain decisions relating to correction of military records.”.

1 (b) EFFECT OF DENIAL OF REQUEST FOR CORREC-  
2 TION OF RECORDS WHEN PROHIBITED PERSONNEL AC-  
3 TION ALLEGED.—

4 (1) NOTICE OF DENIAL; PROCEDURES FOR JU-  
5 DICIAL REVIEW.—Subsection (f) of section 1034 of  
6 title 10, United States Code, is amended by adding  
7 at the end the following new paragraph:

8 “(7) In any case in which the final decision of the  
9 Secretary concerned results in denial, in whole or in part,  
10 of any requested correction of the record of the member  
11 or former member, the Secretary concerned shall provide  
12 the member or former member a concise written statement  
13 of the factual and legal basis for the decision, together  
14 with a statement of the procedure and time for obtaining  
15 review of the decision pursuant to section 1558a of this  
16 title.”.

17 (2) SECRETARY OF DEFENSE REVIEW; NOTICE  
18 OF DENIAL.—Subsection (g) of such section is  
19 amended—

20 (A) by inserting “(1)” before “Upon the  
21 completion of all”; and

22 (B) by adding at the end the following new  
23 paragraph:

24 “(2) The submittal of a matter to the Secretary of  
25 Defense by the member or former member under para-

1 graph (1) must be made within 90 days of the receipt by  
2 the member or former member of the final decision of the  
3 Secretary of the military department concerned in the  
4 matter. In any case in which the final decision of the Sec-  
5 retary of Defense results in denial, in whole or in part,  
6 of any requested correction of the record of the member  
7 or former member, the Secretary of Defense shall provide  
8 the member or former member a concise written statement  
9 of the basis for the decision, together with a statement  
10 of the procedure and time for obtaining review of the deci-  
11 sion pursuant to section 1558a of this title.”.

12 (3) SOLE BASIS FOR JUDICIAL REVIEW.—Such  
13 section is further amended—

14 (A) by redesignating subsections (h) and  
15 (i) as subsections (i) and (j), respectively; and

16 (B) by inserting after subsection (g) the  
17 following new subsection (h):

18 “(h) JUDICIAL REVIEW.—(1) A decision of the Sec-  
19 retary of Defense under subsection (g) shall be subject to  
20 judicial review only as provided in section 1558a of this  
21 title.

22 “(2) In a case in which review by the Secretary of  
23 Defense under subsection (g) was not sought, a decision  
24 of the Secretary of a military department under subsection

1 (f) shall be subject to judicial review only as provided in  
2 section 1558a of this title.

3 “(3) A decision of the Secretary of Homeland Secu-  
4 rity under subsection (f) shall be subject to judicial review  
5 only as provided in section 1558a of this title.”.

6 (c) EFFECT OF DENIAL OF OTHER REQUESTS FOR  
7 CORRECTION OF MILITARY RECORDS.—Section 1552 of  
8 such title is amended by adding at the end the following  
9 new subsections:

10 “(h) In any case in which the final decision of the  
11 Secretary concerned results in denial, in whole or in part,  
12 of any requested correction, the Secretary concerned shall  
13 provide the claimant a concise written statement of the  
14 factual and legal basis for the decision, together with a  
15 statement of the procedure and time for obtaining review  
16 of the decision pursuant to section 1558a of this title.

17 “(i) A decision by the Secretary concerned under this  
18 section shall be subject to judicial review only as provided  
19 in section 1558a of this title.”.

20 (d) EFFECTIVE DATE AND RETROACTIVE APPLICA-  
21 TION.—

22 (1) EFFECTIVE DATE.—The amendments made  
23 by this section shall take effect one year after the  
24 date of the enactment of this Act.

1           (2) RETROACTIVE APPLICATION.—The amend-  
2           ments made by this section shall apply to all final  
3           decisions of the Secretary of Defense under section  
4           1034(g) of title 10, United States Code, and of the  
5           Secretary of a military department or the Secretary  
6           of Homeland Security under sections 1034(f) or  
7           1552 of such title, whether rendered before, on, or  
8           after the date of the enactment of this Act.

9           (3) TRANSITION.—During the period between  
10          the date of the enactment of this Act and the effec-  
11          tive date specified in paragraph (1), in any case in  
12          which the final decision of the Secretary of Defense  
13          under section 1034 of title 10, United States Code,  
14          or the Secretary concerned under section 1552 of  
15          title 10, United States Code, results in denial, in  
16          whole or in part, of any requested correction of the  
17          record of a member or former member of the Armed  
18          Forces or the record of a claimant under such sec-  
19          tion 1552, the individual shall be informed in writ-  
20          ing of the time for obtaining review of the decision  
21          pursuant to section 1558a of such title as provided  
22          therein.

23          (4) IMPLEMENTATION.—The Secretaries con-  
24          cerned may prescribe appropriate regulations, and  
25          interim guidance before prescribing such regulations,

1 to implement the amendments made by this section.  
2 In the case of the Secretary of a military depart-  
3 ment, such regulations may not take effect until ap-  
4 proved by the Secretary of Defense.

5 (5) CONSTRUCTION.—This section and the  
6 amendments made by this section do not affect the  
7 authority of any court to exercise jurisdiction over  
8 any case that was properly before the court before  
9 the effective date specified in paragraph (1).

10 (6) SECRETARY CONCERNED.—In this sub-  
11 section, the term “Secretary concerned” has the  
12 meaning given that term in section 101(a)(9) of title  
13 10, United States Code.

14 **SEC. 532. CLARIFICATION OF APPLICATION AND EXTENT**  
15 **OF DIRECT ACCEPTANCE OF GIFTS AUTHOR-**  
16 **ITY.**

17 Section 2601a of title 10, United States Code, is  
18 amended—

19 (1) in subsection (b)—

20 (A) by striking “or” at the end of para-  
21 graph (1);

22 (B) by redesignating paragraph (2) as  
23 paragraph (3); and

24 (C) by inserting after paragraph (1) the  
25 following new paragraph:



1           “(2) in an operation or area designated as a  
2           combat operation or a combat zone, respectively, by  
3           the Secretary of Defense in accordance with the reg-  
4           ulations prescribed under subsection (a); or”;

5           (2) in subsection (c), by striking “paragraph  
6           (1) or (2) of subsection (c)” and inserting “para-  
7           graph (1), (2) or (3) of subsection (b)”;

8           (3) by adding at the end the following new sub-  
9           section:

10          “(e) **RETROACTIVE APPLICATION OF REGULA-**  
11 **TIONS.**—To the extent provided in the regulations issued  
12 under subsection (a), the regulations shall also apply to  
13 the acceptance of gifts for injuries or illnesses incurred  
14 on or after September 11, 2001, through the effective date  
15 of the regulations.”.

16 **SEC. 533. ADDITIONAL CONDITION ON REPEAL OF DON'T**  
17 **ASK, DON'T TELL POLICY.**

18          Effective as of December 22, 2010, and as if included  
19 therein as enacted, section 2(b) of Public Law 111–321  
20 (124 Stat. 3516) is amended by adding at the end the  
21 following new paragraph:

22          “(3) The Chief of Staff of the Army, the Chief  
23          of Naval Operations, the Commandant of the Marine  
24          Corps, and the Chief of Staff of the Air Force each  
25          submit to the congressional defense committees the

1 officer's written certification that repeal of section  
2 654 of title 10, United States Code, will not degrade  
3 the readiness, effectiveness, cohesion, and morale of  
4 combat arms units and personnel of the Armed  
5 Force under the officer's jurisdiction engaged in  
6 combat, deployed to a combat theater, or preparing  
7 for deployment to a combat theater.”.

8 **SEC. 534. MILITARY REGULATIONS REGARDING MARRIAGE.**

9 Congress reaffirms the policy of section 3 of the De-  
10 fense of Marriage Act, codified as section 7 of title 1,  
11 United States Code. In determining the meaning of any  
12 Act of Congress, or of any ruling, regulation, or interpre-  
13 tation of the Department of Defense applicable to mem-  
14 bers of the Armed Forces or civilian employees of the De-  
15 partment of Defense, the word “marriage” means only a  
16 legal union between one man and one woman as husband  
17 and wife, and the word “spouse” refers only to a person  
18 of the opposite sex who is a husband or a wife.

19 **SEC. 535. USE OF MILITARY INSTALLATIONS AS SITE FOR**  
20 **MARRIAGE CEREMONIES AND PARTICIPA-**  
21 **TION OF CHAPLAINS AND OTHER MILITARY**  
22 **AND CIVILIAN PERSONNEL IN THEIR OFFI-**  
23 **CIAL CAPACITY.**

24 (a) **LIMITATION ON USE.**—A military installation or  
25 other property under the jurisdiction of the Department

1 of Defense may be used as the site for a marriage cere-  
2 mony only if the marriage complies with the definition of  
3 marriage in section 7 of title 1, United States Code.

4 (b) LIMITATION ON PARTICIPATION.—A member of  
5 the Armed Forces, including a chaplain, or civilian em-  
6 ployee of the Department of Defense acting in an official  
7 capacity may assist in or perform a marriage ceremony  
8 only if the marriage complies with the definition of mar-  
9 riage in section 7 of title 1, United States Code.

## 10 **Subtitle E—Member Education and** 11 **Training Opportunities and Ad-** 12 **ministration**

### 13 **SEC. 541. IMPROVED ACCESS TO APPRENTICESHIP PRO-** 14 **GRAMS FOR MEMBERS OF THE ARMED** 15 **FORCES WHO ARE BEING SEPARATED FROM** 16 **ACTIVE DUTY OR RETIRED.**

17 Section 1144 of title 10, United States Code, is  
18 amended by adding at the end the following new sub-  
19 section:

20 “(e) PARTICIPATION IN APPRENTICESHIP PRO-  
21 GRAMS.—As part of the program carried out under this  
22 section, the Secretary concerned may permit a member of  
23 the armed forces eligible for assistance under the program  
24 to participate in an apprenticeship program that provides

1 employment skills training and assists members in  
2 transitioning into new careers in civilian life.”.

3 **SEC. 542. EXPANSION OF RESERVE HEALTH PROFES-**  
4 **SIONALS STIPEND PROGRAM TO INCLUDE**  
5 **STUDENTS IN MENTAL HEALTH DEGREE PRO-**  
6 **GRAMS IN CRITICAL WARTIME SPECIALTIES.**

7 (a) RESERVE COMPONENT MENTAL HEALTH STU-  
8 DENT STIPEND.—Section 16201 of title 10, United States  
9 Code, is amended—

10 (1) by redesignating subsection (f) as sub-  
11 section (g); and

12 (2) by inserting after subsection (e) the fol-  
13 lowing new subsection (f):

14 “(f) MENTAL HEALTH STUDENTS IN CRITICAL WAR-  
15 TIME SPECIALTIES.—(1) Under the stipend program  
16 under this chapter, the Secretary of the military depart-  
17 ment concerned may enter into an agreement with a per-  
18 son who—

19 “(A) is eligible to be appointed as an officer in  
20 a reserve component;

21 “(B) is enrolled or has been accepted for enroll-  
22 ment in an institution in a course of study that re-  
23 sults in a degree in clinical psychology or social  
24 work;

1           “(C) signs an agreement that, unless sooner  
2 separated, the person will—

3           “(i) complete the educational phase of the  
4 program;

5           “(ii) accept a reappointment or redesigna-  
6 tion within the person’s reserve component, if  
7 tendered, based upon the person’s health pro-  
8 fession, following satisfactory completion of the  
9 educational and intern programs; and

10           “(iii) participate in a residency program if  
11 required for clinical licensure.

12           “(2) Under the agreement—

13           “(A) the Secretary of the military department  
14 concerned shall agree to pay the participant a sti-  
15 pend, in an amount determined under subsection  
16 (g), for the period or the remainder of the period  
17 that the student is satisfactorily progressing toward  
18 a degree in clinical psychology or social work while  
19 enrolled in a school accredited in the designated  
20 mental health discipline;

21           “(B) the participant shall not be eligible to re-  
22 ceive such stipend before appointment, designation,  
23 or assignment as an officer for service in the Ready  
24 Reserve;

1           “(C) the participant shall be subject to such ac-  
2           tive duty requirements as may be specified in the  
3           agreement and to active duty in time of war or na-  
4           tional emergency as provided by law for members of  
5           the Ready Reserve; and

6           “(D) the participant shall agree to serve, upon  
7           successful completion of the program, one year in  
8           the Ready Reserve for each six months, or part  
9           thereof, for which the stipend is provided, to be  
10          served in the Selected Reserve or in the Individual  
11          Ready Reserve as specified in the agreement.”.

12          (b) CROSS-REFERENCE AMENDMENTS.—Such section  
13 is further amended—

14           (1) by striking “subsection (f)” in subsections  
15           (b)(2)(A), (c)(2)(A), and (d)(2)(A) and inserting  
16           “subsection (g)”; and

17           (2) in subsection (g), as redesignated by sub-  
18           section (a)(1), by striking “subsection (b) or (c)”  
19           and inserting “subsection (b), (c), (d), or (f)”.

20   **SEC. 543. ADMINISTRATION OF UNITED STATES AIR FORCE**  
21                           **INSTITUTE OF TECHNOLOGY.**

22          (a) AMENDMENT.—Chapter 901 of title 10, United  
23 States Code, is amended by inserting after section 9314a  
24 the following new section:

1 **“§ 9314b. United States Air Force Institute of Tech-**  
2 **nology: administration**

3 “(a) COMMANDANT.—

4 “(1) SELECTION.—The Commandant of the  
5 United States Air Force Institute of Technology  
6 shall be selected by the Secretary of the Air Force.

7 “(2) ELIGIBILITY.—The Commandant shall be  
8 one of the following:

9 “(A) ACTIVE-DUTY OFFICERS.—An active-  
10 duty officer of the Air Force in a grade not  
11 below the grade of colonel, who is assigned or  
12 detailed to such position.

13 “(B) CIVILIANS.—A civilian individual, in-  
14 cluding an individual who was retired from the  
15 Air Force in a grade not below brigadier gen-  
16 eral, who has the qualifications appropriate to  
17 the position of Commandant and is selected by  
18 the Secretary as the best qualified from among  
19 candidates for the position in accordance  
20 with—

21 “(i) the criteria specified in paragraph  
22 (5);

23 “(ii) a process determined by the Sec-  
24 retary; and

25 “(iii) other factors the Secretary con-  
26 siders relevant.

1           “(3) CONSULTATION OF RELEVANT INDIVID-  
2           UALS.—Before making an assignment, detail, or se-  
3           lection of an individual for the position of Com-  
4           mandant, the Secretary shall—

5                   “(A) consult with the Air Force Institute  
6                   of Technology Subcommittee of the Air Univer-  
7                   sity Board of Visitors;

8                   “(B) consider any recommendation of the  
9                   leadership and faculty of the Air Force Insti-  
10                  tute of Technology regarding the assignment or  
11                  selection to that position; and

12                  “(C) consider the recommendations of the  
13                  Air Force Chief of Staff.

14           “(4) FIVE YEAR TERM FOR CIVILIAN COM-  
15           MANDANT.—An individual selected for the position  
16           of Commandant under paragraph (1)(B) shall serve  
17           in that position for a term of not more than five  
18           years and may be continued in that position for an  
19           additional term of up to five years.

20           “(5) RELEVANT QUALIFICATIONS.—The quali-  
21           fications appropriate for selection of an individual  
22           for detail or assignment to the position of Com-  
23           mandant include the following:

24                   “(A) An academic degree that is either—



1           “(i) a doctorate degree in a field of  
2           study relevant to the mission and function  
3           of the Air Force Institute of Technology;  
4           or

5           “(ii) a master’s degree in a field of  
6           study relevant to the mission and function  
7           of the Air Force Institute of Technology,  
8           but only if—

9                   “(I) the individual is an active-  
10                  duty or retired officer of the Air  
11                  Force in a grade not below the grade  
12                  of brigadier general; and

13                   “(II) at the time of the selection  
14                  of that individual as Commandant,  
15                  the individual permanently appointed  
16                  to the position of Provost and Aca-  
17                  demic Dean has a doctorate degree in  
18                  a field of study relevant to the mission  
19                  and function of the Air Force Insti-  
20                  tute of Technology.

21                   “(B) A comprehensive understanding of  
22                  the Department of the Air Force, the Depart-  
23                  ment of Defense, and joint and combined oper-  
24                  ations.

1           “(C) Leadership experience at the senior  
2 level in a large and diverse organization.

3           “(D) Demonstrated ability to foster and  
4 encourage a program of research in order to  
5 sustain academic excellence.

6           “(E) Other qualifications, as determined  
7 by the Secretary.

8           “(6) SUPPORT.—The Secretary shall detail offi-  
9 cers of the Air Force of appropriate grades and  
10 qualifications to assist the Commandant in—

11           “(A) the advanced instruction and profes-  
12 sional and technical education of students and  
13 the provision of research opportunities for stu-  
14 dents; and

15           “(B) the administration of the Air Force  
16 Institute of Technology.

17           “(b) PROVOST AND ACADEMIC DEAN.—

18           “(1) IN GENERAL.—There is established at the  
19 Air Force Institute of Technology the civilian posi-  
20 tion of Provost and Academic Dean.

21           “(2) APPOINTMENT.—

22           “(A) APPOINTMENT BY THE SEC-  
23 RETARY.—The Provost and Academic Dean  
24 shall be appointed by the Secretary for a term  
25 of five years.

1           “(B) CONSULTATION.—Before making an  
2           appointment to the position of Provost and  
3           Academic Dean, the Secretary shall consult  
4           with the Air Force Institute of Technology Sub-  
5           committee of the Air University Board of Visi-  
6           tors and shall consider any recommendation of  
7           the leadership and faculty of the Air Force In-  
8           stitute of Technology regarding an appointment  
9           to that position.

10           “(3) COMPENSATION.—The Provost and Aca-  
11           demic Dean is entitled to such compensation as the  
12           Secretary prescribes, but not more than the rate of  
13           compensation authorized for level IV of the Execu-  
14           tive Schedule.

15           “(c) DEFINITIONS.—In this section:

16           “(1) COMMANDANT.—The term ‘Commandant’  
17           means the Commandant of the Air Force Institute  
18           of Technology.

19           “(2) SECRETARY.—The term ‘Secretary’ means  
20           the Secretary of the Air Force.”.

21           (b) TREATMENT OF CURRENT COMMANDANT.—The  
22           officer who is serving as Commandant of the United  
23           States Air Force Institute of Technology at the time of  
24           the enactment of this Act may serve as acting Com-  
25           mandant until the appointment of a Commandant in ac-

1 cordance with section 9314b of title 10, United States  
2 Code, as added by subsection (a).

3 (c) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of such chapter is amended by inserting  
5 after the item relating to section 9314a the following new  
6 item:

“9314b. United States Air Force Institute of Technology: administration.”.

7 **SEC. 544. APPOINTMENTS TO MILITARY SERVICE ACAD-**  
8 **EMIES FROM NOMINATIONS MADE BY THE**  
9 **GOVERNOR OF PUERTO RICO.**

10 (a) UNITED STATES MILITARY ACADEMY.—Section  
11 4342(a)(7) of title 10, United States Code, is amended—

12 (1) by striking “Six” and inserting “Eight”;  
13 and

14 (2) by striking “one who is a native” and in-  
15 serting “three who are natives”.

16 (b) UNITED STATES NAVAL ACADEMY.—Section  
17 6954(a)(7) of title 10, United States Code, is amended—

18 (1) by striking “Six” and inserting “Eight”;  
19 and

20 (2) by striking “one who is a native” and in-  
21 serting “three who are natives”.

22 (c) UNITED STATES AIR FORCE ACADEMY.—Section  
23 9342(a)(7) of title 10, United States Code, is amended—

24 (1) by striking “Six” and inserting “Eight”;  
25 and

1           (2) by striking “one who is a native” and in-  
2           serting “three who are natives”.

3           (d) **EFFECTIVE DATE.**—The amendments made by  
4 this section shall apply with respect to the nomination of  
5 candidates for appointment to the United States Military  
6 Academy, the United States Naval Academy, and the  
7 United States Air Force Academy for classes entering  
8 these military service academies after the date of the en-  
9 actment of this Act.

10 **SEC. 545. TEMPORARY AUTHORITY TO WAIVE MAXIMUM**  
11 **AGE LIMITATION ON ADMISSION TO UNITED**  
12 **STATES MILITARY ACADEMY, UNITED STATES**  
13 **NAVAL ACADEMY, AND UNITED STATES AIR**  
14 **FORCE ACADEMY.**

15           (a) **WAIVER FOR CERTAIN ENLISTED MEMBERS.**—  
16 The Secretary of the military department concerned may  
17 waive the maximum age limitation specified in section  
18 4346(a), 6958(a)(1), or 9346(a) of title 10, United States  
19 Code, for the admission of an enlisted member of the  
20 Armed Forces to the United States Military Academy, the  
21 United States Naval Academy, or the United States Air  
22 Force Academy if the member—

23           (1) satisfies the eligibility requirements for ad-  
24 mission to that academy (other than the maximum  
25 age limitation); and

1           (2) was or is prevented from being admitted to  
2           a military service academy before the member  
3           reached the maximum age specified in such sections  
4           as a result of service on active duty in a theater of  
5           operations for Operation Iraqi Freedom, Operation  
6           Enduring Freedom, or Operation New Dawn.

7           (b) WAIVER FOR EXCEPTIONAL CANDIDATES.—The  
8           Secretary of the military department concerned may waive  
9           the maximum age limitation specified in such sections for  
10          the admission of a candidate to the United States Military  
11          Academy, the United States Naval Academy, or the  
12          United States Air Force Academy if the candidate—

13           (1) satisfies the eligibility requirements for ad-  
14          mission to that academy (other than the maximum  
15          age limitation); and

16           (2) possesses an exceptional overall record that  
17          the Secretary concerned determines sets the can-  
18          didate apart from all other candidates.

19          (c) MAXIMUM AGE FOR RECEIPT OF WAIVER.—A  
20          waiver may not be granted under this section if the can-  
21          didate would pass the candidate's twenty-sixth birthday by  
22          July 1 of the year in which the candidate would enter the  
23          military service academy.

24          (d) LIMITATION ON NUMBER ADMITTED USING  
25          WAIVER.—No more than five candidates may be admitted

1 to each of the military service academies for an academic  
2 year pursuant to a waiver granted under this section.

3 (e) RECORD KEEPING REQUIREMENT.—The Sec-  
4 retary of each military department shall maintain records  
5 on the number of graduates of the military service acad-  
6 emy under the jurisdiction of the Secretary who are admit-  
7 ted pursuant to a waiver granted under this section and  
8 who remain in the Armed Forces beyond the active duty  
9 service obligation assumed upon graduation. The Sec-  
10 retary shall compare their retention rate to the retention  
11 rate of graduates of that academy generally.

12 (f) REPORTING REQUIREMENT.—Not later than  
13 April 1, 2016, the Secretary of each military department  
14 shall submit to the Committees on Armed Services of the  
15 Senate and the House of Representatives a report speci-  
16 fying—

17 (1) the number of applications for waivers re-  
18 ceived by the Secretary under subsection (a) and  
19 under subsection (b);

20 (2) the number of waivers granted by the Sec-  
21 retary, including whether the waiver was granted  
22 under subsection (a) or (b);

23 (3) the number of candidates actually admitted  
24 to the military service academy under the jurisdic-

1       tion of the Secretary pursuant to a waiver granted  
2       by the Secretary under this section; and

3           (4) beginning with the class of 2009, the num-  
4       ber of graduates of the military service academy  
5       under the jurisdiction of the Secretary who, before  
6       admission to that academy, were enlisted members  
7       of the Armed Forces and who remain in the Armed  
8       Forces beyond the active duty service obligation as-  
9       sumed upon graduation.

10       (g) DURATION OF WAIVER AUTHORITY.—The au-  
11      thority to grant a waiver under this section expires on  
12      September 30, 2016.

13      **SEC. 546. EDUCATION AND EMPLOYMENT ADVOCACY PRO-**  
14                           **GRAM FOR WOUNDED MEMBERS OF THE**  
15                           **ARMED FORCES.**

16       (a) PROGRAM AUTHORIZED; FUNDING SOURCE.—In  
17      the budget submitted to Congress under section 1105 of  
18      title 31, United States Code, for fiscal year 2012, the  
19      President requested \$ 2,201,964 for Operation & Mainte-  
20      nance, Defense-wide, Budget Activity 04, Administrative  
21      and Service-Wide Activities, Office of the Secretary of De-  
22      fense. Of the amounts authorized to be appropriated by  
23      section 301, as specified in the corresponding funding  
24      table in division D, the Secretary of the Defense shall obli-  
25      gate an additional \$15,000,000 for purpose of an edu-



1 cation and employment advocacy pilot program to engage  
2 wounded members of the Armed Forces early in their re-  
3 covery. The Secretary may award grants to, or enter into  
4 contracts and cooperative agreements with, organizations,  
5 which may include non-profit organizations, that the Sec-  
6 retary determines are eligible to assist in planning, devel-  
7 oping, managing, and implementing the pilot program.

8 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
9 decision to commit, obligate, or expend funds referred to  
10 in the second sentence of subsection (a) with or to a spe-  
11 cific entity shall—

12 (1) be based on merit-based selection proce-  
13 dures in accordance with the requirements of sec-  
14 tions 2304(k) and 2374 of title 10, United States  
15 Code, or on competitive procedures; and

16 (2) comply with other applicable provisions of  
17 law.

18 **SEC. 547. REPORT ON TUITION ASSISTANCE PROGRAM FOR**  
19 **OFF-DUTY TRAINING OR EDUCATION.**

20 Not later than 270 days after the date of the enact-  
21 ment of this Act, the Secretary of Defense shall submit  
22 to the Committees on Armed Services of the Senate and  
23 House of Representatives a report on methods to increase  
24 the efficiency of the tuition assistance program under sec-

1 tion 2007 of title 10, United States Code. Such report  
2 shall include—

3 (1) a description of the effect of the program  
4 on recruiting and retention within the Armed  
5 Forces;

6 (2) an analysis of other programs that provide  
7 benefits similar to those provided through the pro-  
8 gram, including the use of educational assistance  
9 programs under chapters 30 and 33 of title 38,  
10 United States Code, for education and training pur-  
11 sued by members of the Armed Forces serving on  
12 active duty while they are off-duty; and

13 (3) a description of the effects of modifying the  
14 program to require members of the Armed Forces  
15 participating in the program to pay for 25 percent  
16 of their education expenses and the Secretary con-  
17 cerned to pay the remaining 75 percent of such ex-  
18 penses.

19 **SEC. 548. TROOPS-TO-TEACHERS PROGRAM.**

20 (a) **TRANSFER OF FUNCTIONS.**—The responsibility  
21 and authority for operation and administration of the  
22 Troops-to-Teachers Program is transferred from the Sec-  
23 retary of Education to the Secretary of Defense.

24 (b) **ENACTMENT AND MODIFICATION OF PROGRAM**  
25 **AUTHORITY IN TITLE 10, UNITED STATES CODE.**—

1           (1) IN GENERAL.—Chapter 58 of title 10,  
2           United States Code, is amended by adding at the  
3           end the following new section:

4   **“§ 1154. Assistance to eligible members to obtain em-**  
5                           **ployment as teachers: Troops-to-Teachers**  
6                           **Program**

7           “(a) DEFINITIONS.—In this section:

8                   “(1) PROGRAM.—The term ‘Program’ means  
9                   the Troops-to-Teachers Program authorized by this  
10                  section.

11                  “(2) CHARTER SCHOOL.—The term ‘charter  
12                  school’ has the meaning given that term in section  
13                  5210 of the Elementary and Secondary Education  
14                  Act of 1965 (20 U.S.C. 7221i).

15                  “(3) ADDITIONAL TERMS.—The terms ‘elemen-  
16                  tary school’, ‘highly qualified teacher’, ‘local edu-  
17                  cational agency’, ‘secondary school’, and ‘State’ have  
18                  the meanings given those terms in section 9101 of  
19                  the Elementary and Secondary Education Act of  
20                  1965 (20 U.S.C. 7801).

21           “(b) PROGRAM AUTHORIZATION.—The Secretary of  
22           Defense may carry out a program (to be known as the  
23           ‘Troops-to-Teachers Program’)—

24                   “(1) to assist eligible members of the armed  
25                   forces described in subsection (c) to obtain certifi-

1 cation or licensing as elementary school teachers,  
2 secondary school teachers, or vocational or technical  
3 teachers, and to become highly qualified teachers;  
4 and

5 “(2) to facilitate the employment of such mem-  
6 bers—

7 “(A) by local educational agencies or pub-  
8 lic charter schools that the Secretary of Edu-  
9 cation identifies as—

10 “(i) receiving grants under part A of  
11 title I of the Elementary and Secondary  
12 Education Act of 1965 (20 U.S.C. 6311 et  
13 seq.) as a result of having within their ju-  
14 risdictions concentrations of children from  
15 low-income families;

16 “(ii) experiencing a shortage of highly  
17 qualified teachers, in particular a shortage  
18 of science, mathematics, special education,  
19 or vocational or technical teachers; or

20 “(iii) a Bureau-funded school (as such  
21 term is defined in section 1141 of the Edu-  
22 cation Amendments of 1978 (25 U.S.C.  
23 2021)); and

24 “(B) in elementary schools or secondary  
25 schools, or as vocational or technical teachers.

1 “(c) ELIGIBILITY AND APPLICATION PROCESS.—

2 “(1) ELIGIBLE MEMBERS.—The following mem-  
3 bers of the armed forces are eligible for selection to  
4 participate in the Program:

5 “(A) Any member who—

6 “(i) on or after the date of the enact-  
7 ment of the National Defense Authoriza-  
8 tion Act for Fiscal Year 2011, becomes en-  
9 titled to retired or retainer pay under this  
10 title or title 14;

11 “(ii) has an approved date of retire-  
12 ment that is within one year after the date  
13 on which the member submits an applica-  
14 tion to participate in the Program; or

15 “(iii) transfers to the Retired Reserve.

16 “(B) Any member who, on or after the  
17 date of the enactment of the National Defense  
18 Authorization Act for Fiscal Year 2011—

19 “(i)(I) is separated or released from  
20 active duty after 4 or more years of contin-  
21 uous active duty immediately before the  
22 separation or release; or

23 “(II) has completed a total of at least  
24 ten years of active duty service, 10 years  
25 of service computed under section 12732 of

1           this title, or 10 years of any combination  
2           of such service; and

3           “(ii) executes a reserve commitment  
4           agreement for a period of not less than 3  
5           years under paragraph (5)(B).

6           “(C) Any member who, on or after the  
7           date of the enactment of the National Defense  
8           Authorization Act for Fiscal Year 2011, is re-  
9           tired or separated for physical disability under  
10          chapter 61 of this title.

11          “(2) SUBMITTAL OF APPLICATIONS.—(A) Selec-  
12          tion of eligible members of the armed forces to partic-  
13          ipate in the Program shall be made on the basis  
14          of applications submitted to the Secretary. An appli-  
15          cation shall be in such form and contain such infor-  
16          mation as the Secretary may require.

17          “(B) An application may be considered to be  
18          submitted on a timely basis under subparagraph  
19          (A)(i), (B), or (C) of paragraph (1) if the applica-  
20          tion is submitted not later than 2 years after the  
21          date on which the member is retired or separated or  
22          released from active duty, whichever applies to the  
23          member.

24          “(3) SELECTION CRITERIA; EDUCATIONAL  
25          BACKGROUND REQUIREMENTS AND HONORABLE

1 SERVICE REQUIREMENT.—(A) Subject to subpara-  
2 graphs (B) and (C), the Secretary shall prescribe  
3 the criteria to be used to select eligible members of  
4 the armed forces to participate in the Program.

5 “(B)(i) If a member of the armed forces is ap-  
6 plying for assistance for placement as an elementary  
7 school or secondary school teacher, the Secretary  
8 shall require the member to have received a bacca-  
9 laureate or advanced degree from an accredited in-  
10 stitution of higher education.

11 “(ii) If a member of the armed forces is apply-  
12 ing for assistance for placement as a vocational or  
13 technical teacher, the Secretary shall require the  
14 member—

15 “(I) to have received the equivalent of one  
16 year of college from an accredited institution of  
17 higher education and have 3 or more years of  
18 military experience in a vocational or technical  
19 field; or

20 “(II) to otherwise meet the certification or  
21 licensing requirements for a vocational or tech-  
22 nical teacher in the State in which the member  
23 seeks assistance for placement under the Pro-  
24 gram.

1           “(C) A member of the armed forces is eligible  
2           to participate in the Program only if the member’s  
3           last period of service in the armed forces was honor-  
4           able, as characterized by the Secretary concerned. A  
5           member selected to participate in the Program be-  
6           fore the retirement of the member or the separation  
7           or release of the member from active duty may con-  
8           tinue to participate in the Program after the retire-  
9           ment, separation, or release only if the member’s  
10          last period of service is characterized as honorable  
11          by the Secretary concerned.

12           “(4) SELECTION PRIORITIES.—In selecting eli-  
13          gible members of the armed forces to receive assist-  
14          ance under the Program, the Secretary shall give  
15          priority to members who—

16                   “(A) have educational or military experi-  
17                   ence in science, mathematics, special education,  
18                   or vocational or technical subjects; and

19                   “(B) agree to seek employment as science,  
20                   mathematics, or special education teachers in  
21                   elementary schools or secondary schools or in  
22                   other schools under the jurisdiction of a local  
23                   educational agency.

24           “(5) OTHER CONDITIONS ON SELECTION.—(A)  
25          The Secretary may not select an eligible member of



1 the armed forces to participate in the Program and  
2 receive financial assistance unless the Secretary has  
3 sufficient appropriations for the Program available  
4 at the time of the selection to satisfy the obligations  
5 to be incurred by the United States under subsection  
6 (d) with respect to the member.

7 “(B) The Secretary may not select an eligible  
8 member of the armed forces described in paragraph  
9 (1)(B)(i) to participate in the Program under this  
10 section and receive financial assistance under sub-  
11 section (d) unless the member executes a written  
12 agreement to serve as a member of the Selected Re-  
13 serve of a reserve component of the armed forces for  
14 a period of not less than 3 years (in addition to any  
15 other reserve commitment the member may have).

16 “(d) PARTICIPATION AGREEMENT AND FINANCIAL  
17 ASSISTANCE.—

18 “(1) PARTICIPATION AGREEMENT.—(A) An eli-  
19 gible member of the armed forces selected to partici-  
20 pate in the Program under subsection (c) and re-  
21 ceive financial assistance under this subsection shall  
22 be required to enter into an agreement with the Sec-  
23 retary in which the member agrees—

24 “(i) within such time as the Secretary may  
25 require, to obtain certification or licensing as an

1 elementary school teacher, secondary school  
2 teacher, or vocational or technical teacher, and  
3 to become a highly qualified teacher; and

4 “(ii) to accept an offer of full-time employ-  
5 ment as an elementary school teacher, sec-  
6 ondary school teacher, or vocational or technical  
7 teacher for not less than three school years with  
8 a local educational agency receiving grants  
9 under part A of title I of the Elementary and  
10 Secondary Education Act of 1965 (20  
11 U.S.C.6311 et seq.), a Bureau-funded school  
12 (as such term is defined in section 1141 of the  
13 Education Amendments of 1978 (25 U.S.C. 11  
14 2021)), or a public charter school.

15 “(B) The Secretary may waive the three-year  
16 commitment described in subparagraph (A)(ii) for a  
17 participant if the Secretary determines the waiver to  
18 be appropriate. If the Secretary provides the waiver,  
19 the participant shall not be considered to be in viola-  
20 tion of the agreement and shall not be required to  
21 provide reimbursement under subsection (e), for fail-  
22 ure to meet the three-year commitment.

23 “(2) VIOLATION OF PARTICIPATION AGREE-  
24 MENT; EXCEPTIONS.—A participant in the Program  
25 shall not be considered to be in violation of the par-

1 participation agreement entered into under paragraph  
2 (1) during any period in which the participant—

3 “(A) is pursuing a full-time course of  
4 study related to the field of teaching at an in-  
5 stitution of higher education;

6 “(B) is serving on active duty as a member  
7 of the armed forces;

8 “(C) is temporarily totally disabled for a  
9 period of time not to exceed 3 years as estab-  
10 lished by sworn affidavit of a qualified physi-  
11 cian;

12 “(D) is unable to secure employment for a  
13 period not to exceed 12 months by reason of the  
14 care required by a spouse who is disabled;

15 “(E) is a highly qualified teacher who is  
16 seeking and unable to find full-time employ-  
17 ment as a teacher in an elementary school or  
18 secondary school or as a vocational or technical  
19 teacher for a single period not to exceed 27  
20 months; or

21 “(F) satisfies such other criteria as may be  
22 prescribed by the Secretary.

23 “(3) STIPEND FOR PARTICIPANTS.—(A) Subject  
24 to subparagraph (B), the Secretary may pay to a  
25 participant in the Program selected under this sec-

1       tion a stipend in an amount of not more than  
2       \$5,000.

3               “(B) The total number of stipends that may be  
4       paid under subparagraph (A) in any fiscal year may  
5       not exceed 5,000.

6               “(4) BONUS FOR PARTICIPANTS.—(A) Subject  
7       to subparagraph (B), the Secretary may, in lieu of  
8       paying a stipend under paragraph (3), pay a bonus  
9       of \$10,000 to a participant in the Program selected  
10      under this section who agrees in the participation  
11      agreement under paragraph (1) to become a highly  
12      qualified teacher and to accept full-time employment  
13      as an elementary school teacher, secondary school  
14      teacher, or vocational or technical teacher for not  
15      less than 3 school years in a high-need school.

16              “(B) The total number of bonuses that may be  
17      paid under subparagraph (A) in any fiscal year may  
18      not exceed 3,000.

19              “(C) For purposes of subparagraph (A), the  
20      term ‘high-need school’ means a public elementary  
21      school, public secondary school, or public charter  
22      school that meets one or more of the following cri-  
23      teria:

1           “(i) At least 50 percent of the students en-  
2           rolled in the school were from low-income fami-  
3           lies (as described in subsection (b)(2)(A)(i)).

4           “(ii) The school has a large percentage of  
5           students who qualify for assistance under part  
6           B of the Individuals with Disabilities Education  
7           Act (20 U.S.C. 1411 et seq.).

8           “(5) TREATMENT OF STIPEND AND BONUS.—A  
9           stipend or bonus paid under this subsection to a  
10          participant in the Program shall be taken into ac-  
11          count in determining the eligibility of the participant  
12          for Federal student financial assistance provided  
13          under title IV of the Higher Education Act of 1965  
14          (20 U.S.C. 1070 et seq.).

15          “(e) REIMBURSEMENT UNDER CERTAIN CIR-  
16          CUMSTANCES.—

17                 “(1) REIMBURSEMENT REQUIRED.—A partici-  
18                 pant in the Program who is paid a stipend or bonus  
19                 under subsection (d) shall be required to repay the  
20                 stipend or bonus under the following circumstances:

21                         “(A) The participant fails to obtain teach-  
22                         er certification or licensing, to become a highly  
23                         qualified teacher, or to obtain employment as  
24                         an elementary school teacher, secondary school  
25                         teacher, or vocational or technical teacher as re-

1           required by the participation agreement under  
2           subsection (d)(1).

3           “(B) The participant voluntarily leaves, or  
4           is terminated for cause from, employment as an  
5           elementary school teacher, secondary school  
6           teacher, or vocational or technical teacher dur-  
7           ing the 3 years of required service in violation  
8           of the participation agreement.

9           “(C) The participant executed a written  
10          agreement with the Secretary concerned under  
11          subsection (c)(5)(B) to serve as a member of a  
12          reserve component of the armed forces for a pe-  
13          riod of 3 years and fails to complete the re-  
14          quired term of service.

15          “(2) AMOUNT OF REIMBURSEMENT.—A partici-  
16          pant required to reimburse the Secretary for a sti-  
17          pend or bonus paid to the participant under sub-  
18          section (d) shall pay an amount that bears the same  
19          ratio to the amount of the stipend or bonus as the  
20          unserved portion of required service bears to the  
21          three years of required service. Any amount owed by  
22          the participant shall bear interest at the rate equal  
23          to the highest rate being paid by the United States  
24          on the day on which the reimbursement is deter-  
25          mined to be due for securities having maturities of

1 90 days or less and shall accrue from the day on  
2 which the participant is first notified of the amount  
3 due.

4 “(3) TREATMENT OF OBLIGATION.—The obliga-  
5 tion to reimburse the Secretary under this sub-  
6 section is, for all purposes, a debt owing the United  
7 States. A discharge in bankruptcy under title 11  
8 shall not release a participant from the obligation to  
9 reimburse the Secretary under this subsection.

10 “(4) EXCEPTIONS TO REIMBURSEMENT RE-  
11 QUIREMENT.—A participant shall be excused from  
12 reimbursement under this subsection if the partici-  
13 pant becomes permanently totally disabled as estab-  
14 lished by sworn affidavit of a qualified physician.  
15 The Secretary may also waive the reimbursement in  
16 cases of extreme hardship to the participant, as de-  
17 termined by the Secretary.

18 “(f) RELATIONSHIP TO EDUCATIONAL ASSISTANCE  
19 UNDER MONTGOMERY GI BILL.—The receipt by a partici-  
20 pant in the Program of a stipend or bonus under this  
21 subsection (d) shall not reduce or otherwise affect the enti-  
22 tlement of the participant to any benefits under chapter  
23 30 or 33 of title 38 or chapter 1606 of this title.

24 “(g) PARTICIPATION BY STATES.—

1           “(1) DISCHARGE OF STATE ACTIVITIES  
2 THROUGH CONSORTIA OF STATES.—The Secretary  
3 may permit States participating in the Program to  
4 carry out activities authorized for such States under  
5 the Program through one or more consortia of such  
6 States.

7           “(2) ASSISTANCE TO STATES.—(A) Subject to  
8 subparagraph (B), the Secretary may make grants  
9 to States participating in the Program, or to con-  
10 sortia of such States, in order to permit such States  
11 or consortia of States to operate offices for purposes  
12 of recruiting eligible members of the armed forces  
13 for participation in the Program and facilitating the  
14 employment of participants in the Program as ele-  
15 mentary school teachers, secondary school teachers,  
16 and vocational or technical teachers.

17           “(B) The total amount of grants made under  
18 subparagraph (A) in any fiscal year may not exceed  
19 \$5,000,000.”.

20           (2) CLERICAL AMENDMENT.—The table of sec-  
21 tions at the beginning of chapter 58 of such title is  
22 amended by adding at the end the following new  
23 item:

“1154. Assistance to eligible members to obtain employment as teachers:  
Troops-to-Teachers Program.”.



1           (3) CONFORMING AMENDMENT.—Section  
2 1142(b) (4)(C) of such title is amended by striking  
3 “under sections 1152 and 1153 of this title and the  
4 Troops-to-Teachers Program under section 2302 of  
5 the Elementary and Secondary Education Act of  
6 1965 (20 U.S.C. 6672)” and inserting “under sec-  
7 tions 1152, 1153, and 1154 of this title”.

8           (4) TERMINATION OF ORIGINAL PROGRAM.—

9           (A) TERMINATION.—

10           (i) Chapter A of subpart 1 of part C  
11 of the Elementary and Secondary Edu-  
12 cation Act of 1965 (20 U.S.C. 6671 et  
13 seq.) is repealed.

14           (ii) The table of contents in section 2  
15 of part I of the Elementary and Secondary  
16 Education Act 1965 is amended by strik-  
17 ing the items relating to chapter A of sub-  
18 part 1 of part C of such Act.

19           (B) EXISTING AGREEMENTS.—The repeal  
20 of such chapter shall not affect the validity or  
21 terms of any agreement entered into before the  
22 date of the enactment of this Act under chapter  
23 A of subpart 1 of part C of the Elementary and  
24 Secondary Education Act of 1965 (20 U.S.C.  
25 6671 et seq.), or to pay assistance, make

1 grants, or obtain reimbursement in connection  
2 with such an agreement as in effect before such  
3 repeal.

4 (c) ADVISORY BOARD.—

5 (1) ESTABLISHMENT.—Not later than 120 days  
6 after the date of the enactment of this Act, the Sec-  
7 retary of Defense, in consultation with the Secretary  
8 of Education, shall establish an Advisory Board  
9 composed of—

10 (A) a representative from the Defense Ac-  
11 tivity for Non-Traditional Education Support  
12 Division of the Department of Defense;

13 (B) a representative from the Department  
14 of Innovation and Improvement of the Depart-  
15 ment of Education;

16 (C) a representatives from three State of-  
17 fices that operate to recruit eligible members of  
18 the Armed Forces for participation in the  
19 Troops-to-Teachers Program and facilitating  
20 the employment of participants in the Program  
21 as elementary school teachers, secondary school  
22 teachers, and vocational or technical teachers;  
23 and

24 (D) a representative from each of three  
25 veteran service organizations.

1           (2) DUTIES.—The Advisory Board established  
2 under this subsection shall—

3           (A) collect, consider, and disseminate feed-  
4 back from participants and State offices de-  
5 scribed in paragraph (1)(C) on—

6           (i) the best practices for improving re-  
7 cruitment of eligible members of the  
8 Armed Forces in States, local educational  
9 agencies, and public charter schools under  
10 served by the Troops-to-Teachers Program;

11           (ii) ensuring that high-need local edu-  
12 cational agencies and public charter  
13 schools are aware of the Program and how  
14 to participate in it;

15           (iii) coordinating the goals of the Pro-  
16 gram with other Federal, State, and local  
17 education needs and programs; and

18           (iv) other activities that the Advisory  
19 Board deems necessary; and

20           (B) not later than one year after the date  
21 of the enactment of this Act, and annually  
22 thereafter, prepare and submit a report to the  
23 appropriate committees of Congress, which shall  
24 include—

- 1 (i) information with respect to the ac-  
2 tivities of the Advisory Board;
- 3 (ii) information with respect to the  
4 Troops-to-Teachers Program, including—
- 5 (I) the number of participants in  
6 the Program;
- 7 (II) the number of States partici-  
8 pating in the Program;
- 9 (III) local educational agencies  
10 and schools in where participants are  
11 employed;
- 12 (IV) the grade levels at which  
13 participants teach;
- 14 (V) the academic subjects taught  
15 by participants;
- 16 (VI) rates of retention of partici-  
17 pants by the local educational agen-  
18 cies and public charter schools em-  
19 ploying participant;
- 20 (VII) other demographic informa-  
21 tion as may be necessary to evaluate  
22 the effectiveness of the Program; and
- 23 (VIII) a review of the stipend  
24 and bonus available to participants  
25 under the Program; and

- 1 (iii) recommendations for—
- 2 (I) improvements to local, State,
- 3 and Federal recruitment and retention
- 4 efforts;
- 5 (II) legislative or executive policy
- 6 changes to improve the Program, en-
- 7 hance participant experience, and in-
- 8 crease participation in the program;
- 9 and
- 10 (III) other changes necessary to
- 11 ensure that the Program is meeting
- 12 its purposes.

13 (d) DEFINITIONS.—In this section

14 (1) The term “appropriate committees of Con-

15 gress” means—

16 (A) the Committees on Armed Services

17 and Health, Education, Labor, and Pensions of

18 the Senate; and

19 (B) the Committees on Armed Services

20 and Education and Labor of the House of Rep-

21 resentatives.

22 (2) The term “Troops-to-Teachers Program”

23 means the Troops-to-Teachers Program under sec-

24 tion 1154 of title 10, United States Code (as added

25 by subsection (b)), as authorized before October 1,

1 2011, by chapter A of subpart 1 of part C of title  
2 II of the Elementary and Secondary Education Act  
3 of 1965 (20 U.S.C. 6671 et seq.).

4 (e) EFFECTIVE DATE.—Subsection (a) and the  
5 amendments made by subsection (b) shall take effect on  
6 October 1, 2011.

7 **SEC. 549. DIVERSITY RECRUITMENT EFFORTS FOR THE**  
8 **MILITARY SERVICE ACADEMIES.**

9 (a) FUNDS FOR DIVERSITY RECRUITMENT EF-  
10 FORTS.—The amounts authorized to be appropriated by  
11 section 301 for operation and maintenance for the Army,  
12 Navy, and Air Force for officer acquisition, as specified  
13 in the corresponding funding table in section 4301, are  
14 each increased by \$1,400,000 to expand diversity recruit-  
15 ment efforts for the United States Military Academy, the  
16 United States Naval Academy, and the United States Air  
17 Force Academy.

18 (b) OFFSET FROM JOINT TACTICAL RADIO SYS-  
19 TEM.—Notwithstanding the amounts set forth in the  
20 funding tables in division D, the amount authorized to be  
21 appropriated in section 101 for other procurement, Air  
22 Force, as specified in the corresponding funding table in  
23 division D, is hereby reduced by \$4,200,000, with the  
24 amount of the reduction to be derived from Joint Tactical  
25 Radio System Maritime-Fixed radios under Line 049 Tac-

1 tical Communications-Electronic Equipment as set forth  
2 in the table under section 4101.

3 (c) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in subsection (a) with or to a specific entity shall—

6 (1) be based on merit-based selection proce-  
7 dures in accordance with the requirements of sec-  
8 tions 2304(k) and 2374 of title 10, United States  
9 Code, or on competitive procedures; and

10 (2) comply with other applicable provisions of  
11 law.

## 12 **Subtitle F—Army National Military** 13 **Cemeteries**

### 14 **SEC. 551. ARMY NATIONAL MILITARY CEMETERIES.**

15 (a) MANAGEMENT RESPONSIBILITIES AND OVER-  
16 SIGHT.—Title 10, United States Code, is amended by in-  
17 serting after chapter 445 the following new chapter:

### 18 **“CHAPTER 446—ARMY NATIONAL** 19 **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.

1 **“§ 4721. Authority and responsibilities of the Sec-**  
2 **retary of the Army**

3 “(a) GENERAL AUTHORITY.—The Secretary of the  
4 Army shall develop, operate, manage, administer, oversee,  
5 and fund the Army National Military Cemeteries specified  
6 in subsection (b) in a manner and to standards that fully  
7 honor the service and sacrifices of the deceased members  
8 of the armed forces buried or inurned in the Cemeteries.

9 “(b) ARMY NATIONAL MILITARY CEMETERIES.—The  
10 Army National Military Cemeteries (in this chapter re-  
11 ferred to as the ‘Cemeteries’) consist of the following:

12 “(1) Arlington National Cemetery in Arlington,  
13 Virginia.

14 “(2) The United States Soldiers’ and Airmen’s  
15 Home National Cemetery in the District of Colom-  
16 bia.

17 “(c) ADMINISTRATIVE JURISDICTION.—The Ceme-  
18 teries shall be under the jurisdiction of Headquarters, De-  
19 partment of the Army.

20 “(d) REGULATIONS AND OTHER POLICIES.—The  
21 Secretary of the Army shall prescribe such regulations and  
22 policies as may be necessary administer the Cemeteries.

23 “(e) BUDGETARY AND REPORTING REQUIRE-  
24 MENTS.—The Secretary of the Army shall submit to the  
25 congressional defense committees and the Committees on  
26 Veterans’ Affairs of the Senate and House of Representa-



1 tives an annual budget request (and detailed justifications  
2 for the amount of the request) to fund administration, op-  
3 eration and maintenance, and construction related to the  
4 Cemeteries. The Secretary may include, as necessary, pro-  
5 posals for new or amended statutory authority related to  
6 the Cemeteries.

7 **“§ 4722. Interment and inurnment policy**

8       “(a) ELIGIBILITY DETERMINATIONS GENERALLY.—  
9 The Secretary of the Army, with the approval of the Sec-  
10 retary of Defense, shall determine eligibility for interment  
11 or inurnment in the Cemeteries.

12       “(b) REMOVAL OF REMAINS.—Under such regula-  
13 tions as the Secretary of the Army may prescribe under  
14 section 4721(d) of this title, the Secretary of Defense may  
15 authorize the removal of the remains of a person described  
16 in subsection (c) from one of the Cemeteries for re-inter-  
17 ment or re-inurnment if, upon the death of the primary  
18 person eligible for interment or inurnment in the Ceme-  
19 teries, the deceased primary eligible person will not be bur-  
20 ied in the same or an adjoining grave.

21       “(c) COVERED PERSONS.—Except as provided in  
22 subsection (d), the persons whose remains may be removed  
23 pursuant to subsection (b) are the deceased spouse, a  
24 minor child, and, in the discretion of the Secretary of the

1 Army, an unmarried adult child of a member eligible for  
2 interment or inurnment in the Cemeteries.

3 “(d) EXCEPTIONS.—The remains of a person de-  
4 scribed in subsection (c) may not be removed from one  
5 of the Cemeteries under subsection (b) if the primary per-  
6 son eligible for burial in the Cemeteries is a person—

7 “(1) who is missing in action;

8 “(2) whose remains have not been recovered or  
9 identified;

10 “(3) whose remains were buried at sea, whether  
11 by the choice of the person or otherwise;

12 “(4) whose remains were donated to science; or

13 “(5) whose remains were cremated and whose  
14 ashes were scattered without internment of any por-  
15 tion of the ashes.

16 **“§ 4723. Advisory committee on Arlington National**  
17 **Cemetery**

18 “(a) APPOINTMENT.—The Secretary of the Army  
19 shall appoint an advisory committee on Arlington National  
20 Cemetery.

21 “(b) ROLE.—The Secretary of the Army shall advise  
22 and consult with the advisory committee with respect to  
23 the administration of Arlington National Cemetery, the  
24 erection of memorials at the cemetery, and master plan-  
25 ning for the cemetery.

1       “(c) REPORTS AND RECOMMENDATIONS.—The advi-  
2 sory committee shall make periodic reports and rec-  
3 ommendations to the Secretary of the Army.

4       “(d) SUBMISSION TO CONGRESS.—Not later than 90  
5 days after receiving a report or recommendations from the  
6 advisory committee under subsection (c), the Secretary of  
7 the Army shall submit the report or recommendations to  
8 the congressional defense committees and the Committees  
9 on Veterans’ Affairs of the Senate and House of Rep-  
10 resentatives and include such comments and recommenda-  
11 tions of the Secretary as the Secretary considers appro-  
12 priate.

13       **“§ 4724. Executive Director**

14       “(a) APPOINTMENT AND QUALIFICATIONS.—(1)  
15 There shall be an Executive Director of the Army National  
16 Military Cemeteries who shall meet such professional  
17 qualifications as may be established by the Secretary of  
18 the Army.

19       “(2) The Executive Director reports directly to the  
20 Secretary.

21       “(b) RESPONSIBILITIES.—The Executive Director is  
22 responsible for the following:

23               “(1) Exercising authority, direction and control  
24               over all aspects of the Cemeteries.

1           “(2) Establishing and maintaining full account-  
2           ability for all gravesites and inurnment niches in the  
3           Cemeteries.

4           “(3) Oversight of the construction, operation  
5           and maintenance, and repair of the buildings, struc-  
6           tures, and utilities of the Cemeteries.

7           “(4) Acquisition and maintenance of real prop-  
8           erty and interests in real property for the Ceme-  
9           teries.

10          “(5) Planning and conducting private cere-  
11          monies at the Cemeteries, including funeral and me-  
12          morial services for interment and inurnment, and  
13          planning and conducting public ceremonies, as di-  
14          rected by the Secretary of the Army.

15          “(6) Formulating, promulgating, administering,  
16          and overseeing policies and addressing proposals for  
17          the placement of memorials and monuments in the  
18          Cemeteries.

19          “(7) Formulating and implementing a master  
20          plan for Arlington National Cemetery that, at a min-  
21          imum, addresses interment and inurnment capacity,  
22          visitor accommodation, operation and maintenance,  
23          capital requirements, preservation of the cemetery’s  
24          special features, and other matters the Executive Di-  
25          rector considers appropriate.

1           “(8) Overseeing the programming, planning,  
2           budgeting, and execution of funds authorized and  
3           appropriated for the Cemeteries.

4           “(9) Supervising the superintendents of the  
5           Cemeteries.

6           “(c) DIGITIZATION OF ARLINGTON NATIONAL CEME-  
7           TERY INTERNMENT AND INURNMENT RECORDS.—(1) Not  
8           later than June 1, 2012, all records related to internments  
9           and inurnments at Arlington National Cemetery shall be  
10          converted to a digitized format. Thereafter, use of the  
11          digitized format shall be the method by which all subse-  
12          quent records related to internments and inurnments at  
13          Arlington National Cemetery are preserved and utilized.

14          “(2) In this subsection, ‘digitized format’ refers to  
15          the use of an electronic database for recordkeeping and  
16          includes the full accounting of all records of each specific  
17          gravesite and niche location at Arlington National Ceme-  
18          tery and the identification of the individual interred or  
19          inurned at each specific gravesite and niche location.

20          “§ 4725. **Superintendents**

21          “(a) APPOINTMENT AND QUALIFICATIONS.—An indi-  
22          vidual serving as the superintendent of one of the Ceme-  
23          teries should be a retired or former member of the armed  
24          forces who served honorably and who—

1           “(1) has experience in the administration, man-  
2           agement, and operation of cemeteries under the ju-  
3           risdiction of the National Cemeteries System admin-  
4           istered by the Department of Veterans Affairs; or

5           “(2) as determined by the Secretary of the  
6           Army, has experience in the administration, manage-  
7           ment, and operation of large civilian cemeteries  
8           equivalent to the experience described in paragraph  
9           (1).

10          “(b) DUTIES.—The superintendents of the Ceme-  
11         teries report directly to the Executive Director and per-  
12         forms such duties and responsibilities as the Executive Di-  
13         rector prescribes.

14         **“§ 4726. Oversight and inspections**

15          “(a) INSPECTIONS REQUIRED.—(1) The Secretary of  
16         the Army shall provide for the oversight of the Cemeteries  
17         to ensure the highest quality standards are maintained by  
18         providing for the periodic inspection of the administration,  
19         operation and maintenance, and construction elements ap-  
20         plicable to the Cemeteries. Except as provided in para-  
21         graph (2), the inspections shall be conducted by personnel  
22         of the Department of the Army with the assistance, as  
23         the Secretary considers appropriate, of personnel from  
24         other Federal agencies and civilian experts.

1           “(2) The Inspector General of the Department of De-  
2 fense shall conduct an inspection of the Cemeteries during  
3 fiscal years 2012 and 2014.

4           “(b) SUBMISSION OF RESULTS.—Not later than 120  
5 days after the completion of an inspection conducted  
6 under subsection (a), the Secretary of the Army shall sub-  
7 mit to the congressional defense committees a report con-  
8 taining the results of the inspection and recommendations  
9 and a plan for corrective actions to be taken in response  
10 to the inspection.”.

11           (b) TABLE OF CHAPTERS.—The table of chapters at  
12 the beginning of subtitle B of such title and at the begin-  
13 ning of part IV of such subtitle are amended by inserting  
14 after the item relating to chapter 445 the following new  
15 item:

          “446. Army National Military Cemeteries ..... 4721”.

16           (c) TIME FOR APPOINTMENT AND FIRST MEETING  
17 OF ADVISORY COMMITTEE ON ARLINGTON NATIONAL  
18 CEMETERY.—The advisory committee on Arlington Na-  
19 tional Cemetery required by section 4723 of title 10,  
20 United States Code, as added by subsection (a), shall be  
21 appointed by the Secretary of the Army and hold its first  
22 meeting not later than 30 days after the date of the enact-  
23 ment of this Act.

1 **SEC. 552. INSPECTOR GENERAL OF THE DEPARTMENT OF**  
2 **DEFENSE INSPECTION OF MILITARY CEME-**  
3 **TERIES.**

4 (a) INSPECTION AND RECOMMENDATIONS RE-  
5 QUIRED.—The Inspector General of the Department of  
6 Defense shall conduct an inspection of each military ceme-  
7 tery and, based on the findings of those inspections, make  
8 recommendations for the regulation, management, over-  
9 sight, and operation of the military cemeteries.

10 (b) ELEMENTS OF INSPECTION.—Subject to sub-  
11 section (c), the inspection of the military cemeteries under  
12 subsection (a) shall include an assessment of the following:

13 (1) The adequacy of the statutes, policies, and  
14 regulations governing the management, oversight,  
15 operations, and interments or inurnments (or both)  
16 by the military cemeteries and the adherence of each  
17 military cemetery to such statutes, policies, and reg-  
18 ulations.

19 (2) The system employed to fully account for  
20 and accurately identify the remains interred or  
21 inurned in the military cemeteries.

22 (3) The contracts and contracting processes  
23 and oversight of those contracts and processes with  
24 regard to compliance with Department of Defense  
25 and military department guidelines.



1           (4) The history and adequacy of the oversight  
2           conducted by the Secretaries of the military depart-  
3           ments over the military cemeteries under their juris-  
4           diction and the adequacy of corrective actions taken  
5           as a result of that oversight.

6           (5) The statutory and policy guidance gov-  
7           erning the authorization for the Secretaries of the  
8           military departments to operate the military ceme-  
9           teries and an assessment of the budget and appro-  
10          priations structure and history of each military cem-  
11          etery.

12          (6) Such other matters as the Inspector Gen-  
13          eral of the Department of Defense considers to be  
14          appropriate.

15          (c) SPECIAL CONSIDERATIONS.—The inspection  
16          under subsection (a) of the cemetery at the Armed Forces  
17          Retirement Home—Washington shall focus primarily on—

18               (1) the assessment required by subsection  
19               (b)(5); and

20               (2) whether the Secretary of the Army has fully  
21               and completely addressed issues raised by, and the  
22               recommendations made with regard to, such ceme-  
23               tery in the Inspector General of the Department of  
24               Defense 2010 report of the Special Inspection of Ar-  
25               lington National Cemetery.

1 (d) INSPECTION OF ADDITIONAL CEMETERIES.—

2 (1) INSPECTION REQUIRED.—In addition to the  
3 inspection required by subsection (a), the Inspector  
4 General of the Department of Defense shall conduct  
5 an inspection of a statistically valid sample of ceme-  
6 teries located at current or former military installa-  
7 tions inside and outside the United States that are  
8 under the jurisdiction of the military departments  
9 for the purpose of obtaining an assessment of the  
10 adequacy of and adherence to the statutes, policies,  
11 and regulations governing the management, over-  
12 sight, operations, and interments or inurnments (or  
13 both) by those cemeteries.

14 (2) EXCLUSION.—Paragraph (1) does not apply  
15 to the cemeteries maintained by the American Battle  
16 Monuments Commission and the military cemeteries  
17 identified in subsection (f).

18 (e) SUBMISSION OF INSPECTION RESULTS AND COR-  
19 RECTIVE ACTION PLANS.—

20 (1) MILITARY CEMETERY INSPECTIONS.—Not  
21 later than March 31, 2012, the Secretaries of the  
22 military departments shall submit to the Committees  
23 on Armed Services of the Senate and the House of  
24 Representatives a report containing—

1 (A) the findings of the inspections of the  
2 military cemeteries conducted under subsection  
3 (a);

4 (B) the recommendations of the Inspector  
5 General of the Department of Defense based on  
6 such inspections; and

7 (C) a plan for corrective action.

8 (2) INSPECTION OF ADDITIONAL CEME-  
9 TERIES.—Not later than December 31, 2012, the  
10 Inspector General of the Department of Defense  
11 shall submit to the Committees on Armed Services  
12 of the Senate and the House of Representatives a  
13 report containing the findings of the inspections con-  
14 ducted under subsection (d) and the recommenda-  
15 tions of the Inspector General based on such inspec-  
16 tions. Not later than April 1, 2013, the Secretaries  
17 of the military departments shall submit to such  
18 committees a plan for corrective action.

19 (f) MILITARY CEMETERY DEFINED.—In subsection  
20 (a), the term “military cemetery” means the cemeteries  
21 that are under the jurisdiction of a Secretary of a military  
22 department at each of the following locations:

23 (1) The Armed Forces Retirement Home—  
24 Washington.

25 (2) The United States Military Academy.

1 (3) The United States Naval Academy.

2 (4) The United States Air Force Academy.

3 **Subtitle G—Armed Forces**

4 **Retirement Home**

5 **SEC. 561. CONTROL AND ADMINISTRATION BY SECRETARY**  
6 **OF DEFENSE.**

7 Section 1511(d) of the Armed Forces Retirement  
8 Home Act of 1991 (24 U.S.C. 411(d)) is amended by add-  
9 ing at the end the following new paragraph:

10 “(3) The administration of the Retirement Home, in-  
11 cluding administration for the provision of health care and  
12 medical care for residents, shall remain under the control  
13 and administration of the Secretary of Defense.”.

14 **SEC. 562. SENIOR MEDICAL ADVISOR OVERSIGHT OF**  
15 **HEALTH CARE PROVIDED TO RESIDENTS OF**  
16 **ARMED FORCES RETIREMENT HOME.**

17 (a) ADVISORY RESPONSIBILITIES OF SENIOR MED-  
18 ICAL ADVISOR.—Subsection (b) of section 1513A of the  
19 Armed Forces Retirement Home Act of 1991 (24 U.S.C.  
20 413a) is amended—

21 (1) by striking “(1) The”; and inserting “The”;

22 (2) by striking paragraph (2); and

23 (3) by striking “and the Chief Operating Offi-  
24 cer” and all that follows through the period at the  
25 end and inserting the following: “the Chief Oper-

1       ating Officer, and the Advisory Council regarding  
2       the direction and oversight of—

3               “(1) medical administrative matters at each fa-  
4       cility of the Retirement Home; and

5               “(2) the provision of medical care, preventive  
6       mental health, and dental care services at each facil-  
7       ity of the Retirement Home.”.

8       (b) RELATED DUTIES.—Subsection (c) of such sec-  
9       tion is amended by striking paragraphs (3), (4), and (5)  
10      and inserting the following new paragraphs:

11              “(3) Periodically visit each facility of the Re-  
12      tirement Home to review—

13                      “(A) the medical facilities, medical oper-  
14                      ations, medical records and reports, and the  
15                      quality of care provided to residents; and

16                      “(B) inspections and audits to ensure that  
17                      appropriate follow-up regarding issues and rec-  
18                      ommendations raised by such inspections and  
19                      audits has occurred.

20              “(4) Report on the findings and recommenda-  
21      tions developed as a result of each review conducted  
22      under paragraph (3) to the Chief Operating Officer,  
23      the Advisory Council, and the Under Secretary of  
24      Defense for Personnel and Readiness.”.

1 **SEC. 563. ESTABLISHMENT OF ARMED FORCES RETIRE-**  
2 **MENT HOME ADVISORY COUNCIL AND RESI-**  
3 **DENT ADVISORY COMMITTEES.**

4 (a) REPLACEMENT OF LOCAL BOARDS OF TRUST-  
5 EES.—The Armed Forces Retirement Home Act of 1991  
6 (24 U.S.C. 416) is amended by striking section 1516 and  
7 inserting the following new sections:

8 **“SEC. 1516. ADVISORY COUNCIL.**

9 “(a) ESTABLISHMENT.—The Retirement Home shall  
10 have an Advisory Council, to be known as the ‘Armed  
11 Forces Retirement Home Advisory Council’. The Advisory  
12 Council shall serve the interests of both facilities of the  
13 Retirement Home.

14 “(b) DUTIES.—(1) The Advisory Council shall pro-  
15 vide to the Chief Operating Officer and the Administrator  
16 of each facility such guidance and recommendations on the  
17 operation and administration of the Retirement Home and  
18 the quality of care provided to residents as the Advisory  
19 Council considers appropriate.

20 “(2) Not less often than annually, the Advisory Coun-  
21 cil shall submit to the Secretary of Defense a report sum-  
22 marizing its activities during the preceding year and pro-  
23 viding such observations and recommendations with re-  
24 spect to the Retirement Home as the Advisory Council  
25 considers appropriate.

1       “(3) In carrying out its functions, the Advisory Coun-  
2 cil shall—

3               “(A) provide for participation in its activities by  
4 a representative of the Resident Advisory Committee  
5 of each facility of the Retirement Home; and

6               “(B) make recommendations to the Inspector  
7 General of the Department of Defense regarding  
8 issues that the Inspector General should investigate.

9       “(c) COMPOSITION.—(1) The Advisory Council shall  
10 consist of at least 15 members, each of whom shall be a  
11 full or part-time Federal employee or a member of the  
12 Armed Forces.

13       “(2) Members of the Advisory Council shall be des-  
14 ignated by the Secretary of Defense, except that an indi-  
15 vidual who is not an employee of the Department of De-  
16 fense shall be designated, in consultation with the Sec-  
17 retary of Defense, by the head of the Federal department  
18 or agency that employs the individual.

19       “(3) The Advisory Council shall include the following  
20 members:

21               “(A) One member who is an expert in nursing  
22 home or retirement home administration and financ-  
23 ing.

24               “(B) One member who is an expert in geron-  
25 tology.

1           “(C) One member who is an expert in financial  
2 management.

3           “(D) Two representatives of the Department of  
4 Veterans Affairs, one to be designated from each of  
5 the regional offices nearest in proximity to the facili-  
6 ties of the Retirement Home.

7           “(E) The Chairpersons of the Resident Advi-  
8 sory Committees.

9           “(F) One enlisted representative of the Serv-  
10 ices’ Retiree Advisory Council.

11           “(G) The senior noncommissioned officer of one  
12 of the Armed Forces.

13           “(H) Two senior representatives of military  
14 medical treatment facilities, one to be designated  
15 from each of the military hospitals nearest in prox-  
16 imity to the facilities of the Retirement Home.

17           “(I) One senior judge advocate from one of the  
18 Armed Forces.

19           “(J) One senior representative of one of the  
20 chief personnel officers of the Armed Forces.

21           “(K) Such other members as the Secretary of  
22 Defense may designate.

23           “(4) The Administrator of the each facility of the Re-  
24 tirement Home shall be a nonvoting member of the Advi-  
25 sory Council.



1       “(5) The Secretary of Defense shall designate one  
2 member of the Advisory Council to serve as the Chair-  
3 person of the Advisory Council. The Chairperson shall  
4 conduct the meetings of the Advisory Council and be re-  
5 sponsible for the operation of the Advisory Council

6       “(d) TERM OF SERVICE.—(1) Except as provided in  
7 paragraphs (2), (3), and (4), the term of service of a mem-  
8 ber of the Advisory Council shall be two years. The Sec-  
9 retary of Defense may designate a member to serve one  
10 additional term.

11       “(2) Unless earlier terminated by the Secretary of  
12 Defense, a person may continue to serve as a member of  
13 the Advisory Council after the expiration of the member’s  
14 term until a successor is designated.

15       “(3) The Secretary of Defense may terminate the  
16 term of service of a member of the Advisory Council before  
17 the expiration of the member’s term.

18       “(4) A member of the Advisory Council serves as a  
19 member of the Advisory Council only for as long as the  
20 member is assigned to or serving in a position for which  
21 the duties include the duty to serve as a member of the  
22 Advisory Council.

23       “(e) VACANCIES.—A vacancy in the Advisory Council  
24 shall be filled in the manner in which the original designa-  
25 tion was made. A member designated to fill a vacancy oc-

1 curring before the end of the term of the predecessor shall  
2 be designated for the remainder of the term of the prede-  
3 cessor. A vacancy in the Advisory Council shall not affect  
4 its authority to perform its duties.

5 “(f) COMPENSATION.—(1) Except as provided in  
6 paragraph (2), a member of the Advisory Council shall—

7 “(A) be provided a stipend consistent with the  
8 daily government consultant fee for each day on  
9 which the member is engaged in the performance of  
10 services for the Advisory Council; and

11 “(B) while away from home or regular place of  
12 business in the performance of services for the Advi-  
13 sory Council, be allowed travel expenses (including  
14 per diem in lieu of subsistence) in the same manner  
15 as a person employed intermittently in Government  
16 under sections 5701 through 5707 of title 5, United  
17 States Code.

18 “(2) A member of the Advisory Council who is a  
19 member of the Armed Forces on active duty or a full-time  
20 officer or employee of the United States shall receive no  
21 additional pay by reason of serving as a member of the  
22 Advisory Council.

23 **“SEC. 1516A. RESIDENT ADVISORY COMMITTEES.**

24 “(a) ESTABLISHMENT AND PURPOSE.—(1) A Resi-  
25 dent Advisory Committee is an elected body of residents

1 at each facility of the Retirement Home established to pro-  
2 vide a forum for all residents to express their needs, ideas,  
3 and interests through elected representatives of their re-  
4 spective floor or area.

5 “(2) A Resident Advisory Committee—

6 “(A) serves as a forum for ideas, recommenda-  
7 tions, and representation to management of that fa-  
8 cility of the Retirement Home to enhance the mo-  
9 rale, safety, health, and well-being of residents; and

10 “(B) provides a means to communicate policy  
11 and general information between residents and man-  
12 agement.

13 “(b) ELECTION PROCESS.—The election process for  
14 the Resident Advisory Committee at a facility of the Re-  
15 tirement Home shall be coordinated by the facility Om-  
16 budsman.

17 “(c) CHAIRPERSON.—(1) The Chairperson of a Resi-  
18 dent Advisory Committee shall be elected at large and  
19 serve a two-year term.

20 “(2) Chairpersons serve as a liaison to the Adminis-  
21 trator and are voting members of the Advisory Council.  
22 Chairpersons shall create meeting agendas, conduct the  
23 meetings, and provide a copy of the minutes to the Admin-  
24 istrator, who will forward the copy to the Chief Operating  
25 Officer for approval.

1       “(d) MEETINGS.—At a minimum, meetings of a Resi-  
2 dent Advisory Committee shall be conducted quarterly.”.

3       (b) CONFORMING AMENDMENTS.—

4             (1) DEFINITIONS.—Section 1502 of such Act  
5 (24 U.S.C. 401) is amended—

6                 (A) by striking paragraph (2);

7                 (B) by redesignating paragraph (3) as  
8 paragraph (2); and

9                 (C) by inserting after paragraph (2) (as so  
10 redesignated) the following new paragraphs:

11                 “(3) The term ‘Advisory Council’ means the  
12 Armed Forces Retirement Home Advisory Council  
13 established under section 1516.

14                 “(4) The term ‘Resident Advisory Committee’  
15 means an elected body of residents at a facility of  
16 the Retirement Home established under section  
17 1516A.”.

18             (2) RESPONSIBILITIES OF CHIEF OPERATING  
19 OFFICER.—Section 1515(c)(2) of such Act (24  
20 U.S.C. 415(c)(2)) is amended by striking “, includ-  
21 ing the Local Boards of those facilities”.

22             (3) INSPECTION OF RETIREMENT HOME.—Sec-  
23 tion 1518 of such Act (24 U.S.C. 418) is amend-  
24 ed—

25                 (A) in subsection (b)—

1 (i) in paragraph (1), by striking  
2 “Local Board for the facility or the resi-  
3 dent advisory committee or council” and  
4 inserting “Advisory Council or the Resi-  
5 dent Advisory Committee”; and

6 (ii) in paragraph (3), by striking  
7 “Local Board for the facility, the resident  
8 advisory committee or council” and insert-  
9 ing “Advisory Council, the Resident Advi-  
10 sory Committee”;

11 (B) in subsection (e)(1), by striking “Local  
12 Board for the facility” and inserting “Advisory  
13 Council”; and

14 (C) in subsection (e)(1), by striking “Local  
15 Board for the facility” and inserting “Advisory  
16 Council”.

17 **SEC. 564. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF**  
18 **FACILITIES.**

19 (a) LEADERSHIP OF FACILITIES OF THE RETIRE-  
20 MENT HOME.—Section 1517 of the Armed Forces Retire-  
21 ment Home Act of 1991 (24 U.S.C. 417) is amended—

22 (1) in subsection (a), by striking “a Director, a  
23 Deputy Director, and an Associate Director” and in-  
24 serting “an Administrator and an Ombudsman”;

25 (2) in subsections (b) and (c)—

1 (A) by striking “DIRECTOR” in each sub-  
2 section heading and inserting “ADMINIS-  
3 TRATOR”; and

4 (B) by striking “Director” each place it  
5 appears and inserting “Administrator”;

6 (3) by striking subsections (d) and (e) and re-  
7 designating subsections (f), (g), (h), and (i) as sub-  
8 sections (d), (e), (f), and (g), respectively;

9 (4) in subsection (d), as so redesignated—

10 (A) by striking “ASSOCIATE DIRECTOR” in  
11 the subsection heading and inserting “OMBUDS-  
12 MAN”; and

13 (B) by striking “Associate Director” in  
14 paragraphs (1) and (2) and inserting “Ombuds-  
15 man”;

16 (5) in subsection (e), as so redesignated—

17 (A) by striking “ASSOCIATE DIRECTOR.—  
18 ” in the subsection heading and inserting “OM-  
19 BUDSMAN.—(1)”;

20 (B) by striking “Associate Director” and  
21 inserting “Ombudsman”;

22 (C) by striking “Director and Deputy Di-  
23 rector” and inserting “Administrator”;

24 (D) by striking “Director may” and insert-  
25 ing “Administrator may”; and

1 (E) by adding at the end the following new  
2 paragraph:

3 “(2) The Ombudsman may provide information to the  
4 Administrator, the Chief Operating Officer, the Senior  
5 Medical Advisor, the Inspector General of the Department  
6 of Defense, and the Under Secretary of Defense for Per-  
7 sonnel and Readiness.”;

8 (6) in subsection (f), as so redesignated, by  
9 striking “Director” each place it appears and insert-  
10 ing “Administrator”; and

11 (7) in subsection (g), as so redesignated—

12 (A) by striking “DIRECTORS” in the sub-  
13 section heading and inserting “ADMINISTRA-  
14 TORS”;

15 (B) in paragraph (1), by striking “Direc-  
16 tors” and inserting “Administrators”; and

17 (C) in paragraph (2), by striking “a Direc-  
18 tor” and inserting “an Administrator”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) REFERENCES TO DIRECTOR.—Sections  
21 1511(d)(2), 1512(e), 1514(a), 1518(b)(4), 1518(e),  
22 1518(d)(2), 1520, 1522, and 1523(b) of such Act  
23 are amended by striking “Director” each place it ap-  
24 pears and inserting “Administrator”.

1           (2) REFERENCES TO DIRECTORS.—Sections  
2           1514(b) and 1520(c) of such Act (24 U.S.C. 414(b),  
3           420(c)) are amended by striking “Directors” and in-  
4           serting “Administrators”.

5 **SEC. 565. REVISION OF FEE REQUIREMENTS.**

6           (a) FIXING FEES.—Subsection (c) of section 1514 of  
7 the Armed Forces Retirement Home Act of 1991 (24  
8 U.S.C. 414) is amended—

9           (1) in paragraph (3), by striking the last sen-  
10          tence; and

11          (2) by adding at the end the following new  
12          paragraph:

13          “(4) Until different fees are prescribed and take ef-  
14          fect under this subsection and subject to any fee adjust-  
15          ment that the Secretary of Defense determines appro-  
16          priate, the percentages and limitations on maximum  
17          monthly amount that are applicable to fees charged to  
18          residents for months beginning after December 31, 2011,  
19          are as follows:

20                 “(A) For independent living residents, 35 per-  
21                 cent of total current income, but not to exceed  
22                 \$1,238 each month.

23                 “(B) For assisted living residents, 40 percent of  
24                 total current income, but not to exceed \$1,856 each  
25                 month.



1           “(C) For long-term care residents, 65 percent  
2           of total current income, but not to exceed \$3,094  
3           each month.”.

4           (b) REPEAL OF FORMER TRANSITIONAL FEE STRUC-  
5           TURES.—Such section is further amended by striking sub-  
6           section (d).

7           **SEC. 566. REVISION OF INSPECTION REQUIREMENTS.**

8           Section 1518 of the Armed Forces Retirement Home  
9           Act of 1991 (24 U.S.C. 418) is amended—

10           (1) in subsection (b)(1)—

11                   (A) by striking “In any year in which a fa-  
12                   cility of the Retirement Home is not inspected  
13                   by a nationally recognized civilian accrediting  
14                   organization,” and inserting “Not less often  
15                   than once every three years,”;

16                   (B) by striking “of that facility” and in-  
17                   serting “of each facility of the Retirement  
18                   Home”; and

19                   (C) by inserting “long-term care,” after  
20                   “assisted living,”;

21           (2) in subsection (c)—

22                   (A) in paragraph (1), by striking “45  
23                   days” and inserting “90 days”; and

24                   (B) by striking paragraph (2) and insert-  
25                   ing the following new paragraph:

1           “(2) A report submitted under paragraph (1) shall  
2 include a plan by the Chief Operating Officer to address  
3 the recommendations and other matters contained in the  
4 report.”; and

5           (3) in subsection (e)(1)—

6                 (A) by striking “45 days” and inserting  
7 “60 days”; and

8                 (B) by striking “Director of the facility  
9 concerned shall submit to the Under Secretary  
10 of Defense for Personnel and Readiness, the  
11 Chief Operating Officer” and inserting “Chief  
12 Operating Officer shall submit to the Under  
13 Secretary of Defense for Personnel and Readiness,  
14 the Senior Medical Advisor”.

15 **SEC. 567. REPEAL OF OBSOLETE TRANSITIONAL PROVI-**  
16 **SIONS AND TECHNICAL, CONFORMING, AND**  
17 **CLERICAL AMENDMENTS.**

18           (a) REPEAL OF TRANSITIONAL PROVISIONS.—Part B  
19 of the Armed Forces Retirement Home Act of 1991, relat-  
20 ing to transitional provisions for the Armed Forces Retire-  
21 ment Home Board and the Directors and Deputy Direc-  
22 tors of the facilities of the Armed Forces Retirement  
23 Home, is repealed.

24           (b) CORRECTION OF OBSOLETE REFERENCES TO RE-  
25 TIREMENT HOME BOARD.—

1           (1) ARMED FORCES RETIREMENT HOME ACT.—  
2           Section 1519(a)(2) of the Armed Forces Retirement  
3           Home Act of 1991 (24 U.S.C. 419(a)(2)) is amend-  
4           ed by striking “Retirement Home Board” and in-  
5           serting “Chief Operating Officer”.

6           (2) TITLE 10, U.S.C.—

7           (A) DEFENSE OF CERTAIN SUITS.—Sec-  
8           tion 1089(g)(3) of title 10, United States Code,  
9           is amended by striking “Armed Forces Retire-  
10          ment Home Board” and inserting “Chief Oper-  
11          ating Officer of the Armed Forces Retirement  
12          Home”.

13          (B) FINES AND FORFEITURES.—Section  
14          2772(b) of title 10, United States Code, is  
15          amended by striking “Armed Forces Retire-  
16          ment Home Board” and inserting “Chief Oper-  
17          ating Officer of the Armed Forces Retirement  
18          Home”.

19          (c) SECTION HEADINGS.—

20           (1) SECTION 1501.—The heading of section  
21          1501 of the Armed Forces Retirement Home Act of  
22          1991 (24 U.S.C. is amended to read as follows:

23          **“SEC. 1501. SHORT TITLE; TABLE OF CONTENTS.”.**

24           (2) SECTION 1513.—The heading of section  
25          1513 of such Act is amended to read as follows:

1 **“SEC. 1513. SERVICES PROVIDED TO RESIDENTS.”.**

2 (3) SECTION 1513A.—The heading of section  
3 1513A of such Act is amended to read as follows:

4 **“SEC. 1513A. OVERSIGHT OF HEALTH CARE PROVIDED TO**  
5 **RESIDENTS.”.**

6 (4) SECTION 1517.—The heading of section  
7 1517 of such Act is amended to read as follows:

8 **“SEC. 1517. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF**  
9 **FACILITIES.”.**

10 (5) SECTION 1518.—The heading of section  
11 1518 of such Act is amended to read as follows:

12 **“SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME**  
13 **FACILITIES BY DEPARTMENT OF DEFENSE**  
14 **INSPECTOR GENERAL AND OUTSIDE INSPEC-**  
15 **TORS.”.**

16 (6) PUNCTUATION.—The headings of sections  
17 1512 and 1520 of such Act are amended by adding  
18 a period at the end.

19 (d) PART A HEADER.—The heading for part A is re-  
20 pealed.

21 (e) TABLE OF CONTENTS.—The table of contents in  
22 section 1501(b) of such Act is amended—

23 (1) by striking the item relating to the heading  
24 for part A;

1           (2) by striking the items relating to sections  
2           1513 and 1513A and inserting the following new  
3           items:

“Sec. 1513. Services provided to residents.  
“Sec. 1513A. Oversight of health care provided to residents.”;

4           (3) by striking the items relating to sections  
5           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

6           (4) by striking the items relating to part B (in-  
7           cluding the items relating to sections 1531, 1532,  
8           and 1533).

## 9           **Subtitle H—Military Family** 10           **Readiness Matters**

### 11   **SEC. 571. REVISION TO MEMBERSHIP OF DEPARTMENT OF** 12           **DEFENSE MILITARY FAMILY READINESS** 13           **COUNCIL.**

14           Section 1781a(b) of title 10, United States Code, is  
15           amended to read as follows:

16           “(b) MEMBERS.—(1) The Council shall consist of the  
17           following members:

18           “(A) The Under Secretary of Defense for Per-  
19           sonnel and Readiness, who shall serve as chair of the  
20           Council and who may designate a representative to  
21           chair the council in the Under Secretary’s absence.

1           “(B) The following persons, who shall be ap-  
2           pointed or designated by the Secretary of Defense:

3                   “(i) One representative of each of the  
4           Army, Navy, Marine Corps, and Air Force,  
5           each of whom shall be a member of the armed  
6           force to be represented.

7                   “(ii) One representative of the Army Na-  
8           tional Guard or the Air National Guard, who  
9           may be a member of the National Guard.

10                   “(iii) One spouse or parent of a member of  
11           each of the Army, Navy, Marine Corps, and Air  
12           Force, two of whom shall be the spouse or par-  
13           ent of an active component member and two of  
14           whom shall be the spouse or parent of a reserve  
15           component member.

16           “(C) Three individuals appointed by the Sec-  
17           retary of Defense from among representatives of  
18           military family organizations, including military  
19           family organizations of families of members of the  
20           regular components and of families of members of  
21           the reserve components.

22           “(D) The senior enlisted advisor from each of  
23           the Army, Navy, Marine Corps, and Air Force, ex-  
24           cept that two of these members may instead be se-

1 lected from among the spouses of the senior enlisted  
2 advisors.

3 “(E) The Director of the Office of Community  
4 Support for Military Families with Special Needs.

5 “(2)(A) The term on the Council of the members ap-  
6 pointed or designated under clauses (i) and (iii) of sub-  
7 paragraph (B) of paragraph (1) shall be two years and  
8 may be renewed by the Secretary of Defense. Representa-  
9 tion on the Council under clause (ii) of that subparagraph  
10 shall rotate between the Army National Guard and Air  
11 National Guard every two years on a calendar year basis.

12 “(B) The term on the Council of the members ap-  
13 pointed under subparagraph (C) of paragraph (1) shall be  
14 three years.”.

15 **SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**  
16 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**  
17 **PENDENTS OF MEMBERS OF THE ARMED**  
18 **FORCES AND DEPARTMENT OF DEFENSE CI-**  
19 **VILIAN EMPLOYEES.**

20 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT  
21 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the  
22 amount authorized to be appropriated for fiscal year 2012  
23 by section 301 and available for operation and mainte-  
24 nance for Defense-wide activities as specified in the fund-  
25 ing table in section 4301, \$30,000,000 shall be available

1 only for the purpose of providing assistance to local edu-  
2 cational agencies under subsection (a) of section 572 of  
3 the National Defense Authorization Act for Fiscal Year  
4 2006 (Public Law 109–163; 20 U.S.C. 7703b).

5 (b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT  
6 CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE  
7 CHANGES, OR FORCE RELOCATIONS.—Of the amount au-  
8 thorized to be appropriated for fiscal year 2012 by section  
9 301 and available for operation and maintenance for De-  
10 fense-wide activities as specified in the funding table in  
11 section 4301, \$10,000,000 shall be available only for the  
12 purpose of providing assistance to local educational agen-  
13 cies under subsection (b) of section 572 of the National  
14 Defense Authorization Act for Fiscal Year 2006 (Public  
15 Law 109–163; 20 U.S.C. 7703b).

16 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In  
17 this section, the term “local educational agency” has the  
18 meaning given that term in section 8013(9) of the Ele-  
19 mentary and Secondary Education Act of 1965 (20 U.S.C.  
20 7713(9)).

21 **SEC. 573. PROTECTION OF CHILD CUSTODY ARRANGE-**  
22 **MENTS FOR PARENTS WHO ARE MEMBERS OF**  
23 **THE ARMED FORCES.**

24 (a) CHILD CUSTODY PROTECTION.—Title II of the  
25 Servicemembers Civil Relief Act (50 U.S.C. App. 521 et



1 seq.) is amended by adding at the end the following new  
2 section:

3 **“SEC. 208. CHILD CUSTODY PROTECTION.**

4       “(a) RESTRICTION ON TEMPORARY CUSTODY  
5 ORDER.—If a court renders a temporary order for custo-  
6 dial responsibility for a child based solely on a deployment  
7 or anticipated deployment of a parent who is servicemem-  
8 ber, then the court shall require that upon the return of  
9 the servicemember from deployment, the custody order  
10 that was in effect immediately preceding the temporary  
11 order shall be reinstated, unless the court finds that such  
12 a reinstatement is not in the best interest of the child,  
13 except that any such finding shall be subject to subsection  
14 (b).

15       “(b) EXCLUSION OF MILITARY SERVICE FROM DE-  
16 TERMINATION OF CHILD’S BEST INTEREST.—If a motion  
17 or a petition is filed seeking a permanent order to modify  
18 the custody of the child of a servicemember, no court may  
19 consider the absence of the servicemember by reason of  
20 deployment, or the possibility of deployment, in deter-  
21 mining the best interest of the child.

22       “(c) NO FEDERAL RIGHT OF ACTION.—Nothing in  
23 this section shall create a Federal right of action.

24       “(d) PREEMPTION.—Preemption- In any case where  
25 State law applicable to a child custody proceeding involv-

1 ing a temporary order as contemplated in this section pro-  
2 vides a higher standard of protection to the rights of the  
3 parent who is a deploying servicemember than the rights  
4 provided under this section with respect to such temporary  
5 order, the appropriate court shall apply the higher State  
6 standard.

7 “(e) DEPLOYMENT DEFINED.—In this section, the  
8 term ‘deployment’ means the movement or mobilization of  
9 a servicemember to a location for a period of longer than  
10 60 days and not longer than 18 months pursuant to tem-  
11 porary or permanent official orders—

12 “(1) that are designated as unaccompanied;

13 “(2) for which dependent travel is not author-  
14 ized; or

15 “(3) that otherwise do not permit the move-  
16 ment of family members to that location.”.

17 (b) CLERICAL AMENDMENT.—The table of contents  
18 in section 1(b) of such Act is amended by adding at the  
19 end of the items relating to title II the following new item:  
“208. Child custody protection.”.

20 **SEC. 574. CENTER FOR MILITARY FAMILY AND COMMUNITY**  
21 **OUTREACH.**

22 (a) CENTER AUTHORIZED.—The Secretary of the  
23 Army may establish a Center for Military Family and  
24 Community Outreach to help increase the number (and

1 enhance the competencies) of social workers and mental  
2 health service providers who—

3 (1) are familiar with the special demands of ac-  
4 tive duty on members of the Armed Forces and their  
5 families; and

6 (2) can adapt prevention and intervention  
7 methods to times of war and the needs of military  
8 families.

9 (b) METHOD OF ESTABLISHMENT; MERIT-BASED OR  
10 COMPETITIVE DECISIONS.—(1) Under such criteria as the  
11 Secretary of the Army may establish, the Secretary may  
12 award grants to, or enter into contracts and cooperative  
13 agreements with, an historically black university in close  
14 proximity to an Army installation for the purpose of plan-  
15 ning, developing, managing, and implementing the Center  
16 for Military Family and Community Outreach.

17 (2) A decision to commit, obligate, or expend funds  
18 referred to in subsection (f) with or to a specific entity  
19 shall—

20 (A) be based on merit-based selection proce-  
21 dures in accordance with the requirements of sec-  
22 tions 2304(k) and 2374 of title 10, United States  
23 Code, or on competitive procedures; and

24 (B) comply with other applicable provisions of  
25 law.

1 (c) USE OF ASSISTANCE.—Assistance provided under  
2 this section shall be used—

3 (1) to establish the Center for Military Family  
4 and Community Outreach as described in subsection  
5 (b);

6 (2) to train social work students, social work  
7 faculty members, and social workers to understand  
8 the complex features of military life and enhance  
9 their competencies in developing and providing serv-  
10 ices to military families; and

11 (3) for such related activities and expenses as  
12 the Secretary of the Army may authorize.

13 (d) TRAINING COMPONENT.—Training provided  
14 through the Center for Military Family and Community  
15 Outreach shall focus on—

16 (1) mental health well-being;

17 (2) independence;

18 (3) resources; and

19 (4) social well being for military families.

20 (e) RESEARCH AND EDUCATION.—Research findings  
21 shall be disseminated through publications, workshops,  
22 and professional conferences. The Center for Military  
23 Family and Community Outreach shall hold annually a  
24 minimum of five half-day conferences and 20 workshops  
25 for social workers, faculty, and students. The Center shall

1 host at least two State-wide or regional conferences (one  
2 for military families and one for professionals) concerning  
3 military culture, resources and prevention activities re-  
4 garding grief, loss, divorce, domestic violence, sexual har-  
5 assment, suicide, substance abuse, marital discord, finan-  
6 cial, PTSD, and separation issues for families, children,  
7 and adolescents.

8 (f) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
9 ITY.—Of the amounts authorized to be appropriated by  
10 section 301 for operation and maintenance for the Army,  
11 as specified in the corresponding funding table in division  
12 D, the Secretary of the Army shall obligate an additional  
13 \$1,000,000 to carry out this section in furtherance of na-  
14 tional security objectives.

15 **SEC. 575. MENTAL HEALTH SUPPORT FOR MILITARY PER-**  
16 **SONNEL AND FAMILIES.**

17 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
18 ITY.—In the budget submitted to Congress under section  
19 1105 of title 31, United States Code, for fiscal year 2012,  
20 the President requested \$5,960,400,000 for operation and  
21 maintenance, Marine Corps. Of the amounts authorized  
22 to be appropriated by section 301, as specified in the cor-  
23 responding funding table in division D, the Secretary of  
24 the Navy shall obligate an additional \$3,000,000 for a col-  
25 laborative program that responds to escalating suicide

1 rates and combat stress related arrests of military per-  
2 sonnel, and trains active duty military personnel to recog-  
3 nize and respond to combat stress disorder, suicide risk,  
4 substance addiction, risk-taking behaviors and family vio-  
5 lence, in furtherance of national security objectives.

6 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
7 decision to commit, obligate, or expend funds referred to  
8 in the second sentence of subsection (a) with or to a spe-  
9 cific entity shall—

10 (1) be based on merit-based selection proce-  
11 dures in accordance with the requirements of sec-  
12 tions 2304(k) and 2374 of title 10, United States  
13 Code, or on competitive procedures; and

14 (2) comply with other applicable provisions of  
15 law.

16 **SEC. 576. REPORT ON DEPARTMENT OF DEFENSE AUTISM**  
17 **PILOT PROJECTS.**

18 (a) REPORT REQUIRED.—Not later than March 14,  
19 2013, the Secretary of Defense shall submit to the Com-  
20 mittees on Armed Services of the House of Representa-  
21 tives and the Senate a report on any pilot projects that  
22 the Department of Defense is conducting on autism serv-  
23 ices.

24 (b) MATTERS COVERED.—At a minimum, the report  
25 under subsection (a) shall include a comprehensive evalua-

1 tion of consumption patterns of autism treatment services,  
2 including intensity and volumes of use across specific diag-  
3 noses, age groups, and treatment services.

4 **SEC. 577. SENSE OF CONGRESS REGARDING FINANCIAL**  
5 **COUNSELING FOR MILITARY FAMILIES.**

6 It is the sense of Congress that the Secretary of De-  
7 fense should work with the Consumer Financial Protection  
8 Bureau to ensure coordination with the Office of Service  
9 Member Affairs to provide financial counseling for mem-  
10 bers of the Armed Forces and their families.

11 **SEC. 578. MATTERS COVERED BY PRESEPARATION COUN-**  
12 **SELING FOR MEMBERS OF THE ARMED**  
13 **FORCES AND THEIR SPOUSES.**

14 Section 1142(b) of title 10, United States Code, is  
15 amended—

16 (1) in paragraph (5), by striking “job place-  
17 ment counseling for the spouse” and inserting “in-  
18 clusion of the spouse, at the discretion of the mem-  
19 ber and the spouse, when counseling regarding the  
20 matters covered by paragraphs (9), (10), and (16)  
21 is provided, job placement counseling for the spouse,  
22 and the provision of information on survivor benefits  
23 available under the laws administered by the Sec-  
24 retary of Defense or the Secretary of Veterans Af-  
25 fairs”;

1           (2) in paragraph (9), by inserting before the pe-  
2           riod the following: “, including information on budg-  
3           eting, saving, credit, loans, and taxes”;

4           (3) in paragraph (10), by striking “and employ-  
5           ment” and inserting “, employment, and financial”;

6           (4) by striking paragraph (16) and inserting  
7           the following new paragraph:

8           “(16) Information on home loan services and  
9           housing assistance benefits available under the laws  
10          administered by the Secretary of Veterans Affairs  
11          and counseling on responsible borrowing practices.”;  
12          and

13          (5) in paragraph (17), by inserting before the  
14          period the following: “, and information regarding  
15          the means by which the member can receive addi-  
16          tional counseling regarding the member’s actual en-  
17          titlement to such benefits and apply for such bene-  
18          fits”.

19       **Subtitle I—Improved Sexual As-**  
20       **sault Prevention and Response**  
21       **in the Armed Forces**

22       **SEC. 581. DIRECTOR OF SEXUAL ASSAULT PREVENTION**  
23       **AND RESPONSE OFFICE.**

24       Section 1611(a) of the Ike Skelton National Defense  
25       Authorization Act for Fiscal Year 2011 (Public Law 111–



1 383; 10 U.S.C. 1561 note) is amended by adding before  
2 the period at the end of the first sentence the following:  
3 “, who shall be appointed from among general or flag offi-  
4 cers of the Armed Forces or employees of the Department  
5 of Defense in a comparable Senior Executive Service posi-  
6 tion”.

7 **SEC. 582. SEXUAL ASSAULT RESPONSE COORDINATORS**  
8 **AND SEXUAL ASSAULT VICTIM ADVOCATES.**

9 (a) ASSIGNMENT AND TRAINING.—Chapter 80 of  
10 title 10, United States Code, is amended by adding at the  
11 end the following new section:

12 **“§ 1568. Sexual assault prevention and response: Sex-**  
13 **ual Assault Response Coordinators and**  
14 **Victim Advocates**

15 “(a) ASSIGNMENT OF COORDINATORS.—(1) At least  
16 one full-time Sexual Assault Response Coordinator shall  
17 be assigned to each brigade or equivalent unit level of the  
18 armed forces. The Secretary of the military department  
19 concerned may assign additional Sexual Assault Response  
20 Coordinators as necessary based on the demographics or  
21 needs of the unit. An additional Sexual Assault Response  
22 Coordinator may serve on a full-time or part-time basis  
23 at the discretion of the Secretary.

24 “(2) Effective October 1, 2013, only members of the  
25 armed forces and civilian employees of the Department of

1 Defense may be assigned to duty as a Sexual Assault Re-  
2 sponse Coordinator.

3 “(b) ASSIGNMENT OF VICTIM ADVOCATES.—(1) At  
4 least one full-time Sexual Assault Victim Advocate shall  
5 be assigned to each brigade or equivalent unit level of the  
6 armed forces. The Secretary of the military department  
7 concerned may assign additional Victim Advocates as nec-  
8 essary based on the demographics or needs of the unit.  
9 An additional Victim Advocate may serve on a full-time  
10 or part-time basis at the discretion of the Secretary.

11 “(2) Effective October 1, 2013, only members of the  
12 armed forces and civilian employees of the Department of  
13 Defense may be assigned to duty as a Victim Advocate.

14 “(c) TRAINING AND CERTIFICATION.—(1) As part of  
15 the sexual assault prevention and response program, the  
16 Secretary of Defense shall establish a professional and  
17 uniform training and certification program for Sexual As-  
18 sault Response Coordinators assigned under subsection  
19 (a) and Sexual Assault Victim Advocates assigned under  
20 subsection (b). The program shall be structured and ad-  
21 ministered in a manner similar to the professional training  
22 available for Equal Opportunity Advisors through the De-  
23 fense Equal Opportunity Management Institute.

24 “(2) In developing the curriculum and other compo-  
25 nents of the program, the Secretary of Defense shall work

1 with experts outside of the Department of Defense who  
2 are experts in victim advocacy and sexual assault preven-  
3 tion and response training.

4 “(3) A decision to commit, obligate, or expend funds  
5 with or to a specific entity to assist with the development  
6 or implementation of the program shall—

7 “(A) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of this title or on competi-  
10 tive procedures; and

11 “(B) comply with other applicable provisions of  
12 law.

13 “(4) Effective October 1, 2013, before a member or  
14 civilian employee may be assigned to duty as a Sexual As-  
15 sault Response Coordinator under subsection (a) or Victim  
16 Advocate under subsection (b), the member or employee  
17 must have completed the training program required by  
18 paragraph (1) and obtained the certification.

19 “(d) DEFINITIONS.—In this section:

20 “(1) The term ‘armed forces’ means the Army,  
21 Navy, Air Force, and Marine Corps.

22 “(2) The term ‘sexual assault prevention and  
23 response program’ has the meaning given such term  
24 in section 1601(a) of the Ike Skelton National De-

1       fense Authorization Act for Fiscal Year 2011 (Pub-  
2       lic Law 111–383; 10 U.S.C. 1561 note).”.

3       (b) CLERICAL AMENDMENT.—The table of sections  
4       at the beginning of such chapter is amended by adding  
5       at the end the following new item:

“1568. Sexual assault prevention and response: Sexual Assault Response Coordi-  
nators and Victim Advocates.”.

6       **SEC. 583. SEXUAL ASSAULT VICTIMS ACCESS TO LEGAL**  
7                               **COUNSEL AND SERVICES OF SEXUAL AS-**  
8                               **SAULT RESPONSE COORDINATORS AND SEX-**  
9                               **UAL ASSAULT VICTIM ADVOCATES.**

10       (a) ACCESS.—Chapter 53 of title 10, United States  
11       Code, is amended by inserting after section 1044d the fol-  
12       lowing new section:

13       **“§ 1044e. Victims of sexual assault: access to legal as-**  
14                               **sistance and services of Sexual Assault**  
15                               **Response Coordinators and Sexual As-**  
16                               **sault Victim Advocates**

17       “(a) AVAILABILITY OF LEGAL ASSISTANCE AND VIC-  
18       TIM ADVOCATE SERVICES.—

19               “(1) MEMBERS.—A member of the armed  
20       forces or a dependent of a member of the armed  
21       forces who is the victim of a sexual assault is enti-  
22       tled to—

1           “(A) legal assistance provided by a mili-  
2           tary legal assistance counsel certified as com-  
3           petent to provide such assistance;

4           “(B) assistance provided by a qualified  
5           Sexual Assault Response Coordinator; and

6           “(C) assistance provided by a qualified  
7           Sexual Assault Victim Advocate.

8           “(2) DEPENDENTS.—To the extent practicable,  
9           the Secretary of a military department shall make  
10          the assistance described in paragraph (1) available  
11          to dependent of a member of the armed forces who  
12          is the victim of a sexual assault and resides on or  
13          in the vicinity of a military installation. The Sec-  
14          retary concerned shall define the term ‘vicinity’ for  
15          purposes of this paragraph.

16          “(3) NOTICE OF AVAILABILITY OF ASSISTANCE;  
17          OPT OUT.—The member or dependent shall be in-  
18          formed of the availability of assistance under this  
19          subsection as soon as the member or dependent  
20          seeks assistance from a Sexual Assault Response Co-  
21          ordinator or any other responsible member of the  
22          armed forces or Department of Defense civilian em-  
23          ployee. The victim shall also be informed that the  
24          legal assistance and services of a Sexual Assault Re-  
25          sponse Coordinator and Sexual Assault Victim Advo-

1       cate are optional and these services may be declined,  
2       in whole or in part, at any time.

3               “(4) NATURE OF REPORTING IMMATERIAL.—In  
4       the case of a member of the armed forces, access to  
5       legal assistance and the services of Sexual Assault  
6       Response Coordinators and Sexual Assault Victim  
7       Advocates are available regardless of whether the  
8       member elects unrestricted or restricted (confiden-  
9       tial) reporting of the sexual assault.

10       “(b) RESTRICTED REPORTING OPTION.—

11               “(1) AVAILABILITY OF RESTRICTED REPORT-  
12       ING.—A member of the armed forces who is the vic-  
13       tim of a sexual assault may confidentially disclose  
14       the details of the assault to an individual specified  
15       in paragraph (2) and receive medical treatment,  
16       legal assistance, or counseling, without triggering an  
17       official investigation of the allegations.

18               “(2) PERSONS COVERED BY RESTRICTED RE-  
19       PORTING.—Individuals covered by paragraph (1) are  
20       the following:

21                       “(A) Military legal assistance counsel.

22                       “(B) Sexual Assault Response Coordi-  
23       nator.

24                       “(C) Sexual Assault Victim Advocate.

1           “(D) Personnel staffing the DOD Safe  
2           Helpline or successor operation.

3           “(E) Healthcare personnel.

4           “(F) Chaplain.

5           “(c) DEFINITIONS.—In this section:

6           “(1) The term ‘sexual assault’ includes any of  
7           the offenses covered by section 920 of this title (arti-  
8           cle 120).

9           “(2) The term ‘military legal assistance counsel’  
10          means a judge advocate who—

11           “(A) is a graduate of an accredited law  
12           school or is a member of the bar of a Federal  
13           court or of the highest court of a State; and

14           “(B) is certified as competent to provide  
15           legal assistance by the Judge Advocate General  
16           of the armed force of which the judge advocate  
17           is a member.”.

18          (b) CLERICAL AMENDMENT.—The table of sections  
19          at the beginning of such chapter is amended by inserting  
20          after the item relating to section 1044d the following new  
21          item:

          “1044e. Victims of sexual assault: access to legal assistance and services of Sex-  
          ual Assault Response Coordinators and Sexual Assault Victim  
          Advocates.”.

22          (c) CONFORMING AMENDMENT REGARDING PROVI-  
23          SION OF LEGAL COUNSEL.—Section 1044(d)(3)(B) of  
24          such title is amended by striking “sections 1044a, 1044b,

1 1044c, and 1044d” and inserting “sections 1044a through  
2 1044e”.

3 **SEC. 584. PRIVILEGE IN CASES ARISING UNDER UNIFORM**  
4 **CODE OF MILITARY JUSTICE AGAINST DIS-**  
5 **CLOSURE OF COMMUNICATIONS BETWEEN**  
6 **SEXUAL ASSAULT VICTIMS AND SEXUAL AS-**  
7 **SAULT RESPONSE COORDINATORS, VICTIM**  
8 **ADVOCATES, AND CERTAIN OTHER PERSONS.**

9 (a) PRIVILEGE ESTABLISHED.—

10 (1) IN GENERAL.—Subchapter XI of chapter 47  
11 of title 10, United States Code (the Uniform Code  
12 of Military Justice), is amended by adding at the  
13 end the following new section:

14 **“§ 940a. Art. 140a. Privilege against disclosure of cer-**  
15 **tain communications with Sexual Assault**  
16 **Response Coordinators, Victim Advo-**  
17 **cates, and certain other persons**

18 “(a) PRIVILEGE AGAINST DISCLOSURE.—Commu-  
19 nications between a person who is the victim of a sexual  
20 assault or other offense covered by section 920 of this title  
21 (article 120) and a person specified in subsection (b) and  
22 the records relating to such communications are not sub-  
23 ject to discovery and may not be admitted into evidence  
24 in any case arising under this chapter.



1       “(b) PERSONS COVERED BY PRIVILEGE.—The privi-  
2       lege granted by subsection (a) applies to—

3               “(1) a Sexual Assault Response Coordinator;

4               “(2) a Sexual Assault Victim Advocate; and

5               “(3) personnel staffing the DOD Safe Helpline  
6       or successor operation.

7       “(c) CONSENT EXCEPTION.—The victim of a sexual  
8       assault may consent to the disclosure of any communica-  
9       tion or record referred to in subsection (a) regarding the  
10      victim.

11      “(d) RELATION TO OTHER PRIVILEGES AGAINST  
12      DISCLOSURE.—The privilege granted by subsection (a) in  
13      cases arising under this chapter is in addition to any other  
14      privilege against disclosure that may exist with regard to  
15      communications between a victim of a sexual assault and  
16      another person.”.

17              (2) CLERICAL AMENDMENT.—The table of sec-  
18      tions at the beginning of such chapter is amended  
19      by inserting after the item relating to section 1034a  
20      the following new item:

“940a. Art. 140a. Privilege against disclosure of certain communications with  
Sexual Assault Victim Advocates, Victim Advocates, and cer-  
tain other persons.”.

21      (b) APPLICABILITY.—Section 940a of title 10, United  
22      States Code, as added by subsection (a), applies to com-  
23      munications and records described in such section whether

1 made before, on, or after the date of the enactment of  
2 this Act.

3 **SEC. 585. MAINTENANCE OF RECORDS PREPARED IN CON-**  
4 **NECTION WITH SEXUAL ASSAULTS INVOLV-**  
5 **ING MEMBERS OF THE ARMED FORCES OR**  
6 **DEPENDENTS OF MEMBERS.**

7 (a) MAINTENANCE AND CONFIDENTIALITY OF SEX-  
8 UAL ASSAULT RECORDS.—

9 (1) IN GENERAL.—Chapter 50 of title 10,  
10 United States Code, is amended by adding at the  
11 end the following new section:

12 **“§ 993. Maintenance of medical, investigative, and**  
13 **other records prepared in connection**  
14 **with sexual assaults**

15 “(a) MAINTENANCE OF RECORDS.—The Secretary of  
16 Defense shall maintain for not less than 100 years the  
17 records described in subsection (b) that are prepared by  
18 personnel of the Department of Defense in connection  
19 with a sexual assault involving a member of the armed  
20 forces or a dependent of a member to ensure future access  
21 to the records.

22 “(b) COVERED RECORDS.—The recordkeeping re-  
23 quirement imposed by subsection (a) applies to the fol-  
24 lowing:

1           “(1) Department of Defense Form 2910, re-  
2           garding the victim reporting preference statement,  
3           or any successor document.

4           “(2) Department of Defense Form 2911, re-  
5           garding the forensic medical report prepared in the  
6           case of a sexual assault examination, or any suc-  
7           cessor document.

8           “(3) Medical records.

9           “(4) Investigative reports prepared in connec-  
10          tion with a sexual assault.

11          “(5) Such other information and reports as the  
12          Secretary of Defense considers appropriate.

13          “(c) VICTIM ACCESS.—The Secretary of Defense  
14          shall ensure that the victim of the sexual assault for which  
15          the records described in subsection (b) are prepared has  
16          permanent access to the records.

17          “(d) PROTECTION OF RESTRICTED REPORTING OP-  
18          TION.—The Secretary of Defense shall ensure that any  
19          recordkeeping system used to maintain records described  
20          in subsection (b) does not jeopardize the confidentiality  
21          of the restricted reporting option available to a victim of  
22          a sexual assault.”.

23          (2) CLERICAL AMENDMENT.—The table of sec-  
24          tions at the beginning of such chapter is amended  
25          by adding at the end the following new item:

“993. Maintenance of medical, investigative, and other records prepared in connection with sexual assaults.”.

1 (b) COPY OF RECORD OF COURT-MARTIAL TO VICTIM  
2 OF SEXUAL ASSAULT.—Section 854 of title 10, United  
3 States Code (article 54 of the Uniform Code of Military  
4 Justice), is amended by adding at the end the following  
5 new subsection:

6 “(e) In the case of a general or special court-martial  
7 involving a sexual assault or other offense covered by sec-  
8 tion 920 of this title (article 120), a copy of the prepared  
9 record of the proceedings of the court-martial shall be  
10 given to the victim of the offence if the victim testified  
11 during the proceedings. The record of the proceedings  
12 shall be provided without charge and as soon as the record  
13 is authenticated. The victim shall be notified of the oppor-  
14 tunity to receive the record of the proceedings.”.

15 **SEC. 586. EXPEDITED CONSIDERATION AND PRIORITY FOR**  
16 **APPLICATION FOR CONSIDERATION OF A**  
17 **PERMANENT CHANGE OF STATION OR UNIT**  
18 **TRANSFER BASED ON HUMANITARIAN CONDI-**  
19 **TIONS FOR VICTIM OF SEXUAL ASSAULT.**

20 (a) IN GENERAL.—Chapter 39 of title 10, United  
21 States Code, is amended by inserting after section 672 the  
22 following new section:

1 **“§ 673. Consideration of application for permanent**  
2 **change of station or unit transfer for**  
3 **members on active duty who are the vic-**  
4 **tim of a sexual assault**

5 “(a) EXPEDITED CONSIDERATION AND PRIORITY  
6 FOR APPROVAL.—To the maximum extent practicable, the  
7 Secretary concerned shall provide for the expedited consid-  
8 eration and approval of an application for consideration  
9 of a permanent change of station or unit transfer sub-  
10 mitted by a member of the armed forces serving on active  
11 duty who was a victim of a sexual assault or other offense  
12 covered by section 920 of this title (article 120) so as to  
13 reduce the possibility of retaliation against the member  
14 for reporting the sexual assault.

15 “(b) REGULATIONS.—The Secretaries of the military  
16 departments shall issue regulations to carry out this sec-  
17 tion, within guidelines provided by the Secretary of De-  
18 fense.”.

19 (b) CLERICAL AMENDMENT.—The table of sections  
20 at the beginning of such chapter is amended by inserting  
21 after the item relating to section 672 the following new  
22 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.”.

1 **SEC. 587. TRAINING AND EDUCATION PROGRAMS FOR SEX-**  
2 **UAL ASSAULT PREVENTION AND RESPONSE**  
3 **PROGRAM.**

4 Subtitle A of title XVI of the Ike Skelton National  
5 Defense Authorization Act for Fiscal Year 2011 (Public  
6 Law 111–383; 10 U.S.C. 1561 note) is amended by add-  
7 ing at the end the following new section:

8 **“SEC. 1615. IMPROVED TRAINING AND EDUCATION PRO-**  
9 **GRAMS.**

10 “(a) SEXUAL ASSAULT PREVENTION AND RESPONSE  
11 TRAINING AND EDUCATION.—

12 “(1) DEVELOPMENT OF CURRICULUM.—Not  
13 later than one year after the date of the enactment  
14 of this Act, the Secretary of each military depart-  
15 ment shall develop a curriculum to provide sexual  
16 assault prevention and response training and edu-  
17 cation for members of the Armed Forces under the  
18 jurisdiction of the Secretary and civilian employees  
19 of the military department to strengthen individual  
20 knowledge, skills, and capacity to prevent and re-  
21 spond to sexual assault. In developing the cur-  
22 riculum, the Secretary shall work with experts out-  
23 side of the Department of Defense who are experts  
24 sexual assault prevention and response training.

25 “(2) SCOPE OF TRAINING AND EDUCATION.—

26 The sexual assault prevention and response training

1 and education shall encompass initial entry and ac-  
2 cession programs, annual refresher training, profes-  
3 sional military education, peer education, and spe-  
4 cialized leadership training. Training shall be tai-  
5 lored for specific leadership levels and local area re-  
6 quirements.

7 “(3) CONSISTENT TRAINING.—The Secretary of  
8 Defense shall ensure that the sexual assault preven-  
9 tion and response training provided to members of  
10 the Armed Forces and Department of Defense civil-  
11 ian employees is consistent throughout the military  
12 departments.

13 “(b) INCLUSION IN PROFESSIONAL MILITARY EDU-  
14 CATION.—The Secretary of Defense shall provide for the  
15 inclusion of a sexual assault prevention and response  
16 training module at each level of professional military edu-  
17 cation. The training shall be tailored to the new respon-  
18 sibilities and leadership requirements of members of the  
19 Armed Forces as they are promoted.

20 “(c) INCLUSION IN FIRST RESPONDER TRAINING.—

21 “(1) IN GENERAL.—The Secretary of Defense  
22 shall direct that managers of specialty skills associ-  
23 ated with first responders described in paragraph  
24 (2) integrate sexual assault response training in ini-  
25 tial and recurring training courses.

1           “(2) COVERED FIRST RESPONDERS.—First re-  
2           sponders referred to in paragraph (1) include fire-  
3           fighters, emergency medical technicians, law enforce-  
4           ment officers, military criminal investigators,  
5           healthcare personnel, judge advocates, and chap-  
6           lains.

7           “(d) MERIT-BASED OR COMPETITIVE DECISIONS.—  
8           A decision to commit, obligate, or expend funds with or  
9           to a specific entity to assist with the development or imple-  
10          mentation of sexual assault prevention and response train-  
11          ing and education under this section shall—

12           “(1) be based on merit-based selection proce-  
13          dures in accordance with the requirements of sec-  
14          tions 2304(k) and 2374 of this title or on competi-  
15          tive procedures; and

16           “(2) comply with other applicable provisions of  
17          law.”.

## 18           **Subtitle J—Other Matters**

### 19          **SEC. 591. AUTHORITY TO PROVIDE SUPPORT AND SERV-** 20                           **ICES FOR CERTAIN ORGANIZATIONS AND AC-** 21                           **TIVITIES OUTSIDE DEPARTMENT OF DE-** 22                           **FENSE.**

23          Section 2012 of title 10, United States Code, is  
24          amended by adding at the end the following new sub-  
25          section:



1       “(k) LIMITATION ON ANNUAL OBLIGATION OF  
2 FUNDS.—Not more than \$20,000,000 may be obligated  
3 during fiscal year 2012 or any fiscal year thereafter to  
4 provide support and services to non-Department of De-  
5 fense organizations and activities under this section.”.

6 **SEC. 592. DISPLAY OF STATE, DISTRICT OF COLUMBIA, AND**  
7 **TERRITORIAL FLAGS BY ARMED FORCES.**

8       (a) DISPLAY REQUIRED.—Section 2249b of title 10,  
9 United States Code, is amended—by adding at the end  
10 the following new subsection:

11       “(c) DISPLAY OF DISTRICT OF COLUMBIA AND TER-  
12 RITORIAL FLAGS BY ARMED FORCES.—The Secretary of  
13 Defense shall ensure that whenever the official flags of  
14 all 50 States are displayed by the armed forces, such dis-  
15 play shall include the flags of the District of Columbia,  
16 Commonwealth of Puerto Rico, United States Virgin Is-  
17 lands, Guam, American Samoa, and Commonwealth of the  
18 Northern Mariana Islands.”.

19       (b) CLERICAL AMENDMENTS.—

20           (1) SECTION HEADING.—The heading of such  
21 section is amended by striking the colon and all that  
22 follows.

23           (2) TABLE OF SECTIONS.—The table of sections  
24 at the beginning of chapter 134 of such title is

1 amended by striking the item relating to section  
2 2249b and inserting the following new item:

“2249b. Display of State flags.”.

3 **SEC. 593. MILITARY ADAPTIVE SPORTS PROGRAM.**

4 (a) PROGRAM AUTHORIZED.—Chapter 152 of title  
5 10, United States Code, is amended by inserting after sec-  
6 tion 2564 the following new section:

7 **“§ 2564a. Provision of assistance for adaptive sports**  
8 **programs for members of the armed**  
9 **forces**

10 “(a) PROGRAM AUTHORIZED.—The Secretary of De-  
11 fense may establish a military adaptive sports program to  
12 support the provision of adaptive sports programming for  
13 members of the armed forces who are eligible to partici-  
14 pate in adaptive sports because of an injury or wound in-  
15 curred in the line of duty in the armed forces.

16 “(b) PROVISION OF ASSISTANCE; PURPOSE.—(1)  
17 Under such criteria as the Secretary of Defense may es-  
18 tablish under the military adaptive sports program, the  
19 Secretary may award grants to, or enter into contracts  
20 and cooperative agreements with, entities for the purpose  
21 of planning, developing, managing, and implementing  
22 adaptive sports programming for members described in  
23 subsection (a).

1       “(2) The Secretary of Defense shall use competitive  
2 procedures to award any grant or to enter into any con-  
3 tract or cooperative agreement under this subsection.

4       “(c) USE OF ASSISTANCE.—Assistance provided  
5 under the military adaptive sports program shall be  
6 used—

7           “(1) for the purposes specified in subsection  
8 (b); and

9           “(2) for such related activities and expenses as  
10 the Secretary of Defense may authorize.”.

11       (b) CLERICAL AMENDMENT.—The table of sections  
12 at the beginning of such chapter is amended by inserting  
13 after the item relating to section 717 the following new  
14 item:

“2564a. Provision of assistance for adaptive sports programs for members of the  
armed forces.”.

15 **SEC. 594. WOUNDED WARRIOR CAREERS PROGRAM.**

16       (a) ESTABLISHMENT OF PROGRAM.—During fiscal  
17 years 2012 through 2016, the Secretary of Defense shall  
18 carry out a career-development services program with the  
19 Education and Employment Initiative for severely wound-  
20 ed warriors of the Armed Forces, and their spouses, if ap-  
21 propriate.

22       (b) ELEMENTS OF PROGRAM.—The program shall in-  
23 clude at a minimum the following:

24           (1) Exploring career options.

1           (2) Obtaining education, skill, aptitude, and in-  
2           terest assessments.

3           (3) Developing veteran-centered career plans.

4           (4) Preparing resumes and education/training  
5           applications.

6           (5) Acquiring additional education and training,  
7           including internships and mentorship programs.

8           (6) Engaging with prospective employers and  
9           educators when appropriate.

10          (7) Entering into various kinds of occupations  
11          (whether full-time, part-time, paid, or volunteer, or  
12          self-employment as entrepreneurs or otherwise).

13          (8) Advancing in jobs and careers after initial  
14          employment.

15          (9) Identifying and resolving obstacles through  
16          coordination with the military departments, other  
17          departments and agencies of the Federal Govern-  
18          ment, State and local governments, and other appro-  
19          priate service and benefits providers.

20          (c) PLACEMENT REQUIREMENT.—Services under the  
21          program shall be co-located at the largest geographic con-  
22          centrations of wounded warriors in accordance with the  
23          Education and Employment Initiative’s goal of estab-  
24          lishing as many as 20 locations that can support

1 transitioning wounded warriors seeking post-service edu-  
2 cation and employment.

3 (d) COST-BENEFIT ANALYSIS.—No later than one  
4 year after the date of the enactment of this Act, the Sec-  
5 retary of Defense shall submit to the congressional defense  
6 committees plans for a cost-benefit analysis of the results  
7 of the services provided to substantiate effective practices.

8 (e) INFORMATION SHARING.—Lessons learned, in-  
9 cluding relevant data and best practices derived from the  
10 program, shall be shared with relevant Federal agencies  
11 that also provide transition services and support to dis-  
12 abled veterans or wounded warriors.

13 (f) NEW BUDGET ITEM RELATING TO THE PRO-  
14 GRAM.—

15 (1) ADDITIONAL DISCRETIONARY BUDGETARY  
16 AUTHORITY.—In the budget submitted to Congress  
17 under section 1105 of title 31, United States Code,  
18 for fiscal year 2012, the President requested  
19 \$2,201,964,000 for Defense-wide Operation and  
20 Maintenance Administrative and Service-wide Activi-  
21 ties. Of the amounts authorized to be appropriated  
22 by section 301, as specified in the corresponding  
23 funding table in division D, the Secretary of Defense  
24 shall obligate an additional \$1,000,000 for the pro-

1       gram under this section in furtherance of national  
2       security objectives.

3               (2) MERIT-BASED OR COMPETITIVE DECI-  
4       SIONS.—Notwithstanding subsection (a), a decision  
5       to commit, obligate, or expend funds referred to in  
6       the second sentence of paragraph (1) with or to a  
7       specific entity shall—

8                       (A) be based on merit-based selection pro-  
9                       cedures in accordance with the requirements of  
10                      sections 2304(k) and 2374 of title 10, United  
11                      States Code, or on competitive procedures; and

12                     (B) comply with other applicable provisions  
13                     of law.

14 **SEC. 595. COMPTROLLER GENERAL STUDY OF MILITARY**  
15                   **NECESSITY OF SELECTIVE SERVICE SYSTEM**  
16                   **AND ALTERNATIVES.**

17       (a) STUDY REQUIRED.—The Comptroller General of  
18       the United States shall conduct a study—

19               (1) to assess the criticality of the Selective  
20       Service System to the Department of Defense in  
21       meeting future military manpower requirements that  
22       are in excess of the ability of the all-volunteer force;  
23       and

24               (2) to determine the fiscal and national security  
25       impacts of—

1 (A) disestablishing the Selective Service  
2 System;

3 (B) putting the Selective Service System  
4 into a deep standby mode, defined as retaining  
5 only personnel sufficient to conduct registration  
6 and maintain the registration database; and

7 (C) requiring the Department of Defense,  
8 or other Federal department, upon disestablish-  
9 ment of the Selective Service System and repeal  
10 of registration requirements, to assume respon-  
11 sibility for securing the Selective Service Sys-  
12 tem registration data bases, and keeping them  
13 updated.

14 (b) ADDITIONAL CONSIDERATIONS FOR EACH OP-  
15 TION.—As part of considering the impacts of disestablish-  
16 ment of the Selective Service System, putting it into a  
17 deep standby mode, or transferring responsibilities as de-  
18 scribed in subsection (a)(2)(C), the Comptroller General  
19 shall provide for each option—

20 (1) an estimate of the annual cost or savings of  
21 each option to the Federal government; and

22 (2) the feasibility, cost, and time required for  
23 each option—

1 (A) to reestablish the capability to meet  
2 the Selective Service System mission, as it ex-  
3 isted before disestablishment; and

4 (B) to provide the Department of Defense  
5 the required number of conscripts for training,  
6 should conscription be authorized by Congress.

7 (c) SPECIAL CONSIDERATIONS REGARDING REG-  
8 ISTRATION.—The study shall also include an assessment  
9 of the feasibility, cost, and time required to meet registra-  
10 tion requirements by—

11 (1) using existing Federal and State govern-  
12 ment institutions as an alternative to Selective Serv-  
13 ice registration to maintain an accurate, comprehen-  
14 sive database of Americans who, according to exist-  
15 ing Selective Service System registration require-  
16 ments, would be subject to conscription should con-  
17 scription be authorized; and

18 (2) integrating various alternative registration  
19 databases for use in connection with conscription  
20 and provide a means to keep updated and accurate  
21 the Selective Service System database under each of  
22 the options described in subsection (a)(2).

23 (d) SUBMISSION OF RESULTS.—Not later than  
24 March 31, 2012, the Comptroller General shall submit the  
25 Committees on Armed Services of the Senate and House



1 of Representatives a report containing the results of the  
2 study.

3 **SEC. 596. SENSE OF CONGRESS REGARDING PLAYING OF**  
4 **BUGLE CALL COMMONLY KNOWN AS “TAPS”**  
5 **AT MILITARY FUNERALS, MEMORIAL SERV-**  
6 **ICES, AND WREATH LAYING CEREMONIES.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

9 (1) The bugle call commonly known as “Taps”  
10 is known throughout the United States as part of  
11 the military honors accorded at funerals, memorial  
12 services, and wreath ceremonies held for members of  
13 the uniformed services and veterans.

14 (2) In July 1862, following the Seven Days  
15 Battles, Union General Daniel Butterfield and bu-  
16 gler Oliver Willcox Norton created “Taps” at Berk-  
17 ley Plantation, Virginia, as a way to signal the end  
18 of daily military activities.

19 (3) “Taps” is now established by the uniformed  
20 services as the last call of the day and is sounded  
21 at the completion of a military funeral.

22 (4) “Taps” has become the signature, solemn  
23 musical farewell for members of the uniformed serv-  
24 ices and veterans who have faithfully served the  
25 United States during times of war and peace.

1           (5) Over its almost 150 years of use, “Taps”  
2       has been woven into the historical fabric of the  
3       United States.

4           (6) When sounded, “Taps” summons emotions  
5       of loss, pride, honor, and respect and encourages  
6       Americans to remember patriots who served the  
7       United States with honor and valor.

8           (7) The 150th anniversary of the writing of  
9       “Taps” will be observed with events culminating in  
10      June 2012 with a rededication of the Taps Monu-  
11      ment at Berkley Plantation, Virginia.

12          (b) SENSE OF CONGRESS.—It is the sense of Con-  
13      gress that at a military funeral, memorial service, or  
14      wreath laying, the bugle call commonly known as “Taps”,  
15      consisting of 24 notes sounded on a bugle or trumpet,  
16      should be sounded by a live solo bugler or trumpeter when  
17      such arrangements are possible.

18      **SEC. 597. SENSE OF CONGRESS REGARDING SUPPORT FOR**

19                              **YELLOW RIBBON DAY.**

20          (a) FINDINGS.—Congress makes the following find-  
21      ings:

22              (1) The hopes and prayers of the American peo-  
23      ple for the safe return of members of the Armed  
24      Forces serving overseas are demonstrated through  
25      the proud display of yellow ribbons.

1           (2) The designation of a “Yellow Ribbon Day”  
2 would serve as an additional reminder for all Ameri-  
3 cans of the continued sacrifice of members of the  
4 Armed Forces.

5           (3) Yellow Ribbon Day would also recognize the  
6 history and meaning of the Yellow Ribbon as the  
7 symbol of support for members of the Armed  
8 Forces.

9           (4) Yellow Ribbon Day would also signify a  
10 tribute and remembrance to all Prisoners of War  
11 and a fervent hope for the safe return and full ac-  
12 counting of all members of the Armed Forces who  
13 are Missing in Action.

14           (5) April 9th would be an appropriate day to  
15 designate as Yellow Ribbon Day as it was on April  
16 9, 2004, that Staff Sergeant Matt Maupin became  
17 the first Prisoner of War of Operation Iraqi Free-  
18 dom.

19           (b) SENSE OF CONGRESS.—Congress supports the  
20 goals and ideals of Yellow Ribbon Day in honor of mem-  
21 bers of the Armed Forces who are serving overseas apart  
22 from their families and loved ones.

23 **SEC. 598. POSTAL BENEFITS PROGRAM.**

24           (a) SHORT TITLE.—This section may be cited as the  
25 “Supply Our Soldiers Act of 2011”.

1 (b) POSTAL BENEFITS PROGRAM FOR MEMBERS OF  
2 THE ARMED FORCES.—

3 (1) IN GENERAL.—The Secretary of Defense, in  
4 consultation with the United States Postal Service,  
5 shall provide for a program under which postal bene-  
6 fits shall be provided to qualified individuals in ac-  
7 cordance with succeeding provisions of this section.

8 (2) QUALIFIED INDIVIDUAL.—For purposes of  
9 this section, the term “qualified individual” means  
10 an individual who is—

11 (A) a member of the Armed Forces of the  
12 United States on active duty (as defined in sec-  
13 tion 101 of title 10, United States Code); and

14 (B)(i) serving in Iraq or Afghanistan; or  
15 (ii) hospitalized at a facility under the ju-  
16 risdiction of the Armed Forces of the United  
17 States as a result of a disease or injury in-  
18 curred as a result of service in Iraq or Afghani-  
19 stan.

20 (3) POSTAL BENEFITS DESCRIBED.—

21 (A) IN GENERAL.—The postal benefits  
22 provided under this section shall consist of such  
23 coupons or other similar evidence of credit  
24 (whether in printed, electronic, or other format,  
25 and hereinafter in this section referred to as

1 “vouchers”) as the Secretary of Defense (in  
2 consultation with the Postal Service) shall de-  
3 termine, entitling the bearer or user to make  
4 qualified mailings free of postage.

5 (B) QUALIFIED MAILING.—For purposes  
6 of this section, the term “qualified mailing”  
7 means the mailing of a single mail piece  
8 which—

9 (i) is described in clause (i) or (ii) of  
10 subparagraph (C);

11 (ii) is sent from within an area served  
12 by a United States post office; and

13 (iii) is addressed to a qualified indi-  
14 vidual.

15 (C) MAIL DESCRIBED.—Mail described in  
16 this subparagraph is—

17 (i) any first-class mail (including any  
18 sound- or video-recorded communication)  
19 not exceeding 13 ounces in weight and  
20 having the character of personal cor-  
21 respondence; and

22 (ii) parcel post not exceeding 15  
23 pounds in weight.

24 (D) LIMITATIONS.—

1 (i) NUMBER.—An individual shall be  
2 eligible for one voucher for each two-month  
3 period in which such individual is a quali-  
4 fied individual.

5 (ii) USE.—Any such voucher may not  
6 be used—

7 (I) for more than a single quali-  
8 fied mailing; or

9 (II) after the expiration date of  
10 such voucher, as designated by the  
11 Secretary of Defense.

12 (E) COORDINATION RULE.—Postal benefits  
13 under this section shall be in addition to, and  
14 not in lieu of, any reduced rates of postage or  
15 other similar benefits which might otherwise be  
16 available by or under law, including any rates  
17 of postage resulting from the application of sec-  
18 tion 3401(b) of title 39, United States Code.

19 (4) REGULATIONS.—Not later than 30 days  
20 after the date of the enactment of this section, the  
21 Secretary of Defense (in consultation with the Postal  
22 Service) shall prescribe any regulations necessary to  
23 carry out this section, including—

24 (A) procedures by which vouchers will be  
25 provided or made available in timely manner to

1 persons duly identified by qualified individuals  
2 to receive those vouchers; and

3 (B) procedures to ensure that the number  
4 of vouchers provided or made available with re-  
5 spect to any qualified individual complies with  
6 paragraph (3)(D)(i).

7 (c) FUNDING.—

8 (1) FUNDING INCREASE AND OFFSETTING RE-  
9 DUCTION.—Notwithstanding the amounts set forth  
10 in the funding tables in division D, to carry out this  
11 section during fiscal year 2012—

12 (A) the amount authorized to be appro-  
13 priated in section 301 for operation and main-  
14 tenance, Defense-wide, as specified in the cor-  
15 responding funding table in division D, is here-  
16 by increased by \$12,000,000, with the amount  
17 of the increase allocated to the Office of the  
18 Secretary of Defense, as set forth in the table  
19 under section 4301, to carry out this section;  
20 and

21 (B) the amount authorized to be appro-  
22 priated in section 101 for other procurement,  
23 Army, as specified in the corresponding funding  
24 table of division D, is hereby reduced by  
25 \$12,000,000 with the amount of the reduction

1 to be derived from the Joint Tactical Radio  
2 System, Ground Mobile Radio Program under  
3 Line 039 Joint Tactical Radio System as set  
4 forth in the table under section 4101.

5 (2) TRANSFERS TO POSTAL SERVICE.—

6 (A) BASED ON ESTIMATES.—The Depart-  
7 ment of Defense shall transfer to the Postal  
8 Service, out of any amount so appropriated and  
9 in advance of each calendar quarter for fiscal  
10 year 2012 beginning on or after January 1,  
11 2012, and during which postal benefits under  
12 this section may be used, an amount equal to  
13 the amount of postal benefits that the Depart-  
14 ment of Defense estimates will be used during  
15 such quarter, reduced or increased (as the case  
16 may be) by any amounts by which the Depart-  
17 ment finds that a determination under this sub-  
18 section for a prior quarter was greater than or  
19 less than the amount finally determined for  
20 such quarter.

21 (B) BASED ON FINAL DETERMINATION.—

22 A final determination of the amount necessary  
23 to correct any previous determination under  
24 this subsection, and any transfer of amounts  
25 between the Postal Service and the Department



1 of Defense based on that final determination,  
2 shall be made not later than six months after  
3 the end of fiscal year 2012.

4 (3) CONSULTATION REQUIRED.—All estimates  
5 and determinations under this subsection of the  
6 amount of postal benefits under this section used in  
7 any period shall be made by the Department of De-  
8 fense in consultation with the Postal Service.

9 (d) DURATION.—The postal benefits under this sec-  
10 tion shall apply with respect to mail matter sent during  
11 the period beginning on October 1, 2011, and ending on  
12 September 30, 2012.

13 **SEC. 599A. PROHIBITION ON THE UNAUTHORIZED USE OF**  
14 **NAMES AND IMAGES OF MEMBERS OF THE**  
15 **ARMED FORCES.**

16 (a) PROHIBITION.—Chapter 49 of title 10, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing new section:

19 **“§ 988. Unauthorized use of names and images of**  
20 **members of the armed forces**

21 “(a) PROHIBITION.—Except with the permission of  
22 the individual or individuals designated under subsection  
23 (d), no person may knowingly use the name or image of  
24 a protected individual in connection with any merchandise,  
25 retail product, impersonation, solicitation, or commercial

1 activity in a manner reasonably calculated to connect the  
2 protected individual with that individual's service in the  
3 armed forces.

4       “(b) AUTHORITY TO ENJOIN VIOLATIONS.—When-  
5 ever it appears to the Attorney General that any person  
6 is engaged or is about to engage in an act or practice  
7 which constitutes or will constitute conduct prohibited by  
8 subsection (a), the Attorney General may initiate a civil  
9 proceeding in a district court of the United States to en-  
10 join such act or practice. Such court shall proceed as soon  
11 as practicable to the hearing and determination of such  
12 action and may, at any time before final determination,  
13 enter such restraining orders or prohibitions, or take such  
14 other actions as is warranted, to prevent injury to the  
15 United States or to any person or class of persons for  
16 whose protection the action is brought.

17       “(c) PROTECTED INDIVIDUAL.—For purposes of this  
18 section, a protected individual is any person who—

19               “(1) is a member of the armed forces; or

20               “(2) was a member of the armed forces at any  
21 time after April 5, 1917, and, if not living, has a  
22 surviving spouse, child, parent, grandparent, or sib-  
23 ling.

1 “(d) DESIGNATED INDIVIDUAL OR INDIVIDUALS.—

2 (1) The individual or individuals designated under this  
3 subsection, with respect to a protected individual—

4 “(A) is the protected individual, if living; and

5 “(B) otherwise is the living survivor or sur-  
6 vivors of the protected individual highest on the fol-  
7 lowing list:

8 “(i) The surviving spouse.

9 “(ii) The children.

10 “(iii) The parents.

11 “(iv) The grandparents.

12 “(v) The siblings.

13 “(2) In the case of a protected individual for whom  
14 more than one individual is designated under clause (ii),  
15 (iii), (iv), or (v) of paragraph (1)(B), the prohibition under  
16 subsection (a) shall apply unless permission is obtained  
17 from each designated individual.”.

18 (b) CLERICAL AMENDMENT.—The table of sections  
19 at the beginning of such chapter is amended by adding  
20 at the end the following new item:

“988. Unauthorized use of names and images of members of the armed forces.”.

21 **SEC. 599B. REVIEW REGARDING AWARD OF MEDAL OF**  
22 **HONOR TO JEWISH AMERICAN WORLD WAR I**  
23 **VETERANS.**

24 (a) REVIEW REQUIRED.—The Secretary of the Army  
25 and the Secretary of the Navy shall review the service

1 records of each Jewish American World War I veteran de-  
2 scribed in subsection (b) to determine whether that vet-  
3 eran should be posthumously awarded the Medal of  
4 Honor.

5 (b) COVERED JEWISH AMERICAN WAR VETERANS.—  
6 The Jewish American World War I veterans whose service  
7 records are to be reviewed under subsection (a) are the  
8 following:

9 (1) Any Jewish American World War I veteran  
10 who was previously awarded the Distinguished Serv-  
11 ice Cross, the Navy Cross, or other military decora-  
12 tion for service during World War I.

13 (2) Any other Jewish American World War I  
14 veteran whose name is submitted to the Secretary  
15 concerned for such purpose by the Jewish War Vet-  
16 erans of the United States of America before the  
17 end of the one-year period beginning on the date of  
18 the enactment of this Act.

19 (c) CONSULTATIONS.—In carrying out the review  
20 under subsection (a), the Secretary concerned shall con-  
21 sult with the Jewish War Veterans of the United States  
22 of America and with such other veterans service organiza-  
23 tions as the Secretary considers appropriate.

24 (d) RECOMMENDATION BASED ON REVIEW.—If the  
25 Secretary concerned determines, based upon the review

1 under subsection (a) of the service records of any Jewish  
2 American World War I veteran, that the award of the  
3 Medal of Honor to that veteran is warranted, the Sec-  
4 retary shall submit to the President a recommendation  
5 that the President award the Medal of Honor post-  
6 humously to that veteran.

7 (e) AUTHORITY TO AWARD MEDAL OF HONOR.—A  
8 Medal of Honor may be awarded posthumously to a Jew-  
9 ish American World War I veteran in accordance with a  
10 recommendation of the Secretary concerned under sub-  
11 section (a).

12 (f) WAIVER OF TIME LIMITATIONS.—An award of  
13 the Medal of Honor may be made under subsection (e)  
14 without regard to—

15 (1) section 3744, 6248, or 8744 of title 10,  
16 United States Code; and

17 (2) any regulation or other administrative re-  
18 striction on—

19 (A) the time for awarding the Medal of  
20 Honor; or

21 (B) the awarding of the Medal of Honor  
22 for service for which a Distinguished Service  
23 Cross, Navy Cross, or other military decoration  
24 has been awarded.

25 (g) DEFINITIONS.—In this section:

1           (1) The term “Jewish American World War I  
2           veteran” means any person who served in the Armed  
3           Forces during World War I and identified himself or  
4           herself as Jewish on his or her military personnel  
5           records.

6           (2) The term “Secretary concerned” means—

7                   (A) the Secretary of the Army, in the case  
8                   of the Army; and

9                   (B) the Secretary of the Navy, in the case  
10                  of the Navy and the Marine Corps.

11           (3) The term “World War I” means the period  
12           beginning on April 6, 1917, and ending on Novem-  
13           ber 11, 1918.

14 **SEC. 599C. LIMITATION ON MILITARY MUSICAL UNITS.**

15           Amounts appropriated pursuant to the authorization  
16           of appropriations in this Act for military musical units (as  
17           defined in section 974 of title 10, United States Code)  
18           may not exceed \$200,000,000.

19 **SEC. 599D. AUTHORIZATION AND REQUEST FOR AWARD OF**  
20                   **MEDAL OF HONOR TO EMIL KAPAUN FOR**  
21                   **ACTS OF VALOR DURING THE KOREAN WAR.**

22           (a) AUTHORIZATION.—Notwithstanding the time lim-  
23           itations specified in section 3744 of title 10, United States  
24           Code, or any other time limitation with respect to the  
25           awarding of certain medals to persons who served in the

1 Armed Forces, the President is authorized and requested  
2 to award the Medal of Honor posthumously under section  
3 3741 of such title to Emil Kapaun for the acts of valor  
4 during the Korean War described in subsection (b).

5 (b) ACTS OF VALOR DESCRIBED.—The acts of valor  
6 referred to in subsection (a) are the actions of then Cap-  
7 tain Emil Kapaun as a member of the 8th Cavalry Regi-  
8 ment during the Battle of Unsan on November 1 and 2,  
9 1950, and while a prisoner of war until his death on May  
10 23, 1951, during the Korean War.

11 **TITLE VI—COMPENSATION AND**  
12 **OTHER PERSONNEL BENEFITS**  
13 **Subtitle A—Pay and Allowances**

14 **SEC. 601. FISCAL YEAR 2012 INCREASE IN MILITARY BASIC**  
15 **PAY.**

16 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—The  
17 adjustment to become effective during fiscal year 2012 re-  
18 quired by section 1009 of title 37, United States Code,  
19 in the rates of monthly basic pay authorized members of  
20 the uniformed services shall not be made.

21 (b) INCREASE IN BASIC PAY.—Effective on January  
22 1, 2012, the rates of monthly basic pay for members of  
23 the uniformed services are increased by 1.6 percent.

1 **SEC. 602. RESUMPTION OF AUTHORITY TO PROVIDE TEM-**  
2 **PORARY INCREASE IN RATES OF BASIC AL-**  
3 **LOWANCE FOR HOUSING UNDER CERTAIN**  
4 **CIRCUMSTANCES.**

5 Effective October 1, 2011, section 403(b)(7)(E) of  
6 title 37, United States Code, is amended by striking “De-  
7 cember 31, 2009” and inserting “December 31, 2012”.

8 **SEC. 603. LODGING ACCOMMODATIONS FOR MEMBERS AS-**  
9 **SIGNED TO DUTY IN CONNECTION WITH COM-**  
10 **MISSIONING OR FITTING OUT OF A SHIP.**

11 (a) **EXTENSION TO PRECOMMISSIONING UNIT SAIL-**  
12 **ORS.**—Subsection (a) of section 7572 of title 10, United  
13 States Code, is amended—

14 (1) by inserting “or assigned to duty in connec-  
15 tion with commissioning or fitting out of a ship”  
16 after “sea duty”; and

17 (2) by inserting “, because the ship is under  
18 construction and is not yet habitable,” after “be-  
19 cause of repairs,”.

20 (b) **EXTENSION TO ENLISTED MEMBERS.**—Sub-  
21 section (d) of such section is amended—

22 (1) in paragraph (1)—

23 (A) by striking “After the expiration of the  
24 authority provided in subsection (b), an officer”  
25 and inserting “A member”;



1 (B) by striking “officer’s quarters” and in-  
2 serting “member’s quarters”;

3 (C) by striking “obtaining quarters” and  
4 inserting “obtaining housing”; and

5 (D) by striking “the officer” and inserting  
6 “the member”;

7 (2) in paragraph (2)—

8 (A) by striking “an officer” both places it  
9 appears and inserting “a member”;

10 (B) by striking “quarters” and inserting  
11 “housing”; and

12 (C) by striking “officer’s grade” and in-  
13 serting “member’s grade”; and

14 (3) in paragraph (3)—

15 (A) by striking “an officer” and inserting  
16 “a member”; and

17 (B) by striking “quarters” and inserting  
18 “housing”.

19 (c) SHIPYARDS AFFECTED BY BRAC 2005.—Such  
20 section is further amended by adding at the end the fol-  
21 lowing new subsection:

22 “(e)(1) The Secretary may reimburse a member of  
23 the naval service assigned to duty in connection with com-  
24 missioning or fitting out of a ship in Pascagoula, Mis-  
25 sissippi, or Bath, Maine, who is deprived of quarters on

1 board a ship because the ship is under construction and  
2 is not yet habitable, or because of other conditions that  
3 make the member's quarters uninhabitable, for expenses  
4 incurred in obtaining housing, but only when the Navy is  
5 unable to furnish the member with lodging accommoda-  
6 tions under subsection (a).

7       “(2) The total amount that a member may be reim-  
8 bursed under this subsection may not exceed an amount  
9 equal to the basic allowance for housing of a member with-  
10 out dependents of that member's grade.

11       “(3) A member without dependents, or a member who  
12 resides with dependents while assigned to duty in connec-  
13 tion with commissioning or fitting out of a ship at one  
14 of the locations specified in paragraph (1), may not be  
15 reimbursed under this subsection.

16       “(4) The Secretary may prescribe regulations to  
17 carry out this subsection.”.

18       (d) CONFORMING AMENDMENTS.—

19               (1) SECTION HEADING.—The heading of such  
20 section is amended to read as follows:

1 **“§ 7572. Quarters: accommodations in place for mem-**  
 2 **bers on sea duty or assigned to duty in**  
 3 **connection with commissioning or fitting**  
 4 **out of a ship”.**

5 (2) CLERICAL AMENDMENT.—The table of sec-  
 6 tions at the beginning of chapter 649 of such title  
 7 is amended by striking the item relating to section  
 8 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.”.

9 **Subtitle B—Bonuses and Special**  
 10 **and Incentive Pays**

11 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND**  
 12 **SPECIAL PAY AUTHORITIES FOR RESERVE**  
 13 **FORCES.**

14 The following sections of title 37, United States  
 15 Code, are amended by striking “December 31, 2011” and  
 16 inserting “December 31, 2012”:

17 (1) Section 308b(g), relating to Selected Re-  
 18 serve reenlistment bonus.

19 (2) Section 308c(i), relating to Selected Reserve  
 20 affiliation or enlistment bonus.

21 (3) Section 308d(c), relating to special pay for  
 22 enlisted members assigned to certain high-priority  
 23 units.

1           (4) Section 308g(f)(2), relating to Ready Re-  
2           serve enlistment bonus for persons without prior  
3           service.

4           (5) Section 308h(e), relating to Ready Reserve  
5           enlistment and reenlistment bonus for persons with  
6           prior service.

7           (6) Section 308i(f), relating to Selected Reserve  
8           enlistment and reenlistment bonus for persons with  
9           prior service.

10          (7) Section 910(g), relating to income replace-  
11          ment payments for reserve component members ex-  
12          periencing extended and frequent mobilization for  
13          active duty service.

14 **SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND**  
15                   **SPECIAL PAY AUTHORITIES FOR HEALTH**  
16                   **CARE PROFESSIONALS.**

17          (a) TITLE 10 AUTHORITIES.—The following sections  
18          of title 10, United States Code, are amended by striking  
19          “December 31, 2011” and inserting “December 31,  
20          2012”:

21           (1) Section 2130a(a)(1), relating to nurse offi-  
22           cer candidate accession program.

23           (2) Section 16302(d), relating to repayment of  
24           education loans for certain health professionals who  
25           serve in the Selected Reserve.

1 (b) TITLE 37 AUTHORITIES.—The following sections  
2 of title 37, United States Code, are amended by striking  
3 “December 31, 2011” and inserting “December 31,  
4 2012”:

5 (1) Section 302c–1(f), relating to accession and  
6 retention bonuses for psychologists.

7 (2) Section 302d(a)(1), relating to accession  
8 bonus for registered nurses.

9 (3) Section 302e(a)(1), relating to incentive  
10 special pay for nurse anesthetists.

11 (4) Section 302g(e), relating to special pay for  
12 Selected Reserve health professionals in critically  
13 short wartime specialties.

14 (5) Section 302h(a)(1), relating to accession  
15 bonus for dental officers.

16 (6) Section 302j(a), relating to accession bonus  
17 for pharmacy officers.

18 (7) Section 302k(f), relating to accession bonus  
19 for medical officers in critically short wartime spe-  
20 cialties.

21 (8) Section 302l(g), relating to accession bonus  
22 for dental specialist officers in critically short war-  
23 time specialties.

1 **SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND**  
2 **BONUS AUTHORITIES FOR NUCLEAR OFFI-**  
3 **CERS.**

4 The following sections of title 37, United States  
5 Code, are amended by striking “December 31, 2011” and  
6 inserting “December 31, 2012”:

7 (1) Section 312(f), relating to special pay for  
8 nuclear-qualified officers extending period of active  
9 service.

10 (2) Section 312b(c), relating to nuclear career  
11 accession bonus.

12 (3) Section 312c(d), relating to nuclear career  
13 annual incentive bonus.

14 **SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**  
15 **ING TO TITLE 37 CONSOLIDATED SPECIAL**  
16 **PAY, INCENTIVE PAY, AND BONUS AUTHORI-**  
17 **TIES.**

18 The following sections of title 37, United States  
19 Code, are amended by striking “December 31, 2011” and  
20 inserting “December 31, 2012”:

21 (1) Section 331(h), relating to general bonus  
22 authority for enlisted members.

23 (2) Section 332(g), relating to general bonus  
24 authority for officers.

25 (3) Section 333(i), relating to special bonus and  
26 incentive pay authorities for nuclear officers.

1           (4) Section 334(i), relating to special aviation  
2           incentive pay and bonus authorities for officers.

3           (5) Section 335(k), relating to special bonus  
4           and incentive pay authorities for officers in health  
5           professions.

6           (6) Section 351(h), relating to hazardous duty  
7           pay.

8           (7) Section 352(g), relating to assignment pay  
9           or special duty pay.

10          (8) Section 353(i), relating to skill incentive  
11          pay or proficiency bonus.

12          (9) Section 355(h), relating to retention incen-  
13          tives for members qualified in critical military skills  
14          or assigned to high priority units.

15 **SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**  
16 **ING TO PAYMENT OF OTHER TITLE 37 BO-**  
17 **NUSES AND SPECIAL PAYS.**

18          The following sections of title 37, United States  
19          Code, are amended by striking “December 31, 2011” and  
20          inserting “December 31, 2012”:

21               (1) Section 301b(a), relating to aviation officer  
22               retention bonus.

23               (2) Section 307a(g), relating to assignment in-  
24               centive pay.

1           (3) Section 308(g), relating to reenlistment  
2           bonus for active members.

3           (4) Section 309(e), relating to enlistment  
4           bonus.

5           (5) Section 324(g), relating to accession bonus  
6           for new officers in critical skills.

7           (6) Section 326(g), relating to incentive bonus  
8           for conversion to military occupational specialty to  
9           ease personnel shortage.

10          (7) Section 327(h), relating to incentive bonus  
11          for transfer between armed forces.

12          (8) Section 330(f), relating to accession bonus  
13          for officer candidates.

14 **SEC. 616. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**  
15 **ING TO PAYMENT OF REFERRAL BONUSES.**

16          The following sections of title 10, United States  
17 Code, are amended by striking “December 31, 2011” and  
18 inserting “December 31, 2012”:

19          (1) Section 1030(i), relating to health profes-  
20          sions referral bonus.

21          (2) Section 3252(h), relating to Army referral  
22          bonus.



1 **Subtitle C—Travel and Transpor-**  
2 **tation Allowances Generally**

3 **SEC. 621. ONE-YEAR EXTENSION OF AUTHORITY TO REIM-**  
4 **BURSE TRAVEL EXPENSES FOR INACTIVE-**  
5 **DUTY TRAINING OUTSIDE OF NORMAL COM-**  
6 **MUTING DISTANCE.**

7 Section 408a(e) of title 37, United States Code, is  
8 amended by striking “December 31, 2011” and inserting  
9 “December 31, 2012”.

10 **SEC. 622. MANDATORY PROVISION OF TRAVEL AND TRANS-**  
11 **PORTATION ALLOWANCES FOR NON-MEDICAL**  
12 **ATTENDANTS FOR SERIOUSLY ILL AND**  
13 **WOUNDED MEMBERS OF THE ARMED**  
14 **FORCES.**

15 Section 411k of title 37, United States Code, is  
16 amended—

17 (1) in subsection (a), by striking “may” and in-  
18 serting “shall”; and

19 (2) in subsection (d)(3), by striking “may” and  
20 inserting “shall”.

1 **SEC. 623. INCLUSION OF MEMBERS OF THE ARMED FORCES**  
2 **ASSIGNED TO EGYPT MULTI-NATIONAL**  
3 **FORCE AND OBSERVERS MISSION IN UNITED**  
4 **STATES CENTRAL COMMAND REST AND RE-**  
5 **CUPERATION ABSENCE PROGRAM.**

6 (a) INCLUSION OF MNFOM MEMBERS.—Subsection  
7 (b) of section 705a of title 10, United States Code, as  
8 added by section 532 of the Ike Skelton National Defense  
9 Authorization Act for Fiscal Year 2011 (Public Law 111–  
10 383; 124 Stat. 4216), is amended to read as follows:

11 “(b) ELIGIBLE MEMBERS.—Subject to such other  
12 criteria as the Secretary of Defense may prescribe in the  
13 regulations required by subsection (a), the following mem-  
14 bers of the armed forces are eligible for selection to receive  
15 the benefits described in subsection (c):

16 “(1) A member who is assigned or deployed for  
17 at least 270 days in an area or location—

18 “(A) that is designated by the President as  
19 a combat zone; and

20 “(B) in which hardship duty pay is author-  
21 ized to be paid under section 305 of title 37.

22 “(2) A member who is assigned to duty for at  
23 least 270 days as a participant in the Egypt Multi-  
24 National Force and Observers Mission.”.

25 (b) FUNDING SOURCE.—Notwithstanding the  
26 amounts set forth in the funding table in section 4501,

1 the Secretary of Defense may transfer up to \$4,000,000  
2 from the Mission Force Enhancement Transfer Fund es-  
3 tablished by section 1433 to another account of the De-  
4 partment of Defense to mitigate unfunded requirements  
5 for fiscal year 2012 incurred as a result of the amendment  
6 made by subsection (a).

7 (c) OFFSET.—Notwithstanding the amounts set forth  
8 in the funding tables in division D, the amount authorized  
9 to be appropriated in section 101 for other procurement,  
10 Army, as specified in the corresponding funding table in  
11 division D, is hereby reduced by \$5,000,000, with the  
12 amount of the reduction to be derived from Joint Tactical  
13 Radio System Maritime-Fixed radios under Line 039  
14 Joint Tactical Radio System as set forth in the table  
15 under section 4101.

16 **Subtitle D—Consolidation and Re-**  
17 **form of Travel and Transpor-**  
18 **tation Authorities**

19 **SEC. 631. PURPOSE.**

20 It is the purpose of this subtitle to establish general  
21 travel and transportation provisions for members of the  
22 uniformed services and other travelers authorized to travel  
23 under official conditions. Recognizing the complexities and  
24 the changing nature of travel, the amendments made by  
25 this subtitle and the 10-year transition period provided by

1 section 636 provide the Secretary of Defense and the Sec-  
 2 retaries concerned (as defined in section 101(5) of title  
 3 37, United States Code) with the authority to prescribe  
 4 and implement travel and transportation policy that is  
 5 simple, efficient, relevant, and flexible and that meets mis-  
 6 sion needs and the needs of members of the uniformed  
 7 services.

8 **SEC. 632. CONSOLIDATION AND REFORM OF TRAVEL AND**  
 9 **TRANSPORTATION AUTHORITIES OF THE**  
 10 **UNIFORMED SERVICES.**

11 Title 37, United States Code, is amended by inserting  
 12 after chapter 7 the following new chapter:

13 **“CHAPTER 8—TRAVEL AND**  
 14 **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 unauthor-  
 ized or in excess of authorized amounts: requirement for repay-  
 ment.

“463. Regulations.

1                   “SUBCHAPTER I—TRAVEL AND  
2                   TRANSPORTATION—NEW LAW

3   **“§ 451. Definitions**

4           “(a) DEFINITIONS RELATING TO PERSONS.—In this  
5 subchapter and subchapter II:

6                   “(1) The term ‘administering Secretary’ or ‘ad-  
7 ministering Secretaries’ means the following:

8                           “(A) The Secretary of Defense, with re-  
9 spect to the armed forces (including the Coast  
10 Guard when it is operating as a service in the  
11 Navy).

12                           “(B) The Secretary of Homeland Security,  
13 with respect to the Coast Guard when it is not  
14 operating as a service in the Navy.

15                           “(C) The Secretary of Commerce, with re-  
16 spect to the National Oceanic and Atmospheric  
17 Administration.

18                           “(D) The Secretary of Health and Human  
19 Services, with respect to the Public Health  
20 Service.

21                   “(2) The term ‘authorized traveler’ means a  
22 person who is authorized travel and transportation  
23 allowances when performing official travel ordered or  
24 authorized by the administering Secretary. Such  
25 term includes the following:

1           “(A) A member of the uniformed services.

2           “(B) A family member of a member of the  
3 uniformed services.

4           “(C) A person acting as an escort or at-  
5 tendant for a member or family member who is  
6 traveling on official travel or is traveling with  
7 the remains of a deceased member.

8           “(D) A person who participates in a mili-  
9 tary funeral honors detail.

10          “(E) A Senior Reserve Officers’ Training  
11 Corps cadet or midshipman.

12          “(F) An applicant or rejected applicant for  
13 enlistment.

14          “(G) Any other person whose employment  
15 or service is considered directly related to a  
16 Government official activity or function under  
17 regulations prescribed section 463 of this title.

18          “(3) The term ‘family member’, with respect to  
19 a member of the uniformed services, means the fol-  
20 lowing:

21               “(A) A dependent, as defined in section  
22 401(a) of this title.

23               “(B) A child, as defined in section  
24 401(b)(1) of this title.

1           “(C) A parent, as defined in section  
2 401(b)(2) of this title.

3           “(D) A sibling of the member.

4           “(E) A former spouse of the member.

5           “(F) Any person not covered by subpara-  
6 graphs (A) through (E) who is in a category  
7 specified in regulations under section 463 of  
8 this title as having an association, connection,  
9 or affiliation with a member of the uniformed  
10 services or the family of such a member.

11           “(G) Any person not covered by subpara-  
12 graphs (A) through (F) who is determined by  
13 the administering Secretary under regulations  
14 prescribed under section 463 of this title as  
15 warranting the status of being a family member  
16 for purposes of a particular travel incident.

17           “(b) DEFINITIONS RELATING TO TRAVEL AND  
18 TRANSPORTATION ALLOWANCES.—In this subchapter and  
19 subchapter II:

20           “(1) The term ‘official travel’ means the fol-  
21 lowing:

22           “(A) Military duty or official business per-  
23 formed by an authorized traveler away from a  
24 duty assignment location or other authorized lo-  
25 cation.

1           “(B) Travel performed by an authorized  
2 traveler ordered to relocate from a permanent  
3 duty station to another permanent duty station.

4           “(C) Travel performed by an authorized  
5 traveler ordered to the first permanent duty  
6 station, or separated or retired from uniformed  
7 service.

8           “(D) Local travel in or around the tem-  
9 porary duty or permanent duty station.

10           “(E) Other travel as authorized or ordered  
11 by the administering Secretary.

12           “(2) The term ‘actual and necessary expenses’  
13 means expenses incurred in fact by a traveler as a  
14 reasonable consequence of official travel.

15           “(3) The term ‘travel allowances’ means the  
16 daily lodging, meals, and other related expenses, in-  
17 cluding relocation expenses, incurred by an author-  
18 ized traveler while on official travel.

19           “(4) The term ‘transportation allowances’  
20 means the costs of temporarily or permanently mov-  
21 ing an authorized traveler, the personal property of  
22 an authorized traveler, or a combination thereof.

23           “(5) The term ‘transportation-, lodging-, or  
24 meals-in-kind’ means transportation, lodging, or



1 meals provided by the Government without cost to  
2 the traveler.

3 “(6) The term ‘miscellaneous expenses’ mean  
4 authorized expenses incurred in addition to author-  
5 ized allowances during the performance of official  
6 travel.

7 “(7) The term ‘personal property’, with respect  
8 to transportation allowances, includes baggage, fur-  
9 niture, and other household items, clothing, privately  
10 owned vehicles, house trailers, mobile homes, and  
11 any other personal item that would not otherwise be  
12 prohibited by any other provision or law, or regula-  
13 tion prescribed under section 463 of this title.

14 “(8) The term ‘relocation allowances’ means the  
15 costs associated with relocating a member of the  
16 uniformed services or other authorized traveler be-  
17 tween an old and new temporary or permanent duty  
18 assignment location or other authorized location.

19 “(9) The term ‘dislocation allowances’ means  
20 the costs associated with relocation of the household  
21 of a member of the uniformed services or other au-  
22 thorized traveler in relation to a change in the mem-  
23 ber’s permanent duty assignment location ordered  
24 for the convenience of the Government or incident to  
25 an evacuation.

1           “(10) The term ‘per diem’ means an amount  
2           established as a daily rate that is paid to an author-  
3           ized traveler to cover lodging, meals, and other re-  
4           lated travel expenses pursuant to regulations.

5   **“§ 452. Allowable travel and transportation: general**  
6                           **authorities**

7           “(a) IN GENERAL.—Except as otherwise prohibited  
8           by law, a member of the uniformed services or other au-  
9           thorized traveler—

10           “(1) shall be provided transportation-, lodging,  
11           or meals-in-kind, or actual and necessary travel and  
12           transportation expenses for, or in connection with,  
13           official travel; or

14           “(2) may be provided transportation and travel  
15           allowances under other circumstances as specified in  
16           regulations prescribed under section 463 of this title.

17           “(b) SPECIFIC CIRCUMSTANCES.—The authority  
18           under subsection (a) includes travel under or in connection  
19           with, but not limited to, the following circumstances, to  
20           the extent specified in regulations prescribed under section  
21           463 of this title:

22           “(1) Temporary duty that requires en route  
23           travel between a permanent duty assignment loca-  
24           tion and another authorized temporary duty loca-

1       tion, and travel in or around the temporary duty lo-  
2       cation.

3               “(2) Permanent change of station that requires  
4       en route travel between an old and new temporary  
5       or permanent duty assignment location or other au-  
6       thorized location.

7               “(3) Temporary duty or assignment relocation  
8       related to a consecutive overseas tour or in-place-  
9       consecutive overseas tour.

10              “(4) Recruiting duties for the armed forces.

11              “(5) Assignment or detail to another Govern-  
12       ment agency or department.

13              “(6) Rest and recuperative leave.

14              “(7) Convalescent leave.

15              “(8) Reenlistment leave.

16              “(9) Reserve component inactive-duty training  
17       performed outside the normal commuting distance of  
18       the member’s permanent residence.

19              “(10) Ready Reserve muster duty.

20              “(11) Unusual, extraordinary, hardship, or  
21       emergency circumstances.

22              “(12) Missing status, as determined by the Sec-  
23       retary concerned under chapter 10 of this title.

1           “(13) Attendance at or participation in inter-  
2           national sports competitions described under section  
3           717 of title 10.

4           “(c) MATTERS INCLUDED.—Travel and transpor-  
5           tation allowances which may be provided under subsection  
6           (a) include the following:

7           “(1) Allowances for transportation, lodging, and  
8           meals.

9           “(2) Dislocation or relocation allowance paid in  
10          connection with a change in a member’s temporary  
11          or permanent duty assignment location.

12          “(3) Other related miscellaneous expenses.

13          “(d) MODE OF PROVIDING TRAVEL AND TRANSPOR-  
14          TATION ALLOWANCES.—Any authorized travel and trans-  
15          portation may be provided—

16                 “(1) as an actual expense;

17                 “(2) as an authorized allowance;

18                 “(3) in-kind; or

19                 “(4) using a combination of the authorities  
20          under paragraphs (1), (2), and (3).

21          “(e) TRAVEL AND TRANSPORTATION ALLOWANCES  
22          WHEN TRAVEL ORDERS ARE MODIFIED, ETC.—A mem-  
23          ber of a uniformed service or other authorized person  
24          whose travel and transportation order or authorization is  
25          canceled, revoked, or modified may be allowed actual and

1 necessary expenses or travel and transportation allow-  
2 ances.

3 “(f) ADVANCE PAYMENTS.—A member of the uni-  
4 formed services or other authorized person may be allowed  
5 advance payments for authorized travel and transpor-  
6 tation allowances.

7 “(g) RESPONSIBILITY FOR UNAUTHORIZED EX-  
8 PENSES.—Any unauthorized travel or transportation ex-  
9 pense is not the responsibility of the United States.

10 “(h) RELATIONSHIP TO OTHER AUTHORITIES.—The  
11 administering Secretary may not provide payment under  
12 this section for an expense for which payment may be pro-  
13 vided from any other appropriate Government or non-Gov-  
14 ernment entity.

15 **“§ 453. Allowable travel and transportation: specific**  
16 **authorities**

17 “(a) IN GENERAL.—In addition to any other author-  
18 ity for the provision of travel and transportation allow-  
19 ances, the administering Secretaries may provide travel  
20 expenses and transportation expenses under this sub-  
21 chapter in accordance with this section:

22 “(b) AUTHORIZED ABSENCE FROM TEMPORARY  
23 DUTY LOCATION.—A member of a uniformed service or  
24 other authorized traveler may be allowed travel expenses  
25 and transportation allowances incurred at a temporary

1 duty location during an authorized absence from that loca-  
2 tion.

3 “(c) MOVEMENT OF PERSONAL PROPERTY.—

4 “(1) A member of a uniformed service or other  
5 authorized person may be allowed moving expenses  
6 and transportation allowances associated with the  
7 movement of personal property and household goods,  
8 including such expenses when associated with a self-  
9 move.

10 “(2) The authority in paragraph (1) includes  
11 the movement and temporary and non-temporary  
12 storage of personal property, household goods, and  
13 privately-owned vehicles in connection with the tem-  
14 porary or permanent move between authorized loca-  
15 tions.

16 “(3) For movement of household goods, the ad-  
17 ministering Secretaries shall prescribe weight allow-  
18 ances in regulations under section 463 of this title.  
19 The prescribed weight allowances may not exceed  
20 18,000 pounds (including packing, crating, and  
21 household goods in temporary storage), except that  
22 the administering Secretary may authorize addi-  
23 tional weight allowances as necessary.

24 “(4) The administering Secretary may prescribe  
25 the terms, rates, and conditions that authorize a

1 member of the uniformed services to ship or store a  
2 privately owned vehicle.

3 “(5) No carrier, port agent, warehouseman,  
4 freight forwarder, or other person involved in the  
5 transportation of property may have any lien on, or  
6 hold, impound, or otherwise interfere with, the move-  
7 ment of baggage and household goods being trans-  
8 ported under this section.

9 “(d) UNUSUAL OR EMERGENCY CIRCUMSTANCES.—  
10 A member of the uniformed services or other authorized  
11 person may be provided travel and transportation allow-  
12 ances under this section for unusual, extraordinary, hard-  
13 ship, or emergency circumstances, including under cir-  
14 cumstances warranting evacuation from a permanent duty  
15 assignment location.

16 “(e) PARTICULAR SEPARATION PROVISIONS.—The  
17 administering Secretary may provide travel and transpor-  
18 tation in kind for the following persons in accordance with  
19 regulations prescribed under section 463 of this title:

20 “(1) A member who is retired, or is placed on  
21 the temporary disability retired list, under chapter  
22 61 of title 10.

23 “(2) A member who is retired with pay under  
24 any other law or who, immediately following at least  
25 eight years of continuous active duty with no single

1 break therein of more than 90 days, is discharged  
2 with separation pay or is involuntarily released from  
3 active duty with separation pay or readjustment pay.

4 “(3) A member who is discharged under section  
5 1173 of title 10.

6 “(f) ATTENDANCE AT MEMORIAL CEREMONIES AND  
7 SERVICES.—A family member or member of the uni-  
8 formed services who attends a deceased member’s repatri-  
9 ation, burial, or memorial ceremony or service may be pro-  
10 vided travel and transportation allowances to the extent  
11 provided in regulations prescribed under section 463 of  
12 this title.

13 **“§ 454. Travel and transportation pilot programs**

14 “(a) PILOT PROGRAMS.—Except as otherwise prohib-  
15 ited by law, the Secretary of Defense may conduct pilot  
16 programs to evaluate alternative travel and transportation  
17 programs, policies, and processes for Department of De-  
18 fense authorized travelers. Such pilot programs shall be  
19 conducted so as to evaluate one or more of the following:

20 “(1) Alternative methods for performing and  
21 reimbursing travel.

22 “(2) Means for limiting the need for travel.

23 “(3) Means for reducing the environmental im-  
24 pact of travel.



1       “(b) WAIVER AUTHORITY.—Subject to subsection  
2 (c), the administering Secretary may waive any otherwise  
3 applicable provision of law to the extent determined nec-  
4 essary by the Secretary for the purposes of carrying out  
5 a pilot program under subsection (a).

6       “(c) LIMITATION.—The authority to carry out a pro-  
7 gram under subsection (a) is subject to the availability of  
8 appropriated funds.

9           “SUBCHAPTER II—ADMINISTRATIVE

10                                       PROVISIONS

11       “§ 461. Relationship to other travel and transpor-  
12                                       tation authorities

13       “A member of a uniformed service or other author-  
14 ized traveler may not be paid travel and transportation  
15 allowances or receive travel and transportation-in-kind, or  
16 a combination thereof, under both subchapter I and sub-  
17 chapter III for Government official travel and transpor-  
18 tation performed under a single or related travel and  
19 transportation order or authorization by the administering  
20 Secretary.

1 **“§ 462. Travel and transportation expenses paid to**  
2 **members that are unauthorized or in ex-**  
3 **cess of authorized amounts: requirement**  
4 **for repayment**

5 “(a) REPAYMENT REQUIRED.—Except as provided in  
6 subsection (b), a member of the uniformed services or  
7 other person who is paid travel and transportation allow-  
8 ances under subchapter I shall repay to the United States  
9 any amount of such payment that is determined to be un-  
10 authorized or in excess of the applicable authorized  
11 amount.

12 “(b) EXCEPTION.—The regulations prescribed to ad-  
13 minister this subchapter shall specify procedures for deter-  
14 mining the circumstances under which a repayment excep-  
15 tion may be granted.

16 “(c) EFFECT OF BANKRUPTCY.—An obligation to  
17 repay the United States under this section is, for all pur-  
18 poses, a debt owed the United States. A discharge in bank-  
19 ruptcy under title 11 does not discharge a person from  
20 such debt if the discharge order is entered less than five  
21 years after the date on which the debt was incurred.

22 **“§ 463. Regulations**

23 “This subchapter and subchapter I shall be adminis-  
24 tered under terms, rates, conditions, and regulations pre-  
25 scribed by the Secretary of Defense in consultation with  
26 the other administering Secretaries for members of the

1 uniformed services. Such regulations shall be uniform for  
 2 the Department of Defense and shall be apply as uni-  
 3 formly as practicable to the uniformed services under the  
 4 jurisdiction of the other administering Secretaries.”.

5 **SEC. 633. OLD-LAW TRAVEL AND TRANSPORTATION AU-**  
 6 **THORITIES TRANSITION EXPIRATION DATE**  
 7 **AND TRANSFER OF CURRENT SECTIONS.**

8 (a) CREATION OF SUBCHAPTER III AND TRANSITION  
 9 EXPIRATION DATE.—Chapter 8 of title 37, United States  
 10 Code, as added by section 632, is amended by adding at  
 11 the end the following new subchapter:

12 “SUBCHAPTER III—TRAVEL AND  
 13 TRANSPORTATION AUTHORITIES—OLD LAW  
 14 **“§ 471. Travel authorities transition expiration date**

15 “In this subchapter, the term ‘travel authorities tran-  
 16 sition expiration date’ means the last day of the 10-year  
 17 period beginning on the first day of the first month begin-  
 18 ning after the date of the enactment of the National De-  
 19 fense Authorization Act for Fiscal Year 2012.

20 **“§ 472. Definitions and other incorporated provisions**  
 21 **of chapter 7**

22 “(a) DEFINITIONS.—The definitions contained in  
 23 section 401 of this title apply to this subchapter.

24 “(b) OTHER PROVISIONS.—Sections 421 and 423 of  
 25 this title apply to this subchapter.”.

## 1 (b) TRANSFER OF SECTIONS.—

2 (1) TRANSFER TO SUBCHAPTER I.—Section 412  
 3 of title 37, United States Code, is transferred to  
 4 chapter 8 of such title, as added by section 632, in-  
 5 serted after section 454, and redesignated as section  
 6 455.

7 (2) TRANSFER OF CURRENT CHAPTER 7 AU-  
 8 THORITIES TO SUBCHAPTER III.—Sections 404,  
 9 404a, 404b, 405, 405a, 406, 406a, 406b, 406c, 407,  
 10 408, 408a (as amended by section 621 of this Act),  
 11 409, 410, 411, 411a through 411k, 428 through  
 12 432, 434, and 435 of title 37, United States Code,  
 13 are transferred (in that order) to chapter 8 of such  
 14 title, as added by section 632 and amended by sub-  
 15 section (a), inserted after section 472, and redesi-  
 16 gnated 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

Original section:	Redesignated section:
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

1           (3) TRANSFER OF SECTION 554.—Section 554  
2           of title 37, United States Code, is transferred to  
3           chapter 8 of such title, as added by section 632 and  
4           amended by subsection (a), inserted after section  
5           481k (as transferred and redesignated by paragraph  
6           (2)), and redesignated as section 484.

7 **SEC. 634. ADDITION OF SUNSET PROVISION TO OLD-LAW**  
8                                   **TRAVEL AND TRANSPORTATION AUTHORI-**  
9                                   **TIES.**

10           Provisions of subchapter III of chapter 8 of title 37,  
11           United States Code, as transferred and redesignated by  
12           section 633(b), are amended as follows:

13           (1) Section 474 is amended by adding at the  
14           end the following new subsection:

15           “(h) TERMINATION.—No travel and transportation  
16           allowance or reimbursement may be provided under this

1 section for travel that begins after the travel authorities  
2 transition expiration date.”.

3 (2) Section 474a is amended by adding at the  
4 end the following new subsection:

5 “(f) TERMINATION.—No payment or reimbursement  
6 may be provided under this section with respect to a  
7 change of permanent station for which orders are issued  
8 after the travel authorities transition expiration date.”.

9 (3) Section 474b is amended by adding at the  
10 end the following new subsection:

11 “(e) TERMINATION.—No payment or reimbursement  
12 may be provided under this section with respect to an au-  
13 thorized absence that begins after the travel authorities  
14 transition expiration date.”.

15 (4) Section 475 is amended by adding at the  
16 end the following new subsection:

17 “(f) TERMINATION.—During and after the travel au-  
18 thorities expiration date, no per diem may be paid under  
19 this section for any period.”.

20 (5) Section 475a is amended by adding at the  
21 end the following new subsection:

22 “(c) TERMINATION.—During and after the travel au-  
23 thorities expiration date, no allowance under subsection  
24 (a) or transportation or reimbursement under subsection

1 (b) may be provided with respect to an authority or order  
2 to depart.”.

3 (6) Section 476 is amended by adding at the  
4 end the following new subsection:

5 “(n) TERMINATION.—No transportation, reimburse-  
6 ment, allowance, or per diem may be provided under this  
7 section—

8 “(1) with respect to a change of temporary or  
9 permanent station for which orders are issued after  
10 the travel authorities transition expiration date; or

11 “(2) in a case covered by this section when such  
12 orders are not issued, with respect to a movement of  
13 baggage or household effects that begins after such  
14 date.”.

15 (7) Section 476b is amended by adding at the  
16 end the following new subsection:

17 “(e) TERMINATION.—No transportation or allowance  
18 may be provided under this section for travel that begins  
19 after the travel authorities transition expiration date.”.

20 (8) Section 476c is amended by adding at the  
21 end the following new subsection:

22 “(e) TERMINATION.—No transportation or allowance  
23 may be provided under this section for travel that begins  
24 after the travel authorities transition expiration date.”.

1           (9) Section 477 is amended by adding at the  
2           end the following new subsection:

3           “(i) TERMINATION.—No dislocation allowance may  
4 be paid under this section for a move that begins after  
5 the travel authorities transition expiration date.”.

6           (10) Section 478 is amended by adding at the  
7           end the following new subsection:

8           “(c) TERMINATION.—No travel and transportation  
9 allowance, payment, or reimbursement may be provided  
10 under this section for travel that begins after the travel  
11 authorities transition expiration date.”.

12           (11) Section 479 is amended by adding at the  
13           end the following new subsection:

14           “(e) TERMINATION.—No transportation of a house  
15 trailer or mobile home, or storage or payment in connec-  
16 tion therewith, may be provided under this section for  
17 transportation that begins after the travel authorities  
18 transition expiration date.”.

19           (12) Section 481 is amended by adding at the  
20           end the following new subsection:

21           “(e) TERMINATION.—The regulations prescribed  
22 under this section shall cease to be in effect as of the trav-  
23 el authorities transition expiration date.”.

24           (13) Section 481a is amended by adding at the  
25           end the following new subsection:



1       “(c) TERMINATION.—No travel and transportation  
2 allowance may be provided under this section for travel  
3 that is authorized after the travel authorities transition  
4 expiration date.”.

5           (14) Section 481b is amended by adding at the  
6 end the following new subsection:

7       “(h) TERMINATION.—No travel and transportation  
8 allowance may be provided under this section for travel  
9 that is authorized after the travel authorities transition  
10 expiration date.”.

11          (15) Section 481c is amended by adding at the  
12 end the following new subsection:

13       “(c) TERMINATION.—No transportation may be pro-  
14 vided under this section after the travel authorities transi-  
15 tion expiration date, and no payment may be made under  
16 this section for transportation that begins after that  
17 date.”.

18          (16) Section 481d is amended by adding at the  
19 end the following new subsection:

20       “(d) TERMINATION.—No transportation may be pro-  
21 vided under this section after the travel authorities transi-  
22 tion expiration date.”.

23          (17) Section 481e is amended by adding at the  
24 end the following new subsection:

1       “(c) TERMINATION.—No travel and transportation  
2 allowance or reimbursement may be provided under this  
3 section for travel that begins after the travel authorities  
4 transition expiration date.”.

5           (18) Section 481f is amended by adding at the  
6 end the following new subsection:

7       “(h) TERMINATION.—No travel and transportation  
8 allowance or reimbursement may be provided under this  
9 section for travel that begins after the travel authorities  
10 transition expiration date.”.

11          (19) Section 481h is amended by adding at the  
12 end the following new subsection:

13       “(e) TERMINATION.—No transportation, allowance,  
14 reimbursement, or per diem may be provided under this  
15 section for travel that begins after the travel authorities  
16 transition expiration date.”.

17          (20) Section 481i is amended by adding at the  
18 end the following new subsection:

19       “(c) TERMINATION.—No reimbursement may be pro-  
20 vided under this section for expenses incurred after the  
21 travel authorities transition expiration date.”.

22          (21) Section 481j is amended by adding at the  
23 end the following new subsection:

24       “(e) TERMINATION.—No transportation, allowance,  
25 reimbursement, or per diem may be provided under this

1 section for travel that begins after the travel authorities  
2 transition expiration date.”.

3 (22) Section 481k is amended by adding at the  
4 end the following new subsection:

5 “(e) TERMINATION.—No transportation, allowance,  
6 or reimbursement may be provided under this section for  
7 travel that begins after the travel authorities transition ex-  
8 piration date.”.

9 (23) Section 484 is amended by adding at the  
10 end the following new subsection:

11 “(k) TERMINATION.—No transportation, allowance,  
12 or reimbursement may be provided under this section for  
13 a move that begins after the travel authorities transition  
14 expiration date.”.

15 (24) Section 488 is amended—

16 (A) by inserting “(a) AUTHORITY.—” be-  
17 fore “In addition”; and

18 (B) by adding at the end the following new  
19 subsection:

20 “(b) TERMINATION.—No reimbursement may be pro-  
21 vided under this section for expenses incurred after the  
22 travel authorities transition expiration date.”.

23 (25) Section 489 is amended—

24 (A) by inserting “(a) AUTHORITY.—” be-  
25 fore “In addition”; and

1 (B) by adding at the end the following new  
2 subsection:

3 “(e) TERMINATION.—No transportation or allowance  
4 may be provided under this section for travel that begins  
5 after the travel authorities transition expiration date.”.

6 (26) Section 490 is amended by adding at the  
7 end the following new subsection:

8 “(g) TERMINATION.—No transportation, allowance,  
9 reimbursement, or per diem may be provided under this  
10 section for travel that begins after the travel authorities  
11 transition expiration date.”.

12 (27) Section 492 is amended by adding at the  
13 end the following new subsection:

14 “(c) TERMINATION.—No transportation or allowance  
15 may be provided under this section for travel that begins  
16 after the travel authorities transition expiration date.”.

17 (28) Section 494 is amended by adding at the  
18 end the following new subsection:

19 “(d) TERMINATION.—No reimbursement may be pro-  
20 vided under this section for expenses incurred after the  
21 travel authorities transition expiration date.”.

22 (29) Section 495 is amended by adding at the  
23 end the following new subsection:

1       “(c) TERMINATION.—No allowance may be paid  
2 under this section for any day after the travel authorities  
3 transition expiration date.”.

4 **SEC. 635. TECHNICAL AND CLERICAL AMENDMENTS.**

5       (a) CHAPTER HEADING.—The heading of chapter 7  
6 of title 37, United States Code, is amended to read as  
7 follows:

8 **“CHAPTER 7—ALLOWANCES OTHER THAN**  
9 **TRAVEL AND TRANSPORTATION AL-**  
10 **LOWANCES”.**

11       (b) TABLE OF CHAPTERS.—The table of chapters  
12 preceding chapter 1 of such title is amended by striking  
13 the item relating to chapter 7 and inserting the following  
14 new items:

“7. Allowances Other Than Travel and Transportation Allowances .....	401
“8. Travel and Transportation Allowances .....	451”.

15       (c) TABLE OF SECTIONS.—

16           (1) CHAPTER 7.—The table of sections at the  
17 beginning of chapter 7 of such title is amended by  
18 striking the items relating to sections 404 through  
19 412, 428 through 432, 434, and 435.

20           (2) CHAPTER 8.—The table of sections at the  
21 beginning of chapter 8 of such title, as added by sec-  
22 tion 632, is amended—

23                   (A) by inserting after the item relating to  
24 section 454 the following new item:

“455. Appropriations for travel: may not be used for attendance at certain meetings.”; and

1 (B) by inserting after the item relating to  
 2 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.”.

1           (3) CHAPTER 10.—The table of sections at the  
2           beginning of chapter 10 of such title is amended by  
3           striking the item relating to section 554.

4           (d) CROSS REFERENCES.—

5           (1) DEFENSE LAWS.—Any section of title 10,  
6           32, or 37, United States Code, that includes a refer-  
7           ence to a section of title 37 that is transferred and  
8           redesignated by section 633 is amended so as to con-  
9           form the reference to the section number of the sec-  
10          tion as so redesignated.

11          (2) OTHER LAWS.—Any reference in a provision  
12          of law other than a section of title 10 or 37, United  
13          States Code, to a section of title 37 that is trans-  
14          ferred and redesignated by section 633 is deemed to  
15          refer to the section as so redesignated.

16 **SEC. 636. TRANSITION PROVISIONS.**

17          (a) IMPLEMENTATION PLAN.—The Secretary of De-  
18          fense shall develop a plan to implement subchapters I and

1 II of chapter 8 of title 37, United States Code, as added  
2 by section 632, and to transition all of the travel and  
3 transportation programs for members of the uniformed  
4 services under chapter 7 of title 37, United States Code,  
5 solely to provisions of those subchapters by the end of the  
6 transition period.

7 (b) AUTHORITY FOR MODIFICATIONS TO OLD LAW  
8 AUTHORITIES DURING TRANSITION PERIOD.—During the  
9 transition period, the Secretary of Defense and the Secre-  
10 taries concerned (as defined in section 101(5) of title 37,  
11 United States Code), in using the authorities under sub-  
12 chapter III of chapter 8 of title 37, United States Code,  
13 as added by section 633, may apply those authorities sub-  
14 ject to the terms of such provisions and such modifications  
15 as the Secretary of Defense may include in the implemen-  
16 tation plan required under subsection (a) or in any subse-  
17 quent modification to that implementation plan.

18 (c) COORDINATION.—The Secretary of Defense shall  
19 prepare the implementation plan under subsection (a) and  
20 any modification to that plan under subsection (b) in co-  
21 ordination with—

22 (1) the Secretary of Homeland Security, with  
23 respect to the Coast Guard;



1           (2) the Secretary of Health and Human Serv-  
2           ices, with respect to the commissioned corps of the  
3           Public Health Service; and

4           (3) the Secretary of Commerce, with respect to  
5           the National Oceanic and Atmospheric Administra-  
6           tion.

7           (d) TRANSITION PERIOD.—In this section, the term  
8           “transition period” means the 10-year period beginning  
9           on the first day of the first month beginning after the date  
10          of the enactment of this Act.

11       **Subtitle E—Commissary and Non-**  
12       **appropriated Fund Instrumen-**  
13       **tality Benefits and Operations**

14       **SEC. 641. EXPANSION OF USE OF UNIFORM FUNDING AU-**  
15                               **THORITY TO INCLUDE PERMANENT CHANGE**  
16                               **OF STATION AND TEMPORARY DUTY LODG-**  
17                               **ING PROGRAMS OPERATED THROUGH NON-**  
18                               **APPROPRIATED FUND INSTRUMENTALITIES.**

19           (a) INCLUSION OF ADDITIONAL PROGRAMS.—Sub-  
20           section (a) of section 2491 of title 10, United States Code,  
21           is amended—

22                   (1) by striking “Under regulations” and insert-  
23           ing “(1) Under regulations”;

1           (2) by striking “morale, welfare, and recreation  
2 programs” the first place it appears and inserting  
3 “a program specified in paragraph (2)”;

4           (3) by striking “morale, welfare, and recreation  
5 programs” the second place it appears and inserting  
6 “such programs”; and

7           (4) by adding at the end the following new  
8 paragraph:

9           “(2) This section applies with respect to the fol-  
10 lowing:

11           “(A) Morale, welfare, and recreation programs  
12 of the Department of Defense.

13           “(B) Permanent change of station and tem-  
14 porary duty lodging programs conducted as supple-  
15 mental mission programs of the Department of De-  
16 fense.”.

17           (b) CONFORMING AMENDMENTS.—Such section is  
18 further amended—

19           (1) in subsection (b), by striking “morale, wel-  
20 fare, and recreation program” and inserting “pro-  
21 gram specified in subsection (a)(2)”;

22           (2) in subsection (c)(1), by striking “morale,  
23 welfare, and recreation programs within the Depart-  
24 ment of Defense” and inserting “a program speci-  
25 fied in subsection (a)(2)”.

1 (c) CLERICAL AMENDMENTS.—

2 (1) SECTION HEADING.—The heading of such  
3 section is amended to read as follows:

4 **“§ 2491. Uniform funding and management of morale,  
5 welfare, and recreation programs and  
6 certain supplemental mission programs”.**

7 (2) TABLE OF SECTIONS.—The table of sections  
8 at the beginning of subchapter III of chapter 147 of  
9 such title is amended by striking the item relating  
10 to section 2491 and inserting the following new  
11 item:

“2491. Uniform funding and management of morale, welfare, and recreation  
programs and certain supplemental mission programs.”.

12 **SEC. 642. CONTRACTING AUTHORITY FOR NON-**  
13 **APPROPRIATED FUND INSTRUMENTALITIES**  
14 **TO PROVIDE AND OBTAIN GOODS AND SERV-**  
15 **ICES.**

16 (a) CLARIFICATION OF MULTI-YEAR AND PARTNER-  
17 SHIP ISSUES.—Section 2492 of title 10, United States  
18 Code, is amended to read as follows:

19 **“§ 2492. Nonappropriated fund instrumentalities:**  
20 **contracting authority to provide and ob-**  
21 **tain goods and services**

22 “(a) CONTRACT AUTHORITY.—An agency or instru-  
23 mentality of the Department of Defense that supports the  
24 operation of the exchange system, or the operation of a

1 morale, welfare, and recreation system, of the Department  
2 of Defense may enter into a single-year or multi-year con-  
3 tract or other agreement to provide or obtain goods and  
4 services beneficial to the efficient management and oper-  
5 ation of the exchange system or that morale, welfare, and  
6 recreation system with any of the following:

7           “(1) Another element of the Department of De-  
8           fense.

9           “(2) Another Federal department, agency, or  
10          instrumentality.

11          “(3) A private-sector entity.

12          “(b) INCLUSION OF CERTAIN SERVICES.—Contracts  
13 and other agreements authorized by subsection (a) may  
14 include a contract or agreement to provide or obtain rec-  
15 reational, educational, family support, or youth develop-  
16 mental programs and services.

17          “(c) PARTNERSHIPS.—Contracts and other agree-  
18 ments authorized by subsection (a) may include partner-  
19 ships with private-sector entities that provide programs  
20 and services at no cost to the Government on military in-  
21 stallations using Government facilities and other support  
22 resources.”.

23          (b) CLERICAL AMENDMENT.—The table of sections  
24 at the beginning of subchapter III of chapter 147 of such

1 title is amended by striking the item relating to section  
2 2492 and inserting the following new item:

“2492. Nonappropriated fund instrumentalities: contracting authority to provide  
and obtain goods and services.”.

3 **SEC. 643. DESIGNATION OF FISHER HOUSE FOR THE FAMI-**  
4 **LIES OF THE FALLEN AND MEDITATION PA-**  
5 **VILION AT DOVER AIR FORCE BASE AS A**  
6 **FISHER HOUSE.**

7 Section 2493 of title 10, United States Code, is  
8 amended by adding at the end the following new sub-  
9 section:

10 “(h) TREATMENT OF FISHER HOUSE FOR THE FAMI-  
11 LIES OF THE FALLEN AND MEDITATION PAVILION,  
12 DOVER AIR FORCE BASE.—(1) The Fisher House for the  
13 Families of the Fallen and Meditation Pavilion at Dover  
14 Air Force Base, Delaware, is deemed to be a Fisher House  
15 for purposes of this section and any other law applicable  
16 to Fisher Houses and Fisher Suites.

17 “(2) The Fisher House for the Families of the Fallen  
18 and Meditation Pavilion at Dover Air Force Base shall  
19 be available for use by the following:

20 “(A) The primary next of kin of a member of  
21 the armed forces who dies while located or serving  
22 overseas.

1           “(B) Other family members of the member eli-  
2           gible for transportation under section 411f(e) of title  
3           37.

4           “(C) An escort of a family member described in  
5           subparagraph (A) or (B).”.

6 **SEC. 644. DISCRETION OF THE SECRETARY OF THE NAVY**  
7                           **TO SELECT CATEGORIES OF MERCHANDISE**  
8                           **TO BE SOLD BY SHIP STORES AFLOAT.**

9           Section 7604(c) of title 10, United States Code, is  
10          amended by striking “shall” and inserting “may”.

11 **SEC. 645. ACCESS OF MILITARY EXCHANGE STORES SYS-**  
12                           **TEM TO CREDIT AVAILABLE THROUGH FED-**  
13                           **ERAL FINANCING BANK.**

14          Section 2487 of title 10, United States Code, is  
15          amended by adding at the end the following new sub-  
16          section:

17          “(c) ACCESS OF EXCHANGE STORES SYSTEM TO  
18          FEDERAL FINANCING BANK.—To facilitate the provision  
19          of in-store credit to patrons of the exchange stores system  
20          while reducing the costs of providing such credit, the Army  
21          and Air Force Exchange Service, Navy Exchange Service  
22          Command, and Marine Corps exchanges may issue and  
23          sell their obligations to the Federal Financing Bank as  
24          provided in section 6 of the Federal Financing Bank Act  
25          of 1973 (12 U.S.C. 2285).”.

1 **SEC. 646. ENHANCED COMMISSARY STORES PILOT PRO-**  
2 **GRAM.**

3 (a) AUTHORITY TO OPERATE ENHANCED COM-  
4 MISSARY STORES.—Subchapter II of chapter 147 of title  
5 10, United States Code, is amended by inserting after sec-  
6 tion 2488 the following new section:

7 **“§ 2488a. Enhanced commissary stores**

8 “(a) AUTHORITY TO OPERATE.—The Defense Com-  
9 missary Agency may operate an enhanced commissary  
10 store at a military installation designated for closure or  
11 adverse realignment under a base closure law.

12 “(b) ADDITIONAL CATEGORIES OF MERCHANDISE.—  
13 (1) In addition to selling items in the merchandise cat-  
14 egories specified in subsection (b) of section 2484 of this  
15 title in the manner provided by such section, an enhanced  
16 commissary store also may sell items in the following cat-  
17 egories as commissary merchandise:

18 “(A) Alcoholic beverages.

19 “(B) Tobacco products.

20 “(C) Items in such other merchandise cat-  
21 egories (not covered by subsection (b) of section  
22 2484 of this title) as the Secretary of Defense may  
23 authorize.

24 “(2) Subsections (c) and (g) of section 2484 of this  
25 title shall not apply with regard to the selection, or method  
26 of sale, of merchandise in the categories specified in sub-

1 paragraphs (A) and (B) of paragraph (1) or in any other  
2 merchandise category authorized under subparagraph (C)  
3 of such paragraph for sale in, at, or by an enhanced com-  
4 missary store.

5       “(c) SALES PRICE ESTABLISHMENT AND SUR-  
6 CHARGE.—Subsections (d) and (e) of section 2484 of this  
7 title shall not apply to the pricing of merchandise in the  
8 categories specified in subparagraphs (A) and (B) of para-  
9 graph (1) of subsection (b) or in any other merchandise  
10 category authorized under subparagraph (C) of such para-  
11 graph for sale in, at, or by an enhanced commissary store.  
12 Instead, the Secretary of Defense shall determine appro-  
13 priate prices for such merchandise sold in, at, or by an  
14 enhanced commissary store, except that prices for such  
15 merchandise shall be at least 10 percent below the average  
16 price of comparable merchandise sold in retail stores with-  
17 in the geographic area of the enhanced commissary store.

18       “(d) RETENTION AND USE OF PORTION OF PRO-  
19 CEEDS.—(1) The Secretary of Defense may retain  
20 amounts equal to the difference between—

21               “(A) the retail price of merchandise in the cat-  
22 egories specified in subparagraphs (A) and (B) of  
23 paragraph (1) of subsection (b) and in other mer-  
24 chandise categories authorized under subparagraph



1 (C) of such paragraph for sale in, at, or by an en-  
2 hanced commissary store; and

3 “(B) the invoice cost of such merchandise.

4 “(2) The Secretary of Defense shall use amounts re-  
5 tained under paragraph (1) for an enhanced commissary  
6 store to help offset the operating costs of that enhanced  
7 commissary store.

8 “(e) SUBSTANCE ABUSE PREVENTION PROGRAMS.—  
9 On account of the types of merchandise authorized to be  
10 sold in an enhanced commissary store, the Secretary of  
11 Defense may use amounts retained under subsection  
12 (d)(1) for the enhanced commissary store to support sub-  
13 stance abuse prevention programs for patrons of the store  
14 while ensuring that the store receives necessary operating  
15 funds.

16 “(f) DURATION OF AUTHORITY.—An enhanced com-  
17 missary store may not be operated under the authority  
18 of this section before October 1, 2011, or after December  
19 31, 2013.”.

20 (b) CLERICAL AMENDMENT.—The table of sections  
21 at the beginning of such chapter is amended by inserting  
22 after the item relating to section 2488 the following new  
23 item:

“2488a. Enhanced commissary stores.”.

24 (c) SUBSTANCE ABUSE PREVENTION PROGRAMS.—

1           (1) AVAILABILITY OF FUNDS.—The amounts  
2 authorized to be appropriated by section 301 for op-  
3 eration and maintenance for Defense-wide activities,  
4 as specified in the corresponding funding table in  
5 section 4301, is increased by \$1,000,000 to support  
6 substance abuse prevention programs for patrons of  
7 enhanced commissary stores.

8           (2) FUNDING REDUCTION.—Notwithstanding  
9 the amounts set forth in the funding tables in divi-  
10 sion D, the amount authorized to be appropriated in  
11 section 201 for research, development, test, and  
12 evaluation, Army, as specified in the corresponding  
13 funding table in division D, is hereby reduced by  
14 \$1,000,000, with the amount of the reduction to be  
15 derived from the Aerostat Joint Project Office as set  
16 forth in the table under section 4201.

1 **Subtitle F—Disability, Retired Pay**  
2 **and Survivor Benefits**

3 **SEC. 651. MONTHLY AMOUNT AND DURATION OF SPECIAL**  
4 **SURVIVOR INDEMNITY ALLOWANCE FOR WID-**  
5 **OWS AND WIDOWERS OF DECEASED MEM-**  
6 **BERS OF THE ARMED FORCES AFFECTED BY**  
7 **REQUIRED SURVIVOR BENEFIT PLAN ANNU-**  
8 **ITY OFFSET FOR DEPENDENCY AND INDEM-**  
9 **NITY COMPENSATION.**

10 (a) PAYMENT AMOUNT PER FISCAL YEAR.—Para-  
11 graph (2) of section 1450(m) of title 10, United States  
12 Code, is amended—

13 (1) in subparagraph (E), relating to fiscal year  
14 2013, by striking “\$90” and inserting “\$163”;

15 (2) in subparagraph (F), relating to fiscal year  
16 2014, by striking “\$150” and inserting “\$200”;

17 (3) in subparagraph (G), relating to fiscal year  
18 2015, by striking “\$200” and inserting “\$215”;

19 (4) in subparagraph (H), relating to fiscal year  
20 2016, by striking “\$275; and” and inserting  
21 “\$282;”;

22 (5) in subparagraph (I), relating to fiscal year  
23 2017, by striking “\$310.” and inserting “\$314;”;  
24 and

1 (6) by adding at the end the following new sub-  
2 paragraphs:

3 “(J) for months during fiscal year 2018,  
4 \$9;

5 “(K) for months during fiscal year 2019,  
6 \$15;

7 “(L) for months during fiscal year 2020,  
8 \$20; and

9 “(M) for months during fiscal year 2021,  
10 \$27.”.

11 (b) DURATION.—Paragraph (6) of such section is  
12 amended—

13 (1) by striking “September 30, 2017” and in-  
14 serting “September 30, 2021”; and

15 (2) by striking “October 1, 2017” both places  
16 it appears and inserting “October 1, 2021”.

## 17 **Subtitle G—Other Matters**

### 18 **SEC. 661. REIMBURSEMENT OF AMERICAN NATIONAL RED** 19 **CROSS FOR HUMANITARIAN SUPPORT AND** 20 **OTHER SERVICES PROVIDED TO MEMBERS** 21 **OF THE ARMED FORCES AND THEIR DEPEND-** 22 **ENTS.**

23 Section 2602 of title 10, United States Code, is  
24 amended by adding at the end the following new sub-  
25 section:

1       “(f) The Secretary of Defense or the Secretary of a  
2 military department may reimburse the American Na-  
3 tional Red Cross for humanitarian support and other serv-  
4 ices approved by the Secretary that are provided to mem-  
5 bers of the Army, Navy, Air Force, and Marine Corps and  
6 their dependents. Such services may include identification  
7 and verification of family emergency circumstances and  
8 communications related to such circumstances.”.

9 **SEC. 662. TREATMENT OF MEMBERS OF THE ARMED**  
10 **FORCES AND CIVILIAN EMPLOYEES OF THE**  
11 **DEPARTMENT OF DEFENSE WHO WERE**  
12 **KILLED OR WOUNDED IN THE NOVEMBER 5,**  
13 **2009, ATTACK AT FORT HOOD, TEXAS.**

14       (a) TREATMENT.—For purposes of all applicable  
15 Federal laws, regulations, and policies, a member of the  
16 Armed Forces or civilian employee of the Department of  
17 Defense who was killed or wounded in the attack that oc-  
18 curred at Fort Hood, Texas, on November 5, 2009, shall  
19 be deemed as follows:

20           (1) In the case of a member, to have been killed  
21 or wounded in a combat zone as the result of an act  
22 of an enemy of the United States.

23           (2) In the case of a civilian employee of the De-  
24 partment of Defense—

1 (A) to have been killed or wounded while  
2 serving with the Armed Forces in a contingency  
3 operation; and

4 (B) to have been killed or wounded in a  
5 terrorist attack.

6 (b) EXCEPTION.—Subsection (a) shall not apply to  
7 a member of the Armed Forces whose death or wound as  
8 described in that subsection is the result of the willful mis-  
9 conduct of the member.

10 **SEC. 663. REPORT ON INCENTIVES FOR RECRUITMENT AND**  
11 **RETENTION OF HEALTH CARE PROFES-**  
12 **SIONALS FOR RESERVE COMPONENTS.**

13 Not later than 90 days after the date of the enact-  
14 ment of this Act, the Surgeons General of the Army, Navy,  
15 and Air Force shall submit to Congress a report on their  
16 staffing needs for health care professionals in the active  
17 and reserve components of the Armed Forces. Such report  
18 shall—

19 (1) identify the positions in most critical need  
20 for additional health care professionals, including—

21 (A) the number of physicians needed; and

22 (B) whether additional behavioral health  
23 professionals are needed to treat members of  
24 the Armed Forces for post traumatic stress dis-  
25 order and traumatic brain injury; and

1           (2) recommend incentives for healthcare profes-  
2           sionals with more than 20 years of clinical experi-  
3           ence to join the active or reserve components, includ-  
4           ing changes in age or length of service requirements  
5           to qualify for partial retired pay for non-regular  
6           service.

7           **TITLE VII—HEALTH CARE**  
8           **PROVISIONS**  
9           **Subtitle A—Improvements to**  
10          **Health Benefits**

11 **SEC. 701. ANNUAL ENROLLMENT FEES FOR CERTAIN RE-**  
12          **TIREES AND DEPENDENTS.**

13          (a) SENSE OF CONGRESS.—It is the sense of Con-  
14          gress that—

15               (1) career members of the uniformed services  
16               and their families endure unique and extraordinary  
17               demands and make extraordinary sacrifices over the  
18               course of a 20- to 30-year career in protecting free-  
19               dom for all Americans; and

20               (2) those decades of sacrifice constitute a sig-  
21               nificant pre-paid premium for health care during a  
22               career member’s retirement that is over and above  
23               what the member pays with money.

24          (b) ANNUAL ENROLLMENT FEES.—Section 1097(e)  
25          of title 10, United States Code, is amended—

1 (1) by striking “The Secretary of Defense” and  
2 inserting “(1) The Secretary of Defense”;

3 (2) by striking “A premium,” and inserting  
4 “Except as provided by paragraph (2), a premium,”;  
5 and

6 (3) by adding at the end the following new  
7 paragraph:

8 “(2) Beginning October 1, 2012, the Secretary of De-  
9 fense may only increase in any year the annual enrollment  
10 fees described in paragraph (1) by an amount equal to  
11 the percentage by which retired pay is increased under  
12 section 1401a of this title.”.

13 **SEC. 702. PROVISION OF FOOD TO CERTAIN MEMBERS AND**  
14 **DEPENDENTS NOT RECEIVING INPATIENT**  
15 **CARE IN MILITARY MEDICAL TREATMENT FA-**  
16 **CILITIES.**

17 (a) IN GENERAL.—Chapter 55 of title 10, United  
18 States Code, is amended by inserting after section 1078a  
19 the following new section:

20 **“§ 1078b. Provision of food to certain members and**  
21 **dependents not receiving inpatient care**  
22 **in military medical treatment facilities**

23 “(a) IN GENERAL.—(1) Under regulations prescribed  
24 by the Secretary of Defense, the Secretary may provide



1 food and beverages to an individual described in para-  
2 graph (2) at no cost to the individual.

3 “(2) An individual described in this paragraph is the  
4 following:

5 “(A) A member of the uniformed services or de-  
6 pendent—

7 “(i) who is receiving outpatient medical  
8 care at a military medical treatment facility;  
9 and

10 “(ii) whom the Secretary determines is un-  
11 able to purchase food and beverages while at  
12 such facility by virtue of receiving such care.

13 “(B) A member of the uniformed services or de-  
14 pendent who—

15 “(i) is a family member of an infant receiv-  
16 ing inpatient medical care at a military medical  
17 treatment facility; and

18 “(ii) provides care to the infant while the  
19 infant receives such inpatient medical care.

20 “(C) A member of the uniformed services or de-  
21 pendent whom the Secretary determines is under  
22 similar circumstances as a member or dependent de-  
23 scribed in subparagraph (A) or (B).

24 “(b) REGULATIONS.—The Secretary shall ensure  
25 that regulations prescribed under this section are con-

1 sistent with generally accepted practices in private medical  
2 treatment facilities.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of such chapter is amended by inserting  
5 after the item relating to section 1078a the following new  
6 item:

“1078b. Provision of food to certain members and dependents not receiving in-  
patient care in military medical treatment facilities.”.

7 (c) EFFECTIVE DATE.—The amendments made by  
8 this section shall take effect on the date that is 60 days  
9 after the date of the enactment of this Act.

10 **SEC. 703. BEHAVIORAL HEALTH SUPPORT FOR MEMBERS**  
11 **OF THE RESERVE COMPONENTS OF THE**  
12 **ARMED FORCES.**

13 (a) MENTAL HEALTH ASSESSMENTS.—Section  
14 1074a of title 10, United States Code, is amended—

15 (1) by redesignating subsection (h) as sub-  
16 section (i);

17 (2) by inserting after subsection (g) the fol-  
18 lowing new subsection (h):

19 “(h)(1) The Secretary of Defense shall provide to any  
20 member of the reserve components performing inactive-  
21 duty training during scheduled unit training assemblies  
22 access to mental health assessments with a licensed men-  
23 tal health professional who shall be available for referrals

1 during duty hours on the premises of the principal duty  
2 location of the member's unit.

3 “(2) Mental health services provided to a member  
4 under this subsection shall be at no cost to the member.”;  
5 and

6 (3) in subsection (i), as redesignated by para-  
7 graph (1), by striking “medical and dental readi-  
8 ness” and inserting “medical, dental, and behavioral  
9 health readiness”.

10 (b) BEHAVIORAL HEALTH SUPPORT.—

11 (1) IN GENERAL.—Each member of a reserve  
12 component of the Armed Forces participating in an-  
13 nual training or individual duty training shall have  
14 access, while so participating, to the behavioral  
15 health support programs for members of the reserve  
16 components described in paragraph (2).

17 (2) BEHAVIORAL HEALTH SUPPORT PRO-  
18 GRAMS.—The behavioral health support programs  
19 for member of the reserve components described in  
20 this paragraph shall include one or any combination  
21 of the following:

22 (A) Programs providing access to licensed  
23 mental health providers in armories, reserve  
24 centers, or other places for scheduled unit  
25 training assemblies.

1 (B) Programs providing training on suicide  
2 prevention and post-suicide response.

3 (C) Psychological health programs.

4 (D) Such other programs as the Secretary  
5 of Defense, in consultation with the Surgeon  
6 General for the National Guard of the State in  
7 which the members concerned reside, the Direc-  
8 tor of Psychological Health of the State in  
9 which the members concerned reside, the De-  
10 partment of Mental Health or the equivalent  
11 agency of the State in which the members con-  
12 cerned reside, or the Director of the Psycho-  
13 logical Health Program of the National Guard  
14 Bureau, considers appropriate.

15 (3) STATE DEFINED.—In this subsection, the  
16 term “State” has the meaning given that term in  
17 section 10001 of title 10, United States Code.

18 **SEC. 704. TRANSITION ENROLLMENT OF UNIFORMED SERV-**  
19 **ICES FAMILY HEALTH PLAN MEDICARE-ELI-**  
20 **GIBLE RETIREES TO TRICARE FOR LIFE.**

21 Section 724(e) of the National Defense Authorization  
22 Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C.  
23 1073 note) is amended—

1 (1) by striking “If a covered beneficiary” and  
 2 inserting “(1) Except as provided in paragraph (2),  
 3 if a covered beneficiary”; and

4 (2) by adding at the end the following new  
 5 paragraph:

6 “(2) After September 30, 2012, a covered beneficiary  
 7 (other than a beneficiary under section 1079 of title 10,  
 8 United States Code) who is also entitled to hospital insur-  
 9 ance benefits under part A of title XVIII of the Social  
 10 Security Act due to age may not enroll in the managed  
 11 care program of a designated provider unless the bene-  
 12 ficiary was enrolled in that program on September 30,  
 13 2012.”.

14 **SEC. 705. MENTAL HEALTH ASSESSMENTS FOR MEMBERS**  
 15 **OF THE ARMED FORCES DEPLOYED IN SUP-**  
 16 **PORT OF A CONTINGENCY OPERATION.**

17 (a) **MENTAL HEALTH EXAMINATIONS DURING A DE-**  
 18 **PLOYMENT.—**

19 (1) **IN GENERAL.—**Chapter 55 of title 10,  
 20 United States Code, is amended by inserting after  
 21 section 1074l the following new section:

1 **“§ 1074m. Mental health assessments for members of**  
2 **the armed forces deployed in support of a**  
3 **contingency operation**

4 “(a) MENTAL HEALTH ASSESSMENTS.—(1) The Sec-  
5 retary of Defense shall provide a person-to-person mental  
6 health assessment for each member of the armed forces  
7 who is deployed in support of a contingency operation as  
8 follows:

9 “(A) Once during the period beginning 60 days  
10 before the date of the deployment.

11 “(B) Once during each 180-day period in which  
12 the member is so deployed.

13 “(C) Once during the period beginning 90 days  
14 after the date of redeployment from the contingency  
15 operation and ending 180 days after such redeploy-  
16 ment date.

17 “(D) Subject to subsection (d), not later than  
18 once during each of—

19 “(i) the period beginning 180 days after  
20 the date of redeployment from the contingency  
21 operation and ending one year after such rede-  
22 ployment date;

23 “(ii) the period beginning one year after  
24 such redeployment date and ending two years  
25 after such redeployment date; and

1           “(iii) the period beginning two years after  
2           such redeployment date and ending three years  
3           after such redeployment date.

4           “(2) A mental health assessment is not required for  
5 a member of the armed forces under subparagraphs (C)  
6 and (D) of paragraph (1) if the Secretary determines  
7 that—

8           “(A) the member was not subjected or exposed  
9           to operational risk factors during deployment in the  
10          contingency operation concerned; or

11          “(B) providing such assessment to the member  
12          during the time periods under such subparagraphs  
13          would remove the member from forward deployment  
14          or put members or operational objectives at risk.

15          “(b) PURPOSE.—The purpose of the mental health  
16 assessments provided pursuant to this section shall be to  
17 identify post-traumatic stress disorder, traumatic brain in-  
18 jury, suicidal tendencies, and other behavioral health con-  
19 ditions identified among members of the armed forces de-  
20 scribed in subsection (a) in order to determine which such  
21 members are in need of additional care and treatment for  
22 such health conditions.

23          “(c) ELEMENTS.—(1) The mental health assessments  
24 provided pursuant to this section shall—

1           “(A) be performed by personnel trained and  
2 certified to perform such assessments and may be  
3 performed—

4           “(i) by licensed mental health professionals  
5 if such professionals are available and the use  
6 of such professionals for the assessments would  
7 not impair the capacity of such professionals to  
8 perform higher priority tasks; and

9           “(ii) by personnel at private facilities in ac-  
10 cordance with section 1074(c) of this title.

11           “(B) include a person-to-person dialogue be-  
12 tween members of the armed forces described in sub-  
13 section (a) and the professionals or personnel de-  
14 scribed by paragraph (1), as applicable, on such  
15 matters as the Secretary shall specify in order that  
16 the assessments achieve the purpose specified in sub-  
17 section (b) for such assessments;

18           “(C) be conducted in a private setting to foster  
19 trust and openness in discussing sensitive health  
20 concerns;

21           “(D) be provided in a consistent manner across  
22 the military departments; and

23           “(E) include a review of the health records of  
24 the member that are related to each previous deploy-  
25 ment of the member or other relevant activities of



1 the member while serving in the armed forces, as de-  
2 termined by the Secretary.

3 “(2) The Secretary may treat periodic health assess-  
4 ments and other person-to-person assessments that are  
5 provided to members of the armed forces, including exami-  
6 nations under section 1074f, as meeting the requirements  
7 for mental health assessments required under this section  
8 if the Secretary determines that such assessments and  
9 person-to-person assessments meet the requirements for  
10 mental health assessments established by this section.

11 “(d) CESSATION OF ASSESSMENTS.—No mental  
12 health assessment is required to be provided to an indi-  
13 vidual under subsection (a)(1)(D) after the individual’s  
14 discharge or release from the armed forces.

15 “(e) DIAGNOSES DURING DEPLOYMENT.—(1) In  
16 order to prevent suicide, self-harm, harm to others, and  
17 under-performance of members of the armed forces, the  
18 Secretary shall, with respect to a member described in  
19 paragraph (2)—

20 “(A) retire the member pursuant to section  
21 1201 of this title if such member is otherwise  
22 qualified for such retirement; or

23 “(B) redeploy such member from the con-  
24 tingency operation to a location where the mem-  
25 ber may receive appropriate medical treatment.

1       “(2) A member described in this paragraph is a mem-  
2 ber of the armed forces who, as a result of a mental health  
3 assessment conducted under subsection (a)(1)(B)—

4               “(A) is diagnosed with post-traumatic stress  
5 disorder, traumatic brain injury, suicidal tendencies,  
6 or other behavioral health condition; and

7               “(B) as part of such diagnosis, is determined  
8 to—

9                       “(i) require care or monitoring that the  
10 Secretary determines cannot be provided while  
11 the member is deployed in support of a contin-  
12 gency operation;

13                      “(ii) be at risk of self-harm or harming  
14 other members of the armed forces; or

15                      “(iii) be unable to perform duties assigned  
16 during such deployment.

17       “(f) SHARING OF INFORMATION.—(1) The Secretary  
18 of Defense shall share with the Secretary of Veterans Af-  
19 fairs such information on members of the armed forces  
20 that is derived from confidential mental health assess-  
21 ments, including mental health assessments provided pur-  
22 suant to this section and health assessments and other  
23 person-to-person assessments provided before the date of  
24 the enactment of this section as the Secretary of Defense  
25 and the Secretary of Veterans Affairs jointly consider ap-

1 appropriate to ensure continuity of mental health care and  
2 treatment of members of the armed forces during the  
3 transition from health care and treatment provided by the  
4 Department of Defense to health care and treatment pro-  
5 vided by the Department of Veterans Affairs.

6 “(2) Any sharing of information under paragraph (1)  
7 shall occur pursuant to a protocol jointly established by  
8 the Secretary of Defense and the Secretary of Veterans  
9 Affairs for purposes of this subsection. Any such protocol  
10 shall be consistent with the following:

11 “(A) Applicable provisions of the Wounded  
12 Warrior Act (title XVI of Public Law 110–181; 10  
13 U.S.C. 1071 note), including section 1614 of that  
14 Act (122 Stat. 443; 10 U.S.C. 1071 note).

15 “(B) Section 1720F of title 38.

16 “(3) Before each mental health assessment is con-  
17 ducted under subsection (a), the Secretary of Defense  
18 shall ensure that the member of the armed forces is noti-  
19 fied of the sharing of information with the Secretary of  
20 Veterans Affairs under this subsection.

21 “(g) REGULATIONS.—The Secretary of Defense, in  
22 consultation with the other administering Secretaries,  
23 shall prescribe regulations for the administration of this  
24 section.

1           “(h) REPORTS.—(1) Upon the issuance of the regula-  
2 tions prescribed under subsection (g), the Secretary of De-  
3 fense shall submit to Congress a report describing such  
4 regulations.

5           “(2)(A) Not later than 270 days after the date of  
6 the issuance of the regulations prescribed under sub-  
7 section (g), the Secretary shall submit to Congress an ini-  
8 tial report on the implementation of the regulations by the  
9 military departments.

10          “(B) Not later than two years after the date of the  
11 issuance of the regulations prescribed under subsection  
12 (g), the Secretary shall submit to Congress a report on  
13 the implementation of the regulations by the military de-  
14 partments. The report shall include an evidence-based as-  
15 sessment of the effectiveness of the mental health assess-  
16 ments provided pursuant to the regulations in achieving  
17 the purpose specified in subsection (b) for such assess-  
18 ments.”.

19           (2) CLERICAL AMENDMENT.—The table of sec-  
20 tions at the beginning of chapter 55 of such title is  
21 amended by inserting after the item relating to sec-  
22 tion 1074l the following new item:

“1074m. Mental health assessments for members of the armed forces deployed  
in support of a contingency operation.”.

23           (3) REGULATIONS.—The Secretary of Defense  
24 shall prescribe an interim final rule with respect to

1 the amendment made by paragraph (1), effective not  
2 later than 90 days after the date of the enactment  
3 of this Act.

4 (b) CONFORMING REPEAL.—Section 708 of the Na-  
5 tional Defense Authorization Act for Fiscal Year 2010  
6 (Public Law 111–84; 123 Stat. 2376; 10 U.S.C. 1074f  
7 note) is repealed.

8 **SEC. 706. TRICARE STANDARD FOR CERTAIN MEMBERS OF**  
9 **THE INDIVIDUAL READY RESERVE.**

10 (a) COVERAGE FOR CERTAIN IRR MEMBERS.—

11 (1) IN GENERAL.—Subsection (a) of section  
12 1076e of title 10, United States Code, is amended  
13 to read as follows:

14 “(a) ELIGIBILITY.—(1) Except as provided in para-  
15 graph (2), the following individuals are eligible for health  
16 benefits under TRICARE Standard as provided in this  
17 section:

18 “(A) A member of the Retired Reserve of a re-  
19 serve component of the armed forces who is qualified  
20 for a non-regular retirement at age 60 under chap-  
21 ter 1223 of this title but has not attained the age  
22 of 60.

23 “(B) A member of the Individual Ready Re-  
24 serve described in subsection 10144(b) of this title  
25 who served on active duty for an aggregate of not

1 less than one year beginning on or after September  
2 11, 2001.

3 “(2) Paragraph (1) does not apply to a member who  
4 is enrolled, or is eligible to enroll, in a health benefits plan  
5 under chapter 89 of title 5.”.

6 (2) TERMINATION.—Subsection (b) of such sec-  
7 tion is amended—

8 (A) in the subsection heading, by striking  
9 “STANDARD”;

10 (B) by striking “the member becoming”  
11 and inserting “a member described in sub-  
12 section (a)(1)(A) becoming”; and

13 (C) by inserting before the period at the  
14 end the following: “or a member described in  
15 subsection (a)(1)(B) becoming eligible for  
16 TRICARE coverage under any other section of  
17 this chapter”.

18 (3) SECTION HEADING.—The heading of such  
19 section is amended by striking “**who are quali-**  
20 **fied for a non-regular retirement but are**  
21 **not yet age 60**” and inserting “**and Indi-**  
22 **vidual Ready Reserve**”.

23 (b) CLERICAL AMENDMENT.—The table of sections  
24 at the beginning of chapter 55 of title 10, United States

1 Code, is amended by striking the item relating to section  
2 1076e and inserting the following new item:

“1076e. TRICARE program: TRICARE Standard coverage for certain members  
of the Retired Reserve and Individual Ready Reserve.”.

3 (c) FUNDING INCREASE AND OFFSETTING REDUC-  
4 TION.—Notwithstanding the amounts set forth in the  
5 funding tables in division D—

6 (1) the amount authorized to be appropriated in  
7 section 1406 for the Defense Health Program, as  
8 specified in the corresponding funding table in divi-  
9 sion D, is hereby increased by \$5,000,000, with the  
10 amount of the increase allocated to the Defense  
11 Health Program, as set forth in the table under sec-  
12 tion 4501, to carry out the amendments made by  
13 this section; and

14 (2) the amount authorized to be appropriated in  
15 section 101 for other procurement, Army, as speci-  
16 fied in the corresponding funding table in division D,  
17 is hereby reduced by \$5,000,000, with the amount  
18 of the reduction to be derived from Joint Tactical  
19 Radio System Maritime-Fixed radios under Line  
20 039 Joint Tactical Radio System as set forth in the  
21 table under section 4101.

1                   **Subtitle B—Health Care**  
2                   **Administration**

3 **SEC. 711. UNIFIED MEDICAL COMMAND.**

4           (a) UNIFIED COMBATANT COMMAND.—

5                   (1) IN GENERAL.—Chapter 6 of title 10, United  
6           States Code, is amended by inserting after section  
7           167a the following new section:

8 **“§ 167b. Unified combatant command for medical op-**  
9                   **erations**

10           “(a) ESTABLISHMENT.—With the advice and assist-  
11           ance of the Chairman of the Joint Chiefs of Staff, the  
12           President, through the Secretary of Defense, shall estab-  
13           lish under section 161 of this title a unified command for  
14           medical operations (in this section referred to as the ‘uni-  
15           fied medical command’). The principal function of the  
16           command is to provide medical services to the armed  
17           forces and other health care beneficiaries of the Depart-  
18           ment of Defense as defined in chapter 55 of this title.

19           “(b) ASSIGNMENT OF FORCES.—In establishing the  
20           unified medical command under subsection (a), all active  
21           military medical treatment facilities, training organiza-  
22           tions, and research entities of the armed forces shall be  
23           assigned to such unified command, unless otherwise di-  
24           rected by the Secretary of Defense.



1       “(c) GRADE OF COMMANDER.—The commander of  
2 the unified medical command shall hold the grade of gen-  
3 eral or, in the case of an officer of the Navy, admiral while  
4 serving in that position, without vacating his permanent  
5 grade. The commander of such command shall be ap-  
6 pointed to that grade by the President, by and with the  
7 advice and consent of the Senate, for service in that posi-  
8 tion. The commander of such command shall be a member  
9 of a health profession described in paragraph (1), (2), (3),  
10 (4), (5), or (6) of section 335(j) of title 37. During the  
11 five-year period beginning on the date on which the Sec-  
12 retary establishes the command under subsection (a), the  
13 commander of such command shall be exempt from the  
14 requirements of section 164(a)(1) of this title.

15       “(d) SUBORDINATE COMMANDS.—(1) The unified  
16 medical command shall have the following subordinate  
17 commands:

18               “(A) A command that includes all fixed military  
19 medical treatment facilities, including elements of  
20 the Department of Defense that are combined, oper-  
21 ated jointly, or otherwise operated in such a manner  
22 that a medical facility of the Department of Defense  
23 is operating in or with a medical facility of another  
24 department or agency of the United States.

1           “(B) A command that includes all medical  
2           training, education, and research and development  
3           activities that have previously been unified or com-  
4           bined, including organizations that have been des-  
5           ignated as a Department of Defense executive agent.

6           “(C) The Defense Health Agency established  
7           under subsection (f).

8           “(2) The commander of a subordinate command of  
9           the unified medical command shall hold the grade of lieu-  
10          tenant general or, in the case of an officer of the Navy,  
11          vice admiral while serving in that position, without  
12          vacating his permanent grade. The commander of such a  
13          subordinate command shall be appointed to that grade by  
14          the President, by and with the advice and consent of the  
15          Senate, for service in that position. The commander of  
16          such a subordinate command shall also be required to be  
17          a surgeon general of one of the military departments.

18          “(e) AUTHORITY OF COMBATANT COMMANDER.—(1)  
19          In addition to the authority prescribed in section 164(c)  
20          of this title, the commander of the unified medical com-  
21          mand shall be responsible for, and shall have the authority  
22          to conduct, all affairs of such command relating to medical  
23          operations activities.

24          “(2) The commander of such command shall be re-  
25          sponsible for, and shall have the authority to conduct, the

1 following functions relating to medical operations activities  
2 (whether or not relating to the unified medical command):

3 “(A) Developing programs and doctrine.

4 “(B) Preparing and submitting to the Secretary  
5 of Defense program recommendations and budget  
6 proposals for the forces described in subsection (b)  
7 and for other forces assigned to the unified medical  
8 command.

9 “(C) Exercising authority, direction, and con-  
10 trol over the expenditure of funds—

11 “(i) for forces assigned to the unified med-  
12 ical command;

13 “(ii) for the forces described in subsection  
14 (b) assigned to unified combatant commands  
15 other than the unified medical command to the  
16 extent directed by the Secretary of Defense;  
17 and

18 “(iii) for military construction funds of the  
19 Defense Health Program.

20 “(D) Training assigned forces.

21 “(E) Conducting specialized courses of instruc-  
22 tion for commissioned and noncommissioned officers.

23 “(F) Validating requirements.

24 “(G) Establishing priorities for requirements.

1           “(H) Ensuring the interoperability of equip-  
2           ment and forces.

3           “(I) Monitoring the promotions, assignments,  
4           retention, training, and professional military edu-  
5           cation of medical officers described in paragraph (1),  
6           (2), (3), (4), (5), or (6) of section 335(j) of title 37.

7           “(3) The commander of such command shall be re-  
8           sponsible for the Defense Health Program, including the  
9           Defense Health Program Account established under sec-  
10          tion 1100 of this title.

11          “(f) DEFENSE HEALTH AGENCY.—(1) In estab-  
12          lishing the unified medical command under subsection (a),  
13          the Secretary shall also establish under section 191 of this  
14          title a defense agency for health care (in this section re-  
15          ferred to as the ‘Defense Health Agency’), and shall trans-  
16          fer to such agency the organization of the Department of  
17          Defense referred to as the TRICARE Management Activ-  
18          ity and all functions of the TRICARE Program (as de-  
19          fined in section 1072(7)).

20          “(2) The director of the Defense Health Agency shall  
21          hold the rank of lieutenant general or, in the case of an  
22          officer of the Navy, vice admiral while serving in that posi-  
23          tion, without vacating his permanent grade. The director  
24          of such agency shall be appointed to that grade by the  
25          President, by and with the advice and consent of the Sen-

1 ate, for service in that position. The director of such agen-  
2 cy shall be a member of a health profession described in  
3 paragraph (1), (2), (3), (4), (5), or (6) of section 335(j)  
4 of title 37.

5 “(g) REGULATIONS.—In establishing the unified  
6 medical command under subsection (a), the Secretary of  
7 Defense shall prescribe regulations for the activities of the  
8 unified medical command.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-  
10 tions at the beginning of such chapter is amended  
11 by inserting after the item relating to section 167a  
12 the following new item:

“167b. Unified combatant command for medical operations.”.

13 (b) PLAN, NOTIFICATION, AND REPORT.—

14 (1) PLAN.—Not later than July 1, 2012, the  
15 Secretary of Defense shall submit to the congress-  
16 sional defense committees a comprehensive plan to  
17 establish the unified medical command authorized  
18 under section 167b of title 10, United States Code,  
19 as added by subsection (a), including any legislative  
20 actions the Secretary considers necessary to imple-  
21 ment the plan.

22 (2) NOTIFICATION.—The Secretary shall sub-  
23 mit to the congressional defense committees written  
24 notification of the decision of the Secretary to estab-  
25 lish the unified medical command under such section

1 167b by not later than the date that is 30 days be-  
2 fore establishing such command.

3 (3) REPORT.—Not later than 180 days after  
4 submitting the notification under paragraph (2), the  
5 Secretary shall submit to the congressional defense  
6 committees a report on—

7 (A) the establishment of the unified med-  
8 ical command; and

9 (B) the establishment of the Defense  
10 Health Agency under subsection (f) of such sec-  
11 tion 167b.

12 **SEC. 712. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
13 **THE FUTURE ELECTRONIC HEALTH RECORDS**  
14 **PROGRAM.**

15 (a) LIMITATION.—Of the funds authorized to be ap-  
16 propriated by this Act or otherwise made available for fis-  
17 cal year 2012 for the procurement, research, development,  
18 test, and evaluation, or operation and maintenance of the  
19 future electronic health records program, not more than  
20 10 percent may be obligated or expended until the date  
21 that is 30 days after the date on which the Secretary of  
22 Defense submits to the congressional defense committees  
23 a report addressing—

24 (1) an architecture to guide the transition of  
25 the electronic health records of the Department of

1 Defense to a future state that is cost-effective and  
2 interoperable;

3 (2) the process for selecting investments in in-  
4 formation technology that support the architecture  
5 described in paragraph (1);

6 (3) the report required by section 715 of the  
7 Ike Skelton National Defense Authorization Act for  
8 Fiscal Year 2011 (Public Law 111–383; 124 Stat.  
9 4249);

10 (4) the effectiveness of the Interagency Pro-  
11 gram Office to manage or oversee efforts with re-  
12 spect to the future electronic health records pro-  
13 gram; and

14 (5) any other matters the Secretary considers  
15 appropriate.

16 (b) FUTURE ELECTRONIC HEALTH RECORDS PRO-  
17 GRAM DEFINED.—In this section, the term “future elec-  
18 tronic health records program” means the programs of the  
19 Department of Defense referred to as the “EHR way  
20 ahead” and the “virtual lifetime electronic record”.

21 **SEC. 713. EXPANSION OF STATE LICENSURE EXCEPTION**  
22 **FOR CERTAIN HEALTH CARE PROFES-**  
23 **SIONALS.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that—

1           (1) the Secretary of Defense and the Secretary  
2 of Veterans Affairs need to renew and improve ef-  
3 forts to reach out to rural America, which has less  
4 access to care;

5           (2) behavioral health services for active duty  
6 members of the Armed Forces, members of the re-  
7 serve components, members of the National Guard,  
8 and veterans need to be more easily and readily ac-  
9 cessible; and

10          (3) medical records and records of deployment  
11 need a “warm transition” and better collaboration  
12 between the Department of Defense and the Depart-  
13 ment of Veterans Affairs.

14          (b) EXPANSION.—Section 1094(d) of title 10, United  
15 States Code, is amended—

16           (1) in paragraph (1)—

17               (A) by inserting “at any location” before  
18 “in any State”; and

19               (B) by striking “regardless” and all that  
20 follows through the end and inserting “regard-  
21 less of where such health-care professional or  
22 the patient are located, so long as the practice  
23 is within the scope of the authorized Federal  
24 duties.”; and



1           (2) in paragraph (2), by striking “member of  
2           the armed forces” and inserting “member of the  
3           armed forces, civilian employee of the Department of  
4           Defense, personal services contractor under section  
5           1091 of this title, or other health-care professional  
6           credentialed and privileged at a Federal health care  
7           institution or location specially designated by the  
8           Secretary for this purpose”.

9           (c) REPORTS.—Not later than 90 days after the date  
10          of the enactment of this Act, the Secretary of Defense,  
11          in coordination with the Secretary of Veterans Affairs,  
12          shall submit to Congress separate reports on each of the  
13          following:

14                (1) The plans to develop and expand programs  
15                to use new Internet and communication technologies  
16                for improved access to care and resources, including  
17                telemedicine, telehealth care services, and telebehav-  
18                ioral health programs that ensure patient privacy.

19                (2) Any plans to improve the transition of  
20                health and battlefield deployment records to better  
21                assist and care for veterans.

22           (d) REGULATIONS.—The Secretary of Defense shall  
23          prescribe regulations to carry out the amendments made  
24          by this section.

## 1                   **Subtitle C—Other Matters**

### 2   **SEC. 721. REVIEW OF WOMEN-SPECIFIC HEALTH SERVICES** 3                   **AND TREATMENT FOR FEMALE MEMBERS OF** 4                   **THE ARMED FORCES.**

5           (a) **COMPREHENSIVE REVIEW.**—The Secretary of  
6 Defense shall conduct a comprehensive review of—

7                   (1) the availability, efficacy, and adequacy of  
8 reproductive health care services available for female  
9 members of the Armed Forces, including gynecological  
10 services and breast and gynecological cancer  
11 services;

12                   (2) the availability, efficacy, and adequacy of  
13 women-specific preventative health care services for  
14 female members of the Armed Forces;

15                   (3) the availability of women-specific treatment  
16 for sexual assault or abuse; and

17                   (4) the extent to which military medical treat-  
18 ment facilities are following the policies of the De-  
19 partment of Defense with respect to women-specific  
20 health services.

21           (b) **MATTERS INCLUDED.**—The review required by  
22 subsection (a) shall include an assessment of the following:

23                   (1) The need for women-specific health out-  
24 reach, prevention, and treatment services for female  
25 members of the Armed Forces.

1           (2) The access to and efficacy of existing  
2 women-specific mental health outreach, prevention,  
3 and treatment services and programs (including sub-  
4 stance abuse programs).

5           (3) The availability of women-specific services  
6 and treatment for female members of the Armed  
7 Forces who experience sexual assault or sexual  
8 abuse.

9           (4) The access to and need for military medical  
10 treatment facilities to provide for the women-specific  
11 health care needs of female members of the Armed  
12 Forces.

13           (5) The need for further clinical research on the  
14 women-specific health care needs of female members  
15 of the Armed Forces who served in a combat zone.

16       (c) REPORT.—Not later than March 31, 2012, the  
17 Secretary of Defense shall submit to the congressional de-  
18 fense committees a report on the review required by sub-  
19 section (a).

20 **SEC. 722. COMPTROLLER GENERAL REVIEWS OF DEPART-**  
21 **MENT OF DEFENSE—DEPARTMENT OF VET-**  
22 **ERANS AFFAIRS MEDICAL FACILITY DEM-**  
23 **ONSTRATION PROJECT.**

24       Section 1701(e)(1) of the National Defense Author-  
25 ization Act for Fiscal Year 2010 (Public Law 111–84; 123

1 Stat. 2568) is amended by striking “Not later” and all  
2 that follows through “thereafter” and inserting “Not later  
3 than July 31 of each of 2011, 2013, and 2015”.

4 **SEC. 723. COMPTROLLER GENERAL REPORT ON CON-**  
5 **TRACTED HEALTH CARE STAFFING FOR MILI-**  
6 **TARY MEDICAL TREATMENT FACILITIES.**

7 (a) REPORT.—Not later than March 31, 2012, the  
8 Comptroller General shall submit to the Committee on  
9 Armed Services of the House of Representatives and the  
10 Committee on Armed Services of the Senate a report on  
11 the contracting activities of the military departments with  
12 respect to providing health care professional services to  
13 members of the Armed Forces, dependents, and retirees.

14 (b) MATTERS INCLUDED.—The report under sub-  
15 section (a) shall include the following:

16 (1) A review of the contracting practices used  
17 by the military departments to provide health care  
18 professional services by civilian providers.

19 (2) An assessment of whether the contracting  
20 practices described in paragraph (1) are the most  
21 cost effective means to provide necessary care.

22 (3) A determination of—

23 (A) the percentage of contract health care  
24 professionals who provide services to members  
25 of the Armed Forces, dependents, or retirees in

1 military medical treatment facilities or other  
2 on-base facilities; and

3 (B) the percentage of contract health care  
4 professionals who provide services to members  
5 of the Armed Forces, dependents, or retirees in  
6 off-base private facilities.

7 (4) A comparison of the cost associated with  
8 the provision of care by contract health care profes-  
9 sionals described in subparagraphs (A) and (B) of  
10 paragraph (3).

11 (5) An assessment of whether or not consoli-  
12 dating health care staffing requirements for military  
13 medical treatment facilities and other on-base clinics  
14 in defined geographic areas (including regions or  
15 catchment areas) would achieve economies of scale  
16 and cost savings or avoidance with respect to con-  
17 tracting for health care professionals.

18 (6) An assessment of whether private sector en-  
19 tities that provide health care professional staff on  
20 a contract basis to military medical treatment facili-  
21 ties and other on-base clinics meet certain basic  
22 standards of professionalism, including those de-  
23 scribed in section 732(e)(2)(A) of the National De-  
24 fense Authorization Act for Fiscal Year 2007 (Pub-  
25 lic Law 109–364; 120 Stat. 2297).

1           (7) An assessment of the acquisition training  
2           and experience of the contracting officers or other  
3           personnel within military medical treatment facilities  
4           that award or administer contracts regarding the  
5           services of health care professionals.

6           (8) Any recommendations the Comptroller Gen-  
7           eral considers appropriate regarding improving the  
8           contracting activities of the military departments  
9           with respect to providing health care professional  
10          services.

11 **SEC. 724. TREATMENT OF WOUNDED WARRIORS.**

12          (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
13          ITY.—In the budget submitted to Congress under section  
14          1105 of title 31, United States Code, for fiscal year 2012,  
15          the President requested \$9,679,444,000 for research, de-  
16          velopment, test, and evaluation, Army, for advanced tech-  
17          nology development, medical advanced technology. Of the  
18          amounts authorized to be appropriated by section 201, as  
19          specified in the corresponding funding table in division D,  
20          the Secretary of the Army shall obligate an additional  
21          \$3,000,000 for the program described in subsection (c)  
22          in furtherance of national security objectives.

23          (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24          decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 (c) WOUNDED WARRIOR PROGRAM.—

10 (1) IN GENERAL.—The Secretary of the Army  
11 shall establish a program to enter into public-private  
12 partnerships to enable coordinated, rapid clinical  
13 evaluation and the wide-area deployment of novel  
14 treatment strategies for wounded service members,  
15 with an emphasis on the most common musculo-  
16 skeletal injuries.

17 (2) PRIORITIES.—In carrying out the program  
18 under this subsection, the Secretary shall ensure  
19 that the program—

20 (A) is composed of a national network of  
21 leading clinical centers and includes an inte-  
22 grated clinical trial effort; and

23 (B) will address the priorities of the  
24 Armed Forces with respect to stabilization, re-  
25 tention, and readiness.

1 **SEC. 725. COOPERATIVE HEALTH CARE AGREEMENTS.**

2 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
3 ITY.—In the budget submitted to Congress under section  
4 1105 of title 31, United States Code, for fiscal year 2012,  
5 the President requested \$32,198,770,000 for the Defense  
6 Health Program. Of the amounts authorized to be appro-  
7 priated by section 1407, as specified in the corresponding  
8 funding table in division D, the Secretary of Defense shall  
9 obligate an additional \$500,000 for cooperative health  
10 care agreements between military installations and local  
11 or regional health care systems pursuant to section 713  
12 of the National Defense Authorization Act of 2010 (Public  
13 Law 111–84; 123 Stat. 2380; 10 U.S.C. 1073 note) to  
14 strengthen local or regional health care systems for mem-  
15 bers of the Armed Forces and communities surrounding  
16 military installations with both active duty and training  
17 components with no inpatient medical facilities.

18 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
19 decision to commit, obligate, or expend funds referred to  
20 in the second sentence of subsection (a) with or to a spe-  
21 cific entity shall—

22 (1) be based on merit-based selection proce-  
23 dures in accordance with the requirements of sec-  
24 tions 2304(k) and 2374 of title 10, United States  
25 Code, or on competitive procedures; and



1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 726. PROSTATE CANCER IMAGING RESEARCH INITIA-**  
4                           **TIVE.**

5           (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6       ITY.—In the budget submitted to Congress under section  
7       1105 of title 31, United States Code, for fiscal year 2012,  
8       the President requested \$7,581,000 for the prostate can-  
9       cer imaging research initiative. Of the amounts authorized  
10      to be appropriated by section 1407, as specified in the cor-  
11      responding funding table in division D, the Secretary of  
12      Defense shall obligate an additional \$2,000,000 for the  
13      same purpose in furtherance of national security objec-  
14      tives.

15          (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
16      decision to commit, obligate, or expend funds referred to  
17      in the second sentence of subsection (a) with or to a spe-  
18      cific entity shall—

19            (1) be based on merit-based selection proce-  
20      dures in accordance with the requirements of sec-  
21      tions 2304(k) and 2374 of title 10, United States  
22      Code, or on competitive procedures; and

23            (2) comply with other applicable provisions of  
24      law.

1 **SEC. 727. DEFENSE CENTERS OF EXCELLENCE FOR PSY-**  
2 **CHOLOGICAL HEALTH AND TRAUMATIC**  
3 **BRAIN INJURY.**

4 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
5 ITY.—In the budget submitted to Congress under section  
6 1105 of title 31, United States Code, for fiscal year 2012,  
7 the President requested \$176,345,000 for information  
8 technology development under the Defense Health Pro-  
9 gram. Of the amounts authorized to be appropriated by  
10 section 1407, as specified in the corresponding funding  
11 table in division D, the Secretary of Defense shall obligate  
12 an additional \$2,000,000 for the Defense Centers of Ex-  
13 cellence for Psychological Health and Traumatic Brain In-  
14 jury to enhance efforts to disseminate post-deployment  
15 mental health information in furtherance of national secu-  
16 rity objectives.

17 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
18 decision to commit, obligate, or expend funds referred to  
19 in the second sentence of subsection (a) with or to a spe-  
20 cific entity shall—

21 (1) be based on merit-based selection proce-  
22 dures in accordance with the requirements of sec-  
23 tions 2304(k) and 2374 of title 10, United States  
24 Code, or on competitive procedures; and

25 (2) comply with other applicable provisions of  
26 law.

1 **SEC. 728. COLLABORATIVE MILITARY-CIVILIAN TRAUMA**  
2 **TRAINING PROGRAMS.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$32,198,770,000 for the Defense  
7 Health Program. Of the amounts authorized to be appro-  
8 priated by section 1407, as specified in the corresponding  
9 funding table in division D, the Secretary of Defense shall  
10 obligate an additional \$3,000,000 for the Defense Health  
11 Program for collaborative military-civilian trauma training  
12 programs pursuant to the cooperative health care agree-  
13 ments between military installations and local or regional  
14 health care systems under section 713 of the National De-  
15 fense Authorization Act of 2010 (Public Law 111–84; 123  
16 Stat. 2380; 10 U.S.C. 1073 note) in furtherance of na-  
17 tional security objectives.

18 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
19 decision to commit, obligate, or expend funds referred to  
20 in the second sentence of subsection (a) with or to a spe-  
21 cific entity shall—

22 (1) be based on merit-based selection proce-  
23 dures in accordance with the requirements of sec-  
24 tions 2304(k) and 2374 of title 10, United States  
25 Code, or on competitive procedures; and

1           (2) comply with other applicable provisions of  
2       law.

3       (c) REPORT.—Not later than 120 days after the date  
4 on which the Secretary establishes collaborative military-  
5 civilian trauma training programs pursuant to subsection  
6 (a), the Secretary shall submit to the congressional de-  
7 fense committees a report on the effectiveness of training  
8 under the programs as compared to training under other  
9 medical training programs.

10 **SEC. 729. TRAUMATIC BRAIN INJURY.**

11       (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
12 ITY.—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$32,198,770,000 for the Defense  
15 Health Program. Of the amounts authorized to be appro-  
16 priated by section 1407, as specified in the corresponding  
17 funding table in division D, the Secretary of Defense shall  
18 obligate an additional \$1,000,000 for the development of  
19 national medical guidelines regarding the post-acute reha-  
20 bilitation of individuals with traumatic brain injury in fur-  
21 therance of national security objectives.

22       (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
23 decision to commit, obligate, or expend funds referred to  
24 in the second sentence of subsection (a) with or to a spe-  
25 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7 **SEC. 730. COMPETITIVE PROGRAMS FOR ALCOHOL AND**  
8 **SUBSTANCE ABUSE DISORDERS.**

9           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
10 **ITY.**—In the budget submitted to Congress under section  
11 1105 of title 31, United States Code, for fiscal year 2012,  
12 the President requested \$415,000,000 for the continued  
13 support of wounded, ill, and injured medical research, to  
14 include psychological health, traumatic brain injury, and  
15 post-traumatic stress disorder. Of the amounts authorized  
16 to be appropriated by section 1406, as specified in the cor-  
17 responding funding table in division D, the Secretary of  
18 Defense shall obligate an additional \$5,000,000 for the  
19 continued support of a competitive program for  
20 translational research centers tasked with addressing alco-  
21 hol and substance abuse issues in furtherance of national  
22 security objectives.

23           (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 731. PILOT PROGRAM ON PAYMENT FOR TREATMENT**  
10 **OF MEMBERS OF THE ARMED FORCES AND**  
11 **VETERANS FOR TRAUMATIC BRAIN INJURY**  
12 **AND POST-TRAUMATIC STRESS DISORDER.**

13 (a) **PAYMENT PROCESS.**—The Secretary of Defense  
14 and the Secretary of Veterans Affairs shall carry out a  
15 five-year pilot program under which each such Secretary  
16 shall establish a process through which each Secretary  
17 shall provide payment for treatments (including diagnostic  
18 testing) of traumatic brain injury or post-traumatic stress  
19 disorder received by members of the Armed Forces and  
20 veterans in health care facilities other than military treat-  
21 ment facilities or Department of Veterans Affairs medical  
22 facilities. Such process shall provide that payment be  
23 made directly to the health care facility furnishing the  
24 treatment.

1 (b) CONDITIONS FOR PAYMENT.—The approval by a  
2 Secretary for payment for a treatment pursuant to sub-  
3 section (a) shall be subject to the following conditions:

4 (1) Any drug or device used in the treatment  
5 must be approved or cleared by the Food and Drug  
6 Administration for any purpose.

7 (2) The treatment must have been approved by  
8 an institutional review board operating in accordance  
9 with regulations issued by the Secretary of Health  
10 and Human Services.

11 (3) The treatment (including any patient disclo-  
12 sure requirements) must be used by the health care  
13 provider delivering the treatment.

14 (4) The patient receiving the treatment must  
15 demonstrate an improvement as a result of the  
16 treatment on one or more of the following:

17 (A) Standardized independent pre-treat-  
18 ment and post-treatment neuropsychological  
19 testing.

20 (B) Accepted survey instruments.

21 (C) Neurological imaging.

22 (D) Clinical examination.

23 (5) The patient receiving the treatment must be  
24 receiving the treatment voluntarily.

1           (6) The patient receiving the treatment may not  
2           be a retired member of the uniformed services or of  
3           the Armed Forces who is entitled to benefits under  
4           part A, or eligible to enroll under part B, of title  
5           XVIII of the Social Security Act.

6           (c) **ADDITIONAL RESTRICTIONS PROHIBITED.**—Ex-  
7           cept as provided in this subsection (b), no restriction or  
8           condition for reimbursement may be placed on any health  
9           care provider that is operating lawfully under the laws of  
10          the State in which the provider is located with respect to  
11          the receipt of payment under this section.

12          (d) **PAYMENT DEADLINE.**—The Secretary of Defense  
13          and the Secretary of Veterans Affairs shall make a pay-  
14          ment for a treatment pursuant to subsection (a) not later  
15          than 30 days after a member of the Armed Forces or vet-  
16          eran (or health care provider on behalf of such member  
17          or veteran) submits to the Secretary documentation re-  
18          garding the treatment. The Secretary of Defense and the  
19          Secretary of Veterans Affairs shall ensure that the docu-  
20          mentation required under this subsection may not be an  
21          undue burden on the member of the Armed Forces or vet-  
22          eran or on the health care provider.

23          (e) **PAYMENT AUTHORITY.**—

24                  (1) **DEPARTMENT OF DEFENSE.**—The Sec-  
25          retary of Defense shall make payments under this



1 section for treatments received by members of the  
2 Armed Forces using the authority in subsection  
3 (c)(1) of section 1074 of title 10, United States  
4 Code.

5 (2) DEPARTMENT OF VETERANS AFFAIRS.—  
6 The Secretary of Veterans Affairs shall make pay-  
7 ments under this section for treatments received by  
8 veterans using the authority in section 1728 of title  
9 38, United States Code.

10 (f) PAYMENT AMOUNT.—A payment under this sec-  
11 tion shall be made at the equivalent Centers for Medicare  
12 and Medicaid Services reimbursement rate in effect for ap-  
13 propriate treatment codes for the State or territory in  
14 which the treatment is received. If no such rate is in effect,  
15 payment shall be made at a fair market rate, as deter-  
16 mined by the Secretary of Defense, in consultation with  
17 the Secretary of Health and Human Services, with respect  
18 to a patient who is a member of the Armed Forces or  
19 the Secretary of Veterans Affairs with respect to a patient  
20 who is a veteran.

21 (g) DATA COLLECTION AND AVAILABILITY.—

22 (1) IN GENERAL.—The Secretary of Defense  
23 and the Secretary of Veterans Affairs shall jointly  
24 develop and maintain a database containing data  
25 from each patient case involving the use of a treat-

1       ment under this section. The Secretaries shall en-  
2       sure that the database preserves confidentiality and  
3       be made available only—

4               (A) for third-party payer examination;

5               (B) to the appropriate congressional com-  
6       mittees and employees of the Department of  
7       Defense, the Department of Veterans Affairs,  
8       the Department of Health and Human Services,  
9       and appropriate State agencies; and

10              (C) to the primary investigator of the insti-  
11       tutional review board that approved the treat-  
12       ment, in the case of data relating to a patient  
13       case involving the use of such treatment.

14              (2) ENROLLMENT IN INSTITUTIONAL REVIEW  
15       BOARD STUDY.—In the case of a patient enrolled in  
16       a registered institutional review board study, results  
17       may be publically distributable in accordance with  
18       the regulations prescribed pursuant to the Health  
19       Insurance Portability and Accountability Act of  
20       1996 (Public Law 104–191) and other regulations  
21       and practices in effect as of the date of the enact-  
22       ment of this Act.

23              (3) QUALIFIED INSTITUTIONAL REVIEW  
24       BOARDS.—The Secretary of Defense and the Sec-  
25       retary of Veterans Affairs shall each ensure that the

1 Internet Web site of their respective departments in-  
2 cludes a list of all civilian institutional review board  
3 studies that have received a payment under this sec-  
4 tion.

5 (h) ASSISTANCE FOR MEMBERS TO OBTAIN TREAT-  
6 MENT.—

7 (1) ASSIGNMENT TO TEMPORARY DUTY.—The  
8 Secretary of a military department may assign a  
9 member of the Armed Forces under the jurisdiction  
10 of the Secretary to temporary duty or allow the  
11 member a permissive temporary duty in order to  
12 permit the member to receive treatment for trau-  
13 matic brain injury or post-traumatic stress disorder,  
14 for which payments shall be made under subsection  
15 (a), at a location beyond reasonable commuting dis-  
16 tance of the member's permanent duty station.

17 (2) PAYMENT OF PER DIEM.—A member who is  
18 away from the member's permanent station may be  
19 paid a per diem in lieu of subsistence in an amount  
20 not more than the amount to which the member  
21 would be entitled if the member were performing  
22 travel in connection with a temporary duty assign-  
23 ment.

24 (3) GIFT RULE WAIVER.—Notwithstanding any  
25 rule of any department or agency with respect to

1 ethics or the receipt of gifts, any assistance provided  
2 to a member of the Armed Forces with a service-  
3 connected injury or disability for travel, meals, or  
4 entertainment incidental to receiving treatment  
5 under this section, or for the provision of such treat-  
6 ment, shall not be subject to or covered by any such  
7 rule.

8 (i) RETALIATION PROHIBITED.—No retaliation may  
9 be made against any member of the Armed Forces or vet-  
10 eran who receives treatment as part of registered institu-  
11 tional review board study carried out by a civilian health  
12 care practitioner.

13 (j) TREATMENT OF UNIVERSITY AND NATIONALLY  
14 ACCREDITED INSTITUTIONAL REVIEW BOARDS.—For  
15 purposes of this section, a university-affiliated or nation-  
16 ally accredited institutional review board shall be treated  
17 in the same manner as a Government institutional review  
18 board.

19 (k) MEMORANDA OF UNDERSTANDING.—The Sec-  
20 retary of Defense and the Secretary of Veterans Affairs  
21 shall seek to expeditiously enter into memoranda of under-  
22 standings with civilian institutional review boards de-  
23 scribed in subsection (j) for the purpose of providing for  
24 members of the Armed Forces and veterans to receive  
25 treatment carried out by civilian health care practitioners

1 under a treatment approved by and under the oversight  
2 of civilian institutional review boards that would qualify  
3 for payment under this section.

4 (l) OUTREACH REQUIRED.—

5 (1) OUTREACH TO VETERANS.—The Secretary  
6 of Veterans Affairs shall notify each veteran with a  
7 service-connected injury or disability of the oppor-  
8 tunity to receive treatment pursuant to this section.

9 (2) OUTREACH TO MEMBERS OF THE ARMED  
10 FORCES.—The Secretary of Defense shall notify  
11 each member of the Armed Forces with a service-  
12 connected injury or disability of the opportunity to  
13 receive treatment pursuant to this section.

14 (m) REPORT TO CONGRESS.—Not later than 30 days  
15 after the last day of each fiscal year during which the Sec-  
16 retary of Defense and the Secretary of Veterans Affairs  
17 are authorized to make payments under this section, the  
18 Secretaries shall jointly submit to Congress an annual re-  
19 port on the implementation of this section. Such report  
20 shall include each of the following for that fiscal year:

21 (1) The number of individuals for whom the  
22 Secretary has provided payments under this section.

23 (2) The condition for which each such indi-  
24 vidual receives treatment for which payment is pro-

1        vided under this section and the success rate of each  
2        such treatment.

3            (3) Treatment methods that are used by enti-  
4        ties receiving payment provided under this section  
5        and the respective rate of success of each such meth-  
6        od.

7            (4) The recommendations of the Secretaries  
8        with respect to the integration of treatment methods  
9        for which payment is provided under this section  
10       into facilities of the Department of Defense and De-  
11       partment of Veterans Affairs.

12        (n) TERMINATION.—The authority to make a pay-  
13       ment under this section shall terminate on the date that  
14       is five years after the date of the enactment of this Act.

15        (o) AUTHORIZATION OF APPROPRIATIONS.—There is  
16       authorized to be appropriated to carry out this section  
17       \$10,000,000 for each fiscal year during which the Sec-  
18       retary of Veterans Affairs and the Secretary of Defense  
19       are authorized to make payments under this section.

20        (p) FUNDING INCREASE AND OFFSETTING REDUC-  
21       TION.—

22            (1) IN GENERAL.—Notwithstanding the  
23       amounts set forth in the funding tables in division  
24       D, to carry out this section during fiscal year  
25       2012—

1 (A) the amount authorized to be appro-  
2 priated in section 1406 for the Defense Health  
3 Program, as specified in the corresponding  
4 funding table in division D, is hereby increased  
5 by \$10,000,000, with the amount of the in-  
6 crease allocated to the Defense Health Pro-  
7 gram, as set forth in the table under section  
8 4501, to carry out this section; and

9 (B) the amount authorized to be appro-  
10 priated in section 101 for other procurement,  
11 Army, as specified in the corresponding funding  
12 table in division D, is hereby reduced by  
13 \$10,000,000, with the amount of the reduction  
14 to be derived from Joint Tactical Radio System,  
15 ground-mobile radio program under Line 039  
16 Joint Tactical Radio System as set forth in the  
17 table under section 4101.

18 (2) MERIT-BASED OR COMPETITIVE DECI-  
19 SIONS.—A decision to commit, obligate, or expend  
20 funds referred to in paragraph (1)(A) with or to a  
21 specific entity shall—

22 (A) be based on merit-based selection pro-  
23 cedures in accordance with the requirements of  
24 sections 2304(k) and 2374 of title 10, United  
25 States Code, or on competitive procedures; and

1 (B) comply with other applicable provisions  
2 of law.

3 **SEC. 732. REPORT ON ESTABLISHMENT OF REGISTRY ON**  
4 **OCCUPATIONAL AND ENVIRONMENTAL**  
5 **CHEMICAL HAZARDS.**

6 (a) REPORT REQUIRED.—Not later than March 31,  
7 2012, the Secretary of Defense shall submit to the con-  
8 gressional defense committees a report on establishing an  
9 active registry for each incidence of a member of the  
10 Armed Forces being exposed to occupational and environ-  
11 mental chemical hazards, including waste disposal, during  
12 contingency operations in order to monitor possible health  
13 risks and to provide necessary treatment to such members.

14 (b) MATTERS INCLUDED.—The report under sub-  
15 section (a) shall include a discussion of each of the fol-  
16 lowing:

17 (1) Processes in which members of the Armed  
18 Forces may be included in the registry described in  
19 subsection (a).

20 (2) Procedures to ensure that members eligible  
21 to be included in the registry are provided appro-  
22 priate medical examinations.

23 (3) Using existing medical surveillance systems  
24 to establish the registry.



1 **SEC. 733. PROVISION OF REHABILITATIVE EQUIPMENT**  
2 **UNDER WOUNDED WARRIOR ACT.**

3 Section 1631 of the Wounded Warrior Act (title XVI  
4 of Public Law 110–181; 10 U.S.C. 1071 note) is amended  
5 by adding at the end the following:

6 “(c) REHABILITATIVE EQUIPMENT FOR MEMBERS  
7 OF THE ARMED FORCES.—

8 “(1) IN GENERAL.—Subject to the availability  
9 of appropriations for such purpose, the Secretary of  
10 Defense may provide an active duty member of the  
11 Armed Forces with a severe injury or illness with re-  
12 habilitative equipment, including recreational sports  
13 equipment that provide an adaption or accommoda-  
14 tion for the member, regardless of whether such  
15 equipment is intentionally designed to be adaptive  
16 equipment.

17 “(2) CONSULTATION.—In carrying out this sub-  
18 section, the Secretary of Defense shall consult with  
19 the Secretary of Veterans Affairs regarding similar  
20 programs carried out by the Secretary of Veterans  
21 Affairs.”.

22 **SEC. 734. SENSE OF CONGRESS ON POST-TRAUMATIC**  
23 **STRESS DISORDER.**

24 It is the sense of Congress that—

1 (1) post-traumatic stress disorder is an increas-  
2 ingly common disease suffered by returning mem-  
3 bers of the Armed Forces; and

4 (2) access to treatment for members with post-  
5 traumatic stress disorder should be expanded to in-  
6 clude local and community medical facilities.

7 **SEC. 735. REPORT ON RESEARCH AND TREATMENT OF**  
8 **POST-TRAUMATIC STRESS DISORDER.**

9 (a) FINDINGS.—Congress finds the following:

10 (1) The high-incidence rate of neurological  
11 trauma in members of the Armed Forces needs to  
12 be addressed.

13 (2) Critical research using neuroimaging that is  
14 concentrated on post-traumatic stress disorder offers  
15 great hope in identifying conditions allowing for a  
16 separate and distinct classification of post-traumatic  
17 stress disorder.

18 (3) The Telemedicine and Advanced Technology  
19 Research Center within the Army Medical Research  
20 and Materiel Command has engaged the National  
21 Resources for Neuroscience and Neuroimaging to  
22 develop collaborative and inter-agency research link-  
23 ing the Department of Defense and the Department  
24 of Veterans Affairs with appropriate and established  
25 university-affiliated partnerships.

1 (b) REPORT.—Not later than one year after the date  
2 of the enactment of this Act, the Secretary of Defense  
3 shall submit to the congressional defense committees a re-  
4 port assessing the benefits of neuroimaging research in an  
5 effort to identify and increase the diagnostic properties of  
6 post-traumatic stress disorder.

7 **SEC. 736. STUDY ON BREAST CANCER AMONG MEMBERS OF**  
8 **THE ARMED FORCES AND VETERANS.**

9 (a) STUDY.—The Secretary of Defense and the Sec-  
10 retary of Veterans Affairs shall jointly conduct a study  
11 on the incidence of breast cancer among members of the  
12 Armed Forces (including members of the National Guard  
13 and reserve components) and veterans. Such study shall  
14 include the following:

15 (1) A determination of the number of members  
16 and veterans diagnosed with breast cancer.

17 (2) A determination of demographic informa-  
18 tion regarding such members and veterans, includ-  
19 ing—

20 (A) race;

21 (B) ethnicity;

22 (C) sex;

23 (D) age;

24 (E) possible exposure to hazardous ele-  
25 ments or chemical or biological agents (includ-

1           ing any vaccines) and where such exposure oc-  
2           curred;

3           (F) the locations of duty stations that such  
4           member or veteran was assigned;

5           (G) the locations in which such member or  
6           veteran was deployed; and

7           (H) the geographic area of residence prior  
8           to deployment.

9           (3) An analysis of breast cancer treatments re-  
10          ceived by such members and veterans.

11          (4) Other information the Secretaries consider  
12          necessary.

13          (b) REPORT.—Not later than 18 months after the  
14          date of the enactment of this Act, the Secretary of Defense  
15          and the Secretary of Veterans Affairs shall jointly submit  
16          to Congress a report containing the results of the study  
17          required under subsection (a).

18          (c) FUNDING INCREASE AND OFFSETTING REDUC-  
19          TION.—Notwithstanding the amounts set forth in the  
20          funding tables in division D—

21                 (1) the amount authorized to be appropriated in  
22                 section 1406 for the Defense Health Program, as  
23                 specified in the corresponding funding table in divi-  
24                 sion D, is hereby increased by \$10,000,000, with the  
25                 amount of the increase allocated to the Defense

1 Health Program, as set forth in the table under sec-  
2 tion 4501, to carry out this section;

3 (2) the amount authorized to be appropriated in  
4 section 101 for other procurement, Navy, as speci-  
5 fied in the corresponding funding table in division D,  
6 is hereby reduced by \$8,800,000, with the amount  
7 of the reduction to be derived from Joint Tactical  
8 Radio System Maritime-Fixed radios under Line  
9 075 Shipboard Tactical Communications as set forth  
10 in the table under section 4101; and

11 (3) the amount authorized to be appropriated in  
12 section 101 for other procurement, Air Force, as  
13 specified in the corresponding funding table in divi-  
14 sion D, is hereby reduced by \$1,200,000, with the  
15 amount of the reduction to be derived from Joint  
16 Tactical Radio System Maritime-Fixed radios under  
17 Line 049 Tactical Communications-Electronic  
18 Equipment as set forth in the table under section  
19 4101.

20 **SEC. 737. TRANSFER OF DEFENSE CENTERS OF EXCEL-**  
21 **LENCE FOR PSYCHOLOGICAL HEALTH AND**  
22 **TRAUMATIC BRAIN INJURY.**

23 (a) IN GENERAL.—The Secretary of Defense shall  
24 develop a plan to transfer the Defense Centers of Excel-  
25 lence for Psychological Health and Traumatic Brain In-

1 jury from the TRICARE Management Activity to a mili-  
2 tary department, as determined by the Secretary.

3 (b) NOTIFICATION.—Not later than 180 days after  
4 the date of the enactment of this Act, the Secretary shall  
5 notify the congressional defense committees of the plan  
6 under subsection (a), including the military department  
7 determined by the Secretary.

8 **SEC. 738. REPORT ON MEMORANDUM REGARDING TRAUMATIC BRAIN INJURIES.**  
9

10 Not later than 180 days after the date of the enact-  
11 ment of this Act, the Secretary of Defense shall submit  
12 to the congressional defense committees a report on how  
13 the Secretary will identify, refer, and treat traumatic brain  
14 injuries with respect to members of the Armed Forces who  
15 served in Operation Enduring Freedom or Operation Iraqi  
16 Freedom before the date in June, 2010, on which the  
17 memorandum regarding using a 50-meter distance from  
18 an explosion as a criterion to properly identify, refer, and  
19 treat members for potential traumatic brain injury took  
20 effect.

21 **SEC. 739. FREQUENCY OF REPORTS ON CONTINUED VIABIL-**  
22 **ITY OF TRICARE STANDARD AND TRICARE**  
23 **EXTRA.**

24 Section 711(b)(2) of the National Defense Authoriza-  
25 tion Act for Fiscal Year 2008 (Public Law 110–181; 10

1 U.S.C. 1073 note) is amended in the matter preceding  
2 subparagraph (A) by striking “bi-annual” and inserting  
3 “biennial”.

4 **TITLE VIII—ACQUISITION POL-**  
5 **ICY, ACQUISITION MANAGE-**  
6 **MENT, AND RELATED MAT-**  
7 **TERS**

8 **Subtitle A—Acquisition Policy and**  
9 **Management**

10 **SEC. 801. REQUIREMENTS RELATING TO CORE LOGISTICS**  
11 **CAPABILITIES FOR MILESTONE A AND MILE-**  
12 **STONE B AND ELIMINATION OF REFERENCES**  
13 **TO KEY DECISION POINTS A AND B.**

14 (a) **ADDITIONAL MILESTONE A REQUIREMENTS.—**

15 (1) **ADDITIONAL ITEMS OF CERTIFICATION.—**

16 Subsection (a) of section 2366a of title 10, United  
17 States Code, is amended—

18 (A) in paragraph (2), by striking “core  
19 competency” and inserting “function”;

20 (B) by redesignating paragraphs (4) and  
21 (5) as paragraphs (5) and (7), respectively;

22 (C) by inserting after paragraph (3) the  
23 following new paragraph (4):

24 “(4) that relevant sustainment criteria and al-  
25 ternatives were evaluated and addressed in the ini-

1        tial capabilities document in sufficient depth to sup-  
2        port an analysis of alternatives and to establish the  
3        foundation for developing key performance param-  
4        eters for sustainment of the program throughout its  
5        projected life cycle;”;

6                (D) by striking “and” at the end of para-  
7                graph (5) (as so redesignated);

8                (E) by inserting after paragraph (5) (as so  
9                redesignated) the following new paragraph (6):

10              “(6) that a preliminary assessment of the core  
11              logistics capabilities necessary to maintain and re-  
12              pair the program has been performed; and”;

13                (F) in paragraph (7) (as so redesignated),  
14                by striking “develop and procure” and inserting  
15                “develop, procure, and sustain”.

16              (2) DEFINITION.—Subsection (c) of such sec-  
17              tion is amended by adding at the end the following  
18              new paragraphs:

19              “(7) The term ‘core logistics capabilities’ means  
20              the core logistics capabilities identified under section  
21              2464(a) of this title.”.

22              (b) ADDITIONAL MILESTONE B REQUIREMENTS.—

23              (1) ADDITIONAL ITEM OF CERTIFICATION.—  
24              Subsection (a)(3) of section 2366b of title 10,  
25              United States Code, is amended—



1 (A) by redesignating subparagraph (E) as  
2 subparagraph (G);

3 (B) by striking “and” at the end of sub-  
4 paragraph (D); and

5 (C) by inserting after subparagraph (D)  
6 the following new subparagraphs:

7 “(E) life-cycle sustainment planning has  
8 identified and evaluated relevant sustainment  
9 costs throughout development, production, oper-  
10 ation, sustainment, and disposal of the pro-  
11 gram, and any alternatives, and that such costs  
12 are reasonable and have been accurately esti-  
13 mated;

14 “(F) the requirements for core logistics ca-  
15 pabilities and associated sustaining workload  
16 for the program have been identified; and”.

17 (2) DEFINITION.—Subsection (g) of such sec-  
18 tion is amended by striking paragraph (5) (relating  
19 to Key Decision Point B) and inserting the following  
20 new paragraph (5):

21 “(5) The term ‘core logistics capabilities’ means  
22 the core logistics capabilities identified under section  
23 2464(a) of this title.”.

24 (c) GUIDANCE.—Not later than 120 days after the  
25 date of the enactment of this Act, the Secretary of Defense

1 shall issue guidance implementing the amendments made  
2 by subsections (a) and (b) in a manner that is consistent  
3 across the Department of Defense.

4 (d) ELIMINATION OF REFERENCES TO KEY DECI-  
5 SION POINTS A AND B.—

6 (1) AMENDMENTS TO SECTION 2366A.—Section  
7 2366a of title 10, United States Code, is amended—

8 (A) in the section heading, by striking “**or**  
9 **Key Decision Point**”;

10 (B) in subsection (a), in the matter pre-  
11 ceding paragraph (1), by striking “, or Key De-  
12 cision Point A approval in the case of a space  
13 program,” and by striking “, or Key Decision  
14 Point B approval in the case of a space pro-  
15 gram,”; and

16 (C) in subsection (b)—

17 (i) in paragraph (1), by striking “(or  
18 Key Decision Point A approval in the case  
19 of a space program)”; and

20 (ii) in paragraph (2)(C)(ii), by strik-  
21 ing “, or Key Decision Point A approval in  
22 the case of a space program,”.

23 (2) AMENDMENTS TO SECTION 2366B.—Section  
24 2366b of such title is amended—

1 (A) in the section heading, by striking “**or**  
2 **Key Decision Point B**”;

3 (B) in subsection (a), in the matter pre-  
4 ceding paragraph (1), by striking “, or Key De-  
5 cision Point B approval in the case of a space  
6 program,”; and

7 (C) in subsections (b)(2) and (d)(1), by  
8 striking “(or Key Decision Point B approval in  
9 the case of a space program)” each place it ap-  
10 pears.

11 (3) AMENDMENTS TO TABLE OF SECTIONS.—  
12 The items relating to sections 2366a and 2366b in  
13 the table of sections at the beginning of chapter 139  
14 of such title are amended to read as follows:

“2366a. Major defense acquisition programs: certification required before Mile-  
stone A approval.

“2366b. Major defense acquisition programs: certification required before Mile-  
stone B approval.”.

15 (4) ADDITIONAL CONFORMING AMENDMENTS.—  
16 Section 2433a(c)(1) of such title is amended by  
17 striking “, or Key Decision Point approval in the  
18 case of a space program,” each place it appears in  
19 subparagraphs (B) and (C).

20 **SEC. 802. REVISION TO LAW RELATING TO DISCLOSURES**  
21 **TO LITIGATION SUPPORT CONTRACTORS.**

22 (a) IN GENERAL.—

1           (1) REVISED AUTHORITY TO COVER DISCLO-  
2           SURES UNDER LITIGATION SUPPORT CONTRACTS.—  
3           Chapter 3 of title 10, United States Code, is amend-  
4           ed by inserting after section 129c the following new  
5           section:

6   **“§ 129d. Disclosure to litigation support contractors**

7           “(a) DISCLOSURE AUTHORITY.—An officer or em-  
8           ployee of the Department of Defense may disclose sen-  
9           sitive information to a litigation support contractor if—

10           “(1) the disclosure is for the sole purpose of  
11           providing litigation support to the Government in  
12           the form of administrative, technical, or professional  
13           services during or in anticipation of litigation; and

14           “(2) under a contract with the Government, the  
15           litigation support contractor agrees to and acknowl-  
16           edges—

17           “(A) that sensitive information furnished  
18           will be accessed and used only for the purposes  
19           stated in the relevant contract;

20           “(B) that the contractor will take all pre-  
21           cautions necessary to prevent disclosure of the  
22           sensitive information provided to the contractor;

23           “(C) that such sensitive information pro-  
24           vided to the contractor under the authority of  
25           this section shall not be used by the contractor

1 to compete against a third party for Govern-  
2 ment or non-Government contracts; and

3 “(D) that the violation of subparagraph  
4 (A), (B), or (C) is a basis for the Government  
5 to terminate the litigation support contract of  
6 the contractor.

7 “(b) DEFINITIONS.—In this section:

8 “(1) The term ‘litigation support contractor’  
9 means a contractor (including an expert or technical  
10 consultant) under contract with the Department of  
11 Defense to provide litigation support.

12 “(2) The term ‘sensitive information’ means  
13 confidential commercial, financial, or proprietary in-  
14 formation, technical data, or other privileged infor-  
15 mation.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-  
17 tions at the beginning of such chapter is amended  
18 by inserting after the item relating to section 129c  
19 the following new item:

“129d. Disclosure to litigation support contractors.”.

20 (b) REPEAL OF SUPERSEDED PROVISIONS ENACTED  
21 IN PUBLIC LAW 111–383.—Section 2320 of such title is  
22 amended—

23 (1) in subsection (c)(2)—

24 (A) by striking “subsection (a)” and all  
25 that follows through “a covered Government”

1 and inserting “subsection (a), allowing a cov-  
2 ered Government”; and

3 (B) by striking subparagraph (B); and

4 (2) by striking subsection (g).

5 **SEC. 803. EXTENSION OF APPLICABILITY OF THE SENIOR**  
6 **EXECUTIVE BENCHMARK COMPENSATION**  
7 **AMOUNT FOR PURPOSES OF ALLOWABLE**  
8 **COST LIMITATIONS UNDER DEFENSE CON-**  
9 **TRACTS.**

10 (a) CERTAIN COMPENSATION NOT ALLOWABLE  
11 UNDER DEFENSE CONTRACTS.—Subsection (e)(1)(P) of  
12 section 2324 of title 10, United States Code, is amended  
13 by striking “senior executives of contractors” and insert-  
14 ing “any individual performing under the covered con-  
15 tract”.

16 (b) CONFORMING AMENDMENT.—Subsection (l) of  
17 such section is amended by striking paragraph (5).

18 (c) EFFECTIVE DATE.—The amendments made by  
19 this section—

20 (1) shall be implemented in the Federal Acqui-  
21 sition Regulation within 180 days after the date of  
22 the enactment of this Act; and

23 (2) shall apply with respect to costs of com-  
24 pensation incurred after January 1, 2012, under

1 contracts entered into before, on, or after the date  
2 of the enactment of this Act.

3 **SEC. 804. SUPPLIER RISK MANAGEMENT.**

4 (a) SUPPLIER RISK MANAGEMENT.—In order to re-  
5 duce waste, fraud, and abuse and ensure that the Depart-  
6 ment of Defense awards contracts to responsible suppliers,  
7 the Secretary of Defense shall manage supplier risk in ac-  
8 cordance with this section and with the requirements of  
9 section 8(b)(7) of the Small Business Act (15 U.S.C.  
10 637(b)(7)).

11 (b) EVALUATION OF SUPPLIER RISK BEFORE  
12 AWARD OF CONTRACT.—The Secretary shall direct con-  
13 tracting personnel to use a business credit reporting bu-  
14 reau (or such other objective source of business informa-  
15 tion as the Secretary considers appropriate) to evaluate  
16 supplier risk on all contract actions.

17 (c) IDENTIFICATION AND TRACKING OF SUPPLIERS  
18 AFTER AWARD OF CONTRACT.—The Secretary shall en-  
19 sure that existing suppliers, including subcontractors and  
20 sources of supply, are identified and tracked. In imple-  
21 menting this subsection, the Secretary shall use an auto-  
22 mated commercial-off-the-shelf product to identify sup-  
23 pliers by location and to monitor suppliers for events that  
24 may affect supplier performance, including debarments  
25 and suspensions, mergers and acquisitions, bankruptcy fil-

1 ings, criminal proceedings against a person or company,  
2 financial changes, or deterioration of a company.

3 **SEC. 805. EXTENSION OF AVAILABILITY OF FUNDS IN THE**  
4 **DEFENSE ACQUISITION WORKFORCE DEVEL-**  
5 **OPMENT FUND.**

6 (a) AVAILABILITY.—Paragraph (6) of section  
7 1705(e) of title 10, United States Code, is amended to  
8 read as follows:

9 “(6) DURATION OF AVAILABILITY.—Amounts  
10 credited to the Fund in accordance with subsection  
11 (d)(2), transferred to the Fund pursuant to sub-  
12 section (d)(3), appropriated to the Fund, or depos-  
13 ited to the Fund shall remain available for obligation  
14 in the fiscal year for which credited, transferred, ap-  
15 propriated, or deposited and the two succeeding fis-  
16 cal years.”.

17 (b) EFFECTIVE DATE.—Paragraph (6) of such sec-  
18 tion, as amended by subsection (a), shall not apply to  
19 funds directly appropriated to the Fund before the date  
20 of the enactment of this Act.

21 **SEC. 806. DEFENSE CONTRACT AUDIT AGENCY ANNUAL RE-**  
22 **PORT.**

23 (a) DEFENSE CONTRACT AUDIT AGENCY ANNUAL  
24 REPORT.—Chapter 137 of title 10, United States Code,



1 is amended by inserting after section 2313 the following  
2 new section:

3 **“§ 2313a. Defense Contract Audit Agency: annual re-**  
4 **port**

5 “(a) REQUIRED REPORT.—The Director of the De-  
6 fense Contract Audit Agency shall prepare an annual re-  
7 port of the activities of the Agency during the previous  
8 fiscal year. The report shall include, at a minimum—

9 “(1) a description of significant problems,  
10 abuses, and deficiencies found during the conduct of  
11 contractor audits;

12 “(2) a description of the recommendations for  
13 corrective action made during the reporting period  
14 with respect to significant problems, abuses, or defi-  
15 ciencies identified pursuant to paragraph (1);

16 “(3) a summary of each particularly significant  
17 audit;

18 “(4) statistical tables showing—

19 “(A) the total number of audit reports  
20 completed and pending;

21 “(B) the priority given to each type of  
22 audit;

23 “(C) the length of time taken for each type  
24 of audit; and

1           “(D) the total dollar value of questioned  
2           costs (including a separate category for the dol-  
3           lar value of unsupported costs);

4           “(5) a summary of the pending audits, along  
5           with a rationale for why each pending audit is not  
6           yet completed; and

7           “(6) a summary of any recommendations of ac-  
8           tions or resources needed to improve the audit proc-  
9           ess.

10          “(b) SUBMISSION OF ANNUAL REPORT.—Not later  
11          than March 30 of each year, the Director shall submit to  
12          the congressional defense committees the report required  
13          by subsection (a).

14          “(c) PUBLIC AVAILABILITY.—Not later than 60 days  
15          after the submission of an annual report to the congres-  
16          sional defense committees under subsection (b), the Direc-  
17          tor shall make the report available on the publicly avail-  
18          able website of the Agency or such other publicly available  
19          website as the Director considers appropriate.”.

20          (b) CLERICAL AMENDMENT.—The table of sections  
21          at the beginning of such chapter is amended by inserting  
22          after the item relating to section 2313 the following new  
23          item:

“2313a. Defense Contract Audit Agency: annual report.”.

1 **Subtitle B—Amendments to Gen-**  
2 **eral Contracting Authorities,**  
3 **Procedures, and Limitations**

4 **SEC. 811. CALCULATION OF TIME PERIOD RELATING TO RE-**  
5 **PORT ON CRITICAL CHANGES IN MAJOR**  
6 **AUTOMATED INFORMATION SYSTEMS.**

7 Section 2445c(d)(2)(A) of title 10, United States  
8 Code, is amended by inserting before the semicolon at the  
9 end the following: “after contract award (excluding any  
10 time during which the contract award is subject to a bid  
11 protest)”.

12 **SEC. 812. CHANGE IN DEADLINE FOR SUBMISSION OF SE-**  
13 **LECTED ACQUISITION REPORTS FROM 60 TO**  
14 **45 DAYS.**

15 Section 2432(f) of title 10, United States Code, is  
16 amended by striking “60” and inserting “45”.

17 **SEC. 813. EXTENSION OF SUNSET DATE FOR CERTAIN PRO-**  
18 **TESTS OF TASK AND DELIVER ORDER CON-**  
19 **TRACTS.**

20 Paragraph (3) of section 4106(f) of title 41, United  
21 States Code, is amended to read as follows:

22 “(3) EFFECTIVE PERIOD.—Paragraph (1)(B)  
23 and paragraph (2) of this subsection shall not be in  
24 effect after September 30, 2016.”.

1 **SEC. 814. CLARIFICATION OF DEPARTMENT OF DEFENSE**  
2 **AUTHORITY TO PURCHASE RIGHT-HAND**  
3 **DRIVE PASSENGER SEDANS.**

4 Section 2253(a)(2) of title 10, United States Code,  
5 is amended by striking “vehicles” and inserting “pas-  
6 senger sedans”.

7 **SEC. 815. AMENDMENT RELATING TO BUYING TENTS, TAR-**  
8 **PAULINS, OR COVERS FROM AMERICAN**  
9 **SOURCES.**

10 Section 2533a(b)(1)(C) of title 10, United States  
11 Code, is amended by inserting “(and the materials and  
12 components thereof)” after “tents, tarpaulins, or covers”.

13 **SEC. 816. PARA-ARAMID FIBERS AND YARNS.**

14 (a) REPEAL OF FOREIGN SUPPLIER EXEMPTION.—  
15 Section 807 of the Strom Thurmond National Defense  
16 Authorization Act for Fiscal Year 1999 (Public Law 105–  
17 261; 112 Stat. 2084) is repealed.

18 (b) PROHIBITION ON SPECIFICATION IN SOLICITA-  
19 TIONS.—No solicitation issued by the Department of De-  
20 fense may include a requirement that proposals submitted  
21 pursuant to such solicitation must include the use of para-  
22 aramid fibers and yarns.

1 **SEC. 817. REPEAL OF SUNSET OF AUTHORITY TO PROCURE**  
2 **FIRE RESISTANT RAYON FIBER FROM FOR-**  
3 **EIGN SOURCES FOR THE PRODUCTION OF**  
4 **UNIFORMS.**

5 Subsection (f) of section 829 of the National Defense  
6 Authorization Act for Fiscal Year 2008 (Public Law 110–  
7 181; 122 Stat. 229; 10 U.S.C. 2533a note) is repealed.

8 **Subtitle C—Provisions Relating to**  
9 **Contracts in Support of Contin-**  
10 **gency Operations in Iraq or Af-**  
11 **ghanistan**

12 **SEC. 821. RESTRICTIONS ON AWARDING CONTRACTS IN**  
13 **SUPPORT OF CONTINGENCY OPERATIONS IN**  
14 **IRAQ OR AFGHANISTAN TO ADVERSE ENTI-**  
15 **TIES.**

16 (a) PROHIBITION ON CONTRACTS WITH ADVERSE  
17 ENTITIES.—Effective on the date occurring 60 days after  
18 the date of the enactment of this Act, the Secretary of  
19 Defense may not award a contract in support of a contin-  
20 gency operation in Iraq or Afghanistan to an adverse enti-  
21 ty.

22 (b) VOIDING CONTRACTS WITH ADVERSE ENTI-  
23 TIES.—With respect to any contract in effect before, on,  
24 or after the effective date of the prohibition in subsection  
25 (a), if the Secretary of Defense determines under sub-  
26 section (c) that the contract, or any subcontract under the

1 contract, is being performed by an adverse entity, the Sec-  
2 retary may, in accordance with applicable law—

3 (1) void the contract; or

4 (2) require the prime contractor to void any  
5 such subcontract.

6 (c) DETERMINATION OF ADVERSE ENTITY.—

7 (1) IN GENERAL.—For purposes of this section,  
8 an adverse entity is any foreign entity or foreign in-  
9 dividual that the Secretary of Defense, acting  
10 through the Commander of the United States Cen-  
11 tral Command, determines, based on credible evi-  
12 dence—

13 (A) is directly engaged in hostilities or is  
14 substantially supporting forces that are engaged  
15 in hostilities against the United States or its co-  
16 alition partners in a contingency operation in  
17 Iraq or Afghanistan; and

18 (B) is performing on a contract awarded,  
19 or task or delivery order issued, by or on behalf  
20 of the Department of Defense as a contractor,  
21 a subcontractor, or an employee of a contractor  
22 or subcontractor.

23 (2) NOTIFICATION.—Upon a determination by  
24 the Commander that an individual or entity is an  
25 adverse entity, the Commander shall notify in writ-

1       ing the head of the contracting activity responsible  
2       for the contingency operation concerned.

3           (3) REVIEW.—Not later than 15 days after re-  
4       ceipt of a notification under paragraph (2), the head  
5       of the contracting activity shall—

6           (A) review the contracts concerned, and  
7           any subcontracts under such contracts, awarded  
8           under the authority of the head of the con-  
9           tracting activity to verify whether the adverse  
10          entity is currently performing under any such  
11          contract or subcontract; and

12          (B) notify the Commander in writing of  
13          any contracts or subcontracts that the head  
14          verifies are being performed by the adverse en-  
15          tity.

16       (d) GUIDANCE.—Not later than 30 days after the  
17       date of the enactment of this Act, the Secretary of Defense  
18       shall issue guidance to implement this section. The guid-  
19       ance shall include, at a minimum, the following:

20           (1) A requirement for each contract awarded in  
21           support of a contingency operation in Iraq or Af-  
22           ghanistan awarded after the date of the enactment  
23           of this Act to include a clause pertaining to the au-  
24           thority provided under subsection (b).

1           (2) Criteria by which such authority will be ap-  
2           plied, including criteria to ensure compliance with  
3           applicable laws.

4 **SEC. 822. AUTHORITY TO USE HIGHER THRESHOLDS FOR**  
5                           **PROCUREMENTS IN SUPPORT OF CONTIN-**  
6                           **GENCY OPERATIONS.**

7           With respect to a procurement of property or services  
8           by or for the Department of Defense that the Secretary  
9           of Defense determines are to be used in support of a con-  
10          tingency operation in Iraq or Afghanistan, regardless of  
11          whether the award of a contract, or the making of a pur-  
12          chase, for the procurement is inside or outside the United  
13          States—

14                 (1) the simplified acquisition threshold is  
15                 deemed to be \$1,000,000; and

16                 (2) the micro-purchase threshold is deemed to  
17                 be \$25,000.

18 **SEC. 823. AUTHORITY TO EXAMINE RECORDS OF FOREIGN**  
19                           **CONTRACTORS PERFORMING CONTRACTS IN**  
20                           **SUPPORT OF CONTINGENCY OPERATIONS IN**  
21                           **IRAQ OR AFGHANISTAN.**

22           (a) **AUTHORITY.**—Except as provided in subsection  
23           (b), the Secretary of Defense may examine the records of  
24           a foreign contractor performing a contract in support of  
25           a contingency operation in Iraq or Afghanistan.



1 (b) EXCEPTION.—Subsection (a) does not apply to a  
2 foreign contractor that is a foreign government or agency  
3 thereof or that is precluded by applicable laws from mak-  
4 ing its records available for examination.

5 (c) GUIDANCE.—Not later than 30 days after the  
6 date of the enactment of this Act, the Secretary of Defense  
7 shall issue guidance to implement this section.

8 **SEC. 824. DEFINITIONS.**

9 In this subtitle:

10 (1) CONTRACT IN SUPPORT OF A CONTINGENCY  
11 OPERATION IN IRAQ OR AFGHANISTAN.—The term  
12 “contract in support of a contingency operation in  
13 Iraq or Afghanistan” means a contract awarded by  
14 the Secretary of Defense for the procurement of  
15 property or services to be used outside the United  
16 States in support of a contingency operation in Iraq  
17 or Afghanistan.

18 (2) CONTINGENCY OPERATION.—The term  
19 “contingency operation” has the meaning provided  
20 by section 101(a)(13) of title 10, United States  
21 Code.

22 (3) RECORDS.—The term “records” has the  
23 meaning provided by section 2313(l) of title 10,  
24 United States Code.

1           (4) FOREIGN CONTRACTOR.—The term “foreign  
2           contractor” means a contractor or subcontractor or-  
3           ganized or existing under the laws of a country other  
4           than the United States.

5 **SEC. 825. QUALITY ASSURANCE SURVEILLANCE PLAN FOR**  
6                           **SECURITY CONTRACTORS OPERATING IN AF-**  
7                           **GHANISTAN AND IN SUPPORT OF OTHER**  
8                           **CONTINGENCY OPERATIONS.**

9           (a) IN GENERAL.—The Secretary of Defense shall es-  
10          tablish a plan to be known as a “Quality Assurance Sur-  
11          veillance Plan” setting standards that must be incor-  
12          porated in Department of Defense oversight plans gov-  
13          erning all security contractors operating in Afghanistan,  
14          and other future contingency operations, under a contract  
15          or subcontract funded by the Department of Defense. The  
16          Secretary shall designate a single appropriate official sta-  
17          tioned in the country of operations to review each security  
18          contract or subcontract involving security contractors  
19          funded by the Department of Defense for compliance with  
20          the Quality Assurance Surveillance Plan. Such official  
21          shall certify that the official has reviewed the oversight  
22          plan for that contract, that the oversight plan is appro-  
23          priate for that contract, that there is an appropriate num-  
24          ber of appropriately trained personnel available to oversee  
25          that contract, and confirm that any and all licenses and

1 permits required by the security contractor and its em-  
2 ployees have been reviewed and verified as current and au-  
3 thentic.

4 (b) DEADLINE FOR IMPLEMENTATION.—These re-  
5 quirements under subsection (a) shall be implemented by  
6 not later than six months after the date of enactment of  
7 this Act.

8 (c) COMPTROLLER GENERAL ASSESSMENT.—The  
9 Comptroller General of the United States shall conduct  
10 an assessment the Department of Defense’s compliance  
11 with this section and, not later than 6 months after the  
12 requirements of this section are implemented pursuant to  
13 subsection (b), shall submit to Congress a report on such  
14 assessment.

15 **SEC. 826. COMPETITION AND REVIEW OF CONTRACTS FOR**  
16 **PROPERTY OR SERVICES IN SUPPORT OF A**  
17 **CONTINGENCY OPERATION.**

18 (a) CONTRACTING GOALS.—Not later than 90 days  
19 after the date of the enactment of this Act, the Secretary  
20 of Defense shall—

21 (1) establish goals for competition in contracts  
22 awarded by the Secretary of Defense for the pro-  
23 curement of property or services to be used outside  
24 the United States in support of a contingency oper-  
25 ation; and

1           (2) shall develop processes by which to measure  
2           and monitor such competition, including in task-  
3           order categories for services, construction, and sup-  
4           plies.

5           (b) ANNUAL REVIEW OF CERTAIN CONTRACTS.—

6           (1) REVIEW REQUIRED.—For each year the Lo-  
7           gistics Civil Augmentation Program contract, or  
8           other similar omnibus contract awarded by the Sec-  
9           retary of Defense for the procurement of property or  
10          services to be used outside the United States in sup-  
11          port of a contingency operation, is in force, the Sec-  
12          retary shall require a competition advocate of the  
13          Department of Defense to conduct an annual review  
14          of each such contract.

15          (2) COMPETITIVE AWARDS.—Based on the find-  
16          ings of a review conducted under paragraph (1), the  
17          Secretary shall identify subcontracts that may rea-  
18          sonably be treated as prime contract for purpose of  
19          a competition and take such steps as may be nec-  
20          essary to establish a competitive award basis for  
21          such a contract in a timely manner.

22          (c) ANNUAL REPORT ON CONTRACTING IN IRAQ AND  
23          AFGHANISTAN.— Section 863(a)(2) of the National De-  
24          fense Authorization Act for Fiscal Year 2008 (110–181;  
25          10 U.S.C. 2302 note) is amended—

1           (1) by redesignating subparagraphs (F)  
2 through (H) as subparagraphs (H) through (J), re-  
3 spectively; and

4           (2) by inserting after subparagraph (E) the fol-  
5 lowing new subparagraphs:

6                   “(F) Percentage of contracts awarded on a  
7 competitive basis as compared to established  
8 goals for competition in contingency contracting  
9 actions.

10                   “(G) Justification for any non-competi-  
11 tively awarded contingency contracts that are  
12 not otherwise deemed to be not suitable for  
13 competition”.

14           **Subtitle D—Defense Industrial**  
15                   **Base Matters**

16           **SEC. 831. ASSESSMENT OF THE DEFENSE INDUSTRIAL BASE**  
17                   **PILOT PROGRAM.**

18           (a) REPORT.—Not later than March 1, 2012, the  
19 Secretary of Defense shall submit to the congressional de-  
20 fense committees a report on the defense industrial base  
21 pilot program of the Department of Defense.

22           (b) ELEMENTS.—The report required by subsection  
23 (a) shall include each of the following:

1           (1) A quantitative and qualitative analysis of  
2 the effectiveness of the defense industrial base pilot  
3 program.

4           (2) An assessment of the legal, policy, or regu-  
5 latory challenges associated with effectively exe-  
6 cuting the pilot program.

7           (3) Recommendations for changes to the legal,  
8 policy, or regulatory framework for the pilot pro-  
9 gram to make it more effective.

10          (4) A description of any plans to expand the  
11 pilot program, including to other sectors beyond the  
12 defense industrial base.

13          (5) An assessment of the potential legal, policy,  
14 or regulatory challenges associated with expanding  
15 the pilot program.

16          (6) Any other matters the Secretary considers  
17 appropriate.

18          (c) FORM.—The report required under this section  
19 shall be submitted in unclassified form, but may include  
20 a classified annex.

21 **SEC. 832. DEPARTMENT OF DEFENSE ASSESSMENT OF IN-**  
22 **DUSTRIAL BASE FOR POTENTIAL SHORT-**  
23 **FALLS.**

24          (a) ASSESSMENT REQUIRED.—The Secretary of De-  
25 fense shall undertake an assessment of the current and

1 long-term availability within the United States industrial  
2 base of critical equipment, components, subcomponents,  
3 and materials needed to support short or prolonged con-  
4 ventional conflicts. In carrying out the assessment, the  
5 Secretary shall—

6           (1) identify items that the Secretary determines  
7           are critical to military readiness, including key com-  
8           ponents, subcomponents, and materials;

9           (2) perform a risk assessment of the supply  
10          chain for items identified under paragraph (1) and  
11          an evaluation of the extent to which—

12                   (A) the supply chain for such items could  
13                   be disrupted by a first strike on the United  
14                   States; and

15                   (B) the industrial base obtains such items  
16                   from foreign sources; and

17          (3) develop mitigation strategies to address any  
18          gaps and vulnerabilities in the ability of the Depart-  
19          ment to respond to potential contingencies identified  
20          in operational plans of the combatant commanders if  
21          the sources that provide items identified under para-  
22          graph (1) should become unavailable.

23          (b) REPORT.—Not later than 180 days after the date  
24          of the enactment of this Act, the Secretary of Defense

1 shall submit to Congress a report containing the findings  
2 of the assessment required under subsection (a).

3 (c) GAO REVIEW.—The Comptroller General of the  
4 United States shall review the assessment required under  
5 subsection (a) and the report required under subsection  
6 (b) and submit to Congress a report on such review. The  
7 review shall include an assessment of—

8 (1) the completeness of the report;

9 (2) the reasonableness of the methodology used  
10 to develop the report;

11 (3) the conclusions contained in the report; and

12 (4) the extent to which the Department has im-  
13 plemented a Department-wide framework to identify  
14 and address gaps and vulnerabilities in the supply  
15 chain.

16 **SEC. 833. COMPTROLLER GENERAL ASSESSMENT OF GOV-**  
17 **ERNMENT COMPETITION IN THE DEPART-**  
18 **MENT OF DEFENSE INDUSTRIAL BASE.**

19 (a) COMPTROLLER GENERAL ASSESSMENT RE-  
20 QUIRED.—The Comptroller General of the United States  
21 shall carry out an assessment of the effect of Government  
22 mandated and supported competition in the Department  
23 of Defense industrial base that includes, at a minimum,  
24 the following:



1           (1) An examination of the aerospace propulsion  
2           business volume that the Department generates and  
3           whether such volume facilitates or supports multiple  
4           levels of competitors.

5           (2) An examination of the factors necessary to  
6           achieve cost effectiveness in initiating and sup-  
7           porting a competitive industrial base.

8           (3) An examination of the actual costs of devel-  
9           oping a second source for previous private sector  
10          provided materials versus savings provided through  
11          such competitions.

12          (4) The advantages and disadvantages of other  
13          potential options or methods as well as any short-  
14          falls in the current processes.

15          (5) Recommendations for any administrative or  
16          legislative action that the Comptroller General  
17          deems appropriate in the context of the assessment.

18          (b) REPORT.—Not later than April 1, 2012, the  
19          Comptroller General shall submit to the Chairmen and  
20          ranking members of the Committees on Armed Services  
21          of the Senate and the House of Representatives a report  
22          on the findings and recommendations, as appropriate, of  
23          the Comptroller General with respect to the assessment  
24          conducted. The Comptroller General shall receive com-

1 ments from the Secretary of Defense and others, as appro-  
2 priate.

3 **SEC. 834. REPORT ON IMPACT OF FOREIGN BOYCOTTS ON**  
4 **THE DEFENSE INDUSTRIAL BASE.**

5 (a) IN GENERAL.—Not later than February 1, 2012,  
6 the Comptroller General of the United States shall submit  
7 to the appropriate congressional committees a report set-  
8 ting forth an assessment of the impact of foreign boycotts  
9 on the defense industrial base.

10 (b) ELEMENTS.—The report required by subsection  
11 (a) shall include—

12 (1) a summary of foreign boycotts that posed a  
13 material risk to the defense industrial base from  
14 January 2008 to the date of enactment of this Act;

15 (2) the apparent objectives of each such boy-  
16 cott;

17 (3) an assessment of harm to the defense indus-  
18 trial base as a result of each such boycott;

19 (4) an assessment of the sufficiency of Depart-  
20 ment of Defense and Department of State efforts to  
21 mitigate the material risks of any such boycott to  
22 the defense industrial base; and

23 (5) recommendations of the Comptroller Gen-  
24 eral to reduce the material risks of foreign boycotts  
25 to the defense industrial base, including rec-

1       ommendations for changes to legislation, regulation,  
2       policy, or procedures.

3       (c) CONFIDENTIALITY.—The Comptroller General  
4 shall not publicly disclose the names of any person, organi-  
5 zation, or entity involved in or affected by any foreign boy-  
6 cott identified in the report required under subsection (a)  
7 without the express written approval of the person, organi-  
8 zation, or entity concerned.

9       (d) DEFINITIONS.—In this section:

10           (1) FOREIGN BOYCOTT.—The term “foreign  
11 boycott” means any policy or practice adopted by a  
12 foreign government or foreign business enterprise in-  
13 tended to directly penalize, disadvantage, or harm  
14 any contractor or subcontractor of the Department  
15 of Defense, or otherwise dissociate the foreign gov-  
16 ernment or foreign business enterprise from such a  
17 contractor or subcontractor on account of the provi-  
18 sion by that contractor or subcontractor of any prod-  
19 uct or service to the Department.

20           (2) APPROPRIATE CONGRESSIONAL COMMIT-  
21 TEES.—The term “appropriate congressional com-  
22 mittees” means—

23                   (A) the congressional defense committees;  
24                   and

1 (B) the Committee on Foreign Affairs of  
2 the House of Representatives and the Com-  
3 mittee on Foreign Relations of the Senate.

4 **SEC. 835. RARE EARTH MATERIAL INVENTORY PLAN.**

5 (a) REQUIREMENT.—Not later than 180 days after  
6 the date of the enactment of this Act, the Administrator  
7 of the Defense Logistics Agency Strategic Materials shall  
8 submit to the Secretary of Defense a plan to establish an  
9 inventory of rare earth materials necessary to ensure the  
10 long-term availability of such rare earth materials, as  
11 identified by the report required by section 843 of the Ike  
12 Skelton National Defense Authorization Act for Fiscal  
13 Year 2011 (Public Law 111–383; 124 Stat. 4282) and  
14 as otherwise determined to be necessary. The plan shall—

15 (1) identify and describe the steps necessary to  
16 create an inventory of rare earth materials, includ-  
17 ing oxides, metals, alloys, and magnets, to support  
18 national defense requirements and ensure reliable  
19 sources of such materials for defense purposes;

20 (2) provide a detailed cost-benefit analysis of  
21 creating such an inventory in accordance with Office  
22 of Management and Budget Circular A–94;

23 (3) provide an analysis of the potential market  
24 effects, including effects on the pricing and commer-

1        cial availability of such rare earth materials, associ-  
2        ated with creating such an inventory;

3            (4) identify and describe the mechanisms avail-  
4        able to the Administrator to make such an inventory  
5        accessible, including by purchase, to entities requir-  
6        ing such rare earth materials to support national de-  
7        fense requirements, including producers of end items  
8        containing rare earth materials;

9            (5) provide a detailed explanation of the ability  
10       of the Administrator to authorize the sale of excess  
11       materials to support a Rare Earth Material Stock-  
12       pile Inventory Program;

13           (6) analyze any potential requirements to  
14       amend or revise the Defense Logistics Agency Stra-  
15       tegic Materials Annual Material Plan for Fiscal Year  
16       2012 and subsequent years to reflect an inventory of  
17       rare earth materials to support national defense re-  
18       quirements;

19           (7) identify and describe the steps necessary to  
20       develop or maintain a competitive, multi-source sup-  
21       ply-chain to avoid reliance on a single source of sup-  
22       ply;

23           (8) identify and describe supply sources consid-  
24       ered by the Administrator to be reliable, including  
25       an analysis of the capabilities of such sources to

1 produce such materials in forms required for mili-  
2 tary applications in the next five years, as well as  
3 the security of upstream supply for these sources of  
4 material; and

5 (9) include such other considerations and rec-  
6 ommendations as necessary to support the establish-  
7 ment of such inventory.

8 (b) DETERMINATION.—

9 (1) IN GENERAL.—Not later than 90 days after  
10 the date on which the plan is submitted under sub-  
11 section (a), the Secretary of Defense shall determine  
12 whether to execute the plan described in subsection  
13 (a).

14 (2) SUBMITTAL.—The Secretary shall submit to  
15 the congressional defense committees—

16 (A) the plan under subsection (a); and

17 (B) a notice of the determination under  
18 paragraph (1).

19 (c) DEFINITIONS.—In this section:

20 (1) The term “rare earth” means any of the  
21 following chemical elements in any of their physical  
22 forms or chemical combinations and alloys:

23 (A) Scandium.

24 (B) Yttrium.

25 (C) Lanthanum.

- 1 (D) Cerium.  
2 (E) Praseodymium.  
3 (F) Neodymium.  
4 (G) Promethium.  
5 (H) Samarium.  
6 (I) Europium.  
7 (J) Gadolinium.  
8 (K) Terbium.  
9 (L) Dysprosium.  
10 (M) Holmium.  
11 (N) Erbium.  
12 (O) Thulium.  
13 (P) Ytterbium.  
14 (Q) Lutetium.

15 (2) The term “capability” means the required  
16 facilities, manpower, technological knowhow, and in-  
17 tellectual property necessary for the efficient and ef-  
18 fective production of rare earth materials.

## 19 **Subtitle E—Other Matters**

### 20 **SEC. 841. MISCELLANEOUS AMENDMENTS TO PUBLIC LAW** 21 **111-383 RELATING TO ACQUISITION.**

22 (a) AMENDMENTS TO CAPABILITIES COVERED BY  
23 ACQUISITION PROCESS FOR RAPID FIELDING.—Section  
24 804(b)(3) of the Ike Skelton National Defense Authoriza-

1 tion Act for Fiscal Year 2011 (Public Law 111–383; 124  
2 Stat. 4256; 10 U.S.C. 2302 note) is amended—

3 (1) by inserting “and” at the end of subpara-  
4 graph (B);

5 (2) by striking “; and” at the end of subpara-  
6 graph (C) and inserting a period; and

7 (3) by striking subparagraph (D).

8 (b) AMENDMENTS TO ELEMENTS OF GUIDANCE ON  
9 MANAGEMENT OF MANUFACTURING RISK IN MAJOR DE-  
10 FENSE ACQUISITION PROGRAMS.—Section 812(b) of such  
11 Act (Public Law 111–383; 124 Stat. 4264; 10 U.S.C.  
12 2430) is amended—

13 (1) by striking paragraph (1); and

14 (2) by redesignating paragraphs (2), (3), (4),  
15 and (5) as paragraphs (1), (2), (3), and (4), respec-  
16 tively.

17 (c) AMENDMENTS TO DEFENSE RESEARCH AND DE-  
18 VELOPMENT RAPID INNOVATION PROGRAM.—Section  
19 1073 of such Act (Public Law 111–383; 124 Stat. 4366;  
20 10 U.S.C. 2359a note) is amended—

21 (1) in subsection (a), by striking “shall” in the  
22 first sentence and inserting “may”; and

23 (2) in subsection (b), by amending the first sen-  
24 tence to read as follows: “If the Secretary estab-  
25 lishes a program under subsection (a), the Secretary



1 shall issue guidelines for the operation of the pro-  
2 gram.”.

3 **SEC. 842. PROCUREMENT OF PHOTOVOLTAIC DEVICES.**

4 (a) REVISION TO CONTRACTS DESCRIBED.—Sub-  
5 section (b) of section 846 of the Ike Skelton National De-  
6 fense Authorization Act for Fiscal Year 2011 (Public Law  
7 111–383; 124 Stat. 4285; 10 U.S.C. 2534 note) is amend-  
8 ed by striking “For the purposes of this section,” and all  
9 that follows through the end and inserting the following:  
10 “For the purposes of this section, the Department of De-  
11 fense is deemed to own a photovoltaic device if the device  
12 is installed on Department of Defense property or in a  
13 facility owned or leased by or for the Department of De-  
14 fense.”.

15 (b) REVISION TO DEFINITION OF PHOTOVOLTAIC  
16 DEVICES.—Subsection (c) of such section is amended by  
17 striking “means” and all that follows through the end and  
18 inserting the following: “means devices that convert light  
19 directly into electricity.”.

1 **SEC. 843. CLARIFICATION OF JURISDICTION OF THE**  
2 **UNITED STATES DISTRICT COURTS TO HEAR**  
3 **BID PROTEST DISPUTES INVOLVING MARI-**  
4 **TIME CONTRACTS.**

5 (a) **EXCLUSIVE JURISDICTION.**—Section 1491(b) of  
6 title 28, United States Code, is amended by adding at the  
7 end the following new paragraph:

8 “(6) Jurisdiction over any action described in  
9 paragraph (1) arising out of a maritime contract, or  
10 a solicitation for a proposed maritime contract, shall  
11 be governed by this section and shall not be subject  
12 to the jurisdiction of the district courts of the  
13 United States under the Suits in Admiralty Act  
14 (chapter 309 of title 46) or the Public Vessels Act  
15 (chapter 311 of title 46).”.

16 (b) **EFFECTIVE DATE.**—The amendment made by  
17 subsection (a) shall apply to any cause of action filed on  
18 or after the first day of the first month beginning more  
19 than 30 days after the date of the enactment of this Act.

20 **SEC. 844. EXEMPTION OF DEPARTMENT OF DEFENSE FROM**  
21 **ALTERNATIVE FUEL PROCUREMENT RE-**  
22 **QUIREMENT.**

23 Section 526 of the Energy Independence and Security  
24 Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is  
25 amended by adding at the end the following: “This section  
26 shall not apply to the Department of Defense.”.

1 **SEC. 845. PREFERENCE FOR POTENTIAL CONTRACTORS**  
2 **THAT CARRY OUT CERTAIN ACTIVITIES.**

3 In evaluating offers submitted in response to a solici-  
4 tation for contracts, the Secretary of Defense shall provide  
5 a preference to any offeror that—

6 (1) enhances undergraduate, graduate, and doc-  
7 toral programs in science, technology, engineering  
8 and math (in this section referred to as “STEM”  
9 disciplines);

10 (2) makes investments, such as programming  
11 and curriculum development, in STEM programs  
12 within elementary and secondary schools;

13 (3) encourages employees to volunteer in Title  
14 I schools in order to enhance STEM education and  
15 programs;

16 (4) makes personnel available to advise and as-  
17 sist faculty at such colleges and universities in the  
18 performance of STEM research and disciplines crit-  
19 ical to the functions of the Department of Defense;

20 (5) establishes partnerships between the offeror  
21 and historically Black colleges and universities and  
22 minority institutions for the purpose of training stu-  
23 dents in scientific disciplines;

24 (6) awards scholarships and fellowships, and es-  
25 tablishes cooperative work-education programs in  
26 scientific disciplines; or

1           (7) conducts recruitment activities at histori-  
2 cally black colleges and universities and other minor-  
3 ity-serving institutions or offers internships or ap-  
4 prenticeships.

5 **SEC. 846. REPORTS ON USE OF INDEMNIFICATION AGREE-**  
6 **MENTS.**

7           (a) IN GENERAL.—Chapter 137 of title 10, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

10 **“§ 2335. Reports on use of indemnification agree-**  
11 **ments**

12           “(a) IN GENERAL.—Beginning October 1, 2011, not  
13 later than 90 days after the date on which any action de-  
14 scribed in subsection (b)(1) occurs, the Secretary of De-  
15 fense shall submit to the congressional defense committees  
16 and the Committees on the Budget of the House of Rep-  
17 resentatives and the Senate a report on such action.

18           “(b) ACTION DESCRIBED.—(1) An action described  
19 in this paragraph is the Secretary of Defense—

20                   “(A) entering into a contract that includes an  
21 indemnification agreement; or

22                   “(B) modifying an existing indemnification  
23 agreement in any contract.

24           “(2) Paragraph (1) shall not apply to any contract  
25 awarded in accordance with—

1           “(A) section 2354 of this title; or

2           “(B) the Comprehensive Environmental Re-  
3           sponse, Compensation, and Liability Act of 1980 (42  
4           U.S.C. 9601 et seq.).

5           “(c) MATTERS INCLUDED.—For each contract cov-  
6           ered in a report under subsection (a), the report shall in-  
7           clude—

8           “(1) the name of the contractor;

9           “(2) the actual cost or estimated potential cost  
10          involved;

11          “(3) a description of the items, property, or  
12          services for which the contract is awarded; and

13          “(4) a justification of the contract including the  
14          indemnification agreement.

15          “(d) NATIONAL SECURITY.—The Secretary may omit  
16          any information in a report under subsection (a) if the  
17          Secretary—

18          “(1) determines that the disclosure of such in-  
19          formation is not in the national security interests of  
20          the United States; and

21          “(2) includes in the report a justification of the  
22          determination made under paragraph (1).”.

23          (b) CLERICAL AMENDMENT.—The table of sections  
24          at the beginning of such chapter is amended by adding  
25          at the end the following new item:

“2335. Reports on use of indemnification agreements.”.

1 **SEC. 847. PROHIBITION ON DISCLOSURE OF POLITICAL**  
2 **CONTRIBUTIONS.**

3 (a) IN GENERAL.—Chapter 47 of title 41, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing new section:

6 **“§ 4712. Prohibition on disclosure of political con-**  
7 **tributions**

8 “(a) PROHIBITION.—An executive agency may not re-  
9 quire an entity submitting an offer for a Federal contract  
10 or otherwise participating in acquisition of property or  
11 services by the Federal Government to disclose any of the  
12 following information as a condition of submitting the  
13 offer or otherwise participating in such acquisition:

14 “(1) Any payment consisting of a contribution,  
15 expenditure, independent expenditure, or disburse-  
16 ment for an electioneering communication that is  
17 made by the entity, its officers or directors, or any  
18 of its affiliates or subsidiaries to a candidate for  
19 election for Federal office or to a political com-  
20 mittee, or that is otherwise made with respect to any  
21 election for Federal office.

22 “(2) Any disbursement of funds (other than a  
23 payment described in paragraph (1)) made by the  
24 entity, its officers or directors, or any of its affiliates  
25 or subsidiaries to any individual or entity with the  
26 intent or the reasonable expectation that the indi-

1       vidual or entity will use the funds to make a pay-  
2       ment described in paragraph (1).

3       “(b) NO EFFECT ON OTHER DISCLOSURE REQUIRE-  
4       MENTS.—Nothing in this section may be construed to  
5       waive or otherwise affect the application to an entity de-  
6       scribed in subsection (a) of any provision of law (including  
7       the Federal Election Campaign Act of 1971) that requires  
8       the entity to disclose information on contributions, ex-  
9       penditures, independent expenditures, or electioneering  
10      communications.

11      “(c) DEFINITIONS.—In this section—

12           “(1) each of the terms ‘contribution’, ‘expendi-  
13           ture’, ‘independent expenditure’, ‘electioneering com-  
14           munication’, ‘candidate’, ‘election’, and ‘Federal of-  
15           fice’ has the meaning given such term in the Federal  
16           Election Campaign Act of 1971 (2 U.S.C. 431 et  
17           seq.); and

18           “(2) the term ‘acquisition’ has the meaning  
19           given that term in section 131 of this title.”.

20      (b) TECHNICAL AND CONFORMING AMENDMENT.—  
21      The table of contents for chapter 47 of title 41, United  
22      States Code, is amended by inserting after the item relat-  
23      ing to section 4711 the following new item:

“4712. Prohibition on disclosure of political contributions.”.

1 **SEC. 848. SENSE OF CONGRESS ON LONG-TERM CON-**  
2 **TRACTING FOR ALTERNATIVE FUELS.**

3 It is the sense of Congress that long-term contracting  
4 for alternative fuels is in the best interests of the Depart-  
5 ment of Defense and is a wise use of taxpayer resources.  
6 Long-term contracts provide stability for industry, which  
7 allows them to drive the cost down. Long-term contracts  
8 also provide some insulation to the Department of Defense  
9 from fuel price increases. The Department of Defense has  
10 asked for the authority to enter into long-term contracts  
11 for alternative fuels, and it is the sense of Congress that  
12 this is a valuable proposal and should be supported.

13 **SEC. 849. ACQUISITION WORKFORCE IMPROVEMENTS.**

14 (a) WORKFORCE IMPROVEMENTS.—Section 1704(b)  
15 of title 41, United States Code, is amended—

16 (1) by inserting after the first sentence the fol-  
17 lowing: “The Associate Administrator shall be cho-  
18 sen on the basis of demonstrated knowledge and ex-  
19 pertise in acquisition, human capital, and manage-  
20 ment.”;

21 (2) by striking “The Associate Administrator  
22 for Acquisition Workforce Programs shall be located  
23 in the Federal Acquisition Institute (or its suc-  
24 cessor).” and inserting “The Associate Adminis-  
25 trator shall be located in the Office of Federal Pro-  
26 curement Policy.”;



1 (3) in paragraph (4), by striking “; and” and  
2 inserting a semicolon;

3 (4) by redesignating paragraph (5) as para-  
4 graph (6); and

5 (5) by inserting after paragraph (4) the fol-  
6 lowing new paragraph:

7 “(5) implementing workforce programs under  
8 subsections (f) through (k) of section 1703 of this  
9 title; and”.

10 (b) FEDERAL ACQUISITION INSTITUTE.—

11 (1) IN GENERAL.—Division B of title 41,  
12 United States Code, is amended by inserting after  
13 chapter 11 the following new chapter:

14 **“CHAPTER 12—FEDERAL ACQUISITION**  
15 **INSTITUTE**

“Sec.

“1201. Federal Acquisition Institute.

16 **“§ 1201. Federal Acquisition Institute**

17 “(a) IN GENERAL.—There is established a Federal  
18 Acquisition Institute (FAI) in order to—

19 “(1) foster and promote the development of a  
20 professional acquisition workforce Government-wide;

21 “(2) promote and coordinate Government-wide  
22 research and studies to improve the procurement  
23 process and the laws, policies, methods, regulations,

1 procedures, and forms relating to acquisition by the  
2 executive agencies;

3 “(3) collect data and analyze acquisition work-  
4 force data from the Office of Personnel Manage-  
5 ment, the heads of executive agencies, and, through  
6 periodic surveys, from individual employees;

7 “(4) periodically analyze acquisition career  
8 fields to identify critical competencies, duties, tasks,  
9 and related academic prerequisites, skills, and  
10 knowledge;

11 “(5) coordinate and assist agencies in identi-  
12 fying and recruiting highly qualified candidates for  
13 acquisition fields;

14 “(6) develop instructional materials for acquisi-  
15 tion personnel in coordination with private and pub-  
16 lic acquisition colleges and training facilities;

17 “(7) evaluate the effectiveness of training and  
18 career development programs for acquisition per-  
19 sonnel;

20 “(8) promote the establishment and utilization  
21 of academic programs by colleges and universities in  
22 acquisition fields;

23 “(9) facilitate, to the extent requested by agen-  
24 cies, interagency intern and training programs; and

1           “(10) perform other career management or re-  
2           search functions as directed by the Administrator.

3           “(b) BUDGET RESOURCES AND AUTHORITY.—

4           “(1) IN GENERAL.—The Director of the Office  
5           of Management and Budget and the Administrator  
6           of General Services shall provide the Federal Acqui-  
7           sition Institute with the necessary budget resources  
8           and authority to support government-wide training  
9           standards and certification requirements necessary  
10          to enhance the mobility and career opportunities of  
11          the Federal acquisition workforce.

12          “(2) ACQUISITION WORKFORCE TRAINING  
13          FUND.—Subject to the availability of funds, the Ad-  
14          minister of General Services shall provide the Fed-  
15          eral Acquisition Institute with amounts from the ac-  
16          quisition workforce training fund established under  
17          section 1703(i) of this title sufficient to meet the an-  
18          nual budget for the Federal Acquisition Institute re-  
19          quested by the Administrator for Federal Procure-  
20          ment Policy.

21          “(c) FEDERAL ACQUISITION INSTITUTE BOARD OF  
22          DIRECTORS.—

23          “(1) REPORTING TO ADMINISTRATOR.—The  
24          Federal Acquisition Institute shall report through its

1 Board of Directors directly to the Administrator for  
2 Federal Procurement Policy.

3 “(2) COMPOSITION.—The Board shall be com-  
4 posed of not more than 8 individuals from the Fed-  
5 eral Government representing a mix of acquisition  
6 functional areas, all of whom shall be appointed by  
7 the Administrator.

8 “(3) DUTIES.—The Board shall provide general  
9 direction to the Federal Acquisition Institute to en-  
10 sure that the Institute—

11 “(A) meets its statutory requirements;

12 “(B) meets the needs of the Federal acqui-  
13 sition workforce;

14 “(C) implements appropriate programs;

15 “(D) coordinates with appropriate organi-  
16 zations and groups that have an impact on the  
17 Federal acquisition workforce;

18 “(E) develops and implements plans to  
19 meet future challenges of the Federal acquisi-  
20 tion workforce; and

21 “(F) works closely with the Defense Acqui-  
22 sition University.

23 “(4) RECOMMENDATIONS.—The Board shall  
24 make recommendations to the Administrator regard-

1       ing the development and execution of the annual  
2       budget of the Federal Acquisition Institute.

3       “(d) DIRECTOR.—The Director of the Federal Acqui-  
4       sition Institute shall be appointed by, and report directly  
5       to, the Administrator.

6       “(e) ANNUAL REPORT.—The Administrator shall  
7       submit to the Committee on Homeland Security and Gov-  
8       ernmental Affairs and the Committee on Appropriations  
9       of the Senate and the Committee on Oversight and Gov-  
10      ernment Reform and the Committee on Appropriations of  
11      the House of Representatives an annual report on the pro-  
12      jected budget needs and expense plans of the Federal Ac-  
13      quisition Institute to fulfill its mandate.”.

14           (2) CONFORMING AMENDMENT.—Section  
15      1122(a)(5) of such title is amended to read as fol-  
16      lows:

17           “(5) providing for and directing the activities of  
18      the Federal Acquisition Institute established under  
19      section 1201 of this title, including recommending to  
20      the Administrator of General Services a sufficient  
21      budget for such activities.”.

22      (c) GOVERNMENT-WIDE TRAINING STANDARDS AND  
23      CERTIFICATION.—Section 1703 of title 41, United States  
24      Code, is amended—

25           (1) in subsection (c)(2)—

1 (A) by striking “The Administrator shall”  
2 and inserting the following:

3 “(A) IN GENERAL.—The Administrator  
4 shall”; and

5 (B) by adding at the end the following:

6 “(B) GOVERNMENT-WIDE TRAINING  
7 STANDARDS AND CERTIFICATION.—The Admin-  
8 istrator, acting through the Federal Acquisition  
9 Institute, shall provide and update government-  
10 wide training standards and certification re-  
11 quirements, including—

12 “(i) developing and modifying acquisi-  
13 tion certification programs;

14 “(ii) ensuring quality assurance for  
15 agency implementation of government-wide  
16 training and certification standards;

17 “(iii) analyzing the acquisition train-  
18 ing curriculum to ascertain if all certifi-  
19 cation competencies are covered or if ad-  
20 justments are necessary;

21 “(iv) developing career path informa-  
22 tion for certified professionals to encourage  
23 retention in government positions;

1                   “(v) coordinating with the Office of  
2                   Personnel Management for human capital  
3                   efforts; and

4                   “(vi) managing rotation assignments  
5                   to support opportunities to apply skills in-  
6                   cluded in certification.”; and

7                   (2) by adding at the end the following new sub-  
8                   section:

9                   “(1) ACQUISITION INTERNSHIP AND TRAINING PRO-  
10                  GRAMS.—All Federal civilian agency acquisition internship  
11                  or acquisition training programs shall follow guidelines  
12                  provided by the Office of Federal Procurement Policy to  
13                  ensure consistent training standards necessary to develop  
14                  uniform core competencies throughout the Federal Gov-  
15                  ernment.”.

16                  (d) EXPANDED SCOPE OF ACQUISITION WORKFORCE  
17                  TRAINING FUND.—Section 1703(i) of such title is amend-  
18                  ed—

19                   (1) in paragraph (2), by striking “to support  
20                   the training of the acquisition workforce of the execu-  
21                   tive agencies” and inserting “to support the activi-  
22                   ties set forth in section 1201(a) of this title”; and

23                   (2) in paragraph (6), by striking “ensure that  
24                   amounts collected for training under this subsection  
25                   are not used for a purpose other than the purpose

1 specified in paragraph (2)” and inserting “ensure  
2 that amounts collected under this section are not  
3 used for a purpose other than the activities set forth  
4 in section 1201(a) of this title”.

5 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
6 tion, or the amendments made by this section, shall be  
7 construed to preclude the Secretary of Defense from es-  
8 tablishing acquisition workforce policies, procedures,  
9 training standards, and certification requirements for ac-  
10 quisition positions in the Department of Defense, as pro-  
11 vided in chapter 87 of title 10, United States Code.

12 **SEC. 850. ADDITIONAL INFORMATION ON WAIVERS UNDER**  
13 **THE BUY AMERICAN ACT BY DEPARTMENT**  
14 **OF DEFENSE REQUIRED TO BE INCLUDED IN**  
15 **ANNUAL REPORT.**

16 Section 812 of the National Defense Authorization  
17 Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C.  
18 2501 note) is amended in subsection (c)(2)(A) by striking  
19 clause (vi) and inserting the following:

20 “(vi) An itemized list of all waivers  
21 granted with respect to such articles, mate-  
22 rials, or supplies under chapter 83 of title  
23 41 (commonly referred to as the Buy  
24 American Act), including—



1                   “(I) an analysis of the domestic  
2                   capacity to supply the articles, mate-  
3                   rials, or supplies; and

4                   “(II) an analysis of the reasons  
5                   for an increase or decrease in the  
6                   number of waivers granted from fiscal  
7                   year to fiscal year.”.

8 **SEC. 851. ASSESSMENT OF DEPARTMENT OF DEFENSE CON-**  
9                   **TRACTING ACTIONS AND THE IMPACT ON**  
10                  **SMALL BUSINESSES.**

11           (a) **ASSESSMENT REQUIRED.**—The Inspector General  
12 of the Department of Defense shall conduct an assessment  
13 of consolidated contracting actions of the Department of  
14 Defense relating to base services and construction activi-  
15 ties from October 2009 through October 2011 to ensure  
16 the Department’s compliance with the provisions of the  
17 Small Business Jobs Act of 2010 (Public Law 111–240).  
18 The assessment shall, at a minimum, examine—

19                   (1) compliance with the Small Business Jobs  
20                   Act of 2010 (Public Law 111–240), the Small Busi-  
21                   ness Reauthorization Act of 1997 (Public Law 105-  
22                   135), the National Defense Authorization Act for  
23                   Fiscal Year 2004 (Public Law 108-136) and all rel-  
24                   evant provisions in the Federal Acquisition Regula-

1       tion and the Defense Federal Acquisition Regulation  
2       Supplement;

3             (2) justification for contract consolidation;

4             (3) scope of services provided by category, con-  
5       tract award ceiling, and period of performance;

6             (4) identification of any shortages in trained ac-  
7       quisition personnel that may have contributed to a  
8       determination to consolidate contracting actions;

9             (5) potential for alternative contracting ap-  
10       proaches that would increase small business partici-  
11       pation;

12            (6) any negative impact by such contract con-  
13       solidations on contracting with small business con-  
14       cerns; and

15            (7) recommendations to improve or enhance  
16       Department of Defense policy, guidance, or execu-  
17       tion of contracting actions to ensure compliance with  
18       the Small Business Jobs Act of 2010.

19       (b) BRIEFING.—The Inspector General shall brief the  
20       congressional defense committees on the findings of the  
21       assessment required under subsection (a) not later than  
22       April 1, 2012.

1 **SEC. 852. DEPARTMENT OF DEFENSE OPERATIONAL CON-**  
2 **TRACT SUPPORT PLAN.**

3 The Secretary of Defense shall develop and imple-  
4 ment a plan to address shortfalls in operational contract  
5 support requirements determination, management, over-  
6 sight, and administration. The plan shall include each of  
7 the following:

8 (1) The provision of operational contract sup-  
9 port training and information-sharing roadmaps, in-  
10 cluding a description of the roles and responsibilities  
11 of the Office of the Secretary of Defense, the Joint  
12 Staff, the military departments, and defense agen-  
13 cies.

14 (2) The identification and development of train-  
15 ing venues to incorporate appropriate operational  
16 contract support training and education for all oper-  
17 ational contract support functions in both acquisi-  
18 tion and non-acquisition roles.

19 (3) The integration of operational contract sup-  
20 port into Department of Defense exercises and ex-  
21 periments.

22 (4) Updating and aligning Department of De-  
23 fense policy, doctrine, joint capability area defini-  
24 tions, corresponding universal joint task lists, and  
25 agreements to address shortfalls as discrepancies in  
26 areas of operational contract support.

1           (5) A method of ensuring that sufficient capac-  
2           ity and capability to conduct operational contract  
3           support missions is addressed in the total workforce  
4           plan required by section 129a of title 10, United  
5           States Code, as amended by this Act.

6   **TITLE IX—DEPARTMENT OF DE-**  
7   **FENSE ORGANIZATION AND**  
8   **MANAGEMENT**

9   **Subtitle A—Department of Defense**  
10   **Management**

11   **SEC. 901. REVISION OF DEFENSE BUSINESS SYSTEMS RE-**  
12   **QUIREMENTS.**

13           Section 2222 of title 10, United States Code, is  
14   amended to read as follows:

15   **“§ 2222. Defense business systems: architecture, ac-**  
16   **countability, and modernization**

17           “(a) CONDITIONS FOR OBLIGATION OF FUNDS FOR  
18   DEFENSE BUSINESS SYSTEMS.—Funds available to the  
19   Department of Defense, whether appropriated or non-ap-  
20   propriated, may not be obligated for a defense business  
21   system that will have a total cost in excess of \$1,000,000  
22   unless—

23           “(1) the appropriate pre-certification authority  
24   for the defense business system has determined  
25   that—

1           “(A) the defense business system is in  
2 compliance with the enterprise architecture de-  
3 veloped under subsection (c) and appropriate  
4 business process re-engineering efforts have  
5 been undertaken to ensure that—

6                   “(i) the business process to be sup-  
7 ported by the defense business system is as  
8 streamlined and efficient as practicable;  
9 and

10                   “(ii) the need to tailor commercial-off-  
11 the-shelf systems to meet unique require-  
12 ments or incorporate unique requirements  
13 or incorporate unique interfaces has been  
14 eliminated or reduced to the maximum ex-  
15 tent practicable;

16           “(B) the defense business system is nec-  
17 essary to achieve a critical national security ca-  
18 pability or address a critical requirement in an  
19 area such as safety or security; or

20           “(C) the defense business system is nec-  
21 essary to prevent a significant adverse effect on  
22 a project that is needed to achieve an essential  
23 capability, taking into consideration the alter-  
24 native solutions for preventing such adverse ef-  
25 fect;

1           “(2) the defense business system has been re-  
2 viewed and certified by the investment review board  
3 established under subsection (g); and

4           “(3) the certification of the investment review  
5 board has been approved by the Defense Business  
6 Systems Management Committee established by sec-  
7 tion 186 of this title.

8           “(b) OBLIGATION OF FUNDS IN VIOLATION OF RE-  
9 QUIREMENTS.—The obligation of Department of Defense  
10 funds for a business system that has not been certified  
11 and approved in accordance with subsection (a) is a viola-  
12 tion of section 1341(a)(1)(A) of title 31.

13           “(c) ENTERPRISE ARCHITECTURE FOR DEFENSE  
14 BUSINESS SYSTEMS.—(1) The Secretary of Defense, act-  
15 ing through the Defense Business Systems Management  
16 Committee, shall develop—

17           “(A) an enterprise architecture, known as the  
18 defense business enterprise architecture, to cover all  
19 defense business systems, and the functions and ac-  
20 tivities supported by defense business systems, which  
21 shall be sufficiently defined to effectively guide, con-  
22 strain, and permit implementation of interoperable  
23 defense business system solutions and consistent  
24 with the policies and procedures established by the

1 Director of the Office of Management and Budget;  
2 and

3 “(B) a transition plan for implementing the en-  
4 terprise architecture for defense business systems.

5 “(2) The Secretary of Defense shall delegate respon-  
6 sibility and accountability for the defense business enter-  
7 prise architecture as follows:

8 “(A) The Under Secretary of Defense for Ac-  
9 quisition, Technology, and Logistics shall be respon-  
10 sible and accountable for the content of those por-  
11 tions of the defense business enterprise architecture  
12 that support acquisition activities, logistics activities,  
13 or installations and environment activities of the De-  
14 partment of Defense.

15 “(B) The Under Secretary of Defense (Comp-  
16 troller) shall be responsible and accountable for the  
17 content of those portions of the defense business en-  
18 terprise architecture that support financial manage-  
19 ment activities or strategic planning and budgeting  
20 activities of the Department of Defense.

21 “(C) The Under Secretary of Defense for Per-  
22 sonnel and Readiness shall be responsible and ac-  
23 countable for the content of those portions of the de-  
24 fense business enterprise architecture that support

1 human resource management activities of the De-  
2 partment of Defense.

3 “(D) The Chief Information Officer of the De-  
4 partment of Defense shall be responsible and ac-  
5 countable for the content of those portions of the de-  
6 fense business enterprise architecture that support  
7 information technology infrastructure or information  
8 assurance activities of the Department of Defense.

9 “(E) The Deputy Chief Management Officer of  
10 the Department of Defense shall be responsible and  
11 accountable for developing and maintaining the de-  
12 fense business enterprise architecture as well as inte-  
13 grating business operations covered by subpara-  
14 graphs (A) through (D).

15 “(d) COMPOSITION OF ENTERPRISE ARCHITEC-  
16 TURE.—The defense business enterprise architecture de-  
17 veloped under subsection (c)(1)(A) shall include the fol-  
18 lowing:

19 “(1) An information infrastructure that, at a  
20 minimum, would enable the Department of Defense  
21 to—

22 “(A) comply with applicable law, including  
23 Federal accounting, financial management, and  
24 reporting requirements;



1           “(B) routinely produce timely, accurate,  
2           and reliable business and financial information  
3           for management purposes;

4           “(C) integrate budget, accounting, and  
5           program information and systems; and

6           “(D) provide for the systematic measure-  
7           ment of performance, including the ability to  
8           produce timely, relevant, and reliable cost infor-  
9           mation.

10          “(2) Policies, procedures, data standards, per-  
11          formance measures, and system interface require-  
12          ments that are to apply uniformly throughout the  
13          Department of Defense.

14          “(3) A defense business systems computing en-  
15          vironment integrated into the defense business en-  
16          terprise architecture for the major business proc-  
17          esses conducted by the Department of Defense, as  
18          determined by the Chief Management Officer.

19          “(e) COMPOSITION OF TRANSITION PLAN.—(1) The  
20          transition plan developed under subsection (c)(1)(B) shall  
21          include the following:

22                 “(A) A listing of the additional systems that  
23                 are expected to be needed to complete the defense  
24                 business enterprise architecture, along with each  
25                 system’s time-phased milestones, performance meas-

1 ures, financial resource needs, and risks or chal-  
2 lenges to integration into the business enterprise ar-  
3 chitecture.

4 “(B) A listing of the defense business systems  
5 as of December 2, 2002 (known as ‘legacy systems’),  
6 that will not be part of the defense business enter-  
7 prise architecture, together with the schedule for ter-  
8 minating those legacy systems that provides for re-  
9 ducing the use of those legacy systems in phases.

10 “(C) A listing of the legacy systems (referred to  
11 in subparagraph (B)) that will be a part of the de-  
12 fense business systems computing environment de-  
13 scribed in subsection (d)(3), together with a strategy  
14 for making the modifications to those systems that  
15 will be needed to ensure that such systems comply  
16 with the defense business enterprise architecture.

17 “(2) Each of the strategies under paragraph (1) shall  
18 include specific time-phased milestones, performance  
19 measures, and a statement of the financial and non-  
20 financial resource needs.

21 “(f) APPROPRIATE PRE-CERTIFICATION AUTHORI-  
22 TIES.—For purposes of subsection (a), the appropriate  
23 pre-certification authority for a defense business system  
24 is as follows:

1           “(1) In the case of an Army program, the Chief  
2 Management Officer of the Army.

3           “(2) In the case of a Navy program, the Chief  
4 Management Officer of the Navy.

5           “(3) In the case of an Air Force program, the  
6 Chief Management Officer of the Air Force.

7           “(4) In the case of a program of a Defense  
8 Agency, the Director, or equivalent, of that Defense  
9 Agency unless otherwise approved by the Deputy  
10 Chief Management Officer.

11           “(5) In the case of a program that will support  
12 the business processes of more than one military de-  
13 partment or Defense Agency, an appropriate pre-cer-  
14 tification authority designated by the Deputy Chief  
15 Management Officer.

16           “(g) DEFENSE BUSINESS SYSTEM INVESTMENT RE-  
17 VIEW.—(1) The Secretary of Defense shall require the  
18 Deputy Chief Management Officer, not later than October  
19 1, 2011, to establish an investment review board and in-  
20 vestment management process, consistent with section  
21 11312 of title 40, to review the planning, design, acquisi-  
22 tion, development, deployment, operation, maintenance,  
23 modernization, and project cost benefits and risks of all  
24 defense business systems. The investment review board

1 and investment management process so established shall  
2 specifically address the requirements of subsection (a).

3 “(2) The review of defense business systems under  
4 the investment management process shall include the fol-  
5 lowing:

6 “(A) Review and approval by the investment re-  
7 view board of each defense business system before  
8 the obligation of funds on the system in accordance  
9 with the requirements of subsection (a).

10 “(B) Periodic review, but not less often than  
11 annually, of all defense business systems, grouped in  
12 portfolios of defense business systems.

13 “(C) Representation on the investment review  
14 board by appropriate officials from among the Office  
15 of the Secretary of Defense, the armed forces, the  
16 combatant commands, the Joint Chiefs of Staff, and  
17 the Defense Agencies, including the Under Secre-  
18 taries of Defense, the Chief Information Officer of  
19 the Department of Defense, and the Chief Manage-  
20 ment Officers of the military departments.

21 “(D) Use of threshold criteria to ensure an ap-  
22 propriate level of review within the Department of  
23 Defense of, and accountability for, defense business  
24 systems depending on scope, complexity, and cost.

1           “(E) Use of procedures for making certifi-  
2           cations in accordance with the requirements of sub-  
3           section (a).

4           “(F) Use of procedures for ensuring consistency  
5           with the guidance issued by the Secretary of Defense  
6           and the Defense Business Systems Management  
7           Committee, as required by section 186(c) of this  
8           title, and incorporation of common decision criteria,  
9           including standards, requirements, and priorities  
10          that result in the integration of defense business sys-  
11          tems.

12          “(h) BUDGET INFORMATION.—In the materials that  
13          the Secretary submits to Congress in support of the budg-  
14          et submitted to Congress under section 1105 of title 31  
15          for fiscal year 2006 and fiscal years thereafter, the Sec-  
16          retary of Defense shall include the following information:

17                 “(1) Identification of each defense business sys-  
18                 tem for which funding is proposed in that budget.

19                 “(2) Identification of all funds, by appropria-  
20                 tion, proposed in that budget for each such system,  
21                 including—

22                         “(A) funds for current services (to operate  
23                         and maintain the system); and

1           “(B) funds for business systems mod-  
2           ernization, identified for each specific appro-  
3           priation.

4           “(3) For each such system, identification of the  
5           appropriate pre-certification authority under sub-  
6           section (f).

7           “(4) For each such system, a description of  
8           each approval made under subsection (a)(3) with re-  
9           gard to such system.

10          “(i) CONGRESSIONAL REPORTS.—Not later than  
11          March 15 of each year from 2012 through 2016, the Sec-  
12          retary of Defense shall submit to the congressional defense  
13          committees a report on Department of Defense compliance  
14          with the requirements of this section. The report shall—

15                 “(1) describe actions taken and planned for  
16                 meeting the requirements of subsection (a), includ-  
17                 ing—

18                         “(A) specific milestones and actual per-  
19                         formance against specified performance meas-  
20                         ures, and any revision of such milestones and  
21                         performance measures; and

22                         “(B) specific actions on the defense busi-  
23                         ness systems submitted for certification under  
24                         such subsection;

1           “(2) identify the number of defense business  
2 systems so certified;

3           “(3) identify any defense business system dur-  
4 ing the preceding fiscal year that was not certified  
5 under subsection (a), and the reasons for the lack of  
6 certification;

7           “(4) discuss specific improvements in business  
8 operations and cost savings resulting from successful  
9 defense business systems implementation or mod-  
10 ernization efforts; and

11           “(5) include a copy of the most recent report of  
12 the Chief Management Officer of each military de-  
13 partment on implementation of business trans-  
14 formation initiatives by such department in accord-  
15 ance with section 908 of the Duncan Hunter Na-  
16 tional Defense Authorization Act for Fiscal Year  
17 2009 (Public Law 110–417; 122 Stat. 4569; 10  
18 U.S.C. 2222 note).

19           “(j) DEFINITIONS.—In this section:

20           “(1) The term ‘pre-certification authority’, with  
21 respect to a defense business system, means the De-  
22 partment of Defense official responsible for the de-  
23 fense business system, as designated by subsection  
24 (f).

1           “(2) The term ‘defense business system’ means  
2           an information system, other than a national secu-  
3           rity system, operated by, for, or on behalf of the De-  
4           partment of Defense, including financial systems,  
5           mixed systems, financial data feeder systems, and  
6           information technology and information assurance  
7           infrastructure, used to support business activities,  
8           such as acquisition, financial management, logistics,  
9           strategic planning and budgeting, installations and  
10          environment, and human resource management.

11          “(3) The term ‘enterprise architecture’ has the  
12          meaning given that term in section 3601(4) of title  
13          44.

14          “(4) The terms ‘information system’ and ‘infor-  
15          mation technology’ have the meanings given those  
16          terms in section 11101 of title 40.

17          “(5) The term ‘national security system’ has  
18          the meaning given that term in section 3542(b)(2)  
19          of title 44.”.

20 **SEC. 902. REDESIGNATION OF THE DEPARTMENT OF THE**  
21 **NAVY AS THE DEPARTMENT OF THE NAVY**  
22 **AND MARINE CORPS.**

23          (a) REDESIGNATION OF THE DEPARTMENT OF THE  
24 NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE  
25 CORPS.—



1           (1) REDESIGNATION OF MILITARY DEPART-  
2           MENT.—The military department designated as the  
3           Department of the Navy is redesignated as the De-  
4           partment of the Navy and Marine Corps.

5           (2) REDESIGNATION OF SECRETARY AND  
6           OTHER STATUTORY OFFICES.—

7           (A) SECRETARY.—The position of the Sec-  
8           retary of the Navy is redesignated as the Sec-  
9           retary of the Navy and Marine Corps.

10          (B) OTHER STATUTORY OFFICES.—The  
11          positions of the Under Secretary of the Navy,  
12          the four Assistant Secretaries of the Navy, and  
13          the General Counsel of the Department of the  
14          Navy are redesignated as the Under Secretary  
15          of the Navy and Marine Corps, the Assistant  
16          Secretaries of the Navy and Marine Corps, and  
17          the General Counsel of the Department of the  
18          Navy and Marine Corps, respectively.

19          (b) CONFORMING AMENDMENTS TO TITLE 10,  
20          UNITED STATES CODE.—

21          (1) DEFINITION OF “MILITARY DEPART-  
22          MENT”.—Paragraph (8) of section 101(a) of title  
23          10, United States Code, is amended to read as fol-  
24          lows:

1           “(8) The term ‘military department’ means the  
2 Department of the Army, the Department of the  
3 Navy and Marine Corps, and the Department of the  
4 Air Force.”.

5           (2) ORGANIZATION OF DEPARTMENT.—The text  
6 of section 5011 of such title is amended to read as  
7 follows: “The Department of the Navy and Marine  
8 Corps is separately organized under the Secretary of  
9 the Navy and Marine Corps.”.

10           (3) POSITION OF SECRETARY.—Section  
11 5013(a)(1) of such title is amended by striking  
12 “There is a Secretary of the Navy” and inserting  
13 “There is a Secretary of the Navy and Marine  
14 Corps”.

15           (4) CHAPTER HEADINGS.—

16           (A) The heading of chapter 503 of such  
17 title is amended to read as follows:

18           **“CHAPTER 503—DEPARTMENT OF THE**  
19           **NAVY AND MARINE CORPS”.**

20           (B) The heading of chapter 507 of such  
21 title is amended to read as follows:

22           **“CHAPTER 507—COMPOSITION OF THE DE-**  
23           **PARTMENT OF THE NAVY AND MARINE**  
24           **CORPS”.**

25           (5) OTHER AMENDMENTS.—

1           (A) Title 10, United States Code, is  
2 amended by striking “Department of the Navy”  
3 and “Secretary of the Navy” each place they  
4 appear other than as specified in paragraphs  
5 (1), (2), (3), and (4) (including in section head-  
6 ings, subsection captions, tables of chapters,  
7 and tables of sections) and inserting “Depart-  
8 ment of the Navy and Marine Corps” and “Sec-  
9 retary of the Navy and Marine Corps”, respec-  
10 tively, in each case with the matter inserted to  
11 be in the same typeface and typestyle as the  
12 matter stricken.

13           (B)(i) Sections 5013(f), 5014(b)(2),  
14 5016(a), 5017(2), 5032(a), and 5042(a) of  
15 such title are amended by striking “Assistant  
16 Secretaries of the Navy” and inserting “Assist-  
17 ant Secretaries of the Navy and Marine Corps”.

18           (ii) The heading of section 5016 of such  
19 title, and the item relating to such section in  
20 the table of sections at the beginning of chapter  
21 503 of such title, are each amended by insert-  
22 ing “and Marine Corps” after “of the Navy”,  
23 with the matter inserted in each case to be in  
24 the same typeface and typestyle as the matter  
25 amended.

1           (c) OTHER PROVISIONS OF LAW AND OTHER REF-  
2   ERENCES.—

3           (1) TITLE 37, UNITED STATES CODE.—Title 37,  
4   United States Code, is amended by striking “De-  
5   partment of the Navy” and “Secretary of the Navy”  
6   each place they appear and inserting “Department  
7   of the Navy and Marine Corps” and “Secretary of  
8   the Navy and Marine Corps”, respectively.

9           (2) OTHER REFERENCES.—Any reference in  
10   any law other than in title 10 or title 37, United  
11   States Code, or in any regulation, document, record,  
12   or other paper of the United States, to the Depart-  
13   ment of the Navy shall be considered to be a ref-  
14   erence to the Department of the Navy and Marine  
15   Corps. Any such reference to an office specified in  
16   subsection (a)(2) shall be considered to be a ref-  
17   erence to that office as redesignated by that section.

18          (d) EFFECTIVE DATE.—This section and the amend-  
19   ments made by this section shall take effect on the first  
20   day of the first month beginning more than 60 days after  
21   the date of the enactment of this Act.

1           **Subtitle B—Space Activities**

2   **SEC. 911. HARMFUL INTERFERENCE TO DEPARTMENT OF**  
3                   **DEFENSE GLOBAL POSITIONING SYSTEM.**

4           (a) IN GENERAL.—The Federal Communications  
5 Commission shall not lift the conditions imposed on com-  
6 mercial terrestrial operations in the Order and Authoriza-  
7 tion adopted on January 26, 2011 (DA 11–133), or other-  
8 wise permit such operations, until the Commission has re-  
9 solved concerns of widespread harmful interference by  
10 such commercial terrestrial operations to the Global Posi-  
11 tioning System devices of the Department of Defense.

12          (b) NOTICE AND COMMENT ON WORKING GROUP RE-  
13 PORT.—Prior to permitting such commercial terrestrial  
14 operations, the Federal Communications Commission shall  
15 make available the final working group report mandated  
16 by such Order and Authorization and provide all inter-  
17 ested parties an opportunity to comment on such report.

18          (c) NOTICE TO CONGRESS.—

19               (1) IN GENERAL.—At the conclusion of the pro-  
20 ceeding on such commercial terrestrial operations,  
21 the Federal Communications Commission shall sub-  
22 mit to the congressional committees described in  
23 paragraph (2) official copies of the documents con-  
24 taining the final decision of the Commission regard-  
25 ing whether to permit such commercial terrestrial

1 operations. If the decision is to permit such commer-  
2 cial terrestrial operations, such documents shall con-  
3 tain or be accompanied by an explanation of how the  
4 concerns described in subsection (a) have been re-  
5 solved.

6 (2) CONGRESSIONAL COMMITTEES DE-  
7 SCRIBED.—The congressional committees described  
8 in this paragraph are the following:

9 (A) The Committee on Energy and Com-  
10 merce and the Committee on Armed Services of  
11 the House of Representatives.

12 (B) The Committee on Commerce, Science,  
13 and Transportation and the Committee on  
14 Armed Services of the Senate.

## 15 **Subtitle C—Intelligence-Related** 16 **Matters**

### 17 **SEC. 921. REPORT ON IMPLEMENTATION OF RECOMMENDA-** 18 **TIONS BY THE COMPTROLLER GENERAL ON** 19 **INTELLIGENCE INFORMATION SHARING.**

20 (a) REPORT.—Not later than 90 days after the date  
21 of the enactment of this Act, the Secretary of Defense  
22 shall submit to the appropriate congressional committees  
23 and the Comptroller General a report on actions taken by  
24 the Secretary in response to the recommendations of the  
25 Comptroller General in the report issued on January 22,

1 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.

9 (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.

17 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

- 20 (1) the congressional defense committees;
- 21 (2) the Permanent Select Committee on Intelligence of the House of Representatives; and
- 22 (3) the Select Committee on Intelligence of the Senate.

1 **SEC. 922. INSIDER THREAT DETECTION.**

2 (a) PROGRAM REQUIRED.—The Secretary of Defense  
3 shall establish a program for information sharing protec-  
4 tion and insider threat mitigation for the information sys-  
5 tems of the Department of Defense to detect unauthorized  
6 access to, use of, or transmission of classified or controlled  
7 unclassified information.

8 (b) ELEMENTS.—The program established under  
9 subsection (a) shall include the following:

10 (1) Technology solutions for deployment within  
11 the Department of Defense that allow for centralized  
12 monitoring and detection of unauthorized activities,  
13 including—

14 (A) monitoring the use of external ports  
15 and read and write capability controls;

16 (B) auditing unusual and unauthorized  
17 user activities;

18 (C) a roles-based access certification sys-  
19 tem;

20 (D) cross-domain guards for transfers of  
21 information between different networks; and

22 (E) patch management for software and  
23 security updates.

24 (2) Policies and procedures to support such  
25 program, including special consideration for policies  
26 and procedures related to international and inter-



1 agency partners and activities in support of ongoing  
2 operations in areas of hostilities.

3 (3) A governance structure and process that in-  
4 tegrates information security and sharing tech-  
5 nologies with the policies and procedures referred to  
6 in paragraph (2). Such structure and process shall  
7 include—

8 (A) coordination with the existing security  
9 clearance and suitability review process;

10 (B) coordination of existing anomaly detec-  
11 tion techniques, including those used in coun-  
12 terintelligence investigation or personnel screen-  
13 ing activities; and

14 (C) updating and expediting of the classi-  
15 fication review and marking process.

16 (4) A continuing analysis of—

17 (A) gaps in security measures under the  
18 program; and

19 (B) technology, policies, and processes  
20 needed to increase the capability of the program  
21 beyond the initially established full operating  
22 capability to address such gaps.

23 (5) A baseline analysis framework that includes  
24 measures of performance and effectiveness.

1           (6) A plan for how to ensure related security  
2           measures are put in place for other departments or  
3           agencies with access to Department of Defense net-  
4           works.

5           (7) A plan for enforcement to ensure that the  
6           program is being applied and implemented on a uni-  
7           form and consistent basis.

8           (c) OPERATING CAPABILITY.—The Secretary shall  
9           ensure the program established under subsection (a)—

10           (1) achieves initial operating capability not later  
11           than October 1, 2012; and

12           (2) achieves full operating capability not later  
13           than October 1, 2013.

14           (d) REPORT.—Not later than 90 days after the date  
15           of the enactment of this Act, the Secretary shall submit  
16           to the congressional defense committees a report that in-  
17           cludes—

18           (1) the implementation plan for the program es-  
19           tablished under subsection (a);

20           (2) the resources required to implement the  
21           program;

22           (3) specific efforts to ensure that implementa-  
23           tion does not negatively impact activities in support  
24           of ongoing operations in areas of hostilities;

1           (4) a definition of the capabilities that will be  
2           achieved at initial operating capability and full oper-  
3           ating capability, respectively; and

4           (5) a description of any other issues related to  
5           such implementation that the Secretary considers  
6           appropriate.

7           (e) BRIEFING REQUIREMENT.—The Secretary shall  
8           provide briefings to the Committees on Armed Services of  
9           the House of Representatives and the Senate as follows:

10           (1) Not later than 90 days after the date of the  
11           enactment of this Act, a briefing describing the gov-  
12           ernance structure referred to in subsection (b)(3).

13           (2) Not later than 120 days after the date of  
14           the enactment of this Act, a briefing detailing the  
15           inventory and status of technology solutions deploy-  
16           ment referred to in subsection (b)(1), including an  
17           identification of the total number of host platforms  
18           planned for such deployment, the current number of  
19           host platforms that provide appropriate security, and  
20           the funding and timeline for remaining deployment.

21           (3) Not later than 180 days after the date of  
22           the enactment of this Act, a briefing detailing the  
23           policies and procedures referred to in subsection  
24           (b)(2), including an assessment of the effectiveness  
25           of such policies and procedures and an assessment

1 of the potential impact of such policies and proce-  
2 dures on information sharing within the Department  
3 of Defense and with interagency and international  
4 partners.

5 (f) BUDGET SUBMISSION.—On the date on which the  
6 President submits to Congress the budget for fiscal year  
7 2013 under section 1105 of title 31, United States Code,  
8 the Secretary of Defense shall submit to the congressional  
9 defense committees an identification of the resources re-  
10 quested in such budget to carry out the program estab-  
11 lished under subsection (a).

## 12 **Subtitle D—Total Force** 13 **Management**

14 **SEC. 931. GENERAL POLICY FOR TOTAL FORCE MANAGE-**  
15 **MENT.**

16 (a) REVISION OF GENERAL PERSONNEL POLICY  
17 SECTION.—Section 129a of title 10, United States Code,  
18 is amended to read as follows:

19 **“§ 129a. General policy for total force management**

20 **“(a) POLICIES AND PROCEDURES.—**The Secretary of  
21 Defense shall establish policies and procedures for deter-  
22 mining the appropriate mix of military, civilian, and con-  
23 tractor personnel to perform the mission of the Depart-  
24 ment of Defense.

1       “(b) RISK MITIGATION OVER COST.—In establishing  
2 the policies and procedures under subsection (a), the Sec-  
3 retary shall ensure that establishment of an appropriately  
4 balanced workforce with sufficient levels of personnel to  
5 carry out the mission of the Department and the core mis-  
6 sion areas of the armed forces (as identified pursuant to  
7 section 118b of this title) takes precedence over cost sav-  
8 ings.

9       “(c) DELEGATION OF RESPONSIBILITIES.—The Sec-  
10 retary shall delegate responsibility for implementation of  
11 the policies and procedures established under subsection  
12 (a) as follows:

13           “(1) The Under Secretary of Defense for Per-  
14 sonnel and Readiness shall have overall responsi-  
15 bility for developing guidance to implement such  
16 policies and procedures.

17           “(2) The manpower and force structure au-  
18 thorities for each Department of Defense component  
19 shall have overall responsibility for the requirements  
20 determination, planning, programming, and budg-  
21 eting for such policies and procedures.

22           “(3) The Under Secretary of Defense for Ac-  
23 quisition, Technology, and Logistics shall be respon-  
24 sible for ensuring that the defense acquisition sys-  
25 tem, as defined in section 2545 of this title, is con-

1       sistent with such policies and procedures and with  
2       implementation pursuant to paragraph (1). In car-  
3       rying out this paragraph, the Under Secretary shall  
4       require each contracting officer to obtain a written  
5       statement from each requiring official that the work  
6       required is appropriate for contractor personnel con-  
7       sistent with this title, the Federal Acquisition Regu-  
8       lation, the Defense Supplement to the Federal Ac-  
9       quisition Regulation, and Department of Defense in-  
10      structions governing appropriate use of contractors.

11           “(4) The Under Secretary of Defense (Comp-  
12      troller) shall be responsible for ensuring that the  
13      budget for the Department of Defense is consistent  
14      with such policies and procedures. If the Under Sec-  
15      retary of Defense (Comptroller) recommends a de-  
16      fense budget for a fiscal year that inhibits the imple-  
17      mentation of such policies and procedures, then a  
18      justification for such recommendation shall be in-  
19      cluded in the defense budget materials (as defined in  
20      section 2228(f)(5) of this title) for that fiscal year.

21           “(d) USE OF PLAN, INVENTORY, AND LIST.—In car-  
22      rying out the policies and procedures established under  
23      subsection (a), the Secretary shall—

1           “(1) incorporate the civilian strategic workforce  
2 plan (required by section 115b of this title) into  
3 such policies and procedures;

4           “(2) incorporate the civilian positions master  
5 plan (required by section 1597(c) of this title) into  
6 such policies and procedures;

7           “(3) use the inventory of contracts for services  
8 required by section 2330a(c) of this title; and

9           “(4) use the list of activities required by the  
10 Federal Activities Inventory Reform Act of 1998  
11 (Public Law 105–270; 31 U.S.C. 501 note).

12       “(e) CONSIDERATIONS IN CONVERTING PER-  
13 SONNEL.—If conversion of personnel is considered, the  
14 Under Secretary of Defense for Personnel and Readiness  
15 shall—

16           “(1) ensure compliance with—

17               “(A) section 2463 of this title (relating to  
18 guidelines and procedures for use of civilian em-  
19 ployees to perform Department of Defense  
20 functions); and

21               “(B) section 2461 of this title (relating to  
22 public-private competition required before con-  
23 version to contractor performance); and

24           “(2) include in each manpower requirements re-  
25 port under section 115a of this title a complete jus-

1       tification for converting from one form of personnel  
2       to another.

3       “(f) CONSTRUCTION WITH OTHER REQUIRE-  
4       MENTS.—Nothing in this title may be construed as au-  
5       thorizing—

6               “(1) a Department of Defense component to di-  
7       rectly convert a function to contractor performance  
8       without complying with section 2461 of this title;

9               “(2) the use of contractor personnel for func-  
10       tions that are inherently governmental or closely as-  
11       sociated with inherently governmental even if there  
12       is a civilian personnel shortfall in the Department of  
13       Defense;

14               “(3) the establishment of numerical goals or  
15       budgetary savings targets for the conversion of func-  
16       tions to performance by either Department of De-  
17       fense civilian personnel or for conversion to perform-  
18       ance by contractor personnel; or

19               “(4) the imposition of a civilian hiring freeze  
20       that may inhibit the implementation of the policies  
21       and procedures established under subsection (a).”.

22       (b) CLERICAL AMENDMENT.—The item relating to  
23       section 129a in the table of sections at the beginning of  
24       such chapter is amended to read as follows:

“129a. General policy for total force management.”.



1 **SEC. 932. REVISIONS TO DEPARTMENT OF DEFENSE CIVIL-**  
2 **IAN PERSONNEL MANAGEMENT CON-**  
3 **STRAINTS.**

4 Section 129 of title 10, United States Code, is  
5 amended—

6 (1) in subsection (a), by striking “(2) the funds  
7 made available to the department for such fiscal  
8 year.” and inserting “(2) the total force manage-  
9 ment policies and procedures established under sec-  
10 tion 129a of this title.”;

11 (2) in subsection (d), by striking “within that  
12 budget activity for which funds are provided for that  
13 fiscal year.” and inserting “within that budget activ-  
14 ity as determined under the total force management  
15 policies and procedures established under section  
16 129a of this title.”; and

17 (3) in subsection (e), by striking the sentence  
18 beginning with “With respect to”.

19 **SEC. 933. ADDITIONAL AMENDMENTS RELATING TO TOTAL**  
20 **FORCE MANAGEMENT.**

21 (a) AMENDMENTS TO SECRETARY OF DEFENSE RE-  
22 PORT.— Section 113(l) of title 10, United States Code,  
23 is amended in paragraphs (2), (3), and (4) by striking  
24 “military and civilian personnel” each place it appears and  
25 inserting “military, civilian, and contractor personnel”.

1 (b) AMENDMENTS RELATING TO CERTAIN GUIDE-  
2 LINES.— Section 1597(b) of title 10, United States Code,  
3 is amended by inserting after the first sentence the fol-  
4 lowing: “In establishing the guidelines, the Secretary shall  
5 ensure that nothing in the guidelines conflicts with the re-  
6 quirements of section 129 of this title or the policies and  
7 procedures established under section 129a of this title.”.

8 (c) AMENDMENT TO REQUIREMENTS FOR ACQUI-  
9 SITION OF SERVICES.—Section 863 of the Ike Skelton Na-  
10 tional Defense Authorization Act for Fiscal Year 2011  
11 (Public Law 111–383; 124 Stat. 4293; 10 U.S.C. 2330  
12 note) is amended by adding at the end of subsection (d)  
13 the following new paragraph:

14 “(9) Considerations relating to total force man-  
15 agement policies and procedures established under  
16 section 129a of this title.”.

17 **SEC. 934. AMENDMENTS TO ANNUAL DEFENSE MANPOWER**  
18 **REQUIREMENTS REPORT.**

19 Section 115a(a) of title 10, United States Code, is  
20 amended—

- 21 (1) by striking “and” at the end of paragraph  
22 (1); and  
23 (2) by striking paragraph (2) and inserting the  
24 following new paragraphs (2) and (3):

1           “(2) the annual civilian personnel requirements  
2 level for each component of the Department of De-  
3 fense for the next fiscal year and the civilian end-  
4 strength level for the prior fiscal year; and

5           “(3) the contractor personnel requirements level  
6 for performing contract services as defined in section  
7 235 of this title for each component of the Depart-  
8 ment of Defense for the next fiscal year and the con-  
9 tractor full-time equivalents level for the prior fiscal  
10 year as reported in the inventory for contracts for  
11 services required by subsection (c) of section 2330a  
12 of this title.”.

13 **SEC. 935. REVISIONS TO STRATEGIC WORKFORCE PLAN.**

14 (a) REVISION IN REPORTING PERIOD.—

15 (1) IN GENERAL.—Section 115b of title 10,  
16 United States Code, is amended—

17 (A) in the section heading, by striking  
18 “**Annual strategic**” and inserting “**Bienn-**  
19 **ial civilian strategic**”;

20 (B) in the heading of subsection (a), by  
21 striking “ANNUAL” and inserting “BIENNIAL”;  
22 and

23 (C) in subsection (a)(1), by striking “on an  
24 annual basis” and inserting “in every even-  
25 numbered year”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions for chapter 2 of such title is amended by strik-  
3           ing the item relating to section 115b and inserting  
4           the following:

“115b. Biennial civilian strategic workforce plan.”.

5           (b) REVISION IN ASSESSMENT CONTENTS AND PE-  
6           RIOD.—Section 115b(b)(1) of such title is amended—

7           (1) in subparagraph (A), by striking “seven-  
8           year period following the year in which the plan is  
9           submitted” and inserting “five-year period cor-  
10          responding to the current future-years defense pro-  
11          gram”; and

12          (2) in subparagraph (B), by inserting before  
13          the semicolon at the end the following: “as deter-  
14          mined under the total force management policies  
15          and procedures established under section 129a of  
16          this title”.

17          (c) REFERENCE TO SECTION 129A.—Section  
18          115b(c)(2)(D) is amended by inserting before the period  
19          at the end the following: “and the policies and procedures  
20          established under section 129a of this title”.

21 **SEC. 936. TECHNICAL AMENDMENTS TO REQUIREMENT**  
22 **FOR INVENTORY OF CONTRACTS FOR SERV-**  
23 **ICES.**

24          Section 2330a(e) of title 10, United States Code, is  
25          amended—

1 (1) in paragraph (1)—

2 (A) by inserting “(and pursuant to con-  
3 tracts for goods to the extent services are also  
4 provided under such contracts)” after “pursu-  
5 ant to contracts for services”;

6 (B) in subparagraph (A)—

7 (i) by striking “and” at the end of  
8 clause (i); and

9 (ii) by striking clause (ii) and insert-  
10 ing the following:

11 “(ii) the calculation of contractor full-time  
12 equivalents for direct labor, using direct labor  
13 hours, in a manner that is comparable to the  
14 calculation of Department of Defense civilian  
15 full-time employees; and

16 “(iii) the conduct and completion of the  
17 annual review required under subsection  
18 (e)(1).”; and

19 (C) in subparagraph (B), by inserting “for  
20 requirements specifically relating to acquisi-  
21 tion” before the period; and

22 (2) in paragraph (2)(E), by striking “The num-  
23 ber of contractor employees,” and inserting “The  
24 number of contractors,”.

1 **SEC. 937. MODIFICATION OF TEMPORARY SUSPENSION OF**  
2 **PUBLIC-PRIVATE COMPETITIONS FOR CON-**  
3 **VERSION OF DEPARTMENT OF DEFENSE**  
4 **FUNCTIONS TO CONTRACTOR PERFORM-**  
5 **ANCE.**

6 Section 325 of the National Defense Authorization  
7 Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.  
8 2253) is amended—

9 (1) in subsection (a), by striking “Secretary of  
10 Defense submits to the congressional defense com-  
11 mittees the certification required under subsection  
12 (d)” and inserting “Comptroller General submits to  
13 the congressional defense committees the assessment  
14 required under subsection (c)”; and

15 (2) by striking subsection (d).

16 **SEC. 938. PRELIMINARY PLANNING AND DURATION OF**  
17 **PUBLIC-PRIVATE COMPETITIONS.**

18 Section 2461(a)(5) of title 10, United States Code,  
19 is amended—

20 (1) in subparagraph (E)—

21 (A) by striking “, begins” and inserting  
22 “shall be conducted in accordance with guid-  
23 ance and procedures that shall be issued and  
24 maintained by the Under Secretary of Defense  
25 for Personnel and Readiness and shall begin”;

1 (B) by inserting after “the date on which”  
2 the following: “a component of”;

3 (C) by inserting “first” before “obligates”;

4 (D) by inserting “specifically” after  
5 “funds”;

6 (E) by inserting “for the preliminary plan-  
7 ning effort” after “support”; and

8 (F) in clause (i), by inserting “a public-pri-  
9 vate” before “competition”; and

10 (2) in subparagraph (F)—

11 (A) by inserting “or Defense Agency” after  
12 “military department”;

13 (B) by striking “of such date” and insert-  
14 ing “of the actions intended to be taken during  
15 the preliminary planning process”;

16 (C) by inserting “of such actions” after  
17 “public notice”;

18 (D) by inserting after “website” the fol-  
19 lowing: “and through other means as deter-  
20 mined necessary”;

21 (E) by inserting after the first sentence the  
22 following: “Following the completion of prelimi-  
23 nary planning for a public-private competition,  
24 if applicable, the head of a military department  
25 or Defense Agency shall submit to Congress

1 written notice of the initiation of the public-pri-  
2 vate competition and shall announce such initi-  
3 ation in the Federal Register.”; and

4 (F) by striking “Such date is the first day  
5 of preliminary planning for a public-private  
6 competition for” and inserting “The date of  
7 such announcement shall be used for”.

8 **SEC. 939. CONVERSION OF CERTAIN FUNCTIONS FROM**  
9 **CONTRACTOR PERFORMANCE TO PERFORM-**  
10 **ANCE BY DEPARTMENT OF DEFENSE CIVIL-**  
11 **IAN EMPLOYEES.**

12 Section 2463 of title 10, United States Code, is  
13 amended—

14 (1) in subsection (b)(1)—

15 (A) by striking subparagraph (A) and in-  
16 serting the following new subparagraph (A):

17 “(A) is an inherently governmental func-  
18 tion;”;

19 (B) by redesignating subparagraphs (C)  
20 and (D) as subparagraphs (F) and (G), respec-  
21 tively; and

22 (C) by inserting after subparagraph (B)  
23 the following new subparagraphs (C), (D), and  
24 (E):

25 “(C) acquisition workforce functions;



1           “(D) is a critical function that is necessary  
2           to maintain sufficient organic expertise and  
3           technical capability;

4           “(E) has been performed by Department  
5           of Defense civilian employees at any time dur-  
6           ing the previous 10-year period;”.

7           (2) by redesignating subsections (d) and (e) as  
8           subsections (f) and (g), respectively;

9           (3) by inserting after subsection (c) the fol-  
10          lowing new subsections (d) and (e):

11          “(d) DETERMINATIONS RELATING TO THE CONVER-  
12          SION OF CERTAIN FUNCTIONS.—(1) Except as provided  
13          in paragraph (2), in determining whether a function  
14          should be converted to performance by Department of De-  
15          fense civilian employees, the Secretary of Defense shall—

16                 “(A) develop methodology for determining costs  
17                 based on the guidance outlined in the Directive-Type  
18                 Memorandum 09–007 entitled ‘Estimating and  
19                 Comparing the Full Costs of Civilian and Military  
20                 Manpower and Contractor Support’ or any successor  
21                 guidance for the determination of costs when costs  
22                 are the sole basis for the determination;

23                 “(B) take into consideration any supplemental  
24                 guidance issued by the Secretary of a military de-

1       partment for determinations affecting functions of  
2       that military department; and

3               “(C) ensure that the difference in the cost of  
4       performing the function by a contractor compared to  
5       the cost of performing the function by Department  
6       of Defense civilian employees would be equal to or  
7       exceed the lesser of—

8                       “(i) 10 percent of the personnel-related  
9                       costs for performance of that function; or

10                      “(ii) \$10,000,000.

11       “(2) Paragraph (1) shall not apply to a function de-  
12       scribed in subparagraph (A) of subsection (b)(1).

13       “(e) NOTIFICATION RELATING TO THE CONVERSION  
14       OF CERTAIN FUNCTIONS.—The Secretary of Defense shall  
15       establish procedures for the timely notification of any con-  
16       tractor who performs a function that the Secretary plans  
17       to convert to performance by Department of Defense civil-  
18       ian employees pursuant to subsection (a). The Secretary  
19       shall provide a copy of any such notification to the con-  
20       gressional defense committees.”; and

21               (4) in subsection (g), as redesignated by para-  
22       graph (2)—

23                       (A) by striking “this section” and all that  
24       follows and inserting “this section:”; and

1 (B) by adding at the end the following new  
2 paragraphs:

3 “(1) The term ‘functions closely associated with  
4 inherently governmental functions’ has the meaning  
5 given that term in section 2383(b)(3) of this title.

6 “(2) The term ‘acquisition function’ has the  
7 meaning given that term under section 1721(a) of  
8 this title.

9 “(3) The term ‘inherently governmental func-  
10 tion’ has the meaning given that term in the Federal  
11 Activities Inventory Reform Act of 1998 (Public  
12 Law 105–270; 31 U. S.C. 501 note).”.

13 **SEC. 940. ASSESSMENT OF APPROPRIATE DEPARTMENT OF**  
14 **DEFENSE AND CONTRACTOR PERSONNEL**  
15 **FOR THE DEFENSE MEDICAL READINESS**  
16 **TRAINING INSTITUTE.**

17 (a) **ASSESSMENT REQUIRED.**—The Secretary of De-  
18 fense shall conduct an assessment to determine the appro-  
19 priate mix of Department of Defense civilian personnel  
20 and contractor personnel to carry out the mission and  
21 functions of the Defense Medical Readiness Training In-  
22 stitute.

23 (b) **FACTORS FOR CONSIDERATION.**—In carrying out  
24 the assessment required under subsection (a), the Sec-  
25 retary shall take into consideration the policy, guidance,

1 procedures, and methodologies for total force management  
2 of the Department of Defense, including—

3 (1) such policy, guidance, procedures, and  
4 methodologies described in sections 129 and 129a of  
5 title 10, United States Code, as amended by this  
6 Act;

7 (2) manpower requirements for planning, pro-  
8 gramming, and budgeting;

9 (3) the Department of Defense strategic human  
10 capital plans developed pursuant to section 115b of  
11 such title;

12 (4) the annual personnel authorization requests  
13 to Congress pursuant to section 115a of such title;  
14 and

15 (5) a determination of the Secretary with re-  
16 spect to whether the functions performed by the De-  
17 fense Medical Readiness Training Institute are in-  
18 herently governmental, closely associated with inher-  
19 ently governmental, or commercial in nature.

20 (c) OTHER ELEMENTS OF ASSESSMENT.—The as-  
21 sessment required under subsection (a) shall include an  
22 assessment of each of the following:

23 (1) The effect of distributed training at mul-  
24 tiple locations in the United States on the ability of

1 the Defense Medical Readiness Training Institute to  
2 accomplish its training mission.

3 (2) The extent to which simulated training can  
4 be used effectively at locations remote from the De-  
5 fense Medical Readiness Training Institute campus.

6 (3) A cost-benefit analysis as outlined in Office  
7 of Management and Budget Circular A-94 of the use  
8 of simulated training versus training using class-  
9 room instructors.

10 (4) The budgetary effect of expanding the use  
11 of contractor-provided training to accomplish the  
12 mission of the Defense Medical Readiness Training  
13 Institute.

14 (5) Any other matter relevant to the mission of  
15 the Defense Medical Readiness Training Institute  
16 that the Secretary determines is appropriate.

17 (d) REPORT.—Not later than 90 days after the date  
18 of the enactment of this Act, the Secretary shall submit  
19 to the congressional defense committees a report on the  
20 analysis required under subsection (a).

1 **Subtitle E—Quadrennial Roles and**  
2 **Missions and Related Matters**

3 **SEC. 951. TRANSFER OF PROVISIONS RELATING TO QUAD-**  
4 **RENNIAL ROLES AND MISSIONS REVIEW.**

5 (a) TRANSFER OF PROVISIONS RELATING TO AS-  
6 SESSMENT OF ROLES AND MISSIONS.—Section 153(a)(4)  
7 of title 10, United States Code, is amended—

8 (1) by redesignating subparagraphs (C), (D),  
9 (E), and (F) as subparagraphs (D), (E), (F), and  
10 (G), respectively;

11 (2) by inserting after subparagraph (B) the fol-  
12 lowing new subparagraph (C):

13 “(C) Advising the Secretary on the roles and  
14 missions of the armed forces and on the assignment  
15 of functions to the armed forces in order to obtain  
16 maximum efficiency and effectiveness of the armed  
17 forces.”; and

18 (3) by amending subparagraph (G) (as redesign-  
19 nated by paragraph (1)) to read as follows:

20 “(G) Identifying, assessing, and prioritizing  
21 joint military requirements (including existing sys-  
22 tems and equipment) for defense acquisition, and  
23 identifying the core mission areas associated with  
24 each such requirement.”.

1 (b) REQUIREMENT FOR NATIONAL MILITARY STRAT-  
2 EGY REVIEW TO BE CONSISTENT WITH QUADRENNIAL  
3 ROLES AND MISSIONS REVIEW.—Section 153(d)(2)(A) of  
4 title 10, United States Code, is amended—

5 (1) by striking “and” at the end of clause (ii);

6 (2) by striking the period and inserting “; and”  
7 at the end of clause (iii); and

8 (3) by adding at the end the following new  
9 clause:

10 “(iv) the most recent quadrennial roles and  
11 missions review conducted by the Secretary of  
12 Defense pursuant to section 118b of this title.”.

13 (c) ASSESSMENT OF ROLES AND MISSIONS.—Section  
14 153 of such title is further amended by adding at the end  
15 the following new subsection:

16 “(e) ASSESSMENT OF ROLES AND MISSIONS.—(1) In  
17 each year in which the Secretary of Defense is required  
18 to conduct a quadrennial roles and missions review pursu-  
19 ant to section 118b of this title, the Chairman shall pre-  
20 pare and submit to the Secretary of Defense an assess-  
21 ment of the roles and missions of the armed forces and  
22 the assignment of functions to the armed forces, together  
23 with any recommendations for changes in assignment that  
24 the Chairman considers necessary to achieve maximum ef-  
25 ficiency and effectiveness of the armed forces.

1 “(2) The assessment shall be conducted so as to—

2 “(A) organize the significant missions of the  
3 armed forces into core mission areas that cover  
4 broad areas of military activity; and

5 “(B) ensure that core mission areas are defined  
6 and functions are assigned so as to avoid unneces-  
7 sary duplication of effort among the armed forces.

8 “(3) The Secretary shall forward the report received  
9 under paragraph (1) in any year, with the Secretary’s  
10 comments thereon (if any), to Congress with the Sec-  
11 retary’s next transmission to Congress of the annual De-  
12 partment of Defense budget justification materials in sup-  
13 port of the Department of Defense component of the  
14 budget of the President submitted under section 1105 of  
15 title 31 for the next fiscal year.”.

16 (d) CONFORMING AMENDMENTS.—Section 118b of  
17 title 10, United States Code, is amended—

18 (1) by striking subsection (b); and

19 (2) in subsection (c), by striking “Upon receipt  
20 of the Chairman’s assessment, and after giving ap-  
21 propriate consideration to the Chairman’s rec-  
22 ommendations, the Secretary” and inserting “The  
23 Secretary”.



1 **SEC. 952. REVISIONS TO QUADRENNIAL ROLES AND MIS-**  
2 **SIONS REVIEW.**

3 Section 118b of title 10, United States Code, as  
4 amended by section 951, is further amended—

5 (1) in subsection (a), by striking “core com-  
6 petencies and capabilities of the Department of De-  
7 fense to perform and support such roles and mis-  
8 sions” and inserting “functions and capabilities of  
9 the Department of Defense and its major compo-  
10 nents to achieve the objectives of the national de-  
11 fense strategy and the national military strategy”;

12 (2) by redesignating subsections (c) and (d) as  
13 subsections (b) and (c);

14 (3) in subsection (b) (as so redesignated)—

15 (A) by striking the subsection heading and  
16 all that follows through “shall identify—” and  
17 inserting “CONDUCT OF REVIEW.—Each quad-  
18 rennial roles and missions review shall iden-  
19 tify—”;

20 (B) in paragraph (2), by striking “core  
21 competencies and capabilities” and inserting  
22 “functions and capabilities of each of the armed  
23 forces”;

24 (C) in paragraph (3), by striking “core  
25 competencies” and inserting “functions”;

1 (D) by striking “core competencies and”  
2 and inserting “the functions and the”; and

3 (E) in paragraph (5), by striking “core  
4 competencies” and inserting “functions”; and

5 (4) in subsection (d) (as so redesignated), by  
6 inserting “findings of the” before “quadrennial”.

7 **SEC. 953. AMENDMENT TO PRESENTATION OF FUTURE-**  
8 **YEARS BUDGET AND COMPTROLLER GEN-**  
9 **ERAL REPORT ON BUDGET JUSTIFICATION**  
10 **MATERIAL.**

11 (a) ORGANIZATION OF FUTURE-YEARS BUDGET.—

12 (1) IN GENERAL.—Section 222(b) of title 10,  
13 United States Code, is amended by striking “on the  
14 basis of both major force programs and the core  
15 mission areas” and inserting “on the basis of major  
16 force programs and the core mission areas and func-  
17 tions of each of the armed forces”.

18 (2) EFFECTIVE DATE.—The amendment made  
19 by this subsection shall apply with respect to the fu-  
20 ture-years mission budget for fiscal year 2013 and  
21 each fiscal year thereafter.

22 (b) REPORT REQUIRED.—

23 (1) MATTERS COVERED.—The Comptroller  
24 General of the United States shall prepare a report  
25 containing assessments of—

1 (A) the sufficiency of Department of De-  
2 fense regulations, policies, and guidance gov-  
3 erning the construction of budget exhibits;

4 (B) the current program element structure  
5 and content used to account for the budget ac-  
6 tivity of the Department of the Defense;

7 (C) the degree to which the Secretary of  
8 Defense has implemented the recommendations  
9 for improving the consistency, clarity, accuracy,  
10 and completeness of the Department of Defense  
11 budget documentation contained in Government  
12 Accountability Report GAO-07-1058; and

13 (D) the degree to which the Department of  
14 Defense has complied with the Congressional  
15 intent and requirements of the amendments  
16 made by section 944 of the National Defense  
17 Authorization Act for Fiscal Year 2008 (Public  
18 Law 110-181; 122 Stat. 289).

19 (2) RECOMMENDATIONS.—The report required  
20 by this subsection shall also include such rec-  
21 ommendations as the Comptroller General considers  
22 to be appropriate in order to improve the consist-  
23 ency, clarity, accuracy, and completeness of the De-  
24 partment of Defense budget justification material  
25 content and to improve the Department's ability to

1 identify and track resources by the core mission  
2 areas and functions of the armed forces as required  
3 by section 118b of title 10, United States Code.

4 **SEC. 954. CHAIRMAN OF THE JOINT CHIEFS OF STAFF AS-**  
5 **SESSMENT OF CONTINGENCY PLANS.**

6 Section 153(b) of title 10, United States Code, is  
7 amended—

8 (1) in paragraph (1), by striking “assessment  
9 of” and all that follows through the period and in-  
10 serting: “assessment of—

11 “(A) the nature and magnitude of the stra-  
12 tegic and military risks associated with exe-  
13 cuting the missions called for under the current  
14 National Military Strategy; and

15 “(B) the critical deficiencies and strengths  
16 in force capabilities (including manpower, logis-  
17 tics, intelligence, and mobility support) identi-  
18 fied during the preparation and review of con-  
19 tingency plans of each geographic combatant  
20 commander, and the effect of such deficiencies  
21 and strengths on strategic plans and on meet-  
22 ing national security objectives and policy.”;  
23 and

24 (2) in paragraph (2)—

1           (A) by inserting after “National Military  
2           Strategy is significant,” the following, “or that  
3           critical deficiencies in force capabilities exist for  
4           a contingency plan,”; and

5           (B) by inserting “or deficiency” before the  
6           period at the end.

7 **SEC. 955. QUADRENNIAL DEFENSE REVIEW.**

8           (a) SENSE OF CONGRESS.—It is the sense of Con-  
9           gress that the quadrennial defense review is a critical stra-  
10          tegic document and should be based upon a process uncon-  
11          strained by budgetary influences so that such influences  
12          do not determine or limit its outcome.

13          (b) RELATIONSHIP OF QUADRENNIAL DEFENSE RE-  
14          VIEW TO DEFENSE BUDGET.—Paragraph (4) of section  
15          118(b) of title 10, United States Code, is amended to read  
16          as follows:

17                 “(4) to make recommendations that are not  
18                 constrained to comply with and are fully inde-  
19                 pendent of the budget submitted to Congress by the  
20                 President pursuant to section 1105 of title 31, in  
21                 order to allow Congress to determine the level of ac-  
22                 ceptable risk to execute the missions associated with  
23                 the national defense strategy within appropriated  
24                 funds.”.

1                   **Subtitle F—Other Matters**

2   **SEC. 961. DEADLINE REVISION FOR REPORT ON FOREIGN**  
3                   **LANGUAGE PROFICIENCY.**

4           Section 958 of the National Defense Authorization  
5 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.  
6 297) is amended—

7                   (1) in subsection (a), by striking “annually  
8 thereafter” and inserting “by June 30 each year  
9 thereafter”; and

10                   (2) in subsection (d), by striking “December  
11 31, 2013” and inserting “June 30, 2013”.

12   **SEC. 962. MILITARY ACTIVITIES IN CYBERSPACE.**

13           (a) **AFFIRMATION.**—Congress affirms that the Sec-  
14 retary of Defense is authorized to conduct military activi-  
15 ties in cyberspace.

16           (b) **AUTHORITY DESCRIBED.**—The authority referred  
17 to in subsection (a) includes the authority to carry out  
18 a clandestine operation in cyberspace—

19                   (1) in support of a military operation pursuant  
20 to the Authorization for Use of Military Force (50  
21 U.S.C. 1541 note; Public Law 107–40) against a  
22 target located outside of the United States; or

23                   (2) to defend against a cyber attack against an  
24 asset of the Department of Defense.

1 (c) BRIEFINGS ON ACTIVITIES.—Not later than 120  
2 days after the date of the enactment of this Act, and quar-  
3 terly thereafter, the Secretary of Defense shall provide a  
4 briefing to the Committees on Armed Services of the  
5 House of Representatives and the Senate on covered mili-  
6 tary cyberspace activities that the Department of Defense  
7 carried out during the preceding quarter.

8 (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
9 tion shall be construed to limit the authority of the Sec-  
10 retary of Defense to conduct military activities in cyber-  
11 space.

12 **SEC. 963. ACTIVITIES TO IMPROVE MULTILATERAL, BILAT-**  
13 **ERAL, AND REGIONAL COOPERATION RE-**  
14 **GARDING CYBERSECURITY.**

15 (a) ESTABLISHMENT OF CYBERSECURITY PRO-  
16 GRAM.—

17 (1) IN GENERAL.—Chapter 53 of title 10,  
18 United States Code, is amended by inserting after  
19 section 1051b the following new section:

20 **“§ 1051c. Multilateral, bilateral, or regional coopera-**  
21 **tion programs: assignments to improve**  
22 **education and training in information se-**  
23 **curity**

24 **“(a) ASSIGNMENTS AUTHORIZED; PURPOSE.—The**  
25 **Secretary of Defense may authorize the temporary assign-**

1 ment of a member of the military forces of a foreign coun-  
2 try to a Department of Defense organization for the pur-  
3 pose of assisting the member to obtain education and  
4 training to improve the member's ability to understand  
5 and respond to information security threats,  
6 vulnerabilities of information security systems, and the  
7 consequences of information security incidents.

8       “(b) PAYMENT OF CERTAIN EXPENSES.—To facili-  
9 tate the assignment of a member of a foreign military  
10 force to a Department of Defense organization under sub-  
11 section (a), the Secretary of Defense may pay such ex-  
12 penses in connection with the assignment as the Secretary  
13 considers in the national security interests of the United  
14 States.

15       “(c) PROTECTION OF DEPARTMENT CYBERSECU-  
16 RITY.—In authorizing the temporary assignment of mem-  
17 bers of foreign military forces to Department of Defense  
18 organizations under subsection (a), the Secretary of De-  
19 fense shall require the inclusion of adequate safeguards  
20 to prevent any compromising of Department information  
21 security.

22       “(d) MULTI-YEAR AVAILABILITY OF FUNDS.—Funds  
23 available to carry out this section shall be available, to the  
24 extent provided in appropriations Acts, for programs and



1 activities under this section that begin in a fiscal year and  
2 end in the following fiscal year.

3 “(e) INFORMATION SECURITY DEFINED.—In this  
4 section, the term ‘information security’ refers to—

5 “(1) the confidentiality, integrity, or availability  
6 of an information system or the information such  
7 system processes, stores, or transmits; and

8 “(2) the security policies, security procedures,  
9 or acceptable use policies with respect to an informa-  
10 tion system.”.

11 (2) CLERICAL AMENDMENT.—The table of sec-  
12 tions at the beginning of such chapter is amended  
13 by inserting after the item relating to section 1051b  
14 the following new item:

“1051c. Multilateral, bilateral, or regional cooperation programs: assignments to  
improve education and training in information security.”.

15 (b) REPORT ON EXPANSION OF FELLOWSHIP OPPOR-  
16 TUNITIES.—Not later one year after the date of the enact-  
17 ment of this Act, the Secretary of Defense shall submit  
18 to Congress a report evaluating the feasibility and benefits  
19 of expanding the fellowship program authorized by section  
20 1051c of title 10, United States Code, as added by sub-  
21 section (a), to include ministry of defense officials, secu-  
22 rity officials, or other civilian officials of foreign countries.

1 **SEC. 964. REPORT ON UNITED STATES SPECIAL OPER-**  
2 **ATIONS COMMAND STRUCTURE.**

3 (a) REPORT.—Not later than March 1, 2012, the  
4 Secretary of Defense shall submit to the congressional de-  
5 fense committees a study of the United States Special Op-  
6 erations Command sub-unified structure.

7 (b) ELEMENTS.—The report required under this sec-  
8 tion shall include, at a minimum, the following:

9 (1) Recommendations to revise as necessary the  
10 present command structure to better support devel-  
11 opment and deployment of joint special operations  
12 forces and capabilities.

13 (2) Any other matters the Secretary considers  
14 appropriate.

15 (c) FORM.—The report required under this section  
16 shall be submitted in unclassified form, but may include  
17 a classified annex.

18 **SEC. 965. SENSE OF CONGRESS REGARDING THE PERFORM-**  
19 **ANCE OF COMMERCIALY-AVAILABLE ACTIVI-**  
20 **TIES BY DEPARTMENT OF DEFENSE CIVILIAN**  
21 **EMPLOYEES.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-  
23 gress that—

24 (1) our Nation's economic strength is charac-  
25 terized by individual freedom and the competitive  
26 enterprise system, and as such, the Federal Govern-

1       ment should not compete with its citizens and pri-  
2       vate enterprise;

3           (2) in recognition of this policy, the Govern-  
4       ment should rely on commercially available sources  
5       to provide commercial products and services and  
6       should not start or carry on any activity to provide  
7       a commercial product or service if the product or  
8       service can be procured more economically from a  
9       commercial source;

10          (3) this policy conforms with Department of  
11       Defense Total Force Management procedures aimed  
12       at improving total manpower requirements, deter-  
13       minations, and planning to facilitate decisions re-  
14       garding which sector (military, civilian, or contractor  
15       personnel) should perform each requirement; and

16          (4) the Department of Defense should not con-  
17       vert the performance of any function from perform-  
18       ance by a contractor to performance by Department  
19       of Defense civilian employees unless the function is  
20       inherently governmental in nature or the conversion  
21       is necessary to comply with section 129a of title 10,  
22       United States Code, as amended by this Act.

23       (b)   DEFINITION OF INHERENTLY GOVERN-  
24   MENTAL.—In this section, the term “inherently govern-  
25   mental” has the meaning given that term in section 5(2)

1 of the Federal Activities Inventory Reform Act of 1998  
2 (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501  
3 note).

4 **SEC. 966. CLARIFICATION OF STATUS OF PARTICIPANTS OF**  
5 **DEFENSE INDUSTRIAL BASE ACTIVE CYBER**  
6 **DEFENSE PILOT PROJECT.**

7 Notwithstanding any other provision of law, any non-  
8 Government entity or personnel participating in the 90-  
9 day Defense Industrial Base Active Cyber Defense pilot  
10 project shall not be considered an agent of any local or  
11 State government or the Federal Government by reason  
12 of such participation.

13 **SEC. 967. EXPANSION OF OVERSIGHT OFFICES IN DEPART-**  
14 **MENT OF DEFENSE.**

15 (a) ASSISTANT SECRETARY OF DEFENSE FOR CON-  
16 TINGENCY CONTRACTING.—Section 138(b) of title 10,  
17 United States Code, is amended—

18 (1) by redesignating paragraph (7) as para-  
19 graph (8); and

20 (2) by inserting after paragraph (6) the fol-  
21 lowing new paragraph:

22 “(7) One of the Assistant Secretaries shall be the As-  
23 sistant Secretary of Defense for Contingency Contracting.  
24 The Assistant Secretary of Defense for Contingency Con-  
25 tracting is the principal adviser to the Secretary of De-

1 fense and the Under Secretary of Defense for Acquisition,  
2 Technology, and Logistics on matters relating to planning,  
3 funding, staffing, and managing contingency contracting  
4 of the Department of Defense.”.

5 (b) REQUIREMENT TO ESTABLISH OFFICE OF CON-  
6 TINGENCY CONTRACTING.—The Secretary of Defense  
7 shall rename and expand the Office of Program Support  
8 in the Office of the Under Secretary of Defense for Acqui-  
9 sition, Technology, and Logistics as the Office of Contingency Contracting.  
10 The Office of Contingency Contracting  
11 shall be headed by the Assistant Secretary of Defense for  
12 Contingency Contracting and shall be responsible for plan-  
13 ning, funding, staffing, and managing contingency con-  
14 tracting in the Department of Defense.

## 15 **TITLE X—GENERAL PROVISIONS**

### 16 **Subtitle A—Financial Matters**

#### 17 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

18 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

19 (1) AUTHORITY.—Upon determination by the  
20 Secretary of Defense that such action is necessary in  
21 the national interest, the Secretary may transfer  
22 amounts of authorizations made available to the De-  
23 partment of Defense in this division for fiscal year  
24 2012 between any such authorizations for that fiscal  
25 year (or any subdivisions thereof). Amounts of au-

1       thorizations so transferred shall be merged with and  
2       be available for the same purposes as the authoriza-  
3       tion to which transferred.

4           (2) LIMITATION.—Except as provided in para-  
5       graph (3), the total amount of authorizations that  
6       the Secretary may transfer under the authority of  
7       this section may not exceed \$4,000,000,000.

8           (3) EXCEPTION FOR TRANSFERS BETWEEN  
9       MILITARY PERSONNEL AUTHORIZATIONS.—A trans-  
10      fer of funds between military personnel authoriza-  
11      tions under title IV shall not be counted toward the  
12      dollar limitation in paragraph (2).

13      (b) LIMITATIONS.—The authority provided by this  
14      section to transfer authorizations—

15           (1) may only be used to provide authority for  
16      items that have a higher priority than the items  
17      from which authority is transferred; and

18           (2) may not be used to provide authority for an  
19      item that has been denied authorization by Con-  
20      gress.

21      (c) EFFECT ON AUTHORIZATION AMOUNTS.—A  
22      transfer made from one account to another under the au-  
23      thority of this section shall be deemed to increase the  
24      amount authorized for the account to which the amount

1 is transferred by an amount equal to the amount trans-  
2 ferred.

3 (d) NOTICE TO CONGRESS.—The Secretary shall  
4 promptly notify Congress of each transfer made under  
5 subsection (a).

6 **SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.**

7 The budgetary effects of this Act, for the purpose of  
8 complying with the Statutory Pay-As-You-Go Act of 2010,  
9 shall be determined by reference to the latest statement  
10 titled “Budgetary Effects of PAYGO Legislation” for this  
11 Act, submitted for printing in the Congressional Record  
12 by the Chairman of the Committee on the Budget of the  
13 House of Representatives, as long as such statement has  
14 been submitted prior to the vote on passage of this Act.

15 **Subtitle B—Counter-Drug Activi-**  
16 **ties and Counter Transnational**  
17 **Criminal Activities**

18 **SEC. 1011. EXTENSION OF AUTHORITY FOR JOINT TASK**  
19 **FORCES TO PROVIDE SUPPORT TO LAW EN-**  
20 **FORCEMENT AGENCIES CONDUCTING**  
21 **COUNTERTERRORISM ACTIVITIES.**

22 Section 1022(b) of the National Defense Authoriza-  
23 tion Act for Fiscal Year 2004 (Public Law 108–136; 10  
24 U.S.C. 371 note), as most recently amended by section  
25 1012(a) of the Ike Skelton National Defense Authoriza-

1 tion Act for Fiscal Year 2011 (Public Law 111–383; 124  
2 Stat. 4346), is amended by striking “2011” and inserting  
3 “2012”.

4 **SEC. 1012. EXTENSION OF AUTHORITY OF DEPARTMENT OF**  
5 **DEFENSE TO PROVIDE ADDITIONAL SUPPORT**  
6 **FOR COUNTERDRUG ACTIVITIES OF OTHER**  
7 **GOVERNMENTAL AGENCIES.**

8 (a) ONE-YEAR EXTENSION OF AUTHORITY.—Sub-  
9 section (a) of section 1004 of the National Defense Au-  
10 thorization Act for Fiscal Year 1991 (Public Law 101–  
11 510; 10 U.S.C. 374 note) is amended by striking “During  
12 fiscal years 2002 through 2011” and inserting “Until Sep-  
13 tember 30, 2013”.

14 (b) COVERAGE OF TRIBAL LAW ENFORCEMENT  
15 AGENCIES.—Such section is further amended—

16 (1) in subsection (a)—

17 (A) in the matter preceding paragraph (1),  
18 by inserting “tribal,” after “local,”; and

19 (B) in paragraph (2), by striking “State or  
20 local” both places it appears and insert “State,  
21 local, or tribal”; and

22 (2) in subsection (b)—

23 (A) in paragraph (1), by striking “State or  
24 local” and inserting “State, local, or tribal”;



1 (B) in paragraph (4), by striking “State,  
2 or local” and inserting “State, local, or tribal”;  
3 and

4 (C) in paragraph (5), by striking “State  
5 and local” and inserting “State, local, and trib-  
6 al”.

7 (c) CLARIFICATION OF AUTHORITY TO PROVIDE  
8 CERTAIN NONLETHAL EQUIPMENT OR SERVICES.—Sub-  
9 section (b)(4) of such section is amended by inserting be-  
10 fore the period at the end the following: “, including the  
11 provision of nonlethal equipment or services necessary for  
12 the operation of such bases or facilities, other than any  
13 equipment specifically identified in section 1033 of the  
14 National Defense Authorization Act for Fiscal Year  
15 1998”.

16 **SEC. 1013. ONE-YEAR EXTENSION OF AUTHORITY TO PRO-**  
17 **VIDE ADDITIONAL SUPPORT FOR COUNTER-**  
18 **DRUG ACTIVITIES OF CERTAIN FOREIGN**  
19 **GOVERNMENTS.**

20 Subsection (a)(2) of section 1033 of the National De-  
21 fense Authorization Act for Fiscal Year 1998 (Public Law  
22 105–85; 111 Stat. 1881), as most recently amended by  
23 section 1014(a) of the Ike Skelton National Defense Au-  
24 thorization Act for Fiscal Year 2011 (Public Law 111–

1 383; 124 Stat. 4347), is amended by striking “2012” and  
2 inserting “2013”.

3 **SEC. 1014. EXTENSION OF AUTHORITY TO SUPPORT UNI-**  
4 **FIED COUNTER-DRUG AND COUNTERTER-**  
5 **RORISM CAMPAIGN IN COLOMBIA.**

6 Section 1021 of the Ronald W. Reagan National De-  
7 fense Authorization Act for Fiscal Year 2005 (Public Law  
8 108–375; 118 Stat. 2042), as most recently amended by  
9 section 1011 of the Ike Skelton National Defense Author-  
10 ization Act for Fiscal Year 2011 (Public Law 111–383;  
11 124 Stat. 4346), is amended—

12 (1) in subsection (a), by striking “2011” and  
13 inserting “2012”; and

14 (2) in subsection (e), by striking “2011” and  
15 inserting “2012”.

16 **SEC. 1015. MITIGATION OF NATIONAL SECURITY THREATS**  
17 **ALONG THE BORDER OF THE UNITED STATES**  
18 **AND MEXICO.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-  
20 gress that—

21 (1) the Secretary of Defense should continue to  
22 increase intelligence and technology sharing informa-  
23 tion and capability with the Secretary of Homeland  
24 Security and other agencies to mitigate national se-  
25 curity threats along the international border between

1 the United States and Mexico, including threats of  
2 infiltration and border breaches by transnational  
3 criminal organizations; and

4 (2) the Secretary of Defense should strongly  
5 consider operationally testing, along the inter-  
6 national border between the United States and Mex-  
7 ico, emerging technology capabilities developed for  
8 the purposes of detection, intelligence, and surveil-  
9 lance.

10 (b) CONGRESSIONAL BRIEFING.—Not later than 90  
11 days after the date of the enactment of this Act, the Sec-  
12 retary of Defense shall brief the congressional defense  
13 committees on the effectiveness of the ongoing collabo-  
14 rative programs with the Government of Mexico intended  
15 to strengthen the capability of Mexican forces to detect  
16 and deter infiltration of the United States border and  
17 other national security threats by transnational crime or-  
18 ganizations.

## 19 **Subtitle C—Naval Vessels and** 20 **Shipyards**

### 21 **SEC. 1021. BUDGETING FOR CONSTRUCTION OF NAVAL VES-** 22 **SELS.**

23 (a) ANNUAL PLAN.—Section 231 of title 10, United  
24 States Code, is amended to read as follows:

1 **“§ 231. Budgeting for construction of naval vessels:**  
2 **annual plan and certification**

3 “(a) ANNUAL NAVAL VESSEL CONSTRUCTION PLAN  
4 AND CERTIFICATION.—The Secretary of Defense shall in-  
5 clude with the defense budget materials for a fiscal year—

6 “(1) a plan for the construction of combatant  
7 and support vessels for the Navy developed in ac-  
8 cordance with this section; and

9 “(2) a certification by the Secretary that both  
10 the budget for that fiscal year and the future-years  
11 defense program submitted to Congress in relation  
12 to such budget under section 221 of this title pro-  
13 vide for funding of the construction of naval vessels  
14 at a level that is sufficient for the procurement of  
15 the vessels provided for in the plan under paragraph  
16 (1) on the schedule provided in that plan.

17 “(b) ANNUAL NAVAL VESSEL CONSTRUCTION  
18 PLAN.—(1) The annual naval vessel construction plan de-  
19 veloped for a fiscal year for purposes of subsection (a)(1)  
20 should be designed so that the naval vessel force provided  
21 for under that plan is capable of supporting the national  
22 security strategy of the United States as set forth in the  
23 most recent national security strategy report of the Presi-  
24 dent under section 108 of the National Security Act of  
25 1947 (50 U.S.C. 404a), except that, if at the time such  
26 plan is submitted with the defense budget materials for

1 that fiscal year, a national security strategy report re-  
2 quired under such section 108 has not been submitted to  
3 Congress as required by paragraph (2) or paragraph (3),  
4 if applicable, of subsection (a) of such section, then such  
5 annual plan should be designed so that the naval vessel  
6 force provided for under that plan is capable of supporting  
7 the ship force structure recommended in the report of the  
8 most recent quadrennial defense review.

9 “(2) Each such naval vessel construction plan shall  
10 include the following:

11 “(A) A detailed program for the construction of  
12 combatant and support vessels for the Navy over the  
13 next 30 fiscal years.

14 “(B) A description of the necessary naval vessel  
15 force structure to meet the requirements of the na-  
16 tional security strategy of the United States or the  
17 most recent quadrennial defense review, whichever is  
18 applicable under paragraph (1).

19 “(C) The estimated levels of annual funding  
20 necessary to carry out the program, together with a  
21 discussion of the procurement strategies on which  
22 such estimated levels of annual funding are based.

23 “(c) ASSESSMENT WHEN VESSEL CONSTRUCTION  
24 BUDGET IS INSUFFICIENT TO MEET APPLICABLE RE-  
25 QUIREMENTS.—If the budget for a fiscal year provides for

1 funding of the construction of naval vessels at a level that  
2 is not sufficient to sustain the naval vessel force structure  
3 specified in the naval vessel construction plan for that fis-  
4 cal year under subsection (a), the Secretary shall include  
5 with the defense budget materials for that fiscal year an  
6 assessment that describes and discusses the risks associ-  
7 ated with the reduced force structure of naval vessels that  
8 will result from funding naval vessel construction at such  
9 level. Such assessment shall be coordinated in advance  
10 with the commanders of the combatant commands.

11 “(d) CBO EVALUATION.—Not later than 60 days  
12 after the date on which the congressional defense commit-  
13 tees receive the plan under subsection (a)(1), the Director  
14 of the Congressional Budget Office shall submit to such  
15 committees a report assessing the sufficiency of the esti-  
16 mated levels of annual funding included in such plan with  
17 respect to the budget submitted during the year in which  
18 the plan is submitted and the future-years defense pro-  
19 gram submitted under section 221 of this title.

20 “(e) DEFINITIONS.—In this section:

21 “(1) The term ‘budget’, with respect to a fiscal  
22 year, means the budget for that fiscal year that is  
23 submitted to Congress by the President under sec-  
24 tion 1105(a) of title 31.

1           “(2) The term ‘defense budget materials’, with  
2           respect to a fiscal year, means the materials sub-  
3           mitted to Congress by the Secretary of Defense in  
4           support of the budget for that fiscal year.

5           “(3) The term ‘quadrennial defense review’  
6           means the review of the defense programs and poli-  
7           cies of the United States that is carried out every  
8           four years under section 118 of this title.”.

9           (b) CLERICAL AMENDMENT.—The table of sections  
10          at the beginning of chapter 9 of such title is amended by  
11          striking the item relating to section 231 and inserting the  
12          following new item:

          “231. Budgeting for construction of naval vessels: annual plan and certifi-  
          cation”.

13       **SEC. 1022. NAMING OF NAVAL VESSEL AFTER UNITED**  
14                               **STATES MARINE CORPS SERGEANT RAFAEL**  
15                               **PERALTA.**

16          Congress strongly encourages the Secretary of the  
17          Navy to name the next available Naval vessel after United  
18          States Marine Corps Sergeant Rafael Peralta.

19       **Subtitle D—Counterterrorism**

20       **SEC. 1031. DEFINITION OF INDIVIDUAL DETAINED AT**  
21                               **GUANTANAMO.**

22          In this subtitle, the term “individual detained at  
23          Guantanamo” means any individual who is located at

1 United States Naval Station, Guantanamo Bay, Cuba, on  
2 or after March 7, 2011, who—

3 (1) is not a citizen of the United States or a  
4 member of the Armed Forces of the United States;  
5 and

6 (2) is in the custody or under the effective con-  
7 trol of the Department of Defense.

8 **SEC. 1032. EXTENSION OF AUTHORITY TO MAKE REWARDS**  
9 **FOR COMBATING TERRORISM.**

10 Section 127b of title 10, United States Code, is  
11 amended—

12 (1) in subsection (e)(3)(C), by striking “Sep-  
13 tember 30, 2011” and inserting “September 30,  
14 2014”; and

15 (2) in subsection (f)(1), by striking “Decem-  
16 ber” and inserting “February”.

17 **SEC. 1033. CLARIFICATION OF RIGHT TO PLEAD GUILTY IN**  
18 **TRIAL OF CAPITAL OFFENSE BY MILITARY**  
19 **COMMISSION.**

20 (a) CLARIFICATION OF RIGHT.—Section 949m(b)(2)  
21 of title 10, United States Code, is amended—

22 (1) in subparagraph (C), by inserting before the  
23 semicolon the following: “, or a guilty plea was ac-  
24 cepted and not withdrawn prior to announcement of



1 the sentence in accordance with section 949i(b) of  
2 this title”; and

3 (2) in subparagraph (D), by inserting “on the  
4 sentence” after “vote was taken”.

5 (b) PRE-TRIAL AGREEMENTS.—Section 949i of such  
6 title is amended—

7 (1) in the first sentence of subsection (b)—

8 (A) by inserting after “military judge” the  
9 following: “, including a charge or specification  
10 that has been referred capital,”;

11 (B) by inserting “by the military judge”  
12 after “may be entered”; and

13 (C) by inserting “by the members” after  
14 “vote”; and

15 (2) by adding at the end the following new sub-  
16 section:

17 “(c) PRE-TRIAL AGREEMENTS.—(1) A plea of guilty  
18 made by the accused that is accepted by a military judge  
19 under subsection (b) and not withdrawn prior to an-  
20 nouncement of the sentence may form the basis for an  
21 agreement reducing the maximum sentence approved by  
22 the convening authority, including the reduction of a sen-  
23 tence of death to a lesser punishment, or that the case  
24 will be referred to a military commission under this chap-  
25 ter without seeking the penalty of death. Such an agree-

1 ment may provide for terms and conditions in addition to  
2 a guilty plea by the accused in order to be effective.

3 “(2) A plea agreement under this subsection may not  
4 provide for a sentence of death imposed by a military  
5 judge alone. A sentence of death may only be imposed by  
6 the unanimous vote of all members of a military commis-  
7 sion concurring in the sentence of death as provided in  
8 section 949m(b)(2)(D) of this title.”.

9 **SEC. 1034. AFFIRMATION OF ARMED CONFLICT WITH AL-**  
10 **QAEDA, THE TALIBAN, AND ASSOCIATED**  
11 **FORCES.**

12 Congress affirms that—

13 (1) the United States is engaged in an armed  
14 conflict with al-Qaeda, the Taliban, and associated  
15 forces and that those entities continue to pose a  
16 threat to the United States and its citizens, both do-  
17 mesticallly and abroad;

18 (2) the President has the authority to use all  
19 necessary and appropriate force during the current  
20 armed conflict with al-Qaeda, the Taliban, and asso-  
21 ciated forces pursuant to the Authorization for Use  
22 of Military Force (Public Law 107–40; 50 U.S.C.  
23 1541 note);

24 (3) the current armed conflict includes nations,  
25 organization, and persons who—

1 (A) are part of, or are substantially sup-  
2 porting, al-Qaeda, the Taliban, or associated  
3 forces that are engaged in hostilities against the  
4 United States or its coalition partners; or

5 (B) have engaged in hostilities or have di-  
6 rectly supported hostilities in aid of a nation,  
7 organization, or person described in subpara-  
8 graph (A); and

9 (4) the President's authority pursuant to the  
10 Authorization for Use of Military Force (Public Law  
11 107-40; 50 U.S.C. 1541 note) includes the authority  
12 to detain belligerents, including persons described in  
13 paragraph (3), until the termination of hostilities.

14 **SEC. 1035. REQUIREMENT FOR NATIONAL SECURITY PRO-**  
15 **TOCOLS GOVERNING DETAINEE COMMUNICA-**  
16 **TIONS.**

17 (a) **LIMITATION.**—Not later than 90 days after the  
18 date of the enactment of this Act, the Secretary of Defense  
19 shall submit to the Committees on Armed Services of the  
20 House of Representatives and the Senate a national secu-  
21 rity protocol applicable to each individual detained at  
22 Guantanamo. Each such national security protocol shall  
23 include a description of each of the following:

24 (1) The authority of an individual covered by  
25 the protocol to have access to military or civilian

1 legal representation, or both, and any limitations on  
2 such access.

3 (2) Any items that are considered contraband  
4 for such an individual.

5 (3) Any category of information that such an  
6 individual is not permitted to discuss or include in  
7 any communications made to persons other than  
8 Federal Government personnel and members of the  
9 Armed Forces or materials the individual has or cre-  
10 ates.

11 (4) Any types of materials to which such an in-  
12 dividual is authorized to have access and the process  
13 by which such materials, along with materials cre-  
14 ated by the individual, are reviewed.

15 (5) The nature of any communication such an  
16 individual is permitted to have with any persons  
17 other than Federal Government personnel and mem-  
18 bers of the Armed Forces, including mail, phone  
19 calls, and video teleconferences, and the extent to  
20 which any such communication is to be monitored.

21 (6) Any meetings the individual is permitted to  
22 have with any persons other than Federal Govern-  
23 ment personnel and members of the Armed Forces  
24 and the extent to which such a meeting is to be  
25 monitored.

1           (7) Any category of information or material  
2 that may not be provided to such an individual by  
3 persons other than Federal Government personnel  
4 and members of the Armed Forces or by the individ-  
5 ual's military or civilian legal counsel or military  
6 personal representative.

7           (8) The manner in which any legal materials or  
8 communications subject to review under the protocol  
9 will be monitored for the protection of national secu-  
10 rity while also ensuring that any applicable legal  
11 privileges are maintained for purposes of litigation  
12 related to trial under chapter 47A of title 10, United  
13 States Code, or a petition for habeas corpus.

14           (9) The measures planned to be taken to imple-  
15 ment and enforce the provisions of the security pro-  
16 tocol.

17           (b) TREATMENT OF CLASSIFIED MATERIAL IN SECU-  
18 RITY PROTOCOLS.—A security protocol submitted under  
19 subsection (a) shall be in unclassified form but may con-  
20 tain a classified annex.

1 **SEC. 1036. PROCESS FOR THE REVIEW OF NECESSITY FOR**  
2 **CONTINUED DETENTION OF INDIVIDUALS DE-**  
3 **TAINED AT NAVAL STATION, GUANTANAMO**  
4 **BAY, CUBA.**

5 (a) REVIEW PROCESS.—The Secretary of Defense  
6 shall establish a review process to review the detention of  
7 each individual detained at Guantanamo. Such review  
8 process shall be designed to determine whether the contin-  
9 ued military detention of each such individual is necessary  
10 to protect the national security of the United States. The  
11 review process shall include, for each such individual, a  
12 full review not less than once every three years and a lim-  
13 ited file review not less than once every year.

14 (b) RELATIONSHIP TO OTHER LAWS.—The review  
15 process established by this section shall not affect the ju-  
16 risdiction of any Federal court to determine the legality  
17 of the detention of an individual detained at Guantanamo.

18 (c) MILITARY REVIEW PANELS.—The Secretary shall  
19 establish military review panels to carry out the reviews  
20 required by subsection (a). Each military panel shall be  
21 made up of military officers with expertise in operations,  
22 intelligence, and counterterrorism matters. Any officer as-  
23 signed to a military panel under this subsection must have  
24 the necessary security clearances to review all information  
25 submitted by the Government in any proceeding before the  
26 panel.

1 (d) PROCEDURES FOR FULL REVIEW.—

2 (1) MILITARY PERSONAL REPRESENTATIVES.—

3 In any full review proceeding before a military panel  
4 established pursuant to subsection (c), an individual  
5 detained at Guantanamo shall be assisted by a mili-  
6 tary personal representative with the appropriate se-  
7 curity clearance. The military personal representa-  
8 tive shall appear before the military panel to advo-  
9 cate on behalf of the individual and to introduce in-  
10 formation on behalf of the individual.

11 (2) MILITARY PANEL PROCEEDINGS.—During a  
12 proceeding before such a military panel, such an in-  
13 dividual, with the assistance of the individual's mili-  
14 tary personal representative, shall be permitted to—

15 (A) present to the military panel a written  
16 or oral statement;

17 (B) introduce relevant information, includ-  
18 ing written declarations;

19 (C) answer any questions posed by the  
20 military panel; and

21 (D) call witnesses who are reasonably  
22 available and willing to provide information that  
23 is relevant and material to whether the indi-  
24 vidual represents a continuing threat to the  
25 United States or its allies.

1           (3) ADVANCE NOTICE OF SUMMARY OF INFOR-  
2           MATION.—Such an individual shall be provided, in  
3           writing and in a language the individual under-  
4           stands, with advance notice of an unclassified sum-  
5           mary of the factors and information the military  
6           panel will consider, including mitigating information  
7           described in paragraph (7)(D), in making a rec-  
8           ommendation with respect to the individual’s contin-  
9           ued military detention.

10           (4) PROVISION OF INFORMATION TO MILITARY  
11           PERSONAL REPRESENTATIVE.—The Government’s  
12           submission to the military panel regarding the  
13           threat posed by such an individual and any miti-  
14           gating information described in paragraph (7)(D)  
15           shall be provided to the military personal representa-  
16           tive for the individual. Where it is necessary to pro-  
17           tect national security, including the protection of in-  
18           telligence sources and methods, the panel may deter-  
19           mine that the military personal representative must  
20           receive a sufficient substitute or summary of classi-  
21           fied information, rather than the underlying infor-  
22           mation.

23           (5) PERMITTED ACTIONS BY OUTSIDE PAR-  
24           TIES.—An outside party, including any private coun-  
25           sel for such an individual, may file a written submis-



1 sion to the military panel on the question of whether  
2 the individual represents a threat to the national se-  
3 curity of the United States. An outside party filing  
4 such a submission must obtain written permission  
5 from the individual before filing the submission.

6 (6) TIMEFRAME FOR REVIEW.—A full review of  
7 an individual detained at Guantanamo to determine  
8 whether the continued military detention of the indi-  
9 vidual is necessary may not take place sooner than  
10 21 days after the individual first becomes an indi-  
11 vidual detained at Guantanamo.

12 (7) FACTORS FOR CONSIDERATION.—In con-  
13 ducting a full review of an individual detained at  
14 Guantanamo, the panel shall consider whether the  
15 individual represents a continuing threat to the  
16 United States or its allies, taking into consideration  
17 the following factors:

18 (A) The likelihood the individual will re-  
19 sume terrorist activity if transferred or re-  
20 leased.

21 (B) The likelihood the individual will rees-  
22 tablish ties with an organization engaged in  
23 hostilities against the United States or its allies  
24 if transferred or released.

1           (C) The behavior of the individual while in  
2           military custody.

3           (D) Any information reviewed by the offi-  
4           cials preparing the Government's submission to  
5           the panel that tends to mitigate the threat  
6           posed by the individual.

7           (8) INTELLIGENCE INFORMATION FACTOR.—In  
8           conducting a full review of an individual detained at  
9           Guantanamo, the panel shall consider the factor of  
10          whether information known to the individual could  
11          be of significant intelligence value to the national se-  
12          curity of the United States, taking into consider-  
13          ation information provided by the intelligence com-  
14          munity, including an overall assessment provided by  
15          the Director of National Intelligence regarding the  
16          intelligence value of the information known by the  
17          individual.

18          (9) RECOMMENDATION.—The panel shall evalu-  
19          ate the factors described in paragraphs (7) and (8)  
20          with respect to an individual detained at Guanta-  
21          namo, taking into consideration the totality of the  
22          circumstances, and shall make a recommendation  
23          with respect to whether the continued military de-  
24          tention of the individual is necessary.

25          (e) PROCEDURES FOR FILE REVIEW.—

1           (1) GOVERNMENT SUBMISSION OF INFORMA-  
2           TION.—For each annual file review of an individual  
3           detained at Guantanamo, the Government shall sub-  
4           mit to a military panel established under subsection  
5           (c) any significant new information regarding the  
6           threat posed by the individual to the United States  
7           or its allies, including significant mitigating informa-  
8           tion reviewed by the officers compiling the material  
9           submitted by the Government.

10           (2) INDIVIDUAL WRITTEN SUBMISSION.—The  
11           individual receiving the file review may submit to the  
12           panel such written information as the individual de-  
13           termines appropriate.

14           (3) COMMENCEMENT OF FULL REVIEW.—If,  
15           during the course of a file review of an individual,  
16           a significant question is raised as to whether the  
17           continued military detention of the individual is nec-  
18           essary, the Secretary of Defense shall promptly con-  
19           vene a full review of the individual in accordance  
20           with this section.

21           (f) PREVIOUSLY PROVIDED INFORMATION.—The of-  
22           ficers assembling the Government submission to a military  
23           panel for a full review under subsection (d) or a file review  
24           under subsection (e) shall include in their review to pre-  
25           pare the submission any information previously provided

1 by the Government in discovery for a case before a mili-  
2 tary commission or a proceeding in a Federal court relat-  
3 ing to a petition for habeas corpus.

4 (g) INTERAGENCY REVIEW BOARD.—

5 (1) ESTABLISHMENT.—There is hereby estab-  
6 lished an interagency review board.

7 (2) MEMBERSHIP.—The members of the inter-  
8 agency review board shall be senior officials of the  
9 Department of State, the Department of Defense,  
10 the Department of Justice, the Department of  
11 Homeland Security, and the Joint Chiefs of Staff,  
12 who shall be appointed the heads of their employing  
13 agencies. The Director of National Intelligence shall  
14 appoint a senior official of the Office of the Director  
15 of National Intelligence to serve as a non-voting ad-  
16 visory member of the interagency review board.

17 (3) RESPONSIBILITIES.—

18 (A) REVIEW.—The review board shall be  
19 responsible for reviewing the recommendations  
20 of a military panel in a full review made under  
21 subsection (d)(9) for clear error. If the mem-  
22 bers of the review board disagree with a rec-  
23 ommendation of a military panel by a majority  
24 vote, the recommendation shall be rejected. The

1 review board shall seek consensus in such cases  
2 to the greatest extent possible.

3 (B) DISPOSITION OF INDIVIDUALS NOT  
4 RECOMMENDED FOR CONTINUED DETENTION.—

5 In the case of an individual who the military  
6 panel has recommended no longer be subject to  
7 military detention, if the review board accepts  
8 the recommendation of the military panel, the  
9 review board shall identify a suitable location  
10 outside the United States to which to transfer  
11 the individual. In making such recommendation,  
12 the board shall consider whether the country to  
13 which the individual is proposed to be trans-  
14 ferred—

15 (i) is not a designated state sponsor  
16 of terrorism or a designated foreign ter-  
17 rorist organization;

18 (ii) maintains effective control over  
19 each detention facility in which an indi-  
20 vidual is to be detained if the individual is  
21 to be housed in a detention facility;

22 (iii) is likely to subject the individual  
23 to prosecution;

24 (iv) is not, as of the date of the cer-  
25 tification, facing a threat that is likely to

1 substantially affect its ability to exercise  
2 control over the individual;

3 (v) has agreed to take effective steps  
4 to ensure that the individual cannot take  
5 action to threaten the United States, its  
6 citizens, or its allies in the future;

7 (vi) has taken such steps as the re-  
8 view board determines are necessary to en-  
9 sure that the individual cannot engage or  
10 re-engage in any terrorist activity;

11 (vii) has agreed to share any informa-  
12 tion with the United States that—

13 (I) is related to the individual or  
14 any associates of the individual; and

15 (II) could affect the security of  
16 the United States, its citizens, or its  
17 allies;

18 (viii) has agreed to allow appropriate  
19 agencies of the United States to have ac-  
20 cess to the individual, if requested; and

21 (ix) has made assurances regarding  
22 the humane treatment of the individual.

23 (h) REEVALUATION OF RECOMMENDATIONS.—If the  
24 review board rejects the recommendation of a military  
25 panel with respect to an individual detained at Guanta-

1 namo, the military panel may reevaluate the individual.  
2 The military panel shall determine whether to reevaluate  
3 such an individual by not later than 10 days after the date  
4 on which the review board rejects the recommendation of  
5 the panel, and shall complete such reevaluation by not  
6 later than 60 days after making such determination.

7 (i) FORWARDING OF RECOMMENDATION AND RE-  
8 VIEW.—Upon a decision to accept or reject a recommenda-  
9 tion of a military panel made under subsection (g)(3), and  
10 after a reevaluation under subsection (h), if any, the re-  
11 view board shall forward the recommendation and the ac-  
12 ceptance or rejection to the Secretary of Defense for sig-  
13 nature. In the case of a recommendation described in sub-  
14 section (g)(3)(B), the review panel shall include with the  
15 recommendation a written discussion of the factors re-  
16 ferred to in that subparagraph and a recommended loca-  
17 tion to which to transfer the individual. The Secretary of  
18 Defense may only delegate the responsibility of signing  
19 such a recommendation and acceptance or rejection to the  
20 Deputy Secretary of Defense.

21 (j) EXCEPTIONS.—An individual detained at Guanta-  
22 namo shall not be subject to the review process established  
23 under this section under circumstances as follows:

24 (1) In the case of such an individual upon  
25 whom charges have been served in accordance with

1 section 948s of title 10, United States Code, until  
2 after final judgment has been reached on such  
3 charges.

4 (2) In the case of such an individual who has  
5 been convicted by a military commission under chap-  
6 ter 47A of such title of an offense under subchapter  
7 VIII of that chapter, until after the individual has  
8 completed his sentence.

9 (3) In the case of such an individual who has  
10 been ordered released by a Federal court.

11 (k) NO ENFORCEABLE RIGHTS.—Nothing in this sec-  
12 tion creates any right for which an individual may seek  
13 enforcement in any court of the United States.

14 (l) REPORT TO CONGRESS.—Not later than 180 days  
15 after the date of the enactment of this Act, the Secretary  
16 of Defense shall submit to the appropriate committees of  
17 Congress a report on the establishment of the review proc-  
18 ess required under this section.

19 (m) DEFINITION OF APPROPRIATE COMMITTEES OF  
20 CONGRESS.—In this section the term “appropriate com-  
21 mittees of Congress” means—

22 (1) the Committee on Armed Services and the  
23 Select Committee on Intelligence of the Senate; and



1           (2) the Committee on Armed Services and the  
2           Permanent Select Committee on Intelligence of the  
3           House of Representatives.

4 **SEC. 1037. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**  
5                   **OR MODIFY FACILITIES IN THE UNITED**  
6                   **STATES TO HOUSE DETAINEES TRANS-**  
7                   **FERRED FROM NAVAL STATION GUANTA-**  
8                   **NAMO BAY, CUBA.**

9           (a) **IN GENERAL.**—No amounts authorized to be ap-  
10          propriated or otherwise made available to the Department  
11          of Defense for fiscal year 2012 may be used to construct  
12          or modify any facility in the United States, its territories,  
13          or possessions to house any individual detained at Guanta-  
14          namo for the purposes of detention or imprisonment in  
15          the custody or under the control of the Department of De-  
16          fense.

17          (b) **EXCEPTION.**—The prohibition in subsection (a)  
18          shall not apply to any modification of facilities at United  
19          States Naval Station, Guantanamo Bay, Cuba.

20 **SEC. 1038. PROHIBITION ON FAMILY MEMBER VISITATION**  
21                   **OF INDIVIDUALS DETAINED AT NAVAL STA-**  
22                   **TION, GUANTANAMO BAY, CUBA.**

23          None of the funds authorized to be appropriated for  
24          the Department of Defense for fiscal year 2012 may be  
25          used to permit any person who is a family member of an

1 individual detained at Guantanamo to visit the individual  
2 at United States Naval Station, Guantanamo Bay, Cuba.

3 **SEC. 1039. PROHIBITION ON THE TRANSFER OR RELEASE**  
4 **OF CERTAIN DETAINEES TO OR WITHIN THE**  
5 **UNITED STATES.**

6 (a) PROHIBITION ON TRANSFER OR RELEASE TO OR  
7 WITHIN THE UNITED STATES.—None of the funds au-  
8 thorized to be appropriated to the Department of Defense  
9 for fiscal year 2012 may be used to transfer or release  
10 an individual detained at Guantanamo or an individual de-  
11 scribed in subsection (b) to or within the United States,  
12 its territories, or possessions.

13 (b) INDIVIDUAL DESCRIBED.—An individual de-  
14 scribed in this subsection is an individual who—

15 (1) is not a citizen of the United States or a  
16 member of the Armed Forces; and

17 (2) is in the custody or under the effective con-  
18 trol of the Department of Defense at a location out-  
19 side the United States other than United States  
20 Naval Station, Guantanamo Bay, Cuba, and de-  
21 tained pursuant to the Authorization for Use of  
22 Military Force (Public Law 107–40; 50 U.S.C. 1541  
23 note).

1 **SEC. 1040. PROHIBITIONS RELATING TO THE TRANSFER OR**  
2 **RELEASE OF CERTAIN DETAINEES TO OR**  
3 **WITHIN FOREIGN COUNTRIES.**

4 (a) LIMITATION ON TRANSFER TO FOREIGN COUN-  
5 TRIES.—

6 (1) LIMITATION.—None of the funds authorized  
7 to be appropriated to the Department of Defense for  
8 fiscal year 2012 may be used to transfer any indi-  
9 vidual detained at Guantanamo to the custody or ef-  
10 fective control of the individual's country of origin,  
11 any other foreign country, or any other foreign enti-  
12 ty unless the Secretary submits to Congress the cer-  
13 tification described in paragraph (2) by not later  
14 than 30 days before the transfer of the individual.

15 (2) CERTIFICATION.—The certification de-  
16 scribed in this paragraph is a written certification  
17 made by the Secretary of Defense, in consultation  
18 with the Secretary of State, that the government of  
19 the foreign country or the recognized leadership of  
20 the foreign entity to which the individual detained at  
21 Guantanamo is to be transferred—

22 (A) is not a designated state sponsor of  
23 terrorism or a designated foreign terrorist orga-  
24 nization;

25 (B) maintains effective control over each  
26 detention facility in which an individual is to be

1           detained if the individual is to be housed in a  
2           detention facility;

3           (C) is not, as of the date of the certifi-  
4           cation, facing a threat that is likely to substan-  
5           tially affect its ability to exercise control over  
6           the individual;

7           (D) has agreed to take effective steps to  
8           ensure that the individual cannot take action to  
9           threaten the United States, its citizens, or its  
10          allies in the future;

11          (E) has taken such steps as the Secretary  
12          determines are necessary to ensure that the in-  
13          dividual cannot engage or reengage in any ter-  
14          rorist activity;

15          (F) has agreed to share any information  
16          with the United States that—

17                 (i) is related to the individual or any  
18                 associates of the individual; and

19                 (ii) could affect the security of the  
20                 United States, its citizens, or its allies; and

21          (G) has agreed to allow appropriate agen-  
22          cies of the United States to have access to the  
23          individual, if requested.

24          (3) PROHIBITION ON TRANSFER IN CASES OF  
25          RECIDIVISM.—

1           (A) PROHIBITION.—The Secretary of De-  
2           fense may not transfer any individual detained  
3           at Guantanamo to the custody or effective con-  
4           trol of the individual’s country of origin, any  
5           other foreign country, or any other foreign enti-  
6           ty if there is a confirmed case of any individual  
7           detained at Guantanamo who was transferred  
8           to the foreign country or entity and subse-  
9           quently engaged in any terrorist activity.

10           (B) WAIVER.—The Secretary of Defense  
11           may waive the prohibition in subparagraph (A)  
12           if the Secretary determines that such a transfer  
13           is in the national security interests of the  
14           United States and includes, as part of the cer-  
15           tification described in paragraph (2) relating to  
16           such transfer, the determination of the Sec-  
17           retary under this paragraph.

18           (4) LIMITATION ON APPLICABILITY.—Para-  
19           graphs (1) and (3) shall not apply to any action  
20           taken by the Secretary of Defense to transfer any  
21           individual detained at Guantanamo to effectuate an  
22           order affecting the disposition of the individual that  
23           is issued by a court or competent tribunal of the  
24           United States having lawful jurisdiction. The Sec-

1       retary shall notify Congress promptly upon issuance  
2       of any such order.

3       (b) DEFINITION OF FOREIGN TERRORIST ORGANIZA-  
4       TION.—In this section term “foreign terrorist organiza-  
5       tion” means any organization so designated by the Sec-  
6       retary of State under section 219 of the Immigration and  
7       Nationality Act (8 U.S.C. 1189).

8       **SEC. 1041. COUNTERTERRORISM OPERATIONAL BRIEFING**  
9       **REQUIREMENT.**

10       (a) BRIEFINGS REQUIRED.—Beginning not later  
11       than March 1, 2012, the Secretary of Defense shall pro-  
12       vide to the congressional defense committees quarterly  
13       briefings outlining Department of Defense counterter-  
14       rorism operations and related activities involving special  
15       operations forces.

16       (b) ELEMENTS.—Each briefing under subsection (a)  
17       shall include each of the following:

18               (1) A global update on activity within each geo-  
19               graphic combatant command.

20               (2) An overview of authorities and legal issues  
21               including limitations.

22               (3) An outline of interagency activities and ini-  
23               tiatives.

24               (4) Any other matters the Secretary considers  
25               appropriate.

1 **SEC. 1042. REQUIREMENT FOR DEPARTMENT OF JUSTICE**  
2 **CONSULTATION REGARDING PROSECUTION**  
3 **OF TERRORISTS.**

4 (a) **IN GENERAL.**—Before any officer or employee of  
5 the Department of Justice institutes any prosecution of  
6 an alien in a United States district court for a terrorist  
7 offense, the Attorney General, Deputy Attorney General,  
8 or Assistant Attorney General for the Criminal Division,  
9 shall consult with the Director of National Intelligence  
10 and the Secretary of Defense about—

11 (1) whether the prosecution should take place  
12 in a United States district court or before a military  
13 commission under chapter 47A of title 10, United  
14 States Code; and

15 (2) whether the individual should be transferred  
16 into military custody for purposes of intelligence  
17 interviews.

18 (b) **DEFINITIONS.**—In this section—

19 (1) the term “terrorist offense” means any of-  
20 fense for which the defendant could be tried by a  
21 military commission under chapter 47A of title 10,  
22 United States Code; and

23 (2) the term “alien” means any person who is  
24 not a citizen of the United States.

1 **SEC. 1043. PROHIBITION ON UNITED STATES CITIZENSHIP**  
2 **FOR DETAINEES REPATRIATED TO THE FED-**  
3 **ERATED STATES OF MICRONESIA, THE RE-**  
4 **PUBLIC OF PALAU, AND THE REPUBLIC OF**  
5 **THE MARSHALL ISLANDS.**

6 (a) PROHIBITION ON CITIZENSHIP.—Notwith-  
7 standing the Compact of Free Association, an individual  
8 described in subsection (b) who has been repatriated to  
9 the Federated States of Micronesia, the Republic of Palau,  
10 or the Republic of the Marshall Islands may not be af-  
11 forded the rights and benefits put forth in the Compact  
12 of Free Association.

13 (b) INDIVIDUAL DESCRIBED.—An individual de-  
14 scribed in this subsection is an individual who—

15 (1) is not a citizen of the United States or a  
16 member of the Armed Forces of the United States;  
17 and

18 (2) is located at United States Naval Station,  
19 Guantanamo Bay, Cuba, on or after September 11,  
20 2001, while—

21 (A) in the custody or under the effective  
22 control of the Department of Defense; or

23 (B) otherwise under detention at United  
24 States Naval Station, Guantanamo Bay, Cuba.



1 **SEC. 1044. SENSE OF CONGRESS REGARDING THE EFFORTS**  
2 **BY THE DEPARTMENT OF DEFENSE TO KEEP**  
3 **AMERICA SAFE FROM TERRORIST ATTACKS**  
4 **SINCE 9/11.**

5 (a) FINDINGS.—Congress makes the following find-  
6 ings:

7 (1) Since September 11, 2001, at least 30  
8 planned terrorist attacks have been foiled and Spe-  
9 cial Operation forces completed the mission to kill  
10 Osama bin Laden.

11 (2) The Department of Defense and the Armed  
12 Services have worked diligently and honorably to  
13 protect citizens at home and abroad.

14 (3) The Department of Defense and the Armed  
15 Services are meeting the challenges of the global  
16 struggle against terrorism.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-  
18 gress that—

19 (1) we continue to affirm our commitment to  
20 support the Department of Defense and the United  
21 States Armed Forces;

22 (2) we recognize that the Department of De-  
23 fense and the United States Armed Forces have  
24 worked diligently and honorably to protect citizens  
25 of the United States at home and abroad;

1           (3) we recognize that the Department of De-  
2           fense and the United States Armed Forces are meet-  
3           ing the challenges of the global struggle against ter-  
4           rorism;

5           (4) we commend the men and women of the De-  
6           partment of Defense and the United States Armed  
7           Forces for the tremendous commitment to keeping  
8           our country safe; and

9           (5) we honor the Department of Defense and  
10          the United States Armed Forces for their success in  
11          preventing terrorist attacks on U.S. soil and around  
12          the world since 9/11.

13 **SEC. 1045. NATIONAL SECURITY PLANNING GUIDANCE TO**  
14                   **DENY SAFE HAVENS TO AL-QAEDA AND ITS**  
15                   **VIOLENT EXTREMIST AFFILIATES.**

16          (a) PURPOSE AND FINDINGS.—

17           (1) PURPOSE.—The purpose of this section is  
18           to improve interagency strategic planning and execu-  
19           tion to more effectively integrate efforts to deny safe  
20           havens and strengthen at-risk states to further the  
21           goals of the National Security Strategy related to  
22           the disruption, dismantlement, and defeat of al-  
23           Qaeda and its violent extremist affiliates.

24           (2) FINDINGS.—Congress makes the following  
25           findings:

1           (A) In Iraq, Afghanistan, and other areas  
2 where stabilization operations are carried out,  
3 the lack of an integrated, coordinated planning  
4 effort in which the goals, objectives, and prior-  
5 ities of the United States effort and the roles  
6 and missions of the various agencies of the  
7 United States were clearly delineated has ham-  
8 pered the efforts of the United States in such  
9 operations and may have contributed to in-  
10 creased costs in funding, time, effort, and other  
11 terms.

12           (B) The fight against al-Qaeda and its vio-  
13 lent extremist affiliates, and the threat to the  
14 United States by transnational terrorism, will  
15 continue for the foreseeable future.

16           (C) A key component of success in the  
17 struggle against al-Qaeda and its violent ex-  
18 tremist affiliates is the ability to deny safe ha-  
19 vens to al-Qaeda, its violent extremist affiliates,  
20 and other violent extremist organizations, and  
21 United States national security interests will  
22 sometimes require the United States to assist in  
23 building the capabilities of other countries and  
24 entities to deny such violent extremist organiza-  
25 tions safe havens and to participate in regional

1           efforts to deny such violent extremist organiza-  
2           tions safe havens.

3           (b) NATIONAL SECURITY PLANNING GUIDANCE.—

4           (1) GUIDANCE REQUIRED.—The President shall  
5           issue classified or unclassified national security plan-  
6           ning guidance in support of objectives stated in the  
7           national security strategy report submitted to Con-  
8           gress by the President pursuant to section 108 of  
9           the National Security Act of 1947 (50 U.S.C. 404a)  
10          to deny safe havens to al-Qaeda and its violent ex-  
11          tremist affiliates and to strengthen at-risk states.  
12          Such guidance shall serve as the strategic plan that  
13          governs United States and coordinated international  
14          efforts to enhance the capacity of governmental and  
15          nongovernmental entities to work toward the goal of  
16          eliminating the ability of al-Qaeda and its violent ex-  
17          tremist affiliates to establish or maintain safe ha-  
18          vens.

19          (2) CONTENTS OF GUIDANCE.—The guidance  
20          required under paragraph (1) shall include each of  
21          the following:

22                  (A) A prioritized list of specified geo-  
23                  graphic areas that the President determines are  
24                  necessary to address and an explicit discussion  
25                  and list of the criteria or rationale used to

1           prioritize the areas on the list, including a dis-  
2           cussion of the conditions that would hamper the  
3           ability of the United States to strengthen at-  
4           risk states or other entities in such areas.

5           (B) For each specified geographic area, a  
6           description, analysis, and discussion of the core  
7           problems and contributing issues that allow or  
8           could allow al-Qaeda and its violent extremist  
9           affiliates to use the area as a safe haven from  
10          which to plan and launch attacks, engage in  
11          propaganda, or raise funds and other support,  
12          including any ongoing or potential  
13          radicalization of the population, or to use the  
14          area as a key transit route for personnel, weap-  
15          ons, funding, or other support.

16          (C) A list of short-term, mid-term, and  
17          long-term goals for each specified geographic  
18          area, prioritized by importance.

19          (D) A description of the role and mission  
20          of each Federal department and agency in-  
21          volved in executing the guidance, including the  
22          Departments of Defense, Justice, Treasury, and  
23          State and the Agency for International Devel-  
24          opment.

1           (E) A description of gaps in United States  
2 capabilities to meet the goals listed pursuant to  
3 subparagraph (C), and the extent to which  
4 those gaps can be met through coordination  
5 with nongovernmental, international, or private  
6 sector organizations, entities, or companies.

7           (3) REVIEW AND UPDATE OF GUIDANCE.—The  
8 President shall review and update the guidance re-  
9 quired under paragraph (1) as necessary. Any such  
10 review shall address each of the following:

11           (A) The overall progress made toward  
12 achieving the goals listed pursuant to para-  
13 graph (2)(C), including an overall assessment of  
14 the progress in denying a safe haven to al-  
15 Qaeda and its violent extremist affiliates.

16           (B) The performance of each Federal de-  
17 partment and agency involved in executing the  
18 guidance.

19           (C) The performance of the unified coun-  
20 try team and appropriate combatant command,  
21 or in the case of a cross-border effort, country  
22 teams in the area and the appropriate combat-  
23 ant command.

1 (D) Any addition to, deletion from, or  
2 change in the order of the prioritized list main-  
3 tained pursuant to paragraph (2)(A).

4 (4) SPECIFIED GEOGRAPHIC AREA DEFINED.—

5 In this subsection, the term “specified geographic  
6 area” means any country, subnational territory, or  
7 region—

8 (A) that serves or may potentially serve as  
9 a safe haven for al-Qaeda or a violent extremist  
10 affiliate of al-Qaeda—

11 (i) from which to plan and launch at-  
12 tacks, engage in propaganda, or raise  
13 funds and other support; or

14 (ii) for use as a key transit route for  
15 personnel, weapons, funding, or other sup-  
16 port; and

17 (B) over which one or more governments  
18 or entities exert insufficient governmental or se-  
19 curity control to deny al-Qaeda and its violent  
20 extremist affiliates the ability to establish a  
21 large scale presence.

22 (5) SUBMITTAL TO CONGRESS.—Not later than  
23 15 days after the President issues the guidance re-  
24 quired under paragraph (1) or reviews or updates  
25 such guidance under paragraph (3), the President

1 shall submit to the Committees on Armed Services  
2 and Foreign Affairs of the House of Representatives  
3 and the Committees on Armed Services and Foreign  
4 Relations of the Senate a copy of such guidance.

5 (c) IMPLEMENTATION.—

6 (1) MEMORANDUM OF UNDERSTANDING RE-  
7 QUIRED.—The head of each agency listed in the na-  
8 tional security planning guidance required under  
9 subsection (b) shall enter into a memorandum of un-  
10 derstanding regarding matters related to the imple-  
11 mentation of such guidance.

12 (2) MATTERS COVERED.— The memorandum of  
13 understanding required by paragraph (1) shall in-  
14 clude each of the following:

15 (A) An identification of the positions sup-  
16 plied by each department or agency to country  
17 teams or teams and the appropriate combatant  
18 command in each specified geographic area that  
19 are critical for carrying out the national secu-  
20 rity planning guidance.

21 (B) The criteria used by each department  
22 or agency for the selection of appropriate per-  
23 sonnel to fill the positions identified as critical  
24 pursuant to subparagraph (A), including the  
25 manner of soliciting the input from other de-



1            departments and agencies regarding appropriate  
2            personnel and expertise.

3            (C) The manner in which performance in  
4            furtherance of the national security planning  
5            guidance shall be considered in evaluating the  
6            performance of personnel designated to fill the  
7            positions identified as critical pursuant to sub-  
8            paragraph (A), including the consideration of  
9            input from personnel from other departments  
10           and agencies who filled senior positions on the  
11           country team or relevant combatant command,  
12           in particular the appropriate United States am-  
13           bassador.

14           (D) The manner for implementing lessons  
15           learned in the course of reviewing the perform-  
16           ance of a country team or multiple country  
17           teams and relevant combatant command in the  
18           course of reviewing the national security plan-  
19           ning guidance under subsection (b)(3).

20           (E) The manner in which disputes related  
21           to carrying out the national security planning  
22           guidance between members of the country team,  
23           the relevant combatant command, or depart-  
24           ments and agencies shall be handled.

1           (3) IMPLEMENTATION OF MEMORANDUM OF  
2 UNDERSTANDING.— Not later than 120 days after  
3 the memorandum of understanding required by  
4 paragraph (1) is signed, the heads of those depart-  
5 ments and agencies listed in the national security  
6 planning guidance shall issue such policies and guid-  
7 ance and prescribe such regulations as are necessary  
8 to implement the memorandum of understanding for  
9 the relevant matters pertaining to their respective  
10 departments and agencies.

11           (4) UPDATE AND REVIEW.—The memorandum  
12 of understanding as required under paragraph (1)  
13 shall be updated and reviewed as necessary, but at  
14 a minimum shall be reviewed with each review of the  
15 national security planning guidance under subsection  
16 (b)(3).

17 **SEC. 1046. TRIAL OF FOREIGN TERRORISTS.**

18       After the date of the enactment of this Act, any for-  
19 eign national, who—

20           (1) engages or has engaged in conduct consti-  
21 tuting an offense relating to a terrorist attack  
22 against persons or property in the United States or  
23 against any United States Government property or  
24 personnel outside the United States; and

1           (2) is subject to trial for that offense by a mili-  
2           tary commission under chapter 47A of title 10,  
3           United States Code;  
4 shall be tried for that offense only by a military commis-  
5 sion under that chapter.

## 6           **Subtitle E—Nuclear Forces**

### 7   **SEC. 1051. ANNUAL ASSESSMENT AND REPORT ON THE DE-** 8                           **LIVERY PLATFORMS FOR NUCLEAR WEAPONS** 9                           **AND THE NUCLEAR COMMAND AND CONTROL** 10                          **SYSTEM.**

11           (a) IN GENERAL.—Chapter 23 of title 10, United  
12 States Code, as amended by section 1071 and 1072, is  
13 further amended by adding after section 490a the fol-  
14 lowing new section:

#### 15   **“§ 490b. Annual assessment and report on the deliv-** 16                           **ery platforms for nuclear weapons and** 17                           **the nuclear command and control system**

18           “(a) ANNUAL ASSESSMENTS.—(1) Each covered offi-  
19 cial shall annually assess the safety, security, reliability,  
20 sustainability, performance, and military effectiveness of  
21 the systems described in paragraph (2) for which such of-  
22 ficial has responsibility.

23           “(2) The systems described in this paragraph are the  
24 following:

1           “(A) Each type of delivery platform for nuclear  
2 weapons.

3           “(B) The nuclear command and control system.

4           “(b) ANNUAL REPORT.—(1) Not later than Decem-  
5 ber 1 of each year, beginning in 2011, each covered official  
6 shall submit to the Secretary of Defense and the Nuclear  
7 Weapons Council established by section 179 of this title  
8 a report on the assessments conducted under subsection  
9 (a).

10          “(2) Each report under paragraph (1) shall include  
11 the following:

12           “(A) The results of the assessment.

13           “(B) An identification and discussion of any ca-  
14 pability gaps or shortfalls with respect to the sys-  
15 tems described in subsection (a)(2) covered under  
16 the assessment.

17           “(C) An identification and discussion of any  
18 risks with respect to meeting mission or capability  
19 requirements.

20           “(D) In the case of an assessment by the Com-  
21 mander of the United States Strategic Command, if  
22 the Commander identifies any deficiency with re-  
23 spect to a nuclear weapons delivery platform covered  
24 under the assessment, a discussion of the relative  
25 merits of any other nuclear weapons delivery plat-

1 form type or compensatory measure that would ac-  
2 complish the mission of such nuclear weapons deliv-  
3 ery platform.

4 “(E) An identification and discussion of any  
5 matter having an adverse effect on the capability of  
6 the covered official to accurately determine the mat-  
7 ters covered by the assessment.

8 “(c) REPORT TO PRESIDENT AND CONGRESS.—(1)  
9 Not later than March 1 of each year, beginning in 2012,  
10 the Secretary of Defense shall submit to the President a  
11 report containing—

12 “(A) each report under subsection (b) sub-  
13 mitted during the previous year, as originally sub-  
14 mitted to the Secretary;

15 “(B) any comments that the Secretary con-  
16 siders appropriate with respect to each such report;

17 “(C) any conclusions that the Secretary con-  
18 siders appropriate with respect to the safety, secu-  
19 rity, reliability, sustainability, performance, or mili-  
20 tary effectiveness of the systems described in sub-  
21 section (a)(2); and

22 “(D) any other information that the Secretary  
23 considers appropriate.

24 “(2) Not later than March 15 of each year, beginning  
25 in 2012, the President shall transmit to the congressional

1 defense committees the report submitted to the President  
2 under paragraph (1), including any comments the Presi-  
3 dent considers appropriate.

4 “(3) Each report under this subsection may be in  
5 classified form if the Secretary of Defense determines it  
6 necessary.

7 “(d) COVERED OFFICIAL DEFINED.—In this section,  
8 the term ‘covered official’ means—

9 “(1) the Commander of the United States Stra-  
10 tegic Command;

11 “(2) the Director of the Strategic Systems Pro-  
12 gram of the Navy; and

13 “(3) the Commander of the Global Strike Com-  
14 mand of the Air Force.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 at the beginning of such chapter is amended by inserting  
17 after the item related to section 490a the following new  
18 item:

“490b. Annual assessment and report on the delivery platforms for nuclear  
weapons and the nuclear command and control system.”.

19 **SEC. 1052. PLAN ON IMPLEMENTATION OF THE NEW START**  
20 **TREATY.**

21 (a) PLAN REQUIRED.—Not later than December 12,  
22 2011, the Secretary of Defense, in consultation with the  
23 Secretary of the Navy, the Secretary of the Air Force, and  
24 the Commander of the United States Strategic Command,

1 shall submit to the congressional defense committees and  
2 to the Committee on Foreign Affairs of the House of Rep-  
3 resentatives and the Committee on Foreign Relations of  
4 the Senate a plan for the Department of Defense to imple-  
5 ment the nuclear force reductions, limitations, and  
6 verification and transparency measures contained in the  
7 New START Treaty.

8 (b) MATTERS INCLUDED.—The plan under sub-  
9 section (a) shall include the following:

10 (1) A description of the nuclear force structure  
11 of the United States under the New START Treaty,  
12 including—

13 (A) the composition of intercontinental bal-  
14 listic missiles, submarine launched ballistic mis-  
15 siles, and bombers;

16 (B) the planned composition of the types  
17 and quantity of warheads for each delivery vehi-  
18 cle described in subparagraph (A);

19 (C) the number of nondeployed and retired  
20 warheads; and

21 (D) the plans for maintaining the flexi-  
22 bility of the nuclear force structure within the  
23 limits of the New START Treaty.

24 (2) A description of changes necessary to imple-  
25 ment the reductions, limitations, and verification

1 and transparency measures contained in the New  
2 START Treaty, including—

3 (A) how each military department plans to  
4 implement such changes; and

5 (B) an identification of any programmatic,  
6 operational, or policy effects resulting from  
7 such changes.

8 (3) The total costs associated with the reduc-  
9 tions, limitations, and verification and transparency  
10 measures contained in the New START Treaty, and  
11 the funding profile by year and program element.

12 (4) An implementation schedule and associated  
13 key decision points.

14 (5) A description of options for and feasibility  
15 of accelerating the implementation of the New  
16 START Treaty, including a description of any po-  
17 tential cost savings, benefits, or risks resulting from  
18 such acceleration.

19 (6) Any other information the Secretary con-  
20 siders necessary.

21 (c) COMPTROLLER GENERAL REVIEW.—Not later  
22 than 180 days after the date on which the plan is sub-  
23 mitted under subsection (a), the Comptroller General of  
24 the United States shall submit to the congressional de-  
25 fense committees a review of the plan.



1 (d) FORM.—The plan under subsection (a) and the  
2 review under subsection (c) shall be submitted in unclassi-  
3 fied form, but may include a classified annex.

4 (e) NEW START TREATY DEFINED.—In this sec-  
5 tion, the term “New START Treaty” means the Treaty  
6 between the United States of America and the Russian  
7 Federation on Measures for the Further Reduction and  
8 Limitation of Strategic Offensive Arms, signed on April  
9 8, 2010, and entered into force on February 5, 2011.

10 **SEC. 1053. ANNUAL REPORT ON THE PLAN FOR THE MOD-**  
11 **ERNIZATION OF THE NUCLEAR WEAPONS**  
12 **STOCKPILE, NUCLEAR WEAPONS COMPLEX,**  
13 **AND DELIVERY PLATFORMS.**

14 (a) REPORT ON THE PLAN FOR THE NUCLEAR  
15 WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX,  
16 AND DELIVERY PLATFORMS.—

17 (1) IN GENERAL.—Together with the budget of  
18 the President submitted to Congress under section  
19 1105(a) of title 31, United States Code, for each of  
20 fiscal years 2013 through 2019, the President, in  
21 consultation with the Secretary of Defense and the  
22 Secretary of Energy, shall transmit to the congress-  
23 sional defense committees, the Committee on For-  
24 eign Relations of the Senate, and the Committee on

1 Foreign Affairs of the House of Representatives a  
2 detailed report on the plan to—

3 (A) enhance the safety, security, and reli-  
4 ability of the nuclear weapons stockpile of the  
5 United States;

6 (B) modernize the nuclear weapons com-  
7 plex;

8 (C) maintain, modernize, or replace the de-  
9 livery platforms for nuclear weapons; and

10 (D) retire, dismantle, or eliminate any cov-  
11 ered nuclear system.

12 (2) ELEMENTS.—Each report required under  
13 paragraph (1) shall include the following:

14 (A) A detailed description of the plan to  
15 enhance the safety, security, and reliability of  
16 the nuclear weapons stockpile of the United  
17 States.

18 (B) A detailed description of the plan to  
19 modernize the nuclear weapons complex, includ-  
20 ing improving the safety of facilities, modern-  
21 izing the infrastructure, and maintaining the  
22 key capabilities and competencies of the nuclear  
23 weapons workforce, including designers and  
24 technicians.

1 (C) A detailed description of the plan to  
2 maintain, modernize, and replace delivery plat-  
3 forms for nuclear weapons.

4 (D) A detailed estimate of budget require-  
5 ments, including the costs associated with the  
6 plans outlined under subparagraphs (A)  
7 through (C), over the 10-year period following  
8 the date of the report.

9 (E) A detailed description of the steps  
10 taken to implement the plan submitted in the  
11 previous year.

12 (b) FORM.—The reports under subsection (a) shall  
13 be submitted in unclassified form (including as much de-  
14 tail as possible), but may include a classified annex.

15 (c) COVERED NUCLEAR SYSTEM DEFINED.—The  
16 term “covered nuclear system” means the following:

17 (1) B–52H or B2 bomber aircraft and nuclear  
18 air-launched cruise missiles.

19 (2) Trident ballistic missile submarines, launch  
20 tubes, and Trident D–5 submarine-launched ballistic  
21 missiles.

22 (3) Minuteman III intercontinental ballistic  
23 missiles and associated silos.

1           (4) Nuclear warheads or gravity bombs that  
2           can be delivered by the systems specified in para-  
3           graph (1), (2), or (3).

4           (5) Nuclear weapons delivered by means other  
5           than the systems specified in paragraph (1), (2), or  
6           (3).

7 **SEC. 1054. SENSE OF CONGRESS ON NUCLEAR FORCE RE-**  
8 **DUCTIONS.**

9           (a) FINDINGS.—Congress finds the following:

10           (1) As of September 30, 2009, the stockpile of  
11           nuclear weapons of the United States has been re-  
12           duced by 84 percent from its maximum level in 1967  
13           and by more than 75 percent from its level when the  
14           Berlin Wall fell in November 1989.

15           (2) The number of non-strategic nuclear weap-  
16           ons of the United States has declined by approxi-  
17           mately 90 percent from September 30, 1991, to Sep-  
18           tember 30, 2009.

19           (3) The Treaty between the United States of  
20           America and the Russian Federation on Measures  
21           for the Further Reduction and Limitation of Stra-  
22           tegic Offensive Arms (commonly known as the “New  
23           START Treaty”) signed on April 8, 2010, and en-  
24           tered into force on February 5, 2011, will signifi-  
25           cantly reduce the strategic nuclear forces of the

1 United States to 1,550 deployed warheads and a  
2 combined limit of 800 deployed and nondeployed  
3 intercontinental ballistic missile launchers, sub-  
4 marine launched ballistic missile launchers, and  
5 heavy bombers equipped to carry nuclear weapons.

6 (4) The Nuclear Posture Review of April 2010  
7 stated that, “the President has directed a review of  
8 potential future reductions in U.S. nuclear weapons  
9 below New START levels.”.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-  
11 gress that—

12 (1) any reductions in the nuclear forces of the  
13 United States should be supported by a thorough as-  
14 sessment of the strategic environment, threat, and  
15 policy and the technical and operational implications  
16 of such reductions; and

17 (2) specific criteria are necessary to guide fu-  
18 ture decisions regarding further reductions in the  
19 nuclear forces of the United States.

20 **SEC. 1055. LIMITATION ON NUCLEAR FORCE REDUCTIONS.**

21 (a) FINDINGS.—Congress finds the following:

22 (1) As of September 30, 2009, the stockpile of  
23 nuclear weapons of the United States has been re-  
24 duced by 84 percent from its maximum level in 1967

1 and by more than 75 percent from its level when the  
2 Berlin Wall fell in November 1989.

3 (2) The number of non-strategic nuclear weap-  
4 ons of the United States has declined by approxi-  
5 mately 90 percent from September 30, 1991, to Sep-  
6 tember 30, 2009.

7 (3) The President of the United States, in a  
8 letter dated December 18, 2010, declared that, “I  
9 recognize that nuclear modernization requires invest-  
10 ment for the long-term, in addition to this one-year  
11 budget increase. That is my commitment to the Con-  
12 gress that my Administration will pursue these pro-  
13 grams and capabilities for as long as I am Presi-  
14 dent. In future years, we will provide annual updates  
15 to the [report required under section 1251 of the  
16 National Defense Authorization Act for Fiscal Year  
17 2010 (Public Law 111–84; 123 Stat. 2549)].”.

18 (4) On March 29, 2011, the Assistant to the  
19 President for National Security Affairs stated, “As  
20 we implement New START, we’re making prepara-  
21 tions for the next round of nuclear reductions.  
22 Under the President’s direction, the Department of  
23 Defense will review our strategic requirements and  
24 develop options for further reductions in our current  
25 nuclear stockpile, which stands at approximately

1 5,000 warheads, including both deployed and reserve  
2 warheads. To develop these options for further re-  
3 ductions, we need to consider several factors, such  
4 as potential changes in targeting requirements and  
5 alert postures that are required for effective deter-  
6 rence.”.

7 (b) IMPLEMENTATION OF NEW START TREATY.—

8 (1) LIMITATION.—

9 (A) Except as provided by paragraph (2)  
10 or (4), the Secretary of Defense and the Sec-  
11 retary of Energy may not obligate or expend  
12 amounts appropriated or otherwise made avail-  
13 able to the Department of Defense or the De-  
14 partment of Energy for any of fiscal years 2011  
15 through 2017 to retire any covered nuclear sys-  
16 tem of the United States as required by the  
17 New START Treaty.

18 (B) Nothing in subparagraph (A) shall be  
19 construed to limit any action (including  
20 verification) required by the New START Trea-  
21 ty other than retiring any covered nuclear sys-  
22 tem of the United States.

23 (2) WAIVER.—The Secretary of Defense and  
24 the Secretary of Energy may jointly waive the limi-

1 tation under paragraph (1)(A) for a covered nuclear  
2 system if—

3 (A) the Secretaries submit to the congress-  
4 sional defense committees written notice of the  
5 status of carrying out the modernization plan  
6 described in the most recent report required by  
7 section 1053; and

8 (B) with respect to such notice—

9 (i) if the notice describes that such  
10 plan is being carried out, a period of 30  
11 days has elapsed following the date on  
12 which the President submits to the con-  
13 gressional defense committees such report  
14 that includes written notice of the pro-  
15 posed retirement of such nuclear system,  
16 as required by subsection (a)(1)(D) of such  
17 section 1053; or

18 (ii) if the notice describes that such  
19 plan is not being carried out, a period of  
20 180 days has elapsed following the date on  
21 which the President submits to the con-  
22 gressional defense committees the report  
23 described in clause (i).

24 (3) DEFINITIONS.—In this subsection:



1 (A) The term “covered nuclear systems”  
2 means the following:

3 (i) B-52H or B2 bomber aircraft and  
4 nuclear air-launched cruise missiles.

5 (ii) Trident ballistic missile sub-  
6 marines, launch tubes, and Trident D-5  
7 submarine-launched ballistic missiles.

8 (iii) Minuteman III intercontinental  
9 ballistic missiles and associated silos.

10 (iv) Nuclear warheads or gravity  
11 bombs that can be delivered by the systems  
12 specified in clause (i), (ii), or (iii).

13 (v) Nuclear weapons delivered by  
14 means other than the systems specified in  
15 clause (i), (ii), or (iii).

16 (B) The term “retire”, with respect to a  
17 covered nuclear system, includes retiring, dis-  
18 mantling, eliminating, removing from deployed  
19 status or preparing to retire, dismantle, elimi-  
20 nate, or remove from deployed status.

21 (4) EXCEPTION.—The limitation in paragraph  
22 (1)(A) shall not apply with respect to activities de-  
23 termined by the Secretary of Defense to be nec-  
24 essary to ensure the continued safety, security, and  
25 reliability of the nuclear weapons stockpile.

1 (c) PROHIBITION ON REDUCTION OF STOCKPILE  
2 HEDGE.—

3 (1) IN GENERAL.—The Secretary of Defense  
4 and the Secretary of Energy may not obligate or ex-  
5 pend amounts appropriated or otherwise made avail-  
6 able to the Department of Defense or the Depart-  
7 ment of Energy to retire, dismantle, or eliminate, or  
8 prepare to retire, dismantle, or eliminate, any non-  
9 deployed strategic or non-strategic nuclear weapon  
10 until the date that is 90 days after the date on  
11 which the Secretary of Energy submits to the con-  
12 gressional defense committees written certification  
13 that—

14 (A) the Chemistry and Metallurgy Re-  
15 search Replacement nuclear facility (in this  
16 paragraph referred to as the “nuclear facility”)  
17 and the Uranium Processing Facility (in this  
18 paragraph referred to as the “processing facil-  
19 ity”) are fully operational;

20 (B) the nuclear facility and the Plutonium  
21 Facility-4 are together able to deliver to the  
22 nuclear weapons stockpile not less than a total  
23 of 80 pits per year;

24 (C) the processing facility is able to deliver  
25 to the nuclear weapons stockpile not less than

1           80 refurbished or new canned subassemblies per  
2           year; and

3                   (D) the nuclear security enterprise has a  
4           capacity that supports two simultaneous life ex-  
5           tension programs.

6           (2) EXCEPTION.—The limitation in paragraph  
7           (1) shall not apply with respect to—

8                   (A) the dismantlement of legacy warheads  
9           that are awaiting dismantlement on the date of  
10          the enactment of this Act or have been des-  
11          ignated for retirement by the date of the enact-  
12          ment of this Act; or

13                   (B) activities determined by the Secretary  
14          of Defense to be necessary to ensure the contin-  
15          ued safety, security, and reliability of the nu-  
16          clear weapons stockpile.

17          (d) PROHIBITION ON UNILATERAL REDUCTION OF  
18          NUCLEAR WEAPONS.—

19                   (1) IN GENERAL.—Chapter 3 of title 10, United  
20          States Code, is amended by adding at the end the  
21          following new section:

22          **“§ 130e. Prohibition on unilateral reduction of nu-**  
23                   **clear weapons**

24                   “(a) IN GENERAL.—Except as provided by subsection  
25          (c), the President may not retire, dismantle, or eliminate,

1 or prepare to retire, dismantle, or eliminate, any nuclear  
2 weapon of the United States (including such deployed  
3 weapons and nondeployed weapons and warheads in the  
4 nuclear weapons stockpile) if such action would reduce the  
5 number of such weapons to a number that is less than  
6 the level described in the New START Treaty unless such  
7 action is—

8           “(1) required by a treaty or international agree-  
9           ment specifically approved with the advice and con-  
10          sent of the Senate pursuant to Article II, section 2,  
11          clause 2 of the Constitution; or

12           “(2) specifically authorized by an Act of Con-  
13          gress.

14          “(b) NEW START TREATY DEFINED.—In this sec-  
15          tion, the term ‘New START Treaty’ means the Treaty be-  
16          tween the United States of America and the Russian Fed-  
17          eration on Measures for the Further Reduction and Limi-  
18          tation of Strategic Offensive Arms, signed on April 8,  
19          2010.

20          “(c) EXCEPTION.—Subsection (a) shall not apply  
21          with respect to activities determined by the Secretary of  
22          Defense to be necessary to ensure the continued safety,  
23          security, and reliability of the nuclear weapons stockpile.”.

24           (2) CLERICAL AMENDMENTS.—The table of sec-  
25          tions at the beginning of such chapter is amended

1 by inserting after the item relating to section 130d  
2 the following new item:

“130e. Prohibition on unilateral reduction of nuclear weapons.”.

3 (e) **NEW START TREATY DEFINED.**—In this sec-  
4 tion, the term “New START Treaty” means the Treaty  
5 between the United States of America and the Russian  
6 Federation on Measures for the Further Reduction and  
7 Limitation of Strategic Offensive Arms, signed on April  
8 8, 2010.

9 **SEC. 1056. NUCLEAR EMPLOYMENT STRATEGY.**

10 (a) **FINDINGS.**—Congress finds the following:

11 (1) Section 1057 of H.R. 5136, as passed by  
12 the House of Representatives during the 111th Con-  
13 gress, included a requirement that any future reduc-  
14 tions of the nuclear forces of the United States  
15 below the level described in the New START Treaty  
16 be contingent on the certification by the Secretary of  
17 Defense that “such reduction does not require a  
18 change in targeting strategy from counterforce tar-  
19 geting to countervalue targeting”.

20 (2) On March 29, 2011, the Assistant to the  
21 President for National Security Affairs stated, “As  
22 we implement New START, we’re making prepara-  
23 tions for the next round of nuclear reductions.  
24 Under the President’s direction, the Department of  
25 Defense will review our strategic requirements and

1       develop options for further reductions in our current  
2       nuclear stockpile, which stands at approximately  
3       5,000 warheads, including both deployed and reserve  
4       warheads. To develop these options for further re-  
5       ductions, we need to consider several factors, such  
6       as potential changes in targeting requirements and  
7       alert postures that are required for effective deter-  
8       rence.”.

9       (b) CHANGES TO STRATEGY.—The President may  
10      not make any changes to the nuclear employment strategy  
11      of the United States unless—

12           (1) the President submits to the appropriate  
13      congressional committees a report on such proposed  
14      changes, including—

15           (A) the implication of such changes on the  
16      flexibility and resilience of the strategic forces  
17      of the United States and the ability of such  
18      forces to support the goals of the United States  
19      with respect to nuclear deterrence, extended de-  
20      terrence, assurance, and defense;

21           (B) certification that such proposed  
22      changes do not require a change in targeting  
23      strategy from counterforce targeting to counter-  
24      value targeting; and

1 (C) certification that such proposed  
2 changes preserve the nuclear force structure  
3 triad composed of land-based intercontinental  
4 ballistic missiles, submarine-launched ballistic  
5 missiles, and strategic bomber aircraft; and

6 (2) a period of 90 days has elapsed after the  
7 date on which such report under paragraph (1) is  
8 submitted.

9 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

10 In this section, the term “appropriate congressional com-  
11 mittees” means—

12 (1) the congressional defense committees; and

13 (2) the Committee on Foreign Affairs of the  
14 House of Representatives and the Committee on  
15 Foreign Relations of the Senate.

16 **SEC. 1057. COMPTROLLER GENERAL REPORT ON NUCLEAR**  
17 **WEAPON CAPABILITIES AND FORCE STRUC-**  
18 **TURE REQUIREMENTS.**

19 (a) COMPTROLLER GENERAL STUDY REQUIRED.—

20 The Comptroller General of the United States shall con-  
21 duct a study on the strategic nuclear weapons capabilities,  
22 force structure, employment policy, and targeting require-  
23 ments of the Department of Defense.

1 (b) MATTERS COVERED.—The study conducted  
2 under subsection (a) shall, at minimum, cover the fol-  
3 lowing:

4 (1) An update to the September 1991 report of  
5 the Comptroller General (GAO/NSLAD-91-319FS)  
6 titled “Strategic Weapons: Nuclear Weapons Tar-  
7 geting Process” that addresses—

8 (A) the relationship between the strategic  
9 nuclear targeting process and the determination  
10 of requirements for nuclear weapons and re-  
11 lated delivery systems;

12 (B) the level of civilian oversight;

13 (C) the categories and types of targets;  
14 and

15 (D) any other matters addressed in such  
16 report or are otherwise considered appropriate  
17 by the Comptroller General.

18 (2) The process and rigor used to determine the  
19 effectiveness of nuclear weapons capabilities, force  
20 structures, employment policies, and targeting re-  
21 quirements in achieving the goals of deterrence, ex-  
22 tended deterrence, assurance, and defense.

23 (3) An assessment of the requirements of the  
24 Department of Defense for strategic nuclear bomber  
25 aircraft and intercontinental ballistic missiles, in-



1 including assessments of the extent to which the Sec-  
2 retary of Defense has—

3 (A) determined the force structure and ca-  
4 pability requirements for nuclear-capable stra-  
5 tegic bomber aircraft, bomber-delivered nuclear  
6 weapons, and intercontinental ballistic missiles;

7 (B) synchronized the requirements de-  
8 scribed in subparagraph (A) with plans to ex-  
9 tend the service life of nuclear gravity bombs,  
10 nuclear-armed cruise missiles, and interconti-  
11 nental ballistic missile warheads; and

12 (C) evaluated long-term intercontinental  
13 ballistic missile alert posture requirements and  
14 basing options.

15 (c) REPORTS.—

16 (1) IN GENERAL.—The Comptroller General  
17 shall submit to the appropriate congressional com-  
18 mittees one or more reports on the study conducted  
19 under subsection (a).

20 (2) FORM.—Any report submitted under this  
21 subsection may be submitted in classified form, but  
22 if so submitted, an unclassified version shall also be  
23 submitted with such submission or at a later date.

24 (d) COOPERATION.—The Secretary of Defense and  
25 Secretary of Energy shall provide the Comptroller General

1 full cooperation and access to appropriate officials and in-  
2 formation for the purposes of conducting this study under  
3 subsection (a).

4 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
5 In this section, the term “appropriate congressional com-  
6 mittees” means—

7 (1) the congressional defense committees; and

8 (2) the Committee on Foreign Affairs of the  
9 House of Representatives and the Committee on  
10 Foreign Relations of the Senate.

## 11 **Subtitle F—Financial Management**

### 12 **SEC. 1061. AMENDMENTS RELATING TO FINANCIAL MAN-** 13 **AGEMENT WORKFORCE.**

14 (a) AUTHORITY TO DEVELOP POLICIES AND PROCE-  
15 DURES.—Section 1599d of title 10, United States Code,  
16 is amended—

17 (1) by redesignating subsections (d) and (e) as  
18 (e) and (f), respectively; and

19 (2) by inserting after subsection (c) the fol-  
20 lowing new subsection (d):

21 “(d) POLICIES AND PROCEDURES.—Subject to the  
22 authority, direction, and control of the Secretary of De-  
23 fense, the Under Secretary of Defense for Personnel and  
24 Readiness, in consultation with the Under Secretary of  
25 Defense (Comptroller) shall develop policies and proce-

1 dures related to the financial management workforce in  
2 the Department of Defense.”.

3 (b) REVISION IN TERMINOLOGY.—Such section is  
4 further amended—

5 (1) in the section heading, by striking “**Pro-**  
6 **fessional accounting**” and inserting “**Finan-**  
7 **cial management**”; and

8 (2) in subsection (a), by striking “professional  
9 accounting” and inserting “financial management”.

10 (c) REVISION IN DEFINITION.—Subsection (f) of  
11 such section (as so redesignated) is amended to read as  
12 follows:

13 “(f) DEFINITION.—In this section, the term ‘finan-  
14 cial management position’ means a position or group of  
15 positions in the General Schedule 500 occupational series,  
16 which perform, supervise, or manage work of a fiscal, fi-  
17 nancial management, accounting, auditing, or budgetary  
18 nature.”.

19 **SEC. 1062. RELIABILITY OF DEPARTMENT OF DEFENSE FI-**  
20 **NANCIAL STATEMENTS.**

21 Section 1008(c) of the National Defense Authoriza-  
22 tion Act for Fiscal Year 2002 (Public Law 107–107; 115  
23 Stat. 1206; 10 U.S.C. 113 note) is amended by striking  
24 “Not later than October 31” and inserting “Not later than  
25 the date that is 180 days prior to the date set by the Of-

1 fice of Management and Budget for the submission of fi-  
2 nancial statements”.

3 **SEC. 1063. FINANCIAL MANAGEMENT PERSONNEL COM-**  
4 **PETENCY ASSESSMENT.**

5 (a) IDENTIFICATION OF PERSONNEL AND SKILLS.—  
6 Within 60 days after the date of the enactment of this  
7 Act, the Chief Management Officer of the Department of  
8 Defense, in coordination with the Chief Management Offi-  
9 cer of each military department, shall identify the number  
10 of financial management personnel and the financial and  
11 budgetary skills required—

12 (1) to effectively perform financial and budg-  
13 etary accounting, including reconciling fund balances  
14 with the Treasury;

15 (2) to document processes and maintain inter-  
16 nal controls for financial and budgetary accounting  
17 cycles; and

18 (3) to maintain professional certification stand-  
19 ards.

20 (b) COMPETENCY ASSESSMENT.—

21 (1) GUIDANCE.—Within 120 days after the  
22 date of the enactment of this Act, the Under Sec-  
23 retary of Defense (Comptroller) and the Under Sec-  
24 retary of Defense for Personnel and Readiness shall  
25 issue joint guidance regarding the assessment of the

1 competency of the Department of Defense financial  
2 management personnel to perform the financial and  
3 budgetary skills identified pursuant to subsection  
4 (a).

5 (2) COMPETENCY ASSESSMENT.—Following the  
6 issuance of the joint guidance required by paragraph  
7 (1), the Chief Management Officer of the Depart-  
8 ment of Defense, in the case of the Defense Finance  
9 and Accounting Service or other Defense Agency,  
10 and the Chief Management Officers of the military  
11 departments, shall each conduct a competency as-  
12 sessment of the financial management personnel of  
13 the Defense Agencies and the military departments,  
14 respectively.

15 (3) REPORTS AND CORRECTIVE ACTION  
16 PLANS.—Each Chief Management Officer shall pre-  
17 pare and submit to the Secretary Defense a report  
18 on each competency assessment conducted, along  
19 with a corrective action plan for any skill gaps iden-  
20 tified, within 180 days after the date of the enact-  
21 ment of this Act. The report should include a correc-  
22 tive action plan for each skills gap identified, includ-  
23 ing—

24 (A) near-term and longer-term measures  
25 for resolution;

1           (B) assignment of responsibilities for cor-  
2           rective action, and

3           (C) establishment of milestones for com-  
4           pleting corrective actions.

5           (e) REPORT TO CONGRESS.—Not later than 270 days  
6 after the date of the enactment of this Act, the Secretary  
7 of Defense shall submit to the congressional defense com-  
8 mittees a report regarding the competency assessments  
9 and corrective action plans of the Chief Management Offi-  
10 cers.

11          (d) LONG TERM MONITORING.—Each Chief Manage-  
12 ment officer shall designate, and include in the report sub-  
13 mitted to the Secretary under subsection (b)(3), the ac-  
14 countable office to be involved in the corrective action  
15 process, including monitoring the progress in imple-  
16 menting corrective actions and determining whether addi-  
17 tional action is needed to expedite the corrective action  
18 process.

19          (f) DEFINITION.—In this section, the term “financial  
20 management personnel” means—

21           (1) civilian personnel in the General Schedule  
22           500 occupational series who perform, supervise, or  
23           manage work of a fiscal, financial management, ac-  
24           counting, auditing, or budgetary nature; and

1           (2) members of the Armed Forces who have a  
2           military occupational specialty involving duties simi-  
3           lar to the duties of the civilian personnel referred to  
4           in paragraph (1) or who otherwise perform, super-  
5           vise, or manage work of a fiscal, financial manage-  
6           ment, accounting, auditing, or budgetary nature.

7   **SEC. 1064. TRACKING IMPLEMENTATION OF DEPARTMENT**  
8                           **OF DEFENSE EFFICIENCIES.**

9           (a) ANNUAL ASSESSMENTS.—For each of fiscal years  
10 2012 through 2016, the Comptroller General of the  
11 United States shall carry out an assessment of the extent  
12 to which the Department of Defense has tracked and real-  
13 ized the savings proposed pursuant to the initiative led  
14 by the Secretary of Defense to identify at least  
15 \$100,000,000,000 in efficiencies during fiscal years 2012  
16 through 2016.

17           (b) ANNUAL REPORT.—Not later than October 30 of  
18 each of 2012 through 2016, the Comptroller General shall  
19 submit to the congressional defense committees a report  
20 on the assessment carried out under subsection (a) for the  
21 fiscal year ending on September 30 of that year. Each  
22 such report shall include the recommendations of the  
23 Comptroller General with respect to the matter covered  
24 by the assessment.

1 **SEC. 1065. BUSINESS CASE ANALYSIS FOR DEPARTMENT OF**  
2 **DEFENSE EFFICIENCIES.**

3 (a) ASSESSMENT.—The Comptroller General of the  
4 United States shall carry out an assessment of the extent  
5 to which components of the Department of Defense con-  
6 ducted a business case analysis prior to recommending  
7 and implementing efficiencies initiatives. In carrying out  
8 the assessment, the Comptroller General shall—

9 (1) use a case study approach;

10 (2) identify best practices used by components  
11 of the Department of Defense; and

12 (3) identify deficiencies in the analysis con-  
13 ducted.

14 (b) REPORT.—Not later than 180 days after the date  
15 of the enactment of this Act, the Comptroller General shall  
16 submit to the congressional defense committees a report  
17 of the assessment required by subsection (a). The report  
18 shall include the Comptroller General’s recommendations  
19 relating to the appropriate application of business case  
20 analysis and best practices that should be adopted by the  
21 Department of Defense prior to the implementation of any  
22 future effort to identify savings in defense operations.

23 (c) DEFINITION.—In this section, the term “effi-  
24 ciencies initiatives” means initiatives led by the Secretary  
25 of Defense to identify at least \$100,000,000,000 in sav-  
26 ings during fiscal years 2012 through 2016.



1 **SEC. 1066. FINANCIAL IMPROVEMENT AND AUDIT READI-**  
2 **NESS PLAN.**

3 (a) FUNDING.—The Secretary of Defense may obli-  
4 gate or expend funds only for the execution of the Finan-  
5 cial Improvement and Audit Readiness plan of the Depart-  
6 ment of Defense submitted in accordance with section 881  
7 of the Ike Skelton National Defense Authorization Act for  
8 Fiscal Year 2011 (Public Law 111–383) from the  
9 amounts specified in the subactivity groups for Financial  
10 Improvement and Audit Readiness in section 4301.

11 (b) INCLUSION OF SUBORDINATE ACTIVITIES FOR  
12 INTERIM MILESTONES.—For each interim milestone iden-  
13 tified in the Financial Improvement and Audit Readiness  
14 plan, the Under Secretary of Defense (Comptroller), in  
15 consultation with the Deputy Chief Management Officer  
16 of the Department of Defense, the Secretaries of the mili-  
17 tary departments, and the heads of the defense agencies  
18 and defense field activities, shall include a detailed de-  
19 scription of the subordinate activities necessary to accom-  
20 plish each interim milestone, including—

21 (1) a justification of the time required for each  
22 activity;

23 (2) metrics identifying the progress within each  
24 activity; and

25 (3) mitigating strategies for correcting failed  
26 milestone deadlines.

1 **SEC. 1067. CORRECTIVE ACTION PLAN RELATING TO EXE-**  
2 **CUTION OF FINANCIAL IMPROVEMENT AND**  
3 **AUDIT READINESS PLAN.**

4 (a) **REPORT REQUIRED.**—The Secretary of Defense  
5 shall submit to Congress a report relating to the Financial  
6 Improvement and Audit Readiness plan of the Depart-  
7 ment of Defense submitted in accordance with section 881  
8 of the Ike Skelton National Defense Authorization Act for  
9 Fiscal Year 2011 (Public Law 111–383; 121 Stat. 4306;  
10 10 U.S.C. 2222 note).

11 (b) **MATTERS COVERED.**—The report shall include a  
12 corrective action plan for any weaknesses and deficiencies  
13 in the execution of the Financial Improvement and Audit  
14 Readiness. The corrective action plan shall—

15 (1) identify near-term and longer-term meas-  
16 ures for resolution of any such weaknesses and defi-  
17 ciencies;

18 (2) assign responsibilities in the Department of  
19 Defense for actions to implement such measures;

20 (3) specify steps for implementation of such  
21 measures; and

22 (4) provide timeframes for implementation of  
23 such measures.

## 1     **Subtitle G—Studies and Reports**

### 2     **SEC. 1071. REPEAL OF CERTAIN REPORT REQUIREMENTS.**

3           (a) ANNUAL JOINT REPORT FROM OFFICE OF MAN-  
4     AGEMENT AND BUDGET AND CONGRESSIONAL BUDGET  
5     OFFICE ON SCORING OF OUTLAYS IN DEFENSE BUDGET  
6     FUNCTION.—

7           (1) REPEAL.—Chapter 9 of title 10, United  
8     States Code, is amended by striking section 226.

9           (2) CLERICAL AMENDMENT.—The table of sec-  
10    tions at the beginning of such chapter is amended  
11    by striking the item relating to section 226.

12          (b) MISCELLANEOUS STUDIES AND REPORTS.—

13           (1) REPEAL.—Chapter 23 of title 10, United  
14    States Code, is amended by striking sections 484,  
15    487, and 490.

16           (2) CLERICAL AMENDMENT.—The table of sec-  
17    tions at the beginning of such chapter is amended  
18    by striking the items relating to sections 484, 487,  
19    and 490.

20          (c) BIENNIAL REPORT ON GLOBAL POSITIONING  
21    SYSTEM.—Section 2281 of title 10, United States Code,  
22    is amended by striking subsection (d) and redesignating  
23    subsection (e) as subsection (d).

1 (d) ANNUAL REPORT ON FISHER HOUSES.—Section  
2 2493 of title 10, United States Code, is amended by strik-  
3 ing subsection (g).

4 (e) ANNUAL REPORT ON PUBLIC SALES OF MILI-  
5 TARY EQUIPMENT.—

6 (1) IN GENERAL.—Chapter 153 of title 10,  
7 United States Code, is amended by striking section  
8 2582.

9 (2) CLERICAL AMENDMENT.—The table of sec-  
10 tions at the beginning of such chapter is amended  
11 by striking the item relating to section 2582.

12 (f) ANNUAL REPORT ON THE CHIEF OF NAVY RE-  
13 SERVE.—Section 5143 of title 10, United States Code, is  
14 amended by striking subsection (e).

15 (g) REQUESTS FOR IDENTIFICATION OF NOMINATING  
16 AUTHORITY FOR PERSONS APPOINTED TO THE NAVAL  
17 ACADEMY.—Section 6954 of title 10, United States Code,  
18 is amended by striking subsection (f) and redesignating  
19 subsections (g) and (h) as subsections (f) and (g), respec-  
20 tively.

21 (h) BIENNIAL REPORT ON EDUCATIONAL ASSIST-  
22 ANCE FOR MEMBERS OF THE SELECTED RESERVE.—

23 (1) REPEAL.—Chapter 1606 of title 10, United  
24 States Code, is amended by striking section 16137.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions at the beginning of such chapter is amended  
3           by striking the item relating to section 16137.

4           (i) ANNUAL REPORT ON READY RESERVE.—Section  
5           12302(b) of title 10, United States Code, is amended by  
6           striking the last sentence.

7           (j) REPORT ON SCIENCE AND TECHNOLOGY INVEST-  
8           MENT STRATEGY.—Section 1504 of the Duncan Hunter  
9           National Defense Authorization Act for Fiscal Year 2009  
10          (Public Law 110–417; 122 Stat. 4650; 10 U.S.C. 2358  
11          note) is amended by striking subsection (c).

12          (k) REVIEW AND DETERMINATION OF CERTAIN CON-  
13          TRACTS FOR TELEPHONE SERVICES.—Section 885(a)(2)  
14          of the National Defense Authorization Act for Fiscal Year  
15          2008 (Public Law 110–181; 122 Stat. 265; 10 U.S.C.  
16          2304 note) is amended by striking the second sentence.

17          (l) QUARTERLY REPORTS ON DEPARTMENT OF DE-  
18          FENSE RESPONSE TO THREAT POSED BY IMPROVISED  
19          EXPLOSIVE DEVICES.—The John Warner National De-  
20          fense Authorization Act for Fiscal Year 2007 (Public Law  
21          109–364) is amended by striking section 1402.

22          (m) CONGRESSIONAL NOTIFICATION REGARDING  
23          BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Sec-  
24          tion 2405 of the John Warner National Defense Author-

1 ization Act for Fiscal Year 2007 (Public Law 109–364)  
2 is amended by striking subsection (d).

3 (n) ANNUAL REPORT ON MEDICAL READINESS  
4 PLAN.—Section 731 of the Ronald Reagan National De-  
5 fense Authorization Act for Fiscal Year 2005 (Public Law  
6 108–375) is amended by striking subsection (c).

7 (o) REPORT ON REQUIREMENTS TO REDUCE BACK-  
8 LOG IN MAINTENANCE AND REPAIR OF DEFENSE FACILI-  
9 TIES.—The Floyd D. Spence National Defense Authoriza-  
10 tion Act for Fiscal Year 2001 (as enacted into law by Pub-  
11 lic Law 106–398) is amended by striking section 374.

12 (p) SEMIANNUAL REPORTS ON SITUATION IN THE  
13 BALKANS.—Section 1212 of the Floyd D. Spence Na-  
14 tional Defense Authorization Act for Fiscal Year 2001 (as  
15 enacted into law by Public Law 106–398; 114 Stat.  
16 1654A–326) is amended by striking subsections (c) and  
17 (d).

18 (q) SEMIANNUAL REPORT ON KOSOVO PEACE-  
19 KEEPING.—The Floyd D. Spence National Defense Au-  
20 thorization Act for Fiscal Year 2001 (as enacted into law  
21 by Public Law 106–398) is amended by striking section  
22 1213.

23 (r) ANNUAL REPORT ON UNITED STATES MILITARY  
24 ACTIVITIES IN COLOMBIA.—The National Defense Au-

1 thORIZATION Act for Fiscal Year 2000 (Public Law 106–  
2 65) is amended by striking section 1025.

3 (s) ANNUAL CERTIFICATION ON MILITARY-TO-MILI-  
4 TARY EXCHANGE WITH PEOPLE’S LIBERATION ARMY OF  
5 THE PEOPLE’S REPUBLIC OF CHINA.—Section 2101 of  
6 the National Defense Authorization Act for Fiscal Year  
7 2000 (Public Law 106–65; 113 Stat. 782; 10 U.S.C. 168  
8 note) is amended by striking subsection (d).

9 (t) ANNUAL REPORT ON THE ARMED FORCES RE-  
10 TIREMENT HOME.—Section 1511 of the Armed Forces  
11 Retirement Home Act of 1991 (24 U.S.C. 411) is amend-  
12 ed by striking subsection (h) and redesignating subsection  
13 (i) as subsection (h).

14 (u) ANNUAL REPORT ON SUPPLEMENTAL SUBSIST-  
15 ENCE ALLOWANCE.—Section 402a of title 37, United  
16 States Code, is amended by striking subsection (f) and re-  
17 designating subsections (g) and (h) as subsections (f) and  
18 (g), respectively.

19 **SEC. 1072. BIENNIAL REVIEW OF REQUIRED REPORTS.**

20 (a) IN GENERAL.—Chapter 23 of title 10, United  
21 States Code, as amended by section 1071, is further  
22 amended by adding at the end the following new section:

23 **“§ 490a. Biennial review of required reports**

24 “(a) REVIEW OF CONGRESSIONAL REPORTS.—The  
25 Secretary of Defense shall conduct a review, on a biennial

1 basis, all of the reports required to be submitted to Con-  
2 gress of the Department of Defense. In conducting each  
3 such review, the Secretary shall evaluate the content, qual-  
4 ity, cost, and timeliness of the Department's compliance  
5 with the requirement to submit each report by the date  
6 required.

7       “(b) SUBMISSION OF RECOMMENDATIONS FOR RE-  
8 PEAL OR MODIFICATION OF CONGRESSIONAL REPORT RE-  
9 QUIREMENTS.—The Secretary may, not later than March  
10 1 of the year in which a review under subsection (a) is  
11 conducted, recommend to the appropriate congressional  
12 committees the repeal or modification of a report require-  
13 ment identified in the review. Any such recommendation  
14 shall include—

15               “(1) a detailed justification for the repeal or  
16               modification of the report requirement; and

17               “(2) recommendations for reducing cost and  
18               improving the efficiency of the Department of De-  
19               fense in responding to congressional report require-  
20               ments.

21       “(c) REVIEW OF DEPARTMENT OF DEFENSE INTER-  
22 NAL REPORTS.—(1) The Secretary of Defense shall con-  
23 duct a review, on a biennial basis, the reports internal to  
24 the Department of Defense. Each such review shall in-  
25 clude—



1           “(A) the reports required by the Office of the  
2 Secretary of Defense and the military departments;

3           “(B) the reports required by the secretaries of  
4 each military department of their respective military  
5 departments; and

6           “(C) other reporting requirements internal to  
7 the Department of Defense as designated for review  
8 by the Secretary.

9           “(2) Based on the findings of a review conducted  
10 under paragraph (1), the Secretary shall—

11           “(A) identify report requirements that are re-  
12 dundant, overly burdensome, of limited value,  
13 unjustifiably costly, or otherwise determined to un-  
14 duly reduce the efficiency of the Department of De-  
15 fense;

16           “(B) take such steps as may be necessary to  
17 eliminate or modify such report requirements; and

18           “(C) include, in the budget justification mate-  
19 rials submitted to Congress in support of the De-  
20 partment of Defense budget (as submitted with the  
21 budget of the President under section 1105(a) of  
22 title 31) for a fiscal year following a year in which  
23 a review is conducted under paragraph (1) a sum-  
24 mary of the cost reductions resulting from actions  
25 taken by the Secretary pursuant to paragraph (2).”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of such chapter is amended by adding  
3 at the end the following new item:

“490a. Biennial review of required reports.”.

4 **SEC. 1073. TRANSMISSION OF REPORTS IN ELECTRONIC**  
5 **FORMAT.**

6 Section 122a(a) of title 10, United States Code, is  
7 amended by striking “made available” and all that follows  
8 through the period and inserting the following new para-  
9 graphs:

10 “(1) made available to the public, upon request  
11 submitted on or after the date on which such report  
12 is submitted to Congress, through the Office of the  
13 Assistant Secretary of Defense for Public Affairs;  
14 and

15 “(2) to the maximum extent practicable, trans-  
16 mitted in an electronic format.”.

17 **SEC. 1074. MODIFICATIONS TO ANNUAL AIRCRAFT PRO-**  
18 **CUREMENT PLAN.**

19 (a) IN GENERAL.—Section 231a of title 10, United  
20 States Code, is amended—

21 (1) in subsection (a)—

22 (A) in the matter preceding paragraph

23 (1)—

24 (i) by striking “The Secretary” and  
25 inserting “Not later than 45 days after the

1 date on which the President submits to  
2 Congress the budget for a fiscal year”; and

3 (ii) by striking “include with the de-  
4 fense budget materials for each fiscal  
5 year” and insert “submit to the congres-  
6 sional defense committees”; and

7 (B) in paragraph (1), by inserting “, the  
8 Department of the Army,” after “Navy”;

9 (2) in subsection (b)—

10 (A) in paragraph (4), by striking “Stra-  
11 tegic” and inserting “Intertheater”;

12 (B) by redesignating paragraph (8) as  
13 paragraph (11); and

14 (C) by inserting after paragraph (7) the  
15 following new paragraphs:

16 “(8) Remotely piloted aircraft.

17 “(9) Rotary-wing aircraft.

18 “(10) Operational support and executive lift  
19 aircraft.”;

20 (3) in subsection (c)—

21 (A) in paragraph (1), by striking “national  
22 security strategy of the United States” and in-  
23 serting “national military strategy of the  
24 United States”; and

25 (B) in paragraph (2)—

1 (i) in subparagraph (A), by inserting  
2 “, the Department of the Army,” after  
3 “Navy”;

4 (ii) in subparagraph (B), by striking  
5 “national security strategy of the United  
6 States” and inserting “national military  
7 strategy of the United States”;

8 (iii) in subparagraph (C)—

9 (I) by inserting “investment” be-  
10 fore “funding”;

11 (II) by striking “the program”  
12 and inserting “each aircraft pro-  
13 gram”;

14 (III) by inserting before the pe-  
15 riod at the end the following: “, set  
16 forth in aggregate for the Department  
17 of Defense and in aggregate for each  
18 military department”;

19 (iv) by redesignating subparagraph  
20 (D) as subparagraph (F);

21 (v) by inserting after subparagraph  
22 (C) the following new subparagraphs:

23 “(D) The estimated level of annual funding  
24 necessary to operate, maintain, sustain, and support  
25 each aircraft program throughout the life-cycle of

1 the program, set forth in aggregate for the Depart-  
2 ment of Defense and in aggregate for each military  
3 department.

4 “(E) For each of the cost estimates required by  
5 subparagraphs (C) and (D)—

6 “(i) a description of whether the cost esti-  
7 mate is derived from the cost estimate position  
8 of the military department or derived from the  
9 cost estimate position of the Cost Analysis and  
10 Program Evaluation office of the Secretary of  
11 Defense;

12 “(ii) if the cost estimate position of the  
13 military department and the cost estimate posi-  
14 tion of the Cost Analysis and Program Evalua-  
15 tion office differ by more than .5 percent for  
16 any aircraft program, an annotated cost esti-  
17 mate difference and sufficient rationale to ex-  
18 plain the difference; and

19 “(iii) the confidence or certainty level asso-  
20 ciated with the cost estimate for each aircraft  
21 program.”.

22 (vi) in subparagraph (F), as redesign-  
23 nated by clause (iv), by inserting “, the  
24 Department of the Army,” after “Navy”;

1 (C) by adding at the end the following new  
2 paragraphs:

3 “(3) For any cost estimate required by paragraph  
4 (2)(C) or (D), for any aircraft program for which the Sec-  
5 retary is required to include in a report under section  
6 2432 of this title, the source of the cost information used  
7 to prepare the annual aircraft plan, shall be sourced from  
8 the Selected Acquisition Report data that the Secretary  
9 plans to submit to the congressional defense committees  
10 in accordance with subsection (f) of that section for the  
11 year for which the annual aircraft plan is prepared.

12 “(4) The annual aircraft procurement plan shall be  
13 submitted in unclassified form and shall contain a classi-  
14 fied annex.”;

15 (4) in subsection (d), by inserting “, the De-  
16 partment of the Army,” after “Navy”;

17 (5) by redesignating subsection (e) as sub-  
18 section (f);

19 (6) by inserting after subsection (d) the fol-  
20 lowing new subsection (e):

21 “(e) ANNUAL REPORT ON AIRCRAFT INVENTORY.—

22 (1) As part of the annual plan and certification required  
23 to be submitted under this section, the Secretary shall in-  
24 clude a report on the aircraft in the inventory of the De-

1 partment of Defense. Each such report shall include the  
2 following, for the year covered by the report:

3           “(A) The total number of aircraft in the inven-  
4 tory.

5           “(B) The total number of the aircraft in the in-  
6 ventory that are active, stated in the following cat-  
7 egories (with appropriate subcategories for mission  
8 aircraft, training aircraft, dedicated test aircraft,  
9 and other aircraft):

10                   “(i) Primary aircraft.

11                   “(ii) Backup aircraft.

12                   “(iii) Attrition and reconstitution reserve  
13 aircraft.

14           “(C) The total number of the aircraft in the in-  
15 ventory that are inactive, stated in the following cat-  
16 egories:

17                   “(i) Bailment aircraft.

18                   “(ii) Drone aircraft.

19                   “(iii) Aircraft for sale or other transfer to  
20 foreign governments.

21                   “(iv) Leased or loaned aircraft.

22                   “(v) Aircraft for maintenance training.

23                   “(vi) Aircraft for reclamation.

24                   “(vii) Aircraft in storage.

1           “(D) The aircraft inventory requirements ap-  
2           proved by the Joint Chiefs of Staff.

3           “(2) Each report submitted under this subsection  
4 shall set forth each item described in paragraph (1) sepa-  
5 rately for the regular component of each armed force and  
6 for each reserve component of each armed force and, for  
7 each such component, shall set forth each type, model, and  
8 series of aircraft provided for in the future-years defense  
9 program that covers the fiscal year for which the budget  
10 accompanying the plan, certification and report is sub-  
11 mitted.”; and

12           (7) in subsection (f), as redesignated by para-  
13 graph 5, by striking paragraph (2) and redesign-  
14 ating paragraph (3) as paragraph (2).

15           (b) SECTION HEADING.—The heading for such sec-  
16 tion is amended to read as follows:

17           **“§ 231a. Budgeting for life-cycle cost of aircraft for**  
18                           **the Navy, Army, and Air Force: annual**  
19                           **plan and certification”.**

20           (c) CLERICAL AMENDMENT.—The item relating to  
21 section 231a in the table of sections at the beginning of  
22 chapter 9 of title 10, United States Code, is amended to  
23 read as follows:

          “231a. Budgeting for life-cycle cost of aircraft for the Navy, Army, and Air  
          Force: annual plan and certification.”.



1 **SEC. 1075. CHANGE OF DEADLINE FOR ANNUAL REPORT TO**  
2 **CONGRESS ON NATIONAL GUARD AND RE-**  
3 **SERVE COMPONENT EQUIPMENT.**

4 Section 10541(a) of title 10, United States Code, is  
5 amended by striking “February 15” and inserting “March  
6 15”.

7 **SEC. 1076. REPORT ON HOMELAND DEFENSE ACTIVITIES.**

8 Section 908(a) of title 32, United States Code, is  
9 amended by adding at the end the following “For any fis-  
10 cal year during which no assistance was provided, and no  
11 activities were carried out, under this chapter, a report  
12 is not required to be submitted under this section.”.

13 **SEC. 1077. REPORT ON NUCLEAR ASPIRATIONS OF NON-**  
14 **STATE ENTITIES, NUCLEAR WEAPONS, AND**  
15 **RELATED PROGRAMS IN NON-NUCLEAR**  
16 **WEAPONS STATES AND COUNTRIES NOT PAR-**  
17 **TIES TO THE NUCLEAR NON-PROLIFERATION**  
18 **TREATY, AND CERTAIN FOREIGN PERSONS.**

19 Section 1055(a) of the National Defense Authoriza-  
20 tion Act for Fiscal Year 2010 (Public Law 111–84; 50  
21 U.S.C. 2371(a)) is amended, in the matter preceding  
22 paragraph (1)—

23 (1) by striking “and the Permanent” and in-  
24 serting “the Permanent”; and

25 (2) by inserting before “a report” the following:  
26 “, the Committee on Foreign Relations of the Sen-

1       ate, and the Committee on Foreign Affairs of the  
2       House of Representatives”.

3   **SEC. 1078. REPORT ON CERTAIN UNNECESSARY OR UN-**  
4                   **WANTED DEPARTMENT OF DEFENSE PRO-**  
5                   **GRAMS.**

6       (a) FINDINGS.—Congress makes the following find-  
7       ings:

8               (1) On March 31, 2011, Secretary of Defense  
9       Gates testified before the Armed Services Committee  
10      of the House of Representatives that the initial cost  
11      of United States operations in Libya was approxi-  
12      mately \$550,000,000 and was estimated to cost an  
13      additional \$40,000,000 a month after that.

14              (2) Secretary Gates testified that he was un-  
15      aware of what the total cost of United States assist-  
16      ance to Japan would be in the aftermath of the  
17      earthquake, tsunami, and Fukushima Daiichi inci-  
18      dent, but indicated it would be less than  
19      \$500,000,000.

20              (3) Secretary Gates testified that the Depart-  
21      ment of Defense would not need to ask for more  
22      money to cover these costs within the Overseas Con-  
23      tingency Operations accounts because “There’s sev-  
24      eral billion dollars in there we can move around. . .

1       that would cover these costs. . . things that we  
2       don't need or want.".

3       (b) DETERMINATION.—Not later than 30 days after  
4 the date of the enactment of this Act, the Secretary of  
5 Defense shall determine and make publically available the  
6 programs funded through the Overseas Contingency Oper-  
7 ations accounts during the five-year period preceding the  
8 date of the enactment of this Act that are unnecessary  
9 or unwanted.

10       (c) REPORT.—Not later than 120 days after the date  
11 of the enactment of this Act, the Secretary of Defense  
12 shall submit to the Committees on Armed Services of the  
13 Senate and House of Representative a report that contains  
14 the results of the determination required by subsection  
15 (b). Such report shall include—

16               (1) a description of each program that the Sec-  
17 retary determines is unnecessary or unwanted;

18               (2) a description of the amount authorized to  
19 be appropriated and the amount authorized to be  
20 appropriated for each fiscal year for each program  
21 described under paragraph (1); and

22               (3) any other information the Secretary con-  
23 siders relevant.

1 **SEC. 1079. IMPLEMENTATION PLAN FOR WHOLE-OF-GOV-**  
2 **ERNMENT VISION PRESCRIBED IN THE NA-**  
3 **TIONAL SECURITY STRATEGY.**

4 (a) IMPLEMENTATION PLAN.—Not later than 270  
5 days after the date of the enactment of this Act, the Presi-  
6 dent shall submit to the appropriate congressional com-  
7 mittees an implementation plan for achieving the whole-  
8 of-government integration vision prescribed in the Presi-  
9 dent’s National Security Strategy of May 2010. The im-  
10 plementation plan shall include—

11 (1) a description of ongoing and future actions  
12 planned to be taken by the President and the Execu-  
13 tive agencies to implement organizational changes,  
14 programs, and any other efforts to achieve each  
15 component of the whole-of-government vision pre-  
16 scribed in the National Security Strategy;

17 (2) a timeline for specific actions taken and  
18 planned to be taken by the President and the Execu-  
19 tive agencies to implement each component of the  
20 whole-of-government vision prescribed in the Na-  
21 tional Security Strategy;

22 (3) an outline of specific actions desired or re-  
23 quired by Congress to achieve each component of the  
24 whole-of-government vision prescribed in the Na-  
25 tional Security Strategy, including suggested timing

1 and sequencing of actions proposed for Congress and  
2 the Executive agencies;

3 (4) any progress made and challenges or obsta-  
4 cles encountered in implementing each component of  
5 the whole-of-government vision prescribed in the Na-  
6 tional Security Strategy; and

7 (5) such other information as the President de-  
8 termines is necessary to understand progress in im-  
9 plementing each component of the whole-of-govern-  
10 ment vision prescribed in the National Security  
11 Strategy.

12 (b) ANNUAL UPDATES.—Not later than December 1  
13 of each subsequent year, the President shall submit to the  
14 appropriate congressional committees an update of the im-  
15 plementation plan required under subsection (a). Each  
16 such update shall include an explanation of—

17 (1) progress made in achieving each organiza-  
18 tional goal; and

19 (2) modifications necessary to the implementa-  
20 tion plan.

21 (c) DEFINITIONS.—In this section:

22 (1) The term “appropriate congressional com-  
23 mittees” means—

24 (A) the congressional defense committees;

1 (B) the Committee on Foreign Relations,  
2 Select Committee on Intelligence, Committee on  
3 Homeland Security and Government Affairs,  
4 Committee on the Budget, Committee on the  
5 Judiciary, and Committee on Appropriations in  
6 the Senate; and

7 (C) the Committee on Foreign Affairs,  
8 Permanent Select Committee on Intelligence,  
9 Committee on Homeland Security, Committee  
10 on the Budget, Committee on the Judiciary,  
11 Committee on Oversight and Government Re-  
12 form, and Committee on Appropriations in the  
13 House of Representatives.

14 (2) The term “Executive agency” has the  
15 meaning given that term by section 105 of title 5,  
16 United States Code.

17 **SEC. 1080. REPORT ON A DEPARTMENT OF DEFENSE RECY-**  
18 **CLING PROGRAM FOR RARE EARTH MATE-**  
19 **RIALS.**

20 (a) REQUIREMENT FOR REPORT.—Not later than  
21 180 days after the date of the enactment of this Act, the  
22 Secretary of Defense shall prepare and submit to the con-  
23 gressional defense committees a report on the feasibility  
24 and desirability of recycling, recovering, and reprocessing  
25 rare earth elements, including fluorescent lighting in De-

1 partment of Defense facilities and neodymium iron boron  
2 magnets used in weapon systems and commercial off-the-  
3 shelf items such as computer hard drives.

4 (b) REPORT.—The report required in subsection (a)  
5 shall contain, at minimum, the following information:

6 (1) AMOUNT AND FORM OF CERTAIN MATE-  
7 RIALS.—The amount and form of fluorescent light-  
8 ing materials containing rare earth phosphors, such  
9 as terbium, europium, and yttrium, and the amount  
10 of neodymium iron boron magnets containing neo-  
11 dymium and dysprosium, currently being disposed of  
12 by or on behalf of the Department of Defense.

13 (2) ESTIMATE OF AMOUNTS.—An estimate of  
14 the amount of rare earth phosphors contained in  
15 such lighting materials and rare earth metal, alloy,  
16 and magnet material that is potentially available for  
17 recycling but is not currently recovered, using data  
18 from the most recent year for which a reasonable es-  
19 timate can be made.

20 (3) FEASIBILITY OF RECOVERY.—The feasi-  
21 bility and desirability of recovering such rare earth  
22 phosphors and magnet materials and making this  
23 material available for reprocessing back into sepa-  
24 rated rare earth elements or reused as rare earth  
25 magnet materials by private-sector entities.

1           (c) DEFINITION.—For purposes of this section, the  
2 term “rare earth” means any of the following chemical  
3 elements in any of their physical forms or chemical com-  
4 binations:

- 5           (1) Scandium.
- 6           (2) Yttrium.
- 7           (3) Lanthanum.
- 8           (4) Cerium.
- 9           (5) Praseodymium.
- 10          (6) Neodymium.
- 11          (7) Promethium.
- 12          (8) Samarium.
- 13          (9) Europium.
- 14          (10) Gadolinium.
- 15          (11) Terbium.
- 16          (12) Dysprosium.
- 17          (13) Holmium.
- 18          (14) Erbium.
- 19          (15) Thulium.
- 20          (16) Ytterbium.
- 21          (17) Lutetium.



1 **SEC. 1080A. REPORT ON THE NATIONAL GUARD AND RE-**  
2 **SERVE COMPONENTS OF THE ARMED**  
3 **FORCES.**

4 (a) **REPORT REQUIRED.**—Not later than 180 days  
5 after the date of the enactment of this Act, the Secretary  
6 of Defense shall submit to the congressional defense com-  
7 mittees a report on the National Guard and the reserve  
8 components of the Armed Forces.

9 (b) **MATTERS INCLUDED.**—The report under sub-  
10 section (a) shall include a plan to—

11 (1) ensure that each military department has  
12 access to trained, experienced, and ready members  
13 of the National Guard and reserve components of  
14 the Armed Forces for any mission less than war;

15 (2) capitalize on the gains made in the readi-  
16 ness of the National Guard and the reserve compo-  
17 nents during the previous 10-year period; and

18 (3) ensure the total force is able to sustain  
19 commitments throughout the world using the unique  
20 skills and capabilities of the National Guard and the  
21 reserve components in a predictable and consistent  
22 manner.

1                   **Subtitle H—Miscellaneous**  
2                   **Authorities and Limitations**

3   **SEC. 1081. EXEMPTION FROM FREEDOM OF INFORMATION**  
4                   **ACT FOR DATA FILES OF THE MILITARY**  
5                   **FLIGHT OPERATIONS QUALITY ASSURANCE**  
6                   **SYSTEMS OF THE MILITARY DEPARTMENTS.**

7           (a) EXEMPTION.—

8                   (1) IN GENERAL.—Chapter 134 of title 10,  
9           United States Code, is amended by inserting after  
10          section 2254 the following new section:

11   **“§ 2254a. Data files of military flight operations qual-**  
12                   **ity assurance systems: exemption from**  
13                   **disclosure under Freedom of Information**  
14                   **Act**

15          “(a) AUTHORITY TO EXEMPT CERTAIN DATA FILES  
16   FROM DISCLOSURE UNDER FOIA.—

17                   “(1) The Secretary of Defense may exempt in-  
18          formation contained in any data file of the military  
19          flight operations quality assurance system of a mili-  
20          tary department from disclosure under section  
21          552(b)(3) of title 5.

22                   “(2) In this section, the term ‘data file’ means  
23          a file of the military flight operations quality assur-  
24          ance (in this section referred to as ‘MFOQA’) sys-

1       tem that contains information acquired or generated  
2       by the MFOQA system, including—

3               “(A) any data base containing raw  
4               MFOQA data; and

5               “(B) any analysis or report generated by  
6               the MFOQA system or which is derived from  
7               MFOQA data.

8               “(3) Information that is exempt under para-  
9               graph (1) from disclosure under section 552(b)(3) of  
10              title 5 shall be exempt from such disclosure even if  
11              such information is contained in a data file that is  
12              not exempt in its entirety from such disclosure.

13              “(4) The provisions of paragraph (1) may not  
14              be superseded except by a provision of law which is  
15              enacted after the date of the enactment of this sec-  
16              tion and which specifically cites and repeals or modi-  
17              fies those provisions.

18              “(b) REGULATIONS.—The Secretary of Defense shall  
19              prescribe regulations for the administration of this section.  
20              Such regulations shall ensure consistent application of the  
21              authority in subsection (a) across the military depart-  
22              ments and shall specifically identify officials in each mili-  
23              tary department who shall be delegated the Secretary’s au-  
24              thority under this section.”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions at the beginning of subchapter II of such chap-  
3           ter is amended by inserting after the item relating  
4           to section 2254 the following new item:

          “2254a. Data files of military flight operations quality assurance systems: ex-  
          emption from disclosure under Freedom of Information Act.”.

5           (b) APPLICABILITY.—Section 2254a of title 10,  
6           United States Code, as added by subsection (a), shall  
7           apply to any information entered into any data file of the  
8           military flight operations quality assurance system before,  
9           on, or after the date of the enactment of this Act.

10   **SEC. 1082. LIMITATION ON PROCUREMENT AND FIELDING**  
11                           **OF LIGHT ATTACK ARMED RECONNAISSANCE**  
12                           **AIRCRAFT.**

13           (a) REQUIRED REVIEW.—

14           (1) REVIEW.—In the report on the quadrennial  
15           roles and missions review required to be submitted  
16           not later than the date on which the President sub-  
17           mits the budget for fiscal year 2013, pursuant to  
18           section 118b of title 10, United States Code, the  
19           Secretary of Defense shall specifically review the ca-  
20           pability of the elements of the Department of De-  
21           fense (including any office, agency, activity, or com-  
22           mand described in section 111(b) of such title) that  
23           are responsible for conducting light attack and  
24           armed reconnaissance missions or fulfilling requests

1 of partner nations for training in the conduct of  
2 such missions.

3 (2) MATTERS INCLUDED.—In conducting the  
4 review under paragraph (1), the Secretary shall—

5 (A) identify any gaps in the ability of the  
6 Department to conduct light attack and armed  
7 reconnaissance missions or to fulfill requests of  
8 partner nations for training in the conduct of  
9 such missions;

10 (B) identify any unnecessary duplication of  
11 efforts between the elements of the Department  
12 to procure or field aircraft to conduct light at-  
13 tack and armed reconnaissance missions or to  
14 fulfill requests of partner nations to train in the  
15 conduct of such missions, including any  
16 planned—

17 (i) developmental efforts;

18 (ii) operational evaluations; or

19 (iii) acquisition of such aircraft  
20 through procurement or lease; and

21 (C) include findings and recommendations  
22 the Secretary considers appropriate to address  
23 any gaps identified under subparagraph (A) or  
24 unnecessary duplication of efforts identified  
25 under subparagraph (B).

1 (b) LIMITATION.—Except as provided by subsection  
2 (c) and (d), none of the funds authorized to be appro-  
3 priated by this Act or otherwise made available for fiscal  
4 year 2012 may be obligated or expended for the procure-  
5 ment or fielding of light attack armed reconnaissance air-  
6 craft until the date on which—

7 (1) the Joint Requirements Oversight Council  
8 validates the requirements for the development or  
9 procurement of such aircraft to address a gap identi-  
10 fied under subsection (a)(2)(A); and

11 (2) the Under Secretary of Defense for Acquisi-  
12 tion, Technology, and Logistics approves the acquisi-  
13 tion strategy for such aircraft.

14 (c) USE OF FUNDS FOR PREVIOUSLY AUTHORIZED  
15 PROGRAMS.—The limitation in subsection (b) does not  
16 apply to a program for which funding was authorized to  
17 be appropriated for a fiscal year before fiscal year 2012.

18 (d) WAIVER.—The Secretary of Defense may waive  
19 the limitation in subsection (b) if the Secretary submits  
20 to the congressional defense committees written certifi-  
21 cation that the procurement or fielding of light attack  
22 armed reconnaissance aircraft is necessary to support on-  
23 going contingency operations in Afghanistan or Iraq.

1 **SEC. 1083. USE OF STATE PARTNERSHIP PROGRAM FUNDS**  
2 **FOR CIVILIANS AND NON-DEFENSE AGENCY**  
3 **PERSONNEL.**

4 Of the funds made available to the National Guard  
5 for the State Partnership Program, up to \$3,000,000 may  
6 be made available to pay travel and per diem costs associ-  
7 ated with the participation of United States and foreign  
8 civilian and non-defense agency personnel in authorized  
9 National Guard State Partnership Program events con-  
10 ducted both in the United States and in foreign partner  
11 countries.

12 **SEC. 1084. PROHIBITION ON THE USE OF FUNDS FOR MAN-**  
13 **UFACTURING BEYOND LOW RATE INITIAL**  
14 **PRODUCTION AT CERTAIN PROTOTYPE INTE-**  
15 **GRATION FACILITIES.**

16 (a) PROHIBITION.—None of the funds authorized to  
17 be appropriated by this Act may be used for manufac-  
18 turing beyond low rate initial production at a prototype  
19 integration facility of any of the following:

20 (1) The Tank Automotive Research, Develop-  
21 ment and Engineering Center.

22 (2) The United States Army Communications-  
23 Electronics Command.

24 (3) The United States Army Aviation and Mis-  
25 sile Command.

1 (b) WAIVER.—The Secretary of the Army for Acqui-  
2 sition, Logistics, and Technology may waive the prohibi-  
3 tion under subsection (a) for a fiscal year if—

4 (1) the Assistant Secretary determines that the  
5 waiver is necessary—

6 (A) for reasons of national security; or

7 (B) to rapidly acquire equipment to re-  
8 spond to combat emergencies; and

9 (2) the Assistant Secretary submits to Congress  
10 a notification of the waiver together with the reasons  
11 for the waiver.

12 (c) LOW-RATE INITIAL PRODUCTION.—For purposes  
13 of this section, the term “low-rate initial production” shall  
14 be determined in accordance with section 2400 of title 10,  
15 United States Code.

16 **SEC. 1085. SENSE OF CONGRESS REGARDING DEPLOYMENT**  
17 **OF NATIONAL GUARD TO SOUTHWESTERN**  
18 **BORDER OF UNITED STATES.**

19 It is the sense of the Congress that the deployment  
20 of National Guard personnel (as defined in section 101(c)  
21 of title 10, United States Code) along the southwestern  
22 border of the United States for the purposes of assisting  
23 United States Customs and Border Protection in securing  
24 the international border between the United States and



1 Mexico, should continue through the end of fiscal year  
2 2011.

3 **SEC. 1086. REAUTHORIZATION OF AUTHORITY TO USE**  
4 **FUNDS FOR REINTEGRATION ACTIVITIES IN**  
5 **AFGHANISTAN.**

6 (a) **AUTHORITY.**—Subsection (a) of section 1216 of  
7 the Ike Skelton National Defense Authorization Act for  
8 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4392)  
9 is amended by striking “fiscal year 2011” and inserting  
10 “fiscal year 2012”.

11 (b) **EXPIRATION.**—Subsection (e) of such section is  
12 amended by striking “December 31, 2011” and inserting  
13 “December 31, 2012”.

14 **SEC. 1087. RULES OF ENGAGEMENT FOR MEMBERS OF THE**  
15 **ARMED FORCES DEPLOYED IN DESIGNATED**  
16 **HOSTILE FIRE AREAS.**

17 The Secretary of Defense shall ensure that the rules  
18 of engagement applicable to members of the Armed Forces  
19 assigned to duty in any hostile fire area designated for  
20 purposes of section 310 or 351(a)(1) of title 37, United  
21 States Code—

22 (1) fully protect the members’ right to bear  
23 arms; and

24 (2) authorize the members to fully defend them-  
25 selves from hostile actions.

## 1                   **Subtitle I—Other Matters**

2   **SEC. 1091. TREATMENT UNDER FREEDOM OF INFORMA-**  
3                   **TION ACT OF CERTAIN DEPARTMENT OF DE-**  
4                   **FENSE CRITICAL INFRASTRUCTURE SECU-**  
5                   **RITY INFORMATION.**

6           (a) IN GENERAL.—Chapter 3 of title 10, United  
7 States Code, is amended by adding after section 130e, as  
8 added by section 1055, the following new section:

9   **“§ 130f. Treatment under Freedom of Information Act**  
10                   **of critical infrastructure security infor-**  
11                   **mation**

12           “(a) EXEMPTION.—Department of Defense critical  
13 infrastructure security information that, if disclosed, may  
14 result in the disruption, degradation, or destruction of op-  
15 erations, property, or facilities of the Department of De-  
16 fense, shall be exempt from disclosure pursuant to section  
17 552(b)(3) of title 5, if the Secretary of Defense determines  
18 that the public interest consideration in the disclosure of  
19 such information does not outweigh preventing the dislo-  
20 sure of such information.

21           “(b) INFORMATION PROVIDED TO STATE AND LOCAL  
22 GOVERNMENTS.—Department of Defense critical infra-  
23 structure security information obtained by a State or local  
24 government from a Federal agency shall remain under the  
25 control of the Federal agency, and a State or local law

1 authorizing or requiring such a government to disclose in-  
2 formation shall not apply to such critical infrastructure  
3 security information.

4       “(c) DEPARTMENT OF DEFENSE CRITICAL INFRA-  
5 STRUCTURE SECURITY INFORMATION DEFINED.—In this  
6 section, the term ‘Department of Defense critical infra-  
7 structure security information’ means sensitive but unclas-  
8 sified information related to critical infrastructure infor-  
9 mation owned or operated by or on behalf of the Depart-  
10 ment of Defense that could substantially facilitate the ef-  
11 fectiveness of an attack designed to destroy equipment,  
12 create maximum casualties, or steal particularly sensitive  
13 military weapons including information regarding the se-  
14 curing and safeguarding of explosives, hazardous chemi-  
15 cals, or pipelines.

16       “(d) REGULATIONS.—The Secretary of Defense shall  
17 prescribe regulations to implement this section. Such regu-  
18 lations shall ensure the consistent application of the ex-  
19 emption in subsection (a) across the military departments  
20 and that specifically identify officials in each military de-  
21 partment who shall be delegated the Secretary’s authority  
22 under this section.”.

23       (b) CLERICAL AMENDMENT.—The table of sections  
24 at the beginning of such chapter is amended by adding  
25 at the end the following new item:

“130f. Treatment under Freedom of Information Act of certain critical infrastructure security information.”.

1 **SEC. 1092. EXPANSION OF SCOPE OF HUMANITARIAN**  
2 **DEMINE ASSISTANCE PROGRAM TO IN-**  
3 **CLUDE STOCKPILED CONVENTIONAL MUNI-**  
4 **TIONS ASSISTANCE.**

5 Section 407 of title 10, United States Code, is  
6 amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by inserting “and  
9 stockpiled conventional munitions assistance”  
10 after “demining assistance”; and

11 (B) in paragraph (3)(A), by inserting “,  
12 stockpiled conventional munitions,” after “land-  
13 mines”;

14 (2) in subsection (d)(2), by inserting “, and  
15 whether such assistance was primarily related to the  
16 humanitarian demining efforts or stockpiled conven-  
17 tional munitions assistance” after “paragraph (1)”;  
18 and

19 (3) by striking subsection (e) and inserting the  
20 following new subsection (e):

21 “(e) DEFINITIONS.—In this section:

22 “(1) The term ‘humanitarian demining assist-  
23 ance’, as it relates to training and support, means  
24 detection and clearance of landmines and other ex-

1 explosive remnants of war, and includes activities re-  
2 lated to the furnishing of education, training, and  
3 technical assistance with respect to explosive safety,  
4 the detection and clearance of landmines and other  
5 explosive remnants of war, and the disposal, demili-  
6 tarization, physical security, and stockpile manage-  
7 ment of potentially dangerous stockpiles of explosive  
8 ordnance.

9 “(2) The term ‘stockpiled conventional muni-  
10 tions assistance’, as it relates to the support of hu-  
11 manitarian assistance efforts, means training and  
12 support in the disposal, demilitarization, physical se-  
13 curity, and stockpile management of potentially dan-  
14 gerous stockpiles of explosive ordnance, and includes  
15 activities related to the furnishing of education,  
16 training, and technical assistance with respect to ex-  
17 plosive safety, the detection and clearance of land-  
18 mines and other explosive remnants of war, and the  
19 disposal, demilitarization, physical security, and  
20 stockpile management of potentially dangerous  
21 stockpiles of explosive ordnance.”.

1 **SEC. 1093. MANDATORY IMPLEMENTATION OF THE STAND-**  
2 **ING ADVISORY PANEL ON IMPROVING CO-**  
3 **ORDINATION AMONG THE DEPARTMENT OF**  
4 **DEFENSE, THE DEPARTMENT OF STATE, AND**  
5 **THE UNITED STATES AGENCY FOR INTER-**  
6 **NATIONAL DEVELOPMENT ON MATTERS OF**  
7 **NATIONAL SECURITY.**

8 Section 1054 of the Duncan Hunter National De-  
9 fense Authorization Act for Fiscal Year 2009 (Public Law  
10 110–417; 122 Stat. 4605) is amended—

11 (1) in subsection (a), by striking “may” and in-  
12 serting “shall”;

13 (2) in subsection (b)(5), by striking “should be”  
14 and all that follows and inserting “shall be ap-  
15 pointed by not later than March 30, 2012.”;

16 (3) in subsection (d)—

17 (A) by striking “If the advisory panel is es-  
18 tablished under subsection (a)” and inserting  
19 “By not later than March 30, 2012”; and

20 (B) by striking “, not later than 60 days  
21 after the date of the final appointment of the  
22 members of the advisory panel pursuant to sub-  
23 section (b)(5),”;

24 (4) by striking subsection (e) and redesignating  
25 subsections (f) through (i) as subsections (e)  
26 through (h), respectively;

1 (5) in subsection (f)(2), as so redesignated, by  
2 striking “Not later than December 31 of the year in  
3 which the interim report is submitted under para-  
4 graph (1)” and inserting “Not later than December  
5 31 of each year during which the advisory panel op-  
6 erates”;

7 (6) in subsection (g), as so redesignated, by  
8 striking “December 31, 2012” and inserting “De-  
9 cember 31, 2016”; and

10 (7) in subsection (h), as so redesignated, by  
11 striking paragraph (3).

12 **SEC. 1094. NUMBER OF NAVY CARRIER AIR WINGS AND**  
13 **CARRIER AIR WING HEADQUARTERS.**

14 The Secretary of the Navy shall ensure that the Navy  
15 maintains—

16 (1) a minimum of 10 carrier air wings; and

17 (2) for each such carrier air wing, a dedicated  
18 and fully staffed headquarters.

19 **SEC. 1095. DISPLAY OF ANNUAL BUDGET REQUIREMENTS**  
20 **FOR ORGANIZATIONAL CLOTHING AND INDI-**  
21 **VIDUAL EQUIPMENT.**

22 (a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICA-  
23 TION DOCUMENTS.—For fiscal year 2013 and each subse-  
24 quent fiscal year, the Secretary of Defense shall submit  
25 to the President, for inclusion with the budget materials

1 submitted to Congress under section 1105(a) of title 31,  
2 United States Code, a budget justification display that  
3 covers all programs and activities associated with the pro-  
4 curement of organizational clothing and individual equip-  
5 ment.

6 (b) REQUIREMENTS FOR BUDGET DISPLAY.—The  
7 budget justification display under subsection (a) for a fis-  
8 cal year shall include the following:

9 (1) The funding requirements in each budget  
10 activity and for each Armed Force for organizational  
11 clothing and individual equipment.

12 (2) The amount in the budget for each of the  
13 Armed Forces for organizational clothing and equip-  
14 ment for that fiscal year.

15 (c) DEFINITION.—In this section, the term “organi-  
16 zational clothing and individual equipment” means an  
17 item of organizational clothing or equipment prescribed  
18 for wear or use with the uniform.

19 **SEC. 1096. NATIONAL ROCKET PROPULSION STRATEGY.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) The Secretary of Defense has undertaken  
22 numerous reviews of the solid rocket motor and liq-  
23 uid rocket engine propulsion industrial base, includ-  
24 ing pursuant to—



1 (A) section 915 of the Ike Skelton Na-  
2 tional Defense Authorization Act for Fiscal  
3 Year 2011 (Public Law 111–383; 124 Stat.  
4 4329) (relating to the preservation of the solid  
5 rocket motor industrial base);

6 (B) section 916 of the Ike Skelton Na-  
7 tional Defense Authorization Act for Fiscal  
8 Year 2011 (Public Law 111–383; 124 Stat.  
9 4330) (relating to the implementation plan to  
10 sustain solid rocket motor industrial base);

11 (C) section 917 of the Ike Skelton Na-  
12 tional Defense Authorization Act for Fiscal  
13 Year 2011 (Public Law 111–383; 124 Stat.  
14 4330) (relating to the review and plan on  
15 sustainment of liquid rocket propulsion systems  
16 industrial base);

17 (D) section 1078 of the National Defense  
18 Authorization Act for Fiscal Year 2010 (Public  
19 Law 111–84; 123 Stat. 2479) (relating to the  
20 plan for sustainment of land-based solid rocket  
21 motor industrial base); and

22 (E) section 1050 of the National Defense  
23 Authorization Act for Fiscal Year 2008 (Public  
24 Law 110–181; 122 Stat. 318) (relating to the  
25 report on solid rocket motor industrial base).

1           (2) Multiple departments and agencies of the  
2           Federal Government rely on the solid rocket motor  
3           and liquid rocket engine propulsion industrial base,  
4           including the Department of Defense, the National  
5           Reconnaissance Office, and the National Aeronautics  
6           and Space Administration, and decisions made by  
7           one agency may have severe ramifications on others.

8           (3) The planned end in 2011 of the Space  
9           Shuttle program and the decision in 2010 by the  
10          President to terminate the Constellation program of  
11          the National Aeronautics and Space Administration  
12          have led to increased costs for rocket propulsion sys-  
13          tems for defense and intelligence programs that rely  
14          on the rocket propulsion industrial base.

15          (4) According to the Air Force, the fiscal year  
16          2012 budget request for the Evolved Expendable  
17          Launch Vehicle has increased by 50 percent over the  
18          fiscal year 2011 request in part due to the uncer-  
19          tainty in the launch industrial and supplier base re-  
20          sulting from decisions by the National Aeronautics  
21          and Space Administration.

22          (5) According to the Navy, the unit cost for  
23          Trident II D5 rocket motors has increased 80 per-  
24          cent, in large part as a result of the elimination of

1 investment by the National Aeronautics and Space  
2 Administration in solid rocket motors.

3 (b) SENSE OF THE CONGRESS.—It is the sense of  
4 Congress that the sustainment of the solid rocket motor  
5 and liquid rocket engine industrial base is a national chal-  
6 lenge that spans multiple departments and agencies of the  
7 Federal Government and requires the attention of the  
8 President.

9 (c) STRATEGY REQUIRED.—The President shall  
10 transmit to the appropriate congressional committees a  
11 national rocket propulsion strategy for the United States,  
12 including—

13 (1) a description and assessment of the effects  
14 to programs of the Department of Defense and intel-  
15 ligence community that rely on the solid rocket  
16 motor and liquid rocket engine industrial base  
17 caused by the end of the Space Shuttle program and  
18 termination of the Constellation program;

19 (2) a description of the plans of the President,  
20 the Secretary of Defense, the intelligence commu-  
21 nity, and the Administrator of the National Aero-  
22 nautics and Space Administration to mitigate the  
23 impact of the end of the Space Shuttle program and  
24 termination of the Constellation program on the

1 solid rocket motor and liquid rocket engine propul-  
2 sion industrial base of the United States;

3 (3) a consolidated plan that outlines key deci-  
4 sion points for the current and next-generation mis-  
5 sion requirements of the United States with respect  
6 to tactical and strategic missiles, missile defense  
7 interceptors, targets, and satellite and human  
8 spaceflight launch vehicles;

9 (4) options and recommendations for synchro-  
10 nizing plans, programs, and budgets for research  
11 and development, procurement, operations, and  
12 workforce among the appropriate departments and  
13 agencies of the Federal Government to strengthen  
14 the solid rocket motor and liquid rocket engine pro-  
15 pulsion industrial base of the United States; and

16 (5) any other relevant information the Presi-  
17 dent considers necessary.

18 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
19 DEFINED.—In this section, the term “appropriate con-  
20 gressional committees” means the following:

21 (1) The Committees on Armed Services,  
22 Science, Space, and Technology, Appropriations, and  
23 the Permanent Select Committee on Intelligence of  
24 the House of Representatives.

1           (2) The Committees on Armed Services, Com-  
2           merce, Science, and Transportation, Appropriations,  
3           and the Select Committee on Intelligence of the Sen-  
4           ate.

5   **SEC. 1097. INCLUSION OF RELIGIOUS SYMBOLS AS PART OF**  
6                           **MILITARY MEMORIALS.**

7           (a) **AUTHORITY.**—Chapter 21 of title 36, United  
8           States Code, is amended by adding at the end the fol-  
9           lowing new section:

10   **“§ 2115. Inclusion of religious symbols as part of mili-**  
11                           **tary memorials**

12           “(a) **INCLUSION OF RELIGIOUS SYMBOLS AUTHOR-**  
13           **IZED.**—To recognize the religious background of members  
14           of the United States Armed Forces, religious symbols may  
15           be included as part of—

16                   “(1) a military memorial that is established or  
17                   acquired by the United States Government; or

18                   “(2) a military memorial that is not established  
19                   by the United States Government, but for which the  
20                   American Battle Monuments Commission cooperated  
21                   in the establishment of the memorial.

22           “(b) **MILITARY MEMORIAL DEFINED.**—In this sec-  
23           tion, the term ‘military memorial’ means a memorial or  
24           monument commemorating the service of the United

1 States Armed Forces. The term includes works of archi-  
2 tecture and art described in section 2105(b) of this title.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of such chapter is amended by adding  
5 at the end the following new item:

“2115. Inclusion of religious symbols as part of military memorials.”.

6 **SEC. 1098. UNMANNED AERIAL SYSTEMS AND NATIONAL**  
7 **AIRSPACE.**

8 (a) ESTABLISHMENT.—Not later than 180 days after  
9 the date of the enactment of this Act, the Administrator  
10 of the Federal Aviation Administration shall establish a  
11 program to integrate unmanned aircraft systems into the  
12 national airspace system at six test ranges.

13 (b) PROGRAM REQUIREMENTS.—In establishing the  
14 program under subsection (a), the Administrator shall—

15 (1) safely designate nonexclusionary airspace  
16 for integrated manned and unmanned flight oper-  
17 ations in the national airspace system;

18 (2) develop certification standards and air traf-  
19 fic requirements for unmanned flight operations at  
20 test ranges;

21 (3) coordinate with and leverage the resources  
22 of the Department of Defense and the National Aer-  
23 onautics and Space Administration;

24 (4) address both civil and public unmanned air-  
25 craft systems;

1           (5) ensure that the program is coordinated with  
2           the Next Generation Air Transportation System;  
3           and

4           (6) provide for verification of the safety of un-  
5           manned aircraft systems and related navigation pro-  
6           cedures before integration into the national airspace  
7           system.

8           (c) LOCATIONS.—In determining the location of a  
9           test range for the program under subsection (a), the Ad-  
10          ministrators shall—

11           (1) take into consideration geographic and cli-  
12          matic diversity;

13           (2) take into consideration the location of  
14          ground infrastructure and research needs; and

15           (3) consult with the Department of Defense and  
16          the National Aeronautics and Space Administration.

17          (d) REPORT.—Not later than 90 days after the date  
18          of completing each of the pilot projects, the Administrator  
19          shall submit to the appropriate congressional committees  
20          a report setting forth the Administrator's findings and  
21          conclusions concerning the projects that includes a de-  
22          scription and assessment of the progress being made in  
23          establishing special use airspace to fill the immediate need  
24          of the Department of Defense to develop detection tech-  
25          niques for small unmanned aircraft systems and to vali-

1 date sensor integration and operation of unmanned air-  
2 craft systems.

3 (e) DURATION.—The program under subsection (a)  
4 shall terminate on the date that is five years after the date  
5 of the enactment of this Act.

6 (f) DEFINITION.—In this section:

7 (1) The term “appropriate congressional com-  
8 mittees” means—

9 (A) the Committee on Armed Services, the  
10 Committee on Transportation and Infrastruc-  
11 ture, and the Committee on Science, Space, and  
12 Technology of the House of Representatives;  
13 and

14 (B) the Committee on Armed Services and  
15 the Committee on Commerce, Science, and  
16 Transportation of the Senate.

17 (2) The term “test range” means a defined geo-  
18 graphic area where research and development are  
19 conducted.

20 **SEC. 1098A. REPORT TO CONGRESS ON MAINTENANCE, RE-**  
21 **PAIR, AND OVERHAUL CAPABILITY OF NAVY**  
22 **UNMANNED AERIAL SYSTEMS.**

23 Not later than 180 days after the date of the enact-  
24 ment of this Act, the Secretary of the Navy shall submit  
25 to the congressional defense committees a report on the



1 efforts being made to establish maintenance, repair, and  
2 overhaul capability for Navy unmanned aerial systems.

3 **SEC. 1099. SENSE OF CONGRESS REGARDING THE KILLING**  
4 **OF OSAMA BIN LADEN.**

5 (a) FINDINGS.—Congress makes the following find-  
6 ings:

7 (1) Osama bin Laden was responsible for order-  
8 ing the attacks of September 11, 2001, that killed  
9 almost 3,000 American citizens.

10 (2) Osama bin Laden and his terrorist organi-  
11 zation, al-Qaeda, have been responsible for carrying  
12 out attacks on innocent men and women around the  
13 world.

14 (3) The United States Special Operations Com-  
15 mand organizes, trains, and equips Special Oper-  
16 ations Forces and is providing those forces to the  
17 United States Central Command under whose oper-  
18 ational control they serve.

19 (4) Special Operations forces were able to com-  
20 plete the mission to kill Osama bin Laden without  
21 United States casualties.

22 (5) The killing of Osama bin Laden represents  
23 a milestone victory in bringing to justice the master-  
24 mind of September 11, 2001.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that—

3 (1) the Special Operations Forces provide a tre-  
4 mendous service to the Nation; and

5 (2) the killing of Osama bin Laden is a major  
6 victory for international justice and for the United  
7 States in the war against terrorism and radical ex-  
8 tremists.

9 **SEC. 1099A. GRANTS TO CERTAIN REGULATED COMPANIES**  
10 **FOR SPECIFIED ENERGY PROPERTY NOT**  
11 **SUBJECT TO NORMALIZATION RULES.**

12 (a) IN GENERAL.—The first sentence of section  
13 1603(f) of the American Recovery and Reinvestment Tax  
14 Act of 2009 is amended by inserting “(other than sub-  
15 section (d)(2) thereof)” after “section 50 of the Internal  
16 Revenue Code of 1986”.

17 (b) EFFECTIVE DATE.—The amendment made by  
18 this section shall take effect as if included in section 1603  
19 of the American Recovery and Reinvestment Tax Act of  
20 2009.

21 **SEC. 1099B. SUBMITTAL OF INFORMATION REGARDING IN-**  
22 **DIVIDUALS DETAINED AT UNITED STATES**  
23 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

24 (a) IN GENERAL.—Not later than 60 days after the  
25 date of the enactment of this Act, the Secretary of Defense

1 shall submit to the Committees on Armed Services of the  
2 Senate and House of Representatives, and other appro-  
3 priate committees of Congress, the following information  
4 in connection with individuals formerly or currently de-  
5 tained at United States Naval Station, Guantanamo Bay,  
6 Cuba in the custody or under the effective control of the  
7 Department of Defense:

8           (1) Information compiled in coordination with  
9           the Director of National Intelligence relating to in-  
10          formation or reports on the locations of individuals  
11          who were formerly detained at Guantanamo.

12          (2) Information compiled in coordination with  
13          the Attorney General and the Director of National  
14          Intelligence relating to the full Task Force assess-  
15          ments prepared for each such individual by the  
16          Guantanamo Task Force established pursuant to  
17          Executive Order No. 13492 and any Department of  
18          Defense memoranda regarding the process for the  
19          review and transfer of such individuals.

20          (3) Information compiled in coordination with  
21          the Director of National Intelligence regarding any  
22          subsequent threat assessment prepared by any ele-  
23          ment of the intelligence community on any such in-  
24          dividual who remains in detention or for whom a de-  
25          cision to release or transfer is pending.

1 (b) FORM OF SUBMISSION.—All information required  
2 to be submitted under this section shall be submitted—

3 (1) consistent with the protection of intelligence  
4 sources and methods; or

5 (2) if disclosure would compromise such protec-  
6 tion, directly to the Permanent Select Committee on  
7 Intelligence of the House of Representatives and the  
8 Select Committee on Intelligence of the Senate in  
9 unredacted form.

10 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-  
11 FINED.—In this section, the term “appropriate commit-  
12 tees of Congress” means—

13 (1) with respect to information described in  
14 paragraphs (1) and (3) of subsection (a), the Per-  
15 manent Select Committee on Intelligence of the  
16 House of Representatives and the Select Committee  
17 on Intelligence of the Senate; and

18 (2) with respect to information described in  
19 paragraph (2) of such subsection, the Committee on  
20 the Judiciary and the Permanent Select Committee  
21 on Intelligence of the House of Representatives and  
22 the Committee on the Judiciary and the Select Com-  
23 mittee on Intelligence of the Senate.

1 **SEC. 1099C. EXHUMATION AND TRANSFER OF REMAINS OF**  
2 **DECEASED MEMBERS OF THE ARMED**  
3 **FORCES BURIED IN TRIPOLI, LIBYA.**

4 (a) IN GENERAL.—Notwithstanding any other provi-  
5 sion of law, the Secretary of Defense shall take whatever  
6 steps may be necessary to—

7 (1) exhume the remains of any deceased mem-  
8 bers of the Armed Forces of the United States bur-  
9 ied at a burial site described in subsection (b);

10 (2) transfer such remains to an appropriate  
11 forensics laboratory to be identified;

12 (3) in the case of any remains that are identi-  
13 fied, transport the remains to a veterans cemetery  
14 located in proximity, as determined by the Secretary,  
15 to the closest living family member of the deceased  
16 individual or at another cemetery as determined by  
17 the Secretary;

18 (4) for any member of the Armed Forces whose  
19 remains are identified, provide a military funeral  
20 and burial; and

21 (5) in the case of any remains that are unable  
22 to be identified, transport the remains to Arlington  
23 National Cemetery for interment at the Tomb of the  
24 Unknowns.

25 (b) BURIAL SITES DESCRIBED.—The burial sites de-  
26 scribed in this subsection are the following:

1           (1) The mass burial site containing the remains  
2 of five United States sailors located in Protestant  
3 Cemetery in Tripoli, Libya.

4           (2) The mass burial site containing the remains  
5 of eight United States sailors located near the walls  
6 of the Tripoli Castle in Tripoli, Libya.

7           (c) EFFECTIVE DATE.—This section takes effect on  
8 the date on which NATO’s Operation Unified Protector  
9 or any successor operation terminates.

10 **SECTION 1099D. SENSE OF CONGRESS REGARDING THE RE-**  
11 **COVERY OF THE REMAINS OF CERTAIN MEM-**  
12 **BERS OF THE ARMED FORCES KILLED IN**  
13 **THURSTON ISLAND, ANTARCTICA.**

14           (a) FINDINGS.—Congress makes the following find-  
15 ings:

16           (1) Commencing August 26, 1946, though late  
17 February 1947 the United States Navy Antarctic  
18 Developments Program Task Force 68, codenamed  
19 “Operation Highjump” initiated and undertook the  
20 largest ever-to-this-date exploration of the Antarctic  
21 continent.

22           (2) The primary mission of the Task Force 68  
23 organized by Rear Admiral Richard E. Byrd Jr.  
24 USN, (Ret) and led by Rear Admiral Richard H.  
25 Cruzen, USN, was to do the following:

1 (A) Establish the Antarctic research base  
2 Little America IV.

3 (B) In the defense of the United States of  
4 America from possible hostile aggression from  
5 abroad - to train personnel test equipment, de-  
6 velop techniques for establishing, maintaining  
7 and utilizing air bases on ice, with applicability  
8 comparable to interior Greenland, where condi-  
9 tions are similar to those of the Antarctic.

10 (C) Map and photograph a full two-thirds  
11 of the Antarctic Continent during the classified,  
12 hazardous duty/volunteer-only operation involv-  
13 ing 4700 sailors, 23 aircraft and 13 ships in-  
14 cluding the first submarine the U.S.S. Sennet,  
15 and the aircraft carrier the U.S.S. Philippine  
16 Sea, brought to the edge of the ice pack to  
17 launch (6) Navy ski-equipped, rocket-assisted  
18 R4Ds.

19 (D) Consolidate and extend United States  
20 sovereignty over the largest practicable area of  
21 the Antarctic continent.

22 (E) Determine the feasibility of estab-  
23 lishing, maintaining and utilizing bases in the  
24 Antarctic and investigating possible base sites.

1           (3) While on a hazardous duty/all volunteer  
2 mission vital to the interests of National Security  
3 and while over the eastern Antarctica coastline  
4 known as the Phantom Coast, the PBM-5 Martin  
5 Mariner “Flying Boat” “George 1” entered a  
6 whiteout over Thurston Island. As the pilot at-  
7 tempted to climb, the aircraft grazed the glacier’s  
8 ridgeline and exploded within 5 seconds instantly  
9 killing Ensign Maxwell Lopez, Navigator and Wen-  
10 dell “Bud” Hendersin, Aviation Machinists Mate 1st  
11 Class while Frederick Williams, Aviation Radioman  
12 1st Class died several hours later. Six other crewmen  
13 survived including the Captain of the “George 1’s”  
14 seaplane tender U.S.S. Pine Island.

15           (4) The bodies of the dead were protected from  
16 the desecration of Antarctic scavenging birds  
17 (Skuas) by the surviving crew wrapping the bodies  
18 and temporarily burying the men under the star-  
19 board wing engine nacelle.

20           (5) Rescue requirements of the “George-1” sur-  
21 vivors forced the abandonment of their crewmates’  
22 bodies.

23           (6) Conditions prior to the departure of Task  
24 Force 68 precluded a return to the area to the re-  
25 cover the bodies.



1           (7) For nearly 60 years Navy promised the  
2 families that they would recover the men: “If the  
3 safety, logistical, and operational prerequisites allow  
4 a mission in the future, every effort will be made to  
5 bring our sailors home.”.

6           (8) The Joint POW/MIA Accounting Command  
7 twice offered to recover the bodies of this crew for  
8 Navy.

9           (9) A 2004 NASA ground penetrating radar  
10 overflight commissioned by Navy relocated the crash  
11 site three miles from its crash position.

12           (10) The Joint POW/MIA Accounting Com-  
13 mand offered to underwrite the cost of an aerial  
14 ground penetrating radar (GPR) survey of the crash  
15 site area by NASA.

16           (11) The Joint POW/MIA Accounting Com-  
17 mand studied the recovery with the recognized recov-  
18 ery authorities and national scientists and deter-  
19 mined that the recovery is only “medium risk”.

20           (12) National Science Foundation and sci-  
21 entists from the University of Texas, Austin, regu-  
22 larly visit the island.

23           (13) The crash site is classified as a “perishable  
24 site”, meaning a glacier that will calve into the  
25 Bellingshausen Sea.

1           (14) The National Science Foundation main-  
2           tains a presence in area - of the Pine Island Glacier.

3           (15) The National Science Foundation Director  
4           of Polar Operations will assist and provide assets for  
5           the recovery upon the request of Congress.

6           (16) The United States Coast Guard is pres-  
7           ently pursuing the recovery of 3 WWII air crewmen  
8           from similar circumstances in Greenland.

9           (17) On Memorial Day, May 25, 2009, Presi-  
10          dent Barak Obama declared: “. . . the support of  
11          our veterans is a sacred trust. . . we need to serve  
12          them as they have served us. . . that means bring-  
13          ing home all our POWs and MIAs. . .”.

14          (18) The policies and laws of the United States  
15          of America require that our armed service personnel  
16          be repatriated.

17          (19) The fullest possible accounting of United  
18          States fallen military personnel means repatriating  
19          living American POWs and MIAs, accounting for,  
20          identifying, and recovering the remains of military  
21          personnel who were killed in the line of duty, or pro-  
22          viding convincing evidence as to why such a repatri-  
23          ation, accounting, identification, or recovery is not  
24          possible.

1           (20) It is the responsibility of the Federal Gov-  
2           ernment to return to the United States for proper  
3           burial and respect all members of the Armed Forces  
4           killed in the line of duty who lie in lost graves.

5           (b) SENSE OF CONGRESS.— In light of the findings  
6           under subsection (a), Congress—

7           (1) reaffirms its support for the recovery and  
8           return to the United States, the remains and bodies  
9           of all members of the Armed Forces killed in the  
10          line of duty, and for the efforts by the Joint POW-  
11          MLA Accounting Command to recover the remains of  
12          members of the Armed Forces from all wars, con-  
13          flicts and missions;

14          (2) recognizes the courage and sacrifice of all  
15          members of the Armed Forces who participated in  
16          Operation Highjump and all missions vital to the  
17          national security of the United States of America;

18          (3) acknowledges the dedicated research and ef-  
19          forts by the US Geological Survey, the National  
20          Science Foundation, the Joint POW/MIA Account-  
21          ing Command, the Fallen American Veterans Foun-  
22          dation and all persons and organizations to identify,  
23          locate, and advocate for, from their temporary Ant-  
24          arctic grave, the recovery of the well-preserved fro-  
25          zen bodies of Ensign Maxwell Lopez, Naval Aviator,

1 Frederick Williams, Aviation Machinist's Mate 1ST  
2 Class, Wendell Hendersin, Aviation Radioman 1ST  
3 Class of the "George 1" explosion and crash; and

4 (4) encourages the Department of Defense to  
5 review the facts, research and to pursue new efforts  
6 to undertake all feasible efforts to recover, identify,  
7 and return the well-preserved frozen bodies of the  
8 "George 1" crew from Antarctica's Thurston Island.

9 **SEC. 1099E. REQUIREMENT THAT WRITTEN COMMUNICA-**  
10 **TIONS FROM CONGRESS BE MADE PUBLIC BY**  
11 **DEPARTMENT OF DEFENSE.**

12 Any written communication from Congress, including  
13 a committee of the Senate or the House of Representa-  
14 tives, a member of Congress, an officer of Congress, or  
15 a congressional staff member, recommending that funds  
16 be committed, obligated, or expended on any project with-  
17 in a program element set forth in the funding tables in  
18 division D of this Act shall be made publicly available on  
19 the Internet by the receiving entity of the Department of  
20 Defense, not later than 30 days after receipt of such com-  
21 munication.

1 **SEC. 1099F. SENSE OF CONGRESS REGARDING DEPLOY-**  
2 **MENT OF ARMED FORCES WITHOUT CONSID-**  
3 **ERABLE DELIBERATION.**

4 It is the sense of the Congress that before voting be-  
5 gins with respect to funding of any deployment of the  
6 Armed Forces, Members of the Congress—

7 (1) should designate a time period in which  
8 Members consider the cultures, religions, ethnicities,  
9 geographies, histories, and politics of nations and re-  
10 gions in which the Armed Forces are engaged or are  
11 proposed to engage in military action;

12 (2) should be given access to in-depth briefings  
13 on the information described in paragraph (1); and

14 (3) fully consider and appreciate the enormous  
15 complexities and uncertainties inherent in the mili-  
16 tary engagements of the United States in certain re-  
17 gions, in particular the Middle East.

18 **SEC. 1099G. SENSE OF CONGRESS REGARDING THE ESTAB-**  
19 **LISHMENT OF A KOREAN WAR NATIONAL MU-**  
20 **SEUM.**

21 (a) FINDINGS.—Congress makes the following find-  
22 ings:

23 (1) The Korean War was fought between the  
24 Republic of Korea, with the assistance of 16 dif-  
25 ferent nations including the United States, and the

1 Democratic People's Republic of Korea and People's  
2 Republic of China from June 1950 to July 1953.

3 (2) This conflict was prompted by the invasion  
4 of the Republic of Korea by the communist Demo-  
5 cratic People's Republic of Korea.

6 (3) 5,700,000 Americans served during the war  
7 and 36,574 died in the conflict, making it the fifth  
8 deadliest war in United States history.

9 (4) 133 Congressional Medals of Honor were  
10 awarded for service during the conflict.

11 (5) The first integration of black and white  
12 American members of the Armed Forces in combat  
13 occurred during the Korean War.

14 (6) The first use of helicopters and the first air-  
15 to-air combat between modern jets occurred during  
16 the Korean War.

17 (7) There are currently an estimated 2,440,000  
18 living American veterans of the Korean War.

19 (8) The United Nations deployed troops into  
20 combat for the first time during the Korean War.

21 (9) The conflict marked the first armed strug-  
22 gle between democracy and communism, as well as  
23 the first time the advance of communism was halted.

24 (10) After the signing of the Armistice Agree-  
25 ment on July 27, 1953, ending hostilities, there was

1 established the Demilitarized Zone, which has al-  
2 lowed the Republic of Korea to grow into a dynamic  
3 and stable democracy while situated on the border of  
4 one of the least free countries in the modern world.

5 (11) An official national museum honoring the  
6 conflict and all those who served does not currently  
7 exist.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that—

10 (1) efforts to increase education and public  
11 awareness of the Korean War and to honor and pro-  
12 mote gratitude for those who served in the Korean  
13 War should be encouraged;

14 (2) the people who have demonstrated leader-  
15 ship and spearheaded the development of a museum  
16 to promote awareness of the Korean War and honor  
17 those who served in it should be commended; and

18 (3) a national museum, to be located in Chi-  
19 cago, Illinois, should be established to—

20 (A) educate visitors on the service, sac-  
21 rifices, and contributions of those who fought in  
22 Korea;

23 (B) honor Korean War veterans;

24 (C) preserve the legacy and history of the  
25 Korean War conflict; and

1 (D) celebrate the advances in democracy  
2 and freedom made by the people of the Repub-  
3 lic of Korea.

4 **SEC. 1099H. INTERAGENCY COLLABORATION.**

5 The Assistant Secretary of Defense for Research and  
6 Engineering shall collaborate with the Under Secretary for  
7 Science and Technology of the Department of Homeland  
8 Security to identify equipment and technology used by the  
9 Department of Defense that could be used by U.S. Cus-  
10 toms and Border Protection to improve the security of the  
11 international borders between the United States and Mex-  
12 ico, and the United States and Canada, by—

13 (1) detecting anomalies such as tunnels and  
14 breaches in perimeter security;

15 (2) detecting the use of unauthorized vehicles;

16 (3) enhancing wide-area surveillance;

17 (4) using autonomous vehicles for security; and

18 (5) otherwise improving the enforcement of  
19 such borders.

20 **SEC. 1099I. DESIGNATION OF “TAPS” AS NATIONAL SONG OF**  
21 **REMEMBRANCE.**

22 (a) DESIGNATION.—Chapter 3 of title 36, United  
23 States Code, is amended by adding at the end the fol-  
24 lowing new section:



1 **“§ 306. National Song of Remembrance**

2 “(a) DESIGNATION.—The bugle call commonly  
3 known as ‘Taps’, consisting of 24 notes sounded on a  
4 bugle or trumpet performed by a solo bugler or trumpeter  
5 without accompaniment or embellishment, is the National  
6 Song of Remembrance.

7 “(b) CONDUCT DURING SOUNDING.—

8 “(1) IN GENERAL.—During a performance of  
9 ‘Taps’ at a military funeral, memorial service, or  
10 wreath laying—

11 “(A) all present, except persons in uni-  
12 form, should stand at attention with the right  
13 hand over the heart;

14 “(B) men not in uniform should remove  
15 their headdress with their right hand and hold  
16 the headdress at the left shoulder, the hand  
17 being over the heart; and

18 “(C) persons in uniform should stand at  
19 attention and give the military salute at the  
20 first note of ‘Taps’ and maintain that position  
21 until the last note.

22 “(2) EXCEPTION.—Paragraph (1) shall not  
23 apply when ‘Taps’ is sounded as the final bugle call  
24 of the day at a military base.

25 “(c) DEFINITION OF MILITARY BASE.—In this sec-  
26 tion, the term ‘military base’ means a base, camp, post,

1 station, yard, center, homeport facility for any ship, or  
 2 other activity under the jurisdiction of the Department of  
 3 Defense, including any leased facility.”.

4 (b) CONFORMING AND CLERICAL AMENDMENTS.—

5 (1) CHAPTER HEADING.—The heading of chap-  
 6 ter 3 of title 36, United States Code, is amended to  
 7 read as follows:

8 **“CHAPTER 3—NATIONAL ANTHEM, MOTTO,  
 9 AND OTHER NATIONAL DESIGNATIONS”.**

10 (2) TABLE OF CHAPTERS.—The item relating  
 11 to chapter 3 in the table of chapters for such title  
 12 is amended to read as follows:

“3. National Anthem, Motto, and Other National Designations ..... 301”.

13 (3) TABLE OF SECTIONS.—The table of sections  
 14 at the beginning of such chapter is amended by add-  
 15 ing at the end the following new item:

“306. National Song of Remembrance.”.

16 **SEC. 1099J. SENSE OF CONGRESS REGARDING UNITED  
 17 STATES NORTHERN COMMAND PREPARED-  
 18 NESS.**

19 It is the sense of the Congress that—

20 (1) the United States Northern Command plays  
 21 a crucial role in providing additional response capa-  
 22 bility to State and local governments in domestic  
 23 disaster relief and consequence management oper-  
 24 ations;

1           (2) the United States Northern Command must  
2 continue to build upon its current efforts to develop  
3 command strategies, leadership training, and re-  
4 sponse plans to effectively work with civil authorities  
5 when acting as the lead agency or a supporting  
6 agency; and

7           (3) the United States Northern Command  
8 should leverage whenever possible training and man-  
9 agement expertise that resides within the Depart-  
10 ment of Defense, other Federal agencies, State and  
11 local governments, and private sector businesses and  
12 academic institutions to enhance—

13           (A) its Defense Support to Civil Authori-  
14 ties and incidence management missions;

15           (B) relationships with other entities in-  
16 volved in disaster response; and

17           (C) its ability to respond to unforeseen  
18 events.

19 **SEC. 1099K. OFFICIAL RECOGNITION OF SALEM, MASSA-**  
20 **CHUSETTS, AS THE BIRTHPLACE OF THE NA-**  
21 **TIONAL GUARD OF THE UNITED STATES.**

22           (a) FINDINGS.—Congress makes the following find-  
23 ings:

1           (1) In 1629, Captain John Endicott organized  
2 the first militia in the Massachusetts Bay Colony in  
3 Salem.

4           (2) The colonists had adopted the English mili-  
5 tia system, which required all males between the  
6 ages of 16 and 60 to possess arms and participate  
7 in the defense of the community.

8           (3) In 1636, the Massachusetts General Court  
9 ordered the organization of three militia regiments,  
10 designated as the North, South, and East regiments.

11           (4) These regiments drilled once a week and  
12 provided guard details each evening to sound the  
13 alarm in case of attack.

14           (5) The East Regiment, the predecessor of the  
15 101st Engineer Battalion, assembled as a regiment  
16 for the first time in 1637 on the Salem Common,  
17 marking the beginning of the Massachusetts Na-  
18 tional Guard and the National Guard of the United  
19 States.

20           (6) Since 1785, Salem's own Second Corps of  
21 Cadets (101st and 102nd Field Artillery) has cele-  
22 brated the anniversary of that first muster.

23           (7) As the policy contained in section 102 of  
24 title 32, United States Code, clearly expresses, the  
25 National Guard continues its historic mission of pro-

1       viding units for the first line defense of the United  
2       States and current missions throughout the world.

3               (8) The designation of the City of Salem, Mas-  
4       sachusetts, as the Birthplace of the National Guard  
5       of the United States will contribute positively to  
6       tourism and economic development in the city, create  
7       jobs, and instill pride in both the local and State  
8       communities.

9       (b) RECOGNITION.—Section 102 of title 32, United  
10      States Code, is amended—

11               (1) by striking “In accordance” and inserting  
12       “(a) STATEMENT OF POLICY.—In accordance”; and

13               (2) by adding at the end the following new sub-  
14       section:

15       “(b) RECOGNITION OF SALEM, MASSACHUSETTS, AS  
16      NATIONAL GUARD BIRTHPLACE.—The City of Salem,  
17      Massachusetts, the site of the first muster of a militia  
18      regiment in 1637 in what became the United States, is  
19      hereby recognized as the Birthplace of the National Guard  
20      of the United States.”.

21      **SEC. 1099L. REPORT ON THE MANUFACTURING POLICY OF**  
22                                       **THE UNITED STATES.**

23       (a) FINDINGS.—Congress finds the following:

24               (1) For many years, manufacturing has been  
25       the backbone of the United States economy, leading

1 to good jobs, technological innovation, and the pro-  
2 duction of high quality commodities.

3 (2) In addition, the superiority of the United  
4 States manufacturing industry ensured a reliable  
5 supply of raw and finished goods to support the de-  
6 fense and security operations of the United States  
7 Government.

8 (3) Over the past few decades, the manufac-  
9 turing industry of the United States and the jobs as-  
10 sociated with it have suffered a dramatic decline as  
11 manufacturing processes have been outsourced to  
12 foreign nations.

13 (4) This decrease in domestic manufacturing  
14 capability has forced the Department of Defense to  
15 acquire supplies and materials necessary for the na-  
16 tional defense from foreign companies and govern-  
17 ments, thereby subjecting the critical defense needs  
18 of the United States to geopolitical forces beyond its  
19 control.

20 (b) SUBMISSION TO CONGRESS OF REPORT ON THE  
21 MANUFACTURING INDUSTRY OF THE UNITED STATES.—

22 (1) SUBMISSION REQUIRED.—The Secretary of  
23 Defense shall submit to Congress a report on the  
24 manufacturing industry of the United States. Such  
25 report shall be submitted as soon as is practicable,

1 but not later than the end of the 180-day period be-  
2 ginning on the date of the enactment of this Act.

3 (2) NOTICE OF SUBMISSION.—If before the end  
4 of the 180-day period specified in paragraph (1) the  
5 Secretary determines that the report required by  
6 that paragraph cannot be submitted by the end of  
7 such period as required by such paragraph, the Sec-  
8 retary shall (before the end of such period) submit  
9 to Congress a report setting forth—

10 (A) the reasons why the report cannot be  
11 submitted by the end of such 180-day period;  
12 and

13 (B) an estimated date for the submission  
14 of the report.

15 (3) FORM.—The report under paragraph (1)  
16 shall be submitted in an unclassified form, but may  
17 include a classified annex. Consistent with the pro-  
18 tection of intelligence sources and methods, an un-  
19 classified summary of the key judgments of the re-  
20 port may be submitted.

21 (4) ELEMENTS.—The report submitted under  
22 paragraph (1) shall include the following:

23 (A) An assessment of the current manufac-  
24 turing capacity of the United States as it re-

1           lates to the ability of the United States to re-  
2           spond to both civilian and defense needs.

3           (B) An assessment of tax, trade, and regu-  
4           latory policies as they impact the growth of the  
5           manufacturing industry in the United States.

6           (C) An analysis of the factors leading to  
7           the increased outsourcing of manufacturing  
8           processes to foreign nations.

9           (D) An analysis of the strength of the  
10          United States defense industrial base, including  
11          the security and stability of the supply chain,  
12          and an assessment of the vulnerabilities and  
13          weak points of that supply chain.

14          (E) An analysis of the capacity of the civil-  
15          ian manufacturing industry to fulfill defense  
16          manufacturing needs when necessary.

17          (F) An analysis of the ability of the United  
18          States to access necessary raw materials for the  
19          defense industry, including rare earth minerals.

20          (G) A quantitative analysis of the position  
21          of the United States relative to the global de-  
22          fense market.

23          (H) An analysis of the changes in supply-  
24          side economics resulting from shifts in  
25          globalization trends.



1 (I) An analysis of the vulnerability of the  
2 United States defense products that could po-  
3 tentially be corrupted by malicious software,  
4 such as spyware, malware, and viruses.

5 (J) A quantitative analysis of the risk fac-  
6 ing the defense supply chain of the United  
7 States and the processes currently in place to  
8 manage such risk.

9 (c) PRESIDENTIAL REPORT ON POLICY OBJECTIVES  
10 AND UNITED STATES STRATEGY REGARDING THE  
11 UNITED STATES MANUFACTURING INDUSTRY.—

12 (1) REPORT REQUIRED.—As soon as is prac-  
13 ticable, but not later than 180 days after the date  
14 of the enactment of this Act, the President shall  
15 submit to Congress a report on—

16 (A) the objectives of United States policy  
17 regarding the manufacturing industry of the  
18 United States; and

19 (B) the strategy for achieving those objec-  
20 tives.

21 (2) FORM.—The report under paragraph (1)  
22 shall be submitted in unclassified form, but may in-  
23 clude a classified annex.

24 (3) ELEMENTS.—The report submitted under  
25 paragraph (1) shall—

1 (A) address the role of diplomacy, incen-  
2 tives, sanctions, other punitive measures and in-  
3 centives, and other programs and activities re-  
4 lating to the manufacturing industry of the  
5 United States for which funds are provided by  
6 Congress; and

7 (B) summarize United States planning re-  
8 garding the range of possible United States ac-  
9 tions in support of United States policy objec-  
10 tives with respect to the manufacturing indus-  
11 try of the United States.

12 **SEC. 1099M. CLOSING OF NATIONAL DRUG INTELLIGENCE**  
13 **CENTER.**

14 Section 9078 of the Department of Defense Appro-  
15 priations Act, 1993 (Public Law 102–396; 106 Stat.  
16 1919) is amended by striking “There is established” and  
17 all that follows through “That section 8083” and inserting  
18 “Section 8083”.

19 **SEC. 1099N. SUNKEN MILITARY CRAFT.**

20 Section 1408(3) of the Ronald W. Reagan National  
21 Defense Authorization Act for Fiscal Year 2005 (10  
22 U.S.C. 113 note) is amended—

23 (1) in subparagraph (A), by inserting “, that  
24 was” before “on military noncommercial service”;  
25 and

1           (2) in subparagraph (B), by inserting a comma  
2           before “that was owned or operated”.

3 **SEC. 10990. PROCLAMATION FOR NATIONAL DAY OF**  
4           **HONOR TO CELEBRATE MEMBERS OF THE**  
5           **ARMED FORCES RETURNING FROM IRAQ, AF-**  
6           **GHANISTAN, AND OTHER COMBAT AREAS.**

7           The President shall designate a day entitled a Na-  
8           tional Day of Honor to celebrate members of the Armed  
9           Forces who are returning from deployment in support of  
10          Iraq, Afghanistan, and other combat areas.

11 **TITLE XI—CIVILIAN PERSONNEL**  
12           **MATTERS**

13 **SEC. 1101. AMENDMENTS TO DEPARTMENT OF DEFENSE**  
14           **PERSONNEL AUTHORITIES.**

15          (a) CAREER PATHS.—Section 9902(a)(1) of title 5,  
16          United States Code, is amended—

17               (1) by redesignating subparagraph (D) as sub-  
18               paragraph (E); and

19               (2) by inserting after subparagraph (C) the fol-  
20               lowing:

21                       “(D) Development of attractive career paths.”.

22          (b) APPOINTMENT FLEXIBILITIES.—Section 9902(b)  
23          of title 5, United States Code, is amended by adding at  
24          the end the following:

1       “(5) The Secretary shall develop a training program  
2 for Department of Defense human resource professionals  
3 to implement the requirements in this subsection.

4       “(6) The Secretary shall develop indicators of effec-  
5 tiveness to determine whether appointment flexibilities  
6 under this subsection have achieved the objectives set  
7 forth in paragraph (1).”.

8       (c) **ADDITIONAL REQUIREMENTS.**—Section 9902(c)  
9 of title 5, United States Code, is amended—

10           (1) by redesignating paragraphs (6) and (7) as  
11 paragraphs (8) and (9), respectively; and

12           (2) by inserting after paragraph (5) the fol-  
13 lowing:

14           “(6) provide mentors to advise individuals on  
15 their career paths and opportunities to advance and  
16 excel within their fields;

17           “(7) develop appropriate procedures for warn-  
18 ings during performance evaluations for employees  
19 who fail to meet performance standards;”.

20       (d) **TECHNICAL AND CONFORMING AMENDMENTS.**—

21           (1) **TECHNICAL AMENDMENT.**—The heading for  
22 chapter 99 of title 5, United States Code, is amend-  
23 ed to read as follows:

1 **“CHAPTER 99—DEPARTMENT OF DEFENSE**  
 2 **PERSONNEL AUTHORITIES”.**

3 (2) CONFORMING AMENDMENT.—The table of  
 4 chapters for part III of title 5, United States Code,  
 5 is amended by striking the item relating to chapter  
 6 99 and inserting the following:

“99. Department of Defense Personnel Authorities ..... 9901”.

7 **SEC. 1102. PROVISIONS RELATING TO THE DEPARTMENT**  
 8 **OF DEFENSE PERFORMANCE MANAGEMENT**  
 9 **SYSTEM.**

10 (a) IN GENERAL.—Section 9902 of title 5, United  
 11 States Code, is amended by adding at the end the fol-  
 12 lowing:

13 “(h) REPORTS.—

14 “(1) IN GENERAL.—Not later than 1 year after  
 15 the implementation of any performance management  
 16 and workforce incentive system under subsection (a)  
 17 or any procedures relating to personnel appointment  
 18 flexibilities under subsection (b) (whichever is ear-  
 19 lier), and whenever any significant action is taken  
 20 under any of the preceding provisions of this section  
 21 (but at least biennially) thereafter, the Secretary  
 22 shall—

23 “(A) conduct appropriately designed and  
 24 statistically valid internal assessments or em-  
 25 ployee surveys to assess employee perceptions of

1 any program, system, procedures, or other as-  
2 pect of personnel management, as established  
3 or modified under authority of this section; and

4 “(B) submit to the appropriate committees  
5 of Congress and the Comptroller General, a re-  
6 port describing the results of the assessments  
7 or surveys conducted under subparagraph (A)  
8 (including the methodology used), together with  
9 any other information which the Secretary con-  
10 siders appropriate.

11 “(2) REVIEW.—After receiving any report  
12 under paragraph (1), the Comptroller General—

13 “(A) shall review the assessments or sur-  
14 veys described in such report to determine if  
15 they were appropriately designed and statis-  
16 tically valid;

17 “(B) shall conduct a review of the extent  
18 to which the program, system, procedures, or  
19 other aspect of program management concerned  
20 (as described in paragraph (1)(A)) is fair, cred-  
21 ible, transparent, and otherwise in conformance  
22 with the requirements of this section; and

23 “(C) within 6 months after receiving such  
24 report, shall submit to the appropriate commit-  
25 tees of Congress—

1           “(i) an independent evaluation of the  
2           results of the assessments or surveys re-  
3           viewed under subparagraph (A), and

4           “(ii) the findings of the Comptroller  
5           General based on the review under sub-  
6           paragraph (B),

7           together with any recommendations the Comp-  
8           troller General considers appropriate.

9           “(3) DEFINITION.—For purposes of this sub-  
10          section, the term ‘appropriate committees of Con-  
11          gress’ means—

12           “(A) the Committees on Armed Services of  
13          the Senate and the House of Representatives;

14           “(B) the Committee on Homeland Security  
15          and Governmental Affairs of the Senate; and

16           “(C) the Committee on Oversight and Gov-  
17          ernment Reform of the House of Representa-  
18          tives.”.

19          (b) AMENDMENT RELATING TO CERTAIN RE-  
20          PORTS.—Section 1113(e) of the National Defense Author-  
21          ization Act for Fiscal Year 2010 (Public Law 111–84; 123  
22          Stat. 2502) is amended to read as follows:

23           “(e) REPORTS.—The Secretary of Defense shall sub-  
24          mit to the covered committees (as defined by subsection  
25          (g)(6))—

1           “(1) no later than 6 months after the date of  
2           enactment of this Act, a report on the initial steps  
3           being taken to reclassify positions from the NSPS  
4           and the initial conversion plan to begin converting  
5           employees from the NSPS, which information shall  
6           be supplemented by reports describing the progress  
7           of the conversion process which shall be submitted to  
8           the same committees on a semiannual basis until the  
9           conversion is fully completed;

10           “(2) no later than 12 months after the date of  
11           enactment of this Act and semiannually thereafter  
12           until fully implemented—

13                   “(A) a plan for the personnel management  
14                   system, as authorized by section 9902(a) of title  
15                   5, United States Code (as amended by this sec-  
16                   tion); and

17                   “(B) progress reports on the design and  
18                   implementation of the personnel management  
19                   system (as described in subparagraph (A)); and

20           “(3) no later than 12 months after the date of  
21           enactment of this Act and semiannually thereafter  
22           until fully implemented—

23                   “(A) a plan for the appointment proce-  
24                   dures, as authorized by section 9902(b) of such  
25                   title 5 (as so amended); and



1           “(B) progress reports on the design and  
2           implementation of the appointment procedures  
3           (as described in subparagraph (A)).

4 Implementation of a plan described in paragraph (2)(A)  
5 may not commence before the 90th day after the date on  
6 which such plan is submitted under this subsection to the  
7 covered committees.”.

8           (c) REPEAL OF SUPERSEDED PROVISION.—Section  
9 1106(b) of the National Defense Authorization Act for  
10 Fiscal Year 2008 (Public Law 110–181; 122 Stat. 357),  
11 as amended by section 1113(h) of the National Defense  
12 Authorization Act for Fiscal Year 2010 (Public Law 111–  
13 84; 123 Stat. 2503), is repealed.

14 **SEC. 1103. REPEAL OF SUNSET PROVISION RELATING TO**  
15                           **DIRECT HIRE AUTHORITY AT DEMONSTRA-**  
16                           **TION LABORATORIES.**

17           Section 1108 of the Duncan Hunter National De-  
18 fense Authorization Act for Fiscal Year 2009 (Public Law  
19 110–417; 10 U.S.C. 1580 note) is amended by striking  
20 subsection (e).

21 **SEC. 1104. DENIAL OF CERTAIN PAY ADJUSTMENTS FOR**  
22                           **UNACCEPTABLE PERFORMANCE.**

23           (a) ANNUAL PAY ADJUSTMENTS.—Section 5303 of  
24 title 5, United States Code, is amended by adding at the  
25 end the following:

1 “(h)(1) Notwithstanding any other provision of this  
2 section, an adjustment under this section shall not be  
3 made in the case of any employee having an unacceptable  
4 performance rating.

5 “(2) For purposes of administering any provision of  
6 law, rule, or regulation which—

7 “(A) provides premium pay, retirement, life in-  
8 surance, or other employee benefit, which requires  
9 any deduction or contribution,

10 “(B) imposes any requirement or limitation, or

11 “(C) requires any other computation (such as  
12 under section 5304(c)(1)(B)),

13 on the basis of a rate of basic pay, the rate of basic pay  
14 payable after the application of paragraph (1) shall be  
15 treated as the rate of basic pay for the employee in-  
16 volved.”.

17 (b) REGULATIONS.—The Director of the Office of  
18 Personnel Management may prescribe any regulations  
19 necessary to carry out the purposes of this section.

20 **SEC. 1105. REVISIONS TO BENEFICIARY DESIGNATION PRO-**  
21 **VISIONS FOR DEATH GRATUITY PAYABLE**  
22 **UPON DEATH OF A GOVERNMENT EMPLOYEE.**

23 (a) AUTHORITY TO DESIGNATE MORE THAN 50 PER-  
24 CENT OF DEATH GRATUITY TO UNRELATED PERSONS.—

1 Section 8102a(d)(4) of title 5, United States Code, is  
2 amended—

3 (1) in the first sentence—

4 (A) by striking “covered by this section”  
5 and inserting “covered by subsection (a)”; and

6 (B) by striking “not more than 50 percent  
7 of the amount payable under this section” and  
8 inserting “all or a portion of the amount pay-  
9 able under this section”;

10 (2) in the second sentence, by striking “50 per-  
11 cent,” and inserting “100 percent,”; and

12 (3) in the third sentence, by inserting “(if  
13 any)” after “gratuity”.

14 (b) NOTICE TO SPOUSE OF DESIGNATION OF AN-  
15 OTHER PERSON TO RECEIVE PORTION OF DEATH GRA-  
16 TUIITY.—Section 8102a(d) of title 5, United States Code,  
17 is further amended by adding at the end the following:

18 “(6) If a person covered by subsection (a) has  
19 a spouse, but makes a designation under paragraph  
20 (4) for a person other than the spouse to receive all  
21 or a portion of the amount payable under this sec-  
22 tion, the head of the agency, or other entity, in  
23 which that person is employed shall provide notice of  
24 the designation to the spouse.”.

1 **SEC. 1106. EXTENSION OF AUTHORITY TO WAIVE ANNUAL**  
2 **LIMITATION ON PREMIUM PAY AND AGGRE-**  
3 **GATE LIMITATION ON PAY FOR FEDERAL CI-**  
4 **VILIAN EMPLOYEES WORKING OVERSEAS.**

5 Effective as of January 1, 2011, section 1101(a) of  
6 the Duncan Hunter National Defense Authorization Act  
7 for Fiscal Year 2009 (Public Law 110–417; 122 Stat.  
8 4615), as amended by section 1106(a) of the National De-  
9 fense Authorization Act for Fiscal Year 2010 (Public Law  
10 111–84; 123 Stat. 2487), is amended by striking “cal-  
11 endar years 2009 and 2010” and inserting “calendar  
12 years 2011 and 2012”.

13 **SEC. 1107. WAIVER OF CERTAIN PAY LIMITATIONS.**

14 Section 9903(d) of title 5, United States Code, is  
15 amended—

16 (1) by amending paragraph (2) to read as fol-  
17 lows:

18 “(2) An employee appointed under this section is not  
19 eligible for any bonus, monetary award, or other monetary  
20 incentive for service, except for—

21 “(A) payments authorized under this section;  
22 and

23 “(B) in the case of an employee who is assigned  
24 in support of a contingency operation (as defined in  
25 section 101(a)(13) of title 10), allowances and any  
26 other payments authorized under chapter 59.”; and

1           (2) in paragraph (3), by adding at the end the  
2 following: “In computing an employee’s total annual  
3 compensation for purposes of the preceding sen-  
4 tence, any payment referred to in paragraph (2)(B)  
5 shall be excluded.”.

6 **SEC. 1108. SERVICES OF POST-COMBAT CASE COORDINA-**  
7 **TORS.**

8           (a) IN GENERAL.—Chapter 79 of title 5, United  
9 States Code, is amended by adding at the end the fol-  
10 lowing:

11 **“§ 7906. Services of post-combat case coordinators**

12           “(a) DEFINITIONS.—For purposes of this section—

13                   “(1) the terms ‘employee’, ‘agency’, ‘injury’,  
14 ‘war-risk hazard’, and ‘hostile force or individual’  
15 have the meanings given those terms in section  
16 8101; and

17                   “(2) the term ‘qualified employee’ means an  
18 employee as described in subsection (b).

19           “(b) REQUIREMENT.—The head of each agency shall,  
20 in a manner consistent with the guidelines prescribed  
21 under subsection (c), provide for the assignment of a post-  
22 combat case coordinator in the case of any employee of  
23 such agency who suffers an injury or disability incurred,  
24 or an illness contracted, while in the performance of such  
25 employee’s duties, as a result of a war-risk hazard or dur-

1 ing or as a result of capture, detention, or other restraint  
2 by a hostile force or individual.

3 “(c) GUIDELINES.—The Office of Personnel Manage-  
4 ment shall, after such consultation as the Office considers  
5 appropriate, prescribe guidelines for the operation of this  
6 section. Under the guidelines, the responsibilities of a  
7 post-combat case coordinator shall include—

8 “(1) acting as the main point of contact for  
9 qualified employees seeking administrative guidance  
10 or assistance relating to benefits under chapter 81  
11 or 89;

12 “(2) assisting qualified employees in the collec-  
13 tion of documentation or other supporting evidence  
14 for the expeditious processing of claims under chap-  
15 ter 81 or 89;

16 “(3) assisting qualified employees in connection  
17 with the receipt of prescribed medical care and the  
18 coordination of benefits under chapter 81 or 89;

19 “(4) resolving problems relating to the receipt  
20 of benefits under chapter 81 or 89; and

21 “(5) ensuring that qualified employees are  
22 properly screened and receive appropriate treat-  
23 ment—

1           “(A) for post-traumatic stress disorder or  
2           other similar disorder stemming from combat  
3           trauma; or

4           “(B) for suicidal or homicidal thoughts or  
5           behaviors.

6           “(d) DURATION.—The services of a post-combat case  
7           coordinator shall remain available to a qualified employee  
8           until—

9           “(1) such employee accepts or declines a rea-  
10          sonable offer of employment in a position in the em-  
11          ployee’s agency for which the employee is qualified,  
12          which is not lower than 2 grades (or pay levels)  
13          below the employee’s grade (or pay level) before the  
14          occurrence or onset of the injury, disability, or ill-  
15          ness (as referred to in subsection (a)), and which is  
16          within the employee’s commuting area; or

17          “(2) such employee gives written notice, in such  
18          manner as the employing agency prescribes, that  
19          those services are no longer desired or necessary.”.

20          (b) CLERICAL AMENDMENT.—The table of sections  
21          for chapter 79 of title 5, United States Code, is amended  
22          by adding after the item relating to section 7905 the fol-  
23          lowing:

“7906. Services of post-combat case coordinators.”.

1 **SEC. 1109. AUTHORITY TO WAIVE RECOVERY OF CERTAIN**  
2 **PAYMENTS MADE UNDER CIVILIAN EMPLOY-**  
3 **EES VOLUNTARY SEPARATION INCENTIVE**  
4 **PROGRAM.**

5 (a) **WAIVER AUTHORITY.**—Subject to subsection (c),  
6 the Secretary of Defense may waive the requirement under  
7 subsection (f)(6)(B) of section 9902 of title 5, United  
8 States Code, for repayment to the Department of Defense  
9 of a voluntary separation incentive payment made under  
10 subsection (f)(1) of such section 9902 in the case of an  
11 employee or former employee of the Department of De-  
12 fense described in subsection (b).

13 (b) **PERSONS COVERED.**—Subsection (a) applies to  
14 any employee or former employee of the Department of  
15 Defense who—

16 (1) during the period beginning on April 1,  
17 2004, and ending on March 1, 2008, received a vol-  
18 untary separation incentive payment under section  
19 9902(f)(1) of title 5, United States Code;

20 (2) during the period beginning on June 1,  
21 2004, and ending on May 1, 2008, was reappointed  
22 to a position in the Department of Defense to sup-  
23 port a declared national emergency related to ter-  
24 rorism or a natural disaster; and

25 (3) as determined by the Secretary of De-  
26 fense—



1           (A) before accepting the reappointment re-  
2           ferred to in paragraph (2), received a written  
3           representation from an officer or employee of  
4           the Department of Defense that recovery of the  
5           amount of the payment referred to in para-  
6           graph (1) would not be required or would be  
7           waived; and

8           (B) reasonably relied on that representa-  
9           tion in accepting the reappointment.

10       (c) REQUIRED DETERMINATION.—The Secretary of  
11       Defense may grant a waiver under subsection (a) only if  
12       the Secretary determines that recovery of the payment in-  
13       volved would be against equity and good conscience or  
14       would be contrary to the best interests of the United  
15       States.

16       (d) DISCRETIONARY AUTHORITY.—In the case of an  
17       employee or former employee who is described in sub-  
18       section (b), and who, before the date of enactment of this  
19       Act, repaid any amount of a voluntary separation incentive  
20       payment made under section 9902(f)(1) of title 5, United  
21       States Code, the Secretary of Defense may grant a waiver  
22       in accordance with the subsections (a) through (c) and  
23       make a refund, out of any appropriation or fund available  
24       for that purpose, of any portion of such amount which  
25       the Secretary in his sole discretion considers appropriate.

1 **SEC. 1110. EXTENSION OF CONTINUED HEALTH BENEFITS.**

2 Section 8905a(d)(4)(B) of title 5, United States  
3 Code, is amended—

4 (1) by striking “December 31, 2011” each  
5 place it appears and inserting “December 31,  
6 2016”; and

7 (2) in clause (ii), by striking “February 1,  
8 2012” and inserting “February 1, 2017”.

9 **SEC. 1111. AUTHORITY TO WAIVE MAXIMUM AGE LIMIT FOR**  
10 **CERTAIN APPOINTMENTS.**

11 Section 3307(e) of title 5, United States Code, is  
12 amended—

13 (1) by striking “(e) The” and inserting “(e)(1)  
14 Except as provided in paragraph (2), the”; and

15 (2) by adding at the end the following:

16 “(2)(A) In the case of the conversion of an agency  
17 function from performance by a contractor to performance  
18 by an employee of the agency, the head of the agency may  
19 waive any maximum limit of age, determined or fixed for  
20 positions within such agency under paragraph (1), if nec-  
21 essary in order to promote the recruitment or appointment  
22 of experienced personnel.

23 “(B) For purposes of this paragraph—

24 “(i) the term ‘agency’ means the Department of  
25 Defense or a military department; and

1           “(ii) the term ‘head of the agency’ means the  
2           Secretary of Defense or the Secretary of a military  
3           department.”.

4   **SEC. 1112. SENSE OF CONGRESS RELATING TO PAY PARITY**  
5                           **FOR FEDERAL EMPLOYEES SERVING AT CER-**  
6                           **TAIN REMOTE MILITARY INSTALLATIONS.**

7           It is the sense of Congress that the Secretary of De-  
8           fense and the Director of the Office of Personnel Manage-  
9           ment should develop procedures for determining locality  
10          pay for employees of the Department of Defense in cir-  
11          cumstances that may be unique to such employees, such  
12          as the assignment of employees to a military installation  
13          so remote from the nearest established communities or  
14          suitable places of residence as to handicap significantly the  
15          recruitment or retention of well qualified individuals, due  
16          to the difference between the cost of living at the post of  
17          assignment and the cost of living in the locality or local-  
18          ities where such employees generally reside.

19   **SEC. 1113. REPORTS BY OFFICE OF SPECIAL COUNSEL.**

20          (a) IN GENERAL.—Section 1213(e) of title 5, United  
21          States Code, is amended by striking paragraphs (3) and  
22          (4) and inserting the following:

23          “(3) The Special Counsel shall transmit to the Presi-  
24          dent and the congressional committees with jurisdiction

1 over the agency which the disclosure (referred to in sub-  
2 section (a)) involves—

3           “(A) a concise summary of any report received  
4           from such agency under subsection (c) in connection  
5           with such disclosure; or

6           “(B) if a report is not received within the time  
7           prescribed in subsection (c)(2), written notice to that  
8           effect.

9 The Special Counsel may include, as part of any trans-  
10 mission under subparagraph (A) or (B), any additional in-  
11 formation or documentation which the Special Counsel  
12 considers appropriate.”.

13           (b) EFFECTIVE DATE.—The amendment made by  
14 subsection (a) shall apply in the case of any agency report  
15 which is due or received by the Office of Special Counsel  
16 after the end of the 30-day period beginning on the date  
17 of the enactment of this Act.

18 **SEC. 1114. DISCLOSURE OF SENIOR MENTORS.**

19           (a) REQUIREMENT TO DISCLOSE NAMES OF SENIOR  
20 MENTORS.—The Secretary of Defense shall disclose the  
21 names of senior mentors serving in the Department of De-  
22 fense by publishing a list of the names on the publicly  
23 available website of the Department of Defense. The list  
24 shall be updated at least quarterly.

1 (b) SENIOR MENTOR DEFINED.—In this section, the  
2 term “senior mentor” has the meaning provided in the  
3 memorandum from the Secretary of Defense relating to  
4 policy on senior mentors, dated April 1, 2010.

5 **SEC. 1115. TERMINATION OF JOINT SAFETY CLIMATE AS-**  
6 **SESSMENT SYSTEM.**

7 Effective as of October 1, 2011, or the date of the  
8 enactment of this Act, whichever is later, the Joint Safety  
9 Climate Assessment System of the Department of Defense  
10 is terminated.

11 **SEC. 1116. FEDERAL INTERNSHIP PROGRAMS.**

12 (a) IN GENERAL.—Subchapter I of chapter 31 of title  
13 5, United States Code, is amended by inserting after sec-  
14 tion 3111 the following:

15 **“§ 3111a. Federal internship programs**

16 “(a) INTERNSHIP COORDINATOR.—The head of each  
17 agency operating an internship program shall appoint an  
18 individual within such agency to serve as an internship  
19 coordinator.

20 “(b) ONLINE INFORMATION.—

21 “(1) AGENCIES.—The Office of Personnel Man-  
22 agement shall make publicly available on the Inter-  
23 net—

24 “(A) the name and contact information of  
25 the internship coordinator for each agency; and

1           “(B) information regarding application  
2           procedures and deadlines for each internship  
3           program.

4           “(2) OFFICE OF PERSONNEL MANAGEMENT.—  
5           The Office of Personnel Management shall make  
6           publicly available on the Internet links to the  
7           websites where the information described in para-  
8           graph (1) is displayed.

9           “(c) CENTRALIZED DATABASE.—The Office shall es-  
10          tablish and maintain a centralized electronic database that  
11          contains the names, contact information, and relevant  
12          skills of individuals who have completed or are nearing  
13          completion of an internship program and are currently  
14          seeking full-time Federal employment.

15          “(d) EXIT INTERVIEW REQUIREMENT.—The agency  
16          operating an internship program shall conduct an exit  
17          interview, and administer a survey (which shall be in con-  
18          formance with such guidelines or requirements as the Of-  
19          fice shall establish to ensure uniformity across agencies),  
20          with each intern who completes such program.

21          “(e) REPORT.—

22                 “(1) IN GENERAL.—The head of each agency  
23                 operating an internship program shall annually sub-  
24                 mit to the Office a report assessing such internship  
25                 program.

1           “(2) CONTENTS.—Each report required under  
2 paragraph (1) for an agency shall include, for the 1-  
3 year period ending on September 1 of the year in  
4 which the report is submitted—

5           “(A) the number of interns who partici-  
6 pated in an internship program at such agency;

7           “(B) information regarding the demo-  
8 graphic characteristics of interns at such agen-  
9 cy, including educational background;

10          “(C) a description of the steps taken by  
11 such agency to increase the percentage of in-  
12 terns who are offered permanent Federal jobs  
13 and the percentage of interns who accept the  
14 offers of such jobs, and any barriers encoun-  
15 tered;

16          “(D) a description of activities engaged in  
17 by such agency to recruit new interns, including  
18 locations and methods;

19          “(E) a description of the diversity of work  
20 roles offered within internship programs at such  
21 agency;

22          “(F) a description of the mentorship por-  
23 tion of such internship programs; and

24          “(G) a summary of exit interviews con-  
25 ducted and surveys administered by such agen-

1           cy with respect to interns upon their completion  
2           of an internship program at such agency.

3           “(3) SUBMISSION.—Each report required under  
4           paragraph (1) shall be submitted to the Office be-  
5           tween September 1 and September 30 of each year.  
6           Not later than December 30 of each year, the Office  
7           shall submit to Congress a report summarizing the  
8           information submitted to the Office in accordance  
9           with paragraph (1) for such year.

10          “(f) DEFINITIONS.—For purposes of this section—

11           “(1) the term ‘internship program’ means—

12                   “(A) a volunteer service program under  
13                   section 3111(b);

14                   “(B) the Student Educational Employment  
15                   Program (hereinafter ‘SCEP’), as established  
16                   under section 213.3202 of title 5 of the Code  
17                   of Federal Regulations (as in effect on January  
18                   1, 2009); and

19                   “(C) a program operated by a nongovern-  
20                   ment organization for the purpose of providing  
21                   paid internships in agencies pursuant to a writ-  
22                   ten agreement comparable to an SCEP agree-  
23                   ment under section 213.3202(b)(12) of title 5  
24                   of the Code of Federal Regulations (as in effect  
25                   on January 1, 2009);



1           “(2) the term ‘intern’ means an individual par-  
2           ticipating in an internship program; and

3           “(3) the term ‘agency’ means an Executive  
4           agency.”.

5           (b) CLERICAL AMENDMENT.—The table of sections  
6 for chapter 31 of title 5, United States Code, is amended  
7 by inserting after the item relating to section 3111 the  
8 following:

“3111a. Federal internship programs.”.

9       **TITLE XII—MATTERS RELATING**  
10           **TO FOREIGN NATIONS**  
11           **Subtitle A—Assistance and**  
12           **Training**

13       **SEC. 1201. EXPANSION OF AUTHORITY FOR SUPPORT OF**  
14           **SPECIAL OPERATIONS TO COMBAT TER-**  
15           **RORISM.**

16           (a) AUTHORITY.—Subsection (a) of section 1208 of  
17 the Ronald W. Reagan National Defense Authorization  
18 Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat.  
19 2086), as most recently amended by section 1201 of the  
20 Ike Skelton National Defense Authorization Act for Fiscal  
21 Year 2011 (Public Law 111–383; 124 Stat. 4385), is fur-  
22 ther amended by striking “\$45,000,000” and inserting  
23 “\$50,000,000”.

24           (b) EXTENSION.—Subsection (h) of such section, as  
25 most recently amended by section 1208(c) of the Duncan

1 Hunter National Defense Authorization Act for Fiscal  
2 Year 2009 (Public Law 110–417; 122 Stat. 4626), is fur-  
3 ther amended by striking “2013” and inserting “2014”.

4 (c) BRIEFING AND REPORT.—Not later than 90 days  
5 after the date of the enactment of this Act, the Secretary  
6 of Defense shall provide to the Committees on Armed  
7 Services of the Senate and House of Representatives a  
8 briefing and a report that outlines future requirements for  
9 the authorities contained in section 1208 of the Ronald  
10 W. Reagan National Defense Authorization Act for Fiscal  
11 Year 2005 (Public Law 108–375; 118 Stat.2086) (as  
12 amended by this section), authorities similar to the au-  
13 thorities contained in section 1208 of such Act, and au-  
14 thorities to support special operations counterterrorism,  
15 unconventional warfare, and irregular warfare in anticipa-  
16 tion of and preparation for the expiration of the authori-  
17 ties under section 1208 of such Act at the end of fiscal  
18 year 2014.

19 **SEC. 1202. MODIFICATION AND EXTENSION OF AUTHORI-**  
20 **TIES RELATING TO PROGRAM TO BUILD THE**  
21 **CAPACITY OF FOREIGN MILITARY FORCES.**

22 (a) LIMITATIONS.—

23 (1) IN GENERAL.—Subsection (c) of section  
24 1206 of the National Defense Authorization Act for  
25 Fiscal Year 2006 (Public Law 109–163; 119 Stat.

1 3456), as most recently amended by section 1207(a)  
2 of the Ike Skelton National Defense Authorization  
3 Act for Fiscal Year 2011 (Public Law 111–383; 124  
4 Stat. 4389), is further amended—

5 (A) in paragraph (1), by striking  
6 “\$350,000,000” and inserting “\$400,000,000”;  
7 and

8 (B) in paragraph (5)—

9 (i) by striking “and not more than”  
10 and inserting “not more than”; and

11 (ii) by inserting after “fiscal year  
12 2012” the following: “, and not more than  
13 \$150,000,000 may be used during fiscal  
14 year 2013”.

15 (2) EFFECTIVE DATE.—The amendments made  
16 by paragraph (1) shall take effect on the date of the  
17 enactment of this Act and shall apply with respect  
18 to programs under subsection (a) of such section  
19 that begin on or after that date.

20 (b) REPORT.—Subsection (f) of such section is  
21 amended to read as follows:

22 “(f) REPORT.—

23 “(1) IN GENERAL.—The President shall trans-  
24 mit to the congressional committees specified in sub-  
25 section (e)(3), as part of the supporting materials of

1 the annual congressional budget justification, a re-  
2 port on the implementation of this section for the  
3 prior fiscal year.

4 “(2) MATTERS TO BE INCLUDED.—The report  
5 required under paragraph (1) shall include the fol-  
6 lowing:

7 “(A) In the case of a program or programs  
8 to build the capacity of a foreign country’s na-  
9 tional military forces or maritime security  
10 forces to conduct counterterrorism operations,  
11 the extent to which the nature of the potential  
12 or actual terrorist threat is consistently and  
13 comprehensively verified by the Secretary of  
14 Defense prior to initiating a program or pro-  
15 grams.

16 “(B) The extent to which foreign countries  
17 participate in the preparation of a program or  
18 programs under this section, to include the de-  
19 velopment of a full concept of operations for the  
20 program or programs under this section.

21 “(C) The extent to which proposal submis-  
22 sions of foreign countries evaluate the commit-  
23 ment and capability of foreign countries to im-  
24 plement a program or programs under this sec-  
25 tion or otherwise identify specific funds nec-

1           essary for sustainment of a program or pro-  
2           grams under this section.

3           “(D) A statement of current policies, re-  
4           sponsibilities, procedures, and reporting re-  
5           quirements that assist with the conduct or sup-  
6           port of a program or programs under this sec-  
7           tion.

8           “(E) The extent to which United States  
9           embassies and security assistance officers with  
10          responsibility for conducting or supporting a  
11          program or programs under this section are  
12          able to track actual obligation and expenditures  
13          of funds, funds rendered unavailable for obliga-  
14          tion, and other financial data similar to data re-  
15          quired by the financial management system for  
16          the Foreign Military Sales program.

17          “(F) The extent to which the United  
18          States Government has developed and imple-  
19          mented specific plans to monitor and evaluate  
20          outcomes of a program or programs under this  
21          section.”.

22          (c) ONE-YEAR EXTENSION OF AUTHORITY.—Sub-  
23          section (g) of such section, as most recently amended by  
24          section 1207(b) of the Ike Skelton National Defense Au-

1 thORIZATION Act for Fiscal Year 2011 (Public Law 111–  
2 383; 124 Stat. 4389), is further amended by—

3 (1) by striking “September 30, 2012” and in-  
4 serting “September 30, 2013”; and

5 (2) by striking “fiscal years 2006 through  
6 2012” and inserting “fiscal years 2006 through  
7 2013”.

8 **SEC. 1203. FIVE-YEAR EXTENSION OF AUTHORIZATION FOR**  
9 **NON-CONVENTIONAL ASSISTED RECOVERY**  
10 **CAPABILITIES.**

11 Section 943(h) of the Duncan Hunter National De-  
12 fense Authorization Act for Fiscal Year 2009 (Public Law  
13 110–417; 122 Stat. 4579) is amended by striking “2011”  
14 and inserting “2016”.

15 **SEC. 1204. GLOBAL SECURITY CONTINGENCY FUND.**

16 (a) AUTHORITY.—

17 (1) IN GENERAL.—The Secretary of State, with  
18 the concurrence of the Secretary of Defense, is au-  
19 thorized to establish a fund, to be known as the  
20 Global Security Contingency Fund, which shall con-  
21 sist of such amounts as may be contributed under  
22 paragraph (2) to the fund, to provide assistance to  
23 a foreign country described in subsection (b) for the  
24 purposes described in subsection (c). The program  
25 authorized under this subsection shall be jointly fi-

1 nanced and carried out by the Department of State  
2 and the Department of Defense in accordance with  
3 the requirements of this section.

4 (2) CONTRIBUTIONS TO FUND.—

5 (A) IN GENERAL.—For each of fiscal years  
6 2012 through 2015, the Secretary of State and  
7 the Secretary of Defense may contribute not  
8 more than \$300,000,000 of amounts made  
9 available to carry out the provisions of law de-  
10 scribed in subsection (d).

11 (B) AVAILABILITY.—Notwithstanding any  
12 other provision of law, amounts contributed  
13 under this paragraph to the fund shall be  
14 merged with amounts in the fund and shall be  
15 available for purposes of carrying out the pro-  
16 gram authorized under this subsection.

17 (3) LIMITATION.—The authority of this sub-  
18 section may not be exercised with respect to a fiscal  
19 year until—

20 (A) the Secretary of State contributes to  
21 the fund not less than one-third of the total  
22 amount contributed to the fund for the fiscal  
23 year; and

24 (B) the Secretary of Defense contributes to  
25 the fund not more than two-thirds of the total

1 amount contributed to the fund for the fiscal  
2 year.

3 (4) RULE OF CONSTRUCTION.—The ratios of  
4 contributions described in paragraph (3) shall be de-  
5 termined at the beginning of a fiscal year and may  
6 not be determined on a project-by-project basis.

7 (b) ELIGIBLE FOREIGN COUNTRIES.—A foreign  
8 country described in this subsection is a country that is  
9 designated by the Secretary of State, with the concurrence  
10 of the Secretary of Defense, and is eligible to receive as-  
11 sistance under one or more of the provisions of law de-  
12 scribed in subsection (d).

13 (c) PURPOSE OF PROGRAM.—The program author-  
14 ized under subsection (a) may provide assistance to en-  
15 hance the capabilities of military forces, and other security  
16 forces that conduct border and maritime security, and  
17 counterterrorism operations, as well as the government  
18 agencies responsible for such forces, in order to strengthen  
19 a foreign country's national and regional security interests  
20 consistent with United States foreign policy interests.

21 (d) PROVISIONS OF LAW DESCRIBED.—The provi-  
22 sions of law described in this subsection are the following:

23 (1) Section 1206 of the National Defense Au-  
24 thorization Act for Fiscal Year 2006 (Public Law



1 109–163; 119 Stat. 3456; relating to program to  
2 build the capacity of foreign military forces).

3 (2) Section 1033 of the National Defense Au-  
4 thorization Act for Fiscal Year 1998 (Public Law  
5 105–85; 111 Stat. 1881; relating to authority to  
6 provide additional support for counter-drug activities  
7 of other countries).

8 (3) Amounts authorized to be appropriated by  
9 section 301 for operation and maintenance, Defense-  
10 wide activities, and available for the Defense Secu-  
11 rity Cooperation Agency for the Warsaw Initiative  
12 Funds (WIF) for the participation of the North At-  
13 lantic Treaty Organization (NATO) members in the  
14 exercises and programs of the Partnership for Peace  
15 program of the North Atlantic Treaty Organization.

16 (4) Section 23 of the Arms Export Control Act  
17 (22 U.S.C. 2763; relating to foreign military financ-  
18 ing program).

19 (5) Section 481 of the Foreign Assistance Act  
20 of 1961 (22 U.S.C. 2291; relating to international  
21 narcotics control and law enforcement).

22 (6) Chapter 5 of part II of the Foreign Assist-  
23 ance Act of 1961 (22 U.S.C. 2347 et seq.; relating  
24 to international military education and training pro-  
25 gram).

1           (7) Chapter 8 of part II of the Foreign Assist-  
2           ance Act of 1961 (22 U.S.C. 2349aa et seq.; relating  
3           to antiterrorism assistance).

4           (e) FORMULATION AND EXECUTION OF PROGRAM.—

5           (1) IN GENERAL.—The program authorized  
6           under subsection (a)—

7                   (A) shall be jointly formulated by the Sec-  
8                   retary of State and the Secretary of Defense;  
9                   and

10                   (B) shall, prior to its implementation, be  
11                   approved by the Secretary of State, with the  
12                   concurrence of the Secretary of Defense.

13           (2) REQUIRED ELEMENTS.—The program au-  
14           thorized under subsection (a) shall include elements  
15           that promote—

16                   (A) observance of and respect for human  
17                   rights and fundamental freedoms; and

18                   (B) respect for legitimate civilian author-  
19                   ity.

20           (f) RELATED AUTHORITIES.—

21           (1) IN GENERAL.—The program authorized  
22           under subsection (a) shall be—

23                   (A) jointly financed by the Secretary of  
24                   State and the Secretary of Defense through  
25                   amounts contributed to the fund under sub-

1 section (a)(2) from one or more provisions of  
2 law described in subsection (d) under which the  
3 foreign country is eligible to receive assistance;  
4 and

5 (B) carried out under the authorities of  
6 such provisions of law and the authorities of  
7 this section.

8 (2) ADMINISTRATIVE AUTHORITIES.—Funds  
9 made available under a program authorized under  
10 subsection (a) shall be subject to the same adminis-  
11 trative authorities as apply to funds made available  
12 to carry out the Foreign Assistance Act of 1961 (22  
13 U.S.C. 2151 et seq.).

14 (3) LIMITATION ON ELIGIBLE COUNTRIES.—  
15 The program authorized under subsection (a) may  
16 not include the provision of assistance to—

17 (A) any foreign country that is otherwise  
18 prohibited from receiving such assistance under  
19 any other provision of law; or

20 (B) Iraq, Afghanistan, or Pakistan.

21 (g) CONGRESSIONAL NOTIFICATION.—

22 (1) IN GENERAL.—Not less than 15 days before  
23 implementing an activity under the program author-  
24 ized under subsection (a), the Secretary of State,  
25 with the concurrence of the Secretary of Defense,

1 shall submit to the congressional committees speci-  
2 fied in paragraph (2) a notification of—

3 (A) the name of the country with respect  
4 to which the activity will be implemented; and

5 (B) the budget, implementation timeline  
6 with milestones, and completion date for the ac-  
7 tivity.

8 (2) SPECIFIED CONGRESSIONAL COMMIT-  
9 TEES.—The congressional committees specified in  
10 this paragraph are—

11 (A) the Committee on Armed Services, the  
12 Committee on Foreign Relations, and the Com-  
13 mittee on Appropriations of the Senate; and

14 (B) the Committee on Armed Services, the  
15 Committee on Foreign Affairs, and the Com-  
16 mittee on Appropriations of the House of Rep-  
17 resentatives.

18 (h) RULE OF CONSTRUCTION.—Nothing in this sec-  
19 tion shall be construed to constitute an authorization or  
20 extension of any of the provisions of law described in sub-  
21 section (d).

22 (i) TERMINATION OF PROGRAM.—The authority to  
23 carry out the program authorized under subsection (a) ter-  
24 minates at the close of September 30, 2015. An activity  
25 under the program directed before that date may be com-

1 pleted after that date, but only using funds made available  
2 for fiscal years 2012 through 2015.

3 **SEC. 1205. THREE-YEAR EXTENSION OF TEMPORARY AU-**  
4 **THORITY TO USE ACQUISITION AND CROSS-**  
5 **SERVICING AGREEMENTS TO LEND MILITARY**  
6 **EQUIPMENT FOR PERSONNEL PROTECTION**  
7 **AND SURVIVABILITY.**

8 (a) **AUTHORITY.**—Subsection (a) of section 1202 of  
9 the John Warner National Defense Authorization Act for  
10 Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2412),  
11 as amended by section 1203(a) of the Ike Skelton Na-  
12 tional Defense Authorization Act for Fiscal Year 2011  
13 (Public Law 111–383; 124 Stat. 4386), is further amend-  
14 ed—

15 (1) in paragraph (1), by striking “Iraq or”; and

16 (2) in paragraph (3)—

17 (A) in subparagraph (A), by striking “Iraq  
18 or”; and

19 (B) in subparagraph (C), by striking  
20 “Iraq, Afghanistan, or” and inserting “Afghani-  
21 stan or”.

22 (b) **EXPIRATION.**—Subsection (e) of such section, as  
23 amended by section 1204(b) of the Duncan Hunter Na-  
24 tional Defense Authorization Act for Fiscal Year 2009  
25 (Public Law 110–417; 122 Stat. 4623), is further amend-

1 ed by striking “September 30, 2011” and inserting “Sep-  
2 tember 30, 2014”.

3 **SEC. 1206. INTERAGENCY WORKING GROUP ON FOREIGN**  
4 **POLICE TRAINING.**

5 (a) ESTABLISHMENT; DUTIES.—There is established  
6 an interagency working group to monitor the foreign po-  
7 lice training programs, projects, and activities of the var-  
8 ious Federal departments and agencies and coordinate and  
9 unify such programs, projects, and activities under a sin-  
10 gle strategic framework.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-  
12 gress that the interagency working group should establish  
13 a strategy to specify the goals of the foreign police training  
14 programs, projects, and activities described in subsection  
15 (a), the strategies for achieving such goals, and quantifi-  
16 able metrics for measuring success. The strategy should  
17 also include an interagency mechanism to coordinate the  
18 actions of the Federal departments and agencies carrying  
19 out such programs, projects, and activities.

20 (c) MEMBERSHIP.—

21 (1) IN GENERAL.—The interagency working  
22 group shall consist of representatives from the De-  
23 partments of Defense, State, Justice, Homeland Se-  
24 curity, Treasury, and Energy, the United States

1 Agency for International Development, and the Mil-  
2 lennium Challenge Corporation.

3 (2) CHAIRPERSON.—The representative from  
4 the Department of Defense shall serve as the chair-  
5 person of the interagency working group.

6 (d) REPORT.—The interagency working group shall  
7 submit to Congress an annual report on the activities of  
8 the interagency working group for the preceding year.

9 **Subtitle B—Matters Relating to**  
10 **Iraq, Afghanistan, and Pakistan**

11 **SEC. 1211. AUTHORITY TO ESTABLISH A PROGRAM TO DE-**  
12 **VELOP AND CARRY OUT INFRASTRUCTURE**  
13 **PROJECTS IN AFGHANISTAN.**

14 Section 1217(f) of the Ike Skelton National Defense  
15 Authorization Act for Fiscal Year 2011 (Public Law 111–  
16 383; 124 Stat. 4393; 22 U.S.C. 7513 note) is amended—

17 (1) in paragraph (1)—

18 (A) by striking “The” and inserting “Sub-  
19 ject to paragraph (2), the”;

20 (B) by striking “\$400,000,000” and in-  
21 serting “\$475,000,000”; and

22 (C) by striking “fiscal year 2011” and in-  
23 serting “fiscal year 2012”;

24 (2) by redesignating paragraph (2) as para-  
25 graph (3);

1           (3) by inserting after paragraph (1) the fol-  
2           lowing new paragraph:

3           “(2) LIMITATION.—The Secretary of Defense  
4           may use not more than 85 percent of the amount  
5           specified in paragraph (1) to carry out the program  
6           authorized under subsection (a) until the Secretary  
7           of Defense, in consultation with the Secretary of  
8           State, submits to the appropriate congressional com-  
9           mittees a plan for the allocation and use of funds  
10          under the program for fiscal year 2012.”; and

11          (4) in paragraph (3) (as redesignated), by strik-  
12          ing “September 30, 2012” and inserting “September  
13          30, 2013”.

14 **SEC. 1212. COMMANDERS’ EMERGENCY RESPONSE PRO-**  
15 **GRAM IN AFGHANISTAN.**

16          (a) AUTHORITY FOR FISCAL YEAR 2012.—During  
17          fiscal year 2012, from funds made available to the Depart-  
18          ment of Defense for operation and maintenance, not to  
19          exceed \$425,000,000 may be used by the Secretary of De-  
20          fense in such fiscal year to provide funds for the Com-  
21          manders’ Emergency Response Program in Afghanistan.

22          (b) QUARTERLY REPORTS AND BRIEFINGS.—

23                  (1) QUARTERLY REPORTS.—Not later than 30  
24                  days after the end of each fiscal year quarter of fis-  
25                  cal year 2012, the Secretary of Defense shall submit



1 to the congressional defense committees a report re-  
2 garding the source of funds and the allocation and  
3 use of funds during that quarter that were made  
4 available pursuant to the authority provided in this  
5 section or under any other provision of law for the  
6 purposes of the program under subsection (a).

7 (2) FORM.—Each report required under para-  
8 graph (1) shall be submitted, at a minimum, in a  
9 searchable electronic format that enables the con-  
10 gressional defense committees to sort the report by  
11 amount expended, location of each project, type of  
12 project, or any other field of data that is included  
13 in the report.

14 (3) BRIEFINGS.—Not later than 15 days after  
15 the submission of each report required under para-  
16 graph (1), appropriate officials of the Department of  
17 Defense shall meet with the congressional defense  
18 committees to brief such committees on the matters  
19 contained in the report.

20 (c) SUBMISSION OF GUIDANCE.—

21 (1) INITIAL SUBMISSION.—Not later than 30  
22 days after the date of the enactment of this Act, the  
23 Secretary of Defense shall submit to the congress-  
24 sional defense committees a copy of the guidance  
25 issued by the Secretary to the Armed Forces con-

1 cerning the allocation of funds through the Com-  
2 manders' Emergency Response Program in Afghani-  
3 stan.

4 (2) MODIFICATIONS.—If the guidance in effect  
5 for the purpose stated in paragraph (1) is modified,  
6 the Secretary shall submit to the congressional de-  
7 fense committees a copy of the modification not later  
8 than 15 days after the date on which the Secretary  
9 makes the modification.

10 (d) WAIVER AUTHORITY.—For purposes of exer-  
11 cising the authority provided by this section or any other  
12 provision of law making funding available for the Com-  
13 manders' Emergency Response Program in Afghanistan,  
14 the Secretary of Defense may waive any provision of law  
15 not contained in this section that would (but for the waiv-  
16 er) prohibit, restrict, limit, or otherwise constrain the exer-  
17 cise of that authority.

18 (e) RESTRICTION ON AMOUNT OF PAYMENTS.—  
19 Funds made available under this section for the Com-  
20 manders' Emergency Response Program in Afghanistan  
21 may not be obligated or expended to carry out any project  
22 if the total amount of funds made available for the pur-  
23 pose of carrying out the project, including any ancillary  
24 or related elements of the project, exceeds \$20,000,000.

1 (f) NOTIFICATION.—Not less than 15 days before ob-  
2 ligating or expending funds made available under this sec-  
3 tion for the Commanders' Emergency Response Program  
4 in Afghanistan for a project in Afghanistan with a total  
5 anticipated cost of \$5,000,000 or more, the Secretary of  
6 Defense shall submit to the congressional defense commit-  
7 tees a written notice containing the following information:

8 (1) The location, nature, and purpose of the  
9 proposed project, including how the project is in-  
10 tended to advance the military campaign plan for  
11 Afghanistan.

12 (2) The budget and implementation timeline for  
13 the proposed project, including any other funding  
14 under the Commanders' Emergency Response Pro-  
15 gram in Afghanistan that has been or is anticipated  
16 to be contributed to the completion of the project.

17 (3) A plan for the sustainment of the proposed  
18 project, including any agreement with either the  
19 Government of Afghanistan, a department or agency  
20 of the United States Government other than the De-  
21 partment of Defense, or a third party contributor to  
22 finance the sustainment of the activities and mainte-  
23 nance of any equipment or facilities to be provided  
24 through the proposed project.

1 (g) DEFINITION.— In this section, the term “Com-  
2 manders’ Emergency Response Program in Afghanistan”  
3 means the program that—

4 (1) authorizes United States military com-  
5 manders in Afghanistan to carry out small-scale  
6 projects designed to meet urgent humanitarian relief  
7 requirements or urgent reconstruction requirements  
8 within their areas of responsibility; and

9 (2) provides an immediate and direct benefit to  
10 the people of Afghanistan.

11 (h) CONFORMING AMENDMENT.—Section 1202 of the  
12 National Defense Authorization Act for Fiscal Year 2006  
13 (Public Law 109–163; 119 Stat. 3455), as most recently  
14 amended by section 1212 of the Ike Skelton National De-  
15 fense Authorization Act for Fiscal Year 2011 (Public Law  
16 111–383; 124 Stat. 4389), is hereby repealed.

17 **SEC. 1213. EXTENSION OF AUTHORITY FOR REIMBURSE-**  
18 **MENT OF CERTAIN COALITION NATIONS FOR**  
19 **SUPPORT PROVIDED TO UNITED STATES**  
20 **MILITARY OPERATIONS.**

21 (a) EXTENSION OF AUTHORITY.—Subsection (a) of  
22 section 1233 of the National Defense Authorization Act  
23 for Fiscal Year 2008 (Public Law 110–181; 122 Stat.  
24 393), as most recently amended by section 1213 of the  
25 Ike Skelton National Defense Authorization Act for Fiscal

1 Year 2011 (Public Law 111–383; 124 Stat. 4391), is fur-  
2 ther amended by striking “section 1510 of the Ike Skelton  
3 National Defense Authorization Act for Fiscal Year 2011”  
4 and inserting “section 1504 of the National Defense Au-  
5 thorization Act for Fiscal Year 2012”.

6 (b) LIMITATION ON AMOUNT.—Subsection (d)(1) of  
7 such section, as so amended, is further amended in the  
8 second sentence by striking “fiscal year 2010 or 2011”  
9 and inserting “fiscal year 2010, 2011, or 2012”.

10 (c) EXTENSION OF NOTICE REQUIREMENT RELAT-  
11 ING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT  
12 PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the Na-  
13 tional Defense Authorization Act for Fiscal Year 2008  
14 (Public Law 110–181; 122 Stat. 393), as most recently  
15 amended by section 1213 of the Ike Skelton National De-  
16 fense Authorization Act for Fiscal Year 2011 (Public Law  
17 111–383; 124 Stat. 4391), is further amended by striking  
18 “September 30, 2012” and inserting “September 30,  
19 2013”.

20 **SEC. 1214. EXTENSION AND MODIFICATION OF PAKISTAN**  
21 **COUNTERINSURGENCY FUND.**

22 (a) IN GENERAL.—Section 1224(h) of the National  
23 Defense Authorization Act for Fiscal Year 2010 (Public  
24 Law 111–84; 123 Stat. 2521), as amended by section  
25 1220 of the Ike Skelton National Defense Authorization

1 Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat.  
2 4395), is further amended by striking “September 30,  
3 2011” both places it appears and inserting “September  
4 30, 2012”.

5 (b) LIMITATION ON FUNDS SUBJECT TO REPORT  
6 AND UPDATES.—

7 (1) LIMITATION ON FUNDS; REPORT RE-  
8 QUIRED.—

9 (A) IN GENERAL.—Of the amounts appro-  
10 priated or transferred to the Pakistan Counter-  
11 insurgency Fund (hereafter in this subsection  
12 referred to as the “Fund”) for any fiscal year  
13 after fiscal year 2011, not more than 25 per-  
14 cent of such amounts may be obligated or ex-  
15 pended until such time as the Secretary of De-  
16 fense, with the concurrence of the Secretary of  
17 State, submits to the appropriate congressional  
18 committees a report on the strategy to utilize  
19 the Fund and the metrics used to determine  
20 progress with respect to the Fund.

21 (B) MATTER TO BE INCLUDED.—Such re-  
22 port shall include, at a minimum, the following:

23 (i) A discussion of United States stra-  
24 tegic objectives in Pakistan.

1           (ii) A listing of the terrorist or ex-  
2           tremist organizations in Pakistan opposing  
3           United States goals in the region and  
4           against which the United States encour-  
5           ages Pakistan to take action.

6           (iii) A discussion of the gaps in capa-  
7           bilities of Pakistani security units that  
8           hampers the ability of the Government of  
9           Pakistan to take action against the organi-  
10          zations listed in clause (ii).

11          (iv) A discussion of how assistance  
12          provided utilizing the Fund will address  
13          the gaps in capabilities listed in clause  
14          (iii).

15          (v) A discussion of other efforts un-  
16          dertaken by other United States Govern-  
17          ment departments and agencies to address  
18          the gaps in capabilities listed in clause (iii)  
19          or complementary activities of the Depart-  
20          ment of Defense and how those efforts are  
21          coordinated with the activities undertaken  
22          to utilize the Fund.

23          (vi) Metrics that will be used to track  
24          progress in achieving the United States  
25          strategic objectives in Pakistan, to track

1 progress of the Government of Pakistan in  
2 combating the organizations listed in  
3 clause (ii), and to address the gaps in ca-  
4 pabilities listed in clause (iii).

5 (2) ANNUAL UPDATE REQUIRED.—For any fis-  
6 cal year in which amounts in the Fund are requested  
7 to be made available to the Secretary of Defense, the  
8 Secretary of Defense, with the concurrence of the  
9 Secretary of State, shall submit to the appropriate  
10 congressional committees, at the same time that the  
11 President’s budget is submitted pursuant to section  
12 1105(a) of title 31, United States Code, an update  
13 of the report required under paragraph (1).

14 (3) FORM.—The report required under para-  
15 graph (1) and the update required under paragraph  
16 (2) shall be submitted in unclassified form, but may  
17 contain a classified annex as necessary.

18 (4) APPROPRIATE CONGRESSIONAL COMMIT-  
19 TEES DEFINED.—In this subsection, the term “ap-  
20 propriate congressional committees” means—

21 (A) the congressional defense committees;

22 and

23 (B) the Committee on Foreign Relations of  
24 the Senate and the Committee on Foreign Af-  
25 fairs of the House of Representatives.



1 (c) QUARTERLY REPORTS.—

2 (1) IN GENERAL.—Section 1224(f) of the Na-  
3 tional Defense Authorization Act for Fiscal Year  
4 2010 (Public Law 111–84; 123 Stat. 2522) is  
5 amended—

6 (A) by striking “Not later” and inserting  
7 the following:

8 “(1) IN GENERAL.—Not later”; and

9 (B) by adding at the end the following:

10 “(2) MATTERS TO BE INCLUDED.—The Sec-  
11 retary of Defense, with the concurrence with the  
12 Secretary of State, shall include in the report re-  
13 quired under paragraph (1) the following:

14 “(A) A discussion of progress in achieving  
15 United States strategic objectives in Pakistan  
16 during such fiscal quarter, utilizing metrics  
17 used to track progress in achieving such stra-  
18 tegic objectives.

19 “(B) A discussion of progress made by  
20 programs supported from amounts in the Fund  
21 during such fiscal quarter.”.

22 (2) EFFECTIVE DATE.—The amendments made  
23 by paragraph (1) take effect on the date of the en-  
24 actment of this Act and apply with respect to each  
25 report required to be submitted under section

1 1224(f) of the National Defense Authorization Act  
2 for Fiscal Year 2010 for any fiscal year after fiscal  
3 year 2011.

4 **SEC. 1215. REPORT ON EXTENSION OF UNITED STATES-**  
5 **IRAQ STATUS OF FORCES AGREEMENT.**

6 (a) REPORT ON EXTENSION OF AGREEMENT.—Not  
7 later than 10 days after completion of any agreement be-  
8 tween the United States Government and the Government  
9 of Iraq that would retain a United States force presence  
10 in Iraq greater than the force presence envisioned for the  
11 Office of Security Cooperation-Iraq, the Secretary of De-  
12 fense, in consultation with the Secretary of State, shall  
13 submit to the appropriate congressional committees a re-  
14 port on the terms of such agreement.

15 (b) NOTIFICATION AND REPORT IN ABSENCE OF  
16 AGREEMENT.—

17 (1) IN GENERAL.—If, on December 31, 2011,  
18 no agreement between the United States Govern-  
19 ment and the Government of Iraq described in sub-  
20 section (a) has been completed, the Secretary of De-  
21 fense shall provide written notification to the con-  
22 gressional defense committees that no such agree-  
23 ment has been completed and shall submit to the ap-  
24 propriate congressional committees the report re-

1       quired under paragraph (2) not later than January  
2       31, 2012.

3           (2) REPORT.—The report referred to in para-  
4       graph (1) is a report that—

5           (A) describes the capability gaps of the  
6       Iraqi Security Forces, in classified and unclassi-  
7       fied form, including capability gaps relating to  
8       intelligence matters, protection of Iraqi air-  
9       space, and logistics and maintenance; and

10          (B) describes how the programs of the Of-  
11       fice of Security Cooperation-Iraq and other  
12       United States programs, such as the Foreign  
13       Military Financing program, the Foreign Mili-  
14       tary Sales program, and joint training exer-  
15       cises, will address the capability gaps of the  
16       Iraqi Security Forces, as described in subpara-  
17       graph (A), should the Government of Iraq re-  
18       quest such assistance.

19          (3) UPDATES.—The Secretary of Defense shall  
20       submit to the appropriate congressional committees,  
21       at the same time that the President’s budget is sub-  
22       mitted pursuant to section 1105(a) of title 31,  
23       United States Code, for each of the fiscal years  
24       2014 and 2015 an update of the report required  
25       under paragraph (2). The requirement to submit up-

1 dates under this paragraph shall terminate on the  
2 date on which the Secretary of Defense submits to  
3 the congressional defense committees the report re-  
4 quired under subsection (a).

5 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
6 FINED.—In this section, the term “appropriate congres-  
7 sional committees” means—

8 (1) the Committee on Armed Services and the  
9 Committee on Foreign Relations of the Senate; and

10 (2) the Committee on Armed Services and the  
11 Committee on Foreign Affairs of the House of Rep-  
12 resentatives.

13 **SEC. 1216. AUTHORITY TO SUPPORT OPERATIONS AND AC-**  
14 **TIVITIES OF THE OFFICE OF SECURITY CO-**  
15 **OPERATION IN IRAQ.**

16 (a) AUTHORITY.—The Secretary of Defense is au-  
17 thorized to support operations and activities of the Office  
18 of Security Cooperation in Iraq (OSC-I) in order to carry  
19 out United States Government transition activities in Iraq,  
20 including life support, transportation and personal secu-  
21 rity, and facilities renovation and construction activities.

22 (b) LIMITATION.—The authority contained in sub-  
23 section (a) may not be exercised to pay the salaries and  
24 expenses of personnel of the Department of State.

1 (c) FUNDING.—Amounts authorized to be appro-  
2 priated by section 301 and available for operation and  
3 maintenance for the Air Force, as specified in the funding  
4 table in section 4301, may be used to carry out this sec-  
5 tion.

6 **SEC. 1217. REPORT ON UNITED STATES MILITARY STRAT-**  
7 **EGY IN AFGHANISTAN IN LIGHT OF THE**  
8 **DEATH OF OSAMA BIN LADEN.**

9 (a) REPORT REQUIRED.—Not later than 60 days  
10 after the date of the enactment of this Act, the Secretary  
11 of Defense shall submit to the congressional defense com-  
12 mittees a report on the United States military strategy  
13 in Afghanistan, including the extent to which the strategy  
14 has changed or is anticipated to change in light of the  
15 death of Osama bin Laden.

16 (b) FORM.—The report required under subsection (a)  
17 shall be submitted in unclassified form, but may contain  
18 a classified annex if necessary.

19 **SEC. 1218. LIMITATION ON FUNDS TO ESTABLISH PERMA-**  
20 **NENT MILITARY INSTALLATIONS OR BASES**  
21 **IN IRAQ AND AFGHANISTAN.**

22 (a) NO PERMANENT MILITARY BASES IN IRAQ.—  
23 None of the funds authorized to be appropriated by this  
24 Act may be obligated or expended by the United States  
25 Government to establish any military installation or base

1 for the purpose of providing for the permanent stationing  
2 of United States Armed Forces in Iraq.

3 (b) NO PERMANENT MILITARY BASES IN AFGHANI-  
4 STAN.—None of the funds authorized to be appropriated  
5 by this Act may be obligated or expended by the United  
6 States Government to establish any military installation  
7 or base for the purpose of providing for the permanent  
8 stationing of United States Armed Forces in Afghanistan.

9 **SEC. 1219. LIMITATION ON AMOUNTS FROM AFGHANISTAN**  
10 **INFRASTRUCTURE FUND.**

11 Not more than 75 percent of amounts made available  
12 to the Afghanistan Infrastructure Fund for fiscal year  
13 2012 may be used to provide assistance to the Government  
14 of Afghanistan unless the Secretary of Defense, in con-  
15 sultation with the Secretary of State, determines and cer-  
16 tifies to Congress that women in Afghanistan are an inte-  
17 gral part of the reconciliation process between the Afghan  
18 Government and the Taliban.

1           **Subtitle C—Reports and Other**  
2                                   **Matters**

3   **SEC. 1221. REVIEW AND REPORT ON IRAN’S AND CHINA’S**  
4                                   **CONVENTIONAL AND ANTI-ACCESS CAPABILI-**  
5                                   **TIES.**

6           (a) REVIEW.—The Secretary of Defense shall direct  
7 an appropriate entity outside the Department of Defense  
8 to conduct an independent review of the following:

9                   (1) The gaps between Iran’s conventional and  
10 anti-access capabilities and United States’ capabili-  
11 ties to overcome them.

12                   (2) The gaps between China’s anti-access capa-  
13 bilities and United States’ capabilities to overcome  
14 them.

15           (b) REPORT.—

16                   (1) IN GENERAL.—Not later than 270 days  
17 after the date of the enactment of this Act, the Sec-  
18 retary of Defense shall submit to the appropriate  
19 congressional committees a report that contains the  
20 review conducted under subsection (a).

21                   (2) APPROPRIATE CONGRESSIONAL COMMIT-  
22 TEES DEFINED.—In this subsection, the term “ap-  
23 propriate congressional committees” means—

24                                   (A) the congressional defense committees;

25                                   and

1 (B) the Committee on Foreign Relations of  
2 the Senate and the Committee on Foreign Af-  
3 fairs of the House of Representatives.

4 (c) ADDITIONAL TO OTHER REPORTS, ETC.—The re-  
5 view conducted under subsection (a) and the report re-  
6 quired under subsection (b) are in addition to the report  
7 required under section 1238 of the Ike Skelton National  
8 Defense Authorization Act for Fiscal Year 2011 (Public  
9 Law 111–383; 124 Stat. 4402) and the strategy and brief-  
10 ings required under section 1243 of such Act (Public Law  
11 111–383; 124 Stat. 4405).

12 (d) DEFINITION.—In this section, the term “anti-ac-  
13 cess” has the meaning given the term in section 1238(f)  
14 of the Ike Skelton National Defense Authorization Act for  
15 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4403).

16 **SEC. 1222. REPORT AND CONSULTATION ON ENERGY SECU-**  
17 **RITY OF NATO ALLIANCE.**

18 (a) FINDINGS.—Congress finds the following:

19 (1) Adopted in Lisbon in November 2010, the  
20 new North Atlantic Treaty Organization (NATO)  
21 Strategic Concept declares that “All countries are  
22 increasingly reliant on the vital communication,  
23 transport and transit routes on which international  
24 trade, energy security and prosperity depend. They  
25 require greater international efforts to ensure their



1 resilience against attack or disruption. Some NATO  
2 countries will become more dependent on foreign en-  
3 ergy suppliers and in some cases, on foreign energy  
4 supply and distribution networks for their energy  
5 needs. As a larger share of world consumption is  
6 transported across the globe, energy supplies are in-  
7 creasingly exposed to disruption.”.

8 (2) The new NATO Strategic Concept further  
9 declares that, “to deter and defend against any  
10 threat to the safety and security of our populations”,  
11 the NATO alliance will, “develop the capacity to  
12 contribute to energy security, including protection of  
13 critical energy infrastructure and transit areas and  
14 lines, cooperation with partners, and consultations  
15 among Allies on the basis of strategic assessments  
16 and contingency planning.”.

17 (b) REPORT.—

18 (1) ASSESSMENT.—The Secretary of Defense  
19 shall direct a federally funded research and develop-  
20 ment center of the Department of Defense to con-  
21 duct an assessment of the energy security of the  
22 NATO alliance.

23 (2) REPORT.—Not later than 270 days after  
24 the date of the enactment of this Act, the Secretary  
25 of Defense, in consultation with the Secretary of

1 State, shall submit to the specified congressional  
2 committees a detailed report on the assessment con-  
3 ducted pursuant to paragraph (1).

4 (3) CONTENTS.—The report required under  
5 paragraph (2) shall include the following:

6 (A) A listing of the extent to which each  
7 NATO member country is dependent on a sin-  
8 gle oil or natural gas supplier or distribution  
9 network. Such listing shall be expressed in  
10 terms of a percentage basis.

11 (B) A description of potential adverse ef-  
12 fects of oil or natural gas price shortages or  
13 price spikes on those NATO member countries  
14 that are most dependent on a single oil or nat-  
15 ural gas supplier or distribution network and on  
16 United States Armed Forces based in Europe,  
17 including effects on the military and defensive  
18 capabilities of such countries.

19 (C) A description of potential risks posed  
20 to NATO member countries, including NATO  
21 member countries in Eastern Europe, and to  
22 United States Armed Forces based in Europe,  
23 by the relative lack of easy access to the spot  
24 market for natural gas.

1           (D) A description of the extent to which  
2 the United States military, in conjunction with  
3 the militaries of NATO member countries,  
4 could respond to and mitigate the energy secu-  
5 rity risk to NATO member countries and to  
6 United States Armed Forces based on Europe  
7 posed by the threat of a deliberate disruption of  
8 the supply of oil or natural gas, and the relative  
9 challenges and cost of such a response, includ-  
10 ing for transporting oil and natural gas over  
11 land after delivery by sea to the port of a  
12 NATO member country.

13           (E) A set of recommendations for available  
14 options to NATO member countries that are  
15 most dependent on a single oil or natural gas  
16 supplier or distribution network to avoid such  
17 dependency, and the potential benefits of in-  
18 creased pipelines within Europe to give Eastern  
19 European countries access to the spot market  
20 for natural gas in the event of a supply inter-  
21 ruption.

22           (F) A description of all supply interrup-  
23 tions of natural gas to NATO member countries  
24 over the past 20 years.

1           (G) An analysis of the threats posed by  
2 supply interruptions, whether accidental, unau-  
3 thorized or deliberate, to energy distribution in-  
4 frastructure and transit areas and lines to  
5 NATO member countries most dependent on a  
6 single oil or natural gas supplier or distribution  
7 network and to United States Armed Forces  
8 based in Europe, including from events such as  
9 potential natural disasters or terrorist attacks,  
10 and the adequacy of the Department of De-  
11 fense's current contingency plans to respond to  
12 such interruptions.

13           (H) A description of how NATO's military  
14 capability might be adversely affected if a major  
15 oil or natural gas supplier or distribution net-  
16 work were to deliberately disrupt the supply of  
17 oil or natural gas.

18           (I) An analysis of whether and how major  
19 suppliers of oil and natural gas to NATO mem-  
20 ber countries in Europe have used their energy  
21 markets to influence European political affairs,  
22 and the potential of such actions to undermine  
23 the long-term solidarity and future of the  
24 NATO alliance.

1 (c) FORM.—The report required under subsection (b)  
2 shall be submitted in unclassified form (including as much  
3 detail as possible), but may contain a classified annex.

4 (d) CONSULTATION.—The Secretary of Defense shall  
5 consult with other NATO member countries and NATO’s  
6 Emerging Security Challenges Division on other ways the  
7 United States as a NATO member country can contribute  
8 to the energy security of the NATO alliance and NATO  
9 regional partners, including through protection of critical  
10 energy infrastructure and transit areas and lines, coopera-  
11 tion with NATO partners, and consultation among NATO  
12 allies on the basis of strategic assessments and contin-  
13 gency planning.

14 (e) DEFINITION.—In this section the term “specified  
15 congressional committees” means—

16 (1) the Committee on Armed Services and the  
17 Committee on Foreign Relations of the Senate; and

18 (2) the Committee on Armed Services and the  
19 Committee on Foreign Affairs of the House of Rep-  
20 resentatives.

21 **SEC. 1223. EXTENSION OF REPORT ON PROGRESS TOWARD**  
22 **SECURITY AND STABILITY IN AFGHANISTAN.**

23 Section 1230(a) of the National Defense Authoriza-  
24 tion Act for Fiscal Year 2008 (Public Law 110–181; 122  
25 Stat. 385), as most recently amended by section 1231 of

1 the Ike Skelton National Defense Authorization Act for  
2 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4395),  
3 is further amended by striking “2012” and inserting  
4 “2014”.

5 **SEC. 1224. REPORT ON MILITARY AND SECURITY DEVELOP-**  
6 **MENTS INVOLVING THE DEMOCRATIC PEO-**  
7 **PLE’S REPUBLIC OF KOREA.**

8 (a) **REPORT.**—Not later than March 1, 2012, and  
9 March 1, 2013, the Secretary of Defense shall submit to  
10 the specified congressional committees a report, in both  
11 classified and unclassified form, on the current and future  
12 military power of the Democratic People’s Republic of  
13 Korea (in this section referred to as “North Korea”). The  
14 report shall address the current and probable future  
15 course of military-technological development of the North  
16 Korean military, the tenets and probable development of  
17 North Korean security strategy and military strategy, and  
18 military organizations and operational concepts, through  
19 the next 20 years.

20 (b) **MATTERS TO BE INCLUDED.**—A report required  
21 under subsection (a) shall include at least the following  
22 elements:

23 (1) An assessment of the security situation on  
24 the Korean peninsula.

1           (2) The goals and factors shaping North Ko-  
2 rean security strategy and military strategy.

3           (3) Trends in North Korean security and mili-  
4 tary behavior that would be designed to achieve, or  
5 that are inconsistent with, the goals described in  
6 paragraph (2).

7           (4) An assessment of North Korea’s regional  
8 security objectives, including those that would affect  
9 South Korea, Japan, the People’s Republic of China,  
10 and Russia.

11          (5) A detailed assessment of the sizes, loca-  
12 tions, and capabilities of North Korean strategic,  
13 special operations, land, sea, and air forces.

14          (6) Developments in North Korean military  
15 doctrine and training.

16          (7) An assessment of the proliferation activities  
17 of North Korea, as either a supplier or a consumer  
18 of materials or technologies relating to nuclear  
19 weapons or other weapons of mass destruction or  
20 missile systems.

21          (8) Other military and security developments  
22 involving North Korea that the Secretary of Defense  
23 considers relevant to United States national security.

24          (c) DEFINITION.—In this section the term “specified  
25 congressional committees” means—

1 (1) the Committee on Armed Services and the  
2 Committee on Foreign Relations of the Senate; and

3 (2) the Committee on Armed Services and the  
4 Committee on Foreign Affairs of the House of Rep-  
5 resentatives.

6 **SEC. 1225. NATIONAL SECURITY RISK ASSESSMENT OF**  
7 **UNITED STATES FEDERAL DEBT OWNED BY**  
8 **THE PEOPLE'S REPUBLIC OF CHINA.**

9 (a) DETERMINATION OF INTEREST PAID TO SERVICE  
10 DEBT.—Not later than 30 days after the date of the en-  
11 actment of this Act, the Director of the Congressional  
12 Budget Office shall determine and make publicly available  
13 the amount of accrued interest on United States Federal  
14 debt paid to the People's Republic of China during the  
15 5-year period ending on the date of the enactment of this  
16 Act.

17 (b) ASSESSMENT AND REPORT.—Not later than 120  
18 days after the date of the enactment of this Act, the Sec-  
19 retary of Defense, in consultation with the Director of Na-  
20 tional Intelligence, shall—

21 (1) carry out an assessment of the national se-  
22 curity risks posed to the United States and United  
23 States allies as a result of the United States Federal  
24 debt liabilities owed to China as a creditor of the  
25 United States Government and the amount of inter-



1 est determined to have been paid by the United  
2 States to China pursuant to subsection (a); and

3 (2) submit to the specified congressional com-  
4 mittees a report that contains the results of the as-  
5 sessment carried out under paragraph (1).

6 (c) MATTERS TO BE INCLUDED.—The report re-  
7 quired by subsection (b)(2) shall include the following:

8 (1) A description of the United States Federal  
9 debt liabilities owed to China as a creditor of the  
10 United States Government.

11 (2) A description of the amounts projected for  
12 defense spending by China in 2011.

13 (3) A discussion of any options available to  
14 China for deterring United States military freedom  
15 of action in the Western Pacific as a result of its  
16 creditor status.

17 (4) Other related issues the Secretary of De-  
18 fense considers relevant.

19 (d) FORM.—The report required by subsection (b)(2)  
20 shall be submitted in unclassified form, but may contain  
21 a classified annex if necessary.

22 (e) DEFINITION.—In this section the term “specified  
23 congressional committees” means—

24 (1) the Committee on Armed Services and the  
25 Committee on Foreign Relations of the Senate; and

1           (2) the Committee on Armed Services and the  
2           Committee on Foreign Affairs of the House of Rep-  
3           resentatives.

4 **SEC. 1226. CONGRESSIONAL NOTIFICATION REQUIREMENT**  
5                   **BEFORE PERMANENT RELOCATION OF ANY**  
6                   **UNITED STATES MILITARY UNIT STATIONED**  
7                   **OUTSIDE THE UNITED STATES.**

8           (a) NOTIFICATION AND RELATED REPORT.—Chapter  
9   6 of title 10, United States Code, is amended by inserting  
10 after section 162 the following new section:

11 **“§ 162a. Congressional notification before permanent**  
12                   **relocation of military units stationed out-**  
13                   **side the United States**

14           “(a) NOTIFICATION AND REPORTING REQUIRE-  
15 MENT.—If the Secretary of Defense plans to relocate a  
16 unit stationed outside the United States, the Secretary  
17 shall submit to the appropriate committees of Congress,  
18 at the same time that the President’s budget is submitted  
19 pursuant to section 1105(a) of title 31, United States  
20 Code, for the fiscal year in which the relocation will occur,  
21 written notification of the relocation and the report re-  
22 quired by subsection (b) related to that relocation.

23           “(b) ELEMENTS OF REPORT.—The notification re-  
24 quired by subsection (a) shall include a report containing  
25 a description of the following:

1           “(1) How relocation of the unit supports the  
2 United States national security strategy.

3           “(2) How relocation of the unit supports the se-  
4 curity commitments undertaken by the United  
5 States pursuant to relevant international security  
6 treaties, including the North Atlantic Treaty, the  
7 Treaty of Mutual Cooperation and Security between  
8 the United States and Japan, and the Security  
9 Treaty Between Australia, New Zealand, and the  
10 United States of America.

11           “(3) How relocation of the unit addresses the  
12 current security environment in the affected geo-  
13 graphic combatant command’s area of responsibility,  
14 including United States participation in theater se-  
15 curity cooperation activities and bilateral partner-  
16 ship, exchanges, and training exercises.

17           “(4) Whether relocation of the unit will result  
18 in cost savings or increased costs to the Department  
19 of Defense as a result of—

20                   “(A) the loss of the permanent presence of  
21 the unit at the overseas location;

22                   “(B) the reliance on the rotation of units  
23 or other means to achieve the same security ob-  
24 jectives; and

1           “(C) the costs of maintaining the unit at  
2           its new location.

3           “(5) How relocation of the unit impacts the sta-  
4           tus of overseas base closure and realignment actions  
5           undertaken as part of a global defense posture re-  
6           alignment strategy and the status of development  
7           and execution of comprehensive master plans for  
8           overseas military main operating bases, forward op-  
9           erating sites, and cooperative security locations of  
10          the global defense posture of the United States.

11          “(c) EXCEPTIONS.—Subsection (a) does not apply in  
12          the case of—

13                 “(1) the relocation of a unit deployed in sup-  
14                 port of a contingency operation;

15                 “(2) the relocation of a unit as the result of clo-  
16                 sure of an overseas installation at the request of the  
17                 government of the host nation in the manner pro-  
18                 vided in the agreement between the United States  
19                 and the host nation regarding the installation; or

20                 “(3) a reduction in the number of Brigade  
21                 Combat Teams stationed in Europe from four to  
22                 three.

23          “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
24          tion shall be construed to limit the authority of the Sec-

1 retary of Defense to relocate military units stationed out-  
2 side the United States.

3 “(e) DEFINITIONS.—In this section:

4 “(1) APPROPRIATE COMMITTEES OF CON-  
5 GRESS.—The term ‘appropriate committees of Con-  
6 gress’ means—

7 “(A) the Committee on Armed Services  
8 and the Committee on Foreign Relations of the  
9 Senate; and

10 “(B) the Committee on Armed Services  
11 and the Committee on Foreign Affairs of the  
12 House of Representatives.

13 “(2) GEOGRAPHIC COMBATANT COMMAND.—  
14 The term ‘geographic combatant command’ means a  
15 combatant command with a geographic area of re-  
16 sponsibility that does not include North America.

17 “(3) UNIT.—The term ‘unit’ means a unit of  
18 the armed forces at the battalion, squadron, or an  
19 equivalent level (or a higher level).”.

20 (b) CLERICAL AMENDMENT.—The table of sections  
21 at the beginning of such chapter is amended by inserting  
22 after the item relating to section 162 the following new  
23 item:

“162a. Congressional notification before permanent relocation of military units  
stationed outside the United States.”.

1 (c) CONFORMING AMENDMENTS.—Section 1063 of  
2 the National Defense Authorization Act for Fiscal Year  
3 2010 (Public Law 111–84; 123 Stat. 2469; 10 U.S.C. 113  
4 note) is amended—

5 (1) by striking subsection (c); and

6 (2) by redesignating subsection (d) as sub-  
7 section (c).

8 **SEC. 1227. ANNUAL REPORT ON MILITARY POWER OF THE**  
9 **PEOPLE’S REPUBLIC OF CHINA.**

10 (a) MATTERS TO BE INCLUDED.—Subsection (b) of  
11 section 1202 of the National Defense Authorization Act  
12 for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781;  
13 10 U.S.C. 113 note), as most recently amended by section  
14 1246(b) of the National Defense Authorization Act for  
15 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2544),  
16 is further amended—

17 (1) in paragraph (7)—

18 (A) by adding at the end before the period  
19 the following: “or otherwise undermine the De-  
20 partment of Defense’s capability to conduct in-  
21 formation assurance”; and

22 (B) by adding at the end the following:  
23 “Such analyses shall include an assessment of  
24 the damage inflicted on the Department of De-  
25 fense by reason thereof.”; and

1           (2) in paragraph (9), by adding at the end the  
2 following: “Such analyses shall include an assess-  
3 ment of the nature of China’s cyber activities di-  
4 rected against the Department of Defense and an  
5 assessment of the damage inflicted on the Depart-  
6 ment of Defense by reason thereof. Such cyber ac-  
7 tivities shall include activities originating or sus-  
8 pected of originating from China and shall include  
9 government and non-government activities believed  
10 to be sanctioned or supported by the Government of  
11 China.”.

12           (b) CONFORMING AMENDMENT.—Such section is fur-  
13 ther amended in the heading by striking “**MILITARY AND**  
14 **SECURITY DEVELOPMENTS INVOLVING**” and insert-  
15 ing “**MILITARY POWER OF**”.

16           (c) EFFECTIVE DATE.—The amendments made by  
17 this section shall take effect on the date of the enactment  
18 of this Act, and shall apply with respect to reports re-  
19 quired to be submitted under subsection (a) of section  
20 1202 of the National Defense Authorization Act for Fiscal  
21 Year 2000, as so amended, on or after that date.

1 **SEC. 1228. LIMITATION ON FUNDS TO PROVIDE THE RUS-**  
2 **SIAN FEDERATION WITH ACCESS TO UNITED**  
3 **STATES MISSILE DEFENSE TECHNOLOGY.**

4 (a) **LIMITATION ON FUNDS FOR SENSITIVE TECH-**  
5 **NOLOGY AND DATA.**—No funds made available to carry  
6 out this Act may be used to provide the Russian Federa-  
7 tion with access to—

8 (1) sensitive missile defense technology of the  
9 United States, including hit-to-kill technology; or

10 (2) sensitive data, including sensitive technical  
11 data, warning, detection, tracking, targeting, telem-  
12 etry, command and control, and battle management  
13 data, that support the missile defense capabilities of  
14 the United States.

15 (b) **LIMITATION ON FUNDS FOR OTHER TECH-**  
16 **NOLOGY AND DATA.**—No funds made available to carry  
17 out this Act may be used to provide the Russian Federa-  
18 tion with access to missile defense technology or technical  
19 data not described in subsection (a) as part of a defense  
20 technical cooperation agreement between the Russian Fed-  
21 eration and the United States unless, not less than 30  
22 days prior to providing the Russian Federation with access  
23 to any such technology or technical data, the President  
24 submits to the appropriate congressional committees the  
25 report described in subsection (c) and the certification de-  
26 scribed in subsection (d).



1 (c) REPORT.—The report referred to in subsection  
2 (b) is a report that contains a description of the following:

3 (1) The specific missile defense technology or  
4 technical data to be accessed, the reasons for pro-  
5 viding such access, and how the technology or tech-  
6 nical data is intended to be used.

7 (2) The measures necessary to protect the tech-  
8 nology or technical data.

9 (3) The specific missile defense technology or  
10 technical data of the Russian Federation that the  
11 Russian Federation is providing the United States  
12 with access to.

13 (4) The status and substance of discussions be-  
14 tween the United States and the Russian Federation  
15 on missile defense matters.

16 (d) CERTIFICATION.—The certification referred to in  
17 subsection (b) is a certification of the President that pro-  
18 viding the Russian Federation with access to the missile  
19 defense technology or technical data—

20 (1) includes an agreement on prohibiting access  
21 to such defense technology or technical data by third  
22 parties;

23 (2) will not enable the Russian Federation or  
24 any third party that may obtain access to such de-  
25 fense technology or technical data by means inten-

1 tional or otherwise to develop counter-measures to  
2 any United States missile defense system or other-  
3 wise undermine the effectiveness of any United  
4 States missile defense system; and

5 (3) will correspond to equitable access by the  
6 United States to missile defense technology or tech-  
7 nical data of the Russian Federation.

8 (e) FORM.—The report described in subsection (c)  
9 and the certification described in subsection (d) shall be  
10 submitted in unclassified form, but may contain a classi-  
11 fied annex, if necessary.

12 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
13 FINED.—In this section, the term “appropriate congres-  
14 sional committees” means—

15 (1) the Committee on Armed Services and the  
16 Committee on Foreign Relations of the Senate; and

17 (2) the Committee on Armed Services and the  
18 Committee on Foreign Affairs of the House of Rep-  
19 resentatives.

20 **SEC. 1229. INTERNATIONAL AGREEMENTS RELATING TO**  
21 **MISSILE DEFENSE.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) Prior to signing the New START Treaty,  
24 on April 7, 2010, the Russian Federation made the  
25 unilateral statement that “the Treaty can operate

1 and be viable only if the United States of America  
2 refrains from developing its missile defense capabili-  
3 ties quantitatively or qualitatively.”.

4 (2) In the understanding under subsection  
5 (b)(1)(A) of the Resolution of Advice and Consent to  
6 Ratification of the New START Treaty, the Senate  
7 declared that “the New START Treaty does not im-  
8 pose any limitations on the deployment of missile de-  
9 fenses other than the requirements of paragraph 3  
10 of Article V of the New START Treaty. . .”.

11 (3) In the understanding under subsection  
12 (b)(1)(B) of such resolution, the Senate further de-  
13 clared that “any additional New START Treaty lim-  
14 itations on the deployment of missile defenses be-  
15 yond those contained in paragraph 3 of Article V,  
16 including any limitations agreed under the auspices  
17 of the Bilateral Consultative Commission, would re-  
18 quire an amendment to the New START Treaty  
19 which may enter into force for the United States  
20 only with the advice and consent of the Senate, as  
21 set forth in Article II, section 2, clause 2 of the Con-  
22 stitution of the United States.”.

23 (4) In the understanding under subsection  
24 (b)(1)(C) of such resolution, the Senate further de-  
25 clared that “the April 7, 2010, unilateral statement

1 by the Russian Federation on missile defense does  
2 not impose a legal obligation on the United States.”.

3 (5) In the declaration under subsection  
4 (c)(2)(F) of such resolution, the Senate further de-  
5 clared that “the United States is committed to im-  
6 proving United States strategic defensive capabilities  
7 both quantitatively and qualitatively during the pe-  
8 riod that the New START Treaty is in effect, and  
9 such improvements are consistent with the Treaty.”.

10 (b) POLICY.—In light of the findings under sub-  
11 section (a), it is the policy of the United States—

12 (1) that any further limitations on the missile  
13 defense capabilities of the United States are not in  
14 the national security interests of the United States;

15 (2) to improve the strategic defensive capabili-  
16 ties of the United States both quantitatively and  
17 qualitatively during the period that the New START  
18 treaty is in effect and such improvements are con-  
19 sistent with the Treaty; and

20 (3) that no future agreement with Russia on  
21 cooperative missile defense, non-strategic nuclear  
22 weapons, further strategic weapons reductions, or  
23 any other matter shall include any restrictions on  
24 the missile defense options of the United States in  
25 Europe or elsewhere.

1 (c) LIMITATIONS ON MISSILE DEFENSE.—

2 (1) IN GENERAL.—Chapter 3 of title 10, United  
3 States Code, is amended by adding after section  
4 130f, as added by section 1091, the following new  
5 section:

6 **“§ 130g. International agreements relating to missile**  
7 **defense**

8 “(a) IN GENERAL.—In accordance with the under-  
9 standing under subsection (b)(1)(B) of the Resolution of  
10 Advice and Consent to Ratification of the New START  
11 Treaty of the Senate, any agreement with a country or  
12 international organization or amendment to the New  
13 START Treaty (including an agreement made by the Bi-  
14 lateral Consultative Commission established by the New  
15 START Treaty) concerning the limitation of the missile  
16 defense capabilities of the United States shall not be bind-  
17 ing on the United States, and shall not enter into force  
18 with respect to the United States, unless after the date  
19 of the enactment of this section, such agreement or  
20 amendment is—

21 “(1) specifically approved with the advice and  
22 consent of the Senate pursuant to Article II, section  
23 2, clause 2 of the Constitution; or

24 “(2) specifically authorized by an Act of Con-  
25 gress.

1       “(b) ANNUAL NOTIFICATION.—Not later than Janu-  
2 ary 31 of each year, beginning in 2012, the President shall  
3 submit to the congressional defense committees and the  
4 Committee on Foreign Relations of the Senate and the  
5 Committee on Foreign Affairs of the House of Representa-  
6 tives a notification of—

7               “(1) whether the Russian Federation has recog-  
8 nized during the previous year the sovereign right of  
9 the United States to pursue quantitative and quali-  
10 tative improvements in missile defense capabilities;  
11 and

12               “(2) whether during any treaty negotiations or  
13 other Government-to-Government contacts between  
14 the United States and the Russian Federation (in-  
15 cluding under the auspices of the Bilateral Consult-  
16 ative Commission established by the New START  
17 Treaty) during the previous year a representative of  
18 the Russian Federation suggested that a treaty or  
19 other international agreement include, with respect  
20 to the United States—

21                       “(A) restricting missile defense capabili-  
22 ties, military capabilities in space, or conven-  
23 tional prompt global strike capabilities; or

24                       “(B) reducing the number of non-strategic  
25 nuclear weapons deployed in Europe.

1       “(c) NEW START TREATY DEFINED.—In this sec-  
2 tion, the term ‘New START Treaty’ means the Treaty be-  
3 tween the United States of America and the Russian Fed-  
4 eration on Measures for the Further Reduction and Limi-  
5 tation of Strategic Offensive Arms, signed on April 8,  
6 2010.”.

7           (2) CLERICAL AMENDMENTS.—The table of sec-  
8 tions at the beginning of such chapter is amended  
9 by inserting after the item relating to section 130d  
10 the following new item:

“130g. International agreements relating to missile defense.”.

11       (d) NEW START TREATY DEFINED.—In this sec-  
12 tion, the term “New START Treaty” means the Treaty  
13 between the United States of America and the Russian  
14 Federation on Measures for the Further Reduction and  
15 Limitation of Strategic Offensive Arms, signed on April  
16 8, 2010.

17 **SEC. 1230. NON-STRATEGIC NUCLEAR WEAPON REDUC-**  
18 **TIONS AND EXTENDED DETERRENCE POLICY.**

19       (a) POLICY ON NON-STRATEGIC NUCLEAR WEAP-  
20 ONS.—It is the policy of the United States—

21           (1) to pursue negotiations with the Russian  
22 Federation aimed at the reduction of Russian de-  
23 ployed and non-deployed non-strategic nuclear  
24 forces;

1           (2) that non-strategic nuclear weapons should  
2           be considered when weighing the balance of the nu-  
3           clear forces of the United States and Russia; and

4           (3) that any geographical relocation or storage  
5           of non-strategic nuclear weapons by Russia does not  
6           constitute a reduction or elimination of such weap-  
7           ons.

8           (b) POLICY ON EXTENDED DETERRENCE COMMIT-  
9           MENT TO EUROPE.—It is the policy of the United States  
10          that—

11           (1) it maintain its commitment to extended de-  
12           terrence, specifically the nuclear alliance of the  
13           North Atlantic Treaty Organization, as an impor-  
14           tant component of ensuring and linking the national  
15           security interests of the United States and the secu-  
16           rity of its European allies;

17           (2) forward-deployed nuclear forces of the  
18           United States shall remain based in Europe in sup-  
19           port of the NATO nuclear alliance; and

20           (3) the presence of nuclear weapons of the  
21           United States in Europe—combined with NATO’s  
22           unique nuclear sharing arrangements under which  
23           non-nuclear members participate in nuclear planning  
24           and possess specially configured aircraft capable of  
25           delivering nuclear weapons—contributes to the cohe-



1 sion of NATO and provides reassurance to allies and  
2 partners who feel exposed to regional threats.

3 (c) LIMITATION ON REDUCTION, CONSOLIDATION, OR  
4 WITHDRAWAL OF NUCLEAR FORCES BASED IN EU-  
5 ROPE.—In light of the policy expressed in subsections (a)  
6 and (b), no action may be taken to effect or implement  
7 the reduction, consolidation, or withdrawal of nuclear  
8 forces of the United States that are based in Europe un-  
9 less—

10 (1) the reduction, consolidation, or withdrawal  
11 of such nuclear forces is requested by the govern-  
12 ment of the host nation in the manner provided in  
13 the agreement between the United States and the  
14 host nation regarding the forces;

15 (2) the President certifies that—

16 (A) NATO member states have considered  
17 the reduction, consolidation, or withdrawal in  
18 the High Level Group;

19 (B) NATO has decided to support such re-  
20 duction, consolidation, or withdrawal; and

21 (C) the remaining nuclear forces of the  
22 United States that are based in Europe after  
23 such reduction, consolidation, or withdrawal  
24 would provide a commensurate or better level of

1           assurance and credibility as before such reduc-  
2           tion, consolidation, or withdrawal; or

3           (3) the reduction, consolidation, or withdrawal  
4           of such nuclear forces is—

5                   (A) pursuant to a treaty or international  
6                   agreement specifically approved with the advice  
7                   and consent of the Senate pursuant to Article  
8                   II, section 2, clause 2 of the Constitution; or

9                   (B) specifically authorized by an Act of  
10                  Congress.

11          (d) NOTIFICATION.—Upon any decision to reduce,  
12          consolidate, or withdraw the nuclear forces of the United  
13          States that are based in Europe, the President shall sub-  
14          mit to the appropriate congressional committees a notifi-  
15          cation containing—

16                  (1) the certification required by subsection  
17                  (c)(2);

18                  (2) justification for such reduction, consolida-  
19                  tion, or withdrawal; and

20                  (3) an assessment of how NATO member  
21                  states, in light of such reduction, consolidation, or  
22                  withdrawal, assess the credibility of the deterrence  
23                  capability of the United States in support of its com-  
24                  mitments undertaken pursuant to article 5 of the  
25                  North Atlantic Treaty, signed at Washington, Dis-



1 **SEC. 1232. REPORT ON EXPANSION OF PARTICIPATION IN**  
2 **EURO-NATO JOINT JET PILOT TRAINING PRO-**  
3 **GRAM.**

4 (a) **REPORT REQUIRED.**— Not later than 180 days  
5 after the date of the enactment of this Act, the Secretary  
6 of the Air Force, in consultation with the Secretary of  
7 State, shall submit to the congressional defense commit-  
8 tees and the Committee on Foreign Relations of the Sen-  
9 ate and the Committee on Foreign Affairs of the House  
10 of Representatives a report on the desirability and feasi-  
11 bility of expanding participation in the Euro-NATO Joint  
12 Jet Pilot Training (ENJJPT) program to include addi-  
13 tional countries.

14 (b) **MATTERS TO BE INCLUDED.**—The report re-  
15 quired under subsection (a) shall include the following:

16 (1) A description of the benefits of the  
17 ENJJPT program to United States national secu-  
18 rity.

19 (2) An assessment of the current participation  
20 in the ENJJPT program and whether it fully meets  
21 the needs of the program and United States and  
22 NATO objectives.

23 (3) An analysis of whether participation of ad-  
24 ditional countries in the ENJJPT program would  
25 benefit the program and United States national se-  
26 curity.

1           (4) A recommendation of additional countries  
2           that could participate in the ENJJPT program, in-  
3           cluding NATO member nations not currently partici-  
4           pating in the program, major non-NATO allies,  
5           Partnership for Peace nations, and other countries.

6           (5) The restrictions or limitations that cur-  
7           rently prevent additional countries from partici-  
8           pating in the ENJJPT program.

9           (6) A discussion of the benefits to the United  
10          States and other countries of a United States-spon-  
11          sored scholarship program to assist certain countries  
12          to meet the cost-sharing obligations of participation  
13          in the ENJJPT program, and whether authorities  
14          currently exist to institute such a scholarship pro-  
15          gram.

16 **SEC. 1233. REPORT ON LONG-TERM COSTS OF OPERATION**  
17                   **IRAQI FREEDOM, OPERATION ENDURING**  
18                   **FREEDOM, AND OPERATION ODYSSEY DAWN.**

19          (a) REPORT REQUIREMENT.—Not later than 90 days  
20          after the date of the enactment of this Act, the President,  
21          with contributions from the Secretary of Defense, the Sec-  
22          retary of State, and the Secretary of Veterans Affairs,  
23          shall submit to Congress a report containing an estimate  
24          of the long-term costs of Operation New Dawn and Oper-  
25          ation Enduring Freedom for each the following scenarios:

1           (1) The scenario in which the number of mem-  
2           bers of the Armed Forces deployed in support of Op-  
3           eration New Dawn and Operation Enduring Free-  
4           dom is reduced from roughly 190,000 in 2011 to  
5           150,000 in 2012, 65,000 in 2013, and 30,000 by  
6           the beginning of 2014, and remains at 30,000  
7           through 2020.

8           (2) The scenario in which the number of mem-  
9           bers of the Armed Forces deployed in support of Op-  
10          eration New Dawn and Operation Enduring Free-  
11          dom rises to approximately 235,000 in 2011, is re-  
12          duced to 230,000 in 2012, 195,000 in 2013,  
13          135,000 in 2014, 80,000 in 2015, 60,000 in 2016,  
14          and remains at 60,000 through 2020.

15          (3) An alternative scenario, determined by the  
16          President and based on current contingency oper-  
17          ation and withdrawal plans, which takes into ac-  
18          count expected force levels and the expected length  
19          of time that members of the Armed Forces will be  
20          deployed in support of Operation New Dawn and  
21          Operation Enduring Freedom.

22          (b) ESTIMATES TO BE USED IN PREPARATION OF  
23          REPORT.— In preparing the report required by subsection  
24          (b), the President shall make estimates and projections  
25          through at least fiscal year 2020, adjust any dollar

1 amounts appropriately for inflation, and take into account  
2 and specify each of the following:

3 (1) The total number of members of the Armed  
4 Forces expected to be deployed in support of Oper-  
5 ation New Dawn, Operation Enduring Freedom, and  
6 Operation Odyssey Dawn, including—

7 (A) the number of members of the Armed  
8 Forces actually deployed in Southwest Asia in  
9 support of Operation New Dawn, Operation  
10 Enduring Freedom, and Operation Odyssey  
11 Dawn;

12 (B) the number of members of reserve  
13 components of the Armed Forces called or or-  
14 dered to active duty in the United States for  
15 the purpose of training for eventual deployment  
16 in Southwest Asia, backfilling for deployed  
17 troops, or supporting other Department of De-  
18 fense missions directly or indirectly related to  
19 Operation New Dawn, Operation Enduring  
20 Freedom, and Operation Odyssey Dawn; and

21 (C) the break-down of deployments of  
22 members of the regular and reserve components  
23 and activation of members of the reserve com-  
24 ponents.

1           (2) The number of members of the Armed  
2 Forces, including members of the reserve compo-  
3 nents, who have previously served in support of Op-  
4 eration Iraqi Freedom, Operation New Dawn, Oper-  
5 ation Enduring Freedom, and Operation Odyssey  
6 Dawn and who are expected to serve multiple de-  
7 ployments.

8           (3) The number of contractors and private mili-  
9 tary security firms that have been used and are ex-  
10 pected to be used during the course of Operation  
11 Iraqi Freedom, Operation New Dawn, Operation  
12 Enduring Freedom, and Operation Odyssey Dawn.

13           (4) The number of veterans currently suffering  
14 and expected to suffer from post-traumatic stress  
15 disorder, traumatic brain injury, or other mental in-  
16 juries.

17           (5) The number of veterans currently in need of  
18 and expected to be in need of prosthetic care and  
19 treatment because of amputations incurred during  
20 service in support of Operation New Dawn, Oper-  
21 ation Enduring Freedom, and Operation Odyssey  
22 Dawn.

23           (6) The current number of pending Department  
24 of Veterans Affairs claims from veterans of military  
25 service in Iraq, Afghanistan, and Libya, and the



1 total number of such veterans expected to seek dis-  
2 ability compensation from the Department of Vet-  
3 erans Affairs.

4 (7) The total number of members of the Armed  
5 Forces who have been killed or wounded in Iraq, Af-  
6 ghanistan, or Libya, including noncombat casualties,  
7 the total number of members expected to suffer inju-  
8 ries in Iraq, Afghanistan, and Libya, and the total  
9 number of members expected to be killed in Iraq,  
10 Afghanistan, and Libya, including noncombat cas-  
11 ualties.

12 (8) The amount of funds previously appro-  
13 priated for the Department of Defense, the Depart-  
14 ment of State, and the Department of Veterans Af-  
15 fairs for costs related to Operation Iraqi Freedom,  
16 Operation New Dawn, and Operation Enduring  
17 Freedom, including an account of the amount of  
18 funding from regular Department of Defense, De-  
19 partment of State, and Department of Veterans Af-  
20 fairs budgets that has gone and will go to costs asso-  
21 ciated with such operations.

22 (9) Current and future operational expenditures  
23 associated with Operation New Dawn, Operation  
24 Enduring Freedom, and Operation Odyssey Dawn  
25 including—

1 (A) funding for combat operations;

2 (B) deploying, transporting, feeding, and  
3 housing members of the Armed Forces (includ-  
4 ing fuel costs);

5 (C) activation and deployment of members  
6 of the reserve components of the Armed Forces;

7 (D) equipping and training of Iraqi and  
8 Afghani forces;

9 (E) purchasing, upgrading, and repairing  
10 weapons, munitions, and other equipment con-  
11 sumed or used in Operation Iraqi Freedom, Op-  
12 eration New Dawn, Operation Enduring Free-  
13 dom, and Operation Odyssey Dawn; and

14 (F) payments to other countries for  
15 logistical assistance in support of such oper-  
16 ations.

17 (10) Past, current, and future costs of entering  
18 into contracts with private military security firms  
19 and other contractors for the provision of goods and  
20 services associated with Operation Iraqi Freedom,  
21 Operation New Dawn, Operation Enduring Free-  
22 dom, and Operation Odyssey Dawn.

23 (11) Average annual cost for each member of  
24 the Armed Forces deployed in support of Operation  
25 Iraqi Freedom, Operation New Dawn, Operation

1 Enduring Freedom, and Operation Odyssey Dawn,  
2 including room and board, equipment and body  
3 armor, transportation of troops and equipment (in-  
4 cluding fuel costs), and operational costs.

5 (12) Current and future cost of combat-related  
6 special pays and benefits, including reenlistment bo-  
7 nuses.

8 (13) Current and future cost of calling or or-  
9 dering members of the reserve components to active  
10 duty in support of Operation New Dawn, Operation  
11 Enduring Freedom, and Operation Odyssey Dawn.

12 (14) Current and future cost for reconstruction,  
13 embassy operations and construction, and foreign  
14 aid programs for Iraq and Afghanistan.

15 (15) Current and future cost of bases and other  
16 infrastructure to support members of the Armed  
17 Forces serving in Iraq and Afghanistan.

18 (16) Current and future cost of providing  
19 health care for veterans who served in support of  
20 Operation Iraqi Freedom, Operation New Dawn,  
21 Operation Enduring Freedom, and Operation Odys-  
22 sey Dawn—

23 (A) the cost of mental health treatment for  
24 veterans suffering from post-traumatic stress

1 disorder and traumatic brain injury, and other  
2 mental problems as a result of such service; and

3 (B) the cost of lifetime prosthetics care  
4 and treatment for veterans suffering from am-  
5 putations as a result of such service.

6 (17) Current and future cost of providing De-  
7 partment of Veterans Affairs disability benefits for  
8 the lifetime of veterans who incur disabilities while  
9 serving in support of Operation Iraqi Freedom, Op-  
10 eration New Dawn, Operation Enduring Freedom,  
11 or Operation Odyssey Dawn.

12 (18) Current and future cost of providing sur-  
13 vivors' benefits to survivors of members of the  
14 Armed Forces killed while serving in support of Op-  
15 eration Iraqi Freedom, Operation New Dawn, Oper-  
16 ation Enduring Freedom, or Operation Odyssey  
17 Dawn.

18 (19) Cost of bringing members of the Armed  
19 Forces and equipment back to the United States  
20 upon the conclusion of Operation New Dawn, Oper-  
21 ation Enduring Freedom, or Operation Odyssey  
22 Dawn, including the cost of demobilization, trans-  
23 portation costs (including fuel costs), providing tran-  
24 sition services for members of the Armed Forces  
25 transitioning from active duty to veteran status,

1 transporting equipment, weapons, and munitions  
2 (including fuel costs), and an estimate of the value  
3 of equipment that will be left behind.

4 (20) Cost to restore the military and military  
5 equipment, including the equipment of the reserve  
6 components, to full strength after the conclusion of  
7 Operation New Dawn or Operation Enduring Free-  
8 dom.

9 (21) Amount of money borrowed to pay for Op-  
10 eration Iraqi Freedom, Operation New Dawn, Oper-  
11 ation Enduring Freedom, or Operation Odyssey  
12 Dawn, and the sources of that money.

13 (22) Interest on money borrowed, including in-  
14 terest for money already borrowed and anticipated  
15 interest payments on future borrowing, for Oper-  
16 ation Iraqi Freedom, Operation New Dawn, Oper-  
17 ation Enduring Freedom, or Operation Odyssey  
18 Dawn.

19 (c) Report Requirement- Not later than 90 days after  
20 the date of the enactment of this Act, the President, with  
21 contributions from the Secretary of Defense, the Secretary  
22 of State, and the Secretary of Veterans Affairs, shall sub-  
23 mit to Congress a report containing an estimate of the  
24 long-term costs of Operation New Dawn and Operation  
25 Enduring Freedom for each the following scenarios:

1           (1) The scenario in which the number of mem-  
2           bers of the Armed Forces deployed in support of Op-  
3           eration New Dawn and Operation Enduring Free-  
4           dom is reduced from roughly 190,000 in 2011 to  
5           150,000 in 2012, 65,000 in 2013, and 30,000 by  
6           the beginning of 2014, and remains at 30,000  
7           through 2020.

8           (2) The scenario in which the number of mem-  
9           bers of the Armed Forces deployed in support of Op-  
10          eration New Dawn and Operation Enduring Free-  
11          dom rises to approximately 235,000 in 2011, is re-  
12          duced to 230,000 in 2012, 195,000 in 2013,  
13          135,000 in 2014, 80,000 in 2015, 60,000 in 2016,  
14          and remains at 60,000 through 2020.

15          (3) An alternative scenario, determined by the  
16          President and based on current contingency oper-  
17          ation and withdrawal plans, which takes into ac-  
18          count expected force levels and the expected length  
19          of time that members of the Armed Forces will be  
20          deployed in support of Operation New Dawn and  
21          Operation Enduring Freedom.

22 **SEC. 1234. PROHIBITION ON PROCUREMENTS FROM COM-**  
23 **MUNIST CHINESE MILITARY COMPANIES.**

24          (a) WAIVER AUTHORIZED.—Subsection (c) of section  
25 1211 of the National Defense Authorization Act for Fiscal

1 Year 2006 (Public Law 109–163; 119 Stat. 3461; 10  
2 U.S.C. 2302 note) is amended to read as follows:

3 “(c) WAIVER AUTHORIZED.—The Secretary of De-  
4 fense may waive the limitation on procurement of a good  
5 or service under subsection (a) if the good or service is  
6 critical to the needs of the Department of Defense and  
7 is otherwise unavailable to the Department of Defense and  
8 the Secretary submits to the congressional defense com-  
9 mittees a report described in subsection (d) not less than  
10 15 days before issuing the waiver under this subsection.”.

11 (b) REPORT.—Such section is amended—

12 (1) by redesignating subsection (d) as sub-  
13 section (e); and

14 (2) by inserting after subsection (c) the fol-  
15 lowing:

16 “(d) REPORT.—The report referred to in subsection  
17 (c) is a report that identifies the specific reasons for the  
18 waiver issued under subsection (c) and includes rec-  
19 ommendations as to what actions may be taken to develop  
20 alternative sourcing capabilities in the future.”.

21 (c) DEFINITION OF COMMUNIST CHINESE MILITARY  
22 COMPANY.—Subsection (e) of such section, as redesis-  
23 ginated by subsection (b)(1) of this section, is amended by  
24 striking paragraph (1) and inserting the following:

1           “(1) The term ‘Communist Chinese military  
2 company’ means—

3           “(A) any person identified in the Defense  
4 Intelligence Agency publication numbered VP-  
5 1920-271-90, dated September 1990, or PC-  
6 1921-57-95, dated October 1995, and any up-  
7 date of those publications for the purposes of  
8 this section; and

9           “(B) any other person that—

10           “(i) is owned or controlled by, di-  
11 rected by or from, operating with delegated  
12 authority from, or affiliated with, the Peo-  
13 ple’s Liberation Army or the government  
14 of the People’s Republic of China or that  
15 is owned or controlled by an entity affili-  
16 ated with the defense industrial base of the  
17 People’s Republic of China; and

18           “(ii) is engaged in providing commer-  
19 cial services, manufacturing, producing, or  
20 exporting.”.

21       (d) EFFECTIVE DATE.—The amendments made by  
22 this section take effect on the date of the enactment of  
23 this Act and apply with respect to contracts and sub-  
24 contracts of the Department of Defense entered into on  
25 or after the date of the enactment of this Act.



1 **SEC. 1235. REPORT ON RUSSIAN NUCLEAR FORCES.**

2 (a) REPORT.—Not later than March 1, 2012, the  
3 Secretary of Defense, in coordination with the Director of  
4 National Intelligence, shall submit to the appropriate con-  
5 gressional committees a report on the nuclear forces of  
6 the Russian Federation and the New START Treaty (as  
7 defined in section 1229(d)).

8 (b) MATTERS INCLUDED.—The report under section  
9 (a) shall include an assessment of the following:

10 (1) The assessed number of nuclear forces by  
11 category of nuclear warheads and delivery vehicles  
12 relative to New START levels by 2017 and by 2022,  
13 including potential shifts of such numbers during  
14 such periods.

15 (2) Options with respect to the size and com-  
16 position of Russian nuclear forces that Russia is  
17 considering, including decreases below the New  
18 START levels and plans for maintaining New  
19 START levels, including options related to devel-  
20 oping and deploying a new heavy intercontinental  
21 ballistic missile and multiple independently target-  
22 able reentry vehicle capability.

23 (3) Factors that are likely to influence the  
24 number and composition of Russian nuclear forces.

1           (4) Effects of shifts in the number and com-  
2           position of Russian nuclear forces on strategic sta-  
3           bility.

4           (c) FORM.—The report required by subsection (a)  
5           shall be submitted in unclassified form, but may include  
6           classified annex.

7           (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
8           DEFINED.—In this section, the term “appropriate con-  
9           gressional committees” means—

10           (1) the congressional defense committees;

11           (2) the Committee on Foreign Affairs of the  
12           House of Representatives and the Committee on  
13           Foreign Relations of the Senate; and

14           (3) the Permanent Select Committee on Intel-  
15           ligence of the House of Representatives and the Se-  
16           lect Committee on Intelligence of the Senate.

17           **SEC. 1236. PROHIBITION ON UNITED STATES GROUND COM-**  
18           **BAT PRESENCE IN LIBYA.**

19           No funds appropriated pursuant to an authorization  
20           of appropriations in this Act may be obligated or expended  
21           for the purpose of—

22           (1) deploying members of the United States  
23           Armed Forces on to the ground of Libya for the  
24           purposes of engaging in ground combat operations,  
25           unless the purpose of such deployment is limited

1 solely to rescuing members of the United States  
2 Armed Forces from imminent danger;

3 (2) awarding a contract to a private security  
4 contractor to conduct any activity on the ground of  
5 Libya; or

6 (3) otherwise establishing or maintaining any  
7 presence of members of the United States Armed  
8 Forces or private security contractors on the ground  
9 of Libya, unless the purpose of such presence is lim-  
10 ited solely to rescuing members of the United States  
11 Armed Forces from imminent danger.

12 **SEC. 1237. REPEAL OF UNITED STATES INSTITUTE OF**  
13 **PEACE ACT.**

14 Effective as of the date of the enactment of this Act,  
15 the United States Institute of Peace Act (title XVII of  
16 Public Law 98–525; 22 U.S.C. 4601 et seq.) is repealed.

17 **TITLE XIII—COOPERATIVE**  
18 **THREAT REDUCTION**

19 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-**  
20 **DUCTION PROGRAMS AND FUNDS.**

21 (a) SPECIFICATION OF COOPERATIVE THREAT RE-  
22 Duction PROGRAMS.—For purposes of section 301 and  
23 other provisions of this Act, Cooperative Threat Reduction  
24 programs are the programs specified in section 1501 of

1 the National Defense Authorization Act for Fiscal Year  
2 1997 (50 U.S.C. 2362 note).

3 (b) FISCAL YEAR 2012 COOPERATIVE THREAT RE-  
4 Duction FUNDS DEFINED.—As used in this title, the  
5 term “fiscal year 2012 Cooperative Threat Reduction  
6 funds” means the funds appropriated pursuant to the au-  
7 thorization of appropriations in section 301 and made  
8 available by the funding table in section 4301 for Coopera-  
9 tive Threat Reduction programs.

10 (c) AVAILABILITY OF FUNDS.—Funds appropriated  
11 pursuant to the authorization of appropriations in section  
12 301 and made available by the funding table in section  
13 4301 for Cooperative Threat Reduction programs shall be  
14 available for obligation for fiscal years 2012, 2013, and  
15 2014.

16 **SEC. 1302. FUNDING ALLOCATIONS.**

17 (a) FUNDING FOR SPECIFIC PURPOSES.—Of the  
18 \$508,219,000 authorized to be appropriated to the De-  
19 partment of Defense for fiscal year 2012 in section 301  
20 and made available by the funding table in section 4301  
21 for Cooperative Threat Reduction programs, the following  
22 amounts may be obligated for the purposes specified:

23 (1) For strategic offensive arms elimination,  
24 \$63,221,000.

1           (2) For chemical weapons destruction,  
2           \$9,804,000.

3           (3) For global nuclear security, \$121,143,000.

4           (4) For cooperative biological engagement,  
5           \$259,470,000.

6           (5) For proliferation prevention, \$28,080,000.

7           (6) For threat reduction engagement,  
8           \$2,500,000.

9           (7) For activities designated as Other Assess-  
10          ments/Administrative Costs, \$24,001,000.

11          (b) REPORT ON OBLIGATION OR EXPENDITURE OF  
12 FUNDS FOR OTHER PURPOSES.—No fiscal year 2012 Co-  
13 operative Threat Reduction funds may be obligated or ex-  
14 pended for a purpose other than a purpose listed in para-  
15 graphs (1) through (7) of subsection (a) until 15 days  
16 after the date that the Secretary of Defense submits to  
17 Congress a report on the purpose for which the funds will  
18 be obligated or expended and the amount of funds to be  
19 obligated or expended. Nothing in the preceding sentence  
20 shall be construed as authorizing the obligation or expend-  
21 iture of fiscal year 2012 Cooperative Threat Reduction  
22 funds for a purpose for which the obligation or expendi-  
23 ture of such funds is specifically prohibited under this title  
24 or any other provision of law.

1 (c) LIMITED AUTHORITY TO VARY INDIVIDUAL  
2 AMOUNTS.—

3 (1) IN GENERAL.—Subject to paragraph (2), in  
4 any case in which the Secretary of Defense deter-  
5 mines that it is necessary to do so in the national  
6 interest, the Secretary may obligate amounts appro-  
7 priated for fiscal year 2012 for a purpose listed in  
8 paragraphs (1) through (7) of subsection (a) in ex-  
9 cess of the specific amount authorized for that pur-  
10 pose.

11 (2) NOTICE-AND-WAIT REQUIRED.—An obliga-  
12 tion of funds for a purpose stated in paragraphs (1)  
13 through (7) of subsection (a) in excess of the specific  
14 amount authorized for such purpose may be made  
15 using the authority provided in paragraph (1) only  
16 after—

17 (A) the Secretary submits to Congress no-  
18 tification of the intent to do so together with a  
19 complete discussion of the justification for  
20 doing so; and

21 (B) 15 days have elapsed following the  
22 date of the notification.

1 **SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **COOPERATIVE BIOLOGICAL ENGAGEMENT**  
3 **PROGRAM.**

4 (a) LIMITATION.—Of the funds authorized to be ap-  
5 propriated by section 1302(a)(4) or otherwise made avail-  
6 able for fiscal year 2012 for cooperative biological engage-  
7 ment, not more than 75 percent may be obligated or ex-  
8 pended until the date on which the Secretary of Defense  
9 submits to the appropriate congressional committees the  
10 following:

11 (1) A detailed analysis of the effect of the coop-  
12 erative biological engagement program.

13 (2) Either—

14 (A) written certification that the efforts of  
15 the cooperative biological engagement pro-  
16 gram—

17 (i) result in changed practices or are  
18 otherwise effective; and

19 (ii) lead to threat reduction; or

20 (B) a detailed list of policy and program  
21 recommendations considered necessary by the  
22 Secretary to modify, expand, or curtail the co-  
23 operative biological engagement program in  
24 order to achieve the objectives described by sub-  
25 paragraph (A).

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES  
2 DEFINED.—In this section, the term “appropriate con-  
3 gressional committees” means the following:

4 (1) The Committee on Armed Services and the  
5 Committee on Foreign Affairs of the House of Rep-  
6 resentatives.

7 (2) The Committee on Armed Services and the  
8 Committee on Foreign Relations of the Senate.

9 **TITLE XIV—OTHER**  
10 **AUTHORIZATIONS**  
11 **Subtitle A—Military Programs**

12 **SEC. 1401. WORKING CAPITAL FUNDS.**

13 Funds are hereby authorized to be appropriated for  
14 fiscal year 2012 for the use of the Armed Forces and other  
15 activities and agencies of the Department of Defense for  
16 providing capital for working capital and revolving funds,  
17 as specified in the funding table in section 4501.

18 **SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.— Funds  
20 are hereby authorized to be appropriated for the fiscal  
21 year 2012 for the National Defense Sealift Fund, as speci-  
22 fied in the funding table in section 4501.

23 (b) AUTHORIZED PROCUREMENT.—Funds appro-  
24 priated pursuant to the authorization of appropriations in  
25 subsection (a) may be used to purchase an offshore petro-



1 leum distribution system, and the associated tender for  
2 that system, that are under charter by the Military Sealift  
3 Command as of January 1, 2011.

4 **SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**  
5 **TION, DEFENSE.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
7 are hereby authorized to be appropriated for the Depart-  
8 ment of Defense for fiscal year 2012 for expenses, not oth-  
9 erwise provided for, for Chemical Agents and Munitions  
10 Destruction, Defense, as specified in the funding table in  
11 section 4501.

12 (b) USE.—Amounts authorized to be appropriated  
13 under subsection (a) are authorized for—

14 (1) the destruction of lethal chemical agents  
15 and munitions in accordance with section 1412 of  
16 the Department of Defense Authorization Act, 1986  
17 (50 U.S.C. 1521); and

18 (2) the destruction of chemical warfare materiel  
19 of the United States that is not covered by section  
20 1412 of such Act.

21 **SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
22 **TIVITIES, DEFENSE-WIDE.**

23 Funds are hereby authorized to be appropriated for  
24 the Department of Defense for fiscal year 2012 for ex-  
25 penses, not otherwise provided for, for Drug Interdiction

1 and Counter-Drug Activities, Defense-wide, as specified in  
2 the funding table in section 4501.

3 **SEC. 1405. DEFENSE INSPECTOR GENERAL.**

4 Funds are hereby authorized to be appropriated for  
5 the Department of Defense for fiscal year 2012 for ex-  
6 penses, not otherwise provided for, for the Office of the  
7 Inspector General of the Department of Defense, as speci-  
8 fied in the funding table in section 4501.

9 **SEC. 1406. DEFENSE HEALTH PROGRAM.**

10 Funds are hereby authorized to be appropriated for  
11 fiscal year 2012 for the Defense Health Program, as spec-  
12 ified in the funding table in section 4501, for use of the  
13 Armed Forces and other activities and agencies of the De-  
14 partment of Defense in providing for the health of eligible  
15 beneficiaries.

16 **Subtitle B—National Defense**  
17 **Stockpile**

18 **SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE**

19 **STOCKPILE FUNDS.**

20 (a) OBLIGATION OF STOCKPILE FUNDS.—During fis-  
21 cal year 2012, the National Defense Stockpile Manager  
22 may obligate up to \$50,107,320 of the funds in the Na-  
23 tional Defense Stockpile Transaction Fund established  
24 under subsection (a) of section 9 of the Strategic and Crit-  
25 ical Materials Stock Piling Act (50 U.S.C. 98h) for the

1 authorized uses of such funds under subsection (b)(2) of  
2 such section, including the disposal of hazardous materials  
3 that are environmentally sensitive.

4 (b) **ADDITIONAL OBLIGATIONS.**—The National De-  
5 fense Stockpile Manager may obligate amounts in excess  
6 of the amount specified in subsection (a) if the National  
7 Defense Stockpile Manager notifies Congress that extraor-  
8 dinary or emergency conditions necessitate the additional  
9 obligations. The National Defense Stockpile Manager may  
10 make the additional obligations described in the notifica-  
11 tion after the end of the 45-day period beginning on the  
12 date on which Congress receives the notification.

13 (c) **LIMITATIONS.**—The authorities provided by this  
14 section shall be subject to such limitations as may be pro-  
15 vided in appropriations Acts.

16 **SEC. 1412. REVISION TO REQUIRED RECEIPT OBJECTIVES**  
17 **FOR PREVIOUSLY AUTHORIZED DISPOSALS**  
18 **FROM THE NATIONAL DEFENSE STOCKPILE.**

19 Section 3402(b) of the National Defense Authoriza-  
20 tion Act for Fiscal Year 2000 (Public Law 106–65; 50  
21 U.S.C. 98d note), as most recently amended by section  
22 1412 of the Ike Skelton National Defense Authorization  
23 Act for Fiscal Year 2011 (Public Law 111–383) is amend-  
24 ed by striking “\$730,000,000 by 2013” in paragraph (5)  
25 and inserting “\$830,000,000 by 2016”.

1                   **Subtitle C—Chemical**  
2                   **Demilitarization Matters**

3   **SEC. 1421. CHANGES TO MANAGEMENT ORGANIZATION TO**  
4                   **THE ASSEMBLED CHEMICAL WEAPONS AL-**  
5                   **TERNATIVE PROGRAM.**

6           (a)    MANAGEMENT       ORGANIZATION.—Section  
7 1412(g)(2) of the Department of Defense Authorization  
8 Act, 1986 (50 U.S.C. 1521) is amended by striking the  
9 last sentence.

10          (b) BRIEFING REQUIRED.—Not later than 60 days  
11 after the date of the enactment of this Act, the Assistant  
12 Secretary of Defense for Nuclear, Chemical, and Biologi-  
13 cal Defense Programs, in coordination with the Deputy  
14 Assistant Secretary of the Army for the Elimination of  
15 Chemical Weapons, shall provide to Committees on Armed  
16 Services of the Senate and House of Representatives a  
17 briefing on opportunities to leverage lessons learned and  
18 experienced personnel of the Army Chemical Materials  
19 Agency to support the Assembled Chemical Weapons Al-  
20 ternatives program. The briefing shall include each of the  
21 following:

22               (1) A plan to attract Army Chemical Materials  
23 Agency personnel to assist the Assembled Chemical  
24 Weapons Alternatives program in completing the  
25 mission of the Agency set forth by the Chemical

1 Weapons Convention and the destruction of the  
2 United States' stockpile of lethal chemical agents  
3 and munitions by the deadline under section 1412 of  
4 the Department of Defense Authorization Act, 1986  
5 (50 U.S.C. 1521), and an analysis of that plan.

6 (2) An analysis of how the Army Chemical Ma-  
7 terials Agency and the Assembled Chemical Weap-  
8 ons Alternative program can work in coordination to  
9 ensure that the leadership, expertise, experience, and  
10 best practices of the Agency are shared extensively  
11 with the Assembled Chemical Weapons Alternative  
12 program.

13 (3) An analysis of how the Assembled Chemical  
14 Weapons Alternative program could incorporate best  
15 practices from the Army Chemical Materials Agency.

16 (c) DEFINITION.—The term “Chemical Weapons  
17 Convention” means the Convention on the Prohibition of  
18 the Development, Production, Stockpiling and Use of  
19 Chemical Weapons and on Their Destruction, ratified by  
20 the United States on April 25, 1997, and entered into  
21 force on April 29, 1997.

1           **Subtitle D—Other Matters**

2   **SEC. 1431. AUTHORIZATION OF APPROPRIATIONS FOR**  
3           **ARMED FORCES RETIREMENT HOME.**

4           There is hereby authorized to be appropriated for fis-  
5 cal year 2012 from the Armed Forces Retirement Home  
6 Trust Fund the sum of \$67,700,000 for the operation of  
7 the Armed Forces Retirement Home.

8   **SEC. 1432. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**  
9           **DEPARTMENT OF DEFENSE—DEPARTMENT OF**  
10          **VETERANS AFFAIRS MEDICAL FACILITY DEM-**  
11          **ONSTRATION FUND FOR CAPTAIN JAMES A.**  
12          **LOVELL HEALTH CARE CENTER, ILLINOIS.**

13          (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the  
14 funds authorized to be appropriated by section 1406 and  
15 available for the Defense Health Program for operation  
16 and maintenance, \$135,600,000 may be transferred by the  
17 Secretary of Defense to the Joint Department of Defense—  
18 Department of Veterans Affairs Medical Facility Dem-  
19 onstration Fund established by subsection (a)(1) of sec-  
20 tion 1704 of the National Defense Authorization Act for  
21 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).  
22 For purposes of subsection (a)(2) of such section 1704,  
23 any funds so transferred shall be treated as amounts au-  
24 thorized and appropriated specifically for the purpose of  
25 such a transfer.

1 (b) USE OF TRANSFERRED FUNDS.—For purposes  
2 of subsection (b) of such section 1704, facility operations  
3 for which funds transferred under subsection (a) may be  
4 used are operations of the Captain James A. Lovell Fed-  
5 eral Health Care Center, consisting of the North Chicago  
6 Veterans Affairs Medical Center, the Navy Ambulatory  
7 Care Center, and supporting facilities designated as a  
8 combined Federal medical facility under an operational  
9 agreement covered by section 706 of the Duncan Hunter  
10 National Defense Authorization Act for Fiscal Year 2009  
11 (Public Law 110–417; 122 Stat. 4500).

12 **SEC. 1433. MISSION FORCE ENHANCEMENT TRANSFER**  
13 **FUND.**

14 (a) ESTABLISHMENT OF FUND.—There is hereby es-  
15 tablished a fund to be known as the “Mission Force En-  
16 hancement Transfer Fund”. Amounts in the fund shall be  
17 available to the Secretary of Defense to be used for the  
18 Armed Forces and other activities and agencies of the De-  
19 partment of Defense.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—Funds  
21 are hereby authorized to be appropriated for the Mission  
22 Force Enhancement Transfer Fund for fiscal year 2012  
23 for the purposes specified in subsection (c) as specified  
24 in the funding table in section 4501.

1           (c) USE OF FUNDS.—The Secretary of Defense may  
2 transfer amounts from the Mission Force Enhancement  
3 Transfer Fund to another account of the Department of  
4 Defense to mitigate unfunded requirements for fiscal year  
5 2012 for any of the following:

6           (1) Ballistic and cruise missile defense.

7           (2) Navy shipbuilding.

8           (3) Strike fighter shortfall.

9           (4) Naval mine warfare.

10          (5) Intelligence, surveillance, and reconnais-  
11 sance.

12          (6) Capabilities to defeat anti-access/area-denial  
13 technologies.

14          (7) Basic research.

15       (d) ADDITIONAL AUTHORITY.—The transfer author-  
16 ity under this section is in addition to any other authority  
17 to transfer funds provided in this Act.

18       (e) EFFECT ON AUTHORIZATION AMOUNTS.—The  
19 transfer of an amount to an account under subsection (c)  
20 shall be deemed to increase the amount authorized to be  
21 appropriated for such account by an amount equal to the  
22 amount transferred.

23       (f) PRIOR NOTICE TO CONGRESS OF TRANSFER.—  
24 Funds may not be transferred under subsection (c) until  
25 the date that is 15 days after the date on which the Sec-



1 retary of Defense notifies the congressional defense com-  
2 mittees in writing of the details of the proposed transfer.

3 (g) GUIDANCE.—Not later than 90 days after the  
4 date of the enactment of this Act, the Secretary of Defense  
5 shall issue guidance regarding the identification and selec-  
6 tion of projects to be funded under this section using  
7 merit-based selection criteria.

8 (h) ELIMINATION OF REMAINING FUNDS.—The  
9 amount otherwise authorized to be appropriated for the  
10 Mission Force Enhancement Transfer Fund for fiscal year  
11 2012, as specified in the funding table in section 4501,  
12 is reduced by \$348,256,000, which represents the amount  
13 of funds not needed to carry out projects identified in  
14 H.R. 1540 of the 112th Congress, as reported by the Com-  
15 mittee on Armed Services of the House of Representatives.

16 **TITLE XV—AUTHORIZATION OF**  
17 **ADDITIONAL APPROPRIA-**  
18 **TIONS FOR OVERSEAS CON-**  
19 **TINGENCY OPERATIONS**  
20 **Subtitle A—Authorization of**  
21 **Additional Appropriations**

22 **SEC. 1501. PURPOSE.**

23 The purpose of this subtitle is to authorize appropria-  
24 tions for the Department of Defense for fiscal year 2012

1 to provide additional funds for overseas contingency oper-  
2 ations being carried out by the Armed Forces.

3 **SEC. 1502. PROCUREMENT.**

4 Funds are hereby authorized to be appropriated for  
5 fiscal year 2012 for procurement accounts for the Army,  
6 the Navy and the Marine Corps, the Air Force, and De-  
7 fense-wide activities, as specified in the funding table in  
8 section 4102.

9 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
10 **TION.**

11 Funds are hereby authorized to be appropriated for  
12 fiscal year 2012 for the use of the Department of Defense  
13 for research, development, test, and evaluation, as speci-  
14 fied in the funding table in section 4202.

15 **SEC. 1504. OPERATION AND MAINTENANCE.**

16 Funds are hereby authorized to be appropriated for  
17 fiscal year 2012 for the use of the Armed Forces and other  
18 activities and agencies of the Department of Defense for  
19 expenses, not otherwise provided for, for operation and  
20 maintenance, as specified in the funding table in section  
21 4302.

22 **SEC. 1505. MILITARY PERSONNEL.**

23 Funds are hereby authorized to be appropriated for  
24 fiscal year 2012 for the use of the Armed Forces and other  
25 activities and agencies of the Department of Defense for

1 expenses, not otherwise provided for, for military per-  
2 sonnel, as specified in the funding table in section 4402.

3 **SEC. 1506. WORKING CAPITAL FUNDS.**

4 Funds are hereby authorized to be appropriated for  
5 fiscal year 2012 for the use of the Armed Forces and other  
6 activities and agencies of the Department of Defense for  
7 providing capital for working capital and revolving funds,  
8 as specified in the funding table in section 4502.

9 **SEC. 1507. DEFENSE HEALTH PROGRAM.**

10 Funds are hereby authorized to be appropriated for  
11 the Department of Defense for fiscal year 2012 for ex-  
12 penses, not otherwise provided for, for the Defense Health  
13 Program, as specified in the funding table in section 4502.

14 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
15 **TIVITIES, DEFENSE-WIDE.**

16 Funds are hereby authorized to be appropriated for  
17 the Department of Defense for fiscal year 2012 for ex-  
18 penses, not otherwise provided for, for Drug Interdiction  
19 and Counter-Drug Activities, Defense-wide, as specified in  
20 the funding table in section 4502.

21 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

22 Funds are hereby authorized to be appropriated for  
23 the Department of Defense for fiscal year 2012 for ex-  
24 penses, not otherwise provided for, for the Office of the

1 Inspector General of the Department of Defense, as speci-  
2 fied in the funding table in section 4502.

### 3 **Subtitle B—Financial Matters**

#### 4 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

5 The amounts authorized to be appropriated by this  
6 title are in addition to amounts otherwise authorized to  
7 be appropriated by this Act.

#### 8 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

9 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

10 (1) **AUTHORITY.**—Upon determination by the  
11 Secretary of Defense that such action is necessary in  
12 the national interest, the Secretary may transfer  
13 amounts of authorizations made available to the De-  
14 partment of Defense in this title for fiscal year 2012  
15 between any such authorizations for that fiscal year  
16 (or any subdivisions thereof). Amounts of authoriza-  
17 tions so transferred shall be merged with and be  
18 available for the same purposes as the authorization  
19 to which transferred.

20 (2) **LIMITATION.**—The total amount of author-  
21 izations that the Secretary may transfer under the  
22 authority of this subsection may not exceed  
23 \$3,000,000,000.

1 (b) TERMS AND CONDITIONS.—Transfers under this  
2 section shall be subject to the same terms and conditions  
3 as transfers under section 1001.

4 (c) ADDITIONAL AUTHORITY.—The transfer author-  
5 ity provided by this section is in addition to the transfer  
6 authority provided under section 1001.

## 7 **Subtitle C—Limitations and Other** 8 **Matters**

### 9 **SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.**

10 (a) APPLICATION OF EXISTING LIMITATIONS ON  
11 AVAILABILITY OF FUND.—Funds made available to the  
12 Department of Defense for the Afghanistan Security  
13 Forces Fund for fiscal year 2012 shall be subject to the  
14 conditions contained in subsections (b) through (g) of sec-  
15 tion 1513 of the National Defense Authorization Act for  
16 Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428),  
17 as amended by section 1531 of the Ike Skelton National  
18 Defense Authorization Act for Fiscal Year 2011 (Public  
19 Law 111–383; 124 Stat. 4424).

20 (b) ADDITIONAL AUTHORIZED USE OF FUND.—In  
21 addition to the types of authorized assistance described  
22 in section 1513(b)(2) of the National Defense Authoriza-  
23 tion Act for Fiscal Year 2008 (Public Law 110–181; 122  
24 Stat. 428), amounts in the Afghanistan Security Forces  
25 Fund may be used to construct and operate schools for

1 the purpose of providing remedial literacy instruction to  
2 recruits for Afghanistan Security Forces and civilian em-  
3 ployees of the Afghanistan Ministry of Defense.

4 (c) LIMITATION.—Notwithstanding any other provi-  
5 sion of this section, 25 percent of the funds made available  
6 to the Department of Defense for the Afghanistan Secu-  
7 rity Forces Fund for fiscal year 2012 may not be used  
8 to carry out contracts unless the Secretary of Defense cer-  
9 tifies to Congress that the Department of Defense has suf-  
10 ficient management and oversight mechanisms on such  
11 contracts.

12 **SEC. 1532. CONTINUATION OF PROHIBITION ON USE OF**  
13 **UNITED STATES FUNDS FOR CERTAIN FACILI-**  
14 **TIES PROJECTS IN IRAQ.**

15 Section 1508(a) of the Duncan Hunter National De-  
16 fense Authorization Act for Fiscal Year 2009 (Public Law  
17 110–417; 122 Stat. 4651) shall apply to funds authorized  
18 to be appropriated by this title.

19 **SEC. 1533. ONE-YEAR EXTENSION OF PROJECT AUTHORITY**  
20 **AND RELATED REQUIREMENTS OF TASK**  
21 **FORCE FOR BUSINESS AND STABILITY OPER-**  
22 **ATIONS IN AFGHANISTAN.**

23 (a) EXTENSION.—Subsection (a) of section 1535 of  
24 the Ike Skelton National Defense Authorization Act for

1 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4426)

2 is amended—

3 (1) in paragraph (6)—

4 (A) by striking “October 31, 2011,” and  
5 inserting “October 31, 2011, and October 31,  
6 2012”; and

7 (B) by striking “fiscal year 2011” and in-  
8 serting “the preceding fiscal year”; and

9 (2) in paragraph (7), by striking “September  
10 30,2011” and inserting “September 30, 2012”.

11 (b) FUNDING LIMITATION.—Paragraph (4) of such  
12 subsection is amended by inserting before the period at  
13 the end of the second sentence the following: “for fiscal  
14 year 2011 and \$75,000,000 for fiscal year 2012”.

15 (c) SCOPE OF PROJECTS.—Paragraph (3) of such  
16 subsection is amended by adding at the end the following  
17 new sentence: “To the maximum extent possible, the ac-  
18 tivities of the Task Force for Business and Stability Oper-  
19 ations in Afghanistan should focus on improving the com-  
20 mercial viability of other reconstruction or development  
21 activities in Afghanistan conducted by the United  
22 States.”.

1           **TITLE XVI—ADDITIONAL**  
2                   **BUDGET ITEMS**  
3           **Subtitle A—Procurement**

4   **SEC. 1601. BUDGET ITEM RELATING TO MODIFICATION OF**  
5                   **TORPEDOES AND RELATED EQUIPMENT.**

6           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
7 **ITY.**—In the budget submitted to Congress under section  
8 1105 of title 31, United States Code, for fiscal year 2012,  
9 the President requested \$126,308,000 for modification of  
10 torpedoes and related equipment. Of the amounts author-  
11 ized to be appropriated by section 101, as specified in the  
12 corresponding funding table in division D, the Secretary  
13 of the Navy shall obligate an additional \$5,000,000 for  
14 the same purpose in furtherance of national security objec-  
15 tives.

16           (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
17 decision to commit, obligate, or expend funds referred to  
18 in the second sentence of subsection (a) with or to a spe-  
19 cific entity shall—

20                   (1) be based on merit-based selection proce-  
21                   dures in accordance with the requirements of sec-  
22                   tions 2304(k) and 2374 of title 10, United States  
23                   Code, or on competitive procedures; and

24                   (2) comply with other applicable provisions of  
25                   law.



1 **SEC. 1602. BUDGET ITEM RELATING TO ANTI-SUBMARINE**  
2 **WARFARE ELECTRONIC EQUIPMENT.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$125,652,000 for anti-submarine  
7 warfare electronic equipment. Of the amounts authorized  
8 to be appropriated by section 101, as specified in the cor-  
9 responding funding table in division D, the Secretary of  
10 the Navy shall obligate an additional \$9,600,000 for anti-  
11 submarine warfare applications in furtherance of national  
12 security objectives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1603. BUDGET ITEM RELATING TO SHALLOW WATER**  
24 **MINE COUNTER MEASURES.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$1,048,000 for shallow water  
3 mine counter measures. Of the amounts authorized to be  
4 appropriated by section 101, as specified in the cor-  
5 responding funding table in division D, the Secretary of  
6 the Navy shall obligate an additional \$7,975,000 for the  
7 same purpose in furtherance of national security objec-  
8 tives.

9 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
10 decision to commit, obligate, or expend funds referred to  
11 in the second sentence of subsection (a) with or to a spe-  
12 cific entity shall—

13 (1) be based on merit-based selection proce-  
14 dures in accordance with the requirements of sec-  
15 tions 2304(k) and 2374 of title 10, United States  
16 Code, or on competitive procedures; and

17 (2) comply with other applicable provisions of  
18 law.

19 **SEC. 1604. BUDGET ITEM RELATING TO LHA-7 SHIP PRO-**  
20 **GRAM.**

21 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
22 ITY.—In the budget submitted to Congress under section  
23 1105 of title 31, United States Code, for fiscal year 2012,  
24 the President requested \$2,018,691,000 for the LHA-7  
25 ship program. Of the amounts authorized to be appro-

1 priated by section 101, as specified in the corresponding  
2 funding table in division D, the Secretary of the Navy  
3 shall obligate an additional \$150,000,000 for the same  
4 purpose in furtherance of national security objectives.

5 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
6 decision to commit, obligate, or expend funds referred to  
7 in the second sentence of subsection (a) with or to a spe-  
8 cific entity shall—

9 (1) be based on merit-based selection proce-  
10 dures in accordance with the requirements of sec-  
11 tions 2304(k) and 2374 of title 10, United States  
12 Code, or on competitive procedures; and

13 (2) comply with other applicable provisions of  
14 law.

15 **SEC. 1605. BUDGET ITEM RELATING TO MOBILITY AIR-**  
16 **CRAFT SIMULATORS.**

17 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
18 ITY.—In the budget submitted to Congress under section  
19 1105 of title 31, United States Code, for fiscal year 2012,  
20 the President requested \$198,100,000 for mobility air-  
21 craft simulators. Of the amounts authorized to be appro-  
22 priated by section 101, as specified in the corresponding  
23 funding table in division D, the Secretary of the Air Force  
24 shall obligate an additional \$25,000,000 for the same pur-

1 pose, including for simulator training facilities for air mo-  
2 bility pilots, in furtherance of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1606. BUDGET ITEM RELATING TO MODIFICATIONS TO**  
14 **AIRCRAFT.**

15 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
16 ITY.—In the budget submitted to Congress under section  
17 1105 of title 31, United States Code, for fiscal year 2012,  
18 the President requested \$80,745,000 for Modifications to  
19 Aircraft. Of the amounts authorized to be appropriated  
20 by section 101, as specified in the corresponding funding  
21 table in division D, the Secretary of the Army shall obli-  
22 gate an additional \$10,000,000 for radio communication  
23 systems for National Guard helicopters in furtherance of  
24 national security objectives.

1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1607. BUDGET ITEM RELATING TO SH-60 CREW AND**  
12 **PASSENGER SURVIVABILITY UPGRADES.**

13 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
14 ITY.—In the budget submitted to Congress under section  
15 1105 of title 31, United States Code, for fiscal year 2012,  
16 the President requested \$2,291,899,000 for aircraft modi-  
17 fications. Of the amounts authorized to be appropriated  
18 by section 101, as specified in the corresponding funding  
19 table in division D, the Secretary of the Navy shall obli-  
20 gate an additional \$4,500,000 for SH-60 crew and pas-  
21 senger survivability upgrades in furtherance of national  
22 security objectives.

23 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1608. BUDGET ITEM RELATING TO MODIFICATION OF**  
10 **IN SERVICE A-10 AIRCRAFT.**

11 (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
12 **ITY.**—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$153,128,000 for modification of  
15 in service aircraft, A-10. Of the amounts authorized to  
16 be appropriated by section 101, as specified in the cor-  
17 responding funding table in division D, the Secretary of  
18 the Air Force shall obligate an additional \$5,000,000 for  
19 lightweight airborne recovery systems in furtherance of  
20 national security objectives.

21 (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
22 decision to commit, obligate, or expend funds referred to  
23 in the second sentence of subsection (a) with or to a spe-  
24 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7   **SEC. 1609. BUDGET ITEM RELATING TO RADAR SUPPORT.**

8           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
9           **ITY.**—In the budget submitted to Congress under section  
10          1105 of title 31, United States Code, for fiscal year 2012,  
11          the President requested \$18,818,000 for Navy radar sup-  
12          port. Of the amounts authorized to be appropriated by sec-  
13          tion 101, as specified in the corresponding funding table  
14          in division D, the Secretary of the Navy shall obligate an  
15          additional \$5,000,000 for Aegis ship support for engineer-  
16          ing change proposals associated with combat system radar  
17          upgrades in furtherance of national security objectives.

18          (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
19          decision to commit, obligate, or expend funds referred to  
20          in the second sentence of subsection (a) with or to a spe-  
21          cific entity shall—

22                 (1) be based on merit-based selection proce-  
23                 dures in accordance with the requirements of sec-  
24                 tions 2304(k) and 2374 of title 10, United States  
25                 Code, or on competitive procedures; and

1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 1610. BUDGET ITEM RELATING TO ELECTRONIC**  
4                                   **EQUIPMENT- AUTOMATION.**

5       (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6       ITY.—In the budget submitted to Congress under section  
7       1105 of title 31, United States Code, for fiscal year 2012,  
8       the President requested \$335,664,000 for electronic  
9       equipment- automation. Of the amounts authorized to be  
10      appropriated by section 101, as specified in the cor-  
11      responding funding table in division D, the Secretary of  
12      the Army shall obligate an additional \$4,000,000 for sup-  
13      port of the deployment and adoption of new information  
14      processing systems in furtherance of national security ob-  
15      jectives.

16      (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
17      decision to commit, obligate, or expend funds referred to  
18      in the second sentence of subsection (a) with or to a spe-  
19      cific entity shall—

20           (1) be based on merit-based selection proce-  
21      dures in accordance with the requirements of sec-  
22      tions 2304(k) and 2374 of title 10, United States  
23      Code, or on competitive procedures; and

24           (2) comply with other applicable provisions of  
25      law.



1 **SEC. 1611. BUDGET ITEM RELATING TO BASE DEFENSE SYS-**  
2 **TEMS.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$41,204,000 for other procure-  
7 ment, Army, for base defense systems. Of the amounts  
8 authorized to be appropriated by section 101, as specified  
9 in the corresponding funding table in division D, the Sec-  
10 retary of the Army shall obligate an additional \$6,000,000  
11 for base defense system equipment in furtherance of na-  
12 tional security objectives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1612. BUDGET ITEM RELATING TO SNIPER RIFLE**  
24 **MODIFICATIONS.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$1,994,000 for sniper rifle modi-  
3 fications. Of the amounts authorized to be appropriated  
4 by section 101, as specified in the corresponding funding  
5 table in division D, the Secretary of the Army shall obli-  
6 gate an additional \$2,506,000 for modifications of weap-  
7 ons and other combat vehicles in furtherance of national  
8 security objectives.

9 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
10 decision to commit, obligate, or expend funds referred to  
11 in the second sentence of subsection (a) with or to a spe-  
12 cific entity shall—

13 (1) be based on merit-based selection proce-  
14 dures in accordance with the requirements of sec-  
15 tions 2304(k) and 2374 of title 10, United States  
16 Code, or on competitive procedures; and

17 (2) comply with other applicable provisions of  
18 law.

19 **SEC. 1613. BUDGET ITEM RELATING TO GENERATORS AND**  
20 **ASSOCIATED EQUIPMENT.**

21 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
22 ITY.—In the budget submitted to Congress under section  
23 1105 of title 31, United States Code, for fiscal year 2012,  
24 the President requested \$31,897,000 for generators and  
25 associated equipment. Of the amounts authorized to be ap-

1 appropriated by section 101, as specified in the cor-  
2 responding funding table in division D, the Secretary of  
3 the Army shall obligate an additional \$10,000,000 for the  
4 same purpose in furtherance of national security objec-  
5 tives.

6 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
7 decision to commit, obligate, or expend funds referred to  
8 in the second sentence of subsection (a) with or to a spe-  
9 cific entity shall—

10 (1) be based on merit-based selection proce-  
11 dures in accordance with the requirements of sec-  
12 tions 2304(k) and 2374 of title 10, United States  
13 Code, or on competitive procedures; and

14 (2) comply with other applicable provisions of  
15 law.

16 **SEC. 1614. BUDGET ITEM RELATING TO NATIONAL GUARD**  
17 **AND RESERVE EQUIPMENT.**

18 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
19 ITY.—In the budget submitted to Congress under section  
20 1105 of title 31, United States Code, for fiscal year 2012,  
21 the President requested \$0 for National Guard and Re-  
22 serve Equipment. Of the amounts authorized to be appro-  
23 priated by section 101, as specified in the corresponding  
24 funding table in division D, the Secretary of Defense shall

1 obligate an additional \$100,000,000 for the same purpose  
2 in furtherance of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **Subtitle B—Research,**  
14 **Development, Test, and Evaluation**

15 **SEC. 1616. BUDGET ITEM RELATING TO NEW DESIGN SSN.**

16 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
17 ITY.—In the budget submitted to Congress under section  
18 1105 of title 31, United States Code, for fiscal year 2012,  
19 the President requested \$97,235,000 for New Design  
20 SSN. Of the amounts authorized to be appropriated by  
21 section 201, as specified in the corresponding funding  
22 table in division D, the Secretary of the Navy shall obli-  
23 gate an additional \$10,000,000 for continued design im-  
24 provements for new SSNs in furtherance of national secu-  
25 rity objectives.

1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1617. BUDGET ITEM RELATING TO ADVANCED SUB-**  
12 **MARINE SYSTEM DEVELOPMENT.**

13 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
14 ITY.—In the budget submitted to Congress under section  
15 1105 of title 31, United States Code, for fiscal year 2012,  
16 the President requested \$856,326,000 for advanced sub-  
17 marine system development. Of the amounts authorized  
18 to be appropriated by section 201, as specified in the cor-  
19 responding funding table in division D, the Secretary of  
20 the Navy shall obligate an additional \$9,000,000 for fu-  
21 ture undersea capabilities in furtherance of national secu-  
22 rity objectives.

23 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1618. BUDGET ITEM RELATING TO SURFACE ANTI-SUB-**  
10 **MARINE WARFARE.**

11 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
12 ITY.—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$29,797,000 for surface anti-sub-  
15 marine warfare. Of the amounts authorized to be appro-  
16 priated by section 201, as specified in the corresponding  
17 funding table in division D, the Secretary of the Navy  
18 shall obligate an additional \$3,500,000 for the same pur-  
19 pose in furtherance of national security objectives.

20 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
21 decision to commit, obligate, or expend funds referred to  
22 in the second sentence of subsection (a) with or to a spe-  
23 cific entity shall—

24 (1) be based on merit-based selection proce-  
25 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1619. BUDGET ITEM RELATING TO SHIP PRELIMINARY**  
6 **DESIGN AND FEASIBILITY STUDIES.**

7 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
8 ITY.—In the budget submitted to Congress under section  
9 1105 of title 31, United States Code, for fiscal year 2012,  
10 the President requested \$22,213,000 for ship preliminary  
11 design and feasibility studies. Of the amounts authorized  
12 to be appropriated by section 201, as specified in the cor-  
13 responding funding table in division D, the Secretary of  
14 the Navy shall obligate an additional \$19,900,000 for the  
15 same purpose in furtherance of national security objec-  
16 tives.

17 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
18 decision to commit, obligate, or expend funds referred to  
19 in the second sentence of subsection (a) with or to a spe-  
20 cific entity shall—

21 (1) be based on merit-based selection proce-  
22 dures in accordance with the requirements of sec-  
23 tions 2304(k) and 2374 of title 10, United States  
24 Code, or on competitive procedures; and





1 **SEC. 1621. BUDGET ITEM RELATING TO MIXED CONVEN-**  
2 **TIONAL LOAD CAPABILITY FOR BOMBER AIR-**  
3 **CRAFT.**

4 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
5 ITY.—In the budget submitted to Congress under section  
6 1105 of title 31, United States Code, for fiscal year 2012,  
7 the President requested \$19,900,000 for the Warfighter  
8 Rapid Acquisition Program. Of the amounts authorized to  
9 be appropriated by section 201, as specified in the cor-  
10 responding funding table in division D, the Secretary of  
11 the Air Force shall obligate an additional \$20,000,000 for  
12 the development of mixed conventional load capability for  
13 bomber aircraft to prosecute a broad range of pre-planned  
14 and rapidly emerging target sets in furtherance of national  
15 security objectives.

16 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
17 decision to commit, obligate, or expend funds referred to  
18 in the second sentence of subsection (a) with or to a spe-  
19 cific entity shall—

20 (1) be based on merit-based selection proce-  
21 dures in accordance with the requirements of sec-  
22 tions 2304(k) and 2374 of title 10, United States  
23 Code, or on competitive procedures; and

24 (2) comply with other applicable provisions of  
25 law.

1 **SEC. 1622. BUDGET ITEM RELATING TO TACAIR-LAUNCHED**  
2 **UAS CAPABILITY DEVELOPMENT.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$9,400,000 for tactical unmanned  
7 aerial vehicles. Of the amounts authorized to be appro-  
8 priated by section 201, as specified in the corresponding  
9 funding table in division D, the Secretary of the Navy  
10 shall obligate an additional \$10,000,000 for TACAIR-  
11 launched UAS capability development in furtherance of  
12 national security objectives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

1 **SEC. 1623. BUDGET ITEM RELATING TO ELECTRO-**  
2 **PHOTONIC COMPONENT CAPABILITY DEVEL-**  
3 **OPMENT.**

4 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
5 ITY.—In the budget submitted to Congress under section  
6 1105 of title 31, United States Code, for fiscal year 2012,  
7 the President requested \$123,000,000 for aviation im-  
8 provements. Of the amounts authorized to be appropriated  
9 by section 201, as specified in the corresponding funding  
10 table in division D, the Secretary of the Navy shall obli-  
11 gate an additional \$10,000,000 for electro-photonic com-  
12 ponent capability development in furtherance of national  
13 security objectives.

14 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
15 decision to commit, obligate, or expend funds referred to  
16 in the second sentence of subsection (a) with or to a spe-  
17 cific entity shall—

18 (1) be based on merit-based selection proce-  
19 dures in accordance with the requirements of sec-  
20 tions 2304(k) and 2374 of title 10, United States  
21 Code, or on competitive procedures; and

22 (2) comply with other applicable provisions of  
23 law.

1 **SEC. 1624. BUDGET ITEM RELATING TO AIRBORNE RECON-**  
2 **NAISSANCE SYSTEMS.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$106,877,000 for airborne recon-  
7 naissance systems. Of the amounts authorized to be ap-  
8 propriated by section 201, as specified in the cor-  
9 responding funding table in division D, the Secretary of  
10 Defense shall obligate an additional \$3,000,000 for the  
11 same purpose in furtherance of national security objec-  
12 tives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1625. BUDGET ITEM RELATING TO SMALL BUSINESS**  
24 **INNOVATIVE RESEARCH.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$0 for Small Business Innovative  
3 Research. Of the amounts authorized to be appropriated  
4 by section 201, as specified in the corresponding funding  
5 table in division D, the Secretary of the Army shall obli-  
6 gate an additional \$5,000,000 to accelerate the use of  
7 technologies from the small business innovative research  
8 program into Army acquisition programs of record in fur-  
9 therance of national security objectives.

10 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
11 decision to commit, obligate, or expend funds referred to  
12 in the second sentence of subsection (a) with or to a spe-  
13 cific entity shall—

14 (1) be based on merit-based selection proce-  
15 dures in accordance with the requirements of sec-  
16 tions 2304(k) and 2374 of title 10, United States  
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of  
19 law.

20 **SEC. 1626. BUDGET ITEM RELATING TO DEFENSE RE-**  
21 **SEARCH SCIENCES.**

22 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
23 ITY.—In the budget submitted to Congress under section  
24 1105 of title 31, United States Code, for fiscal year 2012,  
25 the President requested \$446,123,000 for defense re-

1 search sciences. Of the amounts authorized to be appro-  
2 priated by section 201, as specified in the corresponding  
3 funding table in division D, the Secretary of the Navy  
4 shall obligate an additional \$2,500,000 to conduct re-  
5 search into the magnetic and electric fields of the coastal  
6 ocean environment in furtherance of national security ob-  
7 jectives.

8 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
9 decision to commit, obligate, or expend funds referred to  
10 in the second sentence of subsection (a) with or to a spe-  
11 cific entity shall—

12 (1) be based on merit-based selection proce-  
13 dures in accordance with the requirements of sec-  
14 tions 2304(k) and 2374 of title 10, United States  
15 Code, or on competitive procedures; and

16 (2) comply with other applicable provisions of  
17 law.

18 **SEC. 1627. BUDGET ITEM RELATING TO DEFENSE RE-**  
19 **SEARCH SCIENCES.**

20 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
21 ITY.—In the budget submitted to Congress under section  
22 1105 of title 31, United States Code, for fiscal year 2012,  
23 the President requested \$213,942,000 for Defense Re-  
24 search Sciences. Of the amounts authorized to be appro-  
25 priated by section 201, as specified in the corresponding

1 funding table in division D, the Secretary of the Army  
2 shall obligate an additional \$2,000,000 to support re-  
3 search into innovative new techniques for combat wound  
4 repair in furtherance of national security objectives.

5 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
6 decision to commit, obligate, or expend funds referred to  
7 in the second sentence of subsection (a) with or to a spe-  
8 cific entity shall—

9 (1) be based on merit-based selection proce-  
10 dures in accordance with the requirements of sec-  
11 tions 2304(k) and 2374 of title 10, United States  
12 Code, or on competitive procedures; and

13 (2) comply with other applicable provisions of  
14 law.

15 **SEC. 1628. BUDGET ITEM RELATING TO COMMUNICATIONS**

16 **ADVANCED TECHNOLOGY.**

17 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
18 ITY.—In the budget submitted to Congress under section  
19 1105 of title 31, United States Code, for fiscal year 2012,  
20 the President requested \$5,312,000 for research, develop-  
21 ment, test and evaluation, Army, for communications ad-  
22 vanced technology. Of the amounts authorized to be ap-  
23 propriated by section 201, as specified in the cor-  
24 responding funding table in division D, the Secretary of  
25 the Army shall obligate an additional \$3,000,000 for the

1 development of communications and information net-  
2 working technologies to support Army requirements in  
3 furtherance of national security objectives.

4 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
5 decision to commit, obligate, or expend funds referred to  
6 in the second sentence of subsection (a) with or to a spe-  
7 cific entity shall—

8 (1) be based on merit-based selection proce-  
9 dures in accordance with the requirements of sec-  
10 tions 2304(k) and 2374 of title 10, United States  
11 Code, or on competitive procedures; and

12 (2) comply with other applicable provisions of  
13 law.

14 **SEC. 1629. BUDGET ITEM RELATING TO NIGHT VISION**  
15 **TECHNOLOGY.**

16 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
17 ITY.—In the budget submitted to Congress under section  
18 1105 of title 31, United States Code, for fiscal year 2012,  
19 the President requested \$39,813,000 for research, devel-  
20 opment, test and evaluation, Army, for night vision tech-  
21 nology. Of the amounts authorized to be appropriated by  
22 section 201, as specified in the corresponding funding  
23 table in division D, the Secretary of the Army shall obli-  
24 gate an additional \$4,000,000 to develop radio frequency



1 signals intelligence processing equipment and associated  
2 applications in furtherance of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1630. BUDGET ITEM RELATING TO NIGHT VISION**  
14 **TECHNOLOGY.**

15 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
16 ITY.—In the budget submitted to Congress under section  
17 1105 of title 31, United States Code, for fiscal year 2012,  
18 the President requested \$57,203,000 for Night Vision  
19 Technology. Of the amounts authorized to be appropriated  
20 by section 201, as specified in the corresponding funding  
21 table in division D, the Secretary of the Army shall obli-  
22 gate an additional \$8,000,000 for the development of en-  
23 hanced low-light level visual sensors for persistent surveil-  
24 lance and dismounted soldier applications in furtherance  
25 of national security objectives.

1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1631. BUDGET ITEM RELATING TO NIGHT VISION AD-**  
12 **VANCED TECHNOLOGY.**

13 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
14 ITY.—In the budget submitted to Congress under section  
15 1105 of title 31, United States Code, for fiscal year 2012,  
16 the President requested \$42,414,000 for night vision ad-  
17 vanced technology. Of the amounts authorized to be ap-  
18 propriated by section 201, as specified in the cor-  
19 responding funding table in division D, the Secretary of  
20 Defense shall obligate an additional \$4,000,000 for the  
21 development of deployable force protection sensors in fur-  
22 therance of national security objectives.

23 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1632. BUDGET ITEM RELATING TO NIGHT VISION AD-**  
10 **VANCED TECHNOLOGY.**

11 (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
12 **ITY.**—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$42,414,000 for night vision ad-  
15 vanced technology. Of the amounts authorized to be ap-  
16 propriated by section 201, as specified in the cor-  
17 responding funding table in division D, the Secretary of  
18 the Army shall obligate an additional \$5,000,000 for the  
19 development and fielding of a solution for helicopter  
20 “brownout” situational awareness in furtherance of na-  
21 tional security objectives.

22 (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
23 decision to commit, obligate, or expend funds referred to  
24 in the second sentence of subsection (a) with or to a spe-  
25 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7   **SEC. 1633. BUDGET ITEM RELATING TO NIGHT VISION AD-**  
8                                   **VANCED TECHNOLOGY.**

9           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
10          **ITY.**—In the budget submitted to Congress under section  
11          1105 of title 31, United States Code, for fiscal year 2012,  
12          the President requested \$42,414,000 for Night Vision Ad-  
13          vanced Technology. Of the amounts authorized to be ap-  
14          propriated by section 201, as specified in the cor-  
15          responding funding table in division D, the Secretary of  
16          the Army shall obligate an additional \$4,800,000 for night  
17          vision advanced technology development in furtherance of  
18          national security objectives.

19          (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
20          decision to commit, obligate, or expend funds referred to  
21          in the second sentence of subsection (a) with or to a spe-  
22          cific entity shall—

23                 (1) be based on merit-based selection proce-  
24                 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1634. BUDGET ITEM RELATING TO ROTARY WING SUR-**  
6 **FACES.**

7 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
8 ITY.—In the budget submitted to Congress under section  
9 1105 of title 31, United States Code, for fiscal year 2012,  
10 the President requested \$80,317,000 for Military Engi-  
11 neering Technology. Of the amounts authorized to be ap-  
12 propriated by section 201, as specified in the cor-  
13 responding funding table in division D, the Secretary of  
14 the Army shall obligate an additional \$6,000,000 for the  
15 development of mission planning and support tools for ro-  
16 tary wing surfaces in furtherance of national security ob-  
17 jectives.

18 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
19 decision to commit, obligate, or expend funds referred to  
20 in the second sentence of subsection (a) with or to a spe-  
21 cific entity shall—

22 (1) be based on merit-based selection proce-  
23 dures in accordance with the requirements of sec-  
24 tions 2304(k) and 2374 of title 10, United States  
25 Code, or on competitive procedures; and

1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 1635. BUDGET ITEM RELATING TO WEAPONS AND MU-**  
4 **NITIONS TECHNOLOGY.**

5       (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6 ITY.—In the budget submitted to Congress under section  
7 1105 of title 31, United States Code, for fiscal year 2012,  
8 the President requested \$57,203,000 for weapons and mu-  
9 nitions technology. Of the amounts authorized to be ap-  
10 propriated by section 201, as specified in the cor-  
11 responding funding table in division D, the Secretary of  
12 the Army shall obligate an additional \$30,000,000 for the  
13 development of weapons and munitions technologies by  
14 small and non-traditional defense businesses in further-  
15 ance of national security objectives.

16       (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
17 decision to commit, obligate, or expend funds referred to  
18 in the second sentence of subsection (a) with or to a spe-  
19 cific entity shall—

20           (1) be based on merit-based selection proce-  
21 dures in accordance with the requirements of sec-  
22 tions 2304(k) and 2374 of title 10, United States  
23 Code, or on competitive procedures; and

24           (2) comply with other applicable provisions of  
25       law.

1 **SEC. 1636. BUDGET ITEM RELATING TO WEAPONS AND MU-**  
2 **NITIONS ADVANCED TECHNOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$77,077,000 for Weapons and  
7 Munitions Advanced Technology. Of the amounts author-  
8 ized to be appropriated by section 201, as specified in the  
9 corresponding funding table in division D, the Secretary  
10 of the Army shall obligate an additional \$2,500,000 for  
11 development of innovative manufacturing techniques and  
12 processes for munitions and weapons systems in further-  
13 ance of national security objectives.

14 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
15 decision to commit, obligate, or expend funds referred to  
16 in the second sentence of subsection (a) with or to a spe-  
17 cific entity shall—

18 (1) be based on merit-based selection proce-  
19 dures in accordance with the requirements of sec-  
20 tions 2304(k) and 2374 of title 10, United States  
21 Code, or on competitive procedures; and

22 (2) comply with other applicable provisions of  
23 law.

1 **SEC. 1637. BUDGET ITEM RELATING TO WEAPONS AND MU-**  
2 **NITIONS ADVANCED TECHNOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$77,077,000 for Weapons and  
7 Munitions Advanced Technology. Of the amounts author-  
8 ized to be appropriated by section 201, as specified in the  
9 corresponding funding table in division D, the Secretary  
10 of the Army shall obligate an additional \$2,500,000 for  
11 the development of innovative manufacturing techniques  
12 and processes for munitions and weapons systems in fur-  
13 therance of national security objectives.

14 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
15 decision to commit, obligate, or expend funds referred to  
16 in the second sentence of subsection (a) with or to a spe-  
17 cific entity shall—

18 (1) be based on merit-based selection proce-  
19 dures in accordance with the requirements of sec-  
20 tions 2304(k) and 2374 of title 10, United States  
21 Code, or on competitive procedures; and

22 (2) comply with other applicable provisions of  
23 law.



1 **SEC. 1638. BUDGET ITEM RELATING TO MATERIALS TECH-**  
2 **NOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$30,258,000 for Materials Tech-  
7 nology. Of the amounts authorized to be appropriated by  
8 section 201, as specified in the corresponding funding  
9 table in division D, the Secretary of the Army shall obli-  
10 gate an additional \$4,000,000 to develop innovative nano-  
11 materials and nanomanufacturing processes for warfighter  
12 systems in furtherance of national security objectives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1639. BUDGET ITEM RELATING TO MATERIALS TECH-**  
24 **NOLOGY.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$30,258,000 for Materials Tech-  
3 nology. Of the amounts authorized to be appropriated by  
4 section 201, as specified in the corresponding funding  
5 table in division D, the Secretary of the Army shall obli-  
6 gate an additional \$1,500,000 for the development and  
7 demonstration of novel lightweight composite packaging  
8 and structural materials in furtherance of national secu-  
9 rity objectives.

10 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
11 decision to commit, obligate, or expend funds referred to  
12 in the second sentence of subsection (a) with or to a spe-  
13 cific entity shall—

14 (1) be based on merit-based selection proce-  
15 dures in accordance with the requirements of sec-  
16 tions 2304(k) and 2374 of title 10, United States  
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of  
19 law.

20 **SEC. 1640. BUDGET ITEM RELATING TO MATERIALS TECH-**  
21 **NOLOGY.**

22 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
23 ITY.—In the budget submitted to Congress under section  
24 1105 of title 31, United States Code, for fiscal year 2012,  
25 the President requested \$30,258,000 for materials tech-

1 nology. Of the amounts authorized to be appropriated by  
2 section 201, as specified in the corresponding funding  
3 table in division D, the Secretary of the Army shall obli-  
4 gate an additional \$5,000,000 for advanced manufac-  
5 turing, repair, and sustainment technologies for defense  
6 needs in furtherance of national security objectives.

7 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
8 decision to commit, obligate, or expend funds referred to  
9 in the second sentence of subsection (a) with or to a spe-  
10 cific entity shall—

11 (1) be based on merit-based selection proce-  
12 dures in accordance with the requirements of sec-  
13 tions 2304(k) and 2374 of title 10, United States  
14 Code, or on competitive procedures; and

15 (2) comply with other applicable provisions of  
16 law.

17 **SEC. 1641. BUDGET ITEM RELATING TO LIGHTWEIGHT**  
18 **BODY ARMOR.**

19 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
20 ITY.—In the budget submitted to Congress under section  
21 1105 of title 31, United States Code, for fiscal year 2012,  
22 the President requested \$64,057,000 for plasma treat-  
23 ment of fiber for force protection. Of the amounts author-  
24 ized to be appropriated by section 201, as specified in the  
25 corresponding funding table in division D, the Secretary

1 of the Navy shall obligate an additional \$5,100,000 for  
2 the development of new lightweight body armor in further-  
3 ance of national security objectives.

4 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
5 decision to commit, obligate, or expend funds referred to  
6 in the second sentence of subsection (a) with or to a spe-  
7 cific entity shall—

8 (1) be based on merit-based selection proce-  
9 dures in accordance with the requirements of sec-  
10 tions 2304(k) and 2374 of title 10, United States  
11 Code, or on competitive procedures; and

12 (2) comply with other applicable provisions of  
13 law.

14 **SEC. 1642. BUDGET ITEM RELATING TO INDUSTRIAL PRE-**  
15 **PAREDNESS MANUFACTURING TECHNOLOGY.**

16 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
17 ITY.—In the budget submitted to Congress under section  
18 1105 of title 31, United States Code, for fiscal year 2012,  
19 the President requested \$23,103,000 for industrial pre-  
20 paredness manufacturing technology. Of the amounts au-  
21 thorized to be appropriated by section 201, as specified  
22 in the corresponding funding table in division D, the Sec-  
23 retary of Defense shall obligate an additional \$5,000,000  
24 for sustainment of the industrial base for body armor in  
25 furtherance of national security objectives.

1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1643. BUDGET ITEM RELATING TO SECURE MICRO-**  
12 **ELECTRONICS.**

13 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
14 ITY.—In the budget submitted to Congress under section  
15 1105 of title 31, United States Code, for fiscal year 2012,  
16 the President requested \$23,887,000 for Generic Logistics  
17 R&D Technology Demonstrations. Of the amounts author-  
18 ized to be appropriated by section 201, as specified in the  
19 corresponding funding table in division D, the Secretary  
20 of Defense shall obligate an additional \$15,000,000 to  
21 conduct research into the development, identification, and  
22 management of secure microelectronics in furtherance of  
23 national security objectives.

24 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
25 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1644. BUDGET ITEM RELATING TO ARMY TACTICAL**  
10 **COMMAND AND CONTROL HARDWARE AND**  
11 **SOFTWARE.**

12 (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
13 **ITY.**—In the budget submitted to Congress under section  
14 1105 of title 31, United States Code, for fiscal year 2012,  
15 the President requested \$123,935,000 for Army tactical  
16 command and control hardware and software. Of the  
17 amounts authorized to be appropriated by section 201, as  
18 specified in the corresponding funding table in division D,  
19 the Secretary of the Army shall obligate an additional  
20 \$2,000,000 for the development of interoperable national  
21 security information sharing systems in furtherance of na-  
22 tional security objectives.

23 (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1645. BUDGET ITEM RELATING TO BATTLESPACE**  
10 **KNOWLEDGE DEVELOPMENT AND DEM-**  
11 **ONSTRATION.**

12 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
13 ITY.—In the budget submitted to Congress under section  
14 1105 of title 31, United States Code, for fiscal year 2012,  
15 the President requested \$38,656,000 for battlespace  
16 knowledge development and demonstration. Of the  
17 amounts authorized to be appropriated by section 201, as  
18 specified in the corresponding funding table in division D,  
19 the Secretary of the Air Force shall obligate an additional  
20 \$4,000,000 to conduct research and educational programs  
21 that support cyber workforce development in furtherance  
22 of national security objectives.

23 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1646. BUDGET ITEM RELATING TO TECHNOLOGY**  
10 **TRANSFER.**

11 (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
12 **ITY.**—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$2,553,000 for technology trans-  
15 fer. Of the amounts authorized to be appropriated by sec-  
16 tion 201, as specified in the corresponding funding table  
17 in division D, the Secretary of the Air Force shall obligate  
18 an additional \$9,000,000 for small business technology  
19 transfer efforts into major Department of Defense acquisi-  
20 tion programs of record in furtherance of national security  
21 objectives.

22 (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
23 decision to commit, obligate, or expend funds referred to  
24 in the second sentence of subsection (a) with or to a spe-  
25 cific entity shall—



1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7   **SEC. 1647. BUDGET ITEM RELATING TO UNIVERSITY RE-**  
8                           **SEARCH INITIATIVES.**

9           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
10          **ITY.**—In the budget submitted to Congress under section  
11          1105 of title 31, United States Code, for fiscal year 2012,  
12          the President requested \$80,977,000 for research, devel-  
13          opment, test, and evaluation, Army, for university re-  
14          search initiatives. Of the amounts authorized to be appro-  
15          priated by section 201, as specified in the corresponding  
16          funding table in division D, the Secretary of Defense shall  
17          obligate an additional \$7,000,000 for multidisciplinary re-  
18          search into nanotechnology science in furtherance of na-  
19          tional security objectives.

20          (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
21          decision to commit, obligate, or expend funds referred to  
22          in the second sentence of subsection (a) with or to a spe-  
23          cific entity shall—

24                 (1) be based on merit-based selection proce-  
25                 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1648. BUDGET ITEM RELATING TO UNIVERSITY RE-**  
6 **SEARCH INITIATIVES.**

7 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
8 ITY.—In the budget submitted to Congress under section  
9 1105 of title 31, United States Code, for fiscal year 2012,  
10 the President requested \$140,273,000 for university re-  
11 search initiatives. Of the amounts authorized to be appro-  
12 priated by section 201, as specified in the corresponding  
13 funding table in division D, the Secretary of the Air Force  
14 shall obligate an additional \$7,000,000 for the develop-  
15 ment of hypersonic testing facilities for defense applica-  
16 tions in furtherance of national security objectives.

17 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
18 decision to commit, obligate, or expend funds referred to  
19 in the second sentence of subsection (a) with or to a spe-  
20 cific entity shall—

21 (1) be based on merit-based selection proce-  
22 dures in accordance with the requirements of sec-  
23 tions 2304(k) and 2374 of title 10, United States  
24 Code, or on competitive procedures; and



1 **SEC. 1650. BUDGET ITEM RELATING TO MEDICAL TECH-**  
2 **NOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$105,929,000 for medical tech-  
7 nology. Of the amounts authorized to be appropriated by  
8 section 201, as specified in the corresponding funding  
9 table in division D, the Secretary of the Army shall obli-  
10 gate an additional \$3,000,000 for the same purpose, in-  
11 cluding the development of biomaterials for wound preven-  
12 tion and healing, in furtherance of national security objec-  
13 tives.

14 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
15 decision to commit, obligate, or expend funds referred to  
16 in the second sentence of subsection (a) with or to a spe-  
17 cific entity shall—

18 (1) be based on merit-based selection proce-  
19 dures in accordance with the requirements of sec-  
20 tions 2304(k) and 2374 of title 10, United States  
21 Code, or on competitive procedures; and

22 (2) comply with other applicable provisions of  
23 law.

1 **SEC. 1651. BUDGET ITEM RELATING TO MEDICAL TECH-**  
2 **NOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$105,929,000 for research, devel-  
7 opment, test, and evaluation, Army, for medical tech-  
8 nology. Of the amounts authorized to be appropriated by  
9 section 201, as specified in the corresponding funding  
10 table in division D, the Secretary of the Army shall obli-  
11 gate an additional \$5,000,000 for the same purpose in  
12 furtherance of national security objectives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1652. BUDGET ITEM RELATING TO MEDICAL TECH-**  
24 **NOLOGY.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$105,929,000 for medical tech-  
3 nology. Of the amounts authorized to be appropriated by  
4 section 201, as specified in the corresponding funding  
5 table in division D, the Secretary of the Army shall obli-  
6 gate an additional \$3,500,000 for the same purpose, in-  
7 cluding for the continued development of high-throughput,  
8 microarray diagnostic systems, in furtherance of national  
9 security objectives.

10 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
11 decision to commit, obligate, or expend funds referred to  
12 in the second sentence of subsection (a) with or to a spe-  
13 cific entity shall—

14 (1) be based on merit-based selection proce-  
15 dures in accordance with the requirements of sec-  
16 tions 2304(k) and 2374 of title 10, United States  
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of  
19 law.

20 **SEC. 1653. BUDGET ITEM RELATING TO MEDICAL TECH-**  
21 **NOLOGY.**

22 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
23 ITY.—In the budget submitted to Congress under section  
24 1105 of title 31, United States Code, for fiscal year 2012,  
25 the President requested \$105,929,000 for medical tech-

1 nology. Of the amounts authorized to be appropriated by  
2 section 201, as specified in the corresponding funding  
3 table in division D, the Secretary of the Army shall obli-  
4 gate an additional \$1,468,000 to support research into in-  
5 novative new techniques to develop vaccines of interest to  
6 the military in furtherance of national security objectives.

7 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
8 decision to commit, obligate, or expend funds referred to  
9 in the second sentence of subsection (a) with or to a spe-  
10 cific entity shall—

11 (1) be based on merit-based selection proce-  
12 dures in accordance with the requirements of sec-  
13 tions 2304(k) and 2374 of title 10, United States  
14 Code, or on competitive procedures; and

15 (2) comply with other applicable provisions of  
16 law.

17 **SEC. 1654. BUDGET ITEM RELATING TO MEDICAL AD-**  
18 **VANCED TECHNOLOGY.**

19 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
20 ITY.—In the budget submitted to Congress under section  
21 1105 of title 31, United States Code, for fiscal year 2012,  
22 the President requested \$68,171,000 for medical advanced  
23 technology. Of the amounts authorized to be appropriated  
24 by section 201, as specified in the corresponding funding  
25 table in division D, the Secretary of the Army shall obli-

1 gate an additional \$10,000,000 for the same purpose, in-  
2 cluding for functional genomics research to further de-  
3 velop cancer treatment and detection methods, in further-  
4 ance of national security objectives.

5 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
6 decision to commit, obligate, or expend funds referred to  
7 in the second sentence of subsection (a) with or to a spe-  
8 cific entity shall—

9 (1) be based on merit-based selection proce-  
10 dures in accordance with the requirements of sec-  
11 tions 2304(k) and 2374 of title 10, United States  
12 Code, or on competitive procedures; and

13 (2) comply with other applicable provisions of  
14 law.

15 **SEC. 1655. BUDGET ITEM RELATING TO MEDICAL AD-**  
16 **VANCED TECHNOLOGY.**

17 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
18 ITY.—In the budget submitted to Congress under section  
19 1105 of title 31, United States Code, for fiscal year 2012,  
20 the President requested \$68,171,000 for medical advanced  
21 technology. Of the amounts authorized to be appropriated  
22 by section 201, as specified in the corresponding funding  
23 table in division D, the Secretary of Defense shall obligate  
24 an additional \$5,000,000 for the same purpose (including



1 for the continued development of telemedicine tech-  
2 nologies) in furtherance of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1656. BUDGET ITEM RELATING TO MEDICAL AD-**  
14 **VANCED TECHNOLOGY.**

15 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
16 ITY.—In the budget submitted to Congress under section  
17 1105 of title 31, United States Code, for fiscal year 2012,  
18 the President requested \$68,171,000 for medical advanced  
19 technology. Of the amounts authorized to be appropriated  
20 by section 201, as specified in the corresponding funding  
21 table in division D, the Secretary of the Army shall obli-  
22 gate an additional \$3,000,000 for the same purpose, in-  
23 cluding for the study of health effects from manganese  
24 and other potential toxins, in furtherance of national secu-  
25 rity objectives.

1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1657. BUDGET ITEM RELATING TO MEDICAL AD-**  
12 **VANCED TECHNOLOGY.**

13 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
14 ITY.—In the budget submitted to Congress under section  
15 1105 of title 31, United States Code, for fiscal year 2012,  
16 the President requested \$68,171,000 for medical advanced  
17 technology. Of the amounts authorized to be appropriated  
18 by section 201, as specified in the corresponding funding  
19 table in division D, the Secretary of the Army shall obli-  
20 gate an additional \$5,000,000 for the development of in-  
21 novative medical training technologies in furtherance of  
22 national security objectives.

23 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1658. BUDGET ITEM RELATING TO CHEMICAL AND BI-**  
10 **OLOGICAL DEFENSE PROGRAM.**

11 (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
12 **ITY.**—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$219,873,000 for chemical and  
15 biological program defense program applied research. Of  
16 the amounts authorized to be appropriated by section 201,  
17 as specified in the corresponding funding table in division  
18 D, the Secretary of Defense shall obligate an additional  
19 \$5,000,000 for the same purpose, including for university-  
20 led applied research, in furtherance of national security  
21 objectives.

22 (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
23 decision to commit, obligate, or expend funds referred to  
24 in the second sentence of subsection (a) with or to a spe-  
25 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7 **SEC. 1659. BUDGET ITEM RELATING TO SPECIAL OPER-**  
8                           **ATIONS ADVANCED TECHNOLOGY DEVELOP-**  
9                           **MENT.**

10           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
11 **ITY.**—In the budget submitted to Congress under section  
12 1105 of title 31, United States Code, for fiscal year 2012,  
13 the President requested \$35,242,000 for special oper-  
14 ations advanced technology development. Of the amounts  
15 authorized to be appropriated by section 201, as specified  
16 in the corresponding funding table in division D, the Sec-  
17 retary of Defense shall obligate an additional \$5,000,000  
18 for the same purpose in furtherance of national security  
19 objectives.

20           (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
21 decision to commit, obligate, or expend funds referred to  
22 in the second sentence of subsection (a) with or to a spe-  
23 cific entity shall—

24           (1) be based on merit-based selection proce-  
25           dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1660. BUDGET ITEM RELATING TO COMBATING TER-**  
6 **RORISM TECHNOLOGY SUPPORT.**

7 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
8 ITY.—In the budget submitted to Congress under section  
9 1105 of title 31, United States Code, for fiscal year 2012,  
10 the President requested \$77,019,000 for combating ter-  
11 rorism technology support. Of the amounts authorized to  
12 be appropriated by section 201, as specified in the cor-  
13 responding funding table in division D, the Secretary of  
14 Defense shall obligate an additional \$3,500,000 for the  
15 same purpose (including for risk assessment and resource  
16 allocation) in furtherance of national security objectives.

17 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
18 decision to commit, obligate, or expend funds referred to  
19 in the second sentence of subsection (a) with or to a spe-  
20 cific entity shall—

21 (1) be based on merit-based selection proce-  
22 dures in accordance with the requirements of sec-  
23 tions 2304(k) and 2374 of title 10, United States  
24 Code, or on competitive procedures; and

1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 1661. BUDGET ITEM RELATING TO COMBATING TER-**  
4 **RORISM TECHNOLOGY SUPPORT.**

5       (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6 ITY.—In the budget submitted to Congress under section  
7 1105 of title 31, United States Code, for fiscal year 2012,  
8 the President requested \$77,019,000 for combating ter-  
9 rorism technology support. Of the amounts authorized to  
10 be appropriated by section 201, as specified in the cor-  
11 responding funding table in division D, the Secretary of  
12 Defense shall obligate an additional \$1,200,000 for the  
13 same purpose (including for the development of mobile  
14 training content and distance learning capabilities) in fur-  
15 therance of national security objectives.

16       (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
17 decision to commit, obligate, or expend funds referred to  
18 in the second sentence of subsection (a) with or to a spe-  
19 cific entity shall—

20           (1) be based on merit-based selection proce-  
21 dures in accordance with the requirements of sec-  
22 tions 2304(k) and 2374 of title 10, United States  
23 Code, or on competitive procedures; and

24           (2) comply with other applicable provisions of  
25       law.

1 **SEC. 1662. BUDGET ITEM RELATING TO COMBATING TER-**  
2 **RORISM TECHNOLOGY SUPPORT.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$77,019,000 for combating ter-  
7 rorism technology support. Of the amounts authorized to  
8 be appropriated by section 201, as specified in the cor-  
9 responding funding table in division D, the Secretary of  
10 Defense shall obligate an additional \$6,500,000 for the  
11 same purpose in furtherance of national security objec-  
12 tives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1663. BUDGET ITEM RELATING TO COMBATING TER-**  
24 **RORISM TECHNOLOGY SUPPORT.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$77,019,000 for Combating Ter-  
3 rorism Technology Support. Of the amounts authorized to  
4 be appropriated by section 201, as specified in the cor-  
5 responding funding table in division D, the Secretary of  
6 Defense shall obligate an additional \$3,000,000 for the  
7 development of modeling and simulation technologies for  
8 testing of blast structures in furtherance of national secu-  
9 rity objectives.

10 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
11 decision to commit, obligate, or expend funds referred to  
12 in the second sentence of subsection (a) with or to a spe-  
13 cific entity shall—

14 (1) be based on merit-based selection proce-  
15 dures in accordance with the requirements of sec-  
16 tions 2304(k) and 2374 of title 10, United States  
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of  
19 law.

20 **SEC. 1664. BUDGET ITEM RELATING TO COMBATING TER-**  
21 **RORISM TECHNOLOGY.**

22 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
23 ITY.—In the budget submitted to Congress under section  
24 1105 of title 31, United States Code, for fiscal year 2012,  
25 the President requested \$77,019,000 for combating ter-



1 rorism technology support. Of the amounts authorized to  
2 be appropriated by section 201, as specified in the cor-  
3 responding funding table in division D, the Secretary of  
4 Defense shall obligate an additional \$5,000,000 for the  
5 same purpose in furtherance of national security objec-  
6 tives.

7 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
8 decision to commit, obligate, or expend funds referred to  
9 in the second sentence of subsection (a) with or to a spe-  
10 cific entity shall—

11 (1) be based on merit-based selection proce-  
12 dures in accordance with the requirements of sec-  
13 tions 2304(k) and 2374 of title 10, United States  
14 Code, or on competitive procedures; and

15 (2) comply with other applicable provisions of  
16 law.

17 **SEC. 1665. BUDGET ITEM RELATING TO COMBATING TER-**  
18 **RORISM TECHNOLOGY.**

19 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
20 ITY.—In the budget submitted to Congress under section  
21 1105 of title 31, United States Code, for fiscal year 2012,  
22 the President requested \$77,019,000 for combating ter-  
23 rorism technology support. Of the amounts authorized to  
24 be appropriated by section 201, as specified in the cor-  
25 responding funding table in division D, the Secretary of

1 Defense shall obligate an additional \$4,000,000 for com-  
2 bating terrorism technology support to improve the col-  
3 laborative experimentation model in furtherance of na-  
4 tional security objectives.

5 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
6 decision to commit, obligate, or expend funds referred to  
7 in the second sentence of subsection (a) with or to a spe-  
8 cific entity shall—

9 (1) be based on merit-based selection proce-  
10 dures in accordance with the requirements of sec-  
11 tions 2304(k) and 2374 of title 10, United States  
12 Code, or on competitive procedures; and

13 (2) comply with other applicable provisions of  
14 law.

15 **SEC. 1666. BUDGET ITEM RELATING TO WEAPONS OF MASS**  
16 **DESTRUCTION DEFEAT TECHNOLOGIES.**

17 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
18 ITY.—In the budget submitted to Congress under section  
19 1105 of title 31, United States Code, for fiscal year 2012,  
20 the President requested \$196,954,000 for weapons of  
21 mass destruction defeat technologies. Of the amounts au-  
22 thorized to be appropriated by section 201, as specified  
23 in the corresponding funding table in division D, the Sec-  
24 retary of Defense shall obligate an additional \$5,000,000  
25 for the same purpose, including weapons of mass destruc-

1 tion-related strategic studies and university partnerships,  
2 in furtherance of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1667. BUDGET ITEM RELATING TO COUNTERMINE SYS-**  
14 **TEMS.**

15 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
16 ITY.—In the budget submitted to Congress under section  
17 1105 of title 31, United States Code, for fiscal year 2012,  
18 the President requested \$20,280,000 for countermine sys-  
19 tems. Of the amounts authorized to be appropriated by  
20 section 201, as specified in the corresponding funding  
21 table in division D, the Secretary of the Army shall obli-  
22 gate an additional \$4,500,000 for the same purpose in  
23 furtherance of national security objectives.

24 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
25 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1668. BUDGET ITEM RELATING TO MINE AND EXPEDI-**  
10 **TIONARY WARFARE APPLIED RESEARCH.**

11 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
12 ITY.—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$37,583,000 for Mine and Expe-  
15 ditionary Warfare Applied Research. Of the amounts au-  
16 thorized to be appropriated by section 201, as specified  
17 in the corresponding funding table in division D, the Sec-  
18 retary of the Navy shall obligate an additional \$8,000,000  
19 for the development of remote- robotic naval mine counter-  
20 measure research and development capability in further-  
21 ance of national security objectives.

22 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
23 decision to commit, obligate, or expend funds referred to  
24 in the second sentence of subsection (a) with or to a spe-  
25 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7   **SEC. 1669. BUDGET ITEM RELATING TO SPECIAL APPLICA-**  
8                                   **TIONS FOR CONTINGENCIES.**

9           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
10          **ITY.**—In the budget submitted to Congress under section  
11          1105 of title 31, United States Code, for fiscal year 2012,  
12          the President requested \$5,045,000 for special operations  
13          advanced technology development. Of the amounts author-  
14          ized to be appropriated by section 201, as specified in the  
15          corresponding funding table in division D, the Secretary  
16          of Defense shall obligate an additional \$4,000,000 for the  
17          same purpose, including for special applications for contin-  
18          gencies such as for the development and demonstration  
19          of tactical unmanned aerial vehicles, in furtherance of na-  
20          tional security objectives.

21          (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
22          decision to commit, obligate, or expend funds referred to  
23          in the second sentence of subsection (a) with or to a spe-  
24          cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7 **SEC. 1670. BUDGET ITEM RELATING TO MICROELEC-**  
8                           **TRONICS TECHNOLOGY DEVELOPMENT AND**  
9                           **SUPPORT.**

10           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
11 **ITY.**—In the budget submitted to Congress under section  
12 1105 of title 31, United States Code, for fiscal year 2012,  
13 the President requested \$91,132,000 for Microelectronics  
14 Technology Development and Support. Of the amounts  
15 authorized to be appropriated by section 201, as specified  
16 in the corresponding funding table in division D, the Sec-  
17 retary of Defense shall obligate an additional \$3,000,000  
18 for the development of innovative semiconductor design  
19 and fabrication tools in furtherance of national security  
20 objectives.

21           (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
22 decision to commit, obligate, or expend funds referred to  
23 in the second sentence of subsection (a) with or to a spe-  
24 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7 **SEC. 1671. BUDGET ITEM RELATING TO WARFIGHTER**  
8 **SUSTAINMENT APPLIED RESEARCH.**

9           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
10 **ITY.**—In the budget submitted to Congress under section  
11 1105 of title 31, United States Code, for fiscal year 2012,  
12 the President requested \$101,205,000 for Warfighter  
13 Sustainment Applied Research. Of the amounts author-  
14 ized to be appropriated by section 201, as specified in the  
15 corresponding funding table in division D, the Secretary  
16 of the Navy shall obligate an additional \$2,500,000 to  
17 support research into corrosion control and anti-biofouling  
18 coatings in furtherance of national security objectives.

19           (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
20 decision to commit, obligate, or expend funds referred to  
21 in the second sentence of subsection (a) with or to a spe-  
22 cific entity shall—

23           (1) be based on merit-based selection proce-  
24           dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1672. BUDGET ITEM RELATING TO MARINE CORPS**  
6 **LANDING FORCE TECHNOLOGY.**

7 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
8 ITY.—In the budget submitted to Congress under section  
9 1105 of title 31, United States Code, for fiscal year 2012,  
10 the President requested \$44,845,000 for Marine Corps  
11 Landing Force Technology. Of the amounts authorized to  
12 be appropriated by section 201, as specified in the cor-  
13 responding funding table in division D, the Secretary of  
14 the Navy shall obligate an additional \$3,000,000 for the  
15 development of situational awareness and communications  
16 networking tools for tactical units in furtherance of na-  
17 tional security objectives.

18 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
19 decision to commit, obligate, or expend funds referred to  
20 in the second sentence of subsection (a) with or to a spe-  
21 cific entity shall—

22 (1) be based on merit-based selection proce-  
23 dures in accordance with the requirements of sec-  
24 tions 2304(k) and 2374 of title 10, United States  
25 Code, or on competitive procedures; and



1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 1673. BUDGET ITEM RELATING TO ADVANCED CON-**  
4 **CEPTS AND SIMULATION.**

5       (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6 ITY.—In the budget submitted to Congress under section  
7 1105 of title 31, United States Code, for fiscal year 2012,  
8 the President requested \$20,933,000 for Advanced Con-  
9 cepts and Simulation. Of the amounts authorized to be  
10 appropriated by section 201, as specified in the cor-  
11 responding funding table in division D, the Secretary of  
12 the Army shall obligate an additional \$10,000,000 to de-  
13 velop realistic human representations of software agents  
14 for simulation systems in furtherance of national security  
15 objectives.

16       (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
17 decision to commit, obligate, or expend funds referred to  
18 in the second sentence of subsection (a) with or to a spe-  
19 cific entity shall—

20           (1) be based on merit-based selection proce-  
21 dures in accordance with the requirements of sec-  
22 tions 2304(k) and 2374 of title 10, United States  
23 Code, or on competitive procedures; and

24           (2) comply with other applicable provisions of  
25       law.

1 **SEC. 1674. BUDGET ITEM RELATING TO HUMAN EFFECTIVE-**  
2 **NESS APPLIED RESEARCH.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$86,663,000 for Human Effec-  
7 tiveness Applied Research. Of the amounts authorized to  
8 be appropriated by section 201, as specified in the cor-  
9 responding funding table in division D, the Secretary of  
10 the Air Force shall obligate an additional \$2,200,000 to  
11 develop training and simulation capabilities for the Air  
12 Force in furtherance of national security objectives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1675. BUDGET ITEM RELATING TO AEROSPACE PRO-**  
24 **PULSION.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$207,508,000 for aerospace pro-  
3 pulsion. Of the amounts authorized to be appropriated by  
4 section 201, as specified in the corresponding funding  
5 table in division D, the Secretary of the Air Force shall  
6 obligate an additional \$2,000,000 for the development of  
7 innovative aircraft deoxygeneration systems in furtherance  
8 of national security objectives.

9 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
10 decision to commit, obligate, or expend funds referred to  
11 in the second sentence of subsection (a) with or to a spe-  
12 cific entity shall—

13 (1) be based on merit-based selection proce-  
14 dures in accordance with the requirements of sec-  
15 tions 2304(k) and 2374 of title 10, United States  
16 Code, or on competitive procedures; and

17 (2) comply with other applicable provisions of  
18 law.

19 **SEC. 1676. BUDGET ITEM RELATING TO END ITEM INDUS-**  
20 **TRIAL PREPAREDNESS ACTIVITIES.**

21 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
22 ITY.—In the budget submitted to Congress under section  
23 1105 of title 31, United States Code, for fiscal year 2012,  
24 the President requested \$59,297,000 for end item indus-  
25 trial preparedness activities. Of the amounts authorized

1 to be appropriated by section 201, as specified in the cor-  
2 responding funding table in division D, the Secretary of  
3 the Army shall obligate an additional \$7,000,000 to de-  
4 velop a 3-D model-based design and manufacturing capa-  
5 bility in furtherance of national security objectives.

6 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
7 decision to commit, obligate, or expend funds referred to  
8 in the second sentence of subsection (a) with or to a spe-  
9 cific entity shall—

10 (1) be based on merit-based selection proce-  
11 dures in accordance with the requirements of sec-  
12 tions 2304(k) and 2374 of title 10, United States  
13 Code, or on competitive procedures; and

14 (2) comply with other applicable provisions of  
15 law.

16 **SEC. 1677. BUDGET ITEM RELATING TO SENSORS AND**  
17 **ELECTRONIC SURVIVABILITY.**

18 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
19 ITY.—In the budget submitted to Congress under section  
20 1105 of title 31, United States Code, for fiscal year 2012,  
21 the President requested \$43,521,000 for Sensors and  
22 Electronic Survivability. Of the amounts authorized to be  
23 appropriated by section 201, as specified in the cor-  
24 responding funding table in division D, the Secretary of  
25 the Army shall obligate an additional \$10,000,000 for the

1 development of command, control, and navigation capabili-  
2 ties for manned and unmanned aircraft in furtherance of  
3 national security objectives.

4 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
5 decision to commit, obligate, or expend funds referred to  
6 in the second sentence of subsection (a) with or to a spe-  
7 cific entity shall—

8 (1) be based on merit-based selection proce-  
9 dures in accordance with the requirements of sec-  
10 tions 2304(k) and 2374 of title 10, United States  
11 Code, or on competitive procedures; and

12 (2) comply with other applicable provisions of  
13 law.

14 **SEC. 1678. BUDGET ITEM RELATING TO MILITARY ENGI-**  
15 **NEERING ADVANCED TECHNOLOGY.**

16 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
17 ITY.—In the budget submitted to Congress under section  
18 1105 of title 31, United States Code, for fiscal year 2012,  
19 the President requested \$36,516,000 for Military Engi-  
20 neering Advanced Technology. Of the amounts authorized  
21 to be appropriated by section 201, as specified in the cor-  
22 responding funding table in division D, the Secretary of  
23 the Army shall obligate an additional \$5,000,000 for the  
24 development of innovative capabilities that support core

1 missions of the Army Corps of Engineers in furtherance  
2 of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1679. BUDGET ITEM RELATING TO AVIATION AD-**  
14 **VANCED TECHNOLOGY.**

15 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
16 ITY.—In the budget submitted to Congress under section  
17 1105 of title 31, United States Code, for fiscal year 2012,  
18 the President requested \$62,193,000 for aviation ad-  
19 vanced technology. Of the amounts authorized to be ap-  
20 propriated by section 201, as specified in the cor-  
21 responding funding table in division D, the Secretary of  
22 the Army shall obligate an additional \$8,000,000 for the  
23 same purpose, including for the development and dem-  
24 onstration of a high-efficiency air-breathing turbine pro-

1 pulsion system for unmanned aircraft systems, in further-  
2 ance of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1680. BUDGET ITEM RELATING TO ESTABLISHMENT**  
14 **OF PROTOCOLS FOR JOINT STRIKE FIGHTER**  
15 **LEAD-FREE ELECTRONIC COMPONENTS.**

16 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
17 ITY.—In the budget submitted to Congress under section  
18 1105 of title 31, United States Code, for fiscal year 2012,  
19 the President requested \$1,387,926,000 for joint strike  
20 fighter development. Of the amounts authorized to be ap-  
21 propriated by section 201, as specified in the cor-  
22 responding funding table in division D, the Secretary of  
23 the Air Force shall obligate an additional \$1,000,000 for  
24 the development of protocols for the use of lead-free solder

1 products and finishes in the joint strike fighter in further-  
2 ance of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1681. BUDGET ITEM RELATING TO PORTABLE HELI-**  
14 **COPTER OXYGEN DELIVERY SYSTEMS.**

15 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
16 ITY.—In the budget submitted to Congress under section  
17 1105 of title 31, United States Code, for fiscal year 2012,  
18 the President requested \$73,728,000 for infantry support  
19 weapons. Of the amounts authorized to be appropriated  
20 by section 201, as specified in the corresponding funding  
21 table in division D, the Secretary of the Army shall obli-  
22 gate an additional \$3,000,000 for improvements to port-  
23 able helicopter oxygen delivery systems in furtherance of  
24 national security objectives.



1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1682. BUDGET ITEM RELATING TO ADVANCED ROTOR-**  
12 **CRAFT FLIGHT RESEARCH.**

13 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
14 ITY.—In the budget submitted to Congress under section  
15 1105 of title 31, United States Code, for fiscal year 2012,  
16 the President requested \$62,193,000 for aviation ad-  
17 vanced technology . Of the amounts authorized to be ap-  
18 propriated by section 201, as specified in the cor-  
19 responding funding table in division D, the Secretary of  
20 the Army shall obligate an additional \$8,000,000 for ad-  
21 vanced rotorcraft flight research in furtherance of national  
22 security objectives.

23 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1683. BUDGET ITEM RELATING TO MISSILE AND ROCK-**  
10 **ET ADVANCED TECHNOLOGY.**

11 (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
12 **ITY.**—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$90,602,000 for missile and rock-  
15 et advanced technology. Of the amounts authorized to be  
16 appropriated by section 201, as specified in the cor-  
17 responding funding table in division D, the Secretary of  
18 the Army shall obligate an additional \$6,250,000 for the  
19 development of missile simulation technology in further-  
20 ance of national security objectives.

21 (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
22 decision to commit, obligate, or expend funds referred to  
23 in the second sentence of subsection (a) with or to a spe-  
24 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7   **SEC. 1684. BUDGET ITEM RELATING TO MISSILE AND ROCK-**  
8                                   **ET ADVANCED TECHNOLOGY.**

9           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
10          **ITY.**—In the budget submitted to Congress under section  
11          1105 of title 31, United States Code, for fiscal year 2012,  
12          the President requested \$90,602,000 for missile and rock-  
13          et advanced technology. Of the amounts authorized to be  
14          appropriated by section 201, as specified in the cor-  
15          responding funding table in division D, the Secretary of  
16          the Army shall obligate an additional \$4,300,000 for base  
17          defense counter fire intercept systems in furtherance of  
18          national security objectives.

19          (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
20          decision to commit, obligate, or expend funds referred to  
21          in the second sentence of subsection (a) with or to a spe-  
22          cific entity shall—

23                 (1) be based on merit-based selection proce-  
24                 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1685. BUDGET ITEM RELATING TO COMBAT VEHICLE**  
6 **IMPROVEMENT PROGRAMS.**

7 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
8 ITY.—In the budget submitted to Congress under section  
9 1105 of title 31, United States Code, for fiscal year 2012,  
10 the President requested \$53,700,000 for combat vehicle  
11 improvement programs. Of the amounts authorized to be  
12 appropriated by section 201, as specified in the cor-  
13 responding funding table in division D, the Secretary of  
14 the Army shall obligate an additional \$25,000,000 for the  
15 same purpose, including for the M1A1 Abrams tank en-  
16 gine technology insertion demonstration program, in fur-  
17 therance of national security objectives.

18 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
19 decision to commit, obligate, or expend funds referred to  
20 in the second sentence of subsection (a) with or to a spe-  
21 cific entity shall—

22 (1) be based on merit-based selection proce-  
23 dures in accordance with the requirements of sec-  
24 tions 2304(k) and 2374 of title 10, United States  
25 Code, or on competitive procedures; and

1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 1686. BUDGET ITEM RELATING TO WARFIGHTER AD-**  
4 **VANCED TECHNOLOGY.**

5       (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6 ITY.—In the budget submitted to Congress under section  
7 1105 of title 31, United States Code, for fiscal year 2012,  
8 the President requested \$52,979,000 for Warfighter Ad-  
9 vanced Technology. Of the amounts authorized to be ap-  
10 propriated by section 201, as specified in the cor-  
11 responding funding table in division D, the Secretary of  
12 the Army shall obligate an additional \$5,000,000 for the  
13 same purpose in furtherance of national security objec-  
14 tives.

15       (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
16 decision to commit, obligate, or expend funds referred to  
17 in the second sentence of subsection (a) with or to a spe-  
18 cific entity shall—

19           (1) be based on merit-based selection proce-  
20 dures in accordance with the requirements of sec-  
21 tions 2304(k) and 2374 of title 10, United States  
22 Code, or on competitive procedures; and

23           (2) comply with other applicable provisions of  
24       law.

1 **SEC. 1687. BUDGET ITEM RELATING TO AVIATION AD-**  
2 **VANCED TECHNOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$62,193,000 for aviation ad-  
7 vanced technology. Of the amounts authorized to be ap-  
8 propriated by section 201, as specified in the cor-  
9 responding funding table in division D, the Secretary of  
10 the Army shall obligate an additional \$2,500,000 for the  
11 same purpose, including for the development and dem-  
12 onstration of autonomous cargo for rotorcraft unmanned  
13 aerial vehicles, in furtherance of national security objec-  
14 tives.

15 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
16 decision to commit, obligate, or expend funds referred to  
17 in the second sentence of subsection (a) with or to a spe-  
18 cific entity shall—

19 (1) be based on merit-based selection proce-  
20 dures in accordance with the requirements of sec-  
21 tions 2304(k) and 2374 of title 10, United States  
22 Code, or on competitive procedures; and

23 (2) comply with other applicable provisions of  
24 law.

1 **SEC. 1688. BUDGET ITEM RELATING TO AVIATION AD-**  
2 **VANCED TECHNOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$62,193,000 for research, devel-  
7 opment, test and evaluation, Army, for aviation advanced  
8 technology. Of the amounts authorized to be appropriated  
9 by section 201, as specified in the corresponding funding  
10 table in division D, the Secretary of the Army shall obli-  
11 gate an additional \$7,000,000 for the same purpose (in-  
12 cluding for common data link waveform improvements) in  
13 furtherance of national security objectives.

14 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
15 decision to commit, obligate, or expend funds referred to  
16 in the second sentence of subsection (a) with or to a spe-  
17 cific entity shall—

18 (1) be based on merit-based selection proce-  
19 dures in accordance with the requirements of sec-  
20 tions 2304(k) and 2374 of title 10, United States  
21 Code, or on competitive procedures; and

22 (2) comply with other applicable provisions of  
23 law.

1 **SEC. 1689. BUDGET ITEM RELATING TO AVIATION AD-**  
2 **VANCED TECHNOLOGY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$62,193,000 for aviation ad-  
7 vanced technology. Of the amounts authorized to be ap-  
8 propriated by section 201, as specified in the cor-  
9 responding funding table in division D, the Secretary of  
10 the Army shall obligate an additional \$2,300,000 to con-  
11 duct research on corrosion reduction for rotor craft avia-  
12 tion platforms in furtherance of national security objec-  
13 tives.

14 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
15 decision to commit, obligate, or expend funds referred to  
16 in the second sentence of subsection (a) with or to a spe-  
17 cific entity shall—

18 (1) be based on merit-based selection proce-  
19 dures in accordance with the requirements of sec-  
20 tions 2304(k) and 2374 of title 10, United States  
21 Code, or on competitive procedures; and

22 (2) comply with other applicable provisions of  
23 law.



1 **SEC. 1690. BUDGET ITEM RELATING TO MUNITIONS STAND-**  
2 **ARDIZATION, EFFECTIVENESS, AND SAFETY.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$57,142,000 for munitions stand-  
7 ardization, effectiveness, and safety. Of the amounts au-  
8 thorized to be appropriated by section 201, as specified  
9 in the corresponding funding table in division D, the Sec-  
10 retary of the Army shall obligate an additional \$5,000,000  
11 for enhanced survivability and lethality system develop-  
12 ment in furtherance of national security objectives.

13 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
14 decision to commit, obligate, or expend funds referred to  
15 in the second sentence of subsection (a) with or to a spe-  
16 cific entity shall—

17 (1) be based on merit-based selection proce-  
18 dures in accordance with the requirements of sec-  
19 tions 2304(k) and 2374 of title 10, United States  
20 Code, or on competitive procedures; and

21 (2) comply with other applicable provisions of  
22 law.

23 **SEC. 1691. BUDGET ITEM RELATING TO AEGIS BALLISTIC**  
24 **MISSILE DEFENSE.**

25 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
26 ITY.—In the budget submitted to Congress under section

1 1105 of title 31, United States Code, for fiscal year 2012,  
2 the President requested \$960,267,000 for Aegis ballistic  
3 missile defense. Of the amounts authorized to be appro-  
4 priated by section 201, as specified in the corresponding  
5 funding table in division D, the Director of the Missile  
6 Defense Agency shall obligate an additional \$5,000,000  
7 for expanding the engagement capability of the Aegis bal-  
8 listic missile defense in furtherance of national security  
9 objectives.

10 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
11 decision to commit, obligate, or expend funds referred to  
12 in the second sentence of subsection (a) with or to a spe-  
13 cific entity shall—

14 (1) be based on merit-based selection proce-  
15 dures in accordance with the requirements of sec-  
16 tions 2304(k) and 2374 of title 10, United States  
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of  
19 law.

20 **SEC. 1692. BUDGET ITEM RELATING TO OPERATIONALLY**  
21 **RESPONSIVE SPACE.**

22 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
23 ITY.—In the budget submitted to Congress under section  
24 1105 of title 31, United States Code, for fiscal year 2012,  
25 the President requested \$86,500,000 for operationally re-

1 sponsive space. Of the amounts authorized to be appro-  
2 priated by section 201, as specified in the corresponding  
3 funding table in division D, the Secretary of the Air Force  
4 shall obligate an additional \$20,000,000 for the acquisi-  
5 tion of additional operationally responsive space capabili-  
6 ties to meet the urgent needs of commanders, further de-  
7 velop and demonstrate a modular architecture, and sup-  
8 port enabling technologies and infrastructure in further-  
9 ance of national security objectives.

10 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
11 decision to commit, obligate, or expend funds referred to  
12 in the second sentence of subsection (a) with or to a spe-  
13 cific entity shall—

14 (1) be based on merit-based selection proce-  
15 dures in accordance with the requirements of sec-  
16 tions 2304(k) and 2374 of title 10, United States  
17 Code, or on competitive procedures; and

18 (2) comply with other applicable provisions of  
19 law.

20 **SEC. 1693. BUDGET ITEM RELATING TO SPACE TECH-**  
21 **NOLOGY.**

22 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
23 ITY.—In the budget submitted to Congress under section  
24 1105 of title 31, United States Code, for fiscal year 2012,  
25 the President requested \$115,300,000 for space tech-

1 nology. Of the amounts authorized to be appropriated by  
2 section 201, as specified in the corresponding funding  
3 table in division D, the Secretary of the Air Force shall  
4 obligate an additional \$3,000,000 for expanding research  
5 for space technology in furtherance of national security  
6 objectives.

7 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
8 decision to commit, obligate, or expend funds referred to  
9 in the second sentence of subsection (a) with or to a spe-  
10 cific entity shall—

11 (1) be based on merit-based selection proce-  
12 dures in accordance with the requirements of sec-  
13 tions 2304(k) and 2374 of title 10, United States  
14 Code, or on competitive procedures; and

15 (2) comply with other applicable provisions of  
16 law.

17 **SEC. 1694. BUDGET ITEM RELATING TO ARMY NET ZERO**  
18 **PROGRAMS.**

19 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
20 ITY.—In the budget submitted to Congress under section  
21 1105 of title 31, United States Code, for fiscal year 2012,  
22 the President requested \$4,946,000 for Environmental  
23 Quality Technology. Of the amounts authorized to be ap-  
24 propriated by section 201, as specified in the cor-  
25 responding funding table in division D, the Secretary of

1 the Army shall obligate an additional \$8,000,000 for  
2 Army net zero programs in furtherance of national secu-  
3 rity objectives.

4 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
5 decision to commit, obligate, or expend funds referred to  
6 in the second sentence of subsection (a) with or to a spe-  
7 cific entity shall—

8 (1) be based on merit-based selection proce-  
9 dures in accordance with the requirements of sec-  
10 tions 2304(k) and 2374 of title 10, United States  
11 Code, or on competitive procedures; and

12 (2) comply with other applicable provisions of  
13 law.

14 **SEC. 1695. BUDGET ITEM RELATING TO OFFSHORE RANGE**  
15 **ENVIRONMENTAL BASELINE ASSESSMENT.**

16 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
17 ITY.—In the budget submitted to Congress under section  
18 1105 of title 31, United States Code, for fiscal year 2012,  
19 the President requested \$66,409,000 for the Strategic En-  
20 vironmental Research Program. Of the amounts author-  
21 ized to be appropriated by section 201, as specified in the  
22 corresponding funding table in division D, the Secretary  
23 of Defense shall obligate an additional \$1,750,000 for off-  
24 shore range environmental baseline assessment in further-  
25 ance of national security objectives.

1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1696. BUDGET ITEM RELATING TO DEPARTMENT OF**  
12 **DEFENSE CORROSION PROTECTION**  
13 **PROJECTS.**

14 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
15 ITY.—In the budget submitted to Congress under section  
16 1105 of title 31, United States Code, for fiscal year 2012,  
17 the President requested \$3,221,000 for the Department  
18 of Defense Corrosion Protection Projects. Of the amounts  
19 authorized to be appropriated by section 201, as specified  
20 in the corresponding funding table in division D, the Sec-  
21 retary of Defense shall obligate an additional \$10,300,000  
22 for the same purpose in furtherance of national security  
23 objectives.

24 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
25 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1697. BUDGET ITEM RELATING TO STUDY OF RENEW-**  
10 **ABLE AND ALTERNATIVE ENERGY APPLICA-**  
11 **TIONS IN THE PACIFIC REGION.**

12 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
13 ITY.—In the budget submitted to Congress under section  
14 1105 of title 31, United States Code, for fiscal year 2012,  
15 the President requested \$446,123,000 for defense re-  
16 search sciences. Of the amounts authorized to be appro-  
17 priated by section 201, as specified in the corresponding  
18 funding table in division D, the Secretary of the Navy  
19 shall obligate an additional \$2,000,000 for the study of  
20 renewable and alternative energy applications in the Pa-  
21 cific Region in furtherance of national security objectives.

22 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
23 decision to commit, obligate, or expend funds referred to  
24 in the second sentence of subsection (a) with or to a spe-  
25 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7   **SEC. 1698. BUDGET ITEM RELATING TO ALTERNATIVE EN-**  
8                           **ERGY FOR MOBILE POWER APPLICATIONS.**

9           (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
10          **ITY.**—In the budget submitted to Congress under section  
11          1105 of title 31, United States Code, for fiscal year 2012,  
12          the President requested \$156,901,000 for Force Protec-  
13          tion Applied research. Of the amounts authorized to be  
14          appropriated by section 201, as specified in the cor-  
15          responding funding table in division D, the Secretary of  
16          the Navy shall obligate an additional \$2,000,000 for alter-  
17          native energy for mobile power applications in furtherance  
18          of national security objectives.

19          (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
20          decision to commit, obligate, or expend funds referred to  
21          in the second sentence of subsection (a) with or to a spe-  
22          cific entity shall—

23                 (1) be based on merit-based selection proce-  
24                 dures in accordance with the requirements of sec-



1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1699. BUDGET ITEM RELATING TO ADVANCED BAT-**  
6 **TERY TECHNOLOGIES.**

7 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
8 ITY.—In the budget submitted to Congress under section  
9 1105 of title 31, United States Code, for fiscal year 2012,  
10 the President requested \$64,057,000 for force protection  
11 advanced technology. Of the amounts authorized to be ap-  
12 propriated by section 201, as specified in the cor-  
13 responding funding table in division D, the Secretary of  
14 the Navy shall obligate an additional \$2,000,000 for ad-  
15 vanced battery technologies in furtherance of national se-  
16 curity objectives.

17 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
18 decision to commit, obligate, or expend funds referred to  
19 in the second sentence of subsection (a) with or to a spe-  
20 cific entity shall—

21 (1) be based on merit-based selection proce-  
22 dures in accordance with the requirements of sec-  
23 tions 2304(k) and 2374 of title 10, United States  
24 Code, or on competitive procedures; and

1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 1699A. BUDGET ITEM RELATING TO OPERATIONAL EN-**  
4 **ERGY IMPROVEMENT PILOT PROJECT.**

5       (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6 ITY.—In the budget submitted to Congress under section  
7 1105 of title 31, United States Code, for fiscal year 2012,  
8 the President requested \$20,444,000 for Operational En-  
9 ergy Capability Improvement. Of the amounts authorized  
10 to be appropriated by section 201, as specified in the cor-  
11 responding funding table in division D, the Secretary of  
12 Defense shall obligate an additional \$4,000,000 for an  
13 operational energy pilot project in furtherance of national  
14 security objectives.

15       (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
16 decision to commit, obligate, or expend funds referred to  
17 in the second sentence of subsection (a) with or to a spe-  
18 cific entity shall—

19           (1) be based on merit-based selection proce-  
20 dures in accordance with the requirements of sec-  
21 tions 2304(k) and 2374 of title 10, United States  
22 Code, or on competitive procedures; and

23           (2) comply with other applicable provisions of  
24       law.

1 **SEC. 1699B. BUDGET ITEM RELATING TO MICROGRID PILOT**  
2 **PROGRAM.**

3 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
4 ITY.—In the budget submitted to Congress under section  
5 1105 of title 31, United States Code, for fiscal year 2012,  
6 the President requested \$30,000,000 for the installation  
7 energy test bed. Of the amounts authorized to be appro-  
8 priated by section 201, as specified in the corresponding  
9 funding table in division D, the Secretary of Defense shall  
10 obligate an additional \$2,000,000 for the microgrid pilot  
11 program in furtherance of national security objectives.

12 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
13 decision to commit, obligate, or expend funds referred to  
14 in the second sentence of subsection (a) with or to a spe-  
15 cific entity shall—

16 (1) be based on merit-based selection proce-  
17 dures in accordance with the requirements of sec-  
18 tions 2304(k) and 2374 of title 10, United States  
19 Code, or on competitive procedures; and

20 (2) comply with other applicable provisions of  
21 law.

22 **SEC. 1699C. BUDGET ITEM RELATING TO ADVANCED SUR-**  
23 **FACE MACHINERY SYSTEMS.**

24 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
25 ITY.—In the budget submitted to Congress under section  
26 1105 of title 31, United States Code, for fiscal year 2012,

1 the President requested \$18,249,000 for Advanced Sur-  
2 face Machinery Systems. Of the amounts authorized to be  
3 appropriated by section 201, as specified in the cor-  
4 responding funding table in division D, the Secretary of  
5 the Navy shall obligate an additional \$10,000,000 for the  
6 same purpose in furtherance of national security objec-  
7 tives.

8 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
9 decision to commit, obligate, or expend funds referred to  
10 in the second sentence of subsection (a) with or to a spe-  
11 cific entity shall—

12 (1) be based on merit-based selection proce-  
13 dures in accordance with the requirements of sec-  
14 tions 2304(k) and 2374 of title 10, United States  
15 Code, or on competitive procedures; and

16 (2) comply with other applicable provisions of  
17 law.

18 **SEC. 1699D. BUDGET ITEM RELATING TO BASE CAMP FUEL**  
19 **CELLS.**

20 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
21 ITY.—In the budget submitted to Congress under section  
22 1105 of title 31, United States Code, for fiscal year 2012,  
23 the President requested \$36,516,000 for Military Engi-  
24 neering Advanced Technology. Of the amounts authorized  
25 to be appropriated by section 201, as specified in the cor-

1 responding funding table in division D, the Secretary of  
2 the Army shall obligate an additional \$2,000,000 for base  
3 camp fuel cells in furtherance of national security objec-  
4 tives.

5 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
6 decision to commit, obligate, or expend funds referred to  
7 in the second sentence of subsection (a) with or to a spe-  
8 cific entity shall—

9 (1) be based on merit-based selection proce-  
10 dures in accordance with the requirements of sec-  
11 tions 2304(k) and 2374 of title 10, United States  
12 Code, or on competitive procedures; and

13 (2) comply with other applicable provisions of  
14 law.

15 **SEC. 1699E. BUDGET ITEM RELATING TO DEFENSE ALTER-**  
16 **NATIVE ENERGY.**

17 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
18 ITY.—In the budget submitted to Congress under section  
19 1105 of title 31, United States Code, for fiscal year 2012,  
20 the President requested \$17,888,000 for the Defense-wide  
21 Manufacturing Science and Technology Program. Of the  
22 amounts authorized to be appropriated by section 201, as  
23 specified in the corresponding funding table in division D,  
24 the Secretary of Defense shall obligate an additional

1 \$2,000,000 for defense alternative energy in furtherance  
2 of national security objectives.

3 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in the second sentence of subsection (a) with or to a spe-  
6 cific entity shall—

7 (1) be based on merit-based selection proce-  
8 dures in accordance with the requirements of sec-  
9 tions 2304(k) and 2374 of title 10, United States  
10 Code, or on competitive procedures; and

11 (2) comply with other applicable provisions of  
12 law.

13 **SEC. 1699F. BUDGET ITEM RELATING TO RADIOLOGICAL**  
14 **CONTAMINATION RESEARCH.**

15 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
16 ITY.—In the budget submitted to Congress under section  
17 1105 of title 31, United States Code, for fiscal year 2012,  
18 the President requested \$66,409,000 for the Strategic En-  
19 vironmental Research Program. Of the amounts author-  
20 ized to be appropriated by section 201, as specified in the  
21 corresponding funding table in division D, the Secretary  
22 of Defense shall obligate an additional \$4,000,000 for ra-  
23 diological contamination research in furtherance of na-  
24 tional security objectives.

1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1699F-1. REPORTS ON INCREASED BUDGET ITEMS.**

12 (a) REPORTS.—

13 (1) IN GENERAL.—For each program described  
14 in subsection (b), the Secretary of Defense shall sub-  
15 mit to the congressional defense committees a report  
16 containing—

17 (A) a justification of the use of the total  
18 amount appropriated for the program for fiscal  
19 year 2012; and

20 (B) the process by which such amounts  
21 were awarded.

22 (2) SUBMISSION.—The Secretary shall submit  
23 each report under paragraph (1) by not later than  
24 the date that is 180 days after the date on which

1 the funds for the program for fiscal year 2012 have  
2 been allocated.

3 (b) PROGRAM DESCRIBED.—A program described in  
4 this subsection is a program element funded—

5 (1) with amounts authorized to be appropriated  
6 by section 201; and

7 (2) in an amount that is more than the amount  
8 requested by the President in the budget submitted  
9 to Congress under section 1105 of title 31, United  
10 States Code, for fiscal year 2012.

## 11 **Subtitle C—Operation and** 12 **Maintenance**

### 13 **SEC. 1699G. BUDGET ITEM RELATING TO DEPARTMENT OF** 14 **DEFENSE CORROSION PREVENTION PRO-** 15 **GRAM.**

16 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
17 ITY.—In the budget submitted to Congress under section  
18 1105 of title 31, United States Code, for fiscal year 2012,  
19 the President requested \$7,324,000 for the Department  
20 of Defense Corrosion Prevention Program. Of the  
21 amounts authorized to be appropriated by section 301, as  
22 specified in the corresponding funding table in division D,  
23 the Secretary of Defense shall obligate an additional  
24 \$22,700,000 for the same purpose in furtherance of na-  
25 tional security objectives.



1 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
2 decision to commit, obligate, or expend funds referred to  
3 in the second sentence of subsection (a) with or to a spe-  
4 cific entity shall—

5 (1) be based on merit-based selection proce-  
6 dures in accordance with the requirements of sec-  
7 tions 2304(k) and 2374 of title 10, United States  
8 Code, or on competitive procedures; and

9 (2) comply with other applicable provisions of  
10 law.

11 **SEC. 1699H. BUDGET ITEM RELATING TO NAVY EMER-**  
12 **GENCY MANAGEMENT AND PREPAREDNESS.**

13 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
14 ITY.—In the budget submitted to Congress under section  
15 1105 of title 31, United States Code, for fiscal year 2012,  
16 the President requested \$38,425,841,000 for Operation &  
17 Maintenance, Navy Budget Activity 01, Operating Forces.  
18 Of the amounts authorized to be appropriated by section  
19 301, as specified in the corresponding funding table in di-  
20 vision D, the Secretary of the Navy shall obligate an addi-  
21 tional \$2,000,000 for emergency management and pre-  
22 paredness of national security objectives.

23 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
24 decision to commit, obligate, or expend funds referred to

1 in the second sentence of subsection (a) with or to a spe-  
2 cific entity shall—

3 (1) be based on merit-based selection proce-  
4 dures in accordance with the requirements of sec-  
5 tions 2304(k) and 2374 of title 10, United States  
6 Code, or on competitive procedures; and

7 (2) comply with other applicable provisions of  
8 law.

9 **SEC. 1699I. BUDGET ITEM RELATING TO ARMY SIMULATION**  
10 **TRAINING SYSTEMS.**

11 (a) **ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-**  
12 **ITY.**—In the budget submitted to Congress under section  
13 1105 of title 31, United States Code, for fiscal year 2012,  
14 the President requested \$2,939,455,000 for Operation &  
15 Maintenance, Army Budget Activity 01, Force Readiness  
16 Operations Support, Line 070. Of the amounts authorized  
17 to be appropriated by section 301, as specified in the cor-  
18 responding funding table in division D, the Secretary of  
19 the Army shall obligate an additional \$4,000,000 for sim-  
20 ulation training systems in furtherance of national secu-  
21 rity objectives.

22 (b) **MERIT-BASED OR COMPETITIVE DECISIONS.**—A  
23 decision to commit, obligate, or expend funds referred to  
24 in the second sentence of subsection (a) with or to a spe-  
25 cific entity shall—

1           (1) be based on merit-based selection proce-  
2           dures in accordance with the requirements of sec-  
3           tions 2304(k) and 2374 of title 10, United States  
4           Code, or on competitive procedures; and

5           (2) comply with other applicable provisions of  
6           law.

7   **SEC. 1699J. BUDGET ITEM RELATING TO ARMY INDUSTRIAL**  
8                           **FACILITY ENERGY MONITORING.**

9           (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
10          ITY.—In the budget submitted to Congress under section  
11          1105 of title 31, United States Code, for fiscal year 2012,  
12          the President requested \$2,745,667,000 for Operation  
13          and Maintenance Army, Line 110, Facilities Sustainment,  
14          Restoration, and Modernization. Of the amounts author-  
15          ized to be appropriated by section 301, as specified in the  
16          corresponding funding table in division D, the Secretary  
17          of the Army shall obligate an additional \$2,380,000 for  
18          Army Industrial Facility Energy Monitoring in further-  
19          ance of national security objectives.

20          (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
21          decision to commit, obligate, or expend funds referred to  
22          in the second sentence of subsection (a) with or to a spe-  
23          cific entity shall—

24                 (1) be based on merit-based selection proce-  
25                 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1699K. BUDGET ITEM RELATING TO ARMY NATIONAL**  
6 **GUARD CIVIL SUPPORT TEAM INFORMATION**  
7 **MANAGEMENT SYSTEMS.**

8 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
9 ITY.—In the budget submitted to Congress under section  
10 1105 of title 31, United States Code, for fiscal year 2012,  
11 the President requested \$706,299,000 for Operation &  
12 Maintenance, Army National Guard Budget Activity 12,  
13 Line 070, Force Readiness Operations Support. Of the  
14 amounts authorized to be appropriated by section 301, as  
15 specified in the corresponding funding table in division D,  
16 the Secretary of the Army shall obligate an additional  
17 \$2,000,000 for Civil Support Team Information Manage-  
18 ment Systems in furtherance of national security objec-  
19 tives.

20 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
21 decision to commit, obligate, or expend funds referred to  
22 in the second sentence of subsection (a) with or to a spe-  
23 cific entity shall—

24 (1) be based on merit-based selection proce-  
25 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
4 law.

5 **SEC. 1699L. BUDGET ITEM RELATING TO ARMY ARSENALS.**

6 (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
7 ITY.—In the budget submitted to Congress under section  
8 1105 of title 31, United States Code, for fiscal year 2012,  
9 the President requested \$7,973,300 for Operation & Main-  
10 tenance, Army Budget Activity 04, Administration and  
11 Service-wide Activities, line 423, Logistic Support Activi-  
12 ties. Of the amounts authorized to be appropriated by sec-  
13 tion 301, as specified in the corresponding funding table  
14 in division D, the Secretary of the Army shall obligate an  
15 additional \$6,000,000 for capital improvements at United  
16 States Army arsenals in furtherance of national security  
17 objectives.

18 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
19 decision to commit, obligate, or expend funds referred to  
20 in the second sentence of subsection (a) with or to a spe-  
21 cific entity shall—

22 (1) be based on merit-based selection proce-  
23 dures in accordance with the requirements of sec-  
24 tions 2304(k) and 2374 of title 10, United States  
25 Code, or on competitive procedures; and

1           (2) comply with other applicable provisions of  
2       law.

3 **SEC. 1699M. BUDGET ITEM RELATING TO COLD WEATHER**  
4                                   **PROTECTIVE EQUIPMENT.**

5           (a) ADDITIONAL, DISCRETIONARY BUDGET AUTHOR-  
6       ITY.—In the budget submitted to Congress under section  
7       1105 of title 31, United States Code, for fiscal year 2012,  
8       the President requested \$3,986,766,000 for Operation &  
9       Maintenance, Defense-wide, Special Operations Com-  
10      mand. Of the amounts authorized to be appropriated by  
11      section 301, as specified in the corresponding funding  
12      table in division D, the Secretary of Defense shall obligate  
13      an additional \$3,000,000 for cold weather protective  
14      equipment in furtherance of national security objectives.

15           (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
16      decision to commit, obligate, or expend funds referred to  
17      in the second sentence of subsection (a) with or to a spe-  
18      cific entity shall—

19           (1) be based on merit-based selection proce-  
20      dures in accordance with the requirements of sec-  
21      tions 2304(k) and 2374 of title 10, United States  
22      Code, or on competitive procedures; and

23           (2) comply with other applicable provisions of  
24      law.

1 **DIVISION B—MILITARY CON-**  
2 **STRUCTION AUTHORIZA-**  
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 This division may be cited as the “Military Construc-  
6 tion Authorization Act for Fiscal Year 2012”.

7 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**  
8 **AMOUNTS REQUIRED TO BE SPECIFIED BY**  
9 **LAW.**

10 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE  
11 YEARS.—Except as provided in subsection (b), all author-  
12 izations contained in titles XXI through XXVII for mili-  
13 tary construction projects, land acquisition, family housing  
14 projects and facilities, and contributions to the North At-  
15 lantic Treaty Organization Security Investment Program  
16 (and authorizations of appropriations therefor) shall ex-  
17 pire on the later of—

18 (1) October 1, 2014; or

19 (2) the date of the enactment of an Act author-  
20 izing funds for military construction for fiscal year  
21 2015.

22 (b) EXCEPTION.—Subsection (a) shall not apply to  
23 authorizations for military construction projects, land ac-  
24 quisition, family housing projects and facilities, and con-  
25 tributions to the North Atlantic Treaty Organization Se-

1 curity Investment Program (and authorizations of appro-  
2 priations therefor), for which appropriated funds have  
3 been obligated before the later of—

4 (1) October 1, 2014; or

5 (2) the date of the enactment of an Act author-  
6 izing funds for fiscal year 2015 for military con-  
7 struction projects, land acquisition, family housing  
8 projects and facilities, and contributions to the  
9 North Atlantic Treaty Organization Security Invest-  
10 ment Program.

11 **SEC. 2003. LIMITATION ON IMPLEMENTATION OF**  
12 **PROJECTS DESIGNATED AS VARIOUS LOCA-**  
13 **TIONS.**

14 The Secretary of Defense or the Secretary of a mili-  
15 tary department may not enter into an award of a project  
16 authorized for various locations in titles XXI through  
17 XXVII, as specified in the funding table in section 4601,  
18 until the Secretary concerned submits to the congressional  
19 defense committees a report that includes the following:

20 (1) Within the amounts authorized to be appro-  
21 priated in titles XXI through XXVII, a list of the  
22 proposed projects.

23 (2) A Military Construction Data Sheet for  
24 each project.



1 (3) A certification that the projects can be  
 2 awarded in the year for which the appropriation of  
 3 funds is made.

4 (4) A certification that the projects are listed in  
 5 the current Future Years Defense Program.

6 **SEC. 2004. EFFECTIVE DATE.**

7 Titles XXI, XXII, XXIII, XXIV, XXV, XXVI, and  
 8 XXVII shall take effect on the later of—

- 9 (1) October 1, 2011; or
- 10 (2) the date of the enactment of this Act.

11 **TITLE XXI—ARMY MILITARY**  
 12 **CONSTRUCTION**

13 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
 14 **ACQUISITION PROJECTS.**

15 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 16 appropriated pursuant to the authorization of appropria-  
 17 tions in section 2104 and available for military construc-  
 18 tion projects inside the United States as specified in the  
 19 funding table in section 4601, the Secretary of the Army  
 20 may acquire real property and carry out military construc-  
 21 tion projects for the installations or locations inside the  
 22 United States, and in the amounts, set forth in the fol-  
 23 lowing table:

**Army: Inside the United States**

State	Installation or Location	Amount
Alaska .....	Fort Wainwright .....	\$114,000,000
	JB Elmendorf-Richardson .....	\$103,600,000

**Army: Inside the United States**—Continued

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
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
	Mealester .....	\$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

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2104 and available for military construc-  
4 tion projects outside the United States as specified in the  
5 funding table in section 4601, the Secretary of the Army  
6 may acquire real property and carry out military construc-  
7 tion projects for the installations or locations outside the  
8 United States, and in the amounts, set forth in the fol-  
9 lowing table:

**Army: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Afghanistan .....	Bagram Air Base, Afghanistan .....	\$80,000,000
Germany .....	Germersheim .....	\$37,500,000

**Army: Outside the United States**—Continued

Country	Installation or Location	Amount
	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

**1 SEC. 2102. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
 3 amounts appropriated pursuant to the authorization of ap-  
 4 propriations in section 2104 and available for military  
 5 family housing functions as specified in the funding table  
 6 in section 4601, the Secretary of the Army may construct  
 7 or acquire family housing units (including land acquisition  
 8 and supporting facilities) at the installations or locations,  
 9 in the number of units, and in the amounts set forth in  
 10 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

1 (b) PLANNING AND DESIGN.—Using amounts appro-  
2 priated pursuant to the authorization of appropriations in  
3 section 2104 and available for military family housing  
4 functions as specified in the funding table in section 4601,  
5 the Secretary of the Army may carry out architectural and  
6 engineering services and construction design activities  
7 with respect to the construction or improvement of family  
8 housing units in an amount not to exceed \$7,897,000.

9 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
10 **UNITS.**

11 Subject to section 2825 of title 10, United States  
12 Code, and using amounts appropriated pursuant to the  
13 authorization of appropriations in section 2104 and avail-  
14 able for military family housing functions as specified in  
15 the funding table in section 4601, the Secretary of the  
16 Army may improve existing military family housing units  
17 in an amount not to exceed \$103,000,000.

18 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

19 Funds are hereby authorized to be appropriated for  
20 fiscal years beginning after September 30, 2011, for mili-  
21 tary construction, land acquisition, and military family  
22 housing functions of the Department of the Army, as spec-  
23 ified in the funding table in section 4601.

1 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**  
2 **CERTAIN FISCAL YEAR 2009 PROJECT.**

3 In the case of the authorization contained in the table  
4 in section 2101(a) of the Military Construction Authoriza-  
5 tion Act for Fiscal Year 2009 (division B of Public Law  
6 110–417; 122 Stat. 4658) for Fort Benning, Georgia, for  
7 construction of a Multipurpose Training Range at the in-  
8 stallation, the Secretary of the Army may construct up  
9 to 1,802 square feet of loading dock consistent with the  
10 Army’s construction guidelines for Multipurpose Training  
11 Ranges.

12 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**  
13 **CERTAIN FISCAL YEAR 2011 PROJECTS.**

14 (a) HAWAII.—In the case of the authorization con-  
15 tained in the table in section 2101(a) of the Military Con-  
16 struction Authorization Act for Fiscal Year 2011 (division  
17 B of Public Law 111–383; 124 Stat. 4437) for Schofield  
18 Barracks, Hawaii, for renovations of buildings 450 and  
19 452, the Secretary of the Army may renovate building 451  
20 in lieu of building 452.

21 (b) NEW YORK.—In the case of the authorization  
22 contained in the table in section 2101(a) of the Military  
23 Construction Authorization Act for Fiscal Year 2011 (di-  
24 vision B of Public Law 111–383; 124 Stat. 4437) for Fort  
25 Drum, New York, for construction of an Aircraft Mainte-  
26 nance Hangar at the installation, the Secretary of the

1 Army may construct up to 39,049 square yards of parking  
2 apron consistent with the Army's construction guidelines  
3 for Aircraft Maintenance Hangars and associated parking  
4 aprons.

5 (c) GERMANY.—In the case of the authorization con-  
6 tained in the table in section 2101(b) of the Military Con-  
7 struction Authorization Act for Fiscal Year 2011 (division  
8 B of Public Law 111–383; 124 Stat. 4438) for Wiesbaden,  
9 Germany, for construction of an Information Processing  
10 Center at the installation, the Secretary of the Army may  
11 construct up to 9,400 square yards of vehicle parking ga-  
12 rage consistent with the Army's construction guidelines  
13 for parking garages, in lieu of renovating 9,400 square  
14 yards of parking area.

15 **SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CER-**  
16 **TAIN FISCAL YEAR 2012 PROJECT USING**  
17 **PRIOR-YEAR UNOBLIGATED ARMY MILITARY**  
18 **CONSTRUCTION FUNDS.**

19 (a) PROJECT AUTHORIZATION.—The Secretary of  
20 the Army may carry out a military construction project  
21 to construct a water treatment facility for Fort Irwin,  
22 California, in the amount of \$115,000,000.

23 (b) USE OF UNOBLIGATED PRIOR-YEAR ARMY MILI-  
24 TARY CONSTRUCTION FUNDS.—To carry out the project  
25 described in subsection (a), the Secretary of the Army may

1 use available, unobligated Army military construction  
2 funds appropriated for a fiscal year before fiscal year  
3 2012.

4 (c) CONGRESSIONAL NOTIFICATION.—The Secretary  
5 of the Army shall provide information in accordance with  
6 section 2851(c) of title 10, United States Code, regarding  
7 the project described in subsection (a). If it becomes nec-  
8 essary to exceed the estimated project cost, the Secretary  
9 shall utilize the authority provided by section 2853 of such  
10 title regarding authorized cost and scope of work vari-  
11 ations.

12 **SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
13 **FISCAL YEAR 2008 PROJECTS.**

14 (a) EXTENSION.—Notwithstanding section 2002 of  
15 the Military Construction Authorization Act for Fiscal  
16 Year 2008 (division B of Public Law 110–181; 122 Stat.  
17 503), authorizations set forth in the table in subsection  
18 (b), as provided in section 2101 of that Act (122 Stat.  
19 504) and extended by section 2108 of the Military Con-  
20 struction Authorization Act for Fiscal Year 2011 (division  
21 B of Public Law 111–383; 124 Stat. 4440), shall remain  
22 in effect until October 1, 2012, or the date of the enact-  
23 ment of an Act authorizing funds for military construction  
24 for fiscal year 2013, whichever is later.

1 (b) TABLE.—The table referred to in subsection (a)  
 2 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

3 **SEC. 2109. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 4 **FISCAL YEAR 2009 PROJECTS.**

5 (a) EXTENSION.—Notwithstanding section 2002 of  
 6 the Military Construction Authorization Act for Fiscal  
 7 Year 2009 (division B of Public Law 110–417; 122 Stat.  
 8 4658), authorizations set forth in the table in subsection  
 9 (b), as provided in section 2101 of that Act (122 Stat.  
 10 4658), shall remain in effect until October 1, 2012, or the  
 11 date of the enactment of an Act authorizing funds for mili-  
 12 tary construction for fiscal year 2013, whichever is later.

13 (b) TABLE.—The table referred to in subsection (a)  
 14 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 Facil- ity Phase I .....	\$9,900,000
Virginia .....	Fort Eustis .....	Vehicle Paint Facility .....	\$3,900,000



1 **SEC. 2110. TECHNICAL AMENDMENTS TO CORRECT CER-**  
2 **TAIN PROJECT SPECIFICATIONS.**

3 The table in section 3002 of the Military Construc-  
4 tion Authorization Act for Fiscal Year 2011 (division B  
5 of Public Law 111–383; 124 Stat. 4503) is amended—

6 (1) in the project specification for the Army for  
7 “Entry Control Point and Access Roads” that ap-  
8 pears immediately below the project specifications  
9 for Bagram Air Force Base, Afghanistan, by strik-  
10 ing “Delaram Ii” and inserting “Delaram II”; and

11 (2) in the project specifications for the Army  
12 for the Shank installation, Afghanistan, by striking  
13 “Expand Extended Cooperation Programme 1 and  
14 Extended Cooperation Programme 2” in the Project  
15 title column and inserting “Expand Entry Control  
16 Point 1 and Entry Control Point 2”.

17 **SEC. 2111. ADDITIONAL BUDGET ITEMS RELATING TO ARMY**  
18 **CONSTRUCTION AND LAND ACQUISITION**  
19 **PROJECTS.**

20 (a) TRAINING FACILITIES.—Of the amounts author-  
21 ized to be appropriated by section 2104, as specified in  
22 the corresponding funding table in section 4601, the Sec-  
23 retary of the Army shall obligate an additional  
24 \$20,000,000 for Army training facilities in furtherance of  
25 national security objectives.

1           (b) COMMUNITY HOUSING FACILITIES.—Of the  
2 amounts authorized to be appropriated by section 2104,  
3 as specified in the corresponding funding table in section  
4 4601, the Secretary of the Army shall obligate an addi-  
5 tional \$10,000,000 for community housing facilities in  
6 furtherance of national security objectives.

7           (c) TROOP HOUSING FACILITIES.—Of the amounts  
8 authorized to be appropriated by section 2104, as specified  
9 in the corresponding funding table in section 4601, the  
10 Secretary of the Army shall obligate an additional  
11 \$10,000,000 for Troop housing facilities in furtherance of  
12 national security objectives.

13           (d) UTILITIES AND GROUND IMPROVEMENTS.—Of  
14 the amounts authorized to be appropriated by section  
15 2104, as specified in the corresponding funding table in  
16 section 4601, the Secretary of the Army shall obligate an  
17 additional \$10,000,000 for Army utilities and ground im-  
18 provements in furtherance of national security objectives.

19           (e) RESEARCH AND DEVELOPMENT FACILITIES.—Of  
20 the amounts authorized to be appropriated by section  
21 2104, as specified in the corresponding funding table in  
22 section 4601, the Secretary of the Army shall obligate an  
23 additional \$20,000,000 for research and development fa-  
24 cilities in furtherance of national security objectives.

1 (f) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
 2 decision to commit, obligate, or expend funds referred to  
 3 in this section with or to a specific entity shall—

4 (1) be based on merit-based selection proce-  
 5 dures in accordance with the requirements of sec-  
 6 tions 2304(k) and 2374 of title 10, United States  
 7 Code, or on competitive procedures; and

8 (2) comply with other applicable provisions of  
 9 law.

10 **TITLE XXII—NAVY MILITARY**  
 11 **CONSTRUCTION**

12 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
 13 **ACQUISITION PROJECTS.**

14 (a) INSIDE THE UNITED STATES.—Using amounts  
 15 appropriated pursuant to the authorization of appropria-  
 16 tions in section 2204 and available for military construc-  
 17 tion projects inside the United States as specified in the  
 18 funding table in section 4601, the Secretary of the Navy  
 19 may acquire real property and carry out military construc-  
 20 tion projects for the installations or locations inside the  
 21 United States, and in the amounts, set forth in the fol-  
 22 lowing 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

**Navy: Inside the United States**—Continued

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
	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

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2204 and available for military construc-  
4 tion projects outside the United States as specified in the  
5 funding table in section 4601, the Secretary of the Navy  
6 may acquire real property and carry out military construc-  
7 tion projects for the installation or location outside the  
8 United States, and in the amounts, set forth in the fol-  
9 lowing table:

**Navy: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
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

1 **SEC. 2202. FAMILY HOUSING.**

2 Using amounts appropriated pursuant to the author-  
3 ization of appropriations in section 2204 and available for  
4 military family housing functions as specified in the fund-  
5 ing table in section 4601, the Secretary of the Navy may  
6 carry out architectural and engineering services and con-  
7 struction design activities with respect to the construction  
8 or improvement of family housing units in an amount not  
9 to exceed \$3,199,000.

10 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
11 **UNITS.**

12 Subject to section 2825 of title 10, United States  
13 Code, and using amounts appropriated pursuant to the  
14 authorization of appropriations in section 2204 and avail-  
15 able for military family housing functions as specified in  
16 the funding table in section 4601, the Secretary of the  
17 Navy may improve existing military family housing units  
18 in an amount not to exceed \$97,773,000.

19 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.— Funds  
21 are hereby authorized to be appropriated for fiscal years  
22 beginning after September 30, 2011, for military con-  
23 struction, land acquisition, and military family housing  
24 functions of the Department of the Navy, as specified in  
25 the funding table in section 4601.

1 (b) LIMITATION.—None of the funds appropriated  
 2 pursuant to the authorization of appropriations in sub-  
 3 section (a) may be used for architectural and engineering  
 4 services and construction design of any military construc-  
 5 tion project necessary to establish a homeport for a nu-  
 6 clear-powered aircraft carrier at Naval Station Mayport,  
 7 Florida.

8 **SEC. 2205. EXTENSION OF AUTHORIZATION OF CERTAIN**  
 9 **FISCAL YEAR 2008 PROJECT.**

10 (a) EXTENSION.—Notwithstanding section 2002 of  
 11 the Military Construction Authorization Act for Fiscal  
 12 Year 2008 (division B of Public Law 110–181; 122 Stat.  
 13 503), the authorization set forth in the table in subsection  
 14 (b), as provided in section 2201(c) of that Act (122 Stat.  
 15 511) and extended by section 2206 of the Military Con-  
 16 struction Authorization Act for Fiscal Year 2011 (division  
 17 B of Public Law 111–383; 124 Stat. 4443), shall remain  
 18 in effect until October 1, 2012, or the date of an Act au-  
 19 thorizing funds for military construction for fiscal year  
 20 2013, whichever is later.

21 (b) TABLE.—The table referred to in subsection (a)  
 22 is as follows:

**Navy: Extension of 2008 Project Authorization**

Location	Installation or Location	Project	Amount
Worldwide .....	Unspecified .....	Host Nation Infrastruc- ture .....	\$2,700,000

1 (c) TECHNICAL AMENDMENT FOR CONSISTENCY IN  
 2 PROJECT AUTHORIZATION DISPLAY.—The table in sec-  
 3 tion 2201(c) of the Military Construction Authorization  
 4 Act for Fiscal Year 2008 (division B of Public Law 110–  
 5 181; 122 Stat. 511) is amended by inserting at the end  
 6 the following new row:

“Worldwide Unspecified .....	Host Nation Infrastructure .....	\$2,700,000”.
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7 **SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 8 **FISCAL YEAR 2009 PROJECTS.**

9 (a) EXTENSION.—Notwithstanding section 2002 of  
 10 the Military Construction Authorization Act for Fiscal  
 11 Year 2009 (division B of Public Law 110-417; 122 Stat.  
 12 4658), authorizations set forth in the table in subsection  
 13 (b), as provided in section 2201 of that Act (122 Stat.  
 14 4670), shall remain in effect until October 1, 2012, or the  
 15 date of an Act authorizing funds for military construction  
 16 for fiscal year 2013, whichever is later.

17 (b) TABLE.—The table referred to in subsection (a)  
 18 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

1 **SEC. 2207. ADDITIONAL BUDGET ITEMS RELATING TO NAVY**  
2 **CONSTRUCTION AND LAND ACQUISITION**  
3 **PROJECTS.**

4 (a) MAINTENANCE AND PRODUCTION FACILITIES.—  
5 Of the amounts authorized to be appropriated by section  
6 2204, as specified in the corresponding funding table in  
7 section 4601, the Secretary of the Navy shall obligate an  
8 additional \$10,000,000 for maintenance and production  
9 facilities in furtherance of national security objectives.

10 (b) RESEARCH AND DEVELOPMENT FACILITIES.—Of  
11 the amounts authorized to be appropriated by section  
12 2204, as specified in the corresponding funding table in  
13 section 4601, the Secretary of the Navy shall obligate an  
14 additional \$20,000,000 for research and development fa-  
15 cilities in furtherance of national security objectives.

16 (c) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
17 decision to commit, obligate, or expend funds referred to  
18 in this section with or to a specific entity shall—

19 (1) be based on merit-based selection proce-  
20 dures in accordance with the requirements of sec-  
21 tions 2304(k) and 2374 of title 10, United States  
22 Code, or on competitive procedures; and

23 (2) comply with other applicable provisions of  
24 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 .....	Fairechild AFB .....	\$27,600,000
Various Locations .....	Unspecified .....	\$60,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 2 appropriated pursuant to the authorization of appropria-  
 3 tions in section 2304 and available for military construc-  
 4 tion projects outside the United States as specified in the  
 5 funding table in section 4601, the Secretary of the Air  
 6 Force may acquire real property and carry out military  
 7 construction projects for the installations or locations out-  
 8 side the United States, and in the amounts, set forth in  
 9 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

10 **SEC. 2302. FAMILY HOUSING.**

11 Using amounts appropriated pursuant to the author-  
 12 ization of appropriations in section 2304 and available for  
 13 military family housing functions as specified in the fund-  
 14 ing table in section 4601, the Secretary of the Air Force  
 15 may carry out architectural and engineering services and  
 16 construction design activities with respect to the construc-  
 17 tion or improvement of family housing units in an amount  
 18 not to exceed \$4,208,000.

1 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
2 **UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 2304 and avail-  
6 able for military family housing functions as specified in  
7 the funding table in section 4601, the Secretary of the  
8 Air Force may improve existing military family housing  
9 units in an amount not to exceed \$80,596,000.

10 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**  
11 **FORCE.**

12 Funds are hereby authorized to be appropriated for  
13 fiscal years beginning after September 30, 2011, for mili-  
14 tary construction, land acquisition, and military family  
15 housing functions of the Department of the Air Force, as  
16 specified in the funding table in section 4601.

17 **SEC. 2305. MODIFICATION OF AUTHORIZATION TO CARRY**  
18 **OUT CERTAIN FISCAL YEAR 2010 PROJECT.**

19 In the case of the authorization contained in the table  
20 in section 2301(a) of the Military Construction Authoriza-  
21 tion Act for Fiscal Year 2010 (division B of Public Law  
22 111–84; 123 Stat. 2636) for Hickam Air Force Base, Ha-  
23 waii, for construction of a Ground Control Tower at the  
24 installation, the Secretary of the Air Force may construct  
25 43 vertical meters (141 vertical feet) in lieu of 111 square  
26 meters (1,195 square feet), consistent with the Air Force’s

1 construction guidelines for control towers, using amounts  
 2 appropriated pursuant to authorizations of appropriations  
 3 in prior years.

4 **SEC. 2306. EXTENSION OF AUTHORIZATION OF CERTAIN**  
 5 **FISCAL YEAR 2009 PROJECT.**

6 (a) EXTENSION.—Notwithstanding section 2002 of  
 7 the Military Construction Authorization Act for Fiscal  
 8 Year 2009 (division B of Public Law 110–417; 122 Stat.  
 9 4658), the authorization set forth in the table in sub-  
 10 section (b), as provided in section 2301(b) of that Act  
 11 (122 Stat. 4679), shall remain in effect until October 1,  
 12 2012, or the date of the enactment of an Act authorizing  
 13 funds for military construction for fiscal year 2013, which-  
 14 ever is later:

15 (b) TABLE.—The table referred to in subsection (a)  
 16 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

17 **SEC. 2307. LIMITATION ON IMPLEMENTATION OF CONSOLI-**  
 18 **DATION OF AIR AND SPACE OPERATIONS**  
 19 **CENTER OF THE AIR FORCE.**

20 (a) NOTICE AND WAIT REQUIREMENT.—

21 (1) NOTICE AND WAIT.—The Secretary of the  
 22 Air Force may not disestablish, close, or realign any

1 element of the Air and Space Operations Center con-  
2 solidation initiative until—

3 (A) the Secretary of Air Force submits a  
4 notice of the proposed disestablishment, closure,  
5 or realignment to the congressional defense  
6 committees; and

7 (B) the expiration of a period of 15 legisla-  
8 tive days or 30 calendar days, whichever is  
9 longer, beginning on the date of the notification  
10 is received by the committees.

11 (2) CONSULTATION.—The Secretary of the Air  
12 Force shall prepare a notice under paragraph (1) in  
13 consultation with the commanders of the combatant  
14 commands.

15 (3) LEGISLATIVE DAY DEFINED.—In this sub-  
16 section, term “legislative day” means a day on which  
17 either House of Congress is in session.

18 (b) CONTENT OF NOTICE.—The notice under sub-  
19 section (a) shall contain at a minimum—

20 (1) an explanation of the projected savings of  
21 the proposed disestablishment, closure, or realign-  
22 ment;

23 (2) a cost-benefit analysis of the proposed dis-  
24 establishment, closure, or realignment;

1           (3) the budgetary impact of the proposed dis-  
2       establishment, closure, or realignment;

3           (4) the strategic and operational consequences  
4       of the proposed disestablishment, closure, or realign-  
5       ment;

6           (5) an appropriate local economic assessment of  
7       the proposed disestablishment, closure, or realign-  
8       ment, which shall include at a minimum—

9                   (A) a list of Federal, State, and local gov-  
10                  ernment departments and agencies that are re-  
11                  quired by statute or regulation to provide as-  
12                  sistance and outreach for the community af-  
13                  fected by the proposed disestablishment, clo-  
14                  sure, or realignment; and

15                   (B) a list of the contractors and businesses  
16                  affected by the proposed disestablishment, clo-  
17                  sure, or realignment; and

18           (6) a continuity of operations plan for the pro-  
19       posed disestablishment, closure, or realignment.

20 **SEC. 2308. ADDITIONAL BUDGET ITEMS RELATING TO AIR**  
21 **FORCE CONSTRUCTION AND LAND ACQUISI-**  
22 **TION PROJECTS.**

23       (a) SUPPORTING FACILITIES.—Of the amounts au-  
24       thorized to be appropriated by section 2304, as specified  
25       in the corresponding funding table in division D, the Sec-

1 retary of the Air Force shall obligate an additional  
2 \$10,000,000 for supporting facilities in furtherance of na-  
3 tional security objectives.

4 (b) OPERATIONAL FACILITIES.—Of the amounts au-  
5 thorized to be appropriated by section 2304, as specified  
6 in the corresponding funding table in division D, the Sec-  
7 retary of the Air Force shall obligate an additional  
8 \$20,000,000 for operational facilities in furtherance of na-  
9 tional security objectives.

10 (c) COMMUNITY FACILITIES.—Of the amounts au-  
11 thorized to be appropriated by section 2304, as specified  
12 in the corresponding funding table in section 4601, the  
13 Secretary of the Air Force shall obligate an additional  
14 \$20,000,000 for community facilities in furtherance of na-  
15 tional security objectives.

16 (d) MAINTENANCE AND PRODUCTION FACILITIES.—  
17 Of the amounts authorized to be appropriated by section  
18 2304, as specified in the corresponding funding table in  
19 division D, the Secretary of the Air Force shall obligate  
20 an additional \$10,000,000 for maintenance and produc-  
21 tion facilities in furtherance of national security objectives.

22 (e) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
23 decision to commit, obligate, or expend funds referred to  
24 in this section with or to a specific entity shall—

1 (1) be based on merit-based selection proce-  
 2 dures in accordance with the requirements of sec-  
 3 tions 2304(k) and 2374 of title 10, United States  
 4 Code, or on competitive procedures; and  
 5 (2) comply with other applicable provisions of  
 6 law.

7 **TITLE XXIV—DEFENSE AGEN-**  
 8 **CIES MILITARY CONSTRUC-**  
 9 **TION**

10 **Subtitle A—Defense Agency**  
 11 **Authorizations**

12 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**  
 13 **TION AND LAND ACQUISITION PROJECTS.**

14 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 15 appropriated pursuant to the authorization of appropria-  
 16 tions in section 2403 and available for military construc-  
 17 tion projects inside the United States as specified in the  
 18 funding table in section 4601, the Secretary of Defense  
 19 may acquire real property and carry out military construc-  
 20 tion projects for the installations or locations inside the  
 21 United States, and in the amounts, set forth in the fol-  
 22 lowing table:

**Defense Agencies: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
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



## Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
	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
	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

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2403 and available for military construc-  
4 tion projects outside the United States as specified in the

1 funding table in section 4601, the Secretary of Defense  
 2 may acquire real property and carry out military construc-  
 3 tion projects for the installations or locations outside the  
 4 United States, and in the amounts, set forth in the fol-  
 5 lowing 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

6 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION**  
 7 **PROJECTS.**

8 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 9 appropriated pursuant to the authorization of appropria-  
 10 tions in section 2403 and available for energy conservation  
 11 projects inside the United States as specified in the fund-  
 12 ing table in section 4601, the Secretary of Defense may  
 13 carry out energy conservation projects under chapter 173  
 14 of title 10, United States Code, for the installations or  
 15 locations inside the United States, and in the amounts,  
 16 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

**Energy Conservation Projects: Inside the United States—**  
Continued

Country	Installation or Location	Amount
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

1           (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2403 and available for energy conservation  
4 projects outside the United States as specified in the fund-  
5 ing table in section 4601, the Secretary of Defense may  
6 carry out energy conservation projects under chapter 173  
7 of title 10, United States Code, for the installations or  
8 locations outside the United States, and in the amounts,  
9 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

10 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**  
11 **FENSE AGENCIES.**

12           Funds are hereby authorized to be appropriated for  
13 fiscal years beginning after September 30, 2011, for mili-  
14 tary construction, land acquisition, and military family  
15 housing functions of the Department of Defense (other

1 than the military departments), as specified in the funding  
2 table in section 4601.

3 **SEC. 2404. ADDITIONAL BUDGET ITEMS RELATING TO DE-**  
4 **FENSE AGENCIES CONSTRUCTION AND LAND**  
5 **ACQUISITION PROJECTS.**

6 (a) DEFENSE ACCESS ROADS.—Of the amounts au-  
7 thorized to be appropriated by section 2403, as specified  
8 in the corresponding funding table in division D, the Sec-  
9 retary of Defense shall obligate an additional \$40,000,000  
10 for defense access roads in furtherance of national security  
11 objectives.

12 (b) SPECIAL OPERATION FORCES LAND ACQUI-  
13 SITION.—Of the amounts authorized to be appropriated by  
14 section 2403, as specified in the corresponding funding  
15 table in section 4601, the Secretary of Defense shall obli-  
16 gate an additional \$10,000,000 for Special Operation  
17 Forces land acquisition in furtherance of national security  
18 objectives.

19 (c) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
20 decision to commit, obligate, or expend funds referred to  
21 in this section with or to a specific entity shall—

22 (1) be based on merit-based selection proce-  
23 dures in accordance with the requirements of sec-  
24 tions 2304(k) and 2374 of title 10, United States  
25 Code, or on competitive procedures; and

1 (2) comply with other applicable provisions of  
2 law.

3 **Subtitle B—Chemical**  
4 **Demilitarization Authorizations**

5 **SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEM-**  
6 **ICAL DEMILITARIZATION CONSTRUCTION,**  
7 **DEFENSE-WIDE.**

8 Funds are hereby authorized to be appropriated for  
9 fiscal years beginning after September 30, 2011, for mili-  
10 tary construction and land acquisition for chemical demili-  
11 tarization, as specified in the funding table in section  
12 4601.

13 **TITLE XXV—NORTH ATLANTIC**  
14 **TREATY ORGANIZATION SE-**  
15 **CURITY INVESTMENT PRO-**  
16 **GRAM**

17 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
18 **ACQUISITION PROJECTS.**

19 The Secretary of Defense may make contributions for  
20 the North Atlantic Treaty Organization Security Invest-  
21 ment Program as provided in section 2806 of title 10,  
22 United States Code, in an amount not to exceed the sum  
23 of—

24 (1) the amount authorized to be appropriated  
25 pursuant to section 2502 and available for this pur-

1 pose as specified in the funding table in section  
2 4601; and

3 (2) the amount collected from the North Atlan-  
4 tic Treaty Organization as a result of construction  
5 previously financed by the United States.

6 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

7 Funds are hereby authorized to be appropriated for  
8 fiscal years beginning after September 30, 2011, for con-  
9 tributions by the Secretary of Defense under section 2806  
10 of title 10, United States Code, for the share of the United  
11 States of the cost of projects for the North Atlantic Treaty  
12 Organization Security Investment Program authorized by  
13 section 2501, as specified in the funding table in section  
14 4601.

15 **TITLE XXVI—GUARD RESERVE**  
16 **FORCES FACILITIES**  
17 **Subtitle A—Project Authorizations**  
18 **and Authorization of Appropria-**  
19 **tions**

20 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**  
21 **STRUCTION AND LAND ACQUISITION**  
22 **PROJECTS.**

23 (a) **INSIDE THE UNITED STATES.**—Using amounts  
24 appropriated pursuant to the authorization of appropria-  
25 tions in section 2606 and available for the National Guard

1 and Reserve as specified in the funding table in section  
 2 4601, the Secretary of the Army may acquire real prop-  
 3 erty and carry out military construction projects for the  
 4 Army National Guard locations inside the United States,  
 5 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

6 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 7 appropriated pursuant to the authorization of appropria-  
 8 tions in section 2606 and available for the National Guard

1 and Reserve as specified in the funding table in section  
 2 4601, the Secretary of the Army may acquire real prop-  
 3 erty and carry out military construction projects for the  
 4 Army National Guard locations outside the United States,  
 5 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

6 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**  
 7 **AND LAND ACQUISITION PROJECTS.**

8 Using amounts appropriated pursuant to the author-  
 9 ization of appropriations in section 2606 and available for  
 10 the National Guard and Reserve as specified in the fund-  
 11 ing table in section 4601, the Secretary of the Army may  
 12 acquire real property and carry out military construction  
 13 projects for the Army Reserve locations inside the United  
 14 States, and in the amounts, set forth in the following  
 15 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



1 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**  
 2 **CORPS RESERVE CONSTRUCTION AND LAND**  
 3 **ACQUISITION PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2606 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Navy may  
 8 acquire real property and carry out military construction  
 9 projects for the Navy Reserve and Marine Corps Reserve  
 10 locations inside the United States, and in the amounts,  
 11 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

12 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**  
 13 **TION AND LAND ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-  
 15 ization of appropriations in section 2606 and available for  
 16 the National Guard and Reserve as specified in the fund-  
 17 ing table in section 4601, the Secretary of the Air Force  
 18 may acquire real property and carry out military construc-  
 19 tion projects for the Air National Guard locations inside  
 20 the United States, and in the amounts, set forth in the  
 21 following table:

**Air National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
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

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

2  
3 Using amounts appropriated pursuant to the author-  
4 ization of appropriations in section 2606 and available for  
5 the National Guard and Reserve as specified in the fund-  
6 ing table in section 4601, the Secretary of the Air Force  
7 may acquire real property and carry out military construc-  
8 tion projects for the Air Force Reserve locations inside  
9 the United States, and in the amounts, set forth in the  
10 following table:

**Air Force Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
California .....	March AFB .....	\$16,393,000
South Carolina .....	Charleston AFB .....	\$9,593,000
Various Locations .....	Unspecified .....	\$10,000,000

11 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**  
12 **TIONAL GUARD AND RESERVE.**

13 Funds are hereby authorized to be appropriated for  
14 fiscal years beginning after September 30, 2011, for the  
15 costs of acquisition, architectural and engineering services,  
16 and construction of facilities for the Guard and Reserve  
17 Forces, and for contributions therefor, under chapter

1 1803 of title 10, United States Code (including the cost  
2 of acquisition of land for those facilities), as specified in  
3 the funding table in section 4601.

4           **Subtitle B—Additional Budget**  
5                                   **Items**

6 **SEC. 2611. ADDITIONAL BUDGET ITEMS RELATING TO ARMY**  
7                                   **NATIONAL GUARD CONSTRUCTION AND LAND**  
8                                   **ACQUISITION PROJECTS.**

9           (a) **OPERATIONAL FACILITIES.**—Of the amounts au-  
10 thorized to be appropriated by section 2606, as specified  
11 in the corresponding funding table in section 4601, the  
12 Secretary of the Army shall obligate an additional  
13 \$10,000,000 for Army National Guard operational facili-  
14 ties in furtherance of national security objectives.

15           (b) **MAINTENANCE AND PRODUCTION FACILITIES.**—  
16 Of the amounts authorized to be appropriated by section  
17 2606, as specified in the corresponding funding table in  
18 section 4601, the Secretary of the Army shall obligate an  
19 additional \$30,000,000 for maintenance and production  
20 facilities in furtherance of national security objectives.

21           (c) **TRAINING FACILITIES.**—Of the amounts author-  
22 ized to be appropriated by section 2606, as specified in  
23 the corresponding funding table in section 4601, the Sec-  
24 retary of the Army shall obligate an additional

1 \$10,000,000 for training facilities in furtherance of na-  
2 tional security objectives.

3 (d) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in this section with or to a specific entity shall—

6 (1) be based on merit-based selection proce-  
7 dures in accordance with the requirements of sec-  
8 tions 2304(k) and 2374 of title 10, United States  
9 Code, or on competitive procedures; and

10 (2) comply with other applicable provisions of  
11 law.

12 **SEC. 2612. ADDITIONAL BUDGET ITEMS RELATING TO AIR**  
13 **NATIONAL GUARD CONSTRUCTION AND LAND**  
14 **ACQUISITION PROJECTS.**

15 (a) OPERATIONAL FACILITIES AUTHORITY.—Of the  
16 amounts authorized to be appropriated by section 2606,  
17 as specified in the corresponding funding table in division  
18 D, the Secretary of the Air Force shall obligate an addi-  
19 tional \$10,000,000 for Air National Guard operational fa-  
20 cilities in furtherance of national security objectives.

21 (b) MAINTENANCE AND PRODUCTION FACILITIES.—  
22 Of the amounts authorized to be appropriated by section  
23 2606, as specified in the corresponding funding table in  
24 division D, the Secretary of the Air Force shall obligate

1 an additional \$20,000,000 for maintenance and produc-  
2 tion facilities in furtherance of national security objectives.

3 (c) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
4 decision to commit, obligate, or expend funds referred to  
5 in this section with or to a specific entity shall—

6 (1) be based on merit-based selection proce-  
7 dures in accordance with the requirements of sec-  
8 tions 2304(k) and 2374 of title 10, United States  
9 Code, or on competitive procedures; and

10 (2) comply with other applicable provisions of  
11 law.

12 **SEC. 2613. ADDITIONAL BUDGET ITEM RELATING TO AIR**  
13 **FORCE RESERVE CONSTRUCTION AND LAND**  
14 **ACQUISITION PROJECTS.**

15 (a) TRAINING FACILITIES.—Of the amounts author-  
16 ized to be appropriated by section 2606, as specified in  
17 the corresponding funding table in division D, the Sec-  
18 retary of the Air Force shall obligate an additional  
19 \$10,000,000 for training facilities in furtherance of na-  
20 tional security objectives.

21 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
22 decision to commit, obligate, or expend funds referred to  
23 in this section with or to a specific entity shall—

24 (1) be based on merit-based selection proce-  
25 dures in accordance with the requirements of sec-

1 tions 2304(k) and 2374 of title 10, United States  
 2 Code, or on competitive procedures; and

3 (2) comply with other applicable provisions of  
 4 law.

5 **Subtitle C—Other Matters**

6 **SEC. 2621. EXTENSION OF AUTHORIZATION OF CERTAIN**  
 7 **FISCAL YEAR 2008 PROJECT.**

8 (a) EXTENSION.—Notwithstanding section 2002 of  
 9 the Military Construction Authorization Act for Fiscal  
 10 Year 2008 (division B of Public Law 110–181; 122 Stat.  
 11 503), the authorization set forth in the table in subsection  
 12 (b), as provided in section 2601 of that Act (122 Stat.  
 13 527) and extended by section 2607 of the Military Con-  
 14 struction Authorization Act for Fiscal Year 2011 (division  
 15 B of Public Law 111–383; 124 Stat. 4454), shall remain  
 16 in effect until October 1, 2012, or the date of the enact-  
 17 ment of an Act authorizing funds for military construction  
 18 for fiscal year 2013, whichever is later.

19 (b) TABLE.—The table referred to in subsection (a)  
 20 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

1 **SEC. 2622. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 2 **FISCAL YEAR 2009 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of  
 4 the Military Construction Authorization Act for Fiscal  
 5 Year 2009 (division B of Public Law 110–417; 122 Stat.  
 6 4658), the authorizations set forth in the tables in sub-  
 7 section (b), as provided in sections 2601, 2602, and 2603  
 8 of that Act (122 Stat. 4699), shall remain in effect until  
 9 October 1, 2012, or the date of the enactment of an Act  
 10 authorizing funds for military construction for fiscal year  
 11 2013, whichever is later.

12 (b) TABLE.—The tables referred to in subsection (a)  
 13 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

1 **TITLE XXVII—BASE REALIGN-**  
2 **MENT AND CLOSURE ACTIVI-**  
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**  
5 **BASE REALIGNMENT AND CLOSURE ACTIVI-**  
6 **TIES FUNDED THROUGH DEPARTMENT OF**  
7 **DEFENSE BASE CLOSURE ACCOUNT 1990.**

8 Funds are hereby authorized to be appropriated for  
9 fiscal years beginning after September 30, 2011, for base  
10 closure and realignment activities, including real property  
11 acquisition and military construction projects, as author-  
12 ized by the Defense Base Closure and Realignment Act  
13 of 1990 (part A of title XXIX of Public Law 101–510;  
14 10 U.S.C. 2687 note) and funded through the Department  
15 of Defense Base Closure Account 1990 established by sec-  
16 tion 2906 of such Act, as specified in the funding table  
17 in section 4601.

18 **SEC. 2702. AUTHORIZED BASE REALIGNMENT AND CLO-**  
19 **SURE ACTIVITIES FUNDED THROUGH DE-**  
20 **PARTMENT OF DEFENSE BASE CLOSURE AC-**  
21 **COUNT 2005.**

22 Using amounts appropriated pursuant to the author-  
23 ization of appropriations in section 2703 and available for  
24 base realignment and closure activities as specified in the  
25 funding table in section 4601, the Secretary of Defense



1 may carry out base closure and realignment activities, in-  
2 cluding real property acquisition and military construction  
3 projects, as authorized by the Defense Base Closure and  
4 Realignment Act of 1990 (part A of title XXIX of Public  
5 Law 101–510; 10 U.S.C. 2687 note) and funded through  
6 the Department of Defense Base Closure Account 2005  
7 established by section 2906A of such Act, as specified in  
8 the funding table in section 4601.

9 **SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR**  
10 **BASE REALIGNMENT AND CLOSURE ACTIVI-**  
11 **TIES FUNDED THROUGH DEPARTMENT OF**  
12 **DEFENSE BASE CLOSURE ACCOUNT 2005.**

13 Funds are hereby authorized to be appropriated for  
14 fiscal years beginning after September 30, 2011, for base  
15 closure and realignment activities, including real property  
16 acquisition and military construction projects, as author-  
17 ized by the Defense Base Closure and Realignment Act  
18 of 1990 (part A of title XXIX of Public Law 101–510;  
19 10 U.S.C. 2687 note) and funded through the Department  
20 of Defense Base Closure Account 2005 established by sec-  
21 tion 2906A of such Act, as specified in the funding table  
22 in section 4601.

1 **SEC. 2704. AUTHORITY TO EXTEND DEADLINE FOR COM-**  
2 **PLETION OF LIMITED NUMBER OF BASE CLO-**  
3 **SURE AND REALIGNMENT RECOMMENDA-**  
4 **TIONS.**

5 Section 2904 of the Defense Base Closure and Re-  
6 alignment Act of 1990 (part A of title XXIX of Public  
7 Law 101–510; 10 U.S.C. 2687 note) is amended—

8 (1) in subsection (a)(5), by striking “complete”  
9 and inserting “complete, except in the case of a clo-  
10 sure or realignment recommendation extended pur-  
11 suant to subsection (c),”; and

12 (2) by adding at the end the following new sub-  
13 section:

14 “(c) LIMITED AUTHORITY TO EXTEND IMPLEMENTA-  
15 TION PERIOD.—(1) Subject to paragraphs (2) and (3), in  
16 the case of the recommendations of the Commission con-  
17 tained in the report of the Commission transmitted by the  
18 President to Congress in accordance with section 2914(e)  
19 on September 15, 2005, the Secretary may extend the pe-  
20 riod for completing not more than seven of the closure  
21 or realignment recommendations until the later of the fol-  
22 lowing:

23 “(A) September 15, 2012.

24 “(B) The date of the enactment of an Act au-  
25 thORIZING funds for military construction for fiscal  
26 year 2013.

1       “(2) To extend a closure or realignment recommenda-  
2       tion under this subsection, the Secretary shall submit to  
3       the congressional defense committees a report con-  
4       taining—

5               “(A) a justification of the need for the exten-  
6       sion of the closure or realignment recommendation;

7               “(B) a certification that the extension is nec-  
8       essary to ensure the operational readiness of units or  
9       functions being relocated as part of the implementa-  
10      tion of the recommendation;

11              “(C) an explanation of the impact of the exten-  
12      sion on communities in the vicinity of the affected  
13      installations;

14              “(D) an explanation of the impacts of not pro-  
15      viding the extension on operational readiness;

16              “(E) an estimation of the costs associated with  
17      the extension; and

18              “(F) a schedule for completing the closure or  
19      realignment recommendation in light of the exten-  
20      sion.

21       “(3) The extension of a closure or realignment rec-  
22      ommendation under this subsection shall take effect only  
23      after—

24              “(A) the end of the 21-day period beginning on  
25      the date on which the report required by paragraph

1 (2) with respect to that recommendation is received  
2 by the congressional defense committees; or

3 “(B) if earlier, the end of the 14-day period be-  
4 ginning on the date on which a copy of the report  
5 is provided in an electronic medium pursuant to sec-  
6 tion 480 of title 10, United States Code.

7 “(4) The Secretary may not delegate the authority  
8 provided by this subsection.”.

9 **SEC. 2705. INCREASED EMPHASIS ON EVALUATION OF**  
10 **COSTS AND BENEFITS IN CONSIDERATION**  
11 **AND SELECTION OF MILITARY INSTALLA-**  
12 **TIONS FOR CLOSURE OR REALIGNMENT.**

13 (a) EVALUATION OF COSTS AND BENEFITS.—Sub-  
14 section (b)(1) of section 2687 of title 10, United States  
15 Code, is amended by striking “fiscal, local economic, budg-  
16 etary,” and inserting “costs and benefits of such closure  
17 or realignment and of the local economic,”.

18 (b) REVISED DEFINITION OF REALIGNMENT.—Sub-  
19 section (e)(3) of such section is amended by striking “,  
20 but does not include a reduction in force resulting from  
21 workload adjustments, reduced personnel or funding lev-  
22 els, skill imbalances, or other similar causes”.

23 (c) RELATION TO COMMISSION BASE CLOSURE  
24 PROCESS.—If the development of recommendations for  
25 the closure and realignment of military installations uti-

1 lizes a Defense Base Closure and Realignment Commis-  
2 sion (as was the case under the Defense Base Closure and  
3 Realignment Act of 1990 (part A of title XXIX of Public  
4 Law 101–510; 10 U.S.C. 2687 note), rather than the au-  
5 thority of section 2687 of title 10, United States Code,  
6 the amendments made by this section shall apply to the  
7 resulting development of recommendations for the closure  
8 and realignment of military installations by the Secretary  
9 of Defense and the Commission.

10 **SEC. 2706. SPECIAL CONSIDERATIONS RELATED TO TRANS-**  
11 **PORTATION INFRASTRUCTURE IN CONSIDER-**  
12 **ATION AND SELECTION OF MILITARY INSTAL-**  
13 **LATIONS FOR CLOSURE OR REALIGNMENT.**

14 (a) MODIFICATION OF SELECTION CRITERIA.—Sub-  
15 section (b)(1) of section 2687 of title 10, United States  
16 Code, is amended—

17 (1) by striking “notification an evaluation” and  
18 inserting “notification—

19 “(A) an evaluation”; and

20 (2) by adding at the end the following new sub-  
21 paragraph:

22 “(B) the criteria used to consider and rec-  
23 ommend military installations for such closure  
24 or realignment, which shall include at a min-  
25 imum consideration of—

1                   “(i) the ability of the infrastructure  
2                   (including transportation infrastructure) of  
3                   both the existing and receiving commu-  
4                   nities to support forces, missions, and per-  
5                   sonnel as a result of such closure or re-  
6                   alignment; and

7                   “(ii) the costs associated with commu-  
8                   nity transportation infrastructure improve-  
9                   ments as part of the evaluation of cost sav-  
10                  ings or return on investment of such clo-  
11                  sure or realignment; and”.

12           (b) EFFECT OF SIGNIFICANT IMPACTS.—Such sec-  
13   tion is further amended by adding at the end the following  
14   new subsection:

15           “(f) If the Secretary of Defense or the Secretary of  
16   the military department concerned determines, pursuant  
17   to the National Environmental Policy Act of 1969 (42  
18   U.S.C. 4321 et seq.), that a significant transportation im-  
19   pact will occur at a result of an action described in sub-  
20   section (a), the action may not be taken unless and until  
21   the Secretary of Defense or the Secretary of the military  
22   department concerned—

23                   “(1) analyzes the adequacy of transportation in-  
24                   frastructure at and in the vicinity of each military  
25                   installation that would be impacted by the action;

1           “(2) concludes consultation with the Federal  
2 Highway Administration with regard to such impact;

3           “(3) analyzes the impact of the action on local  
4 businesses, neighborhoods, and local governments;  
5 and

6           “(4) includes in the notification required by  
7 subsection (b)(1) a description of how the Secretary  
8 intends to remediate the significant transportation  
9 impact.”.

10       (c) TRANSPORTATION INFRASTRUCTURE DE-  
11 FINED.—Such subsection is further amended by adding  
12 at the end the following new paragraph:

13           “(5) The term ‘transportation infrastructure’  
14 includes transit, pedestrian, and bicycle infrastruc-  
15 ture.”.

16       (d) RELATION TO COMMISSION BASE CLOSURE  
17 PROCESS.—If the development of recommendations for  
18 the closure and realignment of military installations uti-  
19 lizes a Defense Base Closure and Realignment Commis-  
20 sion (as was the case under the Defense Base Closure and  
21 Realignment Act of 1990 (part A of title XXIX of Public  
22 Law 101–510; 10 U.S.C. 2687 note), rather than the au-  
23 thority of section 2687 of title 10, United States Code,  
24 the amendments made by this section shall apply to the  
25 resulting development of recommendations for the closure

1 and realignment of military installations by the Secretary  
2 of Defense and the Commission.

3 **SEC. 2707. LIMITATION ON BRAC 133 PROJECT IMPLEMEN-**  
4 **TATION.**

5 The Secretary of Defense may not use more than  
6 1,000 parking spaces provided by the combination of  
7 spaces provided by the BRAC 133 project and the lease  
8 of spaces in the immediate vicinity of the BRAC 133  
9 project until both of the following occur:

10 (1) The Secretary of Defense documents either  
11 a Record of Environmental Consideration or a Sup-  
12 plemental Environment Assessment for the finding  
13 in the 2008 BRAC 133 Environmental Assessment  
14 of no significant impact.

15 (2) The Secretary of Defense certifies that all  
16 defense access road-certified mitigation projects re-  
17 lated to the BRAC 133 project have been con-  
18 structed.



1 **TITLE XXVIII—MILITARY CON-**  
2 **STRUCTION GENERAL PROVI-**  
3 **SIONS**

4 **Subtitle A—Military Construction**  
5 **Program and Military Family**  
6 **Housing Changes**

7 **SEC. 2801. PROHIBITION ON USE OF ANY COST-PLUS SYS-**  
8 **TEM OF CONTRACTING FOR MILITARY CON-**  
9 **STRUCTION AND MILITARY FAMILY HOUSING**  
10 **PROJECTS.**

11 (a) PROHIBITION.—Section 2306 of title 10, United  
12 States Code, is amended by inserting after subsection (b)  
13 the following new subsection:

14 “(c) A contract entered into by the United States in  
15 connection with a military construction project or a mili-  
16 tary family housing project may not use any form of cost-  
17 plus contracting. This prohibition is in addition to the pro-  
18 hibition specified in subsection (a) on the use of the cost-  
19 plus-a-percentage-of-cost system of contracting and ap-  
20 plies notwithstanding a declaration of war or the declara-  
21 tion by the President of a national emergency under sec-  
22 tion 201 of the National Emergencies Act (50 U.S.C.  
23 1621) that includes the use of the armed forces.”.

24 (b) APPLICATION OF AMENDMENT.—Subsection (c)  
25 of section 2306 of title 10, United States Code, as added

1 by subsection (a), shall apply with respect to any contract  
2 entered into by the United States in connection with a  
3 military construction project or a military family housing  
4 project after the date of the enactment of this Act.

5 **SEC. 2802. MODIFICATION OF AUTHORITY TO CARRY OUT**  
6 **UNSPECIFIED MINOR MILITARY CONSTRUC-**  
7 **TION PROJECTS.**

8 (a) SINGLE THRESHOLD FOR UNSPECIFIED MINOR  
9 MILITARY CONSTRUCTION PROJECTS.—Subsection (a)(2)  
10 of section 2805 of title 10, United States Code, is amend-  
11 ed by striking “\$2,000,000.” in the first sentence and all  
12 that follows through the end of the second sentence and  
13 inserting “\$3,000,000.”.

14 (b) SINGLE THRESHOLD FOR USE OF OPERATION  
15 AND MAINTENANCE FUNDS.—Subsection (c) of such sec-  
16 tion is amended—

17 (1) by striking “(1) Except as provided in para-  
18 graph (2), the” and inserting “The”; and

19 (2) by striking “not more than” and all that  
20 follows through the end of the subsection and insert-  
21 ing “not more than \$750,000”.

22 (c) EXTENSION OF SPECIAL LABORATORY REVITAL-  
23 IZATION AUTHORITY.—Subsection (d) of such section is  
24 amended—

1 (1) in paragraph (3), by striking “February 1,  
2 2010” and inserting “February 1, 2014”; and

3 (2) in paragraph (5), by striking “September  
4 30, 2012” and inserting “September 30, 2016”.

5 (d) CONFORMING AMENDMENTS.—

6 (1) CROSS REFERENCES REGARDING WORKING-  
7 CAPITAL FUNDS.—Section 2208 of such title is  
8 amended—

9 (A) in subsection (k)(2)(A), by striking  
10 “section 2805(c)(1)” and inserting “section  
11 2805(c)”; and

12 (B) in subsection (o)(2)(A), by striking  
13 “section 2805(c)(1)” and inserting “section  
14 2805(c)”.

15 (2) CROSS REFERENCE REGARDING COST AND  
16 SCOPE OF WORK VARIATIONS.—Section 2853(a) of  
17 such title is amended by striking “section  
18 2805(a)(1)” and inserting “section 2805(a)”.

19 (3) CROSS REFERENCE REGARDING NOTICE  
20 AND WAIT REQUIREMENTS FOR RESERVE  
21 PROJECTS.—Section 18233a(b)(2)(B)(ii) of such  
22 title is amended by striking “section 2805(a)(2)”  
23 and inserting “section 2805(a)”.

24 (4) CROSS REFERENCE REGARDING USING OP-  
25 ERATION AND MAINTENANCE FUNDS FOR SMALL RE-

1       SERVE PROJECTS.—Section 18233b of such title is  
2       amended by striking “not more than” and all that  
3       follows through the end of the section and inserting  
4       “not more than the amount specified in section  
5       2805(e) of this title.”.

6   **SEC. 2803. CONDITION ON RENTAL OF FAMILY HOUSING IN**  
7                   **FOREIGN COUNTRIES FOR GENERAL AND**  
8                   **FLAG OFFICERS.**

9       (a) **CONDITION.**—Section 2828(e) of title 10, United  
10       States Code, is amended by adding at the end the fol-  
11       lowing new paragraph:

12       “(7) Housing units in foreign countries leased under  
13       subsection (c) for assignment as family housing for gen-  
14       eral officers or flag officers may not exceed the floor area  
15       and design criteria for similar housing in the United  
16       States.”.

17       (b) **APPLICATION OF AMENDMENT.**—Subsection  
18       (e)(7) of section 2828 of title 10, United States Code, as  
19       added by subsection (a), shall apply with respect to leases  
20       of family housing in foreign countries entered into under  
21       subsection (c) of such section after the date of the enact-  
22       ment of this Act.

1 **SEC. 2804. PROTECTIONS FOR SUPPLIERS OF LABOR AND**  
2 **MATERIALS UNDER CONTRACTS FOR MILI-**  
3 **TARY CONSTRUCTION PROJECTS AND MILI-**  
4 **TARY FAMILY HOUSING PROJECTS.**

5 Section 2852 of title 10, United States Code, is  
6 amended by adding at the end the following new sub-  
7 section:

8 “(c) In the case of a military construction project or  
9 a military family housing project, the contract amount  
10 thresholds specified in subchapter III of chapter 31 of title  
11 40 (commonly referred to as the Miller Act) shall be ap-  
12 plied by substituting ‘\$150,000’ for ‘\$100,000’ for pur-  
13 poses of determining when a performance bond and pay-  
14 ment bond are required under section 3131 of such title  
15 and when alternatives to payment bonds as payment pro-  
16 tections for suppliers of labor and materials are required  
17 under section 3132 of such title.”.

18 **SEC. 2805. ONE-YEAR EXTENSION OF AUTHORITY TO USE**  
19 **OPERATION AND MAINTENANCE FUNDS FOR**  
20 **CONSTRUCTION PROJECTS INSIDE UNITED**  
21 **STATES CENTRAL COMMAND AREA OF RE-**  
22 **SPONSIBILITY AND COMBINED JOINT TASK**  
23 **FORCE-HORN OF AFRICA AREAS OF RESPON-**  
24 **SIBILITY AND INTEREST.**

25 (a) ONE-YEAR EXTENSION OF AUTHORITY; LIMITA-  
26 TION.—Section 2808 of the Military Construction Author-

1 ization Act for Fiscal Year 2004 (division B of Public Law  
2 108–136; 117 Stat. 1723), as most recently amended by  
3 section 2804 of the Military Construction Authorization  
4 Act for Fiscal Year 2011 (division B of Public Law 111–  
5 383; 124 Stat. 4459), is amended—

6           (1) in subsection (c)(2), by striking “fiscal year  
7           2011” and inserting “fiscal year 2012”; and

8           (2) in subsection (h)—

9                   (A) in paragraph (1), by striking “Sep-  
10                   tember 30, 2011” and inserting “September 30,  
11                   2012”; and

12                   (B) in paragraph (2), by striking “fiscal  
13                   year 2012” and inserting “fiscal year 2013”.

14           (b) TECHNICAL AMENDMENT.—Subsections (a) and  
15           (i) of such section are amended by striking “Combined  
16           Task Force-Horn of Africa” each place it appears and in-  
17           serting “Combined Joint Task Force-Horn of Africa”.

1           **Subtitle B—Real Property and**  
2           **Facilities Administration**

3   **SEC. 2811. CLARIFICATION OF AUTHORITY TO USE PEN-**  
4           **TAGON RESERVATION MAINTENANCE RE-**  
5           **VOLVING FUND FOR MINOR CONSTRUCTION**  
6           **AND ALTERATION ACTIVITIES AT PENTAGON**  
7           **RESERVATION.**

8           Section 2674(e)(4) of title 10, United States Code,  
9 is amended—

10           (1) by striking “The authority” and inserting  
11           “(A) Except as provided in subparagraph (B), the  
12           authority”; and

13           (2) by adding at the end the following new sub-  
14           paragraph:

15           “(B) Notwithstanding the date specified in subpara-  
16           graph (A), the Secretary may use monies from the Fund  
17           after that date to support construction or alteration activi-  
18           ties at the Pentagon Reservation within the limits speci-  
19           fied in section 2805 of this title.”.

20   **SEC. 2812. REMOVAL OF DISCRETION OF SECRETARIES OF**  
21           **THE MILITARY DEPARTMENTS REGARDING**  
22           **PURPOSES FOR WHICH EASEMENTS FOR**  
23           **RIGHTS-OF-WAY MAY BE GRANTED.**

24           Section 2668(a) of title 10, United States Code, is  
25 amended—

1 (1) in paragraph (11), by inserting “and” at  
2 the end of the paragraph;

3 (2) in paragraph (12), by striking “; and” and  
4 inserting a period; and

5 (3) by striking paragraph (13).

6 **SEC. 2813. LIMITATIONS ON USE OR DEVELOPMENT OF**  
7 **PROPERTY IN CLEAR ZONE AREAS.**

8 Section 2684a of title 10, United States Code, is  
9 amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “or” at  
12 the end;

13 (B) in paragraph (2), by striking the pe-  
14 riod and inserting “; or”; and

15 (C) by inserting after paragraph (2) the  
16 following new paragraph:

17 “(3) protecting Clear Zone Areas from use or  
18 encroachment that is incompatible with the mission  
19 of the installation.”; and

20 (2) in subsection (i), by inserting after para-  
21 graph (2) the following new paragraph:

22 “(3) The term ‘Clear Zone Area’ means an area  
23 immediately beyond the end of the runway of an air-  
24 field that is needed to ensure the safe and unre-  
25 stricted passage of aircraft in and over the area.”.



1 **SEC. 2814. DEFENSE ACCESS ROAD PROGRAM ENHANCE-**  
2 **MENTS TO ADDRESS TRANSPORTATION IN-**  
3 **FRASTRUCTURE IN VICINITY OF MILITARY**  
4 **INSTALLATIONS.**

5 (a) AVAILABILITY OF DEFENSE ACCESS ROADS  
6 FUNDS FOR BRAC-RELATED TRANSPORTATION IM-  
7 PROVEMENTS.—

8 (1) AVAILABILITY OF DEFENSE ACCESS ROADS  
9 FUNDS.—Section 210(a)(2) of title 23, United  
10 States Code, is amended by adding at the end the  
11 following new sentence: “The Secretary of Defense  
12 shall determine the magnitude of the required im-  
13 provements without regard to the extent to which  
14 traffic generated by the reservation is greater than  
15 other traffic in the vicinity of the reservation.”.

16 (2) RETROACTIVE APPLICATION.—The amend-  
17 ment made by paragraph (1) shall apply with re-  
18 spect to the implementation of the recommendations  
19 of the Defense Base Closure and Realignment Com-  
20 mission contained in the report of the Commission  
21 received by Congress on September 19, 2005, under  
22 section 2903(e) of the Defense Base Closure and  
23 Realignment Act of 1990 (part A of title XXIX of  
24 Public Law 101–510; 10 U.S.C. 2687 note).

1 (b) ECONOMIC ADJUSTMENT COMMITTEE CONSIDER-  
2 ATION OF ADDITIONAL DEFENSE ACCESS ROADS FUND-  
3 ING SOURCES.—

4 (1) CONVENING OF COMMITTEE.—Not later  
5 than 90 days after the date of the enactment of this  
6 Act, the Secretary of Defense, as the chairperson of  
7 the Economic Adjustment Committee established in  
8 Executive Order No. 127887 (10 U.S.C. 2391 note),  
9 shall convene the Economic Adjustment Committee  
10 to consider additional sources of funding for the de-  
11 fense access roads program under section 210 of  
12 title 23, United States Code.

13 (2) REPORT.—Not later than one year after the  
14 date of the enactment of this Act, the Secretary of  
15 Defense shall submit to Congress a report describing  
16 the results of the Economic Adjustment Committee  
17 deliberations and containing an implementation plan  
18 to expand funding sources for the mitigation of sig-  
19 nificant transportation impacts to access to military  
20 reservations pursuant to subsection (b) of section  
21 210 of title 23, United States Code, as amended by  
22 subsection (a).

23 (c) SEPARATE BUDGET REQUEST FOR PROGRAM.—  
24 Amounts requested for a fiscal year for the defense access  
25 roads program under section 210 of title 23, United States

1 Code, shall be set forth as a separate budget request in  
2 the budget transmitted by the President to Congress for  
3 that fiscal year under section 1105 of title 31, United  
4 States.

## 5 **Subtitle C—Energy Security**

### 6 **SEC. 2821. CONSOLIDATION OF DEFINITIONS USED IN EN-** 7 **ERGY SECURITY CHAPTER.**

8 (a) CONSOLIDATION OF DEFINITIONS.—

9 (1) IN GENERAL.—Subchapter III of chapter  
10 173 of title 10, United States Code, is amended by  
11 inserting before section 2925 the following new sec-  
12 tion:

#### 13 **“§ 2924. Definitions**

14 “In this chapter:

15 “(1) The term ‘defined fuel source’ means any  
16 of the following:

17 “(A) Petroleum.

18 “(B) Natural gas.

19 “(C) Coal.

20 “(D) Coke.

21 “(2) The term ‘energy-efficient maintenance’  
22 includes—

23 “(A) the repair of military vehicles, equip-  
24 ment, or facility and infrastructure systems,  
25 such as lighting, heating, or cooling equipment

1 or systems, or industrial processes, by replace-  
2 ment with technology that—

3 “(i) will achieve energy savings over  
4 the life-cycle of the equipment or system  
5 being repaired; and

6 “(ii) will meet the same end needs as  
7 the equipment or system being repaired;  
8 and

9 “(B) improvements in an operation or  
10 maintenance process, such as improved training  
11 or improved controls, that result in energy sav-  
12 ings.

13 “(3)(A) The term ‘energy security’ means hav-  
14 ing assured access to reliable supplies of energy and  
15 the ability to protect and deliver sufficient energy to  
16 meet operational needs.

17 “(B) In selecting facility energy projects on a  
18 military installation that will use renewable energy  
19 sources, pursuit of energy security means the instal-  
20 lation will give favorable consideration to projects  
21 that provide power directly into the installation elec-  
22 trical distribution network. In such cases, this power  
23 should be prioritized to provide the power necessary  
24 for critical assets on the installation in the event of  
25 a disruption in the commercial grid.

1           “(4) The term ‘hybrid’, with respect to a motor  
2 vehicle, means a motor vehicle that draws propulsion  
3 energy from onboard sources of stored energy that  
4 are both—

5                   “(A) an internal combustion or heat engine  
6 using combustible fuel; and

7                   “(B) a rechargeable energy storage system.

8           “(5) The term ‘operational energy’ means the  
9 energy required for training, moving, and sustaining  
10 military forces and weapons platforms for military  
11 operations. The term includes energy used by tac-  
12 tical power systems and generators and weapons  
13 platforms.

14           “(6) The term ‘petroleum’ means natural or  
15 synthetic crude, blends of natural or synthetic crude,  
16 and products refined or derived from natural or syn-  
17 thetic crude or from such blends.

18           “(7) The term ‘renewable energy source’ means  
19 energy generated from renewable sources, including  
20 the following:

21                   “(A) Solar, including electricity and direct  
22 use.

23                   “(B) Wind.

24                   “(C) Biomass.

25                   “(D) Landfill gas.

1           “(E) Ocean, including tidal, wave, current,  
2           and thermal.

3           “(F) Geothermal, including electricity and  
4           heat pumps.

5           “(G) Municipal solid waste.

6           “(H) New hydroelectric generation capac-  
7           ity achieved from increased efficiency or addi-  
8           tions of new capacity at an existing hydro-  
9           electric project. For purposes of this subpara-  
10          graph, hydroelectric generation capacity is ‘new’  
11          if it was placed in service on or after January  
12          1, 1999.

13          “(I) Thermal energy generated by any of  
14          the preceding sources.”.

15          (2) CLERICAL AMENDMENTS.—Such chapter is  
16          further amended—

17                 (A) in the table of subchapters at the be-  
18                 ginning of such chapter, by striking “2925”  
19                 and inserting “2924”; and

20                 (B) in the table of sections at the begin-  
21                 ning of subchapter III of such chapter, by in-  
22                 serting before the item relating to section 2925  
23                 the following new section:

“2924. Definitions.”.

24          (b) CONFORMING AMENDMENTS STRIKING SEPA-  
25          RATE DEFINITIONS.—Such chapter is further amended—

- 1 (1) in section 2911—  
2 (A) in subsection (d)—  
3 (i) by striking “(1)” before “For the  
4 purpose”;  
5 (ii) by striking paragraph (2); and  
6 (iii) by redesignating subparagraphs  
7 (A), (B), (C), and (D) as paragraphs (1),  
8 (2), (3), and (4), respectively; and  
9 (B) in subsection (e), by striking para-  
10 graph (2);  
11 (2) in section 2922e, by striking subsections (e)  
12 and (f);  
13 (3) in section 2922g, by striking subsection (d);  
14 and  
15 (4) in section 2925(b), by striking paragraph  
16 (4).

17 **SEC. 2822. CONSIDERATION OF ENERGY SECURITY IN DE-**  
18 **VELOPING ENERGY PROJECTS ON MILITARY**  
19 **INSTALLATIONS USING RENEWABLE ENERGY**  
20 **SOURCES.**

21 (a) **POLICY OF PURSUING ENERGY SECURITY.—**

22 (1) **POLICY REQUIRED.—**The Secretary of De-  
23 fense shall establish a policy under which a military  
24 installation shall give favorable consideration for en-  
25 ergy security in the design and development of en-

1       energy projects on the military installation that will  
2       use renewable energy sources.

3           (2) NOTIFICATION.—The Secretary of Defense  
4       shall provide notification to Congress within 30 days  
5       after entering into any agreement for a facility en-  
6       ergy project described in paragraph (1) that ex-  
7       cludes pursuit of energy security on the grounds  
8       that inclusion of energy security is cost prohibitive.  
9       The Secretary shall also provide a cost-benefit-anal-  
10      ysis of the decision.

11          (3) ENERGY SECURITY DEFINED.—In this sub-  
12      section, the term “energy security” has the meaning  
13      given that term in paragraph (3) of section 2924 of  
14      title 10, United States Code, as added by section  
15      2821(a).

16      (b) ADDITIONAL CONSIDERATION FOR DEVELOPING  
17      AND IMPLEMENTING ENERGY PERFORMANCE GOALS AND  
18      ENERGY PERFORMANCE MASTER PLAN.—Section  
19      2911(c) of title 10, United States Code, is amended by  
20      adding at the end the following new paragraph:

21           “(12) Opportunities for improving energy secu-  
22      rity for facility energy projects that will use renew-  
23      able energy sources.”.



1 (c) DEVELOPMENT OF GEOTHERMAL ENERGY ON  
2 MILITARY LANDS.—Section 2917 of such title is amend-  
3 ed—

4 (1) by striking “The Secretary” and inserting  
5 “(a) DEVELOPMENT AUTHORIZED.—The Sec-  
6 retary”; and

7 (2) by adding at the end the following new sub-  
8 section:

9 “(b) CONSIDERATION OF ENERGY SECURITY.—The  
10 development of a geothermal energy project under sub-  
11 section (a) should include consideration of energy security  
12 in the design and development of the project.”.

13 (d) REPORTING REQUIREMENT.—Section 2925(a)(3)  
14 of such title is amended by inserting “whether the project  
15 incorporates energy security into its design,” after  
16 “through the duration of each such mechanism,”.

17 **SEC. 2823. ESTABLISHMENT OF INTERIM OBJECTIVE FOR**  
18 **DEPARTMENT OF DEFENSE 2025 RENEWABLE**  
19 **ENERGY GOAL.**

20 (a) INTERIM OBJECTIVE.—Section 2911(e) of title  
21 10, United States Code, as amended by section  
22 2821(b)(1)(B), is further amended by inserting after  
23 paragraph (1) the following new paragraph:

24 “(2) To help ensure that the goal specified in para-  
25 graph (1)(A) regarding the use of renewable energy by the

1 Department of Defense is achieved, the Secretary of De-  
2 fense shall establish an interim goal for fiscal year 2018  
3 for the production or procurement of facility energy from  
4 renewable energy sources.”.

5 (b) DEADLINE; CONGRESSIONAL NOTIFICATION.—  
6 Not later than 180 days after the date of the enactment  
7 of this Act, the Secretary of Defense shall notify the con-  
8 gressional defense committees of the interim renewable en-  
9 ergy goal established pursuant to the amendment made  
10 by subsection (a).

11 **SEC. 2824. USE OF CENTRALIZED PURCHASING AGENTS**  
12 **FOR RENEWABLE ENERGY CERTIFICATES TO**  
13 **REDUCE COST OF FACILITY ENERGY**  
14 **PROJECTS USING RENEWABLE ENERGY**  
15 **SOURCES AND IMPROVE EFFICIENCIES.**

16 (a) PURCHASE AND USE OF RENEWABLE ENERGY  
17 CERTIFICATES.—Section 2911(e) of title 10, United  
18 States Code, as amended by sections 2821(b)(1)(B) and  
19 2823(a), is further amended by adding at the end the fol-  
20 lowing new paragraph:

21 “(3)(A) The Secretary of Defense shall establish a  
22 policy to maximize savings for the bulk purchase of re-  
23 placement renewable energy certificates in connection with  
24 the development of facility energy projects using renewable  
25 energy sources.

1       “(B) Under the policy required by subparagraph (A),  
2 the Secretary of a military department shall submit re-  
3 quests for the purchase of replacement renewable energy  
4 certificates to a centralized purchasing authority main-  
5 tained by such department or the Defense Logistics Agen-  
6 cy with expertise regarding—

7           “(i) the market for renewable energy certifi-  
8 cates;

9           “(ii) the procurement of renewable energy cer-  
10 tificates; and

11           “(iii) obtaining the best value for the military  
12 department by maximizing the purchase of renew-  
13 able energy certificates from projects placed into  
14 service before January 1, 1999.

15       “(C) The centralized purchasing authority shall so-  
16 licit industry for the most competitive offer for replace-  
17 ment renewable energy certificates, to include a combina-  
18 tion of renewable energy certificates from new projects  
19 and projects placed into service before January 1, 1999.

20       “(D) Subparagraph (B) does not prohibit the Sec-  
21 retary of a military department from entering into an  
22 agreement outside of the centralized purchasing authority  
23 if the Secretary will obtain the best value by bundling the  
24 renewable energy certificates with the facility energy

1 project through a power purchase agreement or other con-  
2 tractual mechanism at the installation.

3 “(E) Nothing in this paragraph shall be construed  
4 to authorize the purchase of renewable energy certificates  
5 to meet Federal goals or mandates in the absence of the  
6 development of a facility energy project using renewable  
7 energy sources.

8 “(F) This policy does not make the purchase of re-  
9 newable energy certificates mandatory, but the policy shall  
10 apply whenever original renewable energy certificates are  
11 proposed to be swapped for replacement renewable energy  
12 certificates.”.

13 (b) REPORTING REQUIREMENTS.—Section 2925(a)  
14 of title 10, United States Code, is amended—

15 (1) by redesignating paragraphs (4) through  
16 (10) as paragraphs (5) through (11), respectively;  
17 and

18 (2) by inserting after paragraph (3) the fol-  
19 lowing new paragraph:

20 “(4) In addition to the information contained in  
21 the table listing energy projects financed through  
22 third party financing mechanisms, as required by  
23 paragraph (3), the table also shall list any renewable  
24 energy certificates associated with each project, in-  
25 cluding information regarding whether the renewable

1 energy certificates were bundled or unbundled, the  
2 purchasing authority for the renewable energy cer-  
3 tificates, and the price of the associated renewable  
4 energy certificates.”.

5 **SEC. 2825. IDENTIFICATION OF ENERGY-EFFICIENT PROD-**  
6 **UCTS FOR USE IN CONSTRUCTION, REPAIR,**  
7 **OR RENOVATION OF DEPARTMENT OF DE-**  
8 **FENSE FACILITIES.**

9 (a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—  
10 Section 2915(e) of title 10, United States Code, is amend-  
11 ed by striking paragraph (2) and inserting the following  
12 new paragraph:

13 “(2)(A) The Secretary of Defense shall prescribe a  
14 definition of the term ‘energy-efficient product’ for pur-  
15 poses of this subsection and establish and maintain a list  
16 of products satisfying the definition. The definition and  
17 list shall be developed in consultation with the Secretary  
18 of Energy to ensure, to the maximum extent practicable,  
19 consistency with definitions of the term used by other Fed-  
20 eral agencies.

21 “(B) The Secretary shall modify the definition and  
22 list of energy-efficient products as necessary to account  
23 for emerging or changing technologies.

1       “(C) The list of energy-efficient products shall be in-  
2 cluded as part of the energy performance master plan de-  
3 veloped pursuant to section 2911(b)(2) of this title.”.

4       (b) CONFORMING AMENDMENT TO ENERGY PER-  
5 FORMANCE MASTER PLAN.—Section 2911(b)(2) of such  
6 title is amended by adding at the end the following new  
7 subparagraph:

8               “(F) The up-to date list of energy-efficient  
9 products maintained under section 2915(e)(2) of  
10 this title.”.

11 **SEC. 2826. CORE CURRICULUM AND CERTIFICATION**  
12 **STANDARDS FOR DEPARTMENT OF DEFENSE**  
13 **ENERGY MANAGERS.**

14       (a) TRAINING PROGRAM AND ISSUANCE OF GUID-  
15 ANCE.—

16               (1) IN GENERAL.—Subchapter I of chapter 173  
17 of title 10, United States Code, is amended by in-  
18 serting after section 2915 the following new section:

19 **“§ 2915a. Facilities: Department of Defense energy**  
20 **managers**

21       “(a) TRAINING PROGRAM REQUIRED.—The Sec-  
22 retary of Defense shall establish a training program for  
23 Department of Defense energy managers designated for  
24 military installations—

1           “(1) to improve the knowledge, skills, and abili-  
2           ties of energy managers; and

3           “(2) to improve consistency among energy man-  
4           agers throughout the Department in the perform-  
5           ance of their responsibilities.

6           “(b) CURRICULUM AND CERTIFICATION.—(1) The  
7           Secretary of Defense shall identify core curriculum and  
8           certification standards required for energy managers. At  
9           a minimum, the curriculum shall include the following:

10           “(A) Details of the energy laws that the De-  
11           partment of Defense is obligated to comply with and  
12           the mandates that the Department of Defense is ob-  
13           ligated to implement.

14           “(B) Details of energy contracting options for  
15           third-party financing of facility energy projects.

16           “(C) Details of the interaction of Federal laws  
17           with State and local renewable portfolio standards.

18           “(D) Details of current renewable energy tech-  
19           nology options, and lessons learned from exemplary  
20           installations.

21           “(E) Details of strategies to improve individual  
22           installation acceptance of its responsibility for reduc-  
23           ing energy consumption.

24           “(F) Details of how to conduct an energy audit  
25           and the responsibilities for commissioning, re-

1        commissioning, and continuous commissioning of fa-  
2        cilities.

3        “(2) The curriculum and certification standards shall  
4        leverage the best practices of each of the military depart-  
5        ments.

6        “(3) The certification standards shall identify profes-  
7        sional qualifications required to be designated as an en-  
8        ergy manager.

9        “(c) INFORMATION SHARING.—The Secretary of De-  
10        fense shall ensure that there are opportunities and forums  
11        for energy managers to exchange ideas and lessons-learned  
12        within each military department, as well as across the De-  
13        partment of Defense.”.

14                (2) CLERICAL AMENDMENT.—The table of sec-  
15        tions at the beginning of such subchapter is amend-  
16        ed by inserting after the item relating to section  
17        2915 the following new item:

“2915a. Facilities: Department of Defense energy managers.”.

18        (b) ISSUANCE OF GUIDANCE.—Not later than 180  
19        days after the date of the enactment of this Act, the Sec-  
20        retary of Defense shall issue guidance for the implementa-  
21        tion of the core curriculum and certification standards for  
22        energy managers required by section 2915a of title 10,  
23        United States Code, as added by subsection (a).

24        (c) BRIEFING REQUIREMENT.—Not later than 180  
25        days after the date of the enactment of this Act, the Sec-



1 retary of Defense, or designated representatives of the  
2 Secretary, shall brief the Committees on Armed Services  
3 of the Senate and House of Representatives regarding the  
4 details of the energy manager core curriculum and certifi-  
5 cation requirements.

6 **SEC. 2827. SUBMISSION OF ANNUAL DEPARTMENT OF DE-**  
7 **FENSE ENERGY MANAGEMENT REPORTS.**

8 Section 2925(a) of title 10, United States Code, is  
9 amended by striking “As part of the annual submission  
10 of the energy performance goals for the Department of  
11 Defense under section 2911 of this title, the Secretary of  
12 Defense shall submit a report containing the following:”  
13 and inserting “Not later than 120 days after the end of  
14 each fiscal year, the Secretary of Defense shall submit to  
15 the congressional defense committees an installation en-  
16 ergy report detailing the fulfillment during that fiscal year  
17 of the energy performance goals for the Department of  
18 Defense under section 2911 of this title. Each report shall  
19 contain the following:”.

1 **SEC. 2828. CONTINUOUS COMMISSIONING OF DEPARTMENT**  
2 **OF DEFENSE FACILITIES TO RESOLVE OPER-**  
3 **ATING PROBLEMS, IMPROVE COMFORT, OPTI-**  
4 **MIZE ENERGY USE, AND IDENTIFY RETRO-**  
5 **FITS.**

6 (a) CONTINUOUS COMMISSIONING.—The Secretary of  
7 Defense may require the continuous commissioning of De-  
8 partment of Defense facilities.

9 (b) CONTINUOUS COMMISSIONING DEFINED.—In  
10 this section, the term “continuous commissioning” refers  
11 to an ongoing process to resolve operating problems, im-  
12 prove comfort, optimize energy use, and identify retrofits  
13 for existing commercial and institutional buildings and  
14 central plant facilities.

15 **SEC. 2829. REQUIREMENT FOR DEPARTMENT OF DEFENSE**  
16 **TO CAPTURE AND TRACK DATA GENERATED**  
17 **IN METERING DEPARTMENT FACILITIES.**

18 The Secretary of Defense shall require that the infor-  
19 mation generated by the installation energy meters be cap-  
20 tured and tracked to determine baseline energy consump-  
21 tion and facilitate efforts to reduce energy consumption.

22 **SEC. 2830. METERING OF NAVY PIERS TO ACCURATELY**  
23 **MEASURE ENERGY CONSUMPTION.**

24 (a) METERING REQUIRED.—The Secretary of the  
25 Navy shall meter Navy piers so that the energy consump-  
26 tion of naval vessels while in port can be accurately meas-

1 ured and captured and steps taken to improve the efficient  
2 use of energy by naval vessels while in port.

3 (b) PROGRESS REPORTS.—In each of the Depart-  
4 ment of Defense energy management reports submitted to  
5 Congress during fiscal years 2012 through 2017 under  
6 section 2925(a) of title 10, United States Code, the Sec-  
7 retary of the Navy shall include information on the  
8 progress being made to implement the metering of Navy  
9 piers, including information on any reductions in energy  
10 consumption achieved through the use of such metering.

11 **SEC. 2831. REPORT ON ENERGY-EFFICIENCY STANDARDS**  
12 **AND PROHIBITION ON USE OF FUNDS FOR**  
13 **LEADERSHIP IN ENERGY AND ENVIRON-**  
14 **MENTAL DESIGN GOLD OR PLATINUM CER-**  
15 **TIFICATION.**

16 (a) REPORT REQUIRED.—

17 (1) IN GENERAL.—Not later than January 30,  
18 2012, the Secretary of Defense shall submit to the  
19 congressional defense committees a report on the en-  
20 ergy-efficiency standards utilized by the Department  
21 of Defense for military construction.

22 (2) CONTENTS OF REPORT.—The report shall  
23 include the following:

24 (A) A cost benefit analysis of adopting  
25 American Society of Heating, Refrigerating and

1 Air-Conditioning Engineers (ASHRAE) build-  
2 ing standard 189.1 versus 90.1 for sustainable  
3 design and development for the construction  
4 and renovation of buildings and structures.

5 (B) Details of the energy-efficiency im-  
6 provements achieved and long term payback re-  
7 sulting from the adoption of ASHRAE building  
8 standard 189.1.

9 (C) A cost benefit analysis and return on  
10 investment for energy-efficiency attributes and  
11 sustainable design achieved through Depart-  
12 ment of Defense funds being expended in the  
13 pursuit of Leadership in Energy and Environ-  
14 mental Design (LEED) gold or platinum cer-  
15 tification.

16 (D) A copy of Department of Defense pol-  
17 icy prescribing a comprehensive strategy for the  
18 pursuit of design and building standards across  
19 the Department that include specific energy-ef-  
20 ficient standards and sustainable design at-  
21 tributes for military construction based on the  
22 cost benefit analysis and demonstrated payback  
23 required by subparagraphs (A), (B), and (C).

24 (b) PROHIBITION ON USE OF FUNDS FOR LEED  
25 GOLD OR PLATINUM CERTIFICATION.—

1           (1) PROHIBITION.—No funds authorized to be  
2           appropriated by this Act or otherwise made available  
3           for the Department of Defense for fiscal year 2012  
4           may be obligated or expended for achieving any  
5           LEED gold or platinum certification.

6           (2) WAIVER AND NOTIFICATION.—The Sec-  
7           retary of Defense may waive the limitation in para-  
8           graph (1) if the Secretary submits a notification to  
9           the congressional defense committees at least 30  
10          days before the obligation of funds toward achieving  
11          the LEED gold or platinum certification.

12          (3) CONTENTS OF NOTIFICATION.—A notifica-  
13          tion shall include the following:

14                (A) A cost-benefit analysis of the decision  
15                to obligate funds toward achieving the LEED  
16                gold or platinum certification.

17                (B) Demonstrated payback for the energy  
18                improvements or sustainable design features.

19          (4) EXCEPTION.—LEED gold and platinum  
20          certifications shall be permitted, and not require a  
21          waiver and notification under this subsection, if  
22          achieving such certification imposes no additional  
23          cost to the Department of Defense.

1     **Subtitle D—Provisions Related to**  
2                     **Guam Realignment**

3     **SEC. 2841. USE OF OPERATION AND MAINTENANCE FUND-**  
4                     **ING TO SUPPORT COMMUNITY ADJUSTMENTS**  
5                     **RELATED TO REALIGNMENT OF MILITARY IN-**  
6                     **STALLATIONS AND RELOCATION OF MILI-**  
7                     **TARY PERSONNEL ON GUAM.**

8             (a) TEMPORARY ASSISTANCE AUTHORIZED.—

9                     (1) ASSISTANCE TO GOVERNMENT OF GUAM.—

10             Using funds made available under subsection (c), the  
11             Secretary of Defense may assist the Government of  
12             Guam in meeting the costs of providing increased  
13             municipal services and facilities required as a result  
14             of the realignment of military installations and the  
15             relocation of military personnel on Guam (in this  
16             section referred to as the “Guam realignment”) if  
17             the Secretary determines that an unfair and exces-  
18             sive financial burden will be incurred by the Govern-  
19             ment of Guam to provide the services and facilities  
20             in the absence of the Department of Defense assist-  
21             ance.

22                     (2) MITIGATION OF IDENTIFIED IMPACTS.—The

23             Secretary of Defense may take such actions as the  
24             Secretary considers to be appropriate to mitigate the  
25             significant impacts identified in the Record of Deci-

1 sion of the “Guam and CNMI Military Relocation  
2 Environmental Impact Statement” by providing in-  
3 creased municipal services and facilities to activities  
4 that directly support the Guam realignment.

5 (b) METHODS OF PROVIDING ASSISTANCE.—

6 (1) USE OF EXISTING PROGRAMS.—The Sec-  
7 retary of Defense shall carry out subsection (a)  
8 through existing Federal programs supporting the  
9 Government of Guam and the Guam realignment,  
10 whether or not the programs are administered by  
11 the Department of Defense or another Federal agen-  
12 cy.

13 (2) COST SHARE ASSISTANCE.—The Secretary  
14 may assist the Government of Guam to any cost-  
15 sharing obligation imposed on the Government of  
16 Guam under any Federal program utilized by the  
17 Secretary under paragraph (1).

18 (c) SOURCE OF FUNDS.—

19 (1) TRANSFER AUTHORITY.—To the extent nec-  
20 essary to carry out subsection (a), the Secretary  
21 may transfer appropriated funds available to the De-  
22 partment of Defense or a military department for  
23 operation and maintenance to a different account of  
24 the Department of Defense or another Federal agen-  
25 cy in order to make funds available to the Govern-

1       ment of Guam under a Federal program utilized by  
2       the Secretary under subsection (b)(1). Amounts so  
3       transferred shall be available only for the purpose of  
4       assisting the Government of Guam as described in  
5       subsection (a).

6               (2) **ADDITIONAL AUTHORITY.**—The transfer au-  
7       thority provided by paragraph (1) is in addition to  
8       the transfer authority provided by section 1001.

9               (d) **PROGRESS REPORTS REQUIRED.**—The Secretary  
10      of Defense shall submit to the Committees on Armed Serv-  
11      ices of the Senate and the House of Representatives semi-  
12      annual reports indicating the total amount expended  
13      under the authority of this section during the preceding  
14      6-month period, the specific projects for which assistance  
15      was provided during such period, and the total amount  
16      provided for each project during such period.

17              (e) **TERMINATION.**—The authority to provide assist-  
18      ance under this section expires September 30, 2018.  
19      Amounts obligated before that date may be expended after  
20      that date.

21      **SEC. 2842. MEDICAL CARE COVERAGE FOR H-2B TEM-**  
22                                      **PORARY WORKFORCE ON MILITARY CON-**  
23                                      **STRUCTION PROJECTS ON GUAM.**

24              (a) **LEAD SYSTEM INTEGRATOR FOR WORKFORCE**  
25      **HEALTH CARE.**—Subject to subsection (b), the Secretary



1 of the Navy may not award any additional Navy or Marine  
2 Corps construction project or associated task order on  
3 Guam associated with the Record of Decision for the  
4 Guam and CNMI Military Relocation dated September  
5 2010 if the project includes the use of employees holding  
6 a visa described in section 101(a)(15)(H)(ii)(b) of the Im-  
7 migration and Nationality Act (8 U.S.C.  
8 1101(a)(15)(H)(ii)(b); known as “H–2B workers”) until  
9 the Secretary of the Navy provides for a lead system inte-  
10 grator for health care for the H–2B workers.

11 (b) DUTIES.—The lead system integrator for health  
12 care shall—

13 (1) provide a comprehensive medical plan for  
14 the H–2B workers to staff, manage, and execute re-  
15 quirements with maximum clinical, fiscal, and ad-  
16 ministrative efficiencies;

17 (2) provide comprehensive planning and coordi-  
18 nation with contractor-provided healthcare services  
19 and with Guam’s civilian and military healthcare  
20 community; and

21 (3) access local healthcare assets to help meet  
22 the health care needs of the H–2B workers.

23 (c) ELEMENTS OF MEDICAL PLAN.—The comprehen-  
24 sive medical plan referred to in subsection (b)(1) shall—

1           (1) address significant health issues, injury, or  
2 series of injuries in addition to basic first responder  
3 medical services for H-2B workers.

4           (2) provide pre-deployment health screening at  
5 the country of origin of H-2B workers, ensuring—

6                 (A) all major or chronic disease conditions  
7 of concern are identified;

8                 (B) proper immunizations are adminis-  
9 tered;

10                (C) screening for tuberculosis and commu-  
11 nicable diseases are conducted; and

12                (D) all H-2B workers are fit and healthy  
13 for work prior to deployment;

14           (3) provide arrival health screening process is  
15 developed to ensure the H-2B workers are fit to  
16 work and that the risk of spreading communicable  
17 diseases to the resident population is minimized; and

18           (4) provide comprehensive on-site medical serv-  
19 ices, including emergency medical care for the H-2B  
20 workers, primary health care to include care for  
21 chronic diseases, preventive services and acute care  
22 delivery, and accessible prescription services main-  
23 taining oversight, authorization access and delivery  
24 of prescription medications to the workforce.

1 (d) NOTIFICATION.—Upon assignment of the lead  
2 system integrator for health care under subsection (a), the  
3 Secretary of the Navy shall submit to the congressional  
4 defense committees a notification of the assignment and  
5 qualifications of the lead system integrator.

6 **SEC. 2843. CERTIFICATION OF MILITARY READINESS NEED**  
7 **FOR FIRING RANGE ON GUAM AS CONDITION**  
8 **ON ESTABLISHMENT OF RANGE.**

9 A firing range on Guam may not be established (in-  
10 cluding any construction or lease of lands related to such  
11 establishment) until the Secretary of Defense certifies to  
12 the congressional defense committees that there is a na-  
13 tional security need for the firing range related to readi-  
14 ness of the Armed Forces assigned to the United States  
15 Pacific Command.

16 **SEC. 2844. REPEAL OF CONDITION ON USE OF SPECIFIC**  
17 **UTILITY CONVEYANCE AUTHORITY REGARD-**  
18 **ING GUAM INTEGRATED WATER AND WASTE-**  
19 **WATER TREATMENT SYSTEM.**

20 Section 2822 of the Military Construction Authoriza-  
21 tion Act for Fiscal Year 2011 (division B of Public Law  
22 111–383; 124 Stat. 4465) is amended by striking sub-  
23 section (c).

## 1       **Subtitle E—Land Conveyances**

### 2       **SEC. 2851. LAND EXCHANGE, FORT BLISS TEXAS.**

3           (a) CONVEYANCE AUTHORIZED.—In exchange for the  
4 receipt of the real property described in subsection (b),  
5 the Secretary of the Army may convey to the Texas Gen-  
6 eral Land Office (in this section referred to as the  
7 “TGLO”) all right, title, and interest of the United States  
8 in and to a parcel of undeveloped real property consisting  
9 of approximately 694 acres at Fort Bliss, Texas, for the  
10 purpose of facilitating commercial development of the par-  
11 cel.

12           (b) CONSIDERATION.—As consideration for the con-  
13 veyance under subsection (a), TGLO shall convey to the  
14 Secretary of the Army all right, title, and interest of  
15 TGLO in and to a parcel of real property, including any  
16 improvements thereon, consisting of approximately 2,880  
17 acres adjacent to Fort Bliss training areas to facilitate  
18 tactical vehicle ingress and egress between the installation  
19 and the training areas and mitigate encroachment issues.  
20 If the fair market value of the real property to be acquired  
21 by the Secretary is less than the fair market value of the  
22 real property to be conveyed under subsection (a), the Sec-  
23 retary may require a cash equalization payment in an  
24 amount equal to the difference in value.

25           (c) PAYMENT OF COSTS OF CONVEYANCES.—

1           (1) PAYMENT REQUIRED.—The Secretary of  
2 the Army shall require TGLO to cover costs to be  
3 incurred by the Secretary, or to reimburse the Sec-  
4 retary for costs incurred by the Secretary, to carry  
5 out the land exchange under this section, including  
6 survey costs, costs related to environmental docu-  
7 mentation, and other administrative costs related to  
8 the conveyance. If amounts are collected from  
9 TGLO in advance of the Secretary incurring the ac-  
10 tual costs, and the amount collected exceeds the  
11 costs actually incurred by the Secretary to carry out  
12 the land exchange, the Secretary shall refund the ex-  
13 cess amount to TGLO.

14           (2) TREATMENT OF AMOUNTS RECEIVED.—  
15 Amounts received as reimbursements under para-  
16 graph (1) shall be credited to the fund or account  
17 that was used to cover the costs incurred by the Sec-  
18 retary in carrying out the land exchange. Amounts  
19 so credited shall be merged with amounts in such  
20 fund or account and shall be available for the same  
21 purposes, and subject to the same conditions and  
22 limitations, as amounts in such fund or account.

23           (d) DESCRIPTION OF PROPERTY.—The exact acreage  
24 and legal description of the real property to be exchanged

1 under this section shall be determined by a survey satis-  
2 factory to the Secretary of the Army.

3 (e) **ADDITIONAL TERMS AND CONDITIONS.**—The  
4 Secretary of the Army may require such additional terms  
5 and conditions in connection with the land exchange under  
6 this section as the Secretary considers appropriate to pro-  
7 tect the interests of the United States.

8 **SEC. 2852. LAND CONVEYANCE, FORMER DEFENSE DEPOT**  
9 **OGDEN, UTAH.**

10 (a) **CONVEYANCE OF RESIDUAL INTERESTS.**—To fa-  
11 cilitate the conveyance of a parcel of real property con-  
12 sisting of approximately 2.73 acres at the former Defense  
13 Depot Ogden, Utah, from the Weber Basin Disabled Cor-  
14 poration to the Ogden City Redevelopment Authority (in  
15 this section referred to as the “Redevelopment Author-  
16 ity”), the Secretary of the Army and the Secretary of  
17 Health and Human Services (in this section referred to  
18 as the “Secretaries”), may convey, by quit claim deed, all  
19 residual right, title, and interest of the United States (in-  
20 cluding reversionary interests) in and to the property for  
21 the purpose of permitting the Redevelopment Authority to  
22 take immediate steps to prevent the further deterioration  
23 of the building on the parcel and subsequently redevelop  
24 the parcel.

1           (b) CONSIDERATION.—As consideration for the con-  
2 conveyance of residual United States interests in the property  
3 described in subsection (a), the Redevelopment Authority  
4 shall pay an amount equal to the fair market value of the  
5 conveyed interests, as determined by the Secretaries.  
6 Amounts received under this subsection shall be deposited  
7 in the Department of Defense Base Closure Account 2005.  
8 The amounts deposited shall be merged with other  
9 amounts in such fund and be available for the same pur-  
10 poses, and subject to the same conditions and limitations,  
11 as amounts in such fund.

12           (c) PAYMENT OR COSTS OF CONVEYANCE.—

13           (1) IN GENERAL.—The Secretaries shall require  
14 the Redevelopment Authority to cover costs to be in-  
15 curred by the Secretaries, or to reimburse the Secre-  
16 taries for costs incurred by the Secretaries, to carry  
17 out the conveyance under subsection (a), including  
18 costs related to environmental documentation and  
19 other administrative costs. If amounts are collected  
20 from the Redevelopment Authority in advance of the  
21 Secretaries incurring the actual costs, and the  
22 amount collected exceeds the costs actually incurred  
23 by the Secretaries to carry out the conveyance, the  
24 Secretaries shall refund the excess amount to the  
25 Redevelopment Authority.

1           (2) TREATMENT OF AMOUNTS RECEIVED.—  
2       Amounts received as reimbursements under para-  
3       graph (1) shall be credited to the fund or account  
4       that was used to cover the costs incurred in carrying  
5       out the conveyance. Amounts so credited shall be  
6       merged with amounts in such fund or account and  
7       shall be available for the same purposes, and subject  
8       to the same conditions and limitations, as amounts  
9       in such fund or account.

10       (d) DESCRIPTION OF PROPERTY.—The exact acreage  
11       and legal description of the real property to be conveyed  
12       under subsection (a) shall be determined by a survey satis-  
13       factory to the Secretaries.

14       (e) ADDITIONAL TERMS AND CONDITIONS.—The  
15       Secretaries may require such additional terms and condi-  
16       tions in connection with the conveyance under subsection  
17       (a) as the Secretaries considers appropriate to protect the  
18       interests of the United States.

## 19                   **Subtitle F—Other Matters**

### 20       **SEC. 2861. CHANGE IN NAME OF THE INDUSTRIAL COLLEGE** 21                   **OF THE ARMED FORCES TO THE DWIGHT D.** 22                   **EISENHOWER SCHOOL FOR NATIONAL SECU-** 23                   **RITY AND RESOURCE STRATEGY.**

24       (a) CHANGE IN NAME.—The Industrial College of the  
25       Armed Forces is hereby renamed the “Dwight D. Eisen-



1 hower School for National Security and Resource Strat-  
2 egy”.

3 (b) COMPONENT OF NATIONAL DEFENSE UNIVER-  
4 SITY.—Section 2165(b)(2) of title 10, United States Code,  
5 is amended by striking “Industrial College of the Armed  
6 Forces” and inserting “Dwight D. Eisenhower School for  
7 National Security and Resource Strategy”.

8 (c) CONFORMING AMENDMENT.—Section 663(e)(2)  
9 of such title is amended by striking “Industrial College  
10 of the Armed Forces” and inserting “Dwight D. Eisen-  
11 hower School for National Security and Resource Strat-  
12 egy”.

13 (d) REFERENCES.—Any reference to the Industrial  
14 College of the Armed Forces in any law, regulation, map,  
15 document, record, or other paper of the United States  
16 shall be considered to be a reference to the Dwight D.  
17 Eisenhower School for National Security and Resource  
18 Strategy.

19 **SEC. 2862. LIMITATIONS ON REDUCTION IN NUMBER OF**  
20 **MEMBERS OF THE ARMED FORCES ASSIGNED**  
21 **TO PERMANENT DUTY AT A MILITARY IN-**  
22 **STALLATION TO EFFECTUATE REALIGNMENT**  
23 **OF INSTALLATION.**

24 (a) NOTICE AND WAIT LIMITATION.—Chapter 50 of  
25 title 10, United States Code, is amended by inserting after

1 section 993, as added by section 585, the following new  
2 section:

3 **“§ 994. Limitations on permanent relocation of siz-**  
4 **able numbers of members of the armed**  
5 **forces**

6 “(a) LIMITATION.—No action may be taken to effect  
7 or implement any realignment with respect to any military  
8 installation in the United States involving a reduction of  
9 more than 1,000 in the number of members of the armed  
10 forces assigned to permanent duty at the installation at  
11 the time the Secretary of Defense or the Secretary of the  
12 military department concerned notifies Congress under  
13 subsection (b) of the plan to realign the installation unless  
14 and until the provisions of subsection (b) are complied  
15 with.

16 “(b) NOTICE AND WAIT REQUIREMENT.—No action  
17 described in subsection (a) with respect to the realignment  
18 of any military installation referred to in such subsection  
19 may be taken unless and until—

20 “(1) the Secretary of Defense or the Secretary  
21 of the military department concerned—

22 “(A) notifies the Committees on Armed  
23 Services of the Senate and the House of Rep-  
24 resentatives of the proposed realignment and

1 the number of personnel assignments affected;  
2 and

3 “(B) submits an evaluation of the costs  
4 and benefits of such realignment and of the  
5 local economic, environmental, strategic, and  
6 operational consequences of such realignment;  
7 and

8 “(2) a period of 90 days expires following the  
9 day on which the notice and evaluation have been  
10 submitted to such committees, during which period  
11 no irrevocable action may be taken to effect or im-  
12 plement the realignment.

13 “(c) EXCEPTIONS.—

14 “(1) BASE CLOSURE PROCESS.—Subsections (a)  
15 and (b) do not apply in the case of the realignment  
16 of a military installation pursuant to a base closure  
17 law.

18 “(2) NATIONAL SECURITY OR EMERGENCY.—  
19 Subsections (a) and (b) do not apply if the President  
20 certifies to the Congress that the realignment of a  
21 military installation must be implemented for rea-  
22 sons of national security or a military emergency.

23 “(d) DEFINITIONS.—In this section:

24 “(1) The term ‘military installation’ means a  
25 base, camp, post, station, yard, center, homeport fa-

1 cility for any ship, or other activity under the juris-  
2 diction of the Department of Defense, including any  
3 leased facility, which is located within any of the  
4 several States, the District of Columbia, the Com-  
5 monwealth of Puerto Rico, American Samoa, the  
6 Virgin Islands, the Commonwealth of the Northern  
7 Mariana Islands, or Guam. Such term does not in-  
8 clude any facility used primarily for civil works, riv-  
9 ers and harbors projects, or flood control projects.

10 “(2) The term ‘realignment’ includes any action  
11 which both reduces and relocates functions and per-  
12 sonnel positions. The term includes the disestablish-  
13 ment or termination of a military command at a  
14 military installation, a change in the homeport for a  
15 ship, or the permanent relocation of a unit of the  
16 armed forces if the permanent duty assignment  
17 threshold specified in subsection (a) is met.

18 “(3) The term ‘unit’ means a unit of the armed  
19 forces at the battalion, squadron, or an equivalent  
20 level (or a higher level).”.

21 (b) CLERICAL AMENDMENT.—The table of sections  
22 at the beginning of such chapter is amended by adding  
23 at the end the following new item:

“994. Limitations on permanent relocation of sizable numbers of members of  
the armed forces.”.

1 **SEC. 2863. PROHIBITION ON NAMING DEPARTMENT OF DE-**  
2 **FENSE REAL PROPERTY AFTER A MEMBER**  
3 **OF CONGRESS.**

4 (a) PROHIBITION.—Section 2661 of title 10, United  
5 States Code, is amended by inserting after subsection (b)  
6 the following new subsection:

7 “(c) PROHIBITION ON NAMING DEPARTMENT OF DE-  
8 FENSE REAL PROPERTY AFTER MEMBER OF CON-  
9 GRESS.—(1) Real property under the jurisdiction of the  
10 Secretary of Defense or the Secretary of a military depart-  
11 ment may not be named after, or otherwise officially iden-  
12 tified by the name of, any individual who is a Member  
13 of Congress at the time the property is so named or identi-  
14 fied.

15 “(2) In this subsection:

16 “(A) The term ‘Member of Congress’ includes  
17 a Delegate or Resident Commissioner to the Con-  
18 gress.

19 “(B) The term ‘real property’ includes struc-  
20 tures, buildings, or other infrastructure of a military  
21 installation, roadways and defense access roads, and  
22 any other area on the grounds of a military installa-  
23 tion.”.

24 (b) APPLICATION OF AMENDMENT.—The prohibition  
25 in subsection (c) of section 2661 of title 10, United States  
26 Code, as added by subsection (a), shall apply only with

1 respect to real property of the Department of Defense  
2 named after the date of the enactment of this Act.

3 **SEC. 2864. REPORT ON THE HOMEOWNERS ASSISTANCE**  
4 **PROGRAM.**

5 Not later than 180 days after the date of enactment  
6 of this Act, the Secretary of Defense shall submit to Con-  
7 gress a report on the Homeowners Assistance Program  
8 under the Demonstration Cities and Metropolitan Devel-  
9 opment Act of 1966 (42 U.S.C. 3374). The report shall  
10 include the following:

11 (1) The estimated cost if eligibility were ex-  
12 panded to include permanent change of station ap-  
13 plicants who purchased a home after July 1, 2006,  
14 and before July 1, 2008.

15 (2) The estimated cost if eligibility were ex-  
16 panded to include members of the Armed Forces  
17 under paragraph (1) and permanent change of sta-  
18 tion applicants who received permanent change of  
19 station orders after September 30, 2010, and before  
20 September 30, 2011.

21 (3) The estimated number of members of the  
22 Armed Forces who received permanent change of  
23 station orders after September 30, 2010, and before  
24 September 30, 2011, and who suffered a decline of

1 at least a 10 percent in home value from the date  
2 of purchase to the date of sale.

3 **SEC. 2865. TRANSFER OF THE AIR FORCE MEMORIAL TO**  
4 **THE DEPARTMENT OF THE AIR FORCE.**

5 (a) TRANSFER OF MEMORIAL TO SECRETARY OF THE  
6 AIR FORCE.—Administrative jurisdiction, custody, and  
7 control of the Air Force Memorial (as defined in section  
8 9784(d) of title 10, United States Code, as added by sub-  
9 section (b)) is hereby transferred to the Secretary of the  
10 Air Force.

11 (b) OPERATION, MAINTENANCE, AND MANAGEMENT  
12 OF MEMORIAL.—

13 (1) AUTHORITY OF SECRETARY OF THE AIR  
14 FORCE.—Chapter 949 of title 10, United States  
15 Code, is amended by adding at the end the following  
16 new section:

17 **“§ 9784. Air Force Memorial**

18 “(a) RESPONSIBILITY.—The Secretary of the Air  
19 Force has jurisdiction, custody, and control of the Air  
20 Force Memorial and is responsible for the operation, main-  
21 tenance, and management of the Memorial.

22 “(b) COOPERATIVE AGREEMENT FOR OPERATION  
23 AND MAINTENANCE OF THE MEMORIAL.—The Secretary  
24 of the Air Force may enter into a cooperative agreement  
25 with the Air Force Memorial Foundation or any other

1 suitable entity to assist with the operation and mainte-  
2 nance of the Air Force Memorial.

3 “(c) DISPOSITION OF CONTRIBUTIONS.—Any con-  
4 tribution made for the purpose of assisting in the oper-  
5 ation and maintenance of the Air Force Memorial that is  
6 deposited into the Department of the Air Force General  
7 Gift Fund pursuant to section 2601 of this title shall be  
8 available only for the purpose of the operation and mainte-  
9 nance of the Air Force Memorial.

10 “(d) DEFINITION.—In this section, the term ‘Air  
11 Force Memorial’ means the memorial established pursuant  
12 to Public Law 103–163 to honor the men and women who  
13 have served in the United States Air Force and its prede-  
14 cessor organizations and that area of land occupied by  
15 that memorial, along with any facilities constructed there-  
16 on, and consisting of approximately three acres in Arling-  
17 ton, Virginia, made available by the Secretary of Defense  
18 for use as the location of the Air Force Memorial pursuant  
19 to section 2863(b)(1) of the Military Construction Author-  
20 ization Act for Fiscal Year 2002 (division B of Public Law  
21 107–107; 115 Stat. 1330).”.

22 (2) CLERICAL AMENDMENT.—The table of sec-  
23 tions at the beginning of such chapter is amended  
24 by adding at the end the following new item:

“9784. Air Force Memorial.”.



1 (c) REPEAL.—Section 2872 of the Military Construc-  
2 tion Authorization Act for Fiscal Year 2008 (division B  
3 of Public Law 110–181; 122 Stat. 562) is repealed.

4 **DIVISION C—DEPARTMENT OF**  
5 **ENERGY NATIONAL SECURITY**  
6 **AUTHORIZATIONS AND**  
7 **OTHER AUTHORIZATIONS**  
8 **TITLE XXXI—DEPARTMENT OF**  
9 **ENERGY NATIONAL SECURITY**  
10 **PROGRAMS**  
11 **Subtitle A—National Security**  
12 **Programs Authorizations**

13 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**  
14 **TION.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
16 are hereby authorized to be appropriated to the Depart-  
17 ment of Energy for fiscal year 2012 for the activities of  
18 the National Nuclear Security Administration in carrying  
19 out programs as specified in the funding table in section  
20 4701.

21 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—  
22 From funds referred to in subsection (a) that are available  
23 for carrying out plant projects, the Secretary of Energy  
24 may carry out new plant projects for the National Nuclear  
25 Security Administration as follows:

1                   Project 12–D–301, Transuranic (TRU)  
2                   Waste Facilities, Los Alamos National Labora-  
3                   tory, Los Alamos, New Mexico, \$9,881,000.

4 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

5           Funds are hereby authorized to be appropriated to  
6 the Department of Energy for fiscal year 2012 for defense  
7 environmental cleanup activities in carrying out programs  
8 as specified in the funding table in section 4701.

9 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

10          Funds are hereby authorized to be appropriated to  
11 the Department of Energy for fiscal year 2012 for other  
12 defense activities in carrying out programs as specified in  
13 the funding table in section 4701.

14 **SEC. 3104. ENERGY SECURITY AND ASSURANCE.**

15          Funds are hereby authorized to be appropriated to  
16 the Department of Energy for fiscal year 2012 for energy  
17 security and assurance programs necessary for national  
18 security as specified in the funding table in section 4701.

1 **Subtitle B—Program Authoriza-**  
2 **tions, Restrictions, and Limita-**  
3 **tions**

4 **SEC. 3111. CONSOLIDATED REPORTING REQUIREMENTS**  
5 **RELATING TO NUCLEAR STOCKPILE STEW-**  
6 **ARDSHIP, MANAGEMENT, AND INFRASTRUC-**  
7 **TURE.**

8 (a) CONSOLIDATED PLAN FOR STEWARDSHIP, MAN-  
9 AGEMENT, AND CERTIFICATION OF WARHEADS IN THE  
10 NUCLEAR WEAPONS STOCKPILE.—

11 (1) IN GENERAL.—Section 4203 of the Atomic  
12 Energy Defense Act (50 U.S.C. 2523) is amended to  
13 read as follows:

14 **“SEC. 4203. NUCLEAR WEAPONS STOCKPILE STEWARDSHIP,**  
15 **MANAGEMENT, AND INFRASTRUCTURE PLAN.**

16 “(a) PLAN REQUIREMENT.—The Administrator for  
17 Nuclear Security, in consultation with the Secretary of  
18 Defense and other appropriate officials of the departments  
19 and agencies of the Federal Government, shall develop and  
20 annually update a plan for sustaining the nuclear weapons  
21 stockpile. The plan shall cover, at a minimum, stockpile  
22 stewardship, stockpile management, stockpile surveillance,  
23 program direction, infrastructure modernization, human  
24 capital, and nuclear test readiness. The plan shall be con-  
25 sistent with the programmatic and technical requirements

1 of the most recent annual Nuclear Weapons Stockpile  
2 Memorandum.

3 “(b) SUBMISSIONS TO CONGRESS.—(1) In accord-  
4 ance with subsection (c), not later than March 15 of each  
5 even-numbered year, the Administrator for Nuclear Secu-  
6 rity shall submit to the congressional defense committees  
7 a summary of the plan developed under subsection (a).

8 “(2) In accordance with subsection (d), not later than  
9 March 15 of each odd-numbered year, the Administrator  
10 for Nuclear Security shall submit to the congressional de-  
11 fense committees a detailed report on the plan developed  
12 under subsection (a).

13 “(3) The summaries and reports required by this sub-  
14 section shall be submitted in unclassified form, but may  
15 include a classified annex.

16 “(c) ELEMENTS OF BIENNIAL PLAN SUMMARY.—  
17 Each summary of the plan submitted under subsection  
18 (b)(1) shall include, at a minimum, the following:

19 “(1) A summary of the status of the nuclear  
20 weapons stockpile, including the number and age of  
21 warheads (including both active and inactive) for  
22 each warhead type.

23 “(2) A summary of the status, plans, budgets,  
24 and schedules for warhead life extension programs

1 and any other programs to modify, update, or re-  
2 place warhead types.

3 “(3) A summary of the methods and informa-  
4 tion used to determine that the nuclear weapons  
5 stockpile is safe and reliable, as well as the relation-  
6 ship of science-based tools to the collection and in-  
7 terpretation of such information.

8 “(4) A summary of the status of the nuclear se-  
9 curity enterprise, including programs and plans for  
10 infrastructure modernization and retention of human  
11 capital, as well as associated budgets and schedules.

12 “(5) Identification of any modifications or up-  
13 dates to the plan since the previous summary or de-  
14 tailed report was submitted under subsection (b).

15 “(6) Such other information as the Secretary of  
16 Energy or the Administrator for Nuclear Security  
17 considers appropriate.

18 “(d) ELEMENTS OF BIENNIAL DETAILED REPORT.—  
19 Each detailed report on the plan submitted under sub-  
20 section (b)(2) shall include, at a minimum, the following:

21 “(1) With respect to stockpile stewardship and  
22 management—

23 “(A) the status of the nuclear weapons  
24 stockpile, including the number and age of war-

1 heads (including both active and inactive) for  
2 each warhead type;

3 “(B) for each five-year period beginning on  
4 the date of the report and ending on the date  
5 that is 20 years after the date of the report—

6 “(i) the planned number of nuclear  
7 warheads (including active and inactive)  
8 for each warhead type in the nuclear weap-  
9 ons stockpile; and

10 “(ii) the past and projected future  
11 total lifecycle cost of each type of nuclear  
12 weapon;

13 “(C) the status, plans, budgets, and sched-  
14 ules for warhead life extension programs and  
15 any other programs to modify, update, or re-  
16 place warhead types;

17 “(D) a description of the process by which  
18 the Administrator assesses the lifetimes, and re-  
19 quirements for life extension or replacement, of  
20 the nuclear and nonnuclear components of the  
21 warheads (including active and inactive war-  
22 heads) in the nuclear weapons stockpile;

23 “(E) a description of the process used in  
24 recertifying the safety, security, and reliability

1 of each warhead type in the nuclear weapons  
2 stockpile;

3 “(F) any concerns of the Secretary of En-  
4 ergy which would affect the ability of the Sec-  
5 retary to recertify the safety, security, or reli-  
6 ability of warheads in the nuclear weapons  
7 stockpile (including active and inactive war-  
8 heads);

9 “(G) mechanisms to provide for the manu-  
10 facture, maintenance, and modernization of  
11 each warhead type in the nuclear weapons  
12 stockpile, as needed;

13 “(H) mechanisms to expedite the collection  
14 of information necessary for carrying out the  
15 stockpile management program required by sec-  
16 tion 4204, including information relating to the  
17 aging of materials and components, new manu-  
18 facturing techniques, and the replacement or  
19 substitution of materials;

20 “(I) mechanisms to ensure the appropriate  
21 assignment of roles and missions for each na-  
22 tional security laboratory and production plant  
23 of the Department of Energy, including mecha-  
24 nisms for allocation of workload, mechanisms to  
25 ensure the carrying out of appropriate mod-

1 ernization activities, and mechanisms to ensure  
2 the retention of skilled personnel;

3 “(J) mechanisms to ensure that each na-  
4 tional security laboratory has full and complete  
5 access to all weapons data to enable a rigorous  
6 peer-review process to support the annual as-  
7 sessment of the condition of the nuclear weap-  
8 ons stockpile required under section 4205;

9 “(K) mechanisms for allocating funds for  
10 activities under the stockpile management pro-  
11 gram required by section 4204, including allo-  
12 cations of funds by weapon type and facility;  
13 and

14 “(L) for each of the five fiscal years fol-  
15 lowing the fiscal year in which the report is  
16 submitted, an identification of the funds needed  
17 to carry out the program required under section  
18 4204.

19 “(2) With respect to science-based tools—

20 “(A) a description of the information need-  
21 ed to determine that the nuclear weapons stock-  
22 pile is safe and reliable;

23 “(B) for each science-based tool used to  
24 collect information described in subparagraph  
25 (A), the relationship between such tool and



1 such information and the effectiveness of such  
2 tool in providing such information based on the  
3 criteria developed pursuant to section 4202(a);  
4 and

5 “(C) the criteria developed under section  
6 4202(a) (including any updates to such cri-  
7 teria).

8 “(3) An assessment of the stockpile stewardship  
9 program under section 4201 by the Administrator,  
10 in consultation with the directors of the national se-  
11 curity laboratories, which shall set forth—

12 “(A) an identification and description of—

13 “(i) any key technical challenges to  
14 the stockpile stewardship program; and

15 “(ii) the strategies to address such  
16 challenges without the use of nuclear test-  
17 ing;

18 “(B) a strategy for using the science-based  
19 tools (including advanced simulation and com-  
20 puting capabilities) of each national security  
21 laboratory to ensure that the nuclear weapons  
22 stockpile is safe, secure, and reliable without  
23 the use of nuclear testing.

24 “(C) an assessment of the science-based  
25 tools (including advanced simulation and com-

1           puting capabilities) of each national security  
2           laboratory that exist at the time of the assess-  
3           ment compared with the science-based tools ex-  
4           pected to exist during the period covered by the  
5           future-years nuclear security program; and

6           “(D) an assessment of the core scientific  
7           and technical competencies required to achieve  
8           the objectives of the stockpile stewardship pro-  
9           gram and other weapons activities and weap-  
10          ons-related activities of the Department of En-  
11          ergy, including—

12                   “(i) the number of scientists, engi-  
13                   neers, and technicians, by discipline, re-  
14                   quired to maintain such competencies; and

15                   “(ii) a description of any shortage of  
16                   such individuals that exists at the time of  
17                   the assessment compared with any short-  
18                   age expected to exist during the period cov-  
19                   ered by the future-years nuclear security  
20                   program.

21          “(4) With respect to the nuclear security infra-  
22          structure—

23                   “(A) a description of the modernization  
24                   and refurbishment measures the Administrator

1 determines necessary to meet the requirements  
2 prescribed in—

3 “(i) the national security strategy of  
4 the United States as set forth in the most  
5 recent national security strategy report of  
6 the President under section 108 of the Na-  
7 tional Security Act of 1947 (50 U.S.C.  
8 404a) if such strategy has been submitted  
9 as of the date of the plan;

10 “(ii) the most recent quadrennial de-  
11 fense review if such strategy has not been  
12 submitted as of the date of the plan; and

13 “(iii) the most recent Nuclear Posture  
14 Review as of the date of the plan;

15 “(B) a schedule for implementing the  
16 measures described under subparagraph (A)  
17 during the 10-year period following the date of  
18 the plan; and

19 “(C) the estimated levels of annual funds  
20 the Administrator determines necessary to  
21 carry out the measures described under sub-  
22 paragraph (A), including a discussion of the cri-  
23 teria, evidence, and strategies on which such es-  
24 timated levels of annual funds are based.

1           “(5) With respect to the nuclear test readiness  
2 of the United States—

3           “(A) an estimate of the period of time that  
4 would be necessary for the Secretary of Energy  
5 to conduct an underground test of a nuclear  
6 weapon once directed by the President to con-  
7 duct such a test;

8           “(B) a description of the level of test read-  
9 iness that the Secretary of Energy, in consulta-  
10 tion with the Secretary of Defense, determines  
11 to be appropriate;

12           “(C) a list and description of the workforce  
13 skills and capabilities that are essential to car-  
14 rying out an underground nuclear test at the  
15 Nevada National Security Site;

16           “(D) a list and description of the infra-  
17 structure and physical plants that are essential  
18 to carrying out an underground nuclear test at  
19 the Nevada National Security Site; and

20           “(E) an assessment of the readiness status  
21 of the skills and capabilities described in sub-  
22 paragraph (C) and the infrastructure and phys-  
23 ical plants described in subparagraph (D).

1           “(6) Identification of any modifications or up-  
2           dates to the plan since the previous summary or de-  
3           tailed report was submitted under subsection (b).

4           “(e) NUCLEAR WEAPONS COUNCIL ASSESSMENT.—

5           (1) For each detailed report on the plan submitted under  
6           subsection (b)(2), the Nuclear Weapons Council estab-  
7           lished by section 179 of title 10, United States Code, shall  
8           conduct an assessment that includes the following:

9           “(A) An analysis of the plan, including—

10           “(i) whether the plan supports the require-  
11           ments of the national security strategy of the  
12           United States or the most recent quadrennial  
13           defense review, as applicable under subsection  
14           (d)(4)(A), and the Nuclear Posture Review; and

15           “(ii) whether the modernization and refur-  
16           bishment measures described under subpara-  
17           graph (A) of paragraph (4) and the schedule  
18           described under subparagraph (B) of such  
19           paragraph are adequate to support such re-  
20           quirements.

21           “(B) An analysis of whether the plan ade-  
22           quately addresses the requirements for infrastruc-  
23           ture recapitalization of the facilities of the nuclear  
24           security enterprise.

1           “(C) If the Nuclear Weapons Council deter-  
2 mines that the plan does not adequately support  
3 modernization and refurbishment requirements  
4 under subparagraph (A) or the nuclear security en-  
5 terprise facilities infrastructure recapitalization re-  
6 quirements under subparagraph (B), a risk assess-  
7 ment with respect to—

8                   “(i) supporting the annual certification of  
9 the nuclear weapons stockpile; and

10                   “(ii) maintaining the long-term safety, se-  
11 curity, and reliability of the nuclear weapons  
12 stockpile.

13           “(2) Not later than 180 days after the date on which  
14 the Administrator submits the plan under subsection  
15 (b)(2), the Nuclear Weapons Council shall submit to the  
16 congressional defense committees a report detailing the as-  
17 sessment required under paragraph (1).

18           “(f) DEFINITIONS.—In this section:

19                   “(1) The term ‘budget’, with respect to a fiscal  
20 year, means the budget for that fiscal year that is  
21 submitted to Congress by the President under sec-  
22 tion 1105(a) of title 31, United States Code.

23                   “(2) The term ‘future-years nuclear security  
24 program’ means the program required by section

1 3253 of the National Nuclear Security Administra-  
2 tion Act (50 U.S.C. 2453).

3 “(3) The term ‘national security laboratory’ has  
4 the meaning given such term in section 3281 of the  
5 National Nuclear Security Administration Act (50  
6 U.S.C. 2471).

7 “(4) The term ‘nuclear security budget mate-  
8 rials’, with respect to a fiscal year, means the mate-  
9 rials submitted to Congress by the Administrator for  
10 the National Nuclear Security Administration in  
11 support of the budget for that fiscal year.

12 “(5) The term ‘nuclear security enterprise’  
13 means the physical facilities, technology, and human  
14 capital of—

15 “(A) the national security laboratories;

16 “(B) the Pantex Plant;

17 “(C) the Y-12 National Security Complex;

18 “(D) the Kansas City Plant;

19 “(E) the Savannah River Site; and

20 “(F) the Nevada National Security Site.

21 “(6) The term ‘quadrennial defense review’  
22 means the review of the defense programs and poli-  
23 cies of the United States that is carried out every  
24 four years under section 118 of title 10, United  
25 States Code.

1           “(7) The term ‘weapons activities’ means each  
2 activity within the budget category of weapons ac-  
3 tivities in the budget of the National Nuclear Secu-  
4 rity Administration.

5           “(8) The term ‘weapons-related activities’  
6 means each activity under the Department of En-  
7 ergy that involves nuclear weapons, nuclear weapons  
8 technology, or fissile or radioactive materials, includ-  
9 ing activities related to—

10                   “(A) nuclear nonproliferation;

11                   “(B) nuclear forensics;

12                   “(C) nuclear intelligence;

13                   “(D) nuclear safety; and

14                   “(E) nuclear incident response.”.

15           (2) CLERICAL AMENDMENT.—The table of con-  
16 tents for the Atomic Energy Defense Act is amended  
17 by striking the item relating to section 4203 and in-  
18 serting the following new item:

“Sec. 4203. Nuclear weapons stockpile stewardship, management, and infra-  
structure plan.”.

19           (b) REPEAL OF REQUIREMENT FOR BIENNIAL RE-  
20 PORT ON STOCKPILE STEWARDSHIP CRITERIA.—

21           (1) IN GENERAL.—Section 4202 of the Atomic  
22 Energy Defense Act (50 U.S.C. 2522) is amended  
23 by striking subsections (c) and (d).



1           (2) TECHNICAL AMENDMENT.—The heading of  
2 such section is amended to read as follows:  
3       **“STOCKPILE STEWARDSHIP CRITERIA”**.

4           (3) CLERICAL AMENDMENT.—The table of con-  
5 tents for the Atomic Energy Defense Act is amended  
6 by striking the item relating to section 4202 and in-  
7 serting the following new item:

“Sec. 4202. Stockpile stewardship criteria.”.

8           (c) REPEAL OF REQUIREMENT FOR BIENNIAL PLAN  
9 ON MODERNIZATION AND REFURBISHMENT OF THE NU-  
10 CLEAR SECURITY COMPLEX.—Section 4203A of the  
11 Atomic Energy Defense Act (50 U.S.C. 2523A) is re-  
12 pealed.

13          (d) REPEAL OF REQUIREMENT FOR ANNUAL UP-  
14 DATE TO STOCKPILE MANAGEMENT PROGRAM PLAN.—  
15 Section 4204 of the Atomic Energy Defense Act (50  
16 U.S.C. 2524) is amended—

17           (1) by striking subsections (c) and (d); and

18           (2) by redesignating subsection (e) as sub-  
19 section (c).

20          (e) REPEAL OF REQUIREMENT FOR REPORTS ON NU-  
21 CLEAR TEST READINESS.—

22           (1) AEDA.—Section 4208 of the Atomic En-  
23 ergy Defense Act (50 U.S.C. 2528) is repealed.

24           (2) NDAA FISCAL YEAR 1996.—Section 3152 of  
25 the National Defense Authorization Act for Fiscal

1 Year 1996 (Public Law 104–106; 110 Stat. 623) is  
2 repealed.

3 **SEC. 3112. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
4 **CENTER OF EXCELLENCE ON NUCLEAR SECUR-**  
5 **RITY.**

6 (a) **LIMITATION.**—Of the funds authorized to be ap-  
7 propriated by section 3101 or otherwise made available for  
8 fiscal year 2012 for the National Nuclear Security Admin-  
9 istration, not more than \$7,000,000 may be obligated or  
10 expended for the United States-China Center of Excel-  
11 lence on Nuclear Security until the date on which the Sec-  
12 retary of Energy submits to the appropriate congressional  
13 committees the reports under subsection (b)(2) and sub-  
14 section (c).

15 (b) **NUCLEAR SECURITY.**—

16 (1) **REVIEW.**—The Secretary of Energy, in co-  
17 ordination with the Secretary of Defense, shall con-  
18 duct a review of the existing capacity of the People’s  
19 Republic of China to develop and implement best  
20 practices training for nuclear security.

21 (2) **REPORT.**—Not later than 90 days after the  
22 date of the enactment of this Act, the Secretary of  
23 Energy shall submit to the appropriate congressional  
24 committees a report on the review under paragraph  
25 (1).

1 (c) CENTER OF EXCELLENCE.—Not later than 120  
2 days after the date of the enactment of this Act, the Sec-  
3 retary of Energy, in coordination with the Secretary of  
4 Defense, shall submit to the appropriate congressional  
5 committees a report on the extent to which the training  
6 and relationship-building activities planned for the United  
7 States-China Center of Excellence on Nuclear Security  
8 could contribute to improving China’s historical patterns  
9 with respect to the proliferation of weapons of mass de-  
10 struction and missiles.

11 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
12 DEFINED.— In this section, the term “appropriate con-  
13 gressional committees” means—

14 (1) the Committee on Armed Services and the  
15 Committee on Foreign Affairs of the House of Rep-  
16 resentatives; and

17 (2) the Committee on Armed Services and the  
18 Committee on Foreign Relations of the Senate.

19 **SEC. 3113. USE OF SAVINGS FROM PENSION REIMBURSE-**  
20 **MENTS FOR BUDGETARY SHORTFALLS.**

21 (a) DETERMINATION OF AMOUNTS.—

22 (1) DETERMINATION.—From time to time as  
23 economic conditions and pension projections change  
24 during fiscal year 2012 and each fiscal year there-  
25 after through 2016, the appropriate head of an

1 agency shall determine the amount of funds de-  
2 scribed in paragraph (2) that exceed the level nec-  
3 essary to satisfy the minimum funding standard re-  
4 quired by the Employee Retirement Income Security  
5 Act of 1974.

6 (2) FUNDS DESCRIBED.—The funds described  
7 in this paragraph are amounts appropriated pursu-  
8 ant to a DOE national security authorization for  
9 any of fiscal years 2012 through 2016 that are  
10 made available (including by transfer) for contribu-  
11 tions to defined-benefit pension plans for employees  
12 of management and operating contractors of—

13 (A) the National Nuclear Security Admin-  
14 istration; or

15 (B) the Office of Environmental Manage-  
16 ment of the Department of Energy.

17 (b) AVAILABILITY OF AMOUNTS.—Upon a determina-  
18 tion of amounts under subsection (a)(1), the appropriate  
19 head of an agency shall promptly make available (includ-  
20 ing by transfer, if necessary) the determined amounts to  
21 accounts of the agency to be used for high-priority budg-  
22 etary shortfalls, as identified by the head of the agency.  
23 Any determined amounts so transferred shall be available  
24 for the same period of time as the accounts to which trans-  
25 ferred.

1           (c) REQUIRED OBLIGATION OF AMOUNTS.—The ap-  
2 appropriate head of an agency shall promptly obligate or ex-  
3 pend amounts made available under subsection (b) for the  
4 purposes provided in such subsection.

5           (d) TRANSFER AUTHORITY.—

6               (1) EFFECT ON AUTHORIZATION OF  
7 AMOUNTS.—Any transfer made from one account to  
8 another under this section shall be deemed to in-  
9 crease the amount authorized for the account to  
10 which the amount is transferred by an amount equal  
11 to the amount transferred.

12               (2) ADDITIONAL TRANSFER AUTHORITY.—The  
13 transfer authority provided by subsection (b) is in  
14 addition to any other transfer authority available to  
15 the Department of Energy or the National Nuclear  
16 Security Administration.

17           (e) NOTICE TO CONGRESS.—The appropriate head of  
18 an agency shall promptly notify the congressional defense  
19 committees of determinations and transfers made under  
20 this section. Such notifications shall include plans by the  
21 head of the agency to carry out subsection (c) with respect  
22 to such determinations and transfers.

23           (f) SUNSET.—The authorities under this section shall  
24 terminate on September 30, 2016.

25           (g) DEFINITIONS.—In this section:

1           (1) The term “appropriate head of an agency”  
2 means—

3           (A) the Administrator for Nuclear Secu-  
4 rity, with respect to matters concerning the Na-  
5 tional Nuclear Security Administration; and

6           (B) the Assistant Secretary of Energy for  
7 Environmental Management, with respect to  
8 matters concerning the Office of Environmental  
9 Management of the Department of Energy.

10          (2) The term “DOE national security author-  
11 ization” has the meaning given that term in section  
12 4701 of the Atomic Energy Defense Act (50 U.S.C.  
13 2741).

14 **SEC. 3114. HANFORD WASTE TANK CLEANUP PROGRAM RE-**  
15 **FORMS.**

16          Section 4442 of the Atomic Energy Defense Act (50  
17 U.S.C. 2622) is amended—

18           (1) in subsection (b)(2), by striking “, con-  
19 sistent with the policy direction established by the  
20 Department, all aspects of the River Protection  
21 Project, Richland, Washington” and inserting “all  
22 aspects of the River Protection Project, Richland,  
23 Washington, including Hanford Tank Farm Oper-  
24 ations and the Waste Treatment Plant”;

1           (2) by amending subsection (d) to read as fol-  
2       lows:

3       “(d) NOTIFICATION.—The Assistant Secretary of  
4 Energy for Environmental Management shall submit to  
5 the Committee on Armed Services of the Senate and the  
6 Committee on Armed Services of the House of Represent-  
7 atives written notification detailing any changes in the  
8 roles, responsibilities and reporting relationships that in-  
9 volve the Office.”; and

10           (3) by striking subsections (e) and (f) and in-  
11       serting the following new subsection:

12       “(e) TERMINATION.—The Office shall terminate on  
13 September 30, 2019. The Office may be extended beyond  
14 that date if the Assistant Secretary of Energy for Envi-  
15 ronmental Management determines in writing that termi-  
16 nation would disrupt effective management of the Hanford  
17 Tank Farm operations.”.

18 **SEC. 3115. ADDITIONAL BUDGET ITEM RELATING TO GLOB-**

19                           **AL THREAT REDUCTION INITIATIVE.**

20       (a) FUNDING INCREASE AND OFFSETTING REDUC-  
21 TION.—Notwithstanding the amounts set forth in the  
22 funding tables in division D—

23           (1) the amount authorized to be appropriated in  
24       section 3101 for defense nuclear nonproliferation, as  
25       specified in the corresponding funding table in divi-

1 sion D, is hereby increased by \$20,000,000, with the  
2 amount of the increase allocated to the global threat  
3 reduction initiative as set forth in the table under  
4 section 4701; and

5 (2) the amount authorized to be appropriated in  
6 section 201 for research, development, test, and  
7 evaluation, Army, as specified in the corresponding  
8 funding table in division D, is hereby reduced by  
9 \$20,000,000, with the amount of the reduction to be  
10 derived from the Aerostat Joint Project Office as set  
11 forth in the table under section 4201.

12 (b) MERIT-BASED OR COMPETITIVE DECISIONS.—A  
13 decision to commit, obligate, or expend funds referred to  
14 in subsection (a)(1) with or to a specific entity shall—

15 (1) be based on merit-based selection proce-  
16 dures in accordance with the requirements of sec-  
17 tions 2304(k) and 2374 of title 10, United States  
18 Code, or on competitive procedures; and

19 (2) comply with other applicable provisions of  
20 law.

## 21 **Subtitle C—Reports**

### 22 **SEC. 3121. REPEAL OF CERTAIN REPORT REQUIREMENTS.**

23 (a) REPEAL OF REPORT REQUIREMENT FOR NU-  
24 CLEAR CITIES INITIATIVE PROGRAM.—Section 3132 of



1 the National Defense Authorization Act for Fiscal Year  
2 2002 (Public Law 107–107; 115 Stat. 1366) is repealed.

3 (b) REMOVAL OF REPORT REQUIREMENT FOR NON-  
4 PROLIFERATION INITIATIVE PROGRAM.—Paragraph (6) of  
5 section 4302(a) of the Atomic Energy Defense Act (50  
6 U.S.C. 2562) is amended to read as follows:

7 “(6) Funds appropriated for the Initiatives for Pro-  
8 liferation Prevention program may not be used to pay any  
9 tax or customs duty levied by the government of the Rus-  
10 sian Federation. In the event payment of such a tax or  
11 customs duty with such funds is unavoidable, the Sec-  
12 retary of Energy shall ensure that sufficient additional  
13 funds are provided to the Initiatives for Proliferation Pre-  
14 vention Program to offset the amount of such payment.”.

15 **SEC. 3122. PROGRESS ON NUCLEAR NONPROLIFERATION.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that—

18 (1) the spread of nuclear and radiological weap-  
19 ons, or weapons-usable material, technology, equip-  
20 ment, information, and expertise, poses a short- and  
21 long-term threat to the security of the United  
22 States; and

23 (2) the nonproliferation efforts of the United  
24 States should prioritize the programs which most di-  
25 rectly address such threat.

1 (b) ANNUAL REPORT.—

2 (1) REPORT.—Not later than 180 days after  
3 the date of the enactment of this Act, and annually  
4 thereafter by not later than March 1 of each year  
5 through 2016, the Secretary of Energy shall submit  
6 to the appropriate congressional committees a report  
7 on the strategic plans of the Department of Energy  
8 and the National Nuclear Security Administration to  
9 prevent the proliferation of materials, technology,  
10 equipment, and expertise related to nuclear and ra-  
11 diological weapons in order to minimize the risk of  
12 nuclear terrorism and the proliferation of such weap-  
13 ons.

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

16 (A) Progress and challenges in imple-  
17 menting the strategic plans described in para-  
18 graph (1), including—

19 (i) preventing nuclear terrorism by se-  
20 curing and removing highly-enriched ura-  
21 nium and plutonium worldwide;

22 (ii) converting reactors from highly-  
23 enriched uranium to low-enriched uranium  
24 in the Russian Federation and other coun-  
25 tries;

- 1 (iii) providing radiation detection ca-  
2 pability at ports and borders;
- 3 (iv) securing and removing radio-  
4 logical materials worldwide;
- 5 (v) developing and improving tech-  
6 nology to—
- 7 (I) detect the proliferation and  
8 detonation of nuclear weapons;
- 9 (II) verify foreign commitments  
10 to treaties and agreements with re-  
11 spect to nuclear weapons; and
- 12 (III) detect the diversion of nu-  
13 clear materials, including safeguard  
14 technology;
- 15 (vi) preventing and countering the  
16 proliferation and use of nuclear weapons  
17 (including materials, technology, and ex-  
18 pertise related to such weapons), including  
19 through safeguards, export controls, inter-  
20 national regimes, treaties, and agreements;
- 21 (vii) disposing of surplus material of  
22 both the United States and Russia; and
- 23 (viii) preventing the proliferation of  
24 nuclear weapons expertise.

1           (B) An estimate of the budget require-  
2           ments of the National Nuclear Security Admin-  
3           istration, including the costs associated with the  
4           implementation of the strategic plans described  
5           in paragraph (1) over the 10-year period fol-  
6           lowing the date of the report.

7           (C) A discussion of the coordination of the  
8           programs of the National Nuclear Security Ad-  
9           ministration with other offices of the Depart-  
10          ment of Energy and with other agencies and of-  
11          fices of the Federal Government with respect to  
12          implementing the strategic plans described in  
13          paragraph (1).

14          (c) ANNUAL ASSESSMENT.—Not later than 180 days  
15          after the date of the enactment of this Act, and annually  
16          thereafter by not later than March 1 of each year through  
17          2016, the Secretary of Energy, in coordination with the  
18          Office of Intelligence and Counterintelligence of the De-  
19          partment of Energy, shall submit to the appropriate con-  
20          gressional committees an assessment containing the fol-  
21          lowing:

22               (1) An assessment of the risk that non-nuclear  
23               weapons states may acquire nuclear enrichment or  
24               reprocessing technology.

1           (2) A list, by country and site, reflecting the  
2 total amount of known highly-enriched uranium  
3 around the world, and an assessment of the vulner-  
4 ability of such uranium to theft or diversion.

5 (d) FORM.—

6           (1) IN GENERAL.—Except as provided by para-  
7 graph (2), each report and assessment under this  
8 section shall be submitted in unclassified form, but  
9 may include a classified annex.

10           (2) LIST.—Each list under subsection (c)(2)  
11 may be in classified form if the Secretary determines  
12 it necessary.

13 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
14 In this section, the term “appropriate congressional com-  
15 mittees” means—

16           (1) the Committee on Armed Services, the  
17 Committee on Appropriations, and the Committee on  
18 Foreign Affairs of the House of Representatives;  
19 and

20           (2) the Committee on Armed Services, the  
21 Committee on Appropriations, and the Committee on  
22 Foreign Relations of the Senate.

23 **SEC. 3123. REPORTS ON ROLE OF NUCLEAR SITES AND EF-**  
24 **FICIENCIES.**

25 (a) DEPARTMENT OF ENERGY REPORT.—

1           (1) REPORT REQUIRED.—Not later than Feb-  
2       ruary 1, 2012, the Secretary of Energy shall submit  
3       to the congressional defense committees, the Com-  
4       mittee on Foreign Affairs of the House of Rep-  
5       resentatives, and the Committee on Foreign Rela-  
6       tions of the Senate a report assessing the role of the  
7       nuclear security complex sites in supporting a safe,  
8       secure, and reliable nuclear deterrent, nuclear weap-  
9       ons reductions, and nuclear nonproliferation, and op-  
10      portunities for efficiencies and cost savings.

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

13           (A) The role of the nuclear security com-  
14      plex sites, including the national security lab-  
15      oratories, in maintaining a reliable, safe, and  
16      secure nuclear deterrent, improving verification  
17      and detection technology, and supporting non-  
18      proliferation.

19           (B) An assessment of any opportunities for  
20      further efficiencies and how these efficiencies  
21      could contribute to cost savings and strength-  
22      ening safety and security.

23           (C) An assessment of duplicative functions  
24      at the nuclear sites, and a description of which  
25      duplicative functions remain necessary. The as-

1           assessment of these functions shall include an  
2           analysis of potential for shared use or develop-  
3           ment of high explosives research and develop-  
4           ment capacity, supercomputing platforms, and  
5           infrastructure maintained for Work for Others  
6           programs.

7                     (D) A long-term strategic plan for the nu-  
8                     clear complex.

9           (b) **COMPTROLLER GENERAL REPORT.**—Not later  
10          than 180 days after the report under subsection (a)(1) is  
11          submitted, the Comptroller General of the United States  
12          shall submit to the congressional defense committees, the  
13          Committee on Foreign Affairs of the House of Representa-  
14          tives, and the Committee on Foreign Relations of the Sen-  
15          ate a report assessing the report under subsection (a).

16          (c) **FORM.**—The reports required by subsection (a)  
17          and (b) shall be submitted in unclassified form, but may  
18          include a classified index.

19          (d) **NUCLEAR SECURITY COMPLEX DEFINED.**—In  
20          this section, the term “nuclear security complex” means  
21          the physical facilities, technology, and human capital of  
22          the following:

23                     (1) The national security laboratories.

24                     (2) The Kansas City Plant, Kansas City, Mis-  
25                     souri.

1 (3) The Nevada Nuclear Security Site, Nevada.

2 (4) The Savannah River Site, Aiken, South  
3 Carolina.

4 (5) The Y-12 National Security Complex, Oak  
5 Ridge, Tennessee.

6 (6) The Pantex Plant , Amarillo, Texas.

7 **SEC. 3124. NET ASSESSMENT OF HIGH-PERFORMANCE COM-**  
8 **PUTING CAPABILITIES OF FOREIGN COUN-**  
9 **TRIES.**

10 (a) ASSESSMENT REQUIRED.—The Administrator for  
11 Nuclear Security, in coordination with the Secretary of  
12 Defense, the Director of National Intelligence, the Under  
13 Secretary of Energy for Science, and the Under Secretary  
14 of Commerce for Industry and Security, shall conduct a  
15 net assessment of the high-performance computing capa-  
16 bility possessed by foreign countries.

17 (b) MATTERS COVERED.—The assessment required  
18 by subsection (a) shall include—

19 (1) an analysis of current and expected future  
20 capabilities and trends with respect to high-perform-  
21 ance computing in the United States and in other  
22 countries;

23 (2) a description of how high-performance com-  
24 puting technology is being used by various countries  
25 as compared to the United States;



1           (3) an evaluation of the similarities and dif-  
2           ferences in approaches to the innovation, develop-  
3           ment, and use of high-performance computing  
4           among the United States and countries with the  
5           most experience, capabilities, or skill with respect to  
6           high-performance computing;

7           (4) estimates of the current and expected future  
8           effects of high-performance computing technology on  
9           the national security and economic growth of various  
10          countries;

11          (5) recommendations on actions to take to en-  
12          sure the continued leadership by the United States  
13          in high-performance computing and ways to better  
14          leverage such technology for innovation, economic  
15          growth, and national security; and

16          (6) such other matters as the Administrator  
17          considers appropriate.

18          (c) COORDINATION WITH OTHER AGENCIES.—

19           (1) IN GENERAL.—The Administrator shall co-  
20           ordinate the assessment required by subsection (a)  
21           with other departments or agencies of the Federal  
22           Government as the Administrator considers appro-  
23           priate.

24           (2) DEPARTMENT OF DEFENSE.—Upon request  
25           by the Administrator, the Secretary of Defense shall

1 provide net assessment expertise and general assist-  
2 ance through the Office of Net Assessment of the  
3 Department of Defense or other appropriate agency  
4 of the Department of Defense.

5 (d) REPORT.—

6 (1) IN GENERAL.—Not later than 180 days  
7 after the date of the enactment of this Act, the Ad-  
8 ministrators shall submit to the appropriate congress-  
9 sional committees a report on the results of the as-  
10 sessment required by subsection (a).

11 (2) FORM.—The report required under this sec-  
12 tion shall be submitted in unclassified form, but may  
13 include a classified annex.

14 (3) APPROPRIATE CONGRESSIONAL COMMIT-  
15 TEES.—In this subsection, the term “appropriate  
16 congressional committees” means—

17 (A) the Committee on Armed Services, the  
18 Committee on Appropriations, the Committee  
19 on Foreign Affairs, the Committee on Energy  
20 and Commerce, and the Permanent Select Com-  
21 mittee on Intelligence of the House of Rep-  
22 resentatives; and

23 (B) the Committee on Armed Services, the  
24 Committee on Appropriations, the Committee  
25 on Foreign Relations, the Committee on Energy

1 and Natural Resources, the Committee on  
2 Banking, Housing, and Urban Affairs, and the  
3 Select Committee on Intelligence of the Senate.

4 **SEC. 3125. NATIONAL ACADEMY OF SCIENCES REVIEW OF**  
5 **NUCLEAR WASTE REPROCESSING AND NU-**  
6 **CLEAR REACTOR TECHNOLOGY.**

7 (a) STUDY.—Not later than 60 days after the date  
8 of the enactment of this Act, the Administrator for Nu-  
9 clear Security shall enter into an agreement with the Na-  
10 tional Academy of Sciences to conduct a study on waste  
11 reprocessing and Generation IV nuclear reactor tech-  
12 nology.

13 (b) ELEMENTS.—The study required under sub-  
14 section (a) shall include—

15 (1) a review of previous studies related to the  
16 subject of nuclear waste reprocessing as a point of  
17 reference;

18 (2) a determination of the feasibility of using  
19 nuclear reactor technology, particularly proven Gen-  
20 eration IV nuclear reactor technology, created at the  
21 national labs at a site charged with meeting inter-  
22 national agreements to dispose or decommission nu-  
23 clear weapons which has substantial legacy waste in  
24 order to reprocess and reuse the materials in a pro-

1 proliferation-resistant process that will generate elec-  
2 tricity;

3 (3) a determination of the resulting waste  
4 streams;

5 (4) an analysis of the nuclear proliferation  
6 risks, including effects on the nuclear nonprolifera-  
7 tion efforts of the United States;

8 (5) a comparison to nuclear waste reprocessing  
9 technologies used in other countries and a compari-  
10 son to the direct disposal of nuclear waste; and

11 (6) a detailed analysis of the feasibility of large-  
12 scale deployment of such technology at military in-  
13 stallations.

14 (c) REPORTS.—

15 (1) NNSA.—The National Academy of Sciences  
16 shall submit to the Administrator for Nuclear Secu-  
17 rity a report containing the results of the study and  
18 any recommendations resulting from the study.

19 (2) CONGRESS.—Not later than 18 months  
20 after the date on which the contract is awarded  
21 under subsection (a), the Administrator for Nuclear  
22 Security shall submit to the appropriate congres-  
23 sional committees the report submitted under para-  
24 graph (1) and any comments or recommendations of  
25 the Administrator with respect to the report.

1           (3) FORM.—The report under paragraph (2)  
2 shall be submitted to the appropriate congressional  
3 committees in unclassified form, but may include a  
4 classified annex.

5           (4) APPROPRIATE CONGRESSIONAL COMMIT-  
6 TEES.—In this section, the term “appropriate con-  
7 gressional committees” means the following:

8           (A) The Committee on Armed Services, the  
9 Committee on Energy and Commerce, and the  
10 Committee on Foreign Affairs of the House of  
11 Representatives.

12           (B) The Committee on Armed Services,  
13 the Committee on Energy and Natural Re-  
14 sources, and the Committee on Foreign Rela-  
15 tions of the Senate.

16 **TITLE       XXXII—DEFENSE       NU-**  
17 **CLEAR   FACILITIES   SAFETY**  
18 **BOARD**

19 **SEC. 3201. AUTHORIZATION.**

20       There are authorized to be appropriated for fiscal  
21 year 2012, \$29,130,000 for the operation of the Defense  
22 Nuclear Facilities Safety Board under chapter 21 of the  
23 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

1 **SEC. 3202. ADDITIONAL FUNDING FOR DEFENSE NUCLEAR**  
2 **FACILITIES SAFETY BOARD.**

3 (a) **FUNDING INCREASE.**—The amount set forth in  
4 section 3201 for the operation of the Defense Nuclear Fa-  
5 cilities Safety Board is hereby increased by \$2,500,000.

6 (b) **OFFSETTING REDUCTION.**—Notwithstanding the  
7 amounts set forth in the funding tables in division D, the  
8 amount authorized to be appropriated in section 101 for  
9 other procurement, Army, as specified in the cor-  
10 responding funding table in division D, is hereby reduced  
11 by \$2,500,000, with the amount of the reduction to be  
12 derived from Joint Tactical Radio System Maritime-Fixed  
13 radios under Line 039 Joint Tactical Radio System as set  
14 forth in the table under section 4101.

15 **TITLE XXXIV—NAVAL**  
16 **PETROLEUM RESERVES**

17 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) **AMOUNT.**—There are hereby authorized to be ap-  
19 propriated to the Secretary of Energy \$14,909,000 for fis-  
20 cal year 2012 for the purpose of carrying out activities  
21 under chapter 641 of title 10, United States Code, relating  
22 to the naval petroleum reserves.

23 (b) **PERIOD OF AVAILABILITY.**—Funds appropriated  
24 pursuant to the authorization of appropriations in sub-  
25 section (a) shall remain available until expended.

1                   **TITLE XXXV—MARITIME**  
2                   **ADMINISTRATION**

3   **SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NA-**  
4                   **TIONAL SECURITY ASPECTS OF THE MER-**  
5                   **CHANT MARINE FOR FISCAL YEAR 2012.**

6           Funds are hereby authorized to be appropriated for  
7 fiscal year 2012, to be available without fiscal year limita-  
8 tion if so provided in the appropriations Acts, for the use  
9 of the Department of Transportation for Maritime Admin-  
10 istration programs associated with maintaining national  
11 security aspects of the merchant marine, as follows:

12                   (1) For expenses necessary for operations of the  
13           United States Merchant Marine Academy,  
14           \$93,068,000, of which—

15                           (A) \$64,183,000 shall remain available  
16                           until expended for Academy operations; and

17                           (B) \$28,885,000 shall remain available  
18                           until expended for capital asset management at  
19                           the Academy.

20                   (2) For expenses necessary to support the State  
21           maritime academies, \$17,100,000, of which—

22                           (A) \$2,400,000 shall remain available until  
23                           expended for student incentive payments;

1 (B) \$3,600,000 shall remain available until  
2 expended for direct payments to such acad-  
3 emies; and

4 (C) \$11,100,000 shall remain available  
5 until expended for maintenance and repair of  
6 State maritime academy training vessels.

7 (3) For expenses necessary to dispose of vessels  
8 in the National Defense Reserve Fleet, \$18,500,000,  
9 to remain available until expended.

10 (4) For expenses to maintain and preserve a  
11 United States-flag merchant marine to serve the na-  
12 tional security needs of the United States under  
13 chapter 531 of title 46, United States Code,  
14 \$186,000,000.

15 (5) For the cost (as defined in section 502(5)  
16 of the Federal Credit Reform Act of 1990 (2 U.S.C.  
17 6661a(5)) of loan guarantees under the program au-  
18 thorized by chapter 537 of title 46, United States  
19 Code, \$14,260,000, of which \$3,740,000 shall re-  
20 main available until expended for administrative ex-  
21 penses of the program.

22 **SEC. 3502. USE OF NATIONAL DEFENSE RESERVE FLEET**  
23 **AND READY RESERVE FORCE VESSELS.**

24 Section 11 of the Merchant Ship Sales Act of 1946  
25 (50 U.S.C. App. 1744(b)) is amended—



1           (1) in subsection (b), by striking “or” after the  
2           semicolon at the end of paragraph (4), striking the  
3           period at the end of paragraph (5) and inserting “;  
4           or”, and adding at the end the following new para-  
5           graph:

6           “(6) for civil contingency operations and Mari-  
7           time Administration promotional and media events,  
8           in accordance with subsection (f).”; and

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

11          “(f) USE OF NDRF VESSELS FOR CIVIL CONTIN-  
12          GENCY OPERATIONS AND PROMOTIONAL AND MEDIA  
13          EVENTS.—With the concurrence of the Secretary of De-  
14          fense, the Secretary of Transportation may allow the use  
15          of vessels in the National Defense Reserve Fleet (NDRF)  
16          for civil contingency operations requested by another Fed-  
17          eral agency, and for Maritime Administration promotional  
18          and media events relating to demonstration projects and  
19          research and development supporting the Administration’s  
20          mission, if the Secretary of Transportation determines  
21          such use is in the best interest of the Government after  
22          considering the following factors:

23                 “(1) AVAILABILITY.—The availability of NDRF  
24                 or Ready Reserve Force (RRF) resources and the  
25                 impact of such use on NDRF and RRF mission sup-

1 port to the defense and homeland security require-  
2 ments of the Government.

3 “(2) INTERFERENCE.—Whether the such use of  
4 vessels will support the mission of the Maritime Ad-  
5 ministration and not significantly interfere with  
6 NDRF vessel maintenance, repair, safety, readiness,  
7 and resource availability.

8 “(3) SAFETY.—Whether safety precautions will  
9 be taken, including indemnification of liability when  
10 applicable.

11 “(4) COST.—Whether any costs incurred by  
12 such use will be funded as a reimbursable trans-  
13 action between Federal agencies, as applicable.

14 “(5) OTHER MATTERS.—Any other matters the  
15 Maritime Administrator considers appropriate.”.

16 **SEC. 3503. RECRUITMENT AUTHORITY.**

17 Section 51301 of title 46, United States Code, is  
18 amended—

19 (1) by inserting “(a) IN GENERAL.—” before  
20 the first sentence; and

21 (2) by adding at the end the following new sub-  
22 section:

23 “(b) RECRUITMENT.—The Secretary of Transpor-  
24 tation may, subject to the availability of appropriations,  
25 expend funds available for United States Merchant Marine

1 Academy operating expenses for recruiting activities, in-  
2 cluding advertising, in order to obtain recruits for the  
3 Academy and cadet applicants.”.

4 **SEC. 3504. SHIP SCRAPPING REPORTING REQUIREMENT.**

5 Section 3502(f) of the Floyd D. Spence National De-  
6 fense Authorization Act for Fiscal Year 2001, as amended  
7 by section 3505(a) of the National Defense Authorization  
8 Act for Fiscal Year 2006 (119 Stat. 3551), is amended  
9 to read as follows:

10 “(f) BRIEFINGS.—The Maritime Administrator shall,  
11 upon request, provide briefings to the Committee on  
12 Transportation and Infrastructure, the Committee on  
13 Natural Resources, and the Committee on Armed Services  
14 of the House of Representatives, and the Committee on  
15 Commerce, Science, and Transportation and the Com-  
16 mittee on Armed Services of the Senate, on the progress  
17 made in recycling vessels, problems encountered with recy-  
18 cling vessels, issues relating to vessel recycling, and other  
19 issues relating to vessel recycling and disposal.”.

20 **SEC. 3505. STRATEGIC PORT ASSESSMENT AND REPORT.**

21 (a) IN GENERAL.—Not later than 6 months after the  
22 date of enactment of this Act, the Secretary of Defense  
23 shall submit to the congressional defense committees an  
24 assessment and report on port facilities used for military

1 purposes at ports designated by the Department of De-  
2 fense as strategic seaports, regarding the following:

3 (1) The structural integrity and deficiencies of  
4 the port facilities and infrastructure improvements  
5 needed directly and indirectly to meet national secu-  
6 rity and readiness requirements.

7 (2) The impact on operational readiness if the  
8 improvements are not undertaken.

9 (3) Identifying, to the maximum extent prac-  
10 tical, all potential funding sources for the needed im-  
11 provements from existing authorities.

12 (4) The authority necessary for the Department  
13 of Defense to support section 50302 of title 46,  
14 United States Code.

15 (b) CONSULTATION.—The Secretary of Defense shall  
16 prepare the report required by subsection (a) in consulta-  
17 tion with the Maritime Administrator and each of the port  
18 facilities used for military purposes at ports designated by  
19 the Department of Defense as strategic seaports.

## 20 **DIVISION D—FUNDING TABLES**

### 21 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 22 **BLES.**

23 (a) IN GENERAL.—Whenever a funding table in this  
24 division specifies a dollar amount authorized for a project,  
25 program, or activity, the obligation and expenditure of the

1 specified dollar amount for the project, program, or activ-  
2 ity is hereby authorized, subject to the availability of ap-  
3 propriations.

4 (b) MERIT-BASED DECISIONS.—A decision to com-  
5 mit, obligate, or expend funds with or to a specific entity  
6 on the basis of a dollar amount authorized pursuant to  
7 subsection (a) shall—

8 (1) be based on merit-based selection proce-  
9 dures in accordance with the requirements of sec-  
10 tions 2304(k) and 2374 of title 10, United States  
11 Code, or on competitive procedures; and

12 (2) comply with other applicable provisions of  
13 law.

14 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-  
15 MING AUTHORITY.—An amount specified in the funding  
16 tables in this division may be transferred or repro-  
17 grammed under a transfer or reprogramming authority  
18 provided by another provision of this Act or by other law.  
19 The transfer or reprogramming of an amount specified in  
20 such funding tables shall not count against a ceiling on  
21 such transfers or reprogrammings under section 1001 or  
22 section 1522 of this Act or any other provision of law,  
23 unless such transfer or reprogramming would move funds  
24 between appropriation accounts.

1 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This  
 2 section applies to any classified annex that accompanies  
 3 this Act.

4 (e) ORAL AND WRITTEN COMMUNICATIONS.—No  
 5 oral or written communication concerning any amount  
 6 specified in the funding tables in this division shall super-  
 7 sede 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
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
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 .....		
<b>ROTARY</b>			
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 .....		
<b>MODIFICATION OF AIRCRAFT</b>			
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
<b>SPARES AND REPAIR PARTS</b>			
034	SPARE PARTS (AIR) .....		
<b>GROUND SUPPORT AVIONICS</b>			
035	AIRCRAFT SURVIVABILITY EQUIPMENT .....	35,993	35,993
036	SURVIVABILITY CM .....		
037	CMWS .....	162,811	162,811
<b>OTHER SUPPORT</b>			

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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 .....		
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY .....</b>	<b>7,061,381</b>	<b>6,547,481</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
001	PATRIOT SYSTEM SUMMARY .....	662,231	662,231
002	MSE MISSILE/PAC-3 .....	74,953	74,953
003	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY: .....		
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
004	HELLFIRE SYS SUMMARY .....	1,410	1,410
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
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
	<b>MODIFICATIONS</b>		
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 .....		
	<b>SPARES AND REPAIR PARTS</b>		
018	SPARES AND REPAIR PARTS .....	8,700	8,700
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
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
	<b>TOTAL MISSILE PROCUREMENT, ARMY .....</b>	<b>1,478,718</b>	<b>1,464,223</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	STRYKER VEHICLE .....	632,994	632,994
002	FUTURE COMBAT SYSTEMS: (FCS) .....		
003	FCS SPIN OUTS .....		
004	Advance Procurement (CY) .....		
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
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]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
015	PRODUCTION BASE SUPPORT (TCV-WTCV) .....	1,073	1,073
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
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

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>			
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
<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>			
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
<b>SPARES</b>			
046	SPARES AND REPAIR PARTS (WTCV) .....	106,843	106,843
<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....		<b>1,933,512</b>	<b>2,361,018</b>
<b>PROCUREMENT OF AMMUNITION, ARMY</b>			
<b>SMALL/MEDIUM CAL AMMUNITION</b>			
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) .....		
<b>MORTAR AMMUNITION</b>			
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
<b>TANK AMMUNITION</b>			
015	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	105,704	105,704
016	CTG, TANK, 120MM, ALL TYPES .....		
<b>ARTILLERY AMMUNITION</b>			
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
<b>ARTILLERY FUZES</b>			
022	ARTILLERY FUZES, ALL TYPES .....		
<b>MINES</b>			
023	MINES & CLEARING CHARGES, ALL TYPES .....	2,518	2,518
024	MINE, CLEARING CHARGE, ALL TYPES .....		
<b>NETWORKED MUNITIONS</b>			
025	SPIDER NETWORK MUNITIONS, ALL TYPES .....	43,123	43,123
026	SCORPION, INTELLIGENT MUNITIONS SYSTEM , ALL .....		
<b>ROCKETS</b>			
027	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	19,254	19,254
028	ROCKET, HYDRA 70, ALL TYPES .....	127,265	127,265
<b>OTHER AMMUNITION</b>			
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
<b>MISCELLANEOUS</b>			
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
<b>PRODUCTION BASE SUPPORT</b>			
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



**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

Line	Item	FY 2012 Request	House Authorized
<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b>		<b>1,992,625</b>	<b>1,992,625</b>
<b>OTHER PROCUREMENT, ARMY</b>			
<b>TACTICAL VEHICLES</b>			
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
<b>NON-TACTICAL VEHICLES</b>			
021	HEAVY ARMORED SEDAN	1,161	1,161
022	PASSENGER CARRYING VEHICLES	3,222	
023	NONTACTICAL VEHICLES, OTHER	19,869	19,869
<b>COMM—JOINT COMMUNICATIONS</b>			
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
<b>COMM—SATELLITE COMMUNICATIONS</b>			
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
<b>COMM—COMBAT SUPPORT COMM</b>			
036	MOD-IN-SERVICE PROFILER	969	969
<b>COMM—C3 SYSTEM</b>			
037	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	18,788	18,788
<b>COMM—COMBAT COMMUNICATIONS</b>			
038	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	3,994	3,994
039	JOINT TACTICAL RADIO SYSTEM	775,832	681,532
	Early to Need—GMR		[-35,800]
	Joint Tactical Radio System—Ground Mobile Radios		[-22,000]
	Joint Tactical Radio System - Fixed Radios		[-12,500]
	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
<b>COMM—INTELLIGENCE COMM</b>			
053	CI AUTOMATION ARCHITECTURE	1,547	1,547
054	CIVIL AFFAIRS/INFO OPS	28,266	28,266
<b>INFORMATION SECURITY</b>			
055	TSEC—ARMY KEY MGT SYS (AKMS)	12,541	12,541
056	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	39,349	39,349
<b>COMM—LONG HAUL COMMUNICATIONS</b>			
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
<b>COMM—BASE COMMUNICATIONS</b>			
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

**SEC. 4101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
063	PENTAGON INFORMATION MGT AND TELECOM .....	4,992	4,992
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
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
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
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
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
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: LHMCB 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
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
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
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) .....		
	<b>ELECT EQUIP—AUTOMATION</b>		
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
	<b>ELECT EQUIP—AUDIO VISUAL SYS (A/V)</b>		
124	ITEMS LESS THAN \$5.0M (A/V) .....	10,437	10,437
125	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....	7,480	7,480
	<b>ELECT EQUIP—SUPPORT</b>		
126	PRODUCTION BASE SUPPORT (C-E) .....	571	571
127	BCT NETWORK .....		20,334
	Budget Adjustment per Army Request .....		[20,334]
	<b>CLASSIFIED PROGRAMS</b>		
	<b>UNDISTRIBUTED</b>		
127A	CLASSIFIED PROGRAMS .....	4,273	4,273
127U	UNDISTRIBUTED OPA2 .....		4,000
	Electronic Equipment—Automation .....		[4,000]
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
128	PROTECTIVE SYSTEMS .....		

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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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
	<b>BRIDGING EQUIPMENT</b>		
133	TACTICAL BRIDGING .....	77,428	77,428
134	TACTICAL BRIDGE, FLOAT-RIBBON .....	49,154	49,154
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
135	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST .....	39,263	39,263
136	GRND STANDOFF MINE DETECT'N 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 .....		
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
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
	<b>PETROLEUM EQUIPMENT</b>		
155	QUALITY SURVEILLANCE EQUIPMENT .....		
156	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	75,457	75,457
	<b>WATER EQUIPMENT</b>		
157	WATER PURIFICATION SYSTEMS .....		
	<b>MEDICAL EQUIPMENT</b>		
158	COMBAT SUPPORT MEDICAL .....	53,450	53,450
	<b>MAINTENANCE EQUIPMENT</b>		
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	16,572	16,572
160	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	3,852	3,852
	<b>CONSTRUCTION EQUIPMENT</b>		
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
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
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
	<b>GENERATORS</b>		
177	GENERATORS AND ASSOCIATED EQUIP .....	31,897	41,897
	Program Increase .....		[10,000]
	<b>MATERIAL HANDLING EQUIPMENT</b>		
178	ROUGH TERRAIN CONTAINER HANDLER (RTCH) .....		
179	FAMILY OF FORKLIFTS .....	10,944	10,944
180	ALL TERRAIN LIFTING ARMY SYSTEM .....	21,859	21,859
	<b>TRAINING EQUIPMENT</b>		
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 .....		
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
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
	<b>OTHER SUPPORT EQUIPMENT</b>		
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	4,923	4,923

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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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]
	<b>OPA2</b>		
201	INITIAL SPARES—C&E .....	21,647	21,647
	<b>TOTAL OTHER PROCUREMENT, ARMY .....</b>	<b>9,682,592</b>	<b>9,477,329</b>
	<b>JOINT IMPR EXPLOSIVE DEV DEFEAT FUND</b>		
	<b>NETWORK ATTACK</b>		
001	ATTACK THE NETWORK .....		
	<b>JIEDDO DEVICE DEFEAT</b>		
002	DEFEAT THE DEVICE .....		
	<b>FORCE TRAINING</b>		
003	TRAIN THE FORCE .....		
	<b>STAFF AND INFRASTRUCTURE</b>		
004	OPERATIONS .....	220,634	220,634
	<b>TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND .....</b>	<b>220,634</b>	<b>220,634</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
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
	<b>AIRLIFT AIRCRAFT</b>		
021	C-40A .....		
	<b>TRAINER AIRCRAFT</b>		
022	JPATS .....	266,906	266,906
	<b>OTHER AIRCRAFT</b>		
023	HC-130J .....		
024	KC-130J .....	87,288	87,288
025	RQ-7 UAV .....		
026	MQ-8 UAV .....	191,986	191,986
027	STUASLO UAV .....	12,772	12,772
028	OTHER SUPPORT AIRCRAFT .....		
	<b>MODIFICATION OF AIRCRAFT</b>		
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

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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
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
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
061	SPARES AND REPAIR PARTS .....	1,331,961	1,331,961
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
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 .....		
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>18,587,033</b>	<b>18,591,533</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
001	TRIDENT II MODS .....	1,309,102	1,309,102
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
002	MISSILE INDUSTRIAL FACILITIES .....	3,492	3,492
	<b>STRATEGIC MISSILES</b>		
003	TOMAHAWK .....	303,306	303,306
	<b>TACTICAL MISSILES</b>		
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
	<b>MODIFICATION OF MISSILES</b>		
013	ESSM .....	48,486	48,486
014	HARM MODS .....	73,061	73,061
015	STANDARD MISSILES MODS .....		
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
016	WEAPONS INDUSTRIAL FACILITIES .....	1,979	1,979
017	FLEET SATELLITE COMM FOLLOW-ON .....	238,215	238,215
018	Advance Procurement (CY) .....		
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
019	ORDNANCE SUPPORT EQUIPMENT .....	52,255	52,255
	<b>TORPEDOES AND RELATED EQUIP</b>		
020	ASW TARGETS .....	31,803	31,803
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
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]
	<b>SUPPORT EQUIPMENT</b>		
024	TORPEDO SUPPORT EQUIPMENT .....	43,003	43,003
025	ASW RANGE SUPPORT .....	9,219	9,219
	<b>DESTINATION TRANSPORTATION</b>		
026	FIRST DESTINATION TRANSPORTATION .....	3,553	3,553
	<b>GUNS AND GUN MOUNTS</b>		
027	SMALL ARMS AND WEAPONS .....	15,037	15,037
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
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 .....		

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
032	CRUISER MODERNIZATION WEAPONS .....	50,013	50,013
033	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	12,203	12,203
	<b>OTHER</b>		
034	CANCELLED ACCOUNT ADJUSTMENTS .....		
	<b>SPARES AND REPAIR PARTS</b>		
035	SPARES AND REPAIR PARTS .....	55,953	55,953
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>3,408,478</b>	<b>3,413,478</b>
	<b>SHIPBUILDING &amp; CONVERSION, NAVY</b>		
	<b>OTHER WARSHIPS</b>		
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) .....		
	<b>AMPHIBIOUS SHIPS</b>		
013	LPD-17 .....	1,847,444	1,847,444
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
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>		
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
	<b>UNDISTRIBUTED</b>		
024	UNDISTRIBUTED .....		
	Advance Procurement and Economic Order Quantity .....		[150,000]
	Program Decrease .....		[-150,000]
	<b>TOTAL SHIPBUILDING &amp; CONVERSION, NAVY</b> .....	<b>14,928,921</b>	<b>14,878,921</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
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
	<b>MARINE CORPS AMMUNITION</b>		
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
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>719,952</b>	<b>719,952</b>
	<b>OTHER PROCUREMENT, NAVY</b>		

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
	<b>SHIP PROPULSION EQUIPMENT</b>		
001	LM-2500 GAS TURBINE .....	13,794	13,794
002	ALLISON 501K GAS TURBINE .....	8,643	8,643
	<b>NAVIGATION EQUIPMENT</b>		
003	OTHER NAVIGATION EQUIPMENT .....	22,982	22,982
	<b>PERISCOPES</b>		
004	SUB PERISCOPES & IMAGING EQUIP .....	60,860	60,860
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
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
	<b>REACTOR PLANT EQUIPMENT</b>		
020	REACTOR POWER UNITS .....	436,838	436,838
021	REACTOR COMPONENTS .....	271,600	271,600
	<b>OCEAN ENGINEERING</b>		
022	DIVING AND SALVAGE EQUIPMENT .....	11,244	11,244
	<b>SMALL BOATS</b>		
023	STANDARD BOATS .....	39,793	39,793
	<b>TRAINING EQUIPMENT</b>		
024	OTHER SHIPS TRAINING EQUIPMENT .....	29,913	29,913
	<b>PRODUCTION FACILITIES EQUIPMENT</b>		
025	OPERATING FORCES IPE .....	54,642	54,642
	<b>OTHER SHIP SUPPORT</b>		
026	NUCLEAR ALTERATIONS .....	144,175	144,175
027	LCS MODULES .....	79,583	79,583
	<b>LOGISTIC SUPPORT</b>		
028	LSD MIDLIFE .....	143,483	143,483
	<b>SHIP RADARS</b>		
029	RADAR SUPPORT .....	18,818	23,818
	Program Increase .....		[5,000]
	<b>SHIP SONARS</b>		
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
	<b>ASW ELECTRONIC EQUIPMENT</b>		
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 RECONNAISSANCE FORCE .....	13,453	13,453
040A	UNDISTRIBUTED .....		9,600
	Anti-Submarine Warfare Electronic Equipment .....		[9,600]
	<b>ELECTRONIC WARFARE EQUIPMENT</b>		
041	AN/SLQ-32 .....	43,096	43,096
	<b>RECONNAISSANCE EQUIPMENT</b>		
042	SHIPBOARD IW EXPLOIT .....	103,645	103,645
043	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	1,364	1,364
	<b>SUBMARINE SURVEILLANCE EQUIPMENT</b>		
044	SUBMARINE SUPPORT EQUIPMENT PROG .....	100,793	100,793
	<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		
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
	<b>TRAINING EQUIPMENT</b>		
055	OTHER TRAINING EQUIPMENT .....	45,989	45,989

**SEC. 4101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
<b>AVIATION ELECTRONIC EQUIPMENT</b>			
056	MATCAL'S .....	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
<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>			
064	DEPLOYABLE JOINT COMMAND AND CONT .....	8,994	8,994
065	MARITIME INTERGRATED BROADCAST SYSTEM .....	13,529	13,529
066	TACTICAL/MOBILE CH SYSTEMS .....	12,776	12,776
067	DCGS-N .....	11,201	11,201
068	CANES .....	195,141	195,141
069	RADLAC .....	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
<b>SHIPBOARD COMMUNICATIONS</b>			
075	SHIPBOARD TACTICAL COMMUNICATIONS .....	26,197	2,397
	Airborne Maritime—Fixed Radios .....		[-8,800]
	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
<b>SUBMARINE COMMUNICATIONS</b>			
079	SUBMARINE BROADCAST SUPPORT .....	10,357	10,357
080	SUBMARINE COMMUNICATION EQUIPMENT .....	75,447	75,447
<b>SATELLITE COMMUNICATIONS</b>			
081	SATELLITE COMMUNICATIONS SYSTEMS .....	25,522	25,522
082	NAVY MULTIBAND TERMINAL (NMT) .....	109,022	109,022
<b>SHORE COMMUNICATIONS</b>			
083	JCS COMMUNICATIONS EQUIPMENT .....	2,186	2,186
084	ELECTRICAL POWER SYSTEMS .....	1,329	1,329
085	NAVAL SHORE COMMUNICATIONS .....	2,418	2,418
<b>CRYPTOGRAPHIC EQUIPMENT</b>			
086	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	119,857	119,857
<b>CRYPTOLOGIC EQUIPMENT</b>			
087	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	14,820	14,820
<b>OTHER ELECTRONIC SUPPORT</b>			
088	COAST GUARD EQUIPMENT .....	6,848	6,848
<b>DRUG INTERDICTION SUPPORT</b>			
089	OTHER DRUG INTERDICTION SUPPORT .....	2,290	2,290
<b>SONOBUOYS</b>			
090	SONOBUOYS—ALL TYPES .....	96,314	96,314
<b>AIRCRAFT SUPPORT EQUIPMENT</b>			
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
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
<b>SHIP GUN SYSTEM EQUIPMENT</b>			
102	NAVAL FIRES CONTROL SYSTEM .....	2,049	2,049
103	GUN FIRE CONTROL EQUIPMENT .....	4,488	4,488
<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>			
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
<b>FBM SUPPORT EQUIPMENT</b>			
111	STRATEGIC MISSILE SYSTEMS EQUIP .....	187,807	187,807
<b>ASW SUPPORT EQUIPMENT</b>			
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



**SEC. 4101. PROCUREMENT**  
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Line	Item	FY 2012 Request	House Authorized
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	98,847	98,847
117	ITEMS LESS THAN \$5 MILLION .....	4,073	4,073
	<b>OTHER EXPENDABLE ORDNANCE</b>		
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
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
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
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
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
	<b>TRAINING DEVICES</b>		
134	TRAINING SUPPORT EQUIPMENT .....	16,353	16,353
	<b>COMMAND SUPPORT EQUIPMENT</b>		
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	CHSR 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
	<b>PRODUCTIVITY PROGRAMS</b>		
147	JUDGMENT FUND REIMBURSEMENT .....		
	<b>OTHER</b>		
148	CANCELLED ACCOUNT ADJUSTMENTS .....		
	<b>CLASSIFIED PROGRAMS</b>		
148A	CLASSIFIED PROGRAMS .....	14,402	14,402
	<b>SPARES AND REPAIR PARTS</b>		
149	SPARES AND REPAIR PARTS .....	208,384	208,384
	<b>TOTAL OTHER PROCUREMENT, NAVY</b>	<b>6,285,451</b>	<b>6,284,226</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	AAV7A1 PIP .....	9,894	9,894
002	LAV PIP .....	147,051	147,051
	<b>ARTILLERY AND OTHER WEAPONS</b>		
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
	<b>OTHER SUPPORT</b>		
007	MODIFICATION KITS .....	53,932	53,932
008	WEAPONS ENHANCEMENT PROGRAM .....	13,795	13,795
	<b>GUIDED MISSILES</b>		
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
	<b>OTHER SUPPORT</b>		
013	MODIFICATION KITS .....	4,140	4,140
	<b>COMMAND AND CONTROL SYSTEMS</b>		
014	UNIT OPERATIONS CENTER .....	16,755	16,755
	<b>REPAIR AND TEST EQUIPMENT</b>		
015	REPAIR AND TEST EQUIPMENT .....	24,071	24,071
	<b>OTHER SUPPORT (TEL)</b>		
016	COMBAT SUPPORT SYSTEM .....	25,461	25,461
017	MODIFICATION KITS .....		
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
018	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	5,926	5,926
019	AIR OPERATIONS C2 SYSTEMS .....	44,152	44,152
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
020	RADAR SYSTEMS .....	40,352	40,352
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
021	FIRE SUPPORT SYSTEM .....	8,793	8,793
022	INTELLIGENCE SUPPORT EQUIPMENT .....	64,276	64,276

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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
024	RQ-11 UAV .....	2,104	2,104
025	DCGS-MC .....	10,789	10,789
	<b>OTHER COMME/ELEC EQUIPMENT (NON-TEL)</b>		
028	NIGHT VISION EQUIPMENT .....	6,847	6,847
	<b>OTHER SUPPORT (NON-TEL)</b>		
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
	<b>CLASSIFIED PROGRAMS</b>		
033A	CLASSIFIED PROGRAMS .....	1,606	1,606
	<b>ADMINISTRATIVE VEHICLES</b>		
034	COMMERCIAL PASSENGER VEHICLES .....	894	894
035	COMMERCIAL CARGO VEHICLES .....	14,231	14,231
	<b>TACTICAL VEHICLES</b>		
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 .....		
	<b>OTHER SUPPORT</b>		
042	ITEMS LESS THAN \$5 MILLION .....	4,503	4,503
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
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
	<b>MATERIALS HANDLING EQUIPMENT</b>		
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
	<b>GENERAL PROPERTY</b>		
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
	<b>OTHER SUPPORT</b>		
060	ITEMS LESS THAN \$5 MILLION .....	5,206	5,206
	<b>SPARES AND REPAIR PARTS</b>		
061	SPARES AND REPAIR PARTS .....	90	90
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>1,391,602</b>	<b>1,392,602</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL FORCES</b>		
001	F-35 .....	3,340,615	3,340,615
002	Advance Procurement (CY) .....	323,477	323,477
003	F-22A .....	104,118	104,118
	<b>TACTICAL AIRLIFT</b>		
004	C-17A (MYP) .....		
	<b>OTHER AIRLIFT</b>		
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
	<b>UPT TRAINERS</b>		
014	LIGHT MOBILITY AIRCRAFT .....		
015	USFAA POWERED FLIGHT PROGRAM .....	1,060	1,060
	<b>OPERATIONAL TRAINERS</b>		
016	T-6 .....		
	<b>HELICOPTERS</b>		
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

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
<b>MISSION SUPPORT AIRCRAFT</b>			
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 .....		
<b>OTHER AIRCRAFT</b>			
028	ITERIM GATEWAY .....		
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
<b>STRATEGIC AIRCRAFT</b>			
035	B-2A .....	41,315	41,315
036	B-1B .....	198,007	198,007
037	B-52 .....	93,897	93,897
<b>TACTICAL AIRCRAFT</b>			
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 .....		
<b>AIRLIFT AIRCRAFT</b>			
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
<b>TRAINER AIRCRAFT</b>			
053	GLIDER MODS .....	123	123
054	T-6 .....	15,086	15,086
055	T-1 .....	238	238
056	T-38 .....	31,032	31,032
<b>OTHER AIRCRAFT</b>			
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
<b>AIRCRAFT SPARES + REPAIR PARTS</b>			

**SEC. 4101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
081	FIGHTER/UAV INITIAL SPARES/REPAIR PARTS .....	1,030,364	1,030,364
081A	AIRLIFT/BOMBER INITIAL SPARES/REPAIR PARTS .....		
	<b>COMMON SUPPORT EQUIPMENT</b>		
082	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	92,394	92,394
	<b>POST PRODUCTION SUPPORT</b>		
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
	<b>INDUSTRIAL PREPAREDNESS</b>		
098	INDUSTRIAL RESPONSIVENESS .....	21,050	21,050
	<b>WAR CONSUMABLES</b>		
099	WAR CONSUMABLES .....	87,220	87,220
	<b>OTHER PRODUCTION CHARGES</b>		
100	OTHER PRODUCTION CHARGES .....	1,072,858	1,072,858
	<b>DARP</b>		
104	U-2 .....	48,875	48,875
	<b>CLASSIFIED PROGRAMS</b>		
104A	CLASSIFIED PROGRAMS .....	16,502	16,502
	<b>UNDISTRIBUTED</b>		
105	UNDISTRIBUTED .....		85,000
	Mobility Aircraft .....		[60,000]
	Mobility Aircraft Simulators .....		[25,000]
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE .....</b>	<b>14,082,527</b>	<b>14,126,027</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS .....	23,919	23,919
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	89,771	89,771
	<b>BOMBS</b>		
003	PRACTICE BOMBS .....	38,756	38,756
004	GENERAL PURPOSE BOMBS .....	168,557	168,557
005	JOINT DIRECT ATTACK MUNITION .....	76,649	76,649
	<b>FLARE, IR MJU-7B</b>		
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
	<b>FUZES</b>		
011	FLARES .....	46,749	46,749
012	FUZES .....	34,735	34,735
	<b>SMALL ARMS</b>		
013	SMALL ARMS .....	7,195	7,195
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE .....</b>	<b>539,065</b>	<b>539,065</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>		
001	MISSILE REPLACEMENT EQ-BALLISTIC .....	67,745	67,745
	<b>TACTICAL</b>		
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
	<b>INDUSTRIAL FACILITIES</b>		
007	INDUSTRL PREPAREDNS/POL PREVENTION .....	726	726
	<b>CLASS IV</b>		
008	ADVANCED CRUISE MISSILE .....	39	39
009	MM III MODIFICATIONS .....	125,953	125,953
010	AGM-63D MAVERICK .....	266	266
011	AGM-88A HARM .....	25,642	25,642
012	AIR LAUNCH CRUISE MISSILE (ALCM) .....	14,987	14,987
	<b>MISSILE SPARES + REPAIR PARTS</b>		
013	INITIAL SPARES/REPAIR PARTS .....	43,241	43,241
	<b>SPACE PROGRAMS</b>		

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
014	ADVANCED EHF .....	552,833	552,833
015	Advance Procurement (CY) .....		
016	WIDEBAND GAPPILLER 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 .....		
	<b>SPECIAL PROGRAMS</b>		
029	DEFENSE SPACE RECONN PROGRAM .....		
031	SPECIAL UPDATE PROGRAMS .....	154,727	154,727
	<b>CLASSIFIED PROGRAMS</b>		
031A	CLASSIFIED PROGRAMS .....	1,159,135	1,159,135
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>6,074,017</b>	<b>6,490,017</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	5,621	5,621
	<b>CARGO + UTILITY VEHICLES</b>		
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
	<b>SPECIAL PURPOSE VEHICLES</b>		
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
	<b>FIRE FIGHTING EQUIPMENT</b>		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	22,881	22,881
	<b>MATERIALS HANDLING EQUIPMENT</b>		
008	ITEMS LESS THAT \$5,000,000 .....	14,978	14,978
	<b>BASE MAINTENANCE SUPPORT</b>		
009	RUNWAY SNOW REMOV AND CLEANING EQU .....	16,556	16,556
010	ITEMS LESS THAN \$5M BASE MAINT/CONST .....	30,225	30,225
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
011	COMSEC EQUIPMENT .....	135,169	135,169
012	MODIFICATIONS (COMSEC) .....	1,263	1,263
013	AIR FORCE PHYSICAL SECURITY .....		
	<b>INTELLIGENCE PROGRAMS</b>		
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
	<b>ELECTRONICS PROGRAMS</b>		
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 SIGNIF SPT .....	217	217
026	DRUG INTERDICTION SUPPORT .....		
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
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
	<b>AIR FORCE COMMUNICATIONS</b>		
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
	<b>DISA PROGRAMS</b>		
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

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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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
	<b>ORGANIZATION AND BASE</b>		
049	TACTICAL C-E EQUIPMENT .....	227,866	217,466
	Airborne Maritime—Fixed Radios .....		[-10,400]
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
	<b>MODIFICATIONS</b>		
054	COMM ELECT MODS .....	76,810	76,810
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
055	NIGHT VISION GOGGLES .....	20,008	20,008
056	ITEMS LESS THAN \$5,000,000 (SAFETY) .....	25,499	25,499
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>		
057	MECHANIZED MATERIAL HANDLING EQUIP .....	37,829	37,829
	<b>BASE SUPPORT EQUIPMENT</b>		
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
	<b>SPECIAL SUPPORT PROJECTS</b>		
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
	<b>CLASSIFIED PROGRAMS</b>		
068A	CLASSIFIED PROGRAMS .....	14,618,160	14,618,160
	<b>SPARES AND REPAIR PARTS</b>		
069	SPARES AND REPAIR PARTS .....	14,630	14,630
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b>	<b>17,602,036</b>	<b>17,585,654</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, BTA</b>		
001	MAJOR EQUIPMENT, BTA .....		
	<b>MAJOR EQUIPMENT, DCAA</b>		
002	ITEMS LESS THAN \$5 MILLION .....	1,473	1,473
	<b>MAJOR EQUIPMENT, DCMA</b>		
003	MAJOR EQUIPMENT .....	2,076	2,076
	<b>MAJOR EQUIPMENT, DHRA</b>		
004	PERSONNEL ADMINISTRATION .....	11,019	11,019
	<b>MAJOR EQUIPMENT, DISA</b>		
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
	<b>MAJOR EQUIPMENT, DLA</b>		
023	MAJOR EQUIPMENT .....	11,537	11,537
	<b>MAJOR EQUIPMENT, DMACT</b>		
024	MAJOR EQUIPMENT .....	14,542	14,542
	<b>MAJOR EQUIPMENT, DODEA</b>		
025	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	1,444	1,444
	<b>MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY</b>		
026	EQUIPMENT .....	971	971
	<b>MAJOR EQUIPMENT, DSS</b>		
027	OTHER CAPITAL EQUIPMENT .....	974	974
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>		
028	VEHICLES .....	200	200
029	OTHER MAJOR EQUIPMENT .....	12,806	12,806
	<b>MAJOR EQUIPMENT, DTSA</b>		
030	MAJOR EQUIPMENT .....	447	447
	<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>		
031	THAAD PROCUREMENT .....		
032	AEGIS BMD PROCUREMENT .....		
033	THAAD .....	833,150	883,150
	Program Increase .....		[50,000]

**SEC. 4101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
034	AEGIS BMD .....	565,393	615,393
	Program Increase .....		[50,000]
035	BMDs AN/TPY-2 RADARS .....	380,195	380,195
	<b>MAJOR EQUIPMENT, NSA</b>		
043	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	5,787	5,787
	<b>MAJOR EQUIPMENT, OSD</b>		
045	MAJOR EQUIPMENT, OSD .....	47,123	47,123
045A	JCTD .....		
046	MAJOR EQUIPMENT, INTELLIGENCE .....	20,176	20,176
	<b>MAJOR EQUIPMENT, TJS</b>		
047	MAJOR EQUIPMENT, TJS .....	29,729	29,729
	<b>MAJOR EQUIPMENT, WHS</b>		
048	MAJOR EQUIPMENT, WHS .....	31,974	31,974
	<b>CLASSIFIED PROGRAMS</b>		
048A	CLASSIFIED PROGRAMS .....	554,408	554,408
	<b>AVIATION PROGRAMS</b>		
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
	<b>SHIPBUILDING</b>		
065	UNDERWATER SYSTEMS .....	6,999	6,999
066	SEAL DELIVERY VEHICLE .....		
	<b>AMMUNITION PROGRAMS</b>		
067	ORDNANCE REPLENISHMENT .....	116,009	116,009
068	ORDNANCE ACQUISITION .....	28,281	28,281
	<b>OTHER PROCUREMENT PROGRAMS</b>		
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
	<b>CLASSIFIED PROGRAMS</b>		
095A	CLASSIFIED PROGRAMS .....	4,012	4,012
	<b>CBDP</b>		
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
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>5,365,248</b>	<b>5,147,048</b>

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>			
<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>			
001	JOINT URGENT OPERATIONAL NEEDS FUND .....	100,000	0
	Unjustified Requirement .....		[-100,000]
	<b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND .....</b>	<b>100,000</b>	<b>0</b>
<b>NATIONAL GUARD &amp; RESERVE EQUIPMENT</b>			
<b>UNDISTRIBUTED</b>			
007	UNDISTRIBUTED .....		100,000
	Program Increase .....		[100,000]
	<b>TOTAL NATIONAL GUARD &amp; RESERVE EQUIPMENT .....</b>		<b>100,000</b>
	<b>TOTAL PROCUREMENT .....</b>	<b>111,453,792</b>	<b>111,331,833</b>

**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
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
002	C-12 CARGO AIRPLANE .....	10,500	10,500
<b>ROTARY</b>			
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
<b>MODIFICATION OF AIRCRAFT</b>			
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
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY .....</b>	<b>423,400</b>	<b>387,900</b>
<b>MISSILE PROCUREMENT, ARMY</b>			
<b>AIR-TO-SURFACE MISSILE SYSTEM</b>			
004	HELLFIRE SYS SUMMARY .....	107,556	107,556
<b>ANTI-TANK/ASSAULT MISSILE SYS</b>			
009	GUIDED MLRS ROCKET (GMLRS) .....	19,000	19,000
	<b>TOTAL MISSILE PROCUREMENT, ARMY .....</b>	<b>126,556</b>	<b>126,556</b>
<b>PROCUREMENT OF W&amp;TCV, ARMY</b>			
<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>			
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
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY .....</b>	<b>37,117</b>	<b>37,117</b>
<b>PROCUREMENT OF AMMUNITION, ARMY</b>			
<b>SMALL/MEDIUM CAL AMMUNITION</b>			
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
<b>MORTAR AMMUNITION</b>			
013	81MM MORTAR, ALL TYPES .....	8,000	8,000
014	120MM MORTAR, ALL TYPES .....	49,140	49,140
<b>ARTILLERY AMMUNITION</b>			
019	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	10,000	10,000
<b>ARTILLERY FUZES</b>			
022	ARTILLERY FUZES, ALL TYPES .....	5,000	5,000
<b>ROCKETS</b>			
027	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	5,000	5,000
028	ROCKET, HYDRA 70, ALL TYPES .....	53,841	53,841
<b>OTHER AMMUNITION</b>			
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
<b>MISCELLANEOUS</b>			
036	CAD/PAD ALL TYPES .....	2,000	2,000
037	ITEMS LESS THAN \$5 MILLION .....	400	400
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY .....</b>	<b>208,381</b>	<b>208,381</b>
<b>OTHER PROCUREMENT, ARMY</b>			



**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
	<b>TACTICAL VEHICLES</b>		
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	11,094	11,094
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	47,214	47,214
	<b>NON-TACTICAL VEHICLES</b>		
023	NONTACTICAL VEHICLES, OTHER .....	3,600	3,600
	<b>COMM—JOINT COMMUNICATIONS</b>		
025	WIN-T—GROUND FORCES TACTICAL NETWORK .....	547	547
	<b>COMM—COMBAT COMMUNICATIONS</b>		
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
	<b>INFORMATION SECURITY</b>		
056	INFORMATION SYSTEM SECURITY PROGRAM-ISSP .....	54,730	54,730
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
058	BASE SUPPORT COMMUNICATIONS .....	5,000	5,000
	<b>COMM—BASE COMMUNICATIONS</b>		
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM( .....	169,500	169,500
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
070	DCGS-A (MIP) .....	83,000	83,000
072	TROJAN (MIP) .....	61,100	61,100
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
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
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
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
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
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
	<b>ELECT EQUIP—AUTOMATION</b>		
121	AUTOMATED DATA PROCESSING EQUIP .....	10,000	10,000
	<b>UNDISTRIBUTED</b>		
127A	CLASSIFIED PROGRAMS .....	795	795
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
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
	<b>BRIDGING EQUIPMENT</b>		
133	TACTICAL BRIDGING .....	15,000	15,000
134	TACTICAL BRIDGE, FLOAT-RIBBON .....	26,900	26,900
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
138	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) .....	3,205	3,205
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
149	FORCE PROVIDER .....	68,000	68,000
	<b>MEDICAL EQUIPMENT</b>		
158	COMBAT SUPPORT MEDICAL .....	15,011	15,011
	<b>MAINTENANCE EQUIPMENT</b>		
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	25,129	25,129
	<b>MATERIAL HANDLING EQUIPMENT</b>		
180	ALL TERRAIN LIFTING ARMY SYSTEM .....	1,800	1,800
	<b>OTHER SUPPORT EQUIPMENT</b>		
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	43,000	43,000
190	PHYSICAL SECURITY SYSTEMS (OPA3) .....	4,900	4,900
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>1,398,195</b>	<b>1,398,195</b>
	<b>JOINT IMPR EXPLOSIVE DEV DEFEAT FUND</b>		
	<b>NETWORK ATTACK</b>		
001	ATTACK THE NETWORK .....	1,368,800	1,368,800
	<b>JIEDDO DEVICE DEFEAT</b>		
002	DEFEAT THE DEVICE .....	961,200	961,200
	<b>FORCE TRAINING</b>		
003	TRAIN THE FORCE .....	247,500	247,500
	<b>TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND</b> .....	<b>2,577,500</b>	<b>2,577,500</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
011	UH-1Y/AH-1Z .....	30,000	30,000
019	E-2D ADV HAWKEYE .....	163,500	163,500

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
	<b>OTHER AIRCRAFT</b>		
028	OTHER SUPPORT AIRCRAFT .....	21,882	21,882
	<b>MODIFICATION OF AIRCRAFT</b>		
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
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
061	SPARES AND REPAIR PARTS .....	39,060	39,060
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
062	COMMON GROUND EQUIPMENT .....	10,800	10,800
065	OTHER PRODUCTION CHARGES .....	4,100	4,100
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>730,960</b>	<b>730,960</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>TACTICAL MISSILES</b>		
009	HELLFIRE .....	14,000	14,000
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM) .....	20,000	20,000
	<b>GUNS AND GUN MOUNTS</b>		
027	SMALL ARMS AND WEAPONS .....	7,070	7,070
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>41,070</b>	<b>41,070</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
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
	<b>MARINE CORPS AMMUNITION</b>		
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
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>317,100</b>	<b>317,100</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>SMALL BOATS</b>		
023	STANDARD BOATS .....	13,729	13,729
	<b>AVIATION ELECTRONIC EQUIPMENT</b>		
056	MATCALS .....	7,232	7,232
	<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>		
066	TACTICAL/MOBILE C4I SYSTEMS .....	4,000	4,000
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
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
	<b>ASW SUPPORT EQUIPMENT</b>		
112	SSN COMBAT CONTROL SYSTEMS .....	7,500	7,500
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	15,700	15,700
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
121	PASSENGER CARRYING VEHICLES .....	2,628	2,628
123	CONSTRUCTION & MAINTENANCE EQUIP .....	13,290	13,290
124	FIRE FIGHTING EQUIPMENT .....	3,672	3,672

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
128	ITEMS UNDER \$5 MILLION .....	1,002	1,002
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
130	MATERIALS HANDLING EQUIPMENT .....	3,644	3,644
	<b>TRAINING DEVICES</b>		
134	TRAINING SUPPORT EQUIPMENT .....	5,789	5,789
	<b>COMMAND SUPPORT EQUIPMENT</b>		
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
	<b>SPARES AND REPAIR PARTS</b>		
149	SPARES AND REPAIR PARTS .....	473	473
	<b>TOTAL OTHER PROCUREMENT, NAVY .....</b>	<b>281,975</b>	<b>281,975</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
002	LAV PIP .....	23,962	23,962
	<b>ARTILLERY AND OTHER WEAPONS</b>		
004	155MM LIGHTWEIGHT TOWED HOWITZER .....	16,000	16,000
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM .....	10,488	10,488
	<b>GUIDED MISSILES</b>		
010	JAVELIN .....	2,527	2,527
	<b>OTHER SUPPORT</b>		
013	MODIFICATION KITS .....	59,730	59,730
	<b>REPAIR AND TEST EQUIPMENT</b>		
015	REPAIR AND TEST EQUIPMENT .....	19,040	19,040
	<b>OTHER SUPPORT (TEL)</b>		
017	MODIFICATION KITS .....	2,331	2,331
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
018	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	3,090	3,090
019	AIR OPERATIONS C2 SYSTEMS .....	5,236	5,236
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
020	RADAR SYSTEMS .....	26,506	26,506
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
021	FIRE SUPPORT SYSTEM .....	35	35
022	INTELLIGENCE SUPPORT EQUIPMENT .....	47,132	47,132
	<b>OTHER COMM/ELEC EQUIPMENT (NON-TEL)</b>		
028	NIGHT VISION EQUIPMENT .....	9,850	9,850
	<b>OTHER SUPPORT (NON-TEL)</b>		
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
	<b>TACTICAL VEHICLES</b>		
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
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
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
	<b>MATERIALS HANDLING EQUIPMENT</b>		
049	PHYSICAL SECURITY EQUIPMENT .....	42,900	42,900
051	MATERIAL HANDLING EQUIP .....	42,553	42,553
	<b>GENERAL PROPERTY</b>		
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
	<b>TOTAL PROCUREMENT, MARINE CORPS .....</b>	<b>1,260,996</b>	<b>1,210,996</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>HELICOPTERS</b>		
019	V22 OSPREY .....	70,000	0
	Funded in H.R. 1473 .....		[-70,000]
	<b>MISSION SUPPORT AIRCRAFT</b>		
024	HH-60M .....	39,300	39,300
027	STUASL0 .....	2,472	2,472
	<b>AIRLIFT AIRCRAFT</b>		
043	C-5 .....	59,299	59,299
	<b>OTHER AIRCRAFT</b>		
059	MC-12W .....	17,300	17,300
063	C-130 .....	164,041	164,041
064	C-130 INTEL .....	4,600	4,600

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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
	<b>AIRCRAFT SPARES + REPAIR PARTS</b>		
081	FIGHTER/UAV INITIAL SPARES/REPAIR PARTS .....	2,800	2,800
	<b>POST PRODUCTION SUPPORT</b>		
090	C-17A .....	10,970	10,970
	<b>OTHER PRODUCTION CHARGES</b>		
100	OTHER PRODUCTION CHARGES .....	23,000	23,000
	<b>DARP</b>		
104	U-2 .....	42,300	42,300
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE .....</b>	<b>527,865</b>	<b>457,865</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS .....	329	329
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	8,014	8,014
	<b>BOMBS</b>		
004	GENERAL PURPOSE BOMBS .....	17,385	17,385
005	JOINT DIRECT ATTACK MUNITION .....	34,100	34,100
	<b>FLARE, IR MJU-7B</b>		
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....	1,200	1,200
	<b>FUZES</b>		
011	FLARES .....	11,217	11,217
012	FUZES .....	8,765	8,765
	<b>SMALL ARMS</b>		
013	SMALL ARMS .....	11,500	11,500
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE .....</b>	<b>92,510</b>	<b>92,510</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL</b>		
005	PREDATOR HELLFIRE MISSILE .....	16,120	16,120
006	SMALL DIAMETER BOMB .....	12,300	12,300
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE .....</b>	<b>28,420</b>	<b>28,420</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	2,658	2,658
	<b>CARGO + UTILITY VEHICLES</b>		
004	ITEMS LESS THAN \$5,000,000 (CARGO) .....	32,824	32,824
	<b>SPECIAL PURPOSE VEHICLES</b>		
006	ITEMS LESS THAN \$5,000,000 (SPECIA) .....	110	110
	<b>FIRE FIGHTING EQUIPMENT</b>		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	1,662	1,662
	<b>MATERIALS HANDLING EQUIPMENT</b>		
008	ITEMS LESS THAT \$5,000,000 .....	772	772
	<b>BASE MAINTENANCE SUPPORT</b>		
010	ITEMS LESS THAN \$5M BASE MAINT/CONST .....	13,983	13,983
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
013	AIR FORCE PHYSICAL SECURITY .....	500	500
	<b>ELECTRONICS PROGRAMS</b>		
022	WEATHER OBSERVATION FORECAST .....	1,800	1,800
025	TAC SIGNIT SPT .....	7,020	7,020
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
030	AIR FORCE PHYSICAL SECURITY SYSTEM .....	25,920	25,920
	<b>ORGANIZATION AND BASE</b>		
049	TACTICAL C-E EQUIPMENT .....	9,445	9,445
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
055	NIGHT VISION GOGGLES .....	12,900	12,900
	<b>BASE SUPPORT EQUIPMENT</b>		
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
	<b>SPECIAL SUPPORT PROJECTS</b>		
065	DCGS-AF .....	3,000	3,000
068	DEFENSE SPACE RECONNAISSANCE PROG. ....	64,400	64,400
	<b>CLASSIFIED PROGRAMS</b>		
068A	CLASSIFIED PROGRAMS .....	2,991,347	2,991,347
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE .....</b>	<b>3,204,641</b>	<b>3,204,641</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, DISA</b>		
017	TELEPORT PROGRAM .....	3,307	3,307
	<b>MAJOR EQUIPMENT, NSA</b>		
043	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	3,000	3,000

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
<b>MAJOR EQUIPMENT, OSD</b>			
046	MAJOR EQUIPMENT, INTELLIGENCE .....	8,300	8,300
<b>CLASSIFIED PROGRAMS</b>			
048A	CLASSIFIED PROGRAMS .....	101,548	101,548
<b>AVIATION PROGRAMS</b>			
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
<b>AMMUNITION PROGRAMS</b>			
067	ORDNANCE REPLENISHMENT .....	71,659	71,659
068	ORDNANCE ACQUISITION .....	25,400	25,400
<b>OTHER PROCUREMENT PROGRAMS</b>			
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
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE .....</b>	<b>469,968</b>	<b>447,168</b>
<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>			
001	JOINT URGENT OPERATIONAL NEEDS FUND .....	100,000	50,000
	Unjustified Requirement .....		[-50,000]
	<b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND .....</b>	<b>100,000</b>	<b>50,000</b>
<b>MINE RESISTANT AMBUSH PROT VEH FUND</b>			
001	MINE RESISTANT AMBUSH PROT VEH FUND .....	3,195,170	3,195,170
	<b>TOTAL MINE RESISTANT AMBUSH PROT VEH FUND .....</b>	<b>3,195,170</b>	<b>3,195,170</b>
<b>NATIONAL GUARD &amp; RESERVE EQUIPMENT UNDISTRIBUTED</b>			
007	UNDISTRIBUTED .....		225,000
	Program Increase .....		[225,000]
	<b>TOTAL NATIONAL GUARD &amp; RESERVE EQUIPMENT .....</b>		<b>225,000</b>
	<b>TOTAL PROCUREMENT .....</b>	<b>15,021,824</b>	<b>15,018,524</b>

## 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
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>				
<b>BASIC RESEARCH</b>				
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 .....	89,977	89,977
		Clinical Care and Research .....		[2,000]
		Program Increase .....		[7,000]

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	120,937	105,692
		Realignment of Funds for Proper Oversight and Execution .....		[-15,245]
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>436,920</b>	<b>432,675</b>
		<b>APPLIED RESEARCH</b>		
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
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]
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>869,332</b>	<b>965,300</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
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]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
053	0603772A	Military Engineering Advanced Technology .....		[5,000]
		ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	30,600	30,600
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>976,812</b>	<b>1,074,962</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
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
		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
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>753,084</b>	<b>740,475</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
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]

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
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	123,935
		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 (AMHRS).	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
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>4,190,788</b>	<b>3,968,188</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
133	0604256A	THREAT SIMULATOR DEVELOPMENT .....	16,992	16,992
134	0604258A	TARGET SYSTEMS DEVELOPMENT .....	11,247	11,247
135	0604759A	MAJOR T&E INVESTMENT .....	49,437	49,437
136	0605103A	RAND ARROYO CENTER .....	20,384	20,384
137	0605301A	ARMY KWAJALEIN ATOLL .....	145,606	145,606
138	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	28,800	28,800
139	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH .....		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 .....		
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT</b>	<b>1,048,671</b>	<b>1,153,671</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
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	323,655
		Program Decrease .....		[-21,000]
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



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Line	Program Element	Item	FY 2012 Request	House Authorized
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
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> ....	<b>1,408,373</b>	<b>1,409,731</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>9,683,980</b>	<b>9,745,002</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>BASIC RESEARCH</b>		
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]
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>577,372</b>	<b>591,872</b>
		<b>APPLIED RESEARCH</b>		
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]
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]
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>783,794</b>	<b>799,294</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
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
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>648,217</b>	<b>655,317</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
026	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	94,972	94,972
027	0603216N	AVIATION SURVIVABILITY .....	10,893	10,893

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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).		
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
		Cancellation 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
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>4,481,053</b>	<b>4,480,253</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
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

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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	0604XXXX	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
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>6,475,528</b>	<b>6,485,528</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
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
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 .....		

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162	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS .....		
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>859,423</b>	<b>859,423</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
164	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPO- NENT 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
		Cancellation 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
		Program Increase .....		[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
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]

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<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> ....			<b>4,131,044</b>	<b>4,136,444</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>			<b>17,956,431</b>	<b>18,008,131</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>				
<b>BASIC RESEARCH</b>				
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
<b>SUBTOTAL BASIC RESEARCH</b> .....			<b>518,859</b>	<b>525,859</b>
<b>APPLIED RESEARCH</b>				
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
<b>SUBTOTAL APPLIED RESEARCH</b> .....			<b>1,181,874</b>	<b>1,189,074</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	39,738	49,738
		Program Increase—Metals Affordability Initiative .....		[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	0603XXXXF	FUELS .....	6,770	6,770
018B	0603XXXXF	POWER TECHNOLOGY .....	5,747	5,747
018C	0603XXXXF	PROPULSION .....	80,833	80,833
018D	0603XXXXF	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
<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....			<b>585,404</b>	<b>599,404</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
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]

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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 Transfer from RDAF-031 .....		142,200 [142,200]
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
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>1,684,385</b>	<b>1,733,385</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
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 SLAP 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
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>4,079,717</b>	<b>3,990,404</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
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

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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
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>1,114,196</b>	<b>1,098,696</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
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
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	0304XXXXF	RE-135 .....	34,744	34,744
177B	0304XXXXF	COMMON DEVELOPMENT .....	87,004	87,004

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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	SPACE-LIFT 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
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 Activities .....		[25,000]
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ....</b>	<b>18,573,266</b>	<b>18,612,845</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>27,737,701</b>	<b>27,749,667</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
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 .....		



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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
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>545,319</b>	<b>530,319</b>
<b>APPLIED RESEARCH</b>				
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. 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. Program Reduction .....	14,923	10,923
				[-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 .... Program Increase .....	196,954	201,954
				[5,000]
025	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT .....	26,591	26,591
026	1160407BB	SOF MEDICAL TECHNOLOGY DEVELOPMENT .....		
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>1,852,273</b>	<b>1,829,518</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT (ATD)</b>				
027	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	24,771	24,771
028	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT .....	45,028	45,028
029	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	77,019	100,219
		Program Increase .....		[23,200]
030	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT. Program Increase .....	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. Program Increase .....	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. Program Increase .....	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. Program Reduction .....	18,179	14,179
				[-4,000]
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM. Defense Alternative Energy .....	17,888	19,888
				[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]

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053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT. Microelectronics Technology Development and Support .....	91,132	83,132
		Program Reduction .....		[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
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT (ATD).</b>	<b>3,270,792</b>	<b>3,298,742</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
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. Realignment to RDDW-082A .....	63,606	33,606
		Realignment from RDDW-082 .....		[-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 .....		
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

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		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
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>6,808,233</b>	<b>6,949,715</b>
		<b>SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)</b>		
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	OSD(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.		
		<b>SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD).</b>	<b>918,334</b>	<b>893,334</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
137	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	6,658	6,658
138	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	4,731	4,731
139	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	140,231	140,231
140	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	2,757	2,757
141	0604943D8Z	THERMAL VICAR .....	7,827	7,827
142	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) .....	10,479	10,479
143	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS .....	34,213	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.		

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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 BUSI- NESS 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 EVAL- UATION. ....	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 TRANS- FORMATION (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
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>961,682</b>	<b>955,214</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS) .....	8,706	8,706
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNER- SHIP FOR PEACE INFORMATION MANA. ....	2,165	2,165
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMA- TION SYSTEM (OHASIS). ....	288	288
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYS- TEMS 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 INTE- GRATION. ....	8,366	8,366
202	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	11,324	11,324
203	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NET- WORK (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 APPLICATIONS FOR CONTINGENCIES .....	5,045	9,045
		Program Increase .....		[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 ARCHI- TECTURES. ....	1,444	1,444
248	0708011S	INDUSTRIAL PREPAREDNESS .....	23,103	28,103

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	House Authorized
		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 .....		
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	999999999	CLASSIFIED PROGRAMS .....	4,227,920	4,227,920
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ....</b>	<b>5,399,045</b>	<b>5,408,045</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>	<b>19,755,678</b>	<b>19,864,887</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE</b>		
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION .....	60,444	60,444
002	0605131OTE	LIVE FIRE TEST AND EVALUATION .....	12,126	12,126
003	0605140OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	118,722	118,722
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>191,292</b>	<b>191,292</b>
		<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE .....</b>	<b>191,292</b>	<b>191,292</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>75,325,082</b>	<b>75,558,979</b>

**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
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>		
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
140	0605601A	ARMY TEST RANGES AND FACILITIES .....	8,513	8,513
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>8,513</b>	<b>8,513</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>8,513</b>	<b>8,513</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	1,500	1,500

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>1,500</b>	<b>1,500</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
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
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>11,050</b>	<b>11,050</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
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 .....		
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>41,334</b>	<b>41,334</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>	<b>53,884</b>	<b>53,884</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF OPERATIONAL SYSTEMS DEVELOPMENT</b>		
200	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES .....	73,000	73,000
242A	9999999999	CLASSIFIED PROGRAMS .....	69,000	69,000
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>142,000</b>	<b>142,000</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>142,000</b>	<b>142,000</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW RDT&amp;E MANAGEMENT SUPPORT</b>		
152	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE) .....	9,200	9,200
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT .....</b>	<b>9,200</b>	<b>9,200</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
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
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>183,161</b>	<b>183,161</b>
		<b>UNDISTRIBUTED</b>		
279	0901560D	CONTINUING RESOLUTION PROGRAMS .....		
		<b>SUBTOTAL UNDISTRIBUTED</b>		
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>	<b>192,361</b>	<b>192,361</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>396,758</b>	<b>396,758</b>

# 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
<b>OPERATION &amp; MAINTENANCE, ARMY</b>			
<b>OPERATING FORCES</b>			
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, & MOD- ERNIZATION .....	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 ANCLLARY MISSIONS .....	459,585	459,585
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>21,322,304</b>	<b>21,817,684</b>
<b>MOBILIZATION</b>			
180	STRATEGIC MOBILITY .....	390,394	390,394
190	ARMY PREPOSITIONING STOCKS .....	169,535	169,535
200	INDUSTRIAL PREPAREDNESS .....	6,675	6,675
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>566,604</b>	<b>566,604</b>
<b>TRAINING AND RECRUITING</b>			
210	OFFICER ACQUISITION .....	113,262	114,662
	Expansion of Diversity Recruitment Efforts .....		[1,400]
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
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>4,873,028</b>	<b>4,874,428</b>
<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>			
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

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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	FINANCLAL 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
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>7,973,280</b>	<b>7,969,280</b>
	<b>UNDISTRIBUTED</b>		
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]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-395,600</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>34,735,216</b>	<b>34,832,396</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>		
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]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>32,164,377</b>	<b>32,982,577</b>
	<b>MOBILIZATION</b>		
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



**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
350	INDUSTRIAL READINESS .....	2,684	2,684
360	COAST GUARD SUPPORT .....	25,192	25,192
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>801,962</b>	<b>801,962</b>
	<b>TRAINING AND RECRUITING</b>		
370	OFFICER ACQUISITION .....	147,540	148,940
	Expansion of Diversity Recruitment Efforts .....		[1,400]
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>1,810,041</b>	<b>1,812,424</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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 MANAGE- MENT .....	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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,588,308</b>	<b>4,588,308</b>
	<b>UNDISTRIBUTED</b>		
710	UNDISTRIBUTED .....		-445,700
	Navy unobligated balances estimate .....		[-435,900]
	Printing & Reproduction (10% cut) .....		[-7,100]
	Studies, Analysis & Evaluations (10% cut) .....		[-2,700]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-445,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b>	<b>39,364,688</b>	<b>39,739,571</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>4,717,320</b>	<b>4,793,820</b>
	<b>TRAINING AND RECRUITING</b>		
080	RECRUIT TRAINING .....	18,280	18,280
090	OFFICER ACQUISITION .....	820	820
100	SPECIALIZED SKILL TRAINING .....	85,816	85,816

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>710,512</b>	<b>710,512</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>532,605</b>	<b>541,605</b>
	<b>UNDISTRIBUTED</b>		
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]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-70,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MA- RINE CORPS .....</b>	<b>5,960,437</b>	<b>5,975,937</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	4,224,400	4,224,400
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 & MOD- ERNIZATION .....	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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>20,584,637</b>	<b>20,856,557</b>
	<b>MOBILIZATION</b>		
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 & MOD- ERNIZATION .....	388,103	442,221
	Air Force Sustainment, Restoration and Modernization to 100% .....		[54,118]
190	BASE SUPPORT .....	674,230	674,230
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>4,574,846</b>	<b>4,628,964</b>
	<b>TRAINING AND RECRUITING</b>		
200	OFFICER ACQUISITION .....	114,448	115,848
	Expansion of Diversity Recruitment Efforts .....		[1,400]
210	RECRUIT TRAINING .....	22,192	22,192
220	RESERVE OFFICERS TRAINING CORPS (ROTC) .....	90,545	90,545
230	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION .....	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

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>3,784,222</b>	<b>3,856,962</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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 & MOD- ERNIZATION .....	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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>7,251,428</b>	<b>7,319,792</b>
	<b>UNDISTRIBUTED</b>		
470	UNDISTRIBUTED .....		-410,500
	Air Force unobligated balances estimate .....		[-400,800]
	Printing & Reproduction (10% cut) .....		[-7,200]
	Studies, Analysis & Evaluations (10% cut) .....		[-2,500]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-410,500</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>	<b>36,195,133</b>	<b>36,251,775</b>
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	563,787	563,787
020	SPECIAL OPERATIONS COMMAND .....	3,986,766	3,989,766
	Cold Weather Protective Equipment .....		[3,000]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>4,550,553</b>	<b>4,553,553</b>
	<b>TRAINING AND RECRUITING</b>		
030	DEFENSE ACQUISITION UNIVERSITY .....	124,075	124,075
040	NATIONAL DEFENSE UNIVERSITY .....	93,348	93,348
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>217,423</b>	<b>217,423</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
	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	2,313,964
	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]
	Postal Benefits Program .....		[12,000]
	Sexual Assault Response Coordinators and Victim Advocates .....		[45,000]
	Substance Abuse Prevention Pilot Program .....		[1,000]
	Wounded Warriors Career Program .....		[1,000]
270	WASHINGTON HEADQUARTERS SERVICE .....	563,184	563,184
275	CLASSIFIED PROGRAMS .....	14,068,492	14,068,492
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>26,172,433</b>	<b>26,181,064</b>
	<b>UNDISTRIBUTED</b>		
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]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-413,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DE- FENSE-WIDE</b> .....	<b>30,940,409</b>	<b>30,539,040</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RESERVE OPERATING FORCES</b>		
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	AVLIATION 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, & MOD- ERNIZATION .....	255,618	282,618
	Army Reserve Sustainment, Restoration and Modernization to 100% .....		[27,000]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>2,951,894</b>	<b>2,983,194</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
130	SERVICWIDE TRANSPORTATION .....	14,447	14,447
140	ADMINISTRATION .....	76,393	76,393
150	SERVICWIDE COMMUNICATIONS .....	3,844	3,844
160	MANPOWER MANAGEMENT .....	9,033	9,033
170	RECRUITING AND ADVERTISING .....	53,565	53,565
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>157,282</b>	<b>157,282</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RESERVE</b> .....	<b>3,109,176</b>	<b>3,140,476</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RESERVE OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	622,868	622,868

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>1,301,473</b>	<b>1,303,973</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	ADMINISTRATION .....	1,857	1,857
160	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT .....	14,438	14,438
170	SERVICEWIDE COMMUNICATIONS .....	2,394	2,394
180	ACQUISITION AND PROGRAM MANAGEMENT .....	2,972	2,972
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>21,661</b>	<b>21,661</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RESERVE .....</b>	<b>1,323,134</b>	<b>1,325,634</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS RESERVE</b>		
	<b>OPERATING FORCES</b>		
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>248,315</b>	<b>248,315</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
070	SERVICEWIDE TRANSPORTATION .....	852	852
080	ADMINISTRATION .....	13,257	13,257
090	RECRUITING AND ADVERTISING .....	9,019	9,019
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>23,128</b>	<b>23,128</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MA- RINE CORPS RESERVE .....</b>	<b>271,443</b>	<b>271,443</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE RE- SERVE</b>		
	<b>OPERATING FORCES</b>		
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 & MOD- ERNIZATION .....	77,161	91,161
	Air Force Reserve Sustainment, Restoration and Moderniza- tion to 100% .....		[14,000]
050	BASE SUPPORT .....	308,974	308,974
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,146,208</b>	<b>3,197,108</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>128,151</b>	<b>128,151</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE RESERVE .....</b>	<b>3,274,359</b>	<b>3,325,259</b>

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
<b>OPERATION &amp; MAINTENANCE, ARMY NATIONAL GUARD</b>			
<b>OPERATING FORCES</b>			
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
	Civil Support Team Information Management Systems .....		[2,000]
	Increase funding for Guard simulator training .....		[5,000]
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, & MOD-ERNIZATION .....	618,513	684,513
	Army National Guard Sustainment, Restoration and Mod-ernization to 100% .....		[66,000]
120	MANAGEMENT AND OPERATIONAL HQ .....	792,575	792,575
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>6,419,544</b>	<b>6,500,264</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>621,888</b>	<b>621,888</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY NATIONAL GUARD</b> .....	<b>7,041,432</b>	<b>7,122,152</b>
<b>OPERATION &amp; MAINTENANCE, AIR NATIONAL GUARD</b>			
<b>OPERATING FORCES</b>			
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 & MOD-ERNIZATION .....	284,348	330,348
	Air National Guard Sustainment, Restoration and Mod-ernization to 100% .....		[46,000]
050	BASE SUPPORT .....	621,942	621,942
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>6,063,234</b>	<b>6,160,334</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
060	ADMINISTRATION .....	39,387	39,387
070	RECRUITING AND ADVERTISING .....	33,659	33,659
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>73,046</b>	<b>73,046</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR NATIONAL GUARD</b> .....	<b>6,136,280</b>	<b>6,233,380</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
010	US COURT OF APPEALS FOR THE ARMED FORCES, DE-FENSE .....	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

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

Line	Item	FY 2012 Request	House Authorized
100	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND .....	5,000	0
	Program Reduction .....		[-5,000]
	<b>SUBTOTAL MISCELLANEOUS APPROPRIATIONS .....</b>	<b>2,407,606</b>	<b>2,380,606</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS .....</b>	<b>2,407,606</b>	<b>2,380,606</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>170,759,313</b>	<b>171,137,669</b>

**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
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>37,881,428</b>	<b>37,881,428</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>6,420,852</b>	<b>6,420,852</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>44,302,280</b>	<b>44,302,280</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY</b>		
	<b>OPERATING FORCES</b>		
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

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
280	ENTERPRISE INFORMATION .....	5,095	5,095
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	26,793	26,793
300	BASE OPERATING SUPPORT .....	352,210	352,210
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,261,464</b>	<b>6,261,464</b>
<b>MOBILIZATION</b>			
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
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>321,588</b>	<b>321,588</b>
<b>TRAINING AND RECRUITING</b>			
400	SPECIALIZED SKILL TRAINING .....	69,961	69,961
430	TRAINING SUPPORT .....	5,400	5,400
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>75,361</b>	<b>75,361</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
480	ADMINISTRATION .....	2,348	2,348
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	6,142	6,142
520	OTHER PERSONNEL SUPPORT .....	5,849	5,849
530	SERVICEWIDE COMMUNICATIONS .....	28,511	28,511
550	SERVICEWIDE TRANSPORTATION .....	263,593	263,593
580	ACQUISITION AND PROGRAM MANAGEMENT .....	17,414	17,414
610	SPACE AND ELECTRONIC WARFARE SYSTEMS .....	1,075	1,075
620	NAVAL INVESTIGATIVE SERVICE .....	6,564	6,564
650	FOREIGN COUNTERINTELLIGENCE .....	14,598	14,598
705	CLASSIFIED PROGRAMS .....	2,060	2,060
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>348,154</b>	<b>348,154</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>7,006,567</b>	<b>7,006,567</b>
<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>			
<b>OPERATING FORCES</b>			
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,978,942</b>	<b>2,978,942</b>
<b>TRAINING AND RECRUITING</b>			
130	TRAINING SUPPORT .....	209,784	209,784
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>209,784</b>	<b>209,784</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
180	SERVICEWIDE TRANSPORTATION .....	376,495	376,495
190	ADMINISTRATION .....	5,989	5,989
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>382,484</b>	<b>382,484</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>3,571,210</b>	<b>3,571,210</b>
<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>			
<b>OPERATING FORCES</b>			
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>5,914,957</b>	<b>5,914,957</b>
<b>MOBILIZATION</b>			
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



**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2012 Request</b>	<b>House Authorized</b>
190	BASE SUPPORT .....	30,033	30,033
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>3,819,950</b>	<b>3,819,950</b>
	<b>TRAINING AND RECRUITING</b>		
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>34,378</b>	<b>34,378</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>949,902</b>	<b>949,902</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b>	<b>10,719,187</b>	<b>10,719,187</b>
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	2,000	2,000
020	SPECIAL OPERATIONS COMMAND .....	3,269,939	3,269,939
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,271,939</b>	<b>3,271,939</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>5,997,472</b>	<b>5,997,472</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b>	<b>9,269,411</b>	<b>9,269,411</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RESERVE OPERATING FORCES</b>		
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>217,500</b>	<b>217,500</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RESERVE</b>	<b>217,500</b>	<b>217,500</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RESERVE OPERATING FORCES</b>		
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>74,148</b>	<b>74,148</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RESERVE</b>	<b>74,148</b>	<b>74,148</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS RESERVE</b>		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	House Authorized
<b>OPERATING FORCES</b>			
010	OPERATING FORCES .....	31,284	31,284
050	BASE OPERATING SUPPORT .....	4,800	4,800
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>36,084</b>	<b>36,084</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS RESERVE .....</b>			
		<b>36,084</b>	<b>36,084</b>
<b>OPERATION &amp; MAINTENANCE, AIR FORCE RESERVE OPERATING FORCES</b>			
010	PRIMARY COMBAT FORCES .....	4,800	4,800
030	DEPOT MAINTENANCE .....	131,000	131,000
050	BASE SUPPORT .....	6,250	6,250
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>142,050</b>	<b>142,050</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE RESERVE .....</b>			
		<b>142,050</b>	<b>142,050</b>
<b>OPERATION &amp; MAINTENANCE, ARMY NATIONAL GUARD OPERATING FORCES</b>			
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>387,544</b>	<b>387,544</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY NA- TIONAL GUARD .....</b>			
		<b>387,544</b>	<b>387,544</b>
<b>OPERATION &amp; MAINTENANCE, AIR NATIONAL GUARD OPERATING FORCES</b>			
020	MISSION SUPPORT OPERATIONS .....	34,050	34,050
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>34,050</b>	<b>34,050</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, AIR NA- TIONAL GUARD .....</b>			
		<b>34,050</b>	<b>34,050</b>
<b>AFGHANISTAN SECURITY FORCES FUND MINISTRY OF DEFENSE</b>			
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
	<b>SUBTOTAL MINISTRY OF DEFENSE .....</b>	<b>7,055,102</b>	<b>7,055,102</b>
<b>MINISTRY OF INTERIOR</b>			
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
	<b>SUBTOTAL MINISTRY OF INTERIOR .....</b>	<b>5,700,149</b>	<b>5,700,149</b>
<b>ASSOCIATED ACTIVITIES</b>			
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
	<b>SUBTOTAL ASSOCIATED ACTIVITIES .....</b>	<b>44,749</b>	<b>44,749</b>
<b>TOTAL AFGHANISTAN SECURITY FORCES FUND .....</b>		<b>12,800,000</b>	<b>12,800,000</b>
<b>PAKISTAN COUNTERINSURGENCY FUND UNDISTRIBUTED</b>			
010	UNDISTRIBUTED .....		1,100,000
	Realignment of funds from Department of State .....		[1,100,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>1,100,000</b>
<b>TOTAL PAKISTAN COUNTERINSURGENCY FUND .....</b>			<b>1,100,000</b>

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**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

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Line	Item	FY 2012 Request	House Authorized
<b>AFGHANISTAN INFRASTRUCTURE FUND</b>			
<b>POWER</b>			
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
	<b>SUBTOTAL POWER .....</b>	<b>475,000</b>	<b>475,000</b>
	<b>TOTAL AFGHANISTAN INFRASTRUCTURE FUND .....</b>	<b>475,000</b>	<b>475,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>89,035,031</b>	<b>90,135,031</b>

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## TITLE XLIV—MILITARY PERSONNEL

### SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)		
Item	FY 2012 Request	House Author- ized
MILITARY PERSONNEL .....	142,828,848	142,174,158
Extension of CENTCOM Rest and Recuperation Benefits .....		5,000
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
Suicide Prevention Program .....		5,000
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 Author- ized
<b>WORKING CAPITAL FUND, ARMY</b>		
PREPOSITIONED WAR RESERVE STOCKS .....	101,194	101,194
<b>TOTAL WORKING CAPITAL FUND, ARMY</b> .....	<b>101,194</b>	<b>101,194</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
WAR RESERVE MATERIAL .....	65,372	65,372
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE</b> .....	<b>65,372</b>	<b>65,372</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
DEFENSE LOGISTICS AGENCY (DLA) .....	31,614	31,614
<b>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE</b> .....	<b>31,614</b>	<b>31,614</b>
<b>WORKING CAPITAL FUND, DECA</b>		

**SEC. 4501. OTHER AUTHORIZATIONS**  
**(In Thousands of Dollars)**

Item	FY 2012 Request	House Author- ized
WORKING CAPITAL FUND, DECA .....	1,376,830	1,378,830
Enhanced Commissary Stores Pilot Program .....		[2,000]
<b>TOTAL WORKING CAPITAL FUND, DECA .....</b>	<b>1,376,830</b>	<b>1,378,830</b>
<b>NATIONAL DEFENSE SEALIFT FUND</b>		
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
<b>TOTAL NATIONAL DEFENSE SEALIFT FUND .....</b>	<b>1,126,384</b>	<b>1,126,384</b>
<b>DEFENSE HEALTH PROGRAM</b>		
<b>OPERATION &amp; MAINTENANCE</b>		
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 .....		-153,500
Breast Cancer Study .....		[10,000]
Collaborative Military-Civilian Trauma Training Pro- grams .....		[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]
Pilot Program for TBI and PTSD Treatment .....		[10,000]
Prohibit TRICARE Prime Fee Increase for 1 year .....		
TBI and PTSD Initiatives .....		[20,000]
Traumatic Brain Injury .....		[1,000]
TRICARE for Certain Individual Ready Reserve mem- bers .....		[5,000]
<b>RESEARCH AND DEVELOPMENT</b>		
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 CON- CEPT DEVELOPMENT .....	167,481	167,481
INFORMATION TECHNOLOGY DEVELOPMENT .....	176,345	164,235
Electronic Health Record Way Ahead .....		[-11,360]
Virtual Electronic Health Record .....		[-750]
MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOP- MENT .....	34,559	34,559
MEDICAL PROGRAM-WIDE ACTIVITIES .....	48,313	48,313
MEDICAL PRODUCTS AND CAPABILITIES ENHANCE- MENT ACTIVITIES .....	14,765	14,765
UNDISTRIBUTED .....		2,000

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**SEC. 4501. OTHER AUTHORIZATIONS**  
**(In Thousands of Dollars)**


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Item	FY 2012 Request	House Author- ized
Prostate Cancer Imaging Research Initiative .....		[2,000]
<b>PROCUREMENT</b>		
DEFENSE HEALTH PROGRAM .....	632,518	604,348
Electronic Health Record Way Ahead .....		[-28,170]
<b>TOTAL DEFENSE HEALTH PROGRAM</b> .....	<b>32,198,770</b>	<b>31,987,760</b>
<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		
CHEM DEMILITARIZATION—O&M .....	1,147,691	1,147,691
CHEM DEMILITARIZATION—RDT&E .....	406,731	406,731
<b>TOTAL CHEM AGENTS &amp; MUNITIONS DE-     STRUCTION</b> .....	<b>1,554,422</b>	<b>1,554,422</b>
<b>DRUG INTERDICTION AND COUNTER DRUG AC- TIVITIES</b>		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....	1,156,282	1,156,282
<b>TOTAL DRUG INTERDICTION AND COUNTER     DRUG ACTIVITIES</b> .....	<b>1,156,282</b>	<b>1,156,282</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
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
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b> .....	<b>289,519</b>	<b>290,519</b>
<b>MISSION FORCE ENHANCEMENT TRANSFER FUND</b>		
Creation of the Mission Force Enhancement Transfer Fund .....		[1,000,000]
Program Decrease .....		[-1,000,000]
<b>TOTAL MISSION FORCE ENHANCEMENT     TRANSFER FUND</b>		
<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>37,900,387</b>	<b>37,692,377</b>

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**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-  
TINGENCY OPERATIONS.**


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**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OP-  
ERATIONS**  
**(In Thousands of Dollars)**


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Item	FY 2012 Request	House Authorized
<b>WORKING CAPITAL FUND, ARMY</b>		
PREPOSITIONED WAR RESERVE STOCKS .....	54,000	54,000
<b>TOTAL WORKING CAPITAL FUND, ARMY</b> .....	<b>54,000</b>	<b>54,000</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
TRANSPORTATION FALLEN HEROES .....	10,000	10,000
CONTAINER DECONSOLIDATION .....	2,000	2,000
<b>TOTAL WORKING CAPITAL FUND, AIR     FORCE</b> .....	<b>12,000</b>	<b>12,000</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
DEFENSE LOGISTICS AGENCY (DLA) .....	369,013	369,013
<b>TOTAL WORKING CAPITAL FUND, DE-     FENSE-WIDE</b> .....	<b>369,013</b>	<b>369,013</b>

**DEFENSE HEALTH PROGRAM**

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Item	FY 2012 Request	House Authorized
<b>OPERATION &amp; MAINTENANCE</b>		
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
<b>TOTAL DEFENSE HEALTH PROGRAM .....</b>	<b>1,228,288</b>	<b>1,228,288</b>
<b>DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES</b>		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....	486,458	486,458
<b>TOTAL DRUG INTERDICTION AND COUNTER DRUG ACTIVITIES .....</b>	<b>486,458</b>	<b>486,458</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OPERATION & MAINTENANCE .....	11,055	11,055
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>	<b>11,055</b>	<b>11,055</b>
<b>TOTAL OTHER AUTHORIZATIONS .....</b>	<b>2,160,814</b>	<b>2,160,814</b>

## 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

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
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/Reece 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
	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	Neo 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	Mealester	Ammunition Loading Pads .....	1,700	1,700
Army	Mealester	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



**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
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
Army	Utah			
Army	Dugway Proving Ground	Life Sciences Test Facility Addition .....	32,000	32,000
Army	Virginia			
Army	Fort Belvoir	Information Dominance Center, Ph 1 .....	52,000	52,000
Army	Fort Belvoir	Road and Infrastructure Improvements .....	31,000	31,000
Army	Joint Base Langley Eustis	Aviation Training Facility .....	26,000	26,000
Army	Washington			
Army	Joint Base Lewis Mechord	Air Support Operations Facilities .....	7,300	7,300
Army	Joint Base Lewis Mechord	Aviation Complex, Ph 1b .....	48,000	48,000
Army	Joint Base Lewis Mechord	Aviation Unit Complex, Ph 1a .....	34,000	34,000
Army	Joint Base Lewis Mechord	Battalion Complex .....	59,000	59,000
Army	Joint Base Lewis Mechord	Brigade Complex, Ph 2 .....	56,000	56,000
Army	Joint Base Lewis Mechord	Infrastructure, Ph 1 .....	64,000	64,000
Army	Joint Base Lewis Mechord	Operational Readiness Training Cplx, Ph 1 .....	28,000	28,000
Army	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
<b>Total Military Construction, Army</b> .....			<b>3,235,991</b>	<b>3,305,991</b>
Army	Arizona			
Navy	Yuma	Aircraft Maintenance Hangar .....	39,515	39,515
Navy	Yuma	Double Aircraft Maintenance Hangar .....	81,897	81,897
Navy	Yuma	J5F Auxiliary Landing Field .....	41,373	41,373
Army	Bahrain Island			
Navy	Sw Asia	Bachelor Enlisted Quarters .....	55,010	55,010
Navy	Sw Asia	Waterfront Development Phase 4 .....	45,194	45,194
Army	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)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
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	Twenty-nine Palms	Child Development Center .....	23,743	23,743
Navy	Twenty-nine Palms	Land Expansion .....	8,665	8,665
Navy	Twenty-nine Palms	Multi-Use Operational Fitness Area .....	18,819	18,819
Navy	Twenty-nine 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 Addition .....	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	Elw 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
<b>Total Military Construction, Navy .....</b>			<b>2,461,547</b>	<b>2,491,547</b>

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
	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	Ee-130h Simulator/Training Operations .....	20,500	20,500
AF	Davis-Monthan AFB	HC-130J Joint Use Fuel Cell .....	12,500	12,500
AF	Luke AFB	F-35 Adal Aircraft Maintenance Unit .....	6,000	6,000
AF	Luke AFB	F-35 Squad Ops/AMU 2 .....	18,000	18,000
	California			
AF	Travis AFB	Dormitory (144 Rm) .....	22,000	22,000
AF	Vandenberg AFB	Education Center .....	14,200	14,200
	Colorado			
AF	U.S. Air Force Academy	Construct Large Vehicle Inspection Facility .....	13,400	13,400
	Delaware			
AF	Dover AFB	C-5m Formal Training Unit Facility .....	2,800	2,800
	Florida			
AF	Patrick AFB	Air Force Technical Applications Ctr—Iner 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 Maintenance.	11,700	11,700
AF	Joint Region Marianas	Guam Strike Fuel Systems Maintenance Hangar, Iner 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 Iner 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	Afnwe 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

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
	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
	<b>Total Military Construction, Air Force</b> .....		<b>1,364,858</b>	<b>1,330,858</b>
	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
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 Iner 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, Iner 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 Iner 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

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
	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, Iner 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 Superintendent'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
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	Enlarge 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 Iner 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 Cnei 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

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
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
Def-Wide	Washington			
Def-Wide	Joint Base Lewis Mechord	Replace Fuel Distribution Facilities .....	14,000	14,000
Def-Wide	Joint Base Lewis Mechord	SOF Company Operations Facility .....	21,000	21,000
Def-Wide	Whidbey Island	Replace Fuel Pipeline .....	25,000	25,000
Def-Wide	West Virginia			
Def-Wide	Camp Dawson	Replace Hydrant Fuel System .....	2,200	2,200
Def-Wide	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 Mileon .....	6,365	6,365
Def-Wide	Various Worldwide Lo- cations	Planning and Design .....	66,974	66,974
Def-Wide	Various Worldwide Lo- cations	Planning and Design .....	227,498	227,498
Def-Wide	Various Worldwide Lo- cations	Unspecified Minor Construction .....	6,571	6,571
	<b>Total Military Construction, Defense-Wide .....</b>		<b>3,848,757</b>	<b>3,705,457</b>
	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
	<b>Total Chemical Demilitarization Construction, Defense .....</b>		<b>75,312</b>	<b>75,312</b>
	Worldwide Unspecified			
NATO	NATO Security Invest- ment Program	NATO Security Investment Program .....	272,611	272,611

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
<b>Total NATO Security Investment Program .....</b>			<b>272,611</b>	<b>272,611</b>
	Alabama			
Army NG	Fort Meclellan	Readiness Center Ph2 .....	16,500	16,500
	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 (Orte) .....	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	Kalaheo	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 (Orte) 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			

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
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
	<b>Total Military Construction, Army National Guard</b>		<b>773,592</b>	<b>823,592</b>
	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 Mecey	Automated Record Fire Range .....	4,600	4,600
Army Res	Fort Mecey	Container Loading Facility .....	5,300	5,300
Army Res	Fort Mecey	Modified Record Fire Known Distance Range .....	5,400	5,400
Army Res	Fort Mecey	Neoa 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
	<b>Total Military Construction, Army Reserve</b>		<b>280,549</b>	<b>280,549</b>
	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	Minor Unspecified Minor Construction .....	2,000	2,000
N/MC Res	Unspecified Worldwide Locations	Planning and Design .....	2,591	2,591
	<b>Total Military Construction, Navy and Marine Corps Reserve</b>		<b>26,299</b>	<b>26,299</b>
	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 Facility .....	7,000	7,000



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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
Air NG	Indiana Fort Wayne IAP	a-10 Facility Conversion—Munitions .....	4,000	4,000
Air NG	Maryland Martin State Airport	TFI—C-27 Conversion - Squadron Operations	4,900	4,900
Air NG	Massachusetts Otis ANGB	TFI—CNAF Beddown - Upgrade Facility .....	7,800	7,800
Air NG	Ohio Springfield Beckley- Map	Alter Predator Operations Center .....	6,700	6,700
Air NG	Worldwide Unspecified Unspecified Worldwide Locations	Maintenance & Production Facilities .....	0	20,000
Air NG	Unspecified Worldwide Locations	Operational Facilities .....	0	10,000
Air NG	Various Worldwide Lo- cations	Minor Construction .....	9,000	9,000
Air NG	Various Worldwide Lo- cations	Planning and Design .....	12,225	12,225
<b>Total Military Construction, Air National Guard .....</b>			<b>116,246</b>	<b>133,525</b>
AF Res	California March AFB	Airfield Control Tower/Base Ops .....	16,393	16,393
AF Res	South Carolina Charleston AFB	TFI Red Horse Readiness & Trng Center .....	9,593	9,593
AF Res	Worldwide Unspecified 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
<b>Total Military Construction, Air Force Reserve .....</b>			<b>33,620</b>	<b>43,620</b>
FH Con Army	Belgium Brussels	Land Purchase for Gfoq (10 Units) .....	10,000	10,000
FH Con Army	Germany Grafenwoehr	Family Housing New Construction (26 Units) ...	13,000	13,000
FH Con Army	Illesheim	Family Housing Replacement Construe(80 Units).	41,000	41,000
FH Con Army	Vilseck	Family Housing New Construction (22 Units) ...	12,000	12,000
FH Con Army	Worldwide Unspecified 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
<b>Total Family Housing Construction, Army .....</b>			<b>186,897</b>	<b>186,897</b>
FH Ops Army	Worldwide Unspecified 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
<b>Total Family Housing Operation &amp; Maintenance, Army .....</b>			<b>494,858</b>	<b>494,858</b>
FH Con AF	Worldwide Unspecified 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
<b>Total Family Housing Construction, Air Force .....</b>			<b>84,804</b>	<b>84,804</b>

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
	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 & Rpme) .....	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
	<b>Total Family Housing Operation &amp; Maintenance, Air Force</b> .....		<b>404,761</b>	<b>404,761</b>
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Design .....	3,199	3,199
FH Con Navy	Unspecified Worldwide Locations	Improvements .....	97,773	97,773
	<b>Total Family Housing Construction, Navy and Marine Corps</b> .....		<b>100,972</b>	<b>100,972</b>
	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
	<b>Total Family Housing Operation &amp; Maintenance, Navy and Marine Corps</b> .....		<b>367,863</b>	<b>367,863</b>
	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

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>Budget Request</b>	<b>House Agreement</b>
<b>Total Family Housing Operation &amp; Maintenance, Defense-Wide .....</b>			<b>50,723</b>	<b>50,723</b>
	Worldwide Unspecified			
HOAP	Unspecified Worldwide Locations	Homeowners Assistance Program .....	1,284	1,284
<b>Total Homeowners Assistance Fund .....</b>			<b>1,284</b>	<b>1,284</b>
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Family Housing Improvement Fund .....	2,184	2,184
<b>Total DOD Family Housing Improvement Fund .....</b>			<b>2,184</b>	<b>2,184</b>
	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: Nses, Athens, GA .....	325	325
BRAC 05	Unspecified Worldwide Locations	Don-138: NAS Brunswick, ME .....	421	421
BRAC 05	Unspecified Worldwide Locations	Don-157: Mesa 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 Mepherston, 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

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	Budget Request	House Agreement
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
<b>Total Base Realignment and Closure Account 2005 .....</b>			<b>258,776</b>	<b>258,776</b>
BRAC IV	Worldwide Unspecified 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
<b>Total Base Realignment and Closure Account 1990 .....</b>			<b>323,543</b>	<b>323,543</b>
<b>Total Military Construction .....</b>			<b>14,766,047</b>	<b>14,766,026</b>

## 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
<b>Energy And Water Development, And Related Agencies</b>		
<b>Appropriation Summary:</b>		
<b>Energy Programs</b>		
ENERGY SECURITY AND ASSURANCE .....	6,187	6,187
<b>Atomic Energy Defense Activities</b>		
<b>National nuclear security administration:</b>		
WEAPONS ACTIVITIES .....	7,629,716	7,629,716
DEFENSE NUCLEAR NONPROLIFERATION .....	2,549,492	2,569,492
NAVAL REACTORS .....	1,153,662	1,153,662
OFFICE OF THE ADMINISTRATOR .....	450,060	450,060
<b>Total, National nuclear security administration .....</b>	<b>11,782,930</b>	<b>11,802,930</b>
<b>Environmental and other defense activities:</b>		
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	18,069,663
<b>Total, Discretionary Funding .....</b>	<b>18,055,850</b>	<b>18,075,850</b>
<b>Electricity Delivery &amp; Energy Reliability</b>		
Infrastructure security & energy restoration .....	6,187	6,187
<b>Weapons Activities</b>		
<b>Directed stockpile work</b>		
<b>Life extension programs</b>		
B61 Life extension program .....	223,562	223,562
W76 Life extension program .....	257,035	257,035
<b>Total, Life extension programs .....</b>	<b>480,597</b>	<b>480,597</b>
<b>Stockpile systems</b>		
B61 Stockpile systems .....	72,396	72,396

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
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
<b>Total, Stockpile systems</b> .....	<b>497,627</b>	<b>497,627</b>
<b>Weapons dismantlement and disposition</b>		
Operations and maintenance .....	56,770	56,770
<b>Total, Weapons dismantlement and disposition</b> .....	<b>56,770</b>	<b>56,770</b>
<b>Stockpile services</b>		
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
<b>Total, Stockpile services</b> .....	<b>928,589</b>	<b>928,589</b>
<b>Total, Directed stockpile work</b> .....	<b>1,963,583</b>	<b>1,963,583</b>
<b>Campaigns:</b>		
<b>Science campaign</b>		
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
<b>Total, Science campaign</b> .....	<b>405,939</b>	<b>405,939</b>
<b>Engineering campaign</b>		
Enhanced surety .....	41,696	41,696
Weapon systems engineering assessment technology .....	15,663	15,663
Nuclear survivability .....	19,545	19,545
Enhanced surveillance .....	66,174	66,174
<b>Total, Engineering campaign</b> .....	<b>143,078</b>	<b>143,078</b>
<b>Inertial confinement fusion ignition and high yield campaign</b>		
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
<b>Total, Inertial confinement fusion and high yield campaign</b> .....	<b>476,274</b>	<b>476,274</b>
<b>Advanced simulation and computing campaign</b> .....	<b>628,945</b>	<b>628,945</b>
<b>Readiness Campaign</b>		
Nonnuclear readiness .....	65,000	65,000
Tritium readiness .....	77,491	77,491
<b>Total, Readiness campaign</b> .....	<b>142,491</b>	<b>142,491</b>
<b>Total, Campaigns</b> .....	<b>1,796,727</b>	<b>1,796,727</b>
<b>Readiness in technical base and facilities (RTBF)</b>		
<b>Operations of facilities</b>		
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
<b>Total, Operations of facilities</b> .....	<b>1,485,254</b>	<b>1,485,254</b>
Program readiness .....	74,180	74,180
Material recycle and recovery .....	85,939	85,939
Containers .....	28,979	28,979

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
Storage .....	31,272	31,272
<b>Subtotal, Readiness in technical base and facilities</b> .....	<b>1,705,624</b>	<b>1,705,624</b>
<b>Construction:</b>		
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 Labo- ratories, Albuquerque, NM .....	25,168	25,168
08-D-802 High explosive pressing facility Pantex Plant, Amerillo, TX .....	66,960	66,960
07-D-140 Project engineering and design (PED) various locations	3,518	3,518
06-D-141 Project engineering & design (PED) Y-12 National Se- curity 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
<b>Total, Construction</b> .....	<b>620,510</b>	<b>620,510</b>
<b>Total, Readiness in technical base and facilities</b> .....	<b>2,326,134</b>	<b>2,326,134</b>
<b>Secure transportation asset</b>		
Operations and equipment .....	149,274	149,274
Program direction .....	101,998	101,998
<b>Total, Secure transportation asset</b> .....	<b>251,272</b>	<b>251,272</b>
<b>Nuclear counterterrorism incident response</b> .....	<b>222,147</b>	<b>222,147</b>
<b>Facilities and infrastructure recapitalization program</b>		
Operations and maintenance .....	96,380	96,380
<b>Total, Facilities and infrastructure recapitalization program</b>	<b>96,380</b>	<b>96,380</b>
<b>Site stewardship</b>		
Operations and maintenance .....	104,002	104,002
<b>Total, Site stewardship</b> .....	<b>104,002</b>	<b>104,002</b>
<b>Safeguards and security</b>		
<b>Defense nuclear security</b>		
Operations and maintenance .....	711,105	711,105
<b>Construction:</b>		
08-D-701 Nuclear materials S&S upgrade project Los Alamos National Laboratory .....	11,752	11,752
<b>Total, Construction</b> .....	<b>11,752</b>	<b>11,752</b>
<b>Total, Defense nuclear security</b> .....	<b>722,857</b>	<b>722,857</b>
Cyber security .....	126,614	126,614
<b>Total, Safeguards and security</b> .....	<b>849,471</b>	<b>849,471</b>
<b>National security applications</b> .....	<b>20,000</b>	<b>20,000</b>
<b>Subtotal, Weapons activities</b> .....	<b>7,629,716</b>	<b>7,629,716</b>
<b>Adjustments</b>		
Use of prior year balances .....	0	0
<b>Total, Weapons Activities</b> .....	<b>7,629,716</b>	<b>7,629,716</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Nonproliferation and verification R&amp;D</b>		
Operations and maintenance .....	417,598	417,598
<b>Total, Operations and maintenance</b> .....	<b>417,598</b>	<b>417,598</b>
<b>Total, Nonproliferation &amp; verification R&amp;D</b> .....	<b>417,598</b>	<b>417,598</b>
<b>Nonproliferation and international security</b> .....	<b>161,833</b>	<b>161,833</b>
<b>International nuclear materials protection and cooperation</b> ...	<b>571,639</b>	<b>571,639</b>
<b>Fissile materials disposition</b>		
<b>U.S. surplus fissile materials disposition</b>		
<b>Operations and maintenance</b>		
U.S. plutonium disposition .....	274,790	274,790
U.S. uranium disposition .....	26,435	26,435
<b>Total, Operations and maintenance</b> .....	<b>301,225</b>	<b>301,225</b>
<b>Construction:</b>		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC .....	385,172	385,172

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
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
<b>Total, Construction</b> .....	<b>578,754</b>	<b>578,754</b>
<b>Total, U.S. surplus fissile materials disposition</b> .....	<b>879,979</b>	<b>879,979</b>
Russian surplus materials disposition .....	10,174	10,174
<b>Total, Fissile materials disposition</b> .....	<b>890,153</b>	<b>890,153</b>
Global threat reduction initiative .....	508,269	528,269
<b>Total, Defense Nuclear Nonproliferation</b> .....	<b>2,549,492</b>	<b>2,569,492</b>
<b>Naval Reactors</b>		
<b>Naval reactors development</b>		
<b>Operation and maintenance</b>		
Operation and maintenance .....	1,069,262	1,069,262
<b>Total, Operation and maintenance</b> .....	<b>1,069,262</b>	<b>1,069,262</b>
<b>Construction:</b>		
10-D-903, Security upgrades, KAPL .....	10	10
10-D-904, NRF infrastructure upgrades, Idaho .....	12,00	12,000
08-D-190 Expanded Core Facility M-290 recovering discharge station, Naval Reactor Facility, ID .....	27,800	27,800
<b>Total, Construction</b> .....	<b>39,900</b>	<b>39,900</b>
<b>Total, Naval reactors development</b> .....	<b>1,109,162</b>	<b>1,109,162</b>
Program direction .....	44,500	44,500
<b>Total, Naval Reactors</b> .....	<b>1,153,662</b>	<b>1,153,662</b>
<b>Office Of The Administrator</b>		
Office of the administrator .....	450,060	450,060
Congressionally directed projects .....	0	0
<b>Subtotal, Office of the Administrator</b> .....	<b>450,060</b>	<b>450,060</b>
<b>Adjustments:</b>		
Use of prior year balances .....	0	0
<b>Subtotal, Office of the Administrator</b> .....	<b>450,060</b>	<b>450,060</b>
Transfer of prior year balances (OMB scoring) .....	0	0
<b>Total, Office Of The Administrator</b> .....	<b>450,060</b>	<b>450,060</b>
<b>Defense Environmental Cleanup</b>		
<b>Closure sites:</b>		
Closure sites administration .....	5,375	5,375
<b>Total, Closure sites</b> .....	<b>5,375</b>	<b>5,375</b>
<b>Hanford site:</b>		
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
<b>Total, Hanford site</b> .....	<b>913,712</b>	<b>913,712</b>
<b>Idaho National Laboratory:</b>		
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
<b>Total, Idaho National Laboratory</b> .....	<b>382,769</b>	<b>382,769</b>
<b>NNSA sites</b>		
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
<b>Total, NNSA sites and Nevada off-sites</b> .....	<b>423,692</b>	<b>423,692</b>
<b>Oak Ridge Reservation:</b>		

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2012 Request	House Authorized
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
<b>Total, Oak Ridge Reservation .....</b>	<b>176,100</b>	<b>176,100</b>
<b>Office of River Protection:</b>		
<b>Waste treatment and immobilization plant</b>		
ORP-0060 / Major construction Waste treatment plant (WTP) .....	840,000	840,000
<b>Total, Waste treatment and immobilization plant .....</b>	<b>840,000</b>	<b>840,000</b>
<b>Tank farm activities</b>		
Rad liquid tank waste stabilization and disposition .....	521,391	521,391
<b>Total, Tank farm activities .....</b>	<b>521,391</b>	<b>521,391</b>
<b>Total, Office of River protection .....</b>	<b>1,361,391</b>	<b>1,361,391</b>
<b>Savannah River site:</b>		
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
<b>Total, Savannah River site .....</b>	<b>1,224,144</b>	<b>1,224,144</b>
<b>Waste Isolation Pilot Plant</b>		
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
<b>Total, Waste Isolation Pilot Plant .....</b>	<b>228,926</b>	<b>228,926</b>
Program direction .....	321,628	321,628
Community, regulatory and program support .....	91,279	91,279
<b>Safeguards and Security:</b>		
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
<b>Total, Safeguards and Security .....</b>	<b>248,826</b>	<b>248,826</b>
Technology development .....	32,320	32,320
<b>Subtotal, Defense environmental cleanup .....</b>	<b>5,410,162</b>	<b>5,410,162</b>
Use of prior year balances .....	-3,381	-3,381
<b>Total, Defense Environmental Cleanup .....</b>	<b>5,406,781</b>	<b>5,406,781</b>
<b>Other Defense Activities</b>		
<b>Health, safety and security</b>		
Health, safety and security .....	349,445	349,445
Program direction .....	107,037	107,037
<b>Total, Health, safety and security .....</b>	<b>456,482</b>	<b>456,482</b>
<b>Office of Legacy Management</b>		
Legacy management .....	157,514	157,514
Program direction .....	12,586	12,586
<b>Total, Office of Legacy Management .....</b>	<b>170,100</b>	<b>170,100</b>
<b>Defense-related activities</b>		
<b>Infrastructure</b>		
Idaho sitewide safeguards and security .....	98,500	98,500
<b>Total, Defense-related activities .....</b>	<b>98,500</b>	<b>98,500</b>
Defense related administrative support .....	118,836	118,836
Acquisitions workforce improvement .....	11,892	11,892
Office of hearings and appeals .....	4,142	4,142



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SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

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Program	FY 2012 Request	House Authorized
<b>Total, Other Defense Activities</b> .....	<b>859,952</b>	<b>859,952</b>

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Passed the House of Representatives May 26, 2011.

Attest:

*Clerk.*

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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**H. R. 1540**

**AN ACT**

To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.