

112TH CONGRESS
1ST SESSION

S. 1867

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:

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 11 izations.

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

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

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 18 tion.

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 20 this Act is as follows:

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- Sec. 1243. Man-portable air-defense systems originating from Libya.
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TITLE XIV—OTHER AUTHORIZATIONS

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- Sec. 1401. Working capital funds.
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Subtitle B—National Defense Stockpile

- Sec. 1411. Authorized uses of National Defense Stockpile Funds.
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Subtitle C—Armed Forces Retirement Home

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- Sec. 1421. Authorization of appropriations.

PART II—ARMED FORCES RETIREMENT HOME AUTHORITIES

- Sec. 1422. Amendment of Armed Forces Retirement Home Act of 1991.
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- Sec. 1424. Clarification of duties of Senior Medical Advisor.

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

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- Sec. 1502. Procurement.
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- Sec. 1531. One-year extension and modification of authority for Task Force for Business and Stability Operations in Afghanistan.
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- Sec. 1604. Continuation as a permanent program and enhancement of activities of Task Force for Emergency Readiness pilot program of the Federal Emergency Management Agency.

- Sec. 1605. Report on comparative analysis of costs of comparable units of the reserve components and the regular components of the Armed Forces.
- Sec. 1606. Display of procurement of equipment for the reserve components of the Armed Forces under estimated expenditures for procurement in future-years defense programs.
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- Sec. 2102. Family housing.
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- Sec. 2104. Authorization of appropriations, Army.
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- Sec. 2106. Modification of authority to carry out certain fiscal year 2010 project.
- Sec. 2107. Modification of authority to carry out certain fiscal year 2011 projects.
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- Sec. 2111. Technical amendments to correct certain project specifications.
- Sec. 2112. Reduction of Army military construction authorization.
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TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
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- Sec. 2204. Authorization of appropriations, Navy.
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- Sec. 2207. Reduction of Navy military construction authorization.
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TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.

- Sec. 2305. Modification of authorization to carry out certain fiscal year 2010 project.
- Sec. 2306. Extension of authorization of certain fiscal year 2009 project.
- Sec. 2307. Reduction of Air Force military construction authorization.

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

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

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

- Sec. 2501. Authorized NATO construction and land acquisition projects.
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TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.
- Sec. 2607. Extension of authorizations of certain fiscal year 2008 projects.
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- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 1990.
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Subtitle B—Real Property and Facilities Administration

- Sec. 2811. Exchange of property at military installations.
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Subtitle C—Land Conveyances

- Sec. 2821. Release of reversionary interest, Camp Joseph T. Robinson, Arkansas.
 Sec. 2822. Clarification of land conveyance authority, Camp Caitlin and Ohana Nui areas, Hawaii.
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Subtitle D—Other Matters

- Sec. 2831. Investment plan for the modernization of public shipyards under jurisdiction of Department of the Navy.
 Sec. 2832. Data servers and centers.
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DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY
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- Sec. 3101. National Nuclear Security Administration.
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- Sec. 3111. Review of security vulnerabilities of national laboratory computers.
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TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.
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TITLE XXXIII—MARITIME ADMINISTRATION

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DIVISION D—FUNDING TABLES

- Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

- Sec. 4101. Procurement.
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- Sec. 4201. Research, development, test, and evaluation.
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TITLE XLIII—OPERATION AND MAINTENANCE

- Sec. 4301. Operation and maintenance.
- Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—OTHER AUTHORIZATIONS

- Sec. 4401. Other authorizations.
- Sec. 4402. Other authorizations for overseas contingency operations.

TITLE XLV—MILITARY CONSTRUCTION

- Sec. 4501. Military construction.

TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

- Sec. 4601. Department of Energy national security programs.

DIVISION E—SBIR AND STTR REAUTHORIZATION

- Sec. 5001. Short title.
- Sec. 5002. Definitions.

Sec. 5003. Repeal.

TITLE LI—REAUTHORIZATION OF THE SBIR AND STTR PROGRAMS

- Sec. 5101. Extension of termination dates.
- Sec. 5102. Status of the Office of Technology.
- Sec. 5103. SBIR allocation increase.
- Sec. 5104. STTR allocation increase.
- Sec. 5105. SBIR and STTR award levels.
- Sec. 5106. Agency and program flexibility.
- Sec. 5107. Elimination of Phase II invitations.
- Sec. 5108. Participation by firms with substantial investment from multiple venture capital operating companies in a portion of the SBIR program.
- Sec. 5109. SBIR and STTR special acquisition preference.
- Sec. 5110. Collaborating with Federal laboratories and research and development centers.
- Sec. 5111. Notice requirement.
- Sec. 5112. Express authority for an agency to award sequential Phase II awards for SBIR or STTR funded projects.

TITLE LII—OUTREACH AND COMMERCIALIZATION INITIATIVES

- Sec. 5201. Rural and State outreach.
- Sec. 5202. Technical assistance for awardees.
- Sec. 5203. Commercialization Readiness Program at Department of Defense.
- Sec. 5204. Commercialization Readiness Pilot Program for civilian agencies.
- Sec. 5205. Accelerating cures.
- Sec. 5206. Federal agency engagement with SBIR and STTR awardees that have been awarded multiple Phase I awards but have not been awarded Phase II awards.
- Sec. 5207. Clarifying the definition of “Phase III”.
- Sec. 5208. Shortened period for final decisions on proposals and applications.

TITLE LIII—OVERSIGHT AND EVALUATION

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

TITLE LIV—POLICY DIRECTIVES

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

TITLE LV—OTHER PROVISIONS

Sec. 5501. Research topics and program diversification.

Sec. 5502. Report on SBIR and STTR program goals.

Sec. 5503. Competitive selection procedures for SBIR and STTR programs.

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

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

5 **SEC. 4. SCORING OF BUDGETARY EFFECTS.**

6 The budgetary effects of this Act, for the purpose of
7 complying with the Statutory Pay-As-You-Go-Act of 2010,
8 shall be determined by reference to the latest statement
9 titled “Budgetary Effects of PAYGO Legislation” for this
10 Act, submitted for printing in the Congressional Record
11 by the Chairman of the Senate Budget Committee, pro-
12 vided that such statement has been submitted prior to the
13 vote on passage.

14 **DIVISION A—DEPARTMENT OF**
15 **DEFENSE AUTHORIZATIONS**
16 **TITLE I—PROCUREMENT**
17 **Subtitle A—Authorization of**
18 **Appropriations**

19 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

20 Funds are hereby authorized to be appropriated for
21 fiscal year 2012 for procurement for the Army, the Navy

1 and the Marine Corps, the Air Force, and Defense-wide
2 activities, as specified in the funding table in section 4101.

3 **Subtitle B—Navy Programs**

4 **SEC. 121. MULTIYEAR PROCUREMENT AUTHORITY FOR** 5 **MISSION AVIONICS AND COMMON COCKPITS** 6 **FOR NAVY MH-60R/S HELICOPTERS.**

7 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—
8 Subject to section 2306b of title 10, United States Code,
9 the Secretary of the Navy may enter into a multiyear con-
10 tract or contracts, beginning with the fiscal year 2012 pro-
11 gram year, for the procurement of mission avionics and
12 common cockpits 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—Air Force Programs**

20 **SEC. 131. PROCUREMENT OF ADVANCED EXTREMELY HIGH** 21 **FREQUENCY SATELLITES.**

22 (a) **CONTRACT AUTHORITY.**—

23 (1) **IN GENERAL.**—The Secretary of the Air
24 Force may procure two advanced extremely high fre-

1 quency satellites by entering into a fixed-price con-
2 tract for such procurement.

3 (2) COST REDUCTION.—The Secretary may in-
4 clude in a contract entered into under paragraph (1)
5 the following:

6 (A) The procurement of material and
7 equipment in economic order quantities if the
8 procurement of such material and equipment in
9 such quantities will result in cost savings.

10 (B) Cost reduction initiatives.

11 (3) USE OF INCREMENTAL FUNDING.—The
12 Secretary may use incremental funding for a con-
13 tract entered into under paragraph (1) for a period
14 not to exceed six fiscal years.

15 (4) LIABILITY.—A contract entered into under
16 paragraph (1) shall provide that—

17 (A) any obligation of the United States to
18 make a payment under the contract is subject
19 to the availability of appropriations for that
20 purpose; and

21 (B) the total liability of the Federal Gov-
22 ernment for the termination of the contract
23 shall be limited to the total amount of funding
24 obligated at the time of the termination of the
25 contract.

1 (b) LIMITATION OF COSTS.—

2 (1) LIMITATION.—Except as provided in sub-
3 section (c), and excluding amounts described in
4 paragraph (2), the total amount obligated or ex-
5 pended for the procurement of two advanced ex-
6 tremely high frequency satellites authorized by sub-
7 section (a) may not exceed \$3,100,000,000.

8 (2) EXCLUSION.—The amounts described in
9 this paragraph are amounts associated with the fol-
10 lowing:

11 (A) Plans.

12 (B) Technical data packages.

13 (C) Post-delivery and program-related sup-
14 port costs.

15 (D) Technical support for obsolescence
16 studies.

17 (c) ADJUSTMENT TO LIMITATION AMOUNT.—

18 (1) IN GENERAL.—The Secretary may increase
19 the limitation set forth in subsection (b)(1) by the
20 amount of an increase described in paragraph (2) if
21 the Secretary submits to the congressional defense
22 committees written notification of the increase made
23 to that limitation.

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

1 (A) An increase in costs that is attrib-
2 utable to economic inflation after September
3 30, 2011.

4 (B) An increase in costs that is attrib-
5 utable to compliance with changes in Federal,
6 State, or local laws enacted after September 30,
7 2011.

8 (C) An increase in the cost of an advanced
9 extremely high frequency satellite that is attrib-
10 utable to the insertion of a new technology into
11 the satellite that was not built into such sat-
12 ellites procured before fiscal year 2012, if the
13 Secretary determines, and certifies to the con-
14 gressional defense committees, that insertion of
15 the new technology into the satellite is—

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

18 (ii) required to meet an emerging
19 threat that poses grave harm to the na-
20 tional security of the United States.

21 (d) REPORTS.—

22 (1) REPORT ON CONTRACTS.—Not later than
23 30 days after the date on which the Secretary enters
24 into a contract under subsection (a), the Secretary

1 shall submit to the congressional defense committees
2 a report on the contract that includes the following:

3 (A) The total cost savings resulting from
4 the authority provided by subsection (a).

5 (B) The type and duration of the contract.

6 (C) The total value of the contract.

7 (D) The funding profile under the contract
8 by year.

9 (E) The terms of the contract regarding
10 the treatment of changes by the Federal Gov-
11 ernment to the requirements of the contract, in-
12 cluding how any such changes may affect the
13 success of the contract.

14 (2) PLAN FOR USING COST SAVINGS.—Not later
15 than 90 days after the date on which the Secretary
16 enters into a contract under subsection (a), the Sec-
17 retary shall submit to the congressional defense com-
18 mittees a plan for using the cost savings described
19 in paragraph (1)(A) to improve the capability of
20 military satellite communications that includes a de-
21 scription of the following:

22 (A) The available funds, by year, resulting
23 from such cost savings.

24 (B) The specific activities or subprograms
25 to be funded using such cost savings and the

1 funds, by year, allocated to each such activity
2 or subprogram.

3 (C) The objectives for each such activity or
4 subprogram.

5 (D) The criteria used by the Secretary to
6 determine which such activities or subprograms
7 to fund.

8 (E) The method by which the Secretary
9 will determine which such activities or subpro-
10 grams to fund, including whether that deter-
11 mination will be on a competitive basis.

12 (F) The plan for encouraging participation
13 in such activities and subprograms by small
14 businesses.

15 (G) The process for determining how and
16 when such activities and subprograms would
17 transition to an existing program or be estab-
18 lished as a new program of record.

19 (e) USE OF FUNDS AVAILABLE FOR SPACE VEHICLE
20 NUMBER 5 FOR SPACE VEHICLE NUMBER 6.—The Sec-
21 retary may obligate and expend amounts authorized to be
22 appropriated for fiscal year 2012 by section 101 for pro-
23 curement for the Air Force as specified in the funding
24 table in section 4101 and available for the advanced pro-
25 curement of long-lead parts and the replacement of obso-

1 lete parts for advanced extremely high frequency satellite
2 space vehicle number 5 for the advanced procurement of
3 long-lead parts and the replacement of obsolete parts for
4 advanced extremely high frequency satellite space vehicle
5 number 6.

6 (f) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that the Secretary should not enter into a fixed-price
8 contract under subsection (a) for the procurement of two
9 advanced extremely high frequency satellites unless the
10 Secretary determines that entering into such a contract
11 will save the Air Force not less than 20 percent over the
12 cost of procuring two such satellites separately.

13 **SEC. 132. AVAILABILITY OF FISCAL YEAR 2011 FUNDS FOR**
14 **RESEARCH AND DEVELOPMENT RELATING**
15 **TO THE B-2 BOMBER AIRCRAFT.**

16 Of the unobligated balance of amounts appropriated
17 for fiscal year 2011 for the Air Force and available for
18 procurement of B-2 bomber aircraft modifications, post-
19 production support, and other charges, \$20,000,000 shall
20 be available for fiscal year 2012 for research, development,
21 test, and evaluation with respect to a conventional mixed
22 load capability for the B-2 bomber aircraft.

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

5 (a) IN GENERAL.—Of the unobligated balance of
6 amounts appropriated for fiscal year 2011 for the Air
7 Force and available for procurement of B–2 bomber air-
8 craft aircraft modifications, post-production support, and
9 other charges, \$15,000,000 shall be available to support
10 alternative options for the extremely high frequency ter-
11 minal Increment 1 program of record.

12 (b) PLAN TO SECURE PROTECTED COMMUNICA-
13 TIONS.—Not later than February 1, 2012, the Secretary
14 of the Air Force shall submit to the congressional defense
15 committees a plan to provide an extremely high frequency
16 terminal for secure protected communications for the B–
17 2 bomber aircraft and other aircraft.

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

20 (a) IN GENERAL.—None of the funds authorized to
21 be appropriated by this Act for fiscal year 2012 for the
22 Department of Defense may be obligated or expended—

23 (1) on or before the date on which the Sec-
24 retary of the Air Force submits to the congressional
25 defense committees the plan described in subsection
26 (b), to retire any B–1 bomber aircraft; or

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

3 (b) PLAN DESCRIBED.—The plan described in this
4 subsection is a plan for retiring B–1 bomber aircraft that
5 includes the following:

6 (1) An identification of each B–1 bomber air-
7 craft that will be retired and the disposition plan for
8 such aircraft.

9 (2) An estimate of the savings that will result
10 from the proposed retirement of six B–1 bomber air-
11 craft in each calendar year through calendar year
12 2022.

13 (3) An estimate of the amount of the savings
14 described in paragraph (2) that will be reinvested in
15 the modernization of B–1 bomber aircraft still in
16 service in each calendar year through calendar year
17 2022.

18 (4) A modernization plan for sustaining the re-
19 maining B–1 bomber aircraft through at least cal-
20 endar year 2022.

21 (5) An estimate of the amount of funding re-
22 quired to fully fund the modernization plan de-
23 scribed in paragraph (4) for each calendar year
24 through calendar year 2022.

1 (c) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) an amount that is not less than 60 percent
4 of the savings achieved in each calendar year
5 through calendar year 2022 resulting from the re-
6 tirement of B–1 bomber aircraft should be rein-
7 vested in modernizing and sustaining bomber air-
8 craft; and

9 (2) an amount that is not less than 35 percent
10 of the amount described in paragraph (1) should be
11 reinvested in modernizing and sustaining the re-
12 maining B–1 bomber aircraft through at least cal-
13 endar year 2022.

14 **SEC. 135. LIMITATION ON RETIREMENT OF U-2 AIRCRAFT.**

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

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

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

7 (2) the Committee on Armed Services, the
 8 Committee on Appropriations, and the Permanent
 9 Select Committee on Intelligence of the House of
 10 Representatives.

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

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

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

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

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

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

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

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

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

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

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

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

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

23 “(6) A table setting forth the Combat Mission
 24 Requirements approved during the fiscal year in
 25 which such report is submitted and the two pre-

1 ceding fiscal years, including for each such Require-
2 ment—

3 “(A) the title of such Requirement;

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

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

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

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

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

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

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

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

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

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

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

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

5 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—
6 Subject to section 2306b of title 10, United States Code,
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/MH-60S helicopters.

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

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

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

1 States Special Operations Command as a major defense
2 acquisition program (MDAP).

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

6 (1) The Dry Combat Submersible-Light pro-
7 gram.

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

10 (3) The Shallow Water Combat Submersible
11 program.

12 (4) The Next-Generation Submarine Shelter
13 program.

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

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

1 (b) ELEMENTS.—The plan required by subsection (a)
2 shall—

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

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

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

17 (c) REPORT.—Not later than the date on which the
18 budget for fiscal year 2013 is submitted to Congress pur-
19 suant to section 1105 of title 31, United States Code, the
20 Secretary shall submit to the congressional defense and
21 intelligence committees a report on the plan required by
22 subsection (a). The report shall include a description of
23 the plan and an estimate of the costs to be avoided
24 through cancellation of aircraft procurement under the
25 Enhanced Medium Altitude Reconnaissance and Surveil-

1 lance System program by reason of the transfer of aircraft
2 under the plan.

3 **SEC. 157. JOINT SURVEILLANCE TARGET ATTACK RADAR**
4 **SYSTEM AIRCRAFT RE-ENGINEING PROGRAM.**

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

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

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

15 (A) A description of how the funds de-
16 scribed in that paragraph were expended, in-
17 cluding—

18 (i) an assessment of the existence,
19 completeness, and cost of the assets ac-
20 quired with such funds; and

21 (ii) an assessment of the costs that
22 were capitalized as military equipment and
23 inventory and the cost characterized as op-
24 erating expenses (including payroll, freight

1 and shipment, inspection, and other oper-
2 ating costs).

3 (B) A statement of the amount of such
4 funds that remain available for obligation and
5 expenditure, and in which accounts.

6 (b) USE OF REMAINING FUNDS.—The Secretary of
7 the Air Force shall take appropriate actions to ensure that
8 any funds described by subsection (a)(2)(B) are obligated
9 and expended for the purpose for which originally author-
10 ized and appropriated, including, but not limited to, the
11 installation of two engine shipsets on two operational
12 Joint Surveillance Target Attack Radar System aircraft
13 and the purchase of two spare engines.

14 **SEC. 158. REPORT ON PROBATIONARY PERIOD IN DEVEL-**
15 **OPMENT OF SHORT TAKE-OFF, VERTICAL**
16 **LANDING VARIANT OF THE JOINT STRIKE**
17 **FIGHTER.**

18 Not later than 45 days after the date of the enact-
19 ment of this Act, the Secretary of Defense shall submit
20 to the congressional defense committees a report on the
21 development of the short take-off, vertical landing variant
22 of the Joint Strike Fighter (otherwise known as the F-
23 35B Joint Strike Fighter) that includes the following:

24 (1) An identification of the criteria that the
25 Secretary determines must be satisfied before the F-

1 35B Joint Strike Fighter can be removed from the
2 two-year probationary status imposed by the Sec-
3 retary on or about January 6, 2011.

4 (2) A mid-probationary period assessment of—

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

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

11 (3) A plan for how the Secretary intends to re-
12 solve the issues described in paragraph (2)(B) before
13 January 6, 2013.

14 **SEC. 159. AUTHORITY FOR EXCHANGE WITH UNITED KING-**
15 **DOM OF SPECIFIED F-35 LIGHTNING II JOINT**
16 **STRIKE FIGHTER AIRCRAFT.**

17 (a) AUTHORITY.—

18 (1) EXCHANGE AUTHORITY.—In accordance
19 with subsection (c), the Secretary of Defense may
20 transfer to the United Kingdom of Great Britain
21 and Northern Ireland (in this section referred to as
22 the “United Kingdom”) all right, title, and interest
23 of the United States in and to an aircraft described
24 in paragraph (2) in exchange for the transfer by the
25 United Kingdom to the United States of all right,

1 title, and interest of the United Kingdom in and to
2 an aircraft described in paragraph (3). The Sec-
3 retary may execute the exchange under this section
4 on behalf of the United States only with the concur-
5 rence of the Secretary of State.

6 (2) AIRCRAFT TO BE EXCHANGED BY UNITED
7 STATES.—The aircraft authorized to be transferred
8 by the United States under this subsection is an F-
9 35 Lightning II aircraft in the Carrier Variant con-
10 figuration acquired by the United States for the Ma-
11 rine Corps under a future Joint Strike Fighter pro-
12 gram contract referred to as the Low-Rate Initial
13 Production 6 contract.

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

23 (b) FUNDING FOR PRODUCTION OF AIRCRAFT.—

24 (1) FUNDING SOURCES FOR AIRCRAFT TO BE
25 EXCHANGED BY UNITED STATES.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), funds for production of the
3 aircraft to be transferred by the United States
4 (including the propulsion system, long lead-time
5 materials, the production build, and deficiency
6 corrections) may be derived from appropriations
7 for Aircraft Procurement, Navy, for the aircraft
8 under the contract referred to in subsection
9 (a)(2).

10 (B) EXCEPTION.—Costs for flight test in-
11 strumentation of the aircraft to be transferred
12 by the United States and any other non-recur-
13 ring and recurring costs for that aircraft associ-
14 ated with unique requirements of the United
15 Kingdom may not be borne by the United
16 States.

17 (2) FUNDING SOURCES FOR AIRCRAFT TO BE
18 EXCHANGED BY UNITED KINGDOM.—Costs for up-
19 grades and modifications of the aircraft to be trans-
20 ferred to the United States that are necessary to
21 bring that aircraft to the Low-Rate Initial Produc-
22 tion 6 configuration under the contract referred to
23 in subsection (a)(2) may not be borne by the United
24 States.

1 (c) IMPLEMENTATION.—The exchange under this
2 section shall be implemented pursuant to the memo-
3 randum of understanding titled “Joint Strike Fighter Pro-
4 duction, Sustainment, and Follow-on Development Memo-
5 randum of Understanding”, which entered into effect
6 among nine nations including the United States and the
7 United Kingdom on December 31, 2006, consistent with
8 section 27 of the Arms Export Control Act (22 U.S.C.
9 2767), and as supplemented as necessary by the United
10 States and the United Kingdom.

11 **TITLE II—RESEARCH, DEVELOP-**
12 **MENT, TEST, AND EVALUA-**
13 **TION**

14 **Subtitle A—Authorization of**
15 **Appropriations**

16 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

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

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

4 **SEC. 211. PROHIBITIONS RELATING TO USE OF FUNDS FOR**
5 **RESEARCH, DEVELOPMENT, TEST, AND EVAL-**
6 **UATION ON THE F136 ENGINE.**

7 (a) PROHIBITION ON USE OF FUNDS FOR RDT&E.—
8 None of the amounts authorized to be appropriated by this
9 Act may be obligated or expended for research, develop-
10 ment, test, or evaluation on the F136 engine.

11 (b) PROHIBITION ON TREATMENT OF CERTAIN EX-
12 PENDITURES AS ALLOWABLE CHARGES.—No research,
13 development, test, or evaluation on the F136 engine that
14 is conducted and funded by the contractor may be consid-
15 ered an allowable charge on any future government con-
16 tract, whether as a direct or indirect cost.

17 **SEC. 212. LIMITATION ON USE OF FUNDS FOR INCREMENT**
18 **2 OF B-2 BOMBER AIRCRAFT EXTREMELY**
19 **HIGH FREQUENCY SATELLITE COMMUNICA-**
20 **TIONS PROGRAM.**

21 None of the funds authorized to be appropriated by
22 section 201 for research, development, test, and evaluation
23 for the Air Force as specified in the funding table in sec-
24 tion 4201 and available for Increment 2 of the B-2 bomb-
25 er aircraft extremely high frequency satellite communica-

1 tions program may be obligated or expended until the date
2 that is 15 days after the date on which the Secretary of
3 the Air Force submits to the congressional defense com-
4 mittees the following:

5 (1) The certification of the Secretary that—

6 (A) the United States Government will
7 own the data rights to any extremely high fre-
8 quency active electronically steered array an-
9 tenna developed for use as part of a system to
10 support extremely high frequency protected sat-
11 ellite communications for the B-2 bomber air-
12 craft; and

13 (B) the use of an extremely high frequency
14 active electronically steered array antenna is
15 the most cost effective and lowest risk option
16 available to support extremely high frequency
17 satellite communications for the B-2 bomber
18 aircraft.

19 (2) A detailed plan setting forth the projected
20 cost and schedule for research, development, and
21 testing on the extremely high frequency active elec-
22 tronically steered array antenna.

1 **SEC. 213. UNMANNED CARRIER LAUNCHED AIRBORNE SUR-**
2 **VEILLANCE AND STRIKE.**

3 Of the amounts authorized to be appropriated for fis-
4 cal year 2012 for the Navy for research, development, test,
5 and evaluation and available for purposes of the Un-
6 manned Carrier Launched Airborne Surveillance and
7 Strike (UCLASS) program (PE 64404N) as specified in
8 the funding table in section 4201, not more than 50 per-
9 cent may be obligated or expended for such purposes until
10 the Under Secretary of Defense for Acquisition, Tech-
11 nology, and Logistics certifies to the congressional defense
12 committees that the Under Secretary has approved an ac-
13 quisition plan for that program at Milestone A approval
14 that requires implementation of open architecture stand-
15 ards for that program.

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

17 (a) **LIMITATION ON MILESTONE B APPROVAL FOR**
18 **MARINE PERSONNEL CARRIER PENDING ANALYSIS OF**
19 **ALTERNATIVES FOR AMPHIBIOUS COMBAT VEHICLE.—**

20 (1) **LIMITATION.—**Milestone B approval may
21 not be granted for the Marine Personnel Carrier
22 (MPC) until 30 days after the date of the submittal
23 to the congressional defense committees of an Anal-
24 ysis of Alternatives (AoA) for the Amphibious Com-
25 bat Vehicle (ACV).

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

5 (A) An assessment of the ability of the
6 Navy to defend its vessels against attacks at
7 distances from shore ranging from 10-to-30
8 nautical miles during amphibious assault oper-
9 ations in multiple potential future conflict sce-
10 narios, based on existing and planned and
11 budgeted defense capabilities. The assessment
12 shall identify the key issues and variables that
13 determine survivability in each of the scenarios
14 assessed.

15 (B) An assessment of the amount of time
16 Marines can be expected to ride in a non-
17 planing amphibious assault vehicle without suf-
18 fering a significant degradation in combat effec-
19 tiveness. The Marine Corps shall conduct tests
20 to support such assessment using existing Am-
21 phibious Assault Vehicles and Expeditionary
22 Fighting Vehicle SDD–2 prototypes.

23 (C) An assessment of the armor protection
24 levels the Amphibious Combat Vehicle would re-
25 quire to satisfy the requirements for the Marine

1 Personnel Carrier program, and an assessment
2 whether a non-planing Amphibious Combat Ve-
3 hicle could practically achieve that armor pro-
4 tection level while meeting other objectives for
5 mobility and cost.

6 (D) An assessment of whether an Amphib-
7 ious Combat Vehicle system could perform the
8 range of amphibious assault and land warfare
9 missions for the Marine Corps at a life-cycle
10 cost approximately equal to or less than the
11 combined cost of the Amphibious Combat Vehi-
12 cle and Marine Personnel Carrier programs,
13 and an assessment of the extent to which a
14 ground combat vehicle fleet composed entirely
15 of Amphibious Combat Vehicles would enhance
16 the amphibious assault capabilities of the Ma-
17 rine Corps when compared with a fleet com-
18 posed of a mixture of Amphibious Combat Vehi-
19 cles and Marine Personnel Carriers.

20 (3) SUPPORT OF ANALYSIS OF ALTER-
21 NATIVES.—The Marine Corps may conduct such
22 technology development and demonstration, and
23 such other pre-acquisition activities, tests, exercises,
24 and modeling, as the Marine Corps considers nec-
25 essary to support the Analysis of Alternatives re-

1 required by paragraph (1) and the establishment of re-
2 quirements for the Amphibious Combat Vehicle.

3 (b) LIMITATION ON MILESTONE B APPROVAL FOR
4 VARIOUS VEHICLES PENDING LIFE-CYCLE COST ASSESS-
5 MENT.—

6 (1) LIMITATION.—Milestone B approval may
7 not be granted for any Marine Corps ground combat
8 vehicle specified in paragraph (2) until 30 days after
9 the date of the submittal to the congressional de-
10 fense committees of a life-cycle cost assessment of
11 the portfolio of Marine Corps ground vehicles per-
12 formed by the Director of Cost Assessment and Pro-
13 gram Evaluation of the Department of Defense.

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

17 (A) The Marine Personnel Carrier.

18 (B) The Amphibious Combat Vehicle.

19 (C) The Joint Light Tactical Vehicle
20 (JLTV).

21 (D) Any other ground combat vehicle of
22 the Marine Corps under development as of the
23 date of the enactment of this Act for which
24 Milestone B approval has not been granted as
25 of that date.

1 (c) AVAILABILITY OF FUNDS.—Of the amounts au-
 2 thorized to be appropriated for fiscal year 2012 by section
 3 201 and available for research, development, test, and
 4 evaluation for the Navy as specified in the funding tables
 5 in section 4201 for Program Elements 0603611M and
 6 0206623M for the Amphibious Combat Vehicle, the As-
 7 sault Amphibious Vehicle 7A1, and the Marine Personnel
 8 Carrier, \$30,000,000 is available for pre-acquisition activi-
 9 ties in support of the Analysis of Alternatives and require-
 10 ments definition for the Amphibious Combat Vehicle.

11 (d) MILESTONE B APPROVAL DEFINED.—In this
 12 section, the term “Milestone B approval” has the meaning
 13 given that term in section 2366(e)(7) of title 10, United
 14 States Code.

15 **Subtitle C—Missile Defense**

16 **Matters**

17 **SEC. 231. ENHANCED OVERSIGHT OF MISSILE DEFENSE AC-**

18 **QUISITION PROGRAMS.**

19 (a) IN GENERAL.—Section 225 of the Ike Skelton
 20 National Defense Authorization Act for Fiscal Year 2011
 21 (Public Law 111–383; 124 Stat. 4170; 10 U.S.C. 233
 22 note) is amended—

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

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

3 “(e) **COMPTROLLER GENERAL ASSESSMENT.**—(1) At
4 the end of each of fiscal years 2012 through 2015, the
5 Comptroller General of the United States shall review the
6 annual reports on acquisition baselines and variances re-
7 quired under subsection (c) and assess the extent to which
8 the Missile Defense Agency has achieved its acquisition
9 goals and objectives.

10 “(2) Not later than February 15, 2013, and each
11 year thereafter through 2016, the Comptroller General
12 shall submit to the congressional defense committees a re-
13 port on the assessment under paragraph (1) with respect
14 to the acquisition baselines for the preceding fiscal year.
15 Each report shall include any findings and recommenda-
16 tions on missile defense acquisition programs and account-
17 ability therefore that the Comptroller General considers
18 appropriate.”.

19 (b) **REPEAL OF SUPERSEDED REPORTING AUTHOR-**
20 **ITY.**—Section 232 of the National Defense Authorization
21 Act for Fiscal Year 2002 (10 U.S.C. 2431 note) is amend-
22 ed by striking subsection (g).

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

24 (a) **FINDINGS.**—Congress makes the following find-
25 ings:

1 (1) The Ground-based Midcourse Defense
2 (GMD) element of the Ballistic Missile Defense Sys-
3 tem was deployed initially in 2004 as a contingency
4 capability to provide initial protection of the United
5 States homeland against potential limited long-range
6 missile attacks by nations such as North Korea and
7 Iran.

8 (2) As the Director of Operational Test and
9 Evaluation has reported, prior to the decision in De-
10 cember 2002 to deploy the system, an operationally
11 representative variant of the Ground-Based Inter-
12 ceptor had not been flight-tested.

13 (3) As the Department of Defense and the Gov-
14 ernment Accountability Office have acknowledged,
15 the Ground-based Midcourse Defense system experi-
16 enced high levels of concurrency in development and
17 deployment, which led to a number of problems. In
18 April 2011, the Missile Defense Agency acknowl-
19 edged that the system “is still evolving and has not
20 attained a stable configuration between missiles. It
21 is still an ‘operational prototype’ system”.

22 (4) The Director of Operational Test and Eval-
23 uation reported in December 2010 that there have
24 not been enough flight tests of the Ground-based
25 Midcourse Defense system to permit an objective as-

1 assessment of its operational effectiveness, suitability
2 data remain insufficient, evaluation of survivability
3 remains limited, and a “full end-to end performance
4 assessment is still a minimum of 6 years away”.

5 (5) As is to be expected from a developmental
6 system, the Ground-based Midcourse Defense system
7 has experienced a number of technical problems in
8 flight tests. Many of these problems have been re-
9 solved with further development, as demonstrated in
10 successful flight tests. The system has been under
11 continuous improvement since it was first deployed,
12 but has not yet obtained desired levels of effective-
13 ness, suitability, or reliability.

14 (6) In 2009, the Secretary of Defense an-
15 nounced that the Department of Defense would
16 refocus efforts on improving the operational capa-
17 bility, reliability, and availability of the Ground-
18 based Midcourse Defense system in order to main-
19 tain its ability to stay ahead of projected threats
20 from North Korea and Iran for the foreseeable fu-
21 ture.

22 (7) In February 2010 the Ballistic Missile De-
23 fense Review stated the United States is currently
24 protected against limited intercontinental ballistic
25 missile attacks as a result of investments made over

1 the past decade in the Ground-based Midcourse De-
2 fense system and reiterated the commitment to im-
3 proving the operational capability, reliability, and
4 availability of the Ground-based Midcourse Defense
5 System.

6 (8) The two most recent flight tests of the
7 Ground-based Midcourse Defense system, using the
8 newest Capability Enhancement-2 Exo-atmospheric
9 Kill Vehicle (EKV) design, each failed to achieve the
10 intended interception of a target.

11 (9) The two most recent flight tests are not in-
12 dicative of the functionality of the Capability En-
13 hancement-1 Exo-atmospheric Kill Vehicle design,
14 which continues to provide the United States protec-
15 tion against a limited intercontinental ballistic mis-
16 sile attack.

17 (10) The Missile Defense Agency established a
18 Failure Review Board to determine the root cause of
19 the December 2010 flight-test failure of the Ground-
20 based Midcourse Defense system. Its analysis will in-
21 form the proposed correction of the problem causing
22 the flight-test failure.

23 (11) The Missile Defense Agency plans to de-
24 sign a correction of the problem causing the Decem-
25 ber 2010 flight-test failure and to verify the correc-

1 tion through extensive modeling and simulation,
2 ground testing, and two flight tests, the first of
3 which will not be an interception test.

4 (12) Until completing the verification of its cor-
5 rective action, the Missile Defense Agency has sus-
6 pended further production of Exo-atmospheric Kill
7 Vehicles to ensure that potential flaws are not incor-
8 porated into them, and to permit any corrective ac-
9 tion that may be needed to Exo-atmospheric Kill Ve-
10 hicles at minimal cost and schedule risk.

11 (13) The Director of the Missile Defense Agen-
12 cy has testified that the Missile Defense Agency has
13 sufficient funding available and planned for fiscal
14 years 2011 and 2012, respectively, to implement the
15 planned correction of the problem causing the De-
16 cember 2010 flight-test failure.

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

19 (1) it is essential for the Ground-based Mid-
20 course Defense element of the Ballistic Missile De-
21 fense System to achieve the levels of reliability,
22 availability, sustainability, and operational perform-
23 ance that will allow it to continue providing protec-
24 tion of the United States homeland, throughout its

1 operational service life, against limited future missile
2 attacks from nations such as North Korea and Iran;

3 (2) the Missile Defense Agency should, as its
4 highest priority, determine the root cause of the De-
5 cember 2010 flight-test failure of the Ground-based
6 Midcourse Defense system, design a correction of
7 the problem causing the flight-test failure, and verify
8 through extensive testing that such correction is ef-
9 fective and will allow the Ground-based Midcourse
10 Defense system to reach levels described in para-
11 graph (1);

12 (3) before verifying the success of the correction
13 of the problem causing the December 2010 flight-
14 test failure, the Missile Defense Agency should sus-
15 pend further production of Exo-atmospheric Kill Ve-
16 hicles to ensure that they will not be deployed with
17 any component or design flaws that may have
18 caused the flight-test failure;

19 (4) after the Missile Defense Agency has
20 verified the correction of the problem causing the
21 December 2010 flight-test failure, including through
22 the two previously unplanned verification flight tests,
23 the Agency should assess the need for any additional
24 Ground-Based Interceptors and any additional steps

1 needed for the Ground-based Midcourse Defense
2 testing and sustainment program; and

3 (5) the Department of Defense should plan for
4 and budget sufficient future funds for the Ground-
5 based Midcourse Defense program to ensure the
6 ability to complete and verify an effective correction
7 of the problem causing the December 2010 flight-
8 test failure, and to mitigate the effects of corrective
9 actions on previously planned program work that is
10 deferred as a result of such corrective actions.

11 (c) REPORTS.—

12 (1) REPORTS REQUIRED.—Not later than 120
13 days after the date of the enactment of this Act, and
14 one year thereafter, the Secretary of Defense shall
15 submit to the congressional defense committees a re-
16 port describing the plan of the Department of De-
17 fense to correct the problem causing the December
18 2010 flight-test failure of the Ground-based Mid-
19 course Defense system, and any progress toward the
20 achievement of that plan.

21 (2) ELEMENTS.—Each report required by para-
22 graph (1) shall include the following:

23 (A) A detailed discussion of the plan to
24 correct the problem described in that para-

1 graph, including plans for diagnostic, design,
2 testing, and manufacturing actions.

3 (B) A detailed discussion of any results ob-
4 tained from the plan described in subparagraph
5 (A) as of the date of such report, including di-
6 agnostic, design, testing, or manufacturing re-
7 sults.

8 (C) A description of any cost or schedule
9 impact of the plan on the Ground-based Mid-
10 course Defense program, including on testing,
11 production, refurbishment, or deferred work.

12 (D) A description of any planned adjust-
13 ments to the Ground-based Midcourse Defense
14 program as a result of the implementation of
15 the plan, including future programmatic, sched-
16 ule, testing, or funding adjustments.

17 (E) A description of any enhancements to
18 the capability of the Ground-based Midcourse
19 Defense system achieved or planned since the
20 submittal of the budget for fiscal year 2010
21 pursuant to section 1105 of title 31, United
22 States Code.

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

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

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) For more than a decade, the United States
5 and Russia have discussed a variety of options for
6 cooperation on shared early warning and ballistic
7 missile defense. For example, on May 1, 2001,
8 President George W. Bush spoke of a “new coopera-
9 tive relationship” with Russia and said it “should be
10 premised on openness, mutual confidence and real
11 opportunities for cooperation, including the area of
12 missile defense. It should allow us to share informa-
13 tion so that each nation can improve its early warn-
14 ing capability, and its capability to defend its people
15 and territory. And perhaps one day, we can even co-
16 operate in a joint defense”.

17 (2) Section 1231 of the Floyd D. Spence Na-
18 tional Defense Authorization Act for Fiscal Year
19 2001 (as enacted into law by Public Law 106–398;
20 1654A–329) authorized the Department of Defense
21 to establish in Russia a “joint center for the ex-
22 change of data from systems to provide early warn-
23 ing of launches of ballistic missiles and for notifica-
24 tion of launches of such missiles”, also known as the
25 Joint Data Exchange Center (JDEC).

1 (3) On March 31, 2008, Deputy Secretary of
2 Defense Gordon England stated that “we have of-
3 fered Russia a wide-ranging proposal to cooperate
4 on missile defense—everything from modeling and
5 simulation, to data sharing, to joint development of
6 a regional missile defense architecture—all designed
7 to defend the United States, Europe, and Russia
8 from the growing threat of Iranian ballistic missiles.
9 An extraordinary series of transparency measures
10 have also been offered to reassure Russia. Despite
11 some Russian reluctance to sign up to these coopera-
12 tive missile defense activities, we continue to work
13 toward this goal”.

14 (4) On July 6, 2009, President Barack Obama
15 and Russian President Dmitry Medvedev issued a
16 joint statement on missile defense issues, which stat-
17 ed that “Russia and the United States plan to con-
18 tinue the discussion concerning the establishment of
19 cooperation in responding to the challenge of bal-
20 listic missile proliferation. . . We have instructed
21 our experts to work together to analyze the ballistic
22 missile challenges of the 21st century and to prepare
23 appropriate recommendations”.

24 (5) The February 2010 report of the Ballistic
25 Missile Defense Review established as one of its cen-

1 tral policy pillars that increased international missile
2 defense cooperation is in the national security inter-
3 est of the United States and, with regard to coopera-
4 tion with Russia, the United States “is pursuing a
5 broad agenda focused on shared early warning of
6 missile launches, possible technical cooperation, and
7 even operational cooperation”.

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

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

18 (8) Section 221(a)(3) of the Ike Skelton Na-
19 tional Defense Authorization Act for Fiscal Year
20 2011 (Public Law 111–383; 124 Stat. 4167) states
21 that it is the sense of Congress “to support the ef-
22 forts of the United States Government and the
23 North Atlantic Treaty Organization to pursue co-
24 operation with the Russian Federation on ballistic
25 missile defense relative to Iranian missile threats”.

1 (9) In a speech in Russia on March 21, 2011,
2 Secretary of Defense Robert Gates cited “the
3 NATO-Russian decision to cooperate on defense
4 against ballistic missiles. We’ve disagreed before,
5 and Russia still has uncertainties about the Euro-
6 pean Phased Adaptive Approach, a limited system
7 that poses no challenges to the large Russian nu-
8 clear arsenal. However, we’ve mutually committed to
9 resolving these difficulties in order to develop a
10 roadmap toward truly effective anti-ballistic missile
11 collaboration. This collaboration may include ex-
12 changing launch information, setting up a joint data
13 fusion center, allowing greater transparency with re-
14 spect to our missile defense plans and exercises, and
15 conducting a joint analysis to determine areas of fu-
16 ture cooperation”.

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

1 “provide the legal framework for undertaking coop-
2 erative efforts.” Further, Dr. Roberts stated that
3 the United States would not provide any classified
4 information to Russia without first conducting a Na-
5 tional Disclosure Policy review. He also stated that
6 the United States is not considering sharing “hit-to-
7 kill” technology with Russia.

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

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

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

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

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

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

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

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

1 dent Obama to the leadership of the Senate, and
2 should be mutually beneficial and reciprocal in na-
3 ture; and

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

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

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

16 (C) prior to entering into missile defense
17 technology cooperation projects, the United
18 States enters into a Defense Technology Co-
19 operation Agreement with Russia that estab-
20 lishes the legal framework for a broad spectrum
21 of potential cooperative defense projects; and

22 (D) such cooperation does not limit the
23 missile defense capabilities of the United States
24 or its North Atlantic Treaty Organization allies.

25 (c) REPORT.—

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

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

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

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

18 (C) A discussion of the manner in which
19 such cooperative measures would enhance the
20 security of the United States, and the manner
21 in which such cooperative measures fit within
22 the larger context of United States-Russian co-
23 operation on international security.

1 (D) A description of the status of efforts
2 to conclude a bilateral Defense Technology Co-
3 operation Agreement with Russia.

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

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

13 (3) FORM OF REPORT.—The report required by
14 paragraph (1) shall be submitted in unclassified
15 form, but may include a classified annex.

16 (4) APPROPRIATE COMMITTEES OF CONGRESS
17 DEFINED.—In this subsection, the term “appro-
18 priate committees of Congress” means—

19 (A) the Committees on Armed Services,
20 Foreign Relations, and Appropriations of the
21 Senate; and

22 (B) the Committees on Armed Services,
23 Foreign Affairs, and Appropriations of the
24 House of Representatives.

1 **SEC. 234. REPORT ON THE UNITED STATES MISSILE DE-**
2 **FENSE HEDGING STRATEGY.**

3 (a) REPORT REQUIRED.—Not later than 180 days
4 after the date of the enactment of this Act, the Secretary
5 of Defense shall submit to the congressional defense com-
6 mittees a report setting forth the findings and conclusions
7 of the homeland missile defense hedging strategy review,
8 including a discussion of the feasibility and advisability of
9 establishing a missile defense site on the East Coast of
10 the United States.

11 (b) FORM.—The report required by subsection (a)
12 shall be submitted in unclassified form, but may include
13 a classified annex.

14 **Subtitle D—Reports**

15 **SEC. 251. EXTENSION OF REQUIREMENTS FOR BIENNIAL**
16 **ROADMAP AND ANNUAL REVIEW AND CER-**
17 **TIFICATION ON FUNDING FOR DEVELOP-**
18 **MENT OF HYPERSONICS.**

19 Section 218(e)(3) of the John Warner National De-
20 fense Authorization Act for Fiscal Year 2007 (Public Law
21 109–364; 120 Stat. 2126; 10 U.S.C. 2358 note) is amend-
22 ed by striking “2012” and inserting “2020”.

1 **Subtitle E—Other Matters**

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

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

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

11 (2) by inserting after subsection (a) the fol-
12 lowing new subsection (b):

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

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

24 (a) ACQUISITION.—

1 (1) IN GENERAL.—Subject to paragraph (3),
2 the Secretary of the Army (referred to in this sec-
3 tion as the “Secretary”) may acquire any real prop-
4 erty and associated real property interests in the vi-
5 cinity of Hanover, New Hampshire, described in
6 paragraph (2) as may be needed for the Engineer
7 Research and Development Center laboratory facili-
8 ties at the Cold Regions Research and Engineering
9 Laboratory.

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

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

18 (B) generally bounded—

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

21 (ii) to the north by the vacant prop-
22 erty of the Trustees of Dartmouth College;

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

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

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

9 (b) REVOLVING FUND.—The Secretary—

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

17 (2) shall ensure that the revolving fund is ap-
18 propriately reimbursed from the benefitting appro-
19 priations.

20 (c) RIGHT OF FIRST REFUSAL.—

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

1 (A) a right of first refusal to acquire the
2 property, or any portion of the property, in the
3 event the property or portion is no longer need-
4 ed by the Department of the Army; and

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

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

15 (d) CONSIDERATION; FAIR MARKET VALUE.—The
16 purchase of any property by a seller exercising a right of
17 first refusal provided under subsection (c) shall be for—

18 (1) consideration acceptable to the Secretary;
19 and

20 (2) not less than fair market value at the time
21 at which the property becomes available for pur-
22 chase.

23 (e) DISPOSAL.—The Secretary may dispose of any
24 property or associated real property interests that are sub-

1 ject to the exercise of the right of first refusal under this
2 section.

3 (f) NO EFFECT ON COMPLIANCE WITH ENVIRON-
4 MENTAL LAWS.—Nothing in this section affects or limits
5 the application of or obligation to comply with any envi-
6 ronmental law, including section 120(h) of the Com-
7 prehensive Environmental Response, Compensation, and
8 Liability Act of 1980 (42 U.S.C. 9620(h)).

9 **TITLE III—OPERATION AND**
10 **MAINTENANCE**

11 **Subtitle A—Authorization of**
12 **Appropriations**

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

14 Funds are hereby authorized to be appropriated for
15 fiscal year 2012 for the use of the Armed Forces and other
16 activities and agencies of the Department of Defense for
17 expenses, not otherwise provided for, for operation and
18 maintenance, as specified in the funding table in section
19 4301.

20 **Subtitle B—Energy and**
21 **Environmental Provisions**

22 **SEC. 311. MODIFICATION OF ENERGY PERFORMANCE**
23 **GOALS.**

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

1 (1) in the subsection heading, by striking
2 “GOAL” and inserting “GOALS”; and

3 (2) in paragraph (1)—

4 (A) by redesignating subparagraphs (A)
5 and (B) as subparagraphs (D) and (E), respec-
6 tively; and

7 (B) by inserting before subparagraph (D),
8 as redesignated by subparagraph (A) of this
9 paragraph, the following new subparagraphs:

10 “(A) to produce or procure not less than 12
11 percent of the total quantity of facility energy it con-
12 sumes within its facilities during each of fiscal years
13 2015 through 2017 from renewable energy sources;

14 “(B) to produce or procure not less than 16
15 percent of the total quantity of facility energy it con-
16 sumes within its facilities during each of fiscal years
17 2018 through 2020 from renewable energy sources;

18 “(C) to produce or procure not less than 20
19 percent of the total quantity of facility energy it con-
20 sumes within its facilities during each of fiscal years
21 2021 through 2024 from renewable energy
22 sources;”.

23 (b) INCLUSION OF DIRECT SOLAR AS ENERGY EFFI-
24 CIENT PRODUCT.—Section 2915(e)(2)(A) of such title is

1 amended by inserting “direct solar,” after “Roof-top solar
2 thermal,”.

3 **SEC. 312. STREAMLINED ANNUAL REPORT ON DEFENSE EN-**
4 **VIRONMENTAL PROGRAMS.**

5 (a) IN GENERAL.—Chapter 160 of title 10, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“§ 2711. Annual report on defense environmental pro-**
9 **grams**

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

15 “(1) With respect to environmental restoration
16 activities of the Department of Defense, and for
17 each of the military departments, the following ele-
18 ments:

19 “(A) Information on the Installation Res-
20 toration Program, including the following:

21 “(i) The total number of sites in the
22 IRP.

23 “(ii) The number of sites in the IRP
24 that have reached the Remedy in Place
25 Stage and the Response Complete Stage,

1 and the change in such numbers in the
2 preceding calendar year.

3 “(iii) A statement of the amount of
4 funds allocated by the Secretary for, and
5 the anticipated progress in implementing,
6 the environmental restoration program
7 during the fiscal year for which the budget
8 is submitted.

9 “(iv) The Secretary’s assessment of
10 the overall progress of the IRP.

11 “(B) Information on the Military Muni-
12 tions Restoration Program (MMRP), including
13 the following:

14 “(i) The total number of sites in the
15 MMRP.

16 “(ii) The number of sites that have
17 reached the Remedy in Place Stage and
18 the Response Complete Stage, and the
19 change in such numbers in the preceding
20 calendar year.

21 “(iii) A statement of the amount of
22 funds allocated by the Secretary for, and
23 the anticipated progress in implementing,
24 the MMRP during the fiscal year for which
25 the budget is submitted.

1 “(iv) The Secretary’s assessment of
2 the overall progress of the MMRP.

3 “(2) With respect to each of the major activities
4 under the environmental quality program of the De-
5 partment of Defense and for each of the military de-
6 partments—

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

14 “(B) an explanation for any significant
15 change in such amounts during the period cov-
16 ered.

17 “(3) With respect to the environmental tech-
18 nology program of the Department of Defense—

19 “(A) a report on the progress made by in
20 achieving the objectives and goals of its envi-
21 ronmental technology program during the pre-
22 ceding fiscal year and an overall trend analysis
23 for the program covering the previous four fis-
24 cal years; and

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

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

9 “(1) the term ‘environmental quality program’
10 means a program of activities relating to environ-
11 mental compliance, conservation, pollution preven-
12 tion, and other activities relating to environmental
13 quality as the Secretary may designate; and

14 “(2) the term ‘major activities’ with respect to
15 an environmental program means—

16 “(A) environmental compliance activities;

17 “(B) conservation activities; and

18 “(C) pollution prevention activities.”.

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 2710 the following new
22 item:

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

1 **SEC. 313. PAYMENT TO ENVIRONMENTAL PROTECTION**
2 **AGENCY OF STIPULATED PENALTIES IN CON-**
3 **NECTION WITH JACKSON PARK HOUSING**
4 **COMPLEX, WASHINGTON.**

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

6 (1) **TRANSFER AMOUNT.—**Using funds de-
7 scribed in subsection (b) and notwithstanding sec-
8 tion 2215 of title 10, United States Code, the Sec-
9 retary of the Navy may transfer not more than
10 \$45,000 to the Hazardous Substance Superfund
11 Jackson Park Housing Complex, Washington, spe-
12 cial account.

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

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

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

5 **SEC. 314. REQUIREMENTS RELATING TO AGENCY FOR**
6 **TOXIC SUBSTANCES AND DISEASE REGISTRY**
7 **INVESTIGATION OF EXPOSURE TO DRINKING**
8 **WATER CONTAMINATION AT CAMP LEJEUNE,**
9 **NORTH CAROLINA.**

10 (a) LIMITATION ON USE OF FUNDS.—None of the
11 funds authorized to be appropriated by this Act may be
12 used to make a final decision on or final adjudication of
13 any claim filed regarding water contamination at Marine
14 Corps Base Camp Lejeune unless the Agency for Toxic
15 Substances and Disease Registry completes all epidemio-
16 logical and water modeling studies relevant to such con-
17 tamination that are ongoing as of June 1, 2011, and cer-
18 tifies the completion of all such studies in writing to the
19 Committees on Armed Services for the Senate and the
20 House of Representatives. This provision does not prevent
21 the use of funds for routine administrative tasks required
22 to maintain such claims nor does it prohibit the use of
23 funds for matters pending in Federal court.

24 (b) RESOLUTION OF CERTAIN DISPUTES.—The Sec-
25 retary of the Navy shall make every effort to resolve any

1 dispute arising between the Department of the Navy and
2 the Agency for Toxic Substances and Disease Registry
3 that is covered by the Interagency Agreement between the
4 Department of Health and Human Services Agency for
5 Toxic Substances and Disease Registry and the Depart-
6 ment of the Navy or any successor memorandum of under-
7 standing and signed agreements not later than 60 days
8 after the date on which the dispute first arises. In the
9 event the Secretary is unable to resolve such a dispute
10 within 60 days, the Secretary shall submit to the congres-
11 sional defense committees a report on the reasons why an
12 agreement has not yet been reached, the actions that the
13 Secretary plans to take to reach agreement, and the sched-
14 ule for taking such actions.

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

22 **SEC. 315. DISCHARGE OF WASTES AT SEA GENERATED BY**
23 **SHIPS OF THE ARMED FORCES.**

24 (a) DISCHARGE RESTRICTIONS FOR SHIPS OF THE
25 ARMED FORCES.—Subsection (b) of section 3 of the Act

1 to Prevent Pollution from Ships (33 U.S.C. 1902(b)) is
2 amended to read as follows:

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

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

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

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

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

16 “(B) cannot fully comply with the discharge re-
17 quirements of Annex V to the Convention because
18 compliance is not technologically feasible or would
19 impair the operations or operational capability of the
20 ship.

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

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

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

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

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

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

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

21 “(IV) Ash from incinerators or other ther-
22 mal destruction systems not containing toxic
23 chemicals, heavy metals, or incompletely burned
24 plastics.

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

3 “(ii) Garbage described in subclauses (II), (III), and
4 (IV) of subparagraph (B)(ii) may not be discharged within
5 12 nautical miles of land.

6 “(D) Notwithstanding subparagraph (C), a ship de-
7 scribed in paragraph (2) that is not equipped with gar-
8 bage-processing equipment sufficient to meet the require-
9 ments of subparagraph (B)(ii) may discharge garbage that
10 has not been processed in accordance with subparagraph
11 (B)(ii) if such discharge occurs as far as practicable from
12 the nearest land, but in any case not less than—

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

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

19 “(E) This paragraph shall not apply when discharge
20 of any garbage is necessary for the purpose of securing
21 the safety of the ship, the health of the ship’s personnel,
22 or saving life at sea.

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

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

4 (1) in paragraph (1), by striking “Annex V to
5 the Convention on or before the dates referred to in
6 subsections (b)(2)(A) and (c)(1)” and inserting
7 “subsection (b)”; and

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

11 **SEC. 316. CONSIDERATION OF ENERGY SECURITY AND RE-**
12 **LIABILITY IN DEVELOPMENT AND IMPLE-**
13 **MENTATION OF ENERGY PERFORMANCE**
14 **GOALS.**

15 Section 2911(c) of title 10, United States Code, is
16 amended by adding at the end the following new para-
17 graph:

18 “(12) Opportunities to enhance energy security
19 and reliability of defense facilities and missions, in-
20 cluding through the ability to operate for extended
21 periods off-grid.”.

22 **SEC. 317. INSTALLATION ENERGY METERING REQUIRE-**
23 **MENTS.**

24 The Secretary of Defense shall, to the maximum ex-
25 tent practicable, require that the information generated by

1 the installation energy meters be captured and tracked to
2 determine baseline energy consumption and facilitate ef-
3 forts to reduce energy consumption.

4 **SEC. 318. TRAINING POLICY FOR DEPARTMENT OF DE-**
5 **FENSE ENERGY MANAGERS.**

6 (a) ESTABLISHMENT OF TRAINING POLICY.—The
7 Secretary of Defense shall establish a training policy for
8 Department of Defense energy managers designated for
9 military installations in order to—

10 (1) improve the knowledge, skills, and abilities
11 of energy managers by ensuring understanding of
12 existing energy laws, regulations, mandates, con-
13 tracting options, local renewable portfolio standards,
14 current renewable energy technology options, energy
15 auditing, and options to reduce energy consumption;

16 (2) improve consistency among energy man-
17 agers throughout the Department in the perform-
18 ance of their responsibilities;

19 (3) create opportunities and forums for energy
20 managers to exchange ideas and lessons learned
21 within each military department, as well as across
22 the Department of Defense; and

23 (4) collaborate with the Department of Energy
24 regarding energy manager training.

1 (b) ISSUANCE OF POLICY.—Not later than 180 days
2 after the date of the enactment of this Act, the Secretary
3 of Defense shall issue the training policy for Department
4 of Defense energy managers.

5 (c) BRIEFING REQUIREMENT.—Not later than 180
6 days after the date of the enactment of this Act, the Sec-
7 retary of Defense, or designated representatives of the
8 Secretary, shall brief the Committees on Armed Services
9 of the Senate and House of Representatives regarding the
10 details of the energy manager policy.

11 **Subtitle C—Workplace and Depot** 12 **Issues**

13 **SEC. 321. MINIMUM CAPITAL INVESTMENT FOR CERTAIN** 14 **DEPOTS.**

15 Section 2476 of title 10, United States Code, is
16 amended—

17 (1) in subsection (a), by striking “Each fiscal
18 year, the Secretary of a military department shall
19 invest” and inserting “Each fiscal year, it shall be
20 the objective of the Secretary of a military depart-
21 ment to invest”;

22 (2) in subsection (b)—

23 (A) by striking “includes investment funds
24 spent on depot infrastructure, equipment, and
25 process improvement in direct support” and in-

1 serting “includes investment funds spent to
2 modernize or improve the efficiency of depot fa-
3 cilities, equipment, work environment, or proc-
4 esses in direct support”; and

5 (B) by adding at the end the following: “It
6 does not include funds spent for any other re-
7 pair or activity to maintain or sustain existing
8 facilities, infrastructure, or equipment.”;

9 (3) in subsection (d)—

10 (A) by striking “(1) Not later than” and
11 inserting “Not later than”;

12 (B) by striking “summarizing the level of
13 capital investment for each military depart-
14 ment” and inserting “summarizing the level of
15 capital investment in the military departments”;
16 and

17 (C) by striking paragraph (2); and

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

20 “(I) Crane Ammunition Activity, Indiana.

21 “(J) McAlester Ammunition Plant, Okla-
22 homa.

23 “(K) Radford Ammunition Plant, Virginia.

24 “(L) Lake City Ammunition Plant, Mis-
25 souri.

1 “(M) Holsten Ammunition Plant, Ten-
2 nessee.

3 “(N) Scranton Ammunition Plant, Penn-
4 sylvania.

5 “(O) Iowa Ammunition Plant, Iowa.

6 “(P) Milan Ammunition Plant, Tennessee.

7 “(Q) Joint System Manufacturing Center,
8 Lima Ohio.”.

9 **SEC. 322. LIMITATION ON REVISING THE DEFINITION OF**
10 **DEPOT-LEVEL MAINTENANCE.**

11 (a) **LIMITATION.**—The Secretary of Defense or any
12 of the Secretaries of the military departments may not
13 issue guidance, regulations, policy, or revisions to any De-
14 partment of Defense or service instructions containing a
15 revision to the definition of depot-level maintenance unless
16 the Secretary submits to the congressional defense com-
17 mittees the report described in subsection (b).

18 (b) **REPORT.**—The report referred to in subsection
19 (a) is a report prepared by the Defense Business Board
20 regarding the advisability of establishing a single defini-
21 tion of depot-level maintenance, taking into consider-
22 ation—

23 (1) the total industrial capacity, both in the pri-
24 vate sector industry and in the depots;

1 (2) the importance of establishing requirements
2 and allocating workload on the basis of sound busi-
3 ness case analyses; and

4 (3) establishing transparency and accountability
5 in the development of the core workload require-
6 ments and in the allocation of workload under the
7 requirements in section 2466 of title 10, United
8 States Code.

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

12 Section 2474(a)(1) of title 10, United States Code,
13 is amended by inserting “and may designate any military
14 industrial facility” after “shall designate each depot-level
15 activity”.

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

17 (a) **REPORT ON DEPOT-LEVEL MAINTENANCE AND**
18 **RECAPITALIZATION OF CERTAIN PARTS AND EQUIP-**
19 **MENT.—**

20 (1) **IN GENERAL.—**Not later than 90 days after
21 the date of the enactment of this Act, the Secretary
22 of Defense in consultation with the military depart-
23 ments, shall submit to the congressional defense
24 committees a report on the status of the Drawdown,
25 Retrograde and Reset Program for the equipment

1 used in support of operations in Iraq and Afghani-
2 stan and the status of the overall supply chain man-
3 agement for depot-level activities.

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

6 (A) An assessment of the number of back-
7 logged parts for critical warfighter needs, an ex-
8 planation of why those parts became back-
9 logged, and an estimate of when the backlog is
10 likely to be fully addressed.

11 (B) A review of critical warfighter require-
12 ments that are being impacted by a lack of sup-
13 plies and parts and an explanation of steps that
14 the Director plans to take to meet the demand
15 requirements of the military departments.

16 (C) An assessment of the feasibility and
17 advisability of working with outside commercial
18 partners to utilize flexible and efficient turn-key
19 rapid production systems to meet rapidly
20 emerging warfighter requirements.

21 (D) A review of plans to further consoli-
22 date the ordering and stocking of parts and
23 supplies from the military departments at de-
24 pots under the control of the Defense Logistics
25 Agency.

1 (3) FLEXIBLE AND EFFICIENT TURN-KEY
2 RAPID PRODUCTION SYSTEMS DEFINED.—For the
3 purposes of this subsection, flexible and efficient
4 turn-key rapid production systems are systems that
5 have demonstrated the capability to reduce the costs
6 of parts, improve manufacturing efficiency, and have
7 the following unique features:

8 (A) VIRTUAL AND FLEXIBLE.—Systems
9 that provide for flexibility to rapidly respond to
10 requests for low-volume or high-volume ma-
11 chined parts and surge demand by accessing
12 the full capacity of small- and medium-sized
13 manufacturing communities in the United
14 States.

15 (B) SPEED TO MARKET.—Systems that
16 provide for flexibility that allows rapid introduc-
17 tion of subassemblies for new parts and weap-
18 ons systems to the warfighter.

19 (C) RISK MANAGEMENT.—Systems that
20 provide for the electronic archiving and updat-
21 ing of turn-key rapid production packages to
22 provide insurance to the Department of Defense
23 that parts will be available if there is a supply
24 chain disruption.

1 (b) REPORT ON THE ALIGNMENT, ORGANIZATIONAL
2 REPORTING, AND PERFORMANCE RATING OF AIR FORCE
3 SYSTEM PROGRAM MANAGERS, SUSTAINMENT PROGRAM
4 MANAGERS, AND PRODUCT SUPPORT MANAGERS AT AIR
5 LOGISTICS CENTERS OR AIR LOGISTICS COMPLEXES.—

6 (1) REPORT REQUIRED.—The Secretary of the
7 Air Force shall enter into an agreement with a fed-
8 erally funded research and development center to
9 submit to the congressional defense committees, not
10 later than 180 days after the date of the enactment
11 of this Act, a report on the alignment, organizational
12 reporting, and performance rating of Air Force sys-
13 tem program managers, sustainment program man-
14 agers, and product support managers at Air Logis-
15 tics Centers or Air Logistics Complexes.

16 (2) ELEMENTS.—The report required under
17 paragraph (1) shall include the following elements:

18 (A) Consideration of the proposed reorga-
19 nization of Air Force Materiel Command an-
20 nounced on November 2, 2011.

21 (B) An assessment of how various alter-
22 natives for aligning the managers described in
23 subsection (a) within Air Force Materiel Com-
24 mand would likely support and impact life cycle

1 management, weapon system sustainment, and
2 overall support to the warfighter.

3 (C) With respect to the alignment of the
4 managers described in subsection (A), an exam-
5 ination of how the Air Force should be orga-
6 nized to best conduct life cycle management
7 and weapon system sustainment, with any anal-
8 ysis of cost and savings factors subject to the
9 consideration of overall readiness.

10 (D) Recommended alternatives for meeting
11 these objectives.

12 (3) COOPERATION OF SECRETARY OF AIR
13 FORCE.—The Secretary of the Air Force shall pro-
14 vide any necessary information and background ma-
15 terials necessary for completion of the report re-
16 quired under paragraph (1).

17 **Subtitle D—Reports**

18 **SEC. 331. STUDY ON AIR FORCE TEST AND TRAINING** 19 **RANGE INFRASTRUCTURE.**

20 (a) STUDY.—

21 (1) IN GENERAL.—The Secretary of the Air
22 Force shall conduct a study on the ability of the
23 major air test and training range infrastructure, in-
24 cluding major military operating area airspace and
25 special use airspace, to support the full spectrum of

1 Air Force operations. The Secretary shall incor-
2 porate the results of the study into a master plan
3 for requirements and proposed investments to meet
4 Air Force training and test needs through 2025.
5 The study and the master plan shall be known as
6 the “2025 Air Test and Training Range Enhance-
7 ment Plan”.

8 (2) CONSULTATION.—The Secretary of the Air
9 Force shall, in conducting the study required under
10 paragraph (1), consult with the Secretaries of the
11 other military departments to determine opportuni-
12 ties for joint use and training of the ranges, and to
13 assess the requirements needed to support combined
14 arms training on the ranges. The Secretary shall
15 also consult with the Department of the Interior, the
16 Department of Agriculture, the Federal Aviation Ad-
17 ministration, the Federal Energy Regulation Com-
18 mission, and the Department of Energy to assess
19 the need for transfers of administrative control of
20 certain parcels of airspace and land to the Depart-
21 ment of Defense to protect the missions and control
22 of the ranges.

23 (3) CONTINUATION OF RANGE INFRASTRUC-
24 TURE IMPROVEMENTS.—The Secretary of the Air
25 Force may proceed with all ongoing and scheduled

1 range infrastructure improvements while conducting
2 the study required under paragraph (1).

3 (b) REPORTS.—

4 (1) IN GENERAL.—The Secretary of the Air
5 Force shall submit to the congressional defense com-
6 mittees an interim report and a final report on the
7 plan to meet the requirements under subsection (a)
8 not later than one year and two years, respectively,
9 after the date of the enactment of this Act.

10 (2) CONTENT.—The plan submitted under
11 paragraph (1) shall—

12 (A) document the current condition and
13 adequacy of the major Air Force test and train-
14 ing range infrastructure in the United States to
15 meet test and training requirements;

16 (B) identify potential areas of concern for
17 maintaining the physical safety, security, and
18 current operating environment of such infra-
19 structure;

20 (C) identify potential issues and threats re-
21 lated to the sustainability of the test and train-
22 ing infrastructure, including electromagnetic
23 spectrum encroachment, overall bandwidth
24 availability, and protection of classified infor-
25 mation;

1 (D) assess coordination among ranges and
2 local, state, regional, and Federal entities in-
3 volved in land use planning, and develop rec-
4 ommendations on how to improve communica-
5 tion and coordination of such entities;

6 (E) propose remedies and actions to man-
7 age economic development on private lands on
8 or surrounding the test and training infrastruc-
9 ture to preserve current capabilities;

10 (F) identify critical parcels of land not cur-
11 rently under the control of the Air Force for ac-
12 quisition of deed or restrictive easements in
13 order to protect current operations, access and
14 egress corridors, and range boundaries, or to
15 expand the capability of the air test and train-
16 ing ranges;

17 (G) identify which parcels identified pursu-
18 ant to subparagraph (F) could, through the ac-
19 quisition of conservation easements, serve mili-
20 tary interests while also preserving recreational
21 access to public and private lands, protecting
22 wildlife habitat, or preserving opportunities for
23 energy development and energy transmission;

24 (H) prioritize improvements and mod-
25 ernization of the facilities, equipment, and tech-

1 nology supporting the infrastructure in order to
2 provide a test and training environment that
3 accurately simulates and or portrays the full
4 spectrum of threats and targets of likely United
5 States adversaries in 2025;

6 (I) incorporate emerging requirements gen-
7 erated by requirements for virtual training and
8 new weapon systems, including the F-22, the
9 F-35, space and cyber systems, and Remotely
10 Piloted Aircraft;

11 (J) assess the value of State and local leg-
12 islative initiatives to protect Air Force test and
13 training range infrastructure;

14 (K) identify parcels with no value to future
15 military operations;

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

22 (M) explore opportunities to increase for-
23 eign military training with United States allies
24 at test and training ranges in the continental
25 United States.

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

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

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

11 (a) STUDY.—

12 (1) IN GENERAL.—The Commander of the
13 United States Special Operations Command shall
14 conduct a study on the ability of existing training
15 ranges used by special operations forces, including
16 military operating area airspace and special use air-
17 space, to support the full spectrum of missions and
18 operations assigned to special operations forces.

19 (2) CONSULTATION.—The Commander shall, in
20 conducting the study required under paragraph (1),
21 consult with the Secretaries of the military depart-
22 ments, the Office of the Secretary of Defense, and
23 the Joint Staff on—

24 (A) procedures and priorities for joint use
25 and training on ranges operated by the military

1 services, and to assess the requirements needed
2 to support combined arms training on the
3 ranges; and

4 (B) requirements and proposed invest-
5 ments to meet special operations training re-
6 quirements through 2025.

7 (b) REPORTS.—

8 (1) IN GENERAL.—Not later than one year
9 after the date of the enactment of this Act, the
10 Commander shall submit to the congressional de-
11 fense committees a report on the plan to meet the
12 requirements under subsection (a).

13 (2) CONTENT.—The study submitted under
14 paragraph (1) shall—

15 (A) assess the current condition and ade-
16 quacy of, and access to, all existing training
17 ranges in the United States used by special op-
18 erations forces;

19 (B) identify potential areas of concern for
20 maintaining the physical safety, security, and
21 current operating environment of ranges used
22 by special operations forces;

23 (C) identify issues and challenges related
24 to the availability and sustainability of the ex-
25 isting training ranges used by special operations

1 forces, including support of a full spectrum of
2 operations and protection of classified missions
3 and tactics;

4 (D) assess coordination among ranges and
5 local, State, regional, and Federal entities in-
6 volved in land use planning and the protection
7 of ranges from encroachment;

8 (E) propose remedies and actions to ensure
9 consistent and prioritized access to existing
10 ranges;

11 (F) prioritize improvements and mod-
12 ernization of the facilities, equipment, and tech-
13 nology supporting the ranges in order to ade-
14 quately simulate the full spectrum of threats
15 and contingencies for special operations forces;
16 and

17 (G) propose a list of prioritized projects,
18 easements, acquisitions, or other actions, in-
19 cluding estimated costs required to upgrade
20 training range infrastructure.

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

1 **SEC. 333. GUIDANCE TO ESTABLISH NON-TACTICAL**
2 **WHEELED VEHICLE AND EQUIPMENT SERV-**
3 **ICE LIFE EXTENSION PROGRAMS TO ACHIEVE**
4 **COST SAVINGS.**

5 Not later than 270 days after the date of the enact-
6 ment of this Act, the Secretary of Defense shall conduct
7 a survey of the quantity and condition of each class of
8 non-tactical wheeled vehicles and base-level commercial
9 equipment in the fleets of the military departments and
10 report to the congressional defense committees on the ad-
11 visability of establishing service life extension programs
12 for such classes of vehicles.

13 **SEC. 334. MODIFIED DEADLINE FOR ANNUAL REPORT ON**
14 **BUDGET SHORTFALLS FOR IMPLEMENTA-**
15 **TION OF OPERATIONAL ENERGY STRATEGY.**

16 Section 138c(e)(4) of title 10, United States Code,
17 as transferred and redesignated by section 901(b)(7) of
18 the Ike Skelton National Defense Authorization Act for
19 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4320),
20 is amended—

21 (1) by striking “10 days after the date on
22 which the budget for a fiscal year is submitted pur-
23 suant to section 1105 of title 31” and inserting
24 “March 31 each year, beginning March 31, 2012”;
25 and

1 (2) by striking “for that fiscal year” and insert-
2 ing “for the fiscal year beginning in that calendar
3 year”.

4 **Subtitle E—Other Matters**

5 **SEC. 341. EXTENSION OF AUTHORITY FOR ARMY INDUS-** 6 **TRIAL FACILITIES TO ENTER INTO COOPERA-** 7 **TIVE AGREEMENTS WITH NON-ARMY ENTI-** 8 **TIES.**

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

11 (1) in subsection (a), by striking “enter into
12 not more than eight contracts or cooperative agree-
13 ments” and all that follows through the period at
14 the end and inserting “enter into not more than 15
15 contracts or cooperative agreements in any fiscal
16 year.”; and

17 (2) in subsection (k), by striking “September
18 30, 2014” and inserting “September 30, 2025”.

19 (b) **APPROVAL AUTHORITY.**—Subsection (f) of such
20 section is amended by striking “exercised at the level of
21 the commander of the major subordinate command” and
22 all that follows through “The commander may approve”
23 and inserting “exercised at the level of the Commander
24 of Army Materiel Command. The Commander may ap-
25 prove”.

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

2 Section 2208(k) of title 10, United States Code, is
3 amended by adding at the end the following new para-
4 graph:

5 “(3) All capital assets financed by a working-capital
6 fund and subject to paragraph (2) shall be capitalized and
7 depreciated for budgeting, rate setting, and financial ac-
8 counting purposes. Procurements not subject to paragraph
9 (2) shall be immediately expensed and shall not be capital-
10 ized or depreciated in financial accounting records or re-
11 ported on financial statements as an asset.”.

12 **SEC. 343. COMMERCIAL SALE OF SMALL ARMS AMMUNI-**
13 **TION AND SMALL ARMS AMMUNITION COM-**
14 **ONENTS IN EXCESS OF MILITARY REQUIRE-**
15 **MENTS, AND FIRED CARTRIDGE CASES.**

16 Section 346 of the Ike Skelton National Defense Au-
17 thorization Act for Fiscal Year 2011 (Public Law 111-
18 383; 124 Stat. 4191; 10 U.S.C. 2576 note) is amended
19 to read as follows:

20 **“SEC. 346. COMMERCIAL SALE OF SMALL ARMS AMMUNI-**
21 **TION AND SMALL ARMS AMMUNITION COM-**
22 **ONENTS IN EXCESS OF MILITARY REQUIRE-**
23 **MENTS, AND FIRED CARTRIDGE CASES.**

24 “(a) **COMMERCIAL SALE OF SMALL ARMS AMMUNI-**
25 **TION, SMALL AMMUNITION COMPONENTS, AND FIRED**
26 **CARTRIDGE CASES.**—Small arms ammunition and small

1 ammunition components which are in excess of military
2 requirements, and intact fired small arms cartridge cases
3 shall be made available for commercial sale. Such small
4 arms ammunition, small arms ammunition components,
5 and intact fired cartridge cases shall not be demilitarized,
6 destroyed, or disposed of, unless in excess of commercial
7 demands or certified by the Secretary of Defense as un-
8 serviceable or unsafe. This provision shall not apply to am-
9 munition, ammunition components, or fired cartridge
10 cases stored or expended outside the continental United
11 States (OCONUS).

12 “(b) DEADLINE FOR GUIDANCE.—Not later than 90
13 days after the date of the enactment of the National De-
14 fense Authorization Act for Fiscal Year 2012, the Sec-
15 retary of Defense shall issue guidance to ensure compli-
16 ance with subsection (a). Not later than 15 days after
17 issuing such guidance, the Secretary shall submit to the
18 congressional defense committees a letter of compliance
19 providing notice of such guidance.

20 “(c) PREFERENCE.—No small arms ammunition or
21 small arms ammunition components in excess of military
22 requirements, or fired small arms cartridge cases may be
23 made available for commercial sale under this section be-
24 fore such ammunition and ammunition components are of-
25 fered for transfer or purchase, as authorized by law, to

1 another Federal department or agency or for sale to State
2 and local law enforcement, firefighting, homeland security,
3 and emergency management agencies pursuant to section
4 2576 of title 10, United States Code, as amended by this
5 Act.

6 “(d) SALES CONTROLS.—All small arms ammunition
7 and small arms ammunition components, and fired small
8 arms cartridge cases made available for commercial sale
9 under this section shall be subject to all explosives safety
10 and trade security controls in effect at the time of sale.

11 “(e) DEFINITIONS.—In this section:

12 “(1) SMALL ARMS AMMUNITION.—The term
13 ‘small arms ammunition’ means ammunition or ord-
14 nance for firearms up to and including .50 caliber
15 and for shotguns.

16 “(2) SMALL ARMS AMMUNITION COMPO-
17 NENTS.—The term ‘small arms ammunition compo-
18 nents’ means components, parts, accessories, and at-
19 tachments associated with small arms ammunition.

20 “(3) FIRED CARTRIDGE CASES.—The term
21 ‘fired cartridge cases’ means expended small arms
22 cartridge cases (ESACC).”

1 **SEC. 344. AUTHORITY TO ACCEPT CONTRIBUTIONS OF**
2 **FUNDS TO STUDY OPTIONS FOR MITIGATING**
3 **ADVERSE EFFECTS OF PROPOSED OBSTRUC-**
4 **TIONS ON MILITARY INSTALLATIONS.**

5 Section 358(g) of the Ike Skelton National Defense
6 Authorization Act for Fiscal Year 2011 (Public Law 111–
7 383; 124 Stat. 4201; 10 U.S.C. 44718 note) is amended
8 by amending the second sentence to read as follows:
9 “Amounts so accepted shall be and will remain available
10 until expended for the purpose of offsetting the cost of
11 measures undertaken by the Secretary of Defense to miti-
12 gate adverse impacts of such project on military oper-
13 ations and readiness and the cost of studying options for
14 mitigating such adverse impacts.”.

15 **SEC. 345. UTILITY DISRUPTIONS TO MILITARY INSTALLA-**
16 **TIONS.**

17 (a) **POLICY.**—Not later than 180 days after the date
18 of the enactment of this Act, the Secretary of Defense
19 shall develop guidance for commanders of military instal-
20 lations inside the United States on planning measures to
21 minimize the effects in the event of a disruption of services
22 by a utility that sells natural gas, water, or electric energy
23 to a military installation in the United States.

24 (b) **INSTALLATION PLANS.**—The guidance developed
25 pursuant to subsection (a) shall require that, subject to
26 such exceptions as the Secretary may determine to be ap-

1 appropriate, commanders of military installations inside the
 2 United States develop appropriate action plans to mini-
 3 mize the effects of events described in subsection (a).

4 (c) COMPTROLLER GENERAL REPORT.—Not later
 5 than 2 years after the date of the enactment of this Act,
 6 the Comptroller General of the United States shall review
 7 the actions taken pursuant to this section and submit to
 8 Congress a report on the guidance developed pursuant to
 9 subsection (a), the plans developed pursuant to subsection
 10 (b), and any additional measures that may be needed to
 11 minimize the effects of an unplanned disruption of services
 12 by utilities as described in subsection (a).

13 **SEC. 346. ELIGIBILITY OF ACTIVE AND RESERVE MEMBERS,**
 14 **RETIREES, GRAY AREA RETIREES, AND DE-**
 15 **PENDENTS FOR SPACE-AVAILABLE TRAVEL**
 16 **ON MILITARY AIRCRAFT.**

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

20 **“§ 2641c. Space-available travel on department of de-**
 21 **fense aircraft: eligibility**

22 “(a) AUTHORITY TO ESTABLISH BENEFIT PRO-
 23 GRAM.—The Secretary of Defense may establish a pro-
 24 gram to provide transportation on Department of Defense

1 aircraft on a space-available basis. The program shall be
2 conducted in a budget neutral manner.

3 “(b) BENEFIT.—If the Secretary establishes such a
4 program, the Secretary shall, subject to section (c), pro-
5 vide the benefit equally to the following individuals:

6 “(1) Active duty members and members of the
7 Selected Reserve holding a valid Uniformed Services
8 Identification and Privilege Card.

9 “(2) A retired member of an active or reserve
10 component, including retired members of reserve
11 components, who, but for being under the eligibility
12 age applicable to the member under section 12731
13 of this title, would be eligible for retired pay under
14 chapter 1223 of this title.

15 “(3) An unremarried widow or widower of an
16 active or reserve component member of the armed
17 forces.

18 “(4) A dependent that—

19 “(A)(i) is the child of an active or reserve
20 component member or former member described
21 in paragraph (1) or (2); or

22 “(ii) is the child of a deceased member en-
23 titled to retired pay holding a valid Uniformed
24 Services Identification and Privilege Card and a
25 surviving unremarried spouse; and

1 “(B) is accompanying the member or, in
2 the case of a deceased member, is the surviving
3 unremarried spouse of the deceased member or
4 is a dependent accompanying the surviving
5 unremarried spouse of the deceased member.

6 “(5) The surviving dependent of a deceased
7 member or former member described in paragraph
8 (2) holding a valid Uniformed Services Identification
9 and Privilege Card, if the dependent is accom-
10 panying the member or, in the case of a deceased
11 member, is the surviving unremarried spouse of the
12 deceased member or is a dependent accompanying
13 the surviving unremarried spouse of the deceased
14 member.

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

17 “(c) DISCRETION TO ESTABLISH PRIORITY
18 ORDER.—The Secretary, in establishing a program under
19 this section, may establish an order of priority that is
20 based on considerations of military needs and military
21 readiness.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by inserting
24 after the item relating to section 2641b the following new
25 item:

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

1 (c) REQUIREMENT FOR COMPTROLLER GENERAL
2 REVIEW.—

3 (1) IN GENERAL.—The Comptroller General of
4 the United States shall conduct a review of the De-
5 partment of Defense system for space-available trav-
6 el. The review shall determine the capacity of the
7 system presently and as projected in the future and
8 shall examine the efficiency and usage of space-avail-
9 able travel.

10 (2) ELEMENTS.—The review required under
11 paragraph (1) shall include the following elements:

12 (A) A discussion of the efficiency of the
13 system and data regarding usage of available
14 space by category of passengers under existing
15 regulations.

16 (B) Estimates of the effect on availability
17 based on future projections.

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

23 (D) An evaluation of the cost of the system
24 and whether space-available travel is and can
25 remain cost-neutral.

1 (E) Other factors relating to the efficiency
2 and cost effectiveness of space available travel.

3 **TITLE IV—MILITARY**
4 **PERSONNEL AUTHORIZATIONS**
5 **Subtitle A—Active Forces**

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

7 The Armed Forces are authorized strengths for active
8 duty personnel as of September 30, 2012, as follows:

9 (1) The Army, 562,000.

10 (2) The Navy, 325,700.

11 (3) The Marine Corps, 202,100.

12 (4) The Air Force, 332,800.

13 **Subtitle B—Reserve Forces**

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

15 (a) IN GENERAL.—The Armed Forces are authorized
16 strengths for Selected Reserve personnel of the reserve
17 components as of September 30, 2012, as follows:

18 (1) The Army National Guard of the United
19 States, 358,200.

20 (2) The Army Reserve, 205,000.

21 (3) The Navy Reserve, 66,200.

22 (4) The Marine Corps Reserve, 39,600.

23 (5) The Air National Guard of the United
24 States, 106,700.

25 (6) The Air Force Reserve, 71,400.

1 (7) The Coast Guard Reserve, 10,000.

2 (b) END STRENGTH REDUCTIONS.—The end
3 strengths prescribed by subsection (a) for the Selected Re-
4 serve of any reserve component shall be proportionately
5 reduced by—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (a) LIMITATIONS.—

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

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

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

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

21 (3) AIR FORCE RESERVE.—The number of non-
22 dual status technicians employed by the Air Force
23 Reserve as of September 30, 2012, may not exceed
24 90.

1 (b) NON-DUAL STATUS TECHNICIANS DEFINED.—In
2 this section, the term “non-dual status technician” has the
3 meaning given that term in section 10217(a) of title 10,
4 United States Code.

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

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

13 (1) The Army National Guard of the United
14 States, 17,000.

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

16 (3) The Navy Reserve, 6,200.

17 (4) The Marine Corps Reserve, 3,000.

18 (5) The Air National Guard of the United
19 States, 16,000.

20 (6) The Air Force Reserve, 14,000.

1 **Subtitle C—Authorization of**
 2 **Appropriations**

3 **SEC. 421. MILITARY PERSONNEL.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
 5 hereby authorized to be appropriated for military per-
 6 sonnel for fiscal year 2012 a total of \$142,347,648,000.

7 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
 8 thorization of appropriations in subsection (a) supersedes
 9 any other authorization of appropriations (definite or in-
 10 definite) for such purpose for fiscal year 2012.

11 **TITLE V—MILITARY PERSONNEL**
 12 **POLICY**

13 **Subtitle A—Officer Personnel**
 14 **Policy Generally**

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

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

“Marine Corps:			
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”.

1 **SEC. 502. VOLUNTARY RETIREMENT INCENTIVE.**

2 (a) IN GENERAL.—Chapter 36 of title 10, United
3 States Code, is amended by inserting after section 638a
4 the following new section:

5 **“§ 638b. Voluntary retirement incentive**

6 “(a) INCENTIVE FOR VOLUNTARY RETIREMENT FOR
7 CERTAIN OFFICERS.—The Secretary of Defense may au-
8 thorize the Secretary of a military department to provide
9 a voluntary retirement incentive payment in accordance
10 with this section to an officer of the armed forces under
11 that Secretary’s jurisdiction who is specified in subsection
12 (b) as being eligible for such a payment. Any such author-
13 ity provided the Secretary of a military department under
14 the preceding sentence shall expire as specified by the Sec-
15 retary of Defense, but not later than December 31, 2018.

16 “(b) ELIGIBLE OFFICERS.—(1) Except as provided
17 in paragraph (2), an officer of the armed forces is eligible
18 for a voluntary retirement incentive payment under this
19 section if the officer—

20 “(A) has served on active duty for more than
21 20 years, but not more than 29 years, on the ap-
22 proved date of retirement;

23 “(B) meets the minimum length of commis-
24 sioned service requirement for voluntary retirement
25 as a commissioned officer in accordance with section

1 3911, 6323, or 8911 of this title, as applicable to
2 that officer;

3 “(C) on the approved date of retirement, has 12
4 months or more remaining on active-duty service be-
5 fore reaching the maximum retirement years of ac-
6 tive service for the member’s grade as specified in
7 section 633 or 634 of this title;

8 “(D) on the approved date of retirement, has
9 12 months or more remaining on active-duty service
10 before reaching the maximum retirement age under
11 any other provision of law; and

12 “(E) meets any additional requirements for
13 such eligibility as is specified by the Secretary con-
14 cerned, including any requirement relating to years
15 of service, skill rating, military specialty or competi-
16 tive category, grade, any remaining period of obli-
17 gated service, or any combination thereof.

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

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

22 “(B) An officer projected to be retired under
23 section 1201 or 1204 of this title.

1 “(C) An officer projected to be discharged with
2 disability severance pay under section 1212 of this
3 title.

4 “(D) A member transferred to the temporary
5 disability retired list under section 1202 or 1205 of
6 this title.

7 “(E) An officer subject to pending disciplinary
8 action or subject to administrative separation or
9 mandatory discharge under any other provision of
10 law or regulation.

11 “(c) AMOUNT OF PAYMENT.—The amount of the vol-
12 untary retirement incentive payment paid an officer under
13 this section shall be an amount determined by the Sec-
14 retary concerned, but not to exceed an amount equal to
15 12 times the amount of the officer’s monthly basic pay
16 at the time of the officer’s retirement. The amount may
17 be paid in a lump sum at the time of retirement.

18 “(d) REPAYMENT FOR MEMBERS WHO RETURN TO
19 ACTIVE DUTY.—(1) Except as provided in paragraph (2),
20 a member of the armed forces who, after having received
21 all or part of a voluntary retirement incentive under this
22 section, returns to active duty shall have deducted from
23 each payment of basic pay, in such schedule of monthly
24 installments as the Secretary concerned shall specify, until

1 the total amount deducted from such basic pay equals the
 2 total amount of voluntary retirement incentive received.

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

6 “(3) The Secretary of Defense may waive, in whole
 7 or in part, repayment required under paragraph (1) if the
 8 Secretary determines that recovery would be against eq-
 9 uity and good conscience or would be contrary to the best
 10 interest of the United States. The authority in this para-
 11 graph may be delegated only to the Under Secretary of
 12 Defense for Personnel and Readiness and the Principal
 13 Deputy Under Secretary of Defense of Personnel and
 14 Readiness.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
 16 at the beginning of subchapter IV of chapter 36 of such
 17 title is amended by inserting after the item relating to sec-
 18 tion 638a the following new item:

“638b. Voluntary retirement incentive.”.

19 **SEC. 503. NATIONAL DEFENSE UNIVERSITY OUTPLACE-**
 20 **MENT WAIVER.**

21 (a) WAIVER AUTHORITY FOR OFFICERS NOT DES-
 22 IGNATED AS JOINT QUALIFIED OFFICERS.—Subsection
 23 (b) of section 663 of title 10, United States Code, is
 24 amended—

1 (1) in paragraph (1), by inserting after “to a
2 joint duty assignment” the following: “(or, as au-
3 thorized by the Secretary in an individual case, to a
4 joint assignment other than a joint duty assign-
5 ment)”; and

6 (2) in paragraph (2)—

7 (A) by striking “the joint duty assign-
8 ment” and inserting “the assignment”; and

9 (B) by striking “a joint duty assignment”
10 and inserting “such an assignment”.

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

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

19 “(2) Subsection (b) does not apply with respect to
20 any group of officers graduating from a school within the
21 National Defense University specified in subsection (c) fol-
22 lowing pursuit of a program on an other-than-in-residence
23 basis.”.

1 **SEC. 504. MODIFICATION OF DEFINITION OF “JOINT DUTY**
 2 **ASSIGNMENT” TO INCLUDE ALL INSTRUCTOR**
 3 **ASSIGNMENTS FOR JOINT TRAINING AND**
 4 **EDUCATION.**

5 Section 668(b)(1)(B) of title 10, United States Code,
 6 is amended by striking “assignments for joint” and all
 7 that follows through “Phase II” and inserting “student
 8 assignments for joint training and education”.

9 **Subtitle B—Reserve Component**
 10 **Management**

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

16 (a) AUTHORITY.—

17 (1) IN GENERAL.—Chapter 1209 of title 10,
 18 United States Code, is amended by inserting after
 19 section 12304 the following new section:

20 **“§ 12304a. Selected Reserve and certain Individual**
 21 **Ready Reserve members: order to active**
 22 **duty for preplanned missions**

23 “(a) AUTHORITY.—When the Secretary of a military
 24 department determines that it is necessary to augment the
 25 active forces for a preplanned mission, the Secretary may,
 26 subject to subsection (b), order any unit, and any member

1 not assigned to a unit organized to serve as a unit, of
2 the Selected Reserve (as defined in section 10143(a) of
3 this title), or any member in the Individual Ready Reserve
4 mobilization category and designated as essential under
5 regulations prescribed by the Secretary, under the juris-
6 diction of the Secretary, without the consent of the mem-
7 bers, to active duty for not more than 365 consecutive
8 days.

9 “(b) LIMITATIONS.—(1) Units or members may be
10 ordered to active duty under this section only if—

11 “(A) the manpower and associated costs of such
12 active duty are specifically included and identified in
13 the defense budget materials for the fiscal year or
14 years in which such units or members are antici-
15 pated to be ordered to active duty; and

16 “(B) the budget information on such costs in-
17 cludes a description of the mission for which such
18 units or members are anticipated to be ordered to
19 active duty and the anticipated length of time of the
20 order of such units or members to active duty on an
21 involuntary basis.

22 “(2) Not more than 60,000 members of the reserve
23 components of the armed forces may be on active duty
24 under this section at any one time.

1 “(c) EXCLUSION FROM STRENGTH LIMITATIONS.—
2 Members ordered to active duty under this section shall
3 not be counted in computing authorized strength in mem-
4 bers on active duty or total number of members in grade
5 under this title or any other law.

6 “(d) NOTICE TO CONGRESS.—Whenever the Sec-
7 retary of a military department orders any unit or member
8 of the Selected Reserve or Individual Ready Reserve to
9 active duty under subsection (a), such Secretary shall sub-
10 mit to Congress a report, in writing, setting forth the cir-
11 cumstances necessitating the action taken under this sec-
12 tion and describing the anticipated use of such units or
13 members.

14 “(e) TERMINATION OF DUTY.—Whenever any unit of
15 the Selected Reserve or any member of the Selected Re-
16 serve not assigned to a unit organized to serve as a unit,
17 or any member of the Individual Ready Reserve, is ordered
18 to active duty under subsection (a), the service of all units
19 or members so ordered to active duty may be terminated
20 by—

21 “(1) order of the Secretary of the military de-
22 partment concerned, or

23 “(2) law.

24 “(f) RELATIONSHIP TO WAR POWERS RESOLU-
25 TION.—Nothing contained in this section shall be con-

1 strued as amending or limiting the application of the pro-
2 visions of the War Powers Resolution (50 U.S.C. 1541 et
3 seq.).

4 “(g) CONSIDERATIONS FOR INVOLUNTARY ORDER TO
5 ACTIVE DUTY.—In determining which members of the Se-
6 lected Reserve and the Individual Ready Reserve will be
7 ordered to duty without their consent under this section,
8 appropriate consideration shall be given to—

9 “(1) the length and nature of previous service,
10 to assure such sharing of exposure to hazards as the
11 national security and military requirements will rea-
12 sonably allow;

13 “(2) the frequency of assignments during serv-
14 ice career;

15 “(3) family responsibilities; and

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

18 “(h) POLICIES AND PROCEDURES.—The Secretaries
19 of the military departments shall prescribe policies and
20 procedures to carry out this section, including on deter-
21 minations of orders to active duty under subsection (g).
22 Such policies and procedures shall not go into effect until
23 approved by the Secretary of Defense.

24 “(i) DEFINITIONS.—In this section:

1 “(1) The term ‘defense budget materials’ has
2 the meaning given that term in section 231(d)(2) of
3 this title.

4 “(2) The term ‘Individual Ready Reserve mobi-
5 lization category’ means, in the case of any reserve
6 component, the category of the Individual Ready Re-
7 serve described in section 10144(b) of this title.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of chapter 1209 of such title
10 is amended by inserting after the item relating to
11 section 12304 the following new item:

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

12 (b) CLARIFYING AMENDMENTS RELATING TO AU-
13 THORITY TO ORDER ACTIVE DUTY OTHER THAN DURING
14 WAR OR NATIONAL EMERGENCY.—Section 12304(a) of
15 such title is amended—

16 (1) by inserting “named” before “operational
17 mission”; and

18 (2) by striking “365 days” and inserting “365
19 consecutive days”.

1 **SEC. 512. MODIFICATION OF ELIGIBILITY FOR CONSIDER-**
2 **ATION FOR PROMOTION FOR CERTAIN RE-**
3 **SERVE OFFICERS EMPLOYED AS MILITARY**
4 **TECHNICIANS (DUAL STATUS).**

5 Section 14301 of title 10, United States Code, is
6 amended by adding at the end the following new sub-
7 section:

8 “(i) CERTAIN RESERVE OFFICERS.—A reserve offi-
9 cer who is employed as military technician (dual status)
10 under section 10216 of this title, and who has been re-
11 tained beyond the mandatory removal date for years of
12 service under section 10216(f) or 14702(a)(2) of this title,
13 is not eligible for consideration for promotion by a manda-
14 tory promotion board convened under section 14101(a) of
15 this title.”.

16 **SEC. 513. MODIFICATION OF TIME IN WHICH**
17 **PRESEPARATION COUNSELING MUST BE**
18 **PROVIDED TO RESERVE COMPONENT MEM-**
19 **BERS BEING DEMOBILIZED.**

20 Section 1142(a)(3)(B) of title 10, United States
21 Code, is amended by inserting “or in the event a member
22 of a reserve component is being demobilized under cir-
23 cumstances in which (as determined by the Secretary con-
24 cerned) operational requirements make the 90-day re-
25 quirement under subparagraph (A) unfeasible,” after “or
26 separation date,”.

1 **SEC. 514. REPORT ON TERMINATION OF MILITARY TECHNI-**
2 **CIAN AS A DISTINCT PERSONNEL MANAGE-**
3 **MENT CATEGORY.**

4 (a) INDEPENDENT STUDY REQUIRED.—The Sec-
5 retary of Defense shall conduct an independent study of
6 the feasibility and advisability of terminating the military
7 technician as a distinct personnel management category
8 of the Department of Defense.

9 (b) ELEMENTS.—In conducting the study required by
10 subsection (a), the Secretary shall—

11 (1) identify various options for deploying units
12 of the Selected Reserve of the Ready Reserve that
13 otherwise use military technicians through use of a
14 combination of active duty personnel, reserve compo-
15 nent personnel, State civilian employees, and Fed-
16 eral civilian employees in a manner that meets mis-
17 sion requirements without harming unit readiness;

18 (2) identify various means for the management
19 by the Department of the transition of military tech-
20 nicians to a system that relies on traditional per-
21 sonnel categories of active duty personnel, reserve
22 component personnel, and civilian personnel, and for
23 the management of any effects of that transition on
24 the pay and benefits of current military technicians
25 (including means for mitigating or avoiding such ef-
26 fects in the course of such transition);

1 (3) determine whether military technicians who
2 are employed at the commencement of the transition
3 described in paragraph (2) should remain as techni-
4 cians, whether with or without a military status,
5 until separation or retirement, rather than
6 transitioned to such a traditional personnel category;

7 (4) identify and take into account the unique
8 needs of the National Guard in the management and
9 use of military technicians;

10 (5) determine potential cost savings, if any, to
11 be achieved as a result of the transition described in
12 paragraph (2), including savings in long-term man-
13 datory entitlement costs associated with military and
14 civil service retirement obligations;

15 (6) develop a recommendation on the feasibility
16 and advisability of terminating the military techni-
17 cian as a distinct personnel management category,
18 and, if the termination is determined to be feasible
19 and advisable, develop recommendations for appro-
20 priate legislative and administrative action to imple-
21 ment the termination;

22 (7) address any other matter relating to the
23 management and long-term viability of the military
24 technician as a distinct personnel management cat-

1 egory that the Secretary shall specify for purposes of
2 the study; and

3 (8) ensure the involvement and input of mili-
4 tary technicians (dual status).

5 (c) REPORT.—Not later than one year after the date
6 of the enactment of this Act, the Secretary shall submit
7 to the congressional defense committees a report on the
8 study required by subsection (a). The report shall set forth
9 the results of the study, including the matters specified
10 in subsection (b), and include such comments and rec-
11 ommendations on the results of the study as the Secretary
12 considers appropriate.

13 **SEC. 515. AUTHORITY TO ORDER ARMY RESERVE, NAVY RE-**
14 **SERVE, MARINE CORPS RESERVE, AND AIR**
15 **FORCE RESERVE TO ACTIVE DUTY TO PRO-**
16 **VIDE ASSISTANCE IN RESPONSE TO A MAJOR**
17 **DISASTER OR EMERGENCY.**

18 (a) AUTHORITY.—

19 (1) IN GENERAL.—Chapter 1209 of title 10,
20 United States Code, as amended by section
21 511(a)(1), is further amended by inserting after sec-
22 tion 12304a the following new section:

1 **“§ 12304b. Army Reserve, Navy Reserve, Marine**
2 **Corps Reserve, and Air Force Reserve:**
3 **order to active duty to provide assistance**
4 **in response to a major disaster or emer-**
5 **gency**

6 “(a) **AUTHORITY.**—When a Governor requests Fed-
7 eral assistance in responding to a major disaster or emer-
8 gency (as those terms are defined in section 102 of the
9 Robert T. Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5122)), the Secretary of Defense
11 may, without the consent of the member affected, order
12 any unit, and any member not assigned to a unit orga-
13 nized to serve as a unit, of the Army Reserve, Navy Re-
14 serve, Marine Corps Reserve, and Air Force Reserve to
15 active duty for a continuous period of not more than 120
16 days to respond to the Governor’s request.

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

22 “(c) **TERMINATION OF DUTY.**—Whenever any unit or
23 member of the reserve components is ordered to active
24 duty under this section, the service of all units or members
25 so ordered to active duty may be terminated by order of
26 the Secretary of Defense or law.”

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such chapter, as amended
3 by section 511(a)(2), is further amended by insert-
4 ing after the item relating to section 12304a the fol-
5 lowing new item:

“12304b. Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Re-
serve: order to active duty to provide assistance in response to
a major disaster or emergency.”.

6 (b) TREATMENT OF OPERATIONS AS CONTINGENCY
7 OPERATIONS.—Section 101(a)(13)(B) of such title is
8 amended by inserting “12304b,” after “12304.”.

9 (c) USUAL AND CUSTOMARY ARRANGEMENT.—

10 (1) DUAL-STATUS COMMANDER.—When the
11 Armed Forces and the National Guard are employed
12 simultaneously in support of civil authorities in the
13 United States, appointment of a commissioned offi-
14 cer as a dual-status commander serving on active
15 duty and duty in, or with, the National Guard of a
16 State under sections 315 or 325 of title 32, United
17 States Code, as commander of Federal forces by
18 Federal authorities and as commander of State Na-
19 tional Guard forces by State authorities, should be
20 the usual and customary command and control ar-
21 rangement, including for missions involving a major
22 disaster or emergency as those terms are defined in
23 section 102 of the Robert T. Stafford Disaster Relief
24 and Emergency Assistance Act (42 U.S.C. 5122).

1 The chain of command for the Armed Forces shall
2 remain in accordance with sections 162(b) and
3 164(c) of title 10, United States Code.

4 (2) STATE AUTHORITIES SUPPORTED.—When a
5 major disaster or emergency occurs in any area sub-
6 ject to the laws of any State, Territory, or the Dis-
7 trict of Columbia, the Governor of the State affected
8 normally should be the principal civil authority sup-
9 ported by the primary Federal agency and its sup-
10 porting Federal entities, and the Adjutant General
11 of the State or his or her subordinate designee nor-
12 mally should be the principal military authority sup-
13 ported by the dual-status commander when acting in
14 his or her State capacity.

15 (3) RULE OF CONSTRUCTION.—Nothing in
16 paragraphs (1) or (2) shall be construed to preclude
17 or limit, in any way, the authorities of the President,
18 the Secretary of Defense, or the Governor of any
19 State to direct, control, and prescribe command and
20 control arrangements for forces under their com-
21 mand.

1 **Subtitle C—General Service**
2 **Authorities**

3 **SEC. 521. REPEAL OF MANDATORY HIGH-DEPLOYMENT AL-**
4 **LOWANCE.**

5 (a) REPEAL.—Section 436 of title 37, United States
6 Code, is repealed.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of chapter 7 of such title is amended by
9 striking the item relating to section 436.

10 **SEC. 522. PROHIBITION ON DENIAL OF REENLISTMENT OF**
11 **MEMBERS FOR UNSUITABILITY BASED ON**
12 **THE SAME MEDICAL CONDITION FOR WHICH**
13 **THEY WERE DETERMINED TO BE FIT FOR**
14 **DUTY.**

15 (a) PROHIBITION.—Subsection (a) of section 1214a
16 of title 10, United States Code, is amended by inserting
17 “, or deny reenlistment of the member,” after “a member
18 described in subsection (b)”.

19 (b) CONFORMING AMENDMENT.—Subsection (c)(3)
20 of such section is amended by inserting “or denial of reen-
21 listment” after “to warrant administrative separation”.

22 (c) CLERICAL AMENDMENTS.—

23 (1) HEADING AMENDMENT.—The heading of
24 such section is amended to read as follows:

1 **“§ 1214a. Members determined fit for duty in Phys-**
 2 **ical Evaluation Board: prohibition on in-**
 3 **voluntary administrative separation or**
 4 **denial of reenlistment due to**
 5 **unsuitability based on medical conditions**
 6 **considered in evaluation”.**

7 (2) TABLE OF SECTIONS.—The table of sections
 8 at the beginning of chapter 61 of such title is
 9 amended by striking the item relating to section
 10 1214a and inserting the following new item:

“1214a. Members determined fit for duty in Physical Evaluation Board: prohibi-
 tion on involuntary administrative separation or denial of reen-
 listment due to unsuitability based on medical conditions con-
 sidered in evaluation.”.

11 **SEC. 523. EXPANSION OF REGULAR ENLISTED MEMBERS**
 12 **COVERED BY EARLY DISCHARGE AUTHORITY.**

13 Section 1171 of title 10, United States Code, is
 14 amended by striking “within three months” and inserting
 15 “within one year”.

16 **SEC. 524. EXTENSION OF VOLUNTARY SEPARATION PAY**
 17 **AND BENEFITS.**

18 Section 1175a(k)(1) of title 10, United States Code,
 19 is amended by striking “December 31, 2012” and insert-
 20 ing “December 31, 2018”.

1 **SEC. 525. EMPLOYMENT SKILLS TRAINING FOR MEMBERS**
2 **OF THE ARMED FORCES ON ACTIVE DUTY**
3 **WHO ARE TRANSITIONING TO CIVILIAN LIFE.**

4 Section 1143 of title 10, United States Code, is
5 amended by adding at the end the following new sub-
6 section:

7 “(e) EMPLOYMENT SKILLS TRAINING.—(1) The Sec-
8 retary of a military department may carry out one or more
9 programs to provide eligible members of the armed forces
10 under the jurisdiction of the Secretary with job training
11 and employment skills training to help prepare such mem-
12 bers for employment in the civilian sector.

13 “(2) A member of the armed forces is an eligible
14 member for purposes of a program under this subsection
15 if the member—

16 “(A) has completed at least 180 days on active
17 duty in the armed forces; and

18 “(B) is expected to be discharged or released
19 from active duty in the armed forces within 180
20 days of the date of commencement of participation
21 in such a program.

22 “(3) Any program under this subsection shall be car-
23 ried out in accordance with regulations prescribed by the
24 Secretary of Defense.”.

1 **SEC. 526. 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 a 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 for recruitment
3 and enlistment in the Armed Forces, which may in-
4 clude the use of a noncognitive aptitude test, adapt-
5 ive personality assessment, or other operational at-
6 trition screening tool to predict performance, behav-
7 iors, and attitudes of potential recruits that influ-
8 ence attrition and the ability to adapt to a regi-
9 mented life in the 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. 527. FREEDOM OF CONSCIENCE OF MILITARY CHAP-**
 2 **LAINS WITH RESPECT TO THE PERFORM-**
 3 **ANCE OF MARRIAGES.**

4 A military chaplain who, as a matter of conscience
 5 or moral principle, does not wish to perform a marriage
 6 may not be required to do so.

7 **Subtitle D—Education and**
 8 **Training**

9 **SEC. 541. ENHANCEMENT OF AUTHORITIES ON JOINT PRO-**
 10 **FESSIONAL MILITARY EDUCATION.**

11 (a) **AUTHORITY TO CREDIT MILITARY GRADUATES**
 12 **OF THE NATIONAL DEFENSE INTELLIGENCE COLLEGE**
 13 **WITH COMPLETION OF JOINT PROFESSIONAL MILITARY**
 14 **EDUCATION PHASE I.—**

15 (1) **JOINT PROFESSIONAL MILITARY EDUCATION**
 16 **PHASE I.—**Section 2154(a)(1) of title 10, United
 17 States Code, is amended by inserting “or at a joint
 18 intermediate level school” before the period at the
 19 end.

20 (2) **JOINT INTERMEDIATE LEVEL SCHOOL DE-**
 21 **FINED.—**Section 2151(b) of such title is amended by
 22 adding at the end the following new paragraph:

23 “(3) The term ‘joint intermediate level school’
 24 includes the National Defense Intelligence College.”.

1 (b) AUTHORITY FOR OTHER-THAN-IN RESIDENCE
 2 PROGRAM TAUGHT THROUGH JOINT FORCES STAFF COL-
 3 LEGE.—

4 (1) IN GENERAL.—Section 2154(a)(2) of such
 5 title is amended—

6 (A) in the matter preceding subparagraph
 7 (A), by striking “in residence at”;

8 (B) in subparagraph (A), by inserting
 9 “by” after “(A)”; and

10 (C) in subparagraph (B), by inserting “in
 11 residence at” after “(B)”.

12 (2) CONFORMING AMENDMENT.—Section
 13 2156(b) of such title is amended by inserting “in
 14 residence” after “course of instruction offered”.

15 **SEC. 542. GRADE OF COMMISSIONED OFFICERS IN UNI-**
 16 **FORMED MEDICAL ACCESSION PROGRAMS.**

17 (a) MEDICAL STUDENTS OF USUHS.—Section
 18 2114(b) of title 10, United States Code, is amended—

19 (1) in paragraph (1), by striking the second
 20 sentence and inserting the following new sentences:
 21 “Each medical student shall be appointed as a reg-
 22 ular officer in the grade of second lieutenant or en-
 23 sign. An officer so appointed may, upon meeting
 24 such criteria for promotion as may be prescribed by
 25 the Secretary concerned, be appointed in the regular

1 grade of first lieutenant or lieutenant (junior grade).
2 Medical students commissioned under this section
3 shall serve on active duty in their respective
4 grades.”; and

5 (2) in paragraph (2), by striking “grade of sec-
6 ond lieutenant or ensign” and inserting “grade in
7 which the member is serving under paragraph (1)”.

8 (b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOL-
9 ARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section
10 2121(c) of such title is amended—

11 (1) in paragraph (1), by striking the second
12 sentence and inserting the following new sentences:
13 “Each person so commissioned shall be appointed as
14 a reserve officer in the grade of second lieutenant or
15 ensign. An officer so appointed may, upon meeting
16 such criteria for promotion as may be prescribed by
17 the Secretary concerned, be appointed in the reserve
18 grade of first lieutenant or lieutenant (junior grade).
19 Medical students commissioned under this section
20 shall serve on active duty in their respective grades
21 for a period of 45 days during each year of partici-
22 pation in the program.”; and

23 (2) in paragraph (2), by striking “grade of sec-
24 ond lieutenant or ensign” and inserting “grade in
25 which the member is serving under paragraph (1)”.

1 (c) OFFICERS DETAILED AS STUDENTS AT MEDICAL
 2 SCHOOLS.—Subsection (e) of section 2004a of such title
 3 is amended—

4 (1) in the subsection heading, by striking “AP-
 5 POINTMENT AND TREATMENT OF PRIOR ACTIVE
 6 SERVICE” and inserting “SERVICE ON ACTIVE
 7 DUTY”; and

8 (2) by striking paragraph (1) and inserting the
 9 following new paragraph (1):

10 “(1) A commissioned officer detailed under sub-
 11 section (a) shall serve on active duty, subject to the limita-
 12 tions on grade specified in section 2114(b)(1) of this title
 13 and with the entitlement to basic pay as specified in sec-
 14 tion 2114(b)(2) of this title.”.

15 **SEC. 543. RESERVE COMPONENT MENTAL HEALTH STU-**
 16 **DENT STIPEND.**

17 (a) RESERVE COMPONENT MENTAL HEALTH STU-
 18 DENT STIPEND.—Section 16201 of title 10, United States
 19 Code, is amended—

20 (1) by redesignating subsection (f) as sub-
 21 section (g); and

22 (2) by inserting after subsection (e) the fol-
 23 lowing new subsection (f):

24 “(f) MENTAL HEALTH PROFESSIONALS IN CRITICAL
 25 WARTIME SPECIALTIES.—(1) Under the stipend program

1 under this chapter, the Secretary of the military depart-
2 ment concerned may enter into an agreement with a per-
3 son who—

4 “(A) is eligible to be appointed as an officer in
5 a reserve component;

6 “(B) is enrolled or has been accepted for enroll-
7 ment in an institution in a course of study that re-
8 sults in a degree in clinical psychology or social
9 work;

10 “(C) signs an agreement that, unless sooner
11 separated, the person will—

12 “(i) complete the educational phase of the
13 program;

14 “(ii) accept a reappointment or redesigna-
15 tion within the person’s reserve component, if
16 tendered, based upon the person’s health pro-
17 fession, following satisfactory completion of the
18 educational and intern programs; and

19 “(iii) participate in a residency program if
20 required for clinical licensure; and

21 “(D) if required by regulations prescribed by
22 the Secretary of Defense, agrees to apply for, if eli-
23 gible, and accept, if offered, residency training in a
24 health profession skill that has been designated by
25 the Secretary as a critically needed wartime skill.

1 “(2) Under the agreement—

2 “(A) the Secretary of the military department
3 concerned shall agree to pay the participant a sti-
4 pend, in the amount determined under subsection
5 (g), for the period or the remainder of the period
6 that the student is satisfactorily progressing toward
7 a degree in clinical psychology or social work while
8 enrolled in a school accredited in the designated
9 mental health discipline;

10 “(B) the participant shall not be eligible to re-
11 ceive such stipend before appointment, designation,
12 or assignment as an officer for service in the Ready
13 Reserve;

14 “(C) the participant shall be subject to such ac-
15 tive duty requirements as may be specified in the
16 agreement and to active duty in time of war or na-
17 tional emergency as provided by law for members of
18 the Ready Reserve; and

19 “(D) the participant shall agree to serve, upon
20 successful completion of the program, one year in
21 the Ready Reserve for each six months, or part
22 thereof, for which the stipend is provided, to be
23 served in the Selected Reserve or in the Individual
24 Ready Reserve as specified in the agreement.”.

1 (b) CONFORMING AMENDMENTS.—Such section is
2 further amended—

3 (1) in subsections (b)(2)(A), (c)(2)(A), and
4 (d)(2)(A), by striking “subsection (f)” and inserting
5 “subsection (g)”; and

6 (2) in subsection (g), as redesignated by sub-
7 section (a)(1) of this section, by striking “subsection
8 (b) or (c)” and inserting “subsection (b), (c), or
9 (f)”.

10 **SEC. 544. ENROLLMENT OF CERTAIN SERIOUSLY WOUND-**
11 **ED, ILL, OR INJURED FORMER OR RETIRED**
12 **ENLISTED MEMBERS OF THE ARMED FORCES**
13 **IN ASSOCIATE DEGREE PROGRAMS OF THE**
14 **COMMUNITY COLLEGE OF THE AIR FORCE IN**
15 **ORDER TO COMPLETE DEGREE PROGRAM.**

16 (a) IN GENERAL.—Section 9315 of title 10, United
17 States Code, is amended—

18 (1) by redesignating subsection (c) as sub-
19 section (d); and

20 (2) by inserting after subsection (b) the fol-
21 lowing new subsection (c):

22 “(c) SERIOUSLY WOUNDED, ILL, OR INJURED
23 FORMER AND RETIRED ENLISTED MEMBERS.—(1) The
24 Secretary of the Air Force may authorize participation in
25 a program of higher education under subsection (a)(1) by

1 a person who is a former or retired enlisted member of
2 the armed forces who at the time of the person's separa-
3 tion from active duty—

4 “(A) had commenced but had not completed a
5 program of higher education under subsection
6 (a)(1); and

7 “(B) is categorized by the Secretary concerned
8 as seriously wounded, ill, or injured.

9 “(2) A person may not be authorized under para-
10 graph (1) to participate in a program of higher education
11 after the end of the 10-year period beginning on the date
12 of the person's separation from active duty.”.

13 (b) CONFORMING AMENDMENTS.—Subsection (d) of
14 such section, as redesignated by subsection (a)(1), is
15 amended by striking “enlisted member” both places it ap-
16 pears and inserting “person”.

17 (c) EFFECTIVE DATE.—Subsection (c) of section
18 9315 of title 10, United States Code (as added by sub-
19 section (a)(2)), shall apply to persons covered by para-
20 graph (1) of such subsection who are categorized by the
21 Secretary concerned as seriously wounded, ill, or injured
22 after September 11, 2001. With respect to any such per-
23 son who is separated from active duty during the period
24 beginning on September 12, 2001, and ending on the date
25 of the enactment of this Act, the 10-year period specified

1 in paragraph (2) of such subsection shall be deemed to
2 commence on the date of the enactment of this Act.

3 **SEC. 545. CONSOLIDATION OF MILITARY DEPARTMENT AU-**
4 **THORITY TO ISSUE ARMS, TENTAGE, AND**
5 **EQUIPMENT TO EDUCATIONAL INSTITUTIONS**
6 **NOT MAINTAINING UNITS OF JUNIOR ROTC.**

7 (a) CONSOLIDATION.—Chapter 152 of title 10,
8 United States Code, is amended by inserting after section
9 2552 the following new section:

10 **“§ 2552a. Arms, tentage, and equipment: educational**
11 **institutions not maintaining units of Jun-**
12 **ior R.O.T.C.**

13 “The Secretary of a military department may issue
14 arms, tentage, and equipment to an educational institution
15 at which no unit of the Junior Reserve Officers’ Training
16 Corps is maintained if the educational institution—

17 “(1) offers a course in military training pre-
18 scribed by that Secretary; and

19 “(2) has a student body of at least 100 phys-
20 ically fit students over 14 years of age.”.

21 (b) CONFORMING REPEALS.—Sections 4651, 7911,
22 and 9651 of such title are repealed.

23 (c) CLERICAL AMENDMENTS.—

24 (1) The table of sections at the beginning of
25 chapter 152 of such title is amended by inserting

1 after the item relating to section 2552 the following
2 new item:

“2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior R.O.T.C.”.

3 (2) The table of sections at the beginning of
4 chapter 441 of such title is amended by striking the
5 item relating to section 4651.

6 (3) The table of sections at the beginning of
7 chapter 667 of such title is amended by striking the
8 item relating to section 7911.

9 (4) The table of sections at the beginning of
10 chapter 941 of such title is amended by striking the
11 item relating to section 9651.

12 **SEC. 546. TEMPORARY AUTHORITY TO WAIVE MAXIMUM**
13 **AGE LIMITATION ON ADMISSION TO THE**
14 **MILITARY SERVICE ACADEMIES.**

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—

1 (1) satisfies the eligibility requirements for ad-
2 mission to that academy (other than the maximum
3 age limitation); and

4 (2) was or is prevented from being admitted to
5 a military service academy before the member
6 reached the maximum age specified in such sections
7 as a result of service on active duty in a theater of
8 operations for Operation Iraqi Freedom, Operation
9 Enduring Freedom, or Operation New Dawn.

10 (b) MAXIMUM AGE FOR RECEIPT OF WAIVER.—A
11 waiver may not be granted under this section if the can-
12 didate would pass the candidate's twenty-sixth birthday by
13 July 1 of the year in which the candidate would enter the
14 military service academy pursuant to the waiver.

15 (c) LIMITATION ON NUMBER ADMITTED USING
16 WAIVER.—Not more than five candidates may be admitted
17 to each of the military service academies for an academic
18 year pursuant to a waiver granted under this section.

19 (d) RECORD KEEPING REQUIREMENT.—The Sec-
20 retary of each military department shall maintain records
21 on the number of graduates of the military service acad-
22 emy under the jurisdiction of the Secretary who are admit-
23 ted pursuant to a waiver granted under this section and
24 who remain in the Armed Forces beyond the active duty
25 service obligation assumed upon graduation. The Sec-

1 retary shall compare their retention rate to the retention
2 rate of graduates of that academy generally.

3 (e) REPORTS.—Not later than April 1, 2016, the Sec-
4 retary of each military department shall submit to the
5 Committees on Armed Services of the Senate and the
6 House of Representatives a report specifying—

7 (1) the number of applications for waivers re-
8 ceived by the Secretary under this section;

9 (2) the number of waivers granted by the Sec-
10 retary under this section;

11 (3) the number of candidates actually admitted
12 to the military service academy under the jurisdic-
13 tion of the Secretary pursuant to a waiver granted
14 by the Secretary under this section; and

15 (4) beginning with the class of 2009, the num-
16 ber of graduates of the military service academy
17 under the jurisdiction of the Secretary who, before
18 admission to that academy, were enlisted members
19 of the Armed Forces and who remain in the Armed
20 Forces beyond the active duty service obligation as-
21 sumed upon graduation.

22 (f) DURATION OF WAIVER AUTHORITY.—The au-
23 thority to grant a waiver under this section expires on
24 September 30, 2016.

1 **SEC. 547. PILOT PROGRAM ON RECEIPT OF CIVILIAN**
2 **CREDENTIALING FOR SKILLS REQUIRED FOR**
3 **MILITARY OCCUPATIONAL SPECIALTIES.**

4 (a) **PILOT PROGRAM REQUIRED.**—Commencing not
5 later than nine months after the date of the enactment
6 of this Act, the Secretary of Defense shall carry out a pilot
7 program to assess the feasibility and advisability of per-
8 mitting enlisted members of the Armed Forces to obtain
9 civilian credentialing or licensing for skills required for
10 military occupational specialties (MOS) or qualification
11 for duty specialty codes.

12 (b) **ELEMENTS.**—In carrying out the pilot program,
13 the Secretary shall—

14 (1) designate not less than three or more than
15 five military occupational specialties or duty spe-
16 ciality codes for coverage under the pilot program;
17 and

18 (2) permit enlisted members of the Armed
19 Forces to obtain the credentials or licenses required
20 for the specialties or codes so designated through ci-
21 vilian credentialing or licensing entities, institutions,
22 or bodies selected by the Secretary for purposes of
23 the pilot program, whether concurrently with mili-
24 tary training, at the completion of military training,
25 or both.

1 (c) REPORT.—Not later than one year after com-
2 mencement of the pilot program, the Secretary shall sub-
3 mit to Congress a report on the pilot program. The report
4 shall set forth the following:

5 (1) The number of enlisted members who par-
6 ticipated in the pilot program.

7 (2) A description of the costs incurred by the
8 Department of Defense in connection with the re-
9 ceipt by members of credentialing or licensing under
10 the pilot program.

11 (3) A comparison the cost associated with re-
12 ceipt by members of credentialing or licensing under
13 the pilot program with the cost of receipt of similar
14 credentialing or licensing by recently-discharged vet-
15 erans of the Armed Forces under programs cur-
16 rently operated by the Department of Veterans Af-
17 fairs and the Department of Labor.

18 (4) The recommendation of the Secretary as to
19 the feasibility and advisability of expanding the pilot
20 program to additional military occupational special-
21 ties or duty specialty codes, and, if such expansion
22 is considered feasible and advisable, a list of the
23 military occupational specialties and duty specialty
24 codes recommended for inclusion the expansion.

1 **Subtitle E—Military Justice and**
2 **Legal Matters Generally**

3 **SEC. 551. REFORM OF OFFENSES RELATING TO RAPE, SEX-**
4 **UAL ASSAULT, AND OTHER SEXUAL MIS-**
5 **CONDUCT UNDER THE UNIFORM CODE OF**
6 **MILITARY JUSTICE.**

7 (a) RAPE AND SEXUAL ASSAULT GENERALLY.—Sec-
8 tion 920 of title 10, United States Code (article 120 of
9 the Uniform Code of Military Justice), is amended as fol-
10 lows:

11 (1) REVISED OFFENSE OF RAPE.—Subsection

12 (a) is amended to read as follows:

13 “(a) RAPE.—Any person subject to this chapter who
14 commits a sexual act upon another person by—

15 “(1) using unlawful force against that other
16 person;

17 “(2) using force causing or likely to cause death
18 or grievous bodily harm to any person;

19 “(3) threatening or placing that other person in
20 fear that any person will be subjected to death,
21 grievous bodily harm, or kidnapping;

22 “(4) first rendering that other person uncon-
23 scious; or

24 “(5) administering to that other person by force
25 or threat of force, or without the knowledge or con-

1 sent of that person, a drug, intoxicant, or other
 2 similar substance and thereby substantially impair-
 3 ing the ability of that other person to appraise or
 4 control conduct;
 5 is guilty of rape and shall be punished as a court-martial
 6 may direct.”.

7 (2) REPEAL OF PROVISIONS RELATING TO OF-
 8 FENSES REPLACED BY NEW ARTICLE 120b.—Sub-
 9 sections (b), (d), (f), (g), (i), (j), and (o) are re-
 10 pealed.

11 (3) REVISED OFFENSE OF SEXUAL ASSAULT.—
 12 Subsection (c) is redesignated as subsection (b) and
 13 is amended to read as follows:

14 “(b) SEXUAL ASSAULT.—Any person subject to this
 15 chapter who—

16 “(1) commits a sexual act upon another person
 17 by—

18 “(A) threatening or placing that other per-
 19 son in fear;

20 “(B) causing bodily harm to that other
 21 person;

22 “(C) making a fraudulent representation
 23 that the sexual act serves a professional pur-
 24 pose; or

1 “(D) inducing a belief by any artifice, pre-
2 tense, or concealment that the person is another
3 person;

4 “(2) commits a sexual act upon another person
5 when the person knows or reasonably should know
6 that the other person is asleep, unconscious, or oth-
7 erwise unaware that the sexual act is occurring; or

8 “(3) commits a sexual act upon another person
9 when the other person is incapable of consenting to
10 the sexual act due to—

11 “(A) impairment by any drug, intoxicant,
12 or other similar substance, and that condition is
13 known or reasonably should be known by the
14 person; or

15 “(B) a mental disease or defect, or phys-
16 ical disability, and that condition is known or
17 reasonably should be known by the person;

18 is guilty of sexual assault and shall be punished as a court-
19 martial may direct.”.

20 (4) AGGRAVATED SEXUAL CONTACT.—Sub-
21 section (e) is redesignated as subsection (c) and is
22 amended—

23 (A) by striking “engages in” and inserting
24 “commits”; and

1 (B) by striking “with” and inserting
2 “upon”.

3 (5) ABUSIVE SEXUAL CONTACT.—Subsection
4 (h) is redesignated as subsection (d) and is amend-
5 ed—

6 (A) by striking “engages in” and inserting
7 “commits”;

8 (B) by striking “with” and inserting
9 “upon”; and

10 (C) by striking “subsection (c) (aggravated
11 sexual assault)” and inserting “subsection (b)
12 (sexual assault)”.

13 (6) REPEAL OF PROVISIONS RELATING TO OF-
14 FENSES REPLACED BY NEW ARTICLE 120c.—Sub-
15 sections (k), (l), (m), and (n) are repealed.

16 (7) PROOF OF THREAT.—Subsection (p) is re-
17 designated as subsection (e) and is amended—

18 (A) by striking “the accused made” and
19 inserting “a person made”;

20 (B) by striking “the accused actually” and
21 inserting “the person actually”; and

22 (C) by inserting before the period at the
23 end the following: “or had the ability to carry
24 out the threat”.

1 (8) DEFENSES.—Subsection (q) is redesignated
2 as subsection (f) and is amended to read as follows:

3 “(f) DEFENSES.—An accused may raise any applica-
4 ble defenses available under this chapter or the Rules for
5 Court-Martial. Marriage is not a defense for any conduct
6 in issue in any prosecution under this section.”.

7 (9) PROVISIONS RELATING TO AFFIRMATIVE
8 DEFENSES.—Subsections (r) and (s) are repealed.

9 (10) DEFINITIONS.—Subsection (t) is redesignig-
10 nated as subsection (g) and is amended—

11 (A) in paragraph (1)—

12 (i) in subparagraph (A), by inserting
13 “or anus or mouth” after “vulva”; and

14 (ii) in subparagraph (B)—

15 (I) by striking “genital opening”
16 and inserting “vulva or anus or
17 mouth,”; and

18 (II) by striking “a hand or fin-
19 ger” and inserting “any part of the
20 body”;

21 (B) by striking paragraph (2) and insert-
22 ing the following:

23 “(2) SEXUAL CONTACT.—The term ‘sexual con-
24 tact’ means—

1 “(A) touching, or causing another person
2 to touch, either directly or through the clothing,
3 the genitalia, anus, groin, breast, inner thigh,
4 or buttocks of any person, with an intent to
5 abuse, humiliate, or degrade any person; or

6 “(B) any touching, or causing another per-
7 son to touch, either directly or through the
8 clothing, any body part of any person, if done
9 with an intent to arouse or gratify the sexual
10 desire of any person.

11 Touching may be accomplished by any part of the
12 body.”.

13 (C) by striking paragraph (4) and redesign-
14 nating paragraph (3) as paragraph (4);

15 (D) by redesignating paragraph (8) as
16 paragraph (3), transferring that paragraph so
17 as to appear after paragraph (2), and amending
18 that paragraph by inserting before the period at
19 the end the following: “, including any non-
20 consensual sexual act or nonconsensual sexual
21 contact”;

22 (E) in paragraph (4), as redesignated by
23 subparagraph (C), by striking the last sentence;

24 (F) by striking paragraphs (5) and (7);

1 (G) by redesignating paragraph (6) as
2 paragraph (7);

3 (H) by inserting after paragraph (4), as
4 redesignated by subparagraph (C), the following
5 new paragraphs (5) and (6):

6 “(5) FORCE.—The term ‘force’ means—

7 “(A) the use of a weapon;

8 “(B) the use of such physical strength or
9 violence as is sufficient to overcome, restrain, or
10 injure a person; or

11 “(C) inflicting physical harm sufficient to
12 coerce or compel submission by the victim.

13 “(6) UNLAWFUL FORCE.—The term ‘unlawful
14 force’ means an act of force done without legal jus-
15 tification or excuse.”;

16 (I) in paragraph (7), as redesignated by
17 subparagraph (G)—

18 (i) by striking “under paragraph (3)”
19 and all that follows through “contact,”;
20 and

21 (ii) by striking “death, grievous bodily
22 harm, or kidnapping” and inserting “the
23 wrongful action contemplated by the com-
24 munication or action.”;

1 (J) by striking paragraphs (9) through
2 (13);

3 (K) by redesignating paragraph (14) as
4 paragraph (8) and in that paragraph—

5 (i) by inserting “(A)” before “The
6 term”;

7 (ii) by striking “words or overt acts
8 indicating” and “sexual” in the first sen-
9 tence;

10 (iii) by striking “accused’s” in the
11 third sentence;

12 (iv) by inserting “or social or sexual”
13 before “relationship” in the fourth sen-
14 tence;

15 (v) by striking “sexual” before “con-
16 duct” in the fourth sentence;

17 (vi) by striking “A person cannot con-
18 sent” and all that follows through the pe-
19 riod; and

20 (vii) by adding at the end the fol-
21 lowing new subparagraphs:

22 “(B) A sleeping, unconscious, or incom-
23 petent person cannot consent. A person cannot
24 consent to force causing or likely to cause death
25 or grievous bodily harm or to being rendered

1 unconscious. A person cannot consent while
 2 under threat or in fear or under the cir-
 3 cumstances described in subparagraph (C) or
 4 (D) of subsection (b)(1).

5 “(C) Lack of consent may be inferred
 6 based on the circumstances of the offense. All
 7 the surrounding circumstances are to be consid-
 8 ered in determining whether a person gave con-
 9 sent, or whether a person did not resist or
 10 ceased to resist only because of another per-
 11 son’s actions.”; and

12 (L) by striking paragraphs (15) and (16).

13 (11) SECTION HEADING.—The heading of such
 14 section (article) is amended to read as follows:

15 **“§ 920. Art. 120. Rape and sexual assault generally”.**

16 (b) RAPE AND SEXUAL ASSAULT OF A CHILD.—
 17 Chapter 47 of such title (the Uniform Code of Military
 18 Justice) is amended by inserting after section 920a (arti-
 19 cle 120a), as amended by subsection (a), the following new
 20 section (article):

21 **“§ 920b. Art. 120b. Rape and sexual assault of a child**

22 “(a) RAPE OF A CHILD.—Any person subject to this
 23 chapter who—

24 “(1) commits a sexual act upon a child who has
 25 not attained the age of 12 years; or

1 “(2) commits a sexual act upon a child who has
2 attained the age of 12 years by—

3 “(A) using force against any person;

4 “(B) threatening or placing that child in
5 fear;

6 “(C) rendering that child unconscious; or

7 “(D) administering to that child a drug,
8 intoxicant, or other similar substance;

9 is guilty of rape of a child and shall be punished as a
10 court-martial may direct.

11 “(b) SEXUAL ASSAULT OF A CHILD.—Any person
12 subject to this chapter who commits a sexual act upon a
13 child who has attained the age of 12 years is guilty of
14 sexual assault of a child and shall be punished as a court-
15 martial may direct.

16 “(c) SEXUAL ABUSE OF A CHILD.—Any person sub-
17 ject to this chapter who commits a lewd act upon a child
18 is guilty of sexual abuse of a child and shall be punished
19 as a court-martial may direct.

20 “(d) AGE OF CHILD.—

21 “(1) UNDER 12 YEARS.—In a prosecution under
22 this section, it need not be proven that the accused
23 knew the age of the other person engaging in the
24 sexual act or lewd act. It is not a defense that the

1 accused reasonably believed that the child had at-
2 tained the age of 12 years.

3 “(2) UNDER 16 YEARS.—In a prosecution under
4 this section, it need not be proven that the accused
5 knew that the other person engaging in the sexual
6 act or lewd act had not attained the age of 16 years,
7 but it is a defense in a prosecution under subsection
8 (b) (sexual assault of a child) or subsection (c) (sex-
9 ual abuse of a child), which the accused must prove
10 by a preponderance of the evidence, that the accused
11 reasonably believed that the child had attained the
12 age of 16 years, if the child had in fact attained at
13 least the age of 12 years.

14 “(e) PROOF OF THREAT.—In a prosecution under
15 this section, in proving that a person made a threat, it
16 need not be proven that the person actually intended to
17 carry out the threat or had the ability to carry out the
18 threat.

19 “(f) MARRIAGE.—In a prosecution under subsection
20 (b) (sexual assault of a child) or subsection (c) (sexual
21 abuse of a child), it is a defense, which the accused must
22 prove by a preponderance of the evidence, that the persons
23 engaging in the sexual act or lewd act were at that time
24 married to each other, except where the accused commits
25 a sexual act upon the person when the accused knows or

1 reasonably should know that the other person is asleep,
2 unconscious, or otherwise unaware that the sexual act is
3 occurring or when the other person is incapable of con-
4 senting to the sexual act due to impairment by any drug,
5 intoxicant, or other similar substance, and that condition
6 was known or reasonably should have been known by the
7 accused.

8 “(g) CONSENT.—Lack of consent is not an element
9 and need not be proven in any prosecution under this sec-
10 tion. A child not legally married to the person committing
11 the sexual act, lewd act, or use of force cannot consent
12 to any sexual act, lewd act, or use of force.

13 “(h) DEFINITIONS.—In this section:

14 “(1) SEXUAL ACT AND SEXUAL CONTACT.—The
15 terms ‘sexual act’ and ‘sexual contact’ have the
16 meanings given those terms in section 920(g) of this
17 title (article 120(g)).

18 “(2) FORCE.—The term ‘force’ means—

19 “(A) the use of a weapon;

20 “(B) the use of such physical strength or
21 violence as is sufficient to overcome, restrain, or
22 injure a child; or

23 “(C) inflicting physical harm.

1 In the case of a parent-child or similar relationship,
2 the use or abuse of parental or similar authority is
3 sufficient to constitute the use of force.

4 “(3) THREATENING OR PLACING THAT CHILD
5 IN FEAR.—The term ‘threatening or placing that
6 child in fear’ means a communication or action that
7 is of sufficient consequence to cause the child to fear
8 that non-compliance will result in the child or an-
9 other person being subjected to the action con-
10 templated by the communication or action.

11 “(4) CHILD.—The term ‘child’ means any per-
12 son who has not attained the age of 16 years.

13 “(5) LEWD ACT.—The term ‘lewd act’ means—

14 “(A) any sexual contact with a child;

15 “(B) intentionally exposing one’s genitalia,
16 anus, buttocks, or female areola or nipple to a
17 child by any means, including via any commu-
18 nication technology, with an intent to abuse,
19 humiliate, or degrade any person, or to arouse
20 or gratify the sexual desire of any person;

21 “(C) intentionally communicating indecent
22 language to a child by any means, including via
23 any communication technology, with an intent
24 to abuse, humiliate, or degrade any person, or

1 to arouse or gratify the sexual desire of any
2 person; or

3 “(D) any indecent conduct, intentionally
4 done with or in the presence of a child, includ-
5 ing via any communication technology, that
6 amounts to a form of immorality relating to
7 sexual impurity which is grossly vulgar, ob-
8 scene, and repugnant to common propriety, and
9 tends to excite sexual desire or deprave morals
10 with respect to sexual relations.”.

11 (c) OTHER SEXUAL MISCONDUCT.—Such chapter
12 (the Uniform Code of Military Justice) is further amended
13 by inserting after section 920b (article 120b), as added
14 by subsection (b), the following new section:

15 **“§ 920c. Art. 120c. Other sexual misconduct**

16 “(a) INDECENT VIEWING, VISUAL RECORDING, OR
17 BROADCASTING.—Any person subject to this chapter who,
18 without legal justification or lawful authorization—

19 “(1) knowingly and wrongfully views the private
20 area of another person, without that other person’s
21 consent and under circumstances in which that other
22 person has a reasonable expectation of privacy;

23 “(2) knowingly photographs, videotapes, films,
24 or records by any means the private area of another
25 person, without that other person’s consent and

1 under circumstances in which that other person has
2 a reasonable expectation of privacy; or

3 “(3) knowingly broadcasts or distributes any
4 such recording that the person knew or reasonably
5 should have known was made under the cir-
6 cumstances proscribed in paragraphs (1) and (2);

7 is guilty of an offense under this section and shall be pun-
8 ished as a court-martial may direct.

9 “(b) FORCIBLE PANDERING.—Any person subject to
10 this chapter who compels another person to engage in an
11 act of prostitution with any person is guilty of forcible
12 pandering and shall be punished as a court-martial may
13 direct.

14 “(c) INDECENT EXPOSURE.—Any person subject to
15 this chapter who intentionally exposes, in an indecent
16 manner, the genitalia, anus, buttocks, or female areola or
17 nipple is guilty of indecent exposure and shall by punished
18 as a court-martial may direct.

19 “(d) DEFINITIONS.—In this section:

20 “(1) ACT OF PROSTITUTION.—The term ‘act of
21 prostitution’ means a sexual act or sexual contact
22 (as defined in section 920(g) of this title (article
23 120(g))) on account of which anything of value is
24 given to, or received by, any person.

1 “(2) PRIVATE AREA.—The term ‘private area’
2 means the naked or underwear-clad genitalia, anus,
3 buttocks, or female areola or nipple.

4 “(3) REASONABLE EXPECTATION OF PRI-
5 VACY.—The term ‘under circumstances in which
6 that other person has a reasonable expectation of
7 privacy’ means—

8 “(A) circumstances in which a reasonable
9 person would believe that he or she could dis-
10 robe in privacy, without being concerned that
11 an image of a private area of the person was
12 being captured; or

13 “(B) circumstances in which a reasonable
14 person would believe that a private area of the
15 person would not be visible to the public.

16 “(4) BROADCAST.—The term ‘broadcast’ means
17 to electronically transmit a visual image with the in-
18 tent that it be viewed by a person or persons.

19 “(5) DISTRIBUTE.—The term ‘distribute’
20 means delivering to the actual or constructive pos-
21 session of another, including transmission by elec-
22 tronic means.

23 “(6) INDECENT MANNER.—The term ‘indecent
24 manner’ means conduct that amounts to a form of
25 immorality relating to sexual impurity which is

1 grossly vulgar, obscene, and repugnant to common
 2 propriety, and tends to excite sexual desire or de-
 3 prave morals with respect to sexual relations.”.

4 (d) REPEAL OF SODOMY ARTICLE.—Section 925 of
 5 such title (article 125 of the Uniform Code of Military
 6 Justice) is repealed.

7 (e) CONFORMING AMENDMENTS.—Chapter 47 of
 8 such title (the Uniform Code of Military Justice) is further
 9 amended as follows:

10 (1) STATUTE OF LIMITATIONS.—Subparagraph
 11 (B) of section 843(b)(2) (article 43(b)(2)) is amend-
 12 ed—

13 (A) in clause (i), by striking “section 920
 14 of this title (article 120)” and inserting “sec-
 15 tion 920, 920a, 920b, or 920c of this title (arti-
 16 cle 120, 120a, 120b, or 120c)”;

17 (B) by striking clause (iii); and

18 (C) in clause (v)—

19 (i) by striking “indecent assault”;

20 (ii) by striking “rape, or sodomy,”
 21 and inserting “or rape,”; and

22 (iii) by striking “or liberties with a
 23 child”.

24 (2) MURDER.—Paragraph (4) of section 918
 25 (article 118) is amended—

1 (A) by striking “sodomy,”; and

2 (B) by striking “aggravated sexual as-
3 sult,” and all that follows through “with a
4 child,” and inserting “sexual assault, sexual as-
5 sult of a child, aggravated sexual contact, sex-
6 ual abuse of a child,”.

7 (f) CLERICAL AMENDMENTS.—The table of sections
8 at the beginning of subchapter X of such chapter (the Uni-
9 form Code of Military Justice) is amended—

10 (1) by striking the items relating to sections
11 920 and 920a (articles 120 and 120a) and inserting
12 the following new items:

“920. 120. Rape and sexual assault generally.
“920a. 120a. Stalking.
“920b. 120b. Rape and sexual assault of a child.
“920c. 120c. Other sexual misconduct.”;

13 and

14 (2) by striking the item relating to section 925
15 (article 125).

16 (g) 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 offenses com-
19 mitted on or after such date.

1 **SEC. 552. AUTHORITY TO COMPEL PRODUCTION OF DOCU-**
2 **MENTARY EVIDENCE.**

3 (a) **SUBPOENA DUCES TECUM.**—Section 847 of title
4 10, United States Code (article 47 of the Uniform Code
5 of Military Justice), is amended—

6 (1) in subsection (a)(1), by striking “board;”
7 and inserting “board, or has been duly issued a sub-
8 poena duces tecum for an investigation, including an
9 investigation pursuant to section 832(b) of this title
10 (article 32(b)); and”; and

11 (2) in subsection (c), by striking “or board”
12 and inserting “board, trial counsel, or convening au-
13 thority”.

14 (b) **REPEAL OF OBSOLETE PROVISIONS RELATING**
15 **TO FEES AND MILEAGE PAYABLE TO WITNESSES.**—Such
16 section is further amended—

17 (1) in subsection (a)—

18 (A) by striking paragraph (2); and

19 (B) by redesignating paragraph (3) as
20 paragraph (2); and

21 (2) by striking subsection (d).

22 (c) **TECHNICAL AMENDMENTS.**—Subsection (a) of
23 such section is further amended by striking “subpenaed”
24 in paragraphs (1) and (2), as redesignated by subsection
25 (b)(1)(B), and inserting “subpoenaed”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply with respect to subpoenas issued
3 after the date of the enactment of this Act.

4 **SEC. 553. PROCEDURES FOR JUDICIAL REVIEW OF CER-**
5 **TAIN MILITARY PERSONNEL DECISIONS.**

6 (a) PROHIBITED PERSONNEL ACTIONS.—Section
7 1034 of title 10, United States Code, is amended—

8 (1) in subsection (f), by adding at the end the
9 following new paragraph:

10 “(7) 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 of the member or former mem-
13 ber’s record, the member or former member shall be pro-
14 vided a concise written statement of the factual and legal
15 basis for the decision, together with a statement of the
16 procedure and time for obtaining review of the decision
17 pursuant to section 1560 of this title.”;

18 (2) in subsection (g)—

19 (A) by inserting “(1)” before “Upon the
20 completion of all”; and

21 (B) by adding at the end the following new
22 paragraph:

23 “(2) A submittal to the Secretary of Defense under
24 paragraph (1) must be made within 90 days of the receipt
25 of the final decision of the Secretary of the military de-

1 partment concerned in the matter. In any case in which
2 the final decision of the Secretary of Defense results in
3 denial, in whole or in part, of any requested correction
4 of the member or former member's record, the member
5 or former member shall be provided a concise written
6 statement of the basis for the decision, together with a
7 statement of the procedure and time for obtaining review
8 of the decision pursuant to section 1560 of this title.”;

9 (3) by redesignating subsections (h) and (i) as
10 subsections (i) and (j), respectively; and

11 (4) by inserting after subsection (g) the fol-
12 lowing new subsection (h):

13 “(h) JUDICIAL REVIEW.—A decision of the Secretary
14 of Defense under subsection (g) or, in a case in which re-
15 view by the Secretary of Defense under subsection (g) was
16 not sought or in a case arising out of the Coast Guard
17 when the Coast Guard is not operating as a service in the
18 Navy, a decision of the Secretary of a military department
19 or the Secretary of Homeland Security under subsection
20 (f) shall be subject to judicial review only as provided in
21 section 1560 of this title.”.

22 (b) CORRECTION OF MILITARY RECORDS.—Section
23 1552 of such title is amended—

24 (1) by redesignating subsection (g) as sub-
25 section (j); and

1 (2) by inserting after subsection (f) the fol-
2 lowing new subsections:

3 “(g) In any case in which the final decision of the
4 Secretary concerned results in denial, in whole or in part,
5 of any requested correction, the claimant shall be provided
6 a concise written statement of the factual and legal basis
7 for the decision, together with a statement of the proce-
8 dure and time for obtaining review of the decision pursu-
9 ant to section 1560 of this title.

10 “(h) If an application for correction of military
11 records involves a historically significant military event (as
12 defined by the Secretary concerned), or would, if the appli-
13 cation is approved, substantially modify the results of any
14 disciplinary action or promotion decision regarding a gen-
15 eral or flag officer which includes in the remedy a pro-
16 motion by and with the advice and consent of the Senate,
17 the Secretary concerned shall ensure that an advisory
18 opinion is included in the record of the decision that in-
19 cludes a detailed chronology of the events in question and,
20 at a minimum, considers the following information:

21 “(1) A thorough compilation of the information
22 available in the historical record, including testi-
23 mony, contemporary written statements, and all
24 available records which formed the basis for the mili-
25 tary records in question.

1 “(2) The testimony or written views of contem-
2 porary decision makers, if available, regarding the
3 matters raised in the application for relief regarding
4 the military records in question.

5 “(3) A summary of the available evidence for
6 and against the position taken by the applicant.

7 “(i) A decision by the Secretary concerned under this
8 section shall be subject to judicial review only as provided
9 in section 1560 of this title.”.

10 (c) JUDICIAL REVIEW.—

11 (1) IN GENERAL.—Chapter 79 of such title is
12 amended by adding at the end the following new sec-
13 tion:

14 **“§ 1560. Judicial review of decisions**

15 “(a) After a final decision is issued pursuant to sec-
16 tion 1552 of this title, or is issued by the Secretary of
17 a military department or the Secretary of Homeland Secu-
18 rity pursuant to section 1034(f) of this title or the Sec-
19 retary of Defense pursuant to section 1034(g) of this title,
20 any person aggrieved by the decision may obtain judicial
21 review.

22 “(b) In exercising its authority under this section, the
23 reviewing court shall review the record and may hold un-
24 lawful and set aside any decision demonstrated by the pe-
25 titioner in the record to be—

1 “(1) arbitrary or capricious;

2 “(2) not based on substantial evidence;

3 “(3) a result of material error of fact or mate-
4 rial administrative error, but only if the petitioner
5 identified to the correction board how the failure to
6 follow procedures substantially prejudiced the peti-
7 tioner’s right to relief, and shows to the reviewing
8 court by a preponderance of the evidence that the
9 error was harmful; or

10 “(4) otherwise contrary to law.

11 “(c) Upon review under this section, the reviewing
12 court shall affirm, modify, vacate, or reverse the decision,
13 or remand the matter, as appropriate.

14 “(d) No judicial review may be made under this sec-
15 tion unless the petitioner shall first have requested a cor-
16 rection under section 1552 of this title, and the Secretary
17 concerned shall have rendered a final decision denying
18 that correction in whole or in part. In a case in which
19 the final decision of the Secretary concerned is subject to
20 review by the Secretary of Defense under section 1034(g)
21 of this title, the petitioner is not required to seek such
22 review by the Secretary of Defense before obtaining judi-
23 cial review under this section. If the petitioner seeks re-
24 view by the Secretary of Defense under section 1034(g)
25 of this title, no judicial review may be made until the Sec-

1 retrary of Defense shall have rendered a final decision de-
2 nying that request in whole or in part.

3 “(e) In the case of a final decision described in sub-
4 section (a) made on or after the date of the enactment
5 of the National Defense Authorization Act for Fiscal Year
6 2012, a petition for judicial review under this section must
7 be filed within three years of the date on which the final
8 decision was actually received by the petitioner.

9 “(f) Notwithstanding subsections (a), (b), and (c), a
10 reviewing court does not have jurisdiction to entertain any
11 matter or issue raised in a petition of review under this
12 section that is not justiciable.

13 “(g)(1) In the case of a cause of action arising after
14 the date of the enactment of the National Defense Author-
15 ization Act for Fiscal Year 2012, no court shall have juris-
16 diction to entertain any request for correction of records
17 cognizable under section 1552 of this title, except as pro-
18 vided in this section.

19 “(2) In the case of a cause of action arising after
20 the date of the enactment of the National Defense Author-
21 ization Act for Fiscal Year 2012, except as provided by
22 chapter 153 of title 28 and this chapter, no court shall
23 have jurisdiction over any civil action or claim seeking, in
24 whole or in part, to challenge any decision for which ad-

1 ministrative review is available under section 1552 of this
2 title.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of chapter 79 of such title is
5 amended by adding at the end the following new
6 item:

“1560. Judicial review of decisions.”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect one year after the date of
9 the enactment of this Act. Such amendments shall apply
10 to all final decisions of the Secretary of Defense under
11 section 1034(g) of title 10, United States Code, and of
12 the Secretary of a military department or the Secretary
13 of Homeland Security under section 1034(f) or 1552 of
14 title 10, United States Code, whether rendered before or
15 after the date of the enactment of this Act. During the
16 period between the date of the enactment of this Act and
17 the date on which the amendments made by this section
18 take effect, in any case in which the final decision of the
19 Secretary of Defense under section 1034 of title 10,
20 United States Code, or the Secretary concerned under sec-
21 tion 1552 of title 10, United States Code, results in denial,
22 in whole or in part, of any requested correction of a record
23 of a member, former member, or claimant, the individual
24 shall be informed in writing of the time for obtaining re-

1 view of the decision pursuant to section 1560 of title 10,
2 United States Code, as provided therein.

3 (e) IMPLEMENTATION.—The Secretaries concerned
4 may prescribe appropriate regulations, and interim guid-
5 ance before prescribing such regulations, to implement the
6 amendments made by this section. In the case of the Sec-
7 retary of a military department, such regulations may not
8 take effect until approved by the Secretary of Defense.

9 (f) CONSTRUCTION.—This section does not affect the
10 authority of any court to exercise jurisdiction over any
11 case which was properly before it before the effective date
12 specified in subsection (d).

13 (g) SECRETARY CONCERNED DEFINED.—In this sec-
14 tion, the term “Secretary concerned” has the meaning
15 given that term in section 101(a)(9) of title 10, United
16 States Code.

17 **SEC. 554. DEPARTMENT OF DEFENSE SUPPORT FOR PRO-**
18 **GRAMS ON PRO BONO LEGAL REPRESENTA-**
19 **TION FOR MEMBERS OF THE ARMED FORCES.**

20 (a) SUPPORT AUTHORIZED.—The Secretary of De-
21 fense may provide support to one or more public or private
22 programs designed to facilitate representation by attor-
23 neys who provide pro bono legal assistance of members
24 of the Armed Forces who are in need of such representa-
25 tion.

1 (b) FINANCIAL SUPPORT.—

2 (1) IN GENERAL.—The support provided a pro-
3 gram under subsection (a) may include financial
4 support of the program.

5 (2) LIMITATION ON AMOUNT.—The total
6 amount of financial support provided under sub-
7 section (a) in any fiscal year may not exceed
8 \$500,000.

9 (3) DETERMINATION.—The Secretary may not
10 provide financial support under subsection (a) unless
11 the Secretary determines that services available at
12 no cost to the Department of Defense or individual
13 members of the Armed Forces that facilitate rep-
14 resentation by attorneys who provide pro bono legal
15 assistance to members of the Armed Forces who are
16 in need of such assistance are not available.

17 (4) FUNDING.—Amounts for financial support
18 under this section shall be derived from amounts au-
19 thorized to be appropriated for the Department of
20 Defense for operation and maintenance.

1 **Subtitle F—Sexual Assault**
2 **Prevention and Response**

3 **SEC. 561. DIRECTOR OF THE SEXUAL ASSAULT PREVEN-**
4 **TION AND RESPONSE OFFICE.**

5 Section 1611(a) of the Ike Skelton National Defense
6 Authorization Act for Fiscal Year 2011 (Public Law 111–
7 383; 124 Stat. 4431; 10 U.S.C. 1561 note) is amended
8 by adding before the period at the end of the first sentence
9 the following: “, who shall be appointed from among gen-
10 eral or flag officers of the Armed Forces or employees of
11 the Department of Defense in a comparable Senior Execu-
12 tive Service position”.

13 **SEC. 562. SEXUAL ASSAULT RESPONSE COORDINATORS**
14 **AND SEXUAL ASSAULT VICTIM ADVOCATES.**

15 (a) **GUIDANCE REQUIRED.**—Not later than 60 days
16 after the date of the enactment of this Act, the Secretary
17 of Defense shall issue guidance to implement the appro-
18 priate recommendations of the Report of the Defense Task
19 Force on Sexual Assault in the Military Services (Decem-
20 ber 2009). Such guidance shall—

21 (1) require the Secretary of each military de-
22 partment to determine (which determination shall be
23 based on the unique mission, military population,
24 and force structure of the applicable Armed Force)
25 the appropriate number of Sexual Assault Response

1 Coordinators and Sexual Assault Victim Advocates
2 to be assigned to deployed and non-deployed military
3 units under the jurisdiction of such Secretary;

4 (2) require that each installation or similar or-
5 ganizational level have at least one Sexual Assault
6 Response Coordinator;

7 (3) establish, or require the Secretary of each
8 military department to establish, credentialing pro-
9 grams for Sexual Assault Response Coordinators
10 and for Sexual Assault Victim Advocates; and

11 (4) ensure that, after October 1, 2013, only
12 members of the Armed Forces on active duty or full-
13 time civilian employees of the Department of De-
14 fense who have obtained the appropriate credentials
15 under a program under paragraph (3) may be as-
16 signed to duty as a Sexual Assault Response Coordi-
17 nator or a Sexual Assault Victim Advocate.

18 (b) REPORT REQUIRED.—Not later than 180 days
19 after the date of the enactment of this Act, the Secretary
20 of Defense shall submit Congress a report on the status
21 of the implementation of the recommendations of the De-
22 fense Task Force on Sexual Assault in the Military Serv-
23 ices. The report shall set forth the anticipated date of the
24 completion of the implementation by each military depart-
25 ment of the guidance issued under subsection (a).

1 **SEC. 563. ACCESS OF SEXUAL ASSAULT VICTIMS TO LEGAL**
2 **ASSISTANCE AND SERVICES OF SEXUAL AS-**
3 **SAULT RESPONSE COORDINATORS AND SEX-**
4 **UAL ASSAULT VICTIM ADVOCATES.**

5 (a) **LEGAL ASSISTANCE FOR VICTIMS OF SEXUAL AS-**
6 **SAULT.**—Not later than 60 days after the date of the en-
7 actment of this Act, the Secretaries of the military depart-
8 ments shall prescribe regulations on the provision of legal
9 assistance to victims of sexual assault. Such regulations
10 shall require that legal assistance be provided by military
11 or civilian legal assistance counsel pursuant to section
12 1044 of title 10, United States Code.

13 (b) **ASSISTANCE AND REPORTING.**—

14 (1) **IN GENERAL.**—Chapter 80 of title 10,
15 United States Code, is amended by inserting after
16 section 1565a the following new section:

17 **“§ 1565b. Victims of sexual assault: access to legal as-**
18 **sistance and services of Sexual Assault**
19 **Response Coordinators and Sexual As-**
20 **sault Victim Advocates**

21 “(a) **AVAILABILITY OF LEGAL ASSISTANCE AND VIC-**
22 **TIM ADVOCATE SERVICES.**—(1) A member of the armed
23 forces who is the victim of a sexual assault may be pro-
24 vided the following:

1 “(A) Legal assistance provided by military or
2 civilian legal assistance counsel pursuant to section
3 1044 of this title.

4 “(B) Assistance provided by a Sexual Assault
5 Response Coordinator.

6 “(C) Assistance provided by a Sexual Assault
7 Victim Advocate.

8 “(2) A member of the armed forces who is the victim
9 of sexual assault shall be informed of the availability of
10 assistance under paragraph (1) as soon as the member
11 seeks assistance from a Sexual Assault Response Coordi-
12 nator, a Sexual Assault Victim Advocate, a military crimi-
13 nal investigator, a victim/witness liaison, or a trial counsel.
14 The member shall also be informed that the legal assist-
15 ance and the services of a Sexual Assault Response Coordi-
16 nator or a Sexual Assault Victim Advocate under para-
17 graph (1) are optional and may be declined, in whole or
18 in part, at any time.

19 “(3) Legal assistance and the services of Sexual As-
20 sault Response Coordinators and Sexual Assault Victim
21 Advocates under paragraph (1) shall be available to a
22 member regardless of whether the member elects unre-
23 stricted or restricted (confidential) reporting of the sexual
24 assault.

1 “(b) RESTRICTED REPORTING.—(1) Under regula-
2 tions prescribed by the Secretary of Defense, a member
3 of the armed forces who is the victim of a sexual assault
4 may elect to confidentially disclose the details of the as-
5 sault to an individual specified in paragraph (2) and re-
6 ceive medical treatment, legal assistance under section
7 1044 of this title, or counseling, without initiating an offi-
8 cial investigation of the allegations.

9 “(2) The individuals specified in this paragraph are
10 the following:

11 “(A) A military legal assistance counsel.

12 “(B) A Sexual Assault Response Coordinator.

13 “(C) A Sexual Assault Victim Advocate.

14 “(D) Healthcare personnel specifically identified
15 in the regulations required by paragraph (1).

16 “(E) A chaplain.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions at the beginning of chapter 80 of such title is
19 amended by inserting after the item relating to sec-
20 tion 1565a the following new item:

“1565b. Victims of sexual assault: access to legal assistance and services of Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.”.

1 **SEC. 564. REQUIREMENT FOR PRIVILEGE IN CASES ARISING UNDER UNIFORM CODE OF MILITARY**
2 **JUSTICE AGAINST DISCLOSURE OF COMMUNICATIONS BETWEEN SEXUAL ASSAULT VICTIMS AND SEXUAL ASSAULT RESPONSE CO-**
3 **ORDINATORS, SEXUAL ASSAULT VICTIM ADVOCATES, AND CERTAIN OTHER PERSONS.**

8 Not later than 60 days after the date of the enactment of this Act, the President shall establish in the Manual for Courts-Martial an evidentiary privilege against disclosure of certain communications by victims of sexual assault with Sexual Assault Response Coordinators, Sexual Assault Victim Advocates, and such other persons as the President shall specify for purposes of the privilege.

15 **SEC. 565. EXPEDITED CONSIDERATION AND DECISION-MAKING ON REQUESTS FOR PERMANENT CHANGE OF STATION OR UNIT TRANSFER OF VICTIMS OF SEXUAL ASSAULT.**

19 (a) EXPEDITED CONSIDERATION AND PRIORITY FOR DECISIONMAKING.—The Secretaries of the military departments shall provide guidance on expedited consideration and decision-making, to the maximum extent practicable, on requests for a permanent change of station or unit transfer submitted by a member of the Armed Forces serving on active duty who was a victim of a sexual assault.

1 (b) REGULATIONS.—The Secretaries of the military
2 departments shall prescribe regulations to carry out this
3 section.

4 **SEC. 566. DEPARTMENT OF DEFENSE POLICY AND PROCE-**
5 **DURES ON RETENTION AND ACCESS TO EVI-**
6 **DENCE AND RECORDS RELATING TO SEXUAL**
7 **ASSAULTS INVOLVING MEMBERS OF THE**
8 **ARMED FORCES.**

9 (a) COMPREHENSIVE POLICY ON RETENTION AND
10 ACCESS TO RECORDS.—Not later than February 1, 2013,
11 the Secretary of Defense shall, in consultation with the
12 Secretary of Veterans Affairs, develop a comprehensive
13 policy for the Department of Defense on the retention of
14 and access to evidence and records relating to sexual as-
15 saults involving members of the Armed Forces.

16 (b) OBJECTIVES.—The comprehensive policy required
17 by subsection (a) shall include policies and procedures (in-
18 cluding systems of records) necessary to ensure preserva-
19 tion of records and evidence for periods of time that en-
20 sure that members of the Armed Forces and veterans of
21 military service who were the victims of sexual assault dur-
22 ing military service are able to substantiate claims for vet-
23 erans benefits, to support criminal or civil prosecutions by
24 military or civil authorities, and for such purposes relating
25 to the documentation of the incidence of sexual assault

1 in the Armed Forces as the Secretary of Defense considers
2 appropriate.

3 (c) ELEMENTS.—In developing the comprehensive
4 policy required by subsection (a), the Secretary of Defense
5 shall consider, at a minimum, the following matters:

6 (1) Identification of records, including non-De-
7 partment of Defense records, relating to an incident
8 of sexual assault, that must be retained.

9 (2) Criteria for collection and retention of
10 records.

11 (3) Identification of physical evidence and non-
12 documentary forms of evidence relating to sexual as-
13 saults that must be retained.

14 (4) Length of time records and evidence must
15 be retained, except that the length of time documen-
16 tary evidence, physical evidence and forensic evi-
17 dence must be retained shall be not less than five
18 years.

19 (5) Locations where records must be stored.

20 (6) Media which may be used to preserve
21 records and assure access, including an electronic
22 systems of records.

23 (7) Protection of privacy of individuals named
24 in records and status of records under section 552
25 of title 5, United States Code (commonly referred to

1 as the “Freedom of Information Act”), section 552a
2 of title 5, United States Code (commonly referred to
3 as the “Privacy Act”), and laws related to privilege.

4 (8) Access to records by victims of sexual as-
5 sault, the Department of Veterans Affairs, and oth-
6 ers, including alleged assailants and law enforcement
7 authorities.

8 (9) Responsibilities for record retention by the
9 military departments.

10 (10) Education and training on record retention
11 requirements.

12 (11) Uniform collection of data on the incidence
13 of sexual assaults and on disciplinary actions taken
14 in substantiated cases of sexual assault.

15 (d) UNIFORM APPLICATION TO MILITARY DEPART-
16 MENTS.—The Secretary of Defense shall ensure that, to
17 the maximum extent practicable, the policy developed
18 under subsection (a) is implemented uniformly by the mili-
19 tary departments.

1 **Subtitle G—Defense Dependents’**
2 **Education**

3 **SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
4 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
5 **PENDENTS OF MEMBERS OF THE ARMED**
6 **FORCES AND DEPARTMENT OF DEFENSE CI-**
7 **VILIAN EMPLOYEES.**

8 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
9 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
10 amount authorized to be appropriated for fiscal year 2012
11 by section 301 and available for operation and mainte-
12 nance for Defense-wide activities as specified in the fund-
13 ing table in section 4301, \$25,000,000 shall be available
14 only for the purpose of providing assistance to local edu-
15 cational agencies under subsection (a) of section 572 of
16 the National Defense Authorization Act for Fiscal Year
17 2006 (Public Law 109–163; 20 U.S.C. 7703b).

18 (b) LOCAL EDUCATIONAL AGENCY DEFINED.—In
19 this section, the term “‘local educational agency’” has the
20 meaning given that term in section 8013(9) of the Ele-
21 mentary and Secondary Education Act of 1965 (20 U.S.C.
22 7713(9)).

1 **SEC. 572. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
 2 **ABILITIES.**

3 Of the amount authorized to be appropriated for fis-
 4 cal year 2012 pursuant to section 301 and available for
 5 operation and maintenance for Defense-wide activities as
 6 specified in the funding table in section 4301, \$5,000,000
 7 shall be available for payments under section 363 of the
 8 Floyd D. Spence National Defense Authorization Act for
 9 Fiscal Year 2001 (as enacted into law by Public Law 106–
 10 398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

11 **SEC. 573. THREE-YEAR EXTENSION AND ENHANCEMENT OF**
 12 **AUTHORITIES ON TRANSITION OF MILITARY**
 13 **DEPENDENT STUDENTS AMONG LOCAL EDU-**
 14 **CATIONAL AGENCIES.**

15 (a) **ADDITIONAL AUTHORITIES.**—Paragraph (2)(B)
 16 of section 574(d) of the John Warner National Defense
 17 Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b
 18 note) is amended—

19 (1) by inserting “grant assistance” after “To
 20 provide”; and

21 (2) by striking “including—“ and all that fol-
 22 lows and inserting “including programs on the fol-
 23 lowing:

24 “(i) Access to virtual and distance learning
 25 capabilities and related applications.

26 “(ii) Training for teachers.

1 “(iii) Academic strategies to increase aca-
2 demic achievement.

3 “(iv) Curriculum development.

4 “(v) Support for practices that minimize
5 the impact of transition and deployment.

6 “(vi) Other appropriate services to improve
7 the academic achievement of such students.”.

8 (b) **THREE-YEAR EXTENSION.**—Paragraph (3) of
9 such section is amended by striking “September 30,
10 2013” and inserting “September 30, 2016”.

11 **Subtitle H—Military Family** 12 **Readiness**

13 **SEC. 576. MODIFICATION OF MEMBERSHIP OF DEPART-** 14 **MENT OF DEFENSE MILITARY FAMILY READI-** 15 **NESS COUNCIL.**

16 Subsection (b) of section 1781a of title 10, United
17 States Code, is amended to read as follows:

18 “(b) **MEMBERS.**—(1) The Council shall consist of the
19 following members:

20 “(A) The Under Secretary of Defense for Per-
21 sonnel and Readiness, who shall serve as chair of the
22 Council and who may designate a representative to
23 chair the council in the Under Secretary’s absence.

24 “(B) The following, who shall be appointed or
25 designated by the Secretary of Defense:

1 “(i) One representative of each of the
2 Army, Navy, Marine Corps, and Air Force,
3 each of whom may be a member of the armed
4 force to be represented, the spouse of such a
5 member, or the parent of such a member, and
6 may represent either the regular component or
7 a reserve component of that armed force.

8 “(ii) One representative of the Army Na-
9 tional Guard or Air National Guard, who may
10 be a member of the National Guard, the spouse
11 of such a member, or the parent of such a
12 member.

13 “(iii) One spouse of a member of each of
14 the Army, Navy, Marine Corps, and Air Force,
15 two of whom shall be the spouse of a regular
16 component member and two of whom shall be
17 the spouse of a reserve component member.

18 “(iv) Three individuals appointed by the
19 Secretary of Defense from among representa-
20 tives of military family organizations, including
21 military family organizations of families of
22 members of the regular components and of fam-
23 ilies of members of the reserve components.

24 “(v) The senior enlisted advisor, or the
25 spouse of a senior enlisted member, from each

1 of the Army, Navy, Marine Corps, and Air
2 Force.

3 “(C) 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 para-
7 graph (1)(B) shall be two years and may be renewed by
8 the Secretary of Defense. Representation on the Council
9 under clause (ii) of that paragraph shall rotate between
10 the Army National Guard and Air National Guard every
11 two years on a calendar year basis.

12 “(B) The term on the Council of the members ap-
13 pointed under clause (iv) of paragraph (1)(B) shall be
14 three years.”.

15 **SEC. 577. COMPTROLLER GENERAL OF THE UNITED**
16 **STATES REPORT ON DEPARTMENT OF DE-**
17 **FENSE MILITARY SPOUSE EMPLOYMENT PRO-**
18 **GRAMS.**

19 (a) IN GENERAL.—The Comptroller General of the
20 United States shall carry out a review of all current De-
21 partment of Defense military spouse employment pro-
22 grams.

23 (b) ELEMENTS.—The review required by subsection
24 (a) shall, address, at a minimum, the following:

1 (1) The efficacy and effectiveness of Depart-
2 ment of Defense military spouse employment pro-
3 grams.

4 (2) All current Department programs to sup-
5 port military spouses or dependents for the purposes
6 of employment assistance.

7 (3) The types of military spouse employment
8 programs that have been considered or used in the
9 past by the Department.

10 (4) The ways in which military spouse employ-
11 ment programs have changed in recent years.

12 (5) The benefits or programs that are specifi-
13 cally available to provide employment assistance to
14 spouses of members of the Armed Forces serving in
15 Operation Iraqi Freedom, Operation Enduring Free-
16 dom, or Operation New Dawn, or any other contin-
17 gency operation being conducted by the Armed
18 Forces as of the date of such review.

19 (6) Existing mechanisms available to military
20 spouses to express their views on the effectiveness
21 and future direction of Department programs and
22 policies on employment assistance for military
23 spouses.

1 (7) The oversight provided by the Office of Per-
2 sonnel and Management regarding preferences for
3 military spouses in Federal employment.

4 (c) COMPTROLLER GENERAL REPORT.—Not later
5 than 180 days after the date of the enactment of this Act,
6 the Comptroller General shall submit to the congressional
7 defense committees a report on the review carried out
8 under subsection (a). The report shall set forth the fol-
9 lowing:

10 (1) The results of the review concerned.

11 (2) Such clear and concrete metrics as the
12 Comptroller General considers appropriate for the
13 current and future evaluation and assessment of the
14 efficacy and effectiveness of Department of Defense
15 military spouse employment programs.

16 (3) A description of the assumptions utilized in
17 the review, and an assessment of the validity and
18 completeness of such assumptions.

19 (4) Such recommendations as the Comptroller
20 General considers appropriate for improving Depart-
21 ment of Defense military spouse employment pro-
22 grams.

23 (d) DEPARTMENT OF DEFENSE REPORT.—Not later
24 than 180 days after the date of the enactment of this Act,
25 the Secretary of Defense shall submit to the congressional

1 defense committees a report setting forth the number (or
2 a reasonable estimate if a precise number is not available)
3 of military spouses who have obtained employment fol-
4 lowing participation in Department of Defense military
5 spouse employment programs. The report shall set forth
6 such number (or estimate) for the Department of Defense
7 military spouse employment programs as a whole and for
8 each such military spouse employment program.

9 **Subtitle I—Other Matters**

10 **SEC. 581. COLD WAR SERVICE MEDAL.**

11 (a) MEDAL AUTHORIZED.—The Secretary of Defense
12 may authorize the issuance by the Secretaries concerned
13 of a service medal, to be known as the “Cold War Service
14 Medal”, to persons eligible to receive the medal under the
15 regulations under subsection (b).

16 (b) REGULATIONS.—

17 (1) IN GENERAL.—The issuance of a Cold War
18 Service Medal under this section shall be subject to
19 regulations prescribed by Secretary of Defense.

20 (2) ELEMENTS.—The regulations shall—

21 (A) provide for an appropriate design for
22 the Cold War Service Medal; and

23 (B) specify the persons eligible to receive
24 the medal.

1 (c) SECRETARIES CONCERNED DEFINED.—In this
2 section, the term “Secretaries concerned” has the meaning
3 given that term in section 101(a)(9) of title 10, United
4 States Code.

5 **SEC. 582. ENHANCEMENT AND IMPROVEMENT OF YELLOW**
6 **RIBBON REINTEGRATION PROGRAM.**

7 (a) INCLUSION OF PROGRAMS OF OUTREACH IN PRO-
8 GRAM.—Subsection (b) of section 582 of the National De-
9 fense Authorization Act for Fiscal Year 2008 (10 U.S.C.
10 10101 note) is amended by inserting “(including programs
11 of outreach)” after “informational events and activities”.

12 (b) RESTATEMENT OF FUNCTIONS OF CENTER FOR
13 EXCELLENCE IN REINTEGRATION AND INCLUSION IN
14 FUNCTIONS OF IDENTIFICATION OF BEST PRACTICES IN
15 PROGRAMS OF OUTREACH.—Subsection (d)(2) of such
16 section is amended by striking the second, third, and
17 fourth sentences and inserting the following: “The Center
18 shall have the following functions:

19 “(A) To collect and analyze ‘lessons
20 learned’ and suggestions from State National
21 Guard and Reserve organizations with existing
22 or developing reintegration programs.

23 “(B) To assist in developing training aids
24 and briefing materials and training representa-

1 tives from State National Guard and Reserve
2 organizations.

3 “(C) To develop and implement a process
4 for evaluating the effectiveness of the Yellow
5 Ribbon Reintegration Program in supporting
6 the health and well-being of members of the
7 Armed Forces and their families throughout the
8 deployment cycle described in subsection (g).

9 “(D) To develop and implement a process
10 for identifying best practices in the delivery of
11 information and services in programs of out-
12 reach as described in subsection (j).”.

13 (c) STATE-LED PROGRAMS OF OUTREACH.—Such
14 section is further amended by adding at the end the fol-
15 lowing new subsection:

16 “(j) STATE-LED PROGRAMS OF OUTREACH.—The
17 Office for Reintegration Programs may work with the
18 States, whether acting through or in coordination with
19 their National Guard and Reserve organizations, to assist
20 the States and such organizations in developing and car-
21 rying out programs of outreach for members of the Armed
22 Forces and their families to inform and educate them on
23 the assistance and services available to them under the
24 Yellow Ribbon Reintegration Program, including the as-
25 sistance and services described in subsection (h).”.

1 (d) SCOPE OF ACTIVITIES UNDER PROGRAMS OF
2 OUTREACH.—Such section is further amended by adding
3 at the end the following new subsection:

4 “(k) SCOPE OF ACTIVITIES UNDER PROGRAMS OF
5 OUTREACH.—For purposes of this section, the activities
6 and services provided under programs of outreach may in-
7 clude personalized and substantive care coordination serv-
8 ices targeted specifically to individual members of the
9 Armed Forces and their families.”.

10 **SEC. 583. REPORT ON PROCESS FOR EXPEDITED DETER-**
11 **MINATION OF DISABILITY OF MEMBERS OF**
12 **THE ARMED FORCES WITH CERTAIN DIS-**
13 **ABLING CONDITIONS.**

14 (a) IN GENERAL.—Not later than September 1,
15 2012, the Secretary of Defense shall submit to Congress
16 a report setting forth an assessment of the feasibility and
17 advisability of the establishment by the military depart-
18 ments of a process to expedite the determination of dis-
19 ability with respect members of the Armed Forces, includ-
20 ing regular members and members of the reserve compo-
21 nents, who suffer from certain disabling diseases or condi-
22 tions. If the establishment of such a process is considered
23 feasible and advisable, the report shall set forth such rec-
24 ommendations for legislative and administrative action as

1 the Secretary consider appropriate for the establishment
2 of such process.

3 (b) REQUIREMENTS FOR STUDY FOR REPORT.—

4 (1) EVALUATION OF APPROPRIATE ELEMENTS
5 OF SIMILAR FEDERAL PROGRAMS.—In conducting
6 the study required for purposes of the preparation of
7 the report required by subsection (a), the Secretary
8 of Defense shall evaluate elements of programs for
9 expedited determinations of disability that are cur-
10 rently carried out by other departments and agencies
11 of the Federal Government, including the Quick Dis-
12 ability Determination program and the Compas-
13 sionate Allowances program of the Social Security
14 Administration.

15 (2) CONSULTATION.—The Secretary of Defense
16 shall conduct the study in consultation with the Sec-
17 retary of Veterans Affairs.

18 **SEC. 584. REPORT ON THE ACHIEVEMENT OF DIVERSITY**
19 **GOALS FOR THE LEADERSHIP OF THE ARMED**
20 **FORCES.**

21 (a) REPORT REQUIRED.—Not later than one year
22 after the date of the enactment of this Act, the Secretary
23 of Defense shall submit to the Committees on Armed Serv-
24 ices of the Senate and the House of Representatives a re-

1 port on the achievement of diversity goals for the leader-
 2 ship of the Armed Forces.

3 (b) ELEMENTS.—The report required by subsection
 4 (a) shall include the following:

5 (1) An assessment by each Secretary of a mili-
 6 tary department of progress towards the achieve-
 7 ment of diversity goals for the leadership within
 8 each Armed Force under the jurisdiction of such
 9 Secretary, including the reserve components of such
 10 Armed Force.

11 (2) A discussion of the findings and rec-
 12 ommendations included in the final report of the
 13 Military Leadership Diversity Commission entitled
 14 “From Representation to Inclusion: Diversity Lead-
 15 ership for the 21st Century Military”, and in other
 16 relevant policies, studies, reports, evaluations, and
 17 assessments.

18 **SEC. 585. SPECIFICATION OF PERIOD IN WHICH APPLICA-**
 19 **TION FOR VOTER REGISTRATION OR ABSEN-**
 20 **TEE BALLOT FROM AN OVERSEAS VOTER IS**
 21 **VALID.**

22 Section 104 of the Uniformed and Overseas Citizens
 23 Absentee Voting Act (42 U.S.C. 1973ff-3) is amended—

24 (1) by inserting “or overseas voter” after “ab-
 25 sent uniformed services voter”; and

1 (2) by striking “members of the uniformed
2 services” and inserting “uniformed services voters or
3 overseas voters”.

4 **SEC. 586. AUTHORIZATION AND REQUEST FOR AWARD OF**
5 **MEDAL OF HONOR TO EMIL KAPAUN FOR**
6 **ACTS OF VALOR DURING THE KOREAN WAR.**

7 (a) **AUTHORIZATION.**—Notwithstanding the time lim-
8 itations specified in section 3744 of title 10, United States
9 Code, or any other time limitation with respect to the
10 awarding of certain medals to persons who served in the
11 Armed Forces, the President is authorized and requested
12 to award the Medal of Honor posthumously under section
13 3741 of such title to Emil Kapaun for the acts of valor
14 during the Korean War described in subsection (b).

15 (b) **ACTS OF VALOR DESCRIBED.**—The acts of valor
16 referred to in subsection (a) are the actions of then Cap-
17 tain Emil Kapaun as a member of the 8th Cavalry Regi-
18 ment during the Battle of Unsan on November 1 and 2,
19 1950, and while a prisoner of war until his death on May
20 23, 1951, during the Korean War.

1 **SEC. 587. AUTHORIZATION FOR AWARD OF THE DISTIN-**
2 **GUISHED SERVICE CROSS FOR CAPTAIN**
3 **FREDRICK L. SPAULDING FOR ACTS OF**
4 **VALOR DURING THE VIETNAM WAR.**

5 (a) **AUTHORIZATION.**—Notwithstanding the time lim-
6 itations specified in section 3744 of title 10, United States
7 Code, or any other time limitation with respect to the
8 awarding of certain medals to persons who served in the
9 United States Armed Forces, the Secretary of the Army
10 is authorized to award the Distinguished Service Cross
11 under section 3742 of such title to Captain Fredrick L.
12 Spaulding for acts of valor during the Vietnam War de-
13 scribed in subsection (b).

14 (b) **ACTS OF VALOR DESCRIBED.**—The acts of valor
15 referred to in subsection (a) are the actions of Fredrick
16 L. Spaulding, on July 23, 1970, as a member of the
17 United States Army serving in the grade of Captain in
18 the Republic of Vietnam while assigned with Headquarters
19 and Headquarters Company, 3d Brigade, 101st Airborne
20 Division.

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

5 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
6 **BONUS AND SPECIAL PAY AUTHORITIES.**

7 (a) **AUTHORITIES RELATING TO RESERVE**
8 **FORCES.**—The following sections of title 37, United
9 States Code, are amended by striking “December 31,
10 2011” and inserting “December 31, 2012”:

11 (1) Section 308b(g), relating to Selected Re-
12 serve reenlistment bonus.

13 (2) Section 308c(i), relating to Selected Reserve
14 affiliation or enlistment bonus.

15 (3) Section 308d(c), relating to special pay for
16 enlisted members assigned to certain high-priority
17 units.

18 (4) Section 308g(f)(2), relating to Ready Re-
19 serve enlistment bonus for persons without prior
20 service.

21 (5) Section 308h(e), relating to Ready Reserve
22 enlistment and reenlistment bonus for persons with
23 prior service.

1 (6) Section 308i(f), relating to Selected Reserve
2 enlistment and reenlistment bonus for persons with
3 prior service.

4 (7) Section 910(g), relating to income replace-
5 ment payments for reserve component members ex-
6 periencing extended and frequent mobilization for
7 active duty service.

8 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
9 CARE PROFESSIONALS.—The following sections of title
10 10, United States Code, are amended by striking “Decem-
11 ber 31, 2011” and inserting “December 31, 2012”:

12 (1) Section 2130a(a)(1), relating to nurse offi-
13 cer candidate accession program.

14 (2) Section 16302(d), relating to repayment of
15 education loans for certain health professionals who
16 serve in the Selected Reserve.

17 (c) TITLE 37 AUTHORITIES RELATING TO HEALTH
18 CARE PROFESSIONALS.—The following sections of title
19 37, United States Code, are amended by striking “Decem-
20 ber 31, 2011” and inserting “December 31, 2012”:

21 (1) Section 302c–1(f), relating to accession and
22 retention bonuses for psychologists.

23 (2) Section 302d(a)(1), relating to accession
24 bonus for registered nurses.

1 (3) Section 302e(a)(1), relating to incentive
2 special pay for nurse anesthetists.

3 (4) Section 302g(e), relating to special pay for
4 Selected Reserve health professionals in critically
5 short wartime specialties.

6 (5) Section 302h(a)(1), relating to accession
7 bonus for dental officers.

8 (6) Section 302j(a), relating to accession bonus
9 for pharmacy officers.

10 (7) Section 302k(f), relating to accession bonus
11 for medical officers in critically short wartime spe-
12 cialties.

13 (8) Section 302l(g), relating to accession bonus
14 for dental specialist officers in critically short war-
15 time specialties.

16 (9) Section 335(k), relating to bonus and incen-
17 tive pay authorities for officers in health professions.

18 (d) AUTHORITIES RELATING TO NUCLEAR OFFI-
19 CERS.—The following sections of title 37, United States
20 Code, are amended by striking “December 31, 2011” and
21 inserting “December 31, 2012”:

22 (1) Section 312(f), relating to special pay for
23 nuclear-qualified officers extending period of active
24 service.

1 (2) Section 312b(c), relating to nuclear career
2 accession bonus.

3 (3) Section 312c(d), relating to nuclear career
4 annual incentive bonus.

5 (4) Section 333(i), relating to special bonus and
6 incentive pay authorities for nuclear officers.

7 (e) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
8 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
9 THORITIES.—The following sections of title 37, United
10 States Code, are amended by striking “December 31,
11 2011” and inserting “December 31, 2012”:

12 (1) Section 331(h), relating to general bonus
13 authority for enlisted members.

14 (2) Section 332(g), relating to general bonus
15 authority for officers.

16 (3) Section 334(i), relating to special aviation
17 incentive pay and bonus authorities for officers.

18 (4) Section 351(h), relating to hazardous duty
19 pay.

20 (5) Section 352(g), relating to assignment pay
21 or special duty pay.

22 (6) Section 353(i), relating to skill incentive
23 pay or proficiency bonus.

1 (7) Section 355(h), relating to retention incen-
2 tives for members qualified in critical military skills
3 or assigned to high priority units.

4 (f) OTHER TITLE 37 BONUS AND SPECIAL PAY AU-
5 THORITIES.—The following sections of title 37, United
6 States Code, are amended by striking “December 31,
7 2011” and inserting “December 31, 2012”:

8 (1) Section 301b(a), relating to aviation officer
9 retention bonus.

10 (2) Section 307a(g), relating to assignment in-
11 centive pay.

12 (3) Section 308(g), relating to reenlistment
13 bonus for active members.

14 (4) Section 309(e), relating to enlistment
15 bonus.

16 (5) Section 324(g), relating to accession bonus
17 for new officers in critical skills.

18 (6) Section 326(g), relating to incentive bonus
19 for conversion to military occupational specialty to
20 ease personnel shortage.

21 (7) Section 327(h), relating to incentive bonus
22 for transfer between the Armed Forces.

23 (8) Section 330(f), relating to accession bonus
24 for officer candidates.

1 (g) INCREASED BAH FOR AREAS EXPERIENCING
 2 DISASTERS OR SUDDEN INCREASES IN PERSONNEL.—
 3 Section 403(b)(7)(E) of title 37, United States Code, is
 4 amended by inserting before the period at the end the fol-
 5 lowing: “, except that such an increase may be prescribed
 6 for the period beginning on January 1, 2012, and ending
 7 on December 31, 2012”.

8 **SEC. 612. MODIFICATION OF QUALIFYING PERIOD FOR PAY-**
 9 **MENT OF HOSTILE FIRE AND IMMINENT DAN-**
 10 **GER SPECIAL PAY AND HAZARDOUS DUTY**
 11 **SPECIAL PAY.**

12 (a) HOSTILE FIRE AND IMMINENT DANGER PAY.—
 13 Section 310 of title 37, United States Code, is amended—

14 (1) in subsection (a), by striking “for any
 15 month or portion of a month” and inserting “for
 16 any day or portion of a day”;

17 (2) by striking subsection (b) and inserting the
 18 following new subsection (b):

19 “(b) SPECIAL PAY AMOUNT.—The amount of special
 20 pay authorized by subsection (a) for a day or portion of
 21 a day may not exceed an amount equal to \$225 divided
 22 by the number of days of the month in which such day
 23 falls.”;

1 (3) in subsection (c)(1), by inserting “for any
2 day (or portion of a day) of” before “not more than
3 three additional months”; and

4 (4) in subsection (d)(2), by striking “any
5 month” and inserting “any day”.

6 (b) HAZARDOUS DUTY PAY.—Section 351(c)(2) of
7 such title is amended by striking “receipt of hazardous
8 duty pay,” and all that follows and inserting “receipt of
9 hazardous duty pay—

10 “(A) in the case of hazardous duty pay
11 payable under paragraph (1) of subsection (a),
12 the Secretary concerned shall prorate the pay-
13 ment amount to reflect the duration of the
14 member’s actual qualifying service during the
15 month; and

16 “(B) in the case of hazardous duty pay
17 payable under paragraph (2) or (3) of sub-
18 section (a), the Secretary concerned may pro-
19 rate the payment amount to reflect the duration
20 of the member’s actual qualifying service during
21 the month.”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on October 1, 2011, and shall
24 apply with respect to duty performed on or after that date.

1 **Subtitle B—Consolidation and Re-**
 2 **form of Travel and Transpor-**
 3 **tation Authorities**

4 **SEC. 621. CONSOLIDATION AND REFORM OF TRAVEL AND**
 5 **TRANSPORTATION AUTHORITIES OF THE**
 6 **UNIFORMED SERVICES.**

7 (a) PURPOSE.—This section establishes general trav-
 8 el and transportation provisions for members of the uni-
 9 formed services and other travelers authorized to travel
 10 under official conditions. Recognizing the complexities and
 11 the changing nature of travel, the amendments made by
 12 this section provide the Secretary of Defense and the other
 13 administering Secretaries with the authority to prescribe
 14 and implement travel and transportation policy that is
 15 simple, clear, efficient, and flexible, and that meets mis-
 16 sion and servicemember needs, while realizing cost savings
 17 that should come with a more efficient and less cum-
 18 bersome system for travel and transportation.

19 (b) CONSOLIDATED AUTHORITIES.—Title 37, United
 20 States Code, is amended by inserting after chapter 7 the
 21 following new chapter:

22 **“CHAPTER 8—TRAVEL AND**
 23 **TRANSPORTATION ALLOWANCES**

“Sec.

“SUBCHAPTER I—TRAVEL AND TRANSPORTATION AUTHORITIES—NEW LAW

“451. Definitions.

- “452. Allowable travel and transportation: general authorities.
- “453. Allowable travel and transportation: specific authorities.
- “454. Travel and transportation: pilot programs.
- “455. Appropriations for travel: may not be used for attendance at certain meetings.

“SUBCHAPTER II—ADMINISTRATIVE PROVISIONS

- “461. Relationship to other travel and transportation authorities.
- “462. Travel and transportation allowances paid to members that are unauthorized or in excess of authorized amounts: requirement for repayment.
- “463. Program of compliance; electronic processing of travel claims.
- “464. Regulations.

“SUBCHAPTER III—TRAVEL AND TRANSPORTATION AUTHORITIES—OLD LAW

- “471. Travel authorities transition expiration date.
- “472. Definitions and other incorporated provisions of chapter 7.
- “474. Travel and transportation allowances: general.
- “474a. Travel and transportation allowances: temporary lodging expenses.
- “474b. Travel and transportation allowances: payment of lodging expenses at temporary duty location during authorized absence of member.
- “475. Travel and transportation allowances: per diem while on duty outside the continental United States.
- “475a. Travel and transportation allowances: departure allowances.
- “476. Travel and transportation allowances: dependents; baggage and household effects.
- “476a. Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.
- “476b. Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.
- “476c. Travel and transportation allowances: members assigned to a vessel under construction.
- “477. Travel and transportation allowances: dislocation allowance.
- “478. Travel and transportation allowances: travel within limits of duty station.
- “478a. Travel and transportation allowances: inactive duty training outside of the normal commuting distances.
- “479. Travel and transportation allowances: house trailers and mobile homes.
- “480. Travel and transportation allowances: miscellaneous categories.
- “481. Travel and transportation allowances: administrative provisions.
- “481a. Travel and transportation allowances: travel performed in connection with convalescent leave.
- “481b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.
- “481c. Travel and transportation allowances: travel performed in connection with rest and recuperative leave from certain stations in foreign countries.
- “481d. Travel and transportation allowances: transportation incident to personal emergencies for certain members and dependents.
- “481e. Travel and transportation allowances: transportation incident to certain emergencies for members performing temporary duty.
- “481f. Travel and transportation allowances: transportation for survivors of deceased member to attend the member’s burial ceremonies.

- “481h. Travel and transportation allowances: transportation of designated individuals incident to hospitalization of members for treatment of wounds, illness, or injury.
- “481i. Travel and transportation allowances: parking expenses.
- “481j. Travel and transportation allowances: transportation of family members incident to the repatriation of members held captive.
- “481k. Travel and transportation allowances: non-medical attendants for members determined to be very seriously or seriously wounded, ill, or injured.
- “481l. Travel and transportation allowances: attendance of members and others at Yellow Ribbon Reintegration Program events.
- “484. Travel and transportation: dependents of members in a missing status; household and personal effects; trailers; additional movements; motor vehicles; sale of bulky items; claims for proceeds; appropriation chargeable.
- “488. Allowance for recruiting expenses.
- “489. Travel and transportation allowances: minor dependent schooling.
- “490. Travel and transportation: dependent children of members stationed overseas.
- “491. Benefits for certain members assigned to the Defense Intelligence Agency.
- “492. Travel and transportation: members escorting certain dependents.
- “494. Subsistence reimbursement relating to escorts of foreign arms control inspection teams.
- “495. Funeral honors duty: allowance.

1 “SUBCHAPTER I—TRAVEL AND
2 TRANSPORTATION AUTHORITIES—NEW LAW

3 **“§ 451. Definitions**

4 “(a) DEFINITIONS RELATING TO PERSONS.—In this
5 subchapter and subchapter II:

6 “(1) The term ‘administering Secretary’ or ‘ad-
7 ministering Secretaries’ means the following:

8 “(A) The Secretary of Defense, with 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.

1 “(C) The Secretary of Commerce, with re-
2 spect to the National Oceanic and Atmospheric
3 Administration.

4 “(D) The Secretary of Health and Human
5 Services, with respect to the Public Health
6 Service.

7 “(2) The term ‘authorized traveler’ means a
8 person who is authorized travel and transportation
9 allowances when performing official travel ordered or
10 authorized by the administering Secretary. Such
11 term includes the following:

12 “(A) A member of the uniformed services.

13 “(B) A family member of a member of the
14 uniformed services.

15 “(C) A person acting as an escort or at-
16 tendant for a member or family member who is
17 traveling on official travel or is traveling with
18 the remains of a deceased member.

19 “(D) A person who participates in a mili-
20 tary funeral honors detail.

21 “(E) A Senior Reserve Officers’ Training
22 Corps cadet or midshipman.

23 “(F) An applicant or rejected applicant for
24 enlistment.

1 “(G) Any person whose employment or
2 service is considered directly related to a Gov-
3 ernment official activity or function under regu-
4 lations prescribed under section 464 of this
5 title.

6 “(H) Any other person not covered by sub-
7 paragraphs (A) through (G) who is determined
8 by the administering Secretary pursuant to reg-
9 ulations prescribed under section 464 of this
10 title as warranting the provision of travel bene-
11 fits for purposes of a particular travel incident.

12 “(3) The term ‘family member’, with respect to
13 a member of the uniformed services, means the fol-
14 lowing:

15 “(A) A dependent.

16 “(B) A child, as defined in section
17 401(b)(1) of this title.

18 “(C) A parent, as defined in section
19 401(b)(2) of this title.

20 “(D) A sibling of the member.

21 “(E) A former spouse of the member.

22 “(F) Any person not covered by subpara-
23 graphs (A) through (E) who is in a category
24 specified in regulations prescribed under section
25 464 of this title as having an association, con-

1 nection, or affiliation with a member or the
2 family of a member, including any person spe-
3 cifically designated by a member to receive trav-
4 el benefits for a particular purpose.

5 “(4) The term ‘dependent’, with respect to a
6 member of the uniformed services, has the meaning
7 given that term in section 401(a) of this title.

8 “(b) DEFINITIONS RELATING TO TRAVEL AND
9 TRANSPORTATION ALLOWANCES.—In this subchapter and
10 subchapter II:

11 “(1) The term ‘official travel’ means the fol-
12 lowing:

13 “(A) Military duty or official business per-
14 formed by an authorized traveler away from a
15 duty assignment location or other authorized lo-
16 cation.

17 “(B) Travel performed by an authorized
18 traveler ordered to relocate from a permanent
19 duty station to another permanent duty station.

20 “(C) Travel performed by an authorized
21 traveler ordered to the first permanent duty
22 station, or separated or retired from uniformed
23 service.

24 “(D) Local travel in or around the tem-
25 porary duty or permanent duty station.

1 “(E) Other travel as authorized or ordered
2 by the administering Secretary.

3 “(2) The term ‘actual and necessary expenses’
4 means expenses incurred in fact by an authorized
5 traveler as a reasonable consequence of official trav-
6 el.

7 “(3) The term ‘travel allowances’ means the
8 daily lodging, meals, and other related expenses, in-
9 cluding relocation expenses, incurred by an author-
10 ized traveler while on official travel.

11 “(4) The term ‘transportation allowances’
12 means the costs of temporarily or permanently mov-
13 ing an authorized traveler, the personal property of
14 an authorized traveler, or a combination thereof.

15 “(5) The term ‘transportation-, lodging-, or
16 meals-in-kind’ means transportation, lodging, or
17 meals provided by the Government without cost to
18 an authorized traveler.

19 “(6) The term ‘miscellaneous expenses’ means
20 authorized expenses incurred in addition to author-
21 ized allowances during the performance of official
22 travel by an authorized traveler.

23 “(7) The term ‘personal property’, with respect
24 to transportation allowances, includes baggage, fur-
25 niture, and other household items, clothing, privately

1 owned vehicles, house trailers, mobile homes, and
2 any other personal items that would not otherwise be
3 prohibited by any other provision of law or regula-
4 tion prescribed under section 464 of this title.

5 “(8) The term ‘relocation allowances’ means the
6 costs associated with relocating a member of the
7 uniformed services and the member’s dependents be-
8 tween an old and new temporary or permanent duty
9 assignment location or other authorized location.

10 “(9) The term ‘dislocation allowances’ means
11 the costs associated with relocation of the household
12 of a member of the uniformed services and the mem-
13 ber’s dependents in relation to a change in the mem-
14 ber’s permanent duty assignment location ordered
15 for the convenience of the Government or incident to
16 an evacuation.

17 **“§ 452. Allowable travel and transportation: general**
18 **authorities**

19 “(a) IN GENERAL.—Except as otherwise prohibited
20 by law, a member of the uniformed services or other au-
21 thorized traveler may be provided transportation-, lodging-
22 , or meals-in-kind, or actual and necessary expenses of
23 travel and transportation, for, or in connection with, offi-
24 cial travel under circumstances as specified in regulations
25 prescribed under section 464 of this title.

1 “(b) SPECIFIC CIRCUMSTANCES.—The authority
2 under subsection (a) includes travel under or in connection
3 with, but not limited to, the following circumstances, to
4 the extent specified in regulations prescribed under section
5 464 of this title:

6 “(1) Temporary duty that requires travel be-
7 tween a permanent duty assignment location and an-
8 other authorized temporary duty location, and travel
9 in or around the temporary duty location.

10 “(2) Permanent change of station that requires
11 travel between an old and new temporary or perma-
12 nent duty assignment location or other authorized
13 location.

14 “(3) Temporary duty or assignment relocation
15 related to consecutive overseas tours or in-place-con-
16 secutive overseas tours.

17 “(4) Recruiting duties for the armed forces.

18 “(5) Assignment or detail to another Govern-
19 ment department or agency.

20 “(6) Rest and recuperative leave.

21 “(7) Convalescent leave.

22 “(8) Reenlistment leave.

23 “(9) Reserve component inactive-duty training
24 performed outside the normal commuting distance of
25 the member’s permanent residence.

1 “(10) Ready Reserve muster duty.

2 “(11) Unusual, extraordinary, hardship, or
3 emergency circumstances.

4 “(12) Presence of family members at a military
5 medical facility incident to the illness or injury of
6 members.

7 “(13) Presence of family members at the repa-
8 triation of members held captive.

9 “(14) Presence of non-medical attendants for
10 very seriously or seriously wounded, ill, or injured
11 members.

12 “(15) Attendance at Yellow Ribbon Reintegra-
13 tion Program events.

14 “(16) Missing status, as determined by the Sec-
15 retary concerned under chapter 10 of this title.

16 “(17) Attendance at or participation in inter-
17 national sports competitions described under section
18 717 of title 10.

19 “(c) MATTERS INCLUDED.—Travel and transpor-
20 tation allowances which may be provided under subsection
21 (a) include the following:

22 “(1) Allowances for transportation, lodging, and
23 meals.

1 “(2) Dislocation or relocation allowances paid
2 in connection with a change in a member’s tem-
3 porary or permanent duty assignment location.

4 “(3) Other related miscellaneous expenses.

5 “(d) MODE OF PROVIDING TRAVEL AND TRANSPOR-
6 TATION ALLOWANCES.—Any authorized travel and trans-
7 portation may be provided—

8 “(1) as an actual expense;

9 “(2) as an authorized allowance;

10 “(3) in-kind; or

11 “(4) using a combination of the authorities
12 under paragraphs (1), (2), and (3).

13 “(e) TRAVEL AND TRANSPORTATION ALLOWANCES
14 WHEN TRAVEL ORDERS ARE MODIFIED, ETC.—An au-
15 thorized traveler whose travel and transportation order or
16 authorization is canceled, revoked, or modified may be al-
17 lowed actual and necessary expenses or travel and trans-
18 portation allowances in connection with travel performed
19 pursuant to such order or authorization before such order
20 or authorization is cancelled, revoked, or modified.

21 “(f) ADVANCE PAYMENTS.—An authorized traveler
22 may be allowed advance payments for authorized travel
23 and transportation allowances.

1 “(g) RESPONSIBILITY FOR UNAUTHORIZED EX-
2 PENSES.—Any unauthorized travel or transportation ex-
3 pense is not the responsibility of the United States.

4 “(h) RELATIONSHIP TO OTHER AUTHORITIES.—The
5 administering Secretary may not provide payment under
6 this section for an expense for which payment may be pro-
7 vided from any other appropriate Government or non-Gov-
8 ernment entity.

9 **“§ 453. Allowable travel and transportation: specific**
10 **authorities**

11 “(a) IN GENERAL.—In addition to any other author-
12 ity for the provision of travel and transportation allow-
13 ances, the administering Secretaries may provide travel
14 and transportation allowances under this subchapter in ac-
15 cordance with this section.

16 “(b) AUTHORIZED ABSENCE FROM TEMPORARY
17 DUTY LOCATION.—An authorized traveler may be paid
18 travel and transportation allowances, or reimbursed for
19 actual and necessary expenses of travel, incurred at a tem-
20 porary duty location during an authorized absence from
21 that location.

22 “(c) MOVEMENT OF PERSONAL PROPERTY.—(1) A
23 member of a uniformed service may be allowed moving ex-
24 penses and transportation allowances for self and depend-
25 ents associated with the movement of personal property

1 and household goods, including such expenses when asso-
2 ciated with a self-move.

3 “(2) The authority in paragraph (1) includes the
4 movement and temporary and non-temporary storage of
5 personal property, household goods, and privately owned
6 vehicles (but not to exceed one privately owned vehicle per
7 member household) in connection with the temporary or
8 permanent move between authorized locations.

9 “(3) For movement of household goods, the admin-
10 istering Secretaries shall prescribe weight allowances in
11 regulations under section 464 of this title. The prescribed
12 weight allowances may not exceed 18,000 pounds (includ-
13 ing packing, crating, and household goods in temporary
14 storage), except that the administering Secretary may, on
15 a case-by-case basis, authorize additional weight allow-
16 ances as necessary.

17 “(4) The administering Secretary may prescribe the
18 terms, rates, and conditions that authorize a member of
19 the uniformed services to ship or store a privately owned
20 vehicle.

21 “(5) No carrier, port agent, warehouseman, freight
22 forwarder, or other person involved in the transportation
23 of property may have any lien on, or hold, impound, or
24 otherwise interfere with, the movement of baggage and
25 household goods being transported under this section.

1 “(d) UNUSUAL OR EMERGENCY CIRCUMSTANCES.—
2 An authorized traveler may be provided travel and trans-
3 portation allowances under this section for unusual, ex-
4 traordinary, hardship, or emergency circumstances, in-
5 cluding circumstances warranting evacuation from a per-
6 manent duty assignment location.

7 “(e) PARTICULAR SEPARATION PROVISIONS.—The
8 administering Secretary may provide travel-in-kind and
9 transportation-in-kind for the following persons in accord-
10 ance with regulations prescribed under section 464 of this
11 title:

12 “(1) A member who is retired, or is placed on
13 the temporary disability retired list, under chapter
14 61 of title 10.

15 “(2) A member who is retired with pay under
16 any other law or who, immediately following at least
17 eight years of continuous active duty with no single
18 break therein of more than 90 days, is discharged
19 with separation pay or is involuntarily released from
20 active duty with separation pay or readjustment pay.

21 “(3) A member who is discharged under section
22 1173 of title 10.

23 “(f) ATTENDANCE AT MEMORIAL CEREMONIES AND
24 SERVICES.—A family member or member of the uni-
25 formed services who attends a deceased member’s repatri-

1 ation, burial, or memorial ceremony or service may be pro-
2 vided travel and transportation allowances to the extent
3 provided in regulations prescribed under section 464 of
4 this title.

5 **“§ 454. Travel and transportation: pilot programs**

6 “(a) PILOT PROGRAMS.—Except as otherwise prohib-
7 ited by law, the Secretary of Defense may conduct pilot
8 programs to evaluate alternative travel and transportation
9 programs, policies, and processes for Department of De-
10 fense authorized travelers. Any such pilot program shall
11 be designed to enhance cost savings or other efficiencies
12 that accrue to the Government and be conducted so as
13 to evaluate one or more of the following:

14 “(1) Alternative methods for performing and
15 reimbursing travel.

16 “(2) Means for limiting the need for travel.

17 “(3) Means for reducing the environmental im-
18 pact of travel.

19 “(b) LIMITATIONS.—(1) Not more than three pilot
20 programs may be carried out under subsection (a) at any
21 one time.

22 “(2) The duration of a pilot program may not exceed
23 four years.

24 “(3) The authority to carry out a pilot program is
25 subject to the availability of appropriated funds.

1 “(c) REPORTS.—(1) Not later than 30 days before
2 the commencement of a pilot program under subsection
3 (a), the Secretary shall submit to the congressional de-
4 fense committees a report on the pilot program. The re-
5 port on a pilot program under this paragraph shall set
6 forth a description of the pilot program, including the fol-
7 lowing:

8 “(A) The purpose of the pilot program.

9 “(B) The duration of the pilot program.

10 “(C) The cost savings or other efficiencies an-
11 ticipated to accrue to the Government under the
12 pilot program.

13 “(2) Not later than 60 days after the completion of
14 a pilot program, the Secretary shall submit to the congres-
15 sional defense committees a report on the pilot program.
16 The report on a pilot program under this paragraph shall
17 set forth the following:

18 “(A) A description of results of the pilot pro-
19 gram.

20 “(B) Such recommendations for legislative or
21 administrative action as the Secretary considers ap-
22 propriate in light of the pilot program.

23 “(d) CONGRESSIONAL DEFENSE COMMITTEES DE-
24 FINED.—In this section, the term ‘congressional defense

1 committees’ has the meaning given that term in section
 2 101(a)(16) of title 10.

3 “SUBCHAPTER II—ADMINISTRATIVE
 4 PROVISIONS

5 **“§ 461. Relationship to other travel and transpor-
 6 tation authorities**

7 “An authorized traveler may not be paid travel and
 8 transportation allowances or receive travel-in-kind and
 9 transportation-in-kind, or a combination thereof, under
 10 both subchapter I and subchapter III for official travel
 11 performed under a single or related travel and transpor-
 12 tation order or authorization by the administering Sec-
 13 retary.

14 **“§ 462. Travel and transportation allowances paid to
 15 members that are unauthorized or in ex-
 16 cess of authorized amounts: requirement
 17 for repayment**

18 “(a) REPAYMENT REQUIRED.—Except as provided in
 19 subsection (b), a member of the uniformed services or
 20 other person who is paid travel and transportation allow-
 21 ances under subchapter I shall repay to the United States
 22 any amount of such payment that is determined to be un-
 23 authorized or in excess of the applicable authorized
 24 amount.

1 “(b) EXCEPTION.—The regulations prescribed under
2 section 464 of this title shall specify procedures for deter-
3 mining the circumstances under which an exception to re-
4 payment otherwise required by subsection (a) may be
5 granted.

6 “(c) EFFECT OF BANKRUPTCY.—An obligation to
7 repay the United States under this section is, for all pur-
8 poses, a debt owed the United States. A discharge in bank-
9 ruptcy under title 11 does not discharge a person from
10 such debt if the discharge order is entered less than five
11 years after the date on which the debt was incurred.

12 **“§ 463. Programs of compliance; electronic processing**
13 **of travel claims**

14 “(a) PROGRAMS OF COMPLIANCE.—The admin-
15 istering Secretaries shall provide for compliance with the
16 requirements of this chapter through programs of compli-
17 ance established and maintained for that purpose.

18 “(b) ELEMENTS.—The programs of compliance
19 under subsection (a) shall—

20 “(1) minimize the provision of benefits under
21 this chapter based on inaccurate claims, unauthor-
22 ized claims, overstated or inflated claims, and mul-
23 tiple claims for the same benefits through the elec-
24 tronic verification of travel claims on a near-time
25 basis and such other means as the administering

1 Secretaries may establish for purposes of the pro-
2 grams of compliance; and

3 “(2) ensure that benefits provided under this
4 chapter do not exceed reasonable or actual and nec-
5 essary expenses of travel claimed or reasonable al-
6 lowances based on commercial travel rates.

7 “(c) ELECTRONIC PROCESSING OF TRAVEL
8 CLAIMS.—(1) By not later than the date that is five years
9 after the date of the enactment of the National Defense
10 Authorization Act for Fiscal Year 2012, any travel claim
11 under this chapter shall be processed electronically.

12 “(2) The administering Secretary, or the Secretary’s
13 designee, may waive the requirement in paragraph (1)
14 with respect to a particular claim in the interests of the
15 department concerned.

16 “(3) The electronic processing of claims under this
17 subsection shall be subject to the regulations prescribed
18 by the Secretary of Defense under section 464 of this title
19 which shall apply uniformly to all members of the uni-
20 formed services and, to the extent practicable, to all other
21 authorized travelers.

22 **“§ 464. 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

1 the other administering Secretaries for members of the
 2 uniformed services. Such regulations shall be uniform for
 3 the Department of Defense and shall apply as uniformly
 4 as practicable to the uniformed services under the jurisdic-
 5 tion of the other administering Secretaries.

6 “SUBCHAPTER III—TRAVEL AND
 7 TRANSPORTATION AUTHORITIES—OLD LAW

8 **“§ 471. Travel authorities transition expiration date**

9 “In this subchapter, the term ‘travel authorities tran-
 10 sition expiration date’ means the last day of the 10-year
 11 period beginning on the first day of the first month begin-
 12 ning after the date of the enactment of the National De-
 13 fense Authorization Act for Fiscal Year 2012.

14 **“§ 472. Definitions and other incorporated provisions**
 15 **of chapter 7**

16 “(a) DEFINITIONS.—The provisions of section 401 of
 17 this title apply to this subchapter.

18 “(b) OTHER PROVISIONS.—The provisions of sections
 19 421 and 423 of this title apply to this subchapter.”.

20 (c) REPEAL OF OBSOLETE AUTHORITY.—Section
 21 411g of title 37, United States Code, is repealed.

22 (d) TRANSFER OF SECTIONS.—

23 (1) TRANSFER TO SUBCHAPTER I.—Section 412
 24 of title 37, United States Code, is transferred to
 25 chapter 8 of such title, as added by subsection (b),

1 inserted after section 454, and redesignated as sec-
 2 tion 455.

3 (2) TRANSFER OF CURRENT CHAPTER 7 AU-
 4 THORITIES TO SUBCHAPTER III.—Sections 404,
 5 404a, 404b, 405, 405a, 406, 406a, 406b, 406c, 407,
 6 408, 408a, 409, 410, 411, 411a through 411f, 411h
 7 through 411l, 428 through 432, 434, and 435 of
 8 such title are transferred (in that order) to chapter
 9 8 of such title, as added by subsection (b), inserted
 10 after section 472, and redesignated as follows:

Section:	Redesignated Section:
404	474
404a	474a
404b	474b
405	475
405a	475a
406	476
406a	476a
406b	476b
406c	476c
407	477
408	478
408a	478a
409	479
410	480
411	481
411a	481a
411b	481b
411c	481c
411d	481d
411e	481e
411f	481f
411h	481h
411i	481i
411j	481j
411k	481k
411l	481l
428	488
429	489
430	490
432	492
434	494
435	495

1 (3) TRANSFER OF SECTION 554.—Section 554
2 of such title is transferred to chapter 8 of such title,
3 as added by subsection (b), inserted after section
4 4811 (as transferred and redesignated by paragraph
5 (2)), and redesignated as section 484.

6 (e) SUNSET OF OLD-LAW AUTHORITIES.—Provisions
7 of subchapter III of chapter 8 of title 37, United States
8 Code, as transferred and redesignated by paragraphs (2)
9 and (3) of subsection (c), are amended as follows:

10 (1) Section 474 is amended by adding at the
11 end the following new subsection:

12 “(k) No travel and transportation allowance or reim-
13 bursement may be provided under this section for travel
14 that begins after the travel authorities transition expira-
15 tion date.”.

16 (2) Section 474a is amended by adding at the
17 end the following new subsection:

18 “(f) TERMINATION.—No payment or reimbursement
19 may be provided under this section with respect to a
20 change of permanent station for which orders are issued
21 after the travel authorities transition expiration date.”.

22 (3) Section 474b is amended by adding at the
23 end the following new subsection:

24 “(e) TERMINATION.—No payment or reimbursement
25 may be provided under this section with respect to an au-

1 thORIZED absence that begins after the travel authorities
2 transition expiration date.”.

3 (4) Section 475 is amended by adding at the
4 end the following new subsection:

5 “(f) TERMINATION.—During and after the travel au-
6 thorities expiration date, no per diem may be paid under
7 this section for any period.”.

8 (5) Section 475a is amended by adding at the
9 end the following new subsection:

10 “(c) During and after the travel authorities expira-
11 tion date, no allowance under subsection (a) or transpor-
12 tation or reimbursement under subsection (b) may be pro-
13 vided with respect to an authority or order to depart.”.

14 (6) Section 476 is amended by adding at the
15 end the following new subsection:

16 “(n) No transportation, reimbursement, allowance, or
17 per diem may be provided under this section—

18 “(1) with respect to a change of temporary or
19 permanent station for which orders are issued after
20 the travel authorities transition expiration date; or

21 “(2) in a case covered by this section when such
22 orders are not issued, with respect to a movement of
23 baggage or household effects that begins after such
24 date.”.

25 (7) Section 476a is amended—

1 (A) by inserting “(a) AUTHORITY.—” be-
2 fore “Under uniform regulations”; and

3 (B) by adding at the end the following new
4 subsection:

5 “(b) TERMINATION.—No transportation or travel or
6 transportation allowance may be provided under this sec-
7 tion for travel that begins after the travel authorities tran-
8 sition expiration date.”.

9 (8) Section 476b is amended by adding at the
10 end the following new subsection:

11 “(e) No transportation or allowance may be provided
12 under this section for travel that begins after the travel
13 authorities transition expiration date.”.

14 (9) Section 476c is amended by adding at the
15 end the following new subsection:

16 “(e) TERMINATION.—No transportation or allowance
17 may be provided under this section for travel that begins
18 after the travel authorities transition expiration date.”.

19 (10) Section 477 is amended by adding at the
20 end the following new subsection:

21 “(i) TERMINATION.—No dislocation allowance may
22 be paid under this section for a move that begins after
23 the travel authorities transition expiration date.”.

24 (11) Section 478 is amended by adding at the
25 end the following new subsection:

1 “(c) No travel or transportation allowance, payment,
2 or reimbursement may be provided under this section for
3 travel that begins after the travel authorities transition ex-
4 piration date.”.

5 (12) Section 478a(e) is amended by striking
6 “December 31, 2011” and inserting “the travel au-
7 thorities transition expiration date”.

8 (13) Section 479 is amended by adding at the
9 end the following new subsection:

10 “(e) No transportation of a house trailer or mobile
11 home, or storage or payment in connection therewith, may
12 be provided under this section for transportation that be-
13 gins after the travel authorities transition expiration
14 date.”.

15 (14) Section 480 is amended by adding at the
16 end the following new subsection:

17 “(c) No travel or transportation allowance may be
18 provided under this section for travel that begins after the
19 travel authorities transition expiration date.”.

20 (15) Section 481 is amended by adding at the
21 end the following new subsection:

22 “(e) The regulations prescribed under this section
23 shall cease to be in effect as of the travel authorities tran-
24 sition expiration date.”.

1 (16) Section 481a is amended by adding at the
2 end the following new subsection:

3 “(c) No travel and transportation allowance may be
4 provided under this section for travel that is authorized
5 after the travel authorities transition expiration date.”.

6 (17) Section 481b is amended by adding at the
7 end the following new subsection:

8 “(d) TERMINATION.—No travel and transportation
9 allowance may be provided under this section for travel
10 that is authorized after the travel authorities transition
11 expiration date.”.

12 (18) Section 481c is amended by adding at the
13 end the following new subsection:

14 “(c) No transportation may be provided under this
15 section after the travel authorities transition expiration
16 date, and no payment may be made under this section for
17 transportation that begins after that date.”.

18 (19) Section 481d is amended by adding at the
19 end the following new subsection:

20 “(d) No transportation may be provided under this
21 section after the travel authorities transition expiration
22 date.”.

23 (20) Section 481e is amended by adding at the
24 end the following new subsection:

1 “(c) No travel and transportation allowance or reim-
2 bursement may be provided under this section for travel
3 that begins after the travel authorities transition expira-
4 tion date.”.

5 (21) 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 (22) 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 (23) 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 (24) 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 (25) Section 481k is amended by adding at the
4 end the following new subsection:

5 “(e) TERMINATION.—No transportation, allowance,
6 reimbursement, or per diem may be provided under this
7 section for travel that begins after the travel authorities
8 transition expiration date.”.

9 (26) Section 481l is amended by adding at the
10 end the following new subsection:

11 “(e) TERMINATION.—No transportation, allowance,
12 reimbursement, or per diem may be provided under this
13 section for travel that begins after the travel authorities
14 transition expiration date.”.

15 (27) Section 484 is amended by adding at the
16 end the following new subsection:

17 “(k) No transportation, allowance, or reimbursement
18 may be provided under this section for a move that begins
19 after the travel authorities transition expiration date.”.

20 (28) Section 488 is amended—

21 (A) by inserting “(a) AUTHORITY.—” be-
22 fore “In addition”; and

23 (B) by adding at the end the following new
24 subsection:

1 “(b) TERMINATION.—No reimbursement may be pro-
2 vided under this section for expenses incurred after the
3 travel authorities transition expiration date.”.

4 (29) Section 489 is amended—

5 (A) by inserting “(a) AUTHORITY.—” be-
6 fore “In addition”; and

7 (B) by adding at the end the following new
8 subsection:

9 “(b) TERMINATION.—No transportation or allowance
10 may be provided under this section for travel that begins
11 after the travel authorities transition expiration date.”.

12 (30) Section 490 is amended by adding at the
13 end the following new subsection:

14 “(g) TERMINATION.—No transportation, allowance,
15 reimbursement, or per diem may be provided under this
16 section for travel that begins after the travel authorities
17 transition expiration date.”.

18 (31) Section 492 is amended by adding at the
19 end the following new subsection:

20 “(c) No transportation or allowance may be provided
21 under this section for travel that begins after the travel
22 authorities transition expiration date.”.

23 (32) Section 494 is amended by adding at the
24 end the following new subsection:

1 “(d) TERMINATION.—No reimbursement may be pro-
2 vided under this section for expenses incurred after the
3 travel authorities transition expiration date.”.

4 (33) Section 495 is amended by adding at the
5 end the following new subsection:

6 “(c) TERMINATION.—No allowance may be paid
7 under this section for any day after the travel authorities
8 transition expiration date.”.

9 (f) TECHNICAL AND CLERICAL AMENDMENTS.—

10 (1) CHAPTER HEADING.—The heading of chap-
11 ter 7 of such title is amended to read as follows:

12 **“CHAPTER 7—ALLOWANCES OTHER**
13 **THAN TRAVEL AND TRANSPORTATION**
14 **ALLOWANCES”.**

15 (2) TABLE OF CHAPTERS.—The table of chap-
16 ter preceding chapter 1 of such title is amended by
17 striking the item relating to chapter 7 and inserting
18 the following:

“7. Allowances Other Than Travel and Transportation Allowances 401
“8. Travel and Transportation Allowances 451”.

19 (3) TABLES OF SECTIONS.—

20 (A) The table of sections at the beginning
21 of chapter 7 of such title is amended by striking
22 the items relating to sections 404 through 412,
23 428 through 432, 434, and 435.

1 (B) The table of sections at the beginning
2 of chapter 9 of such title is amended by striking
3 the item relating to section 554.

4 (4) CROSS-REFERENCES.—

5 (A) Any section of title 10 or 37, United
6 States Code, that includes a reference to a sec-
7 tion of title 37 that is transferred and redesign-
8 dated by subsection (c) is amended so as to
9 conform the reference to the section number of
10 the section as so redesignated.

11 (B) Any reference in a provision of law
12 other than a section of title 10 or 37, United
13 States Code, to a section of title 37 that is
14 transferred and redesignated by subsection (c)
15 is deemed to refer to the section as so redesign-
16 dated.

17 **SEC. 622. TRANSITION PROVISIONS.**

18 (a) IMPLEMENTATION PLAN.—The Secretary of De-
19 fense shall develop a plan to implement subchapters I and
20 II of chapter 8 of title 37, United States Code (as added
21 by section 621(b) of this Act), and to transition all of the
22 travel and transportation programs for members of the
23 uniformed services under chapter 7 of title 37, United
24 States Code, solely to provisions of those subchapters by
25 the end of the transition period.

1 (b) AUTHORITY FOR MODIFICATIONS TO OLD-LAW
2 AUTHORITIES DURING TRANSITION PERIOD.—During the
3 transition period, the Secretary of Defense and the Secre-
4 taries concerned, in using the authorities under sub-
5 chapter III of chapter 8 of title 37, United States Code
6 (as so added), may apply those authorities subject to the
7 terms of such provisions and such modifications as the
8 Secretary of Defense may include in the implementation
9 plan required under subsection (a) or in any subsequent
10 modification to that implementation plan.

11 (c) COORDINATION.—The Secretary of Defense shall
12 prepare the implementation plan under subsection (a) and
13 any modification to that plan under subsection (b) in co-
14 ordination with—

15 (1) the Secretary of Homeland Security, with
16 respect to the Coast Guard;

17 (2) the Secretary of Health and Human Serv-
18 ices, with respect to the commissioned corps of the
19 Public Health Service; and

20 (3) the Secretary of Commerce, with respect to
21 the National Oceanic and Atmospheric Administra-
22 tion.

23 (d) PROGRAM OF COMPLIANCE.—The Secretary of
24 Defense and the other administering Secretaries shall
25 commence the operation of the programs of compliance re-

1 quired by section 463 of title 37, United States Code (as
 2 so added), by not later than one year after the date of
 3 the enactment of this Act.

4 (e) **TRANSITION PERIOD.**—In this section, the term
 5 “transition period” means the 10-year period beginning
 6 on the first day of the first month beginning after the date
 7 of the enactment of this Act.

8 **Subtitle C—Disability, Retired Pay,**
 9 **and Survivor Benefits**

10 **SEC. 631. REPEAL OF AUTOMATIC ENROLLMENT IN FAMILY**
 11 **SERVICEMEMBERS’ GROUP LIFE INSURANCE**
 12 **FOR MEMBERS OF THE ARMED FORCES MAR-**
 13 **RIED TO OTHER MEMBERS.**

14 Section 1967(a)(1) of title 38, United States Code,
 15 is amended—

16 (1) in subparagraph (A)(ii), by inserting after
 17 “insurable dependent of the member” the following:
 18 “(other than a dependent who is also a member of
 19 a uniformed service and, because of such member-
 20 ship, automatically insured under this paragraph)”;
 21 and

22 (2) in subparagraph (C)(ii), by inserting after
 23 “insurable dependent of the member” the following:
 24 “(other than a dependent who is also a member of

1 a uniformed service and, because of such member-
2 ship, automatically insured under this paragraph)”.
3

3 **SEC. 632. LIMITATION ON AVAILABILITY OF CERTAIN**
4 **FUNDS PENDING REPORT ON PROVISION OF**
5 **SPECIAL COMPENSATION FOR MEMBERS OF**
6 **THE UNIFORMED SERVICES WITH INJURY OR**
7 **ILLNESS REQUIRING ASSISTANCE IN EVERY-**
8 **DAY LIVING.**

9 (a) LIMITATION ON FUNDS FOR TRAVEL OF
10 USD(PR).—Of the amount authorized to be appropriated
11 for fiscal year 2012 for the Department of Defense for
12 operation and maintenance for defense-wide activities as
13 specified in the funding table in section 4301 and available
14 for purposes of travel of the Office of the Under Secretary
15 of Defense for Personnel and Readiness, not more than
16 50 percent of such amount may be obligated or expended
17 for such purposes until the Under Secretary of Defense
18 for Personnel and Readiness submits to the congressional
19 defense committees a report on the implementation by the
20 Department of Defense of the authorities in section 439
21 of title 37, United States Code, for payment of special
22 compensation for members of the uniformed services with
23 catastrophic injuries or illnesses requiring assistance in ev-
24 eryday living.

1 (b) ELEMENTS.—The report described in subsection
2 (a) shall include a detailed description of the implementa-
3 tion by the Department of the authorities in section 439
4 of title 37, United States Code, including the following:

5 (1) A description of the criteria established pur-
6 suant to such section for the payment of special
7 compensation under that section.

8 (2) An assessment of the training needs of
9 caregivers of members paid special compensation
10 under that section, including—

11 (A) a description of the types of training
12 currently provided;

13 (B) a description of additional types of
14 training that could be provided; and

15 (C) an assessment whether current De-
16 partment programs are adequate to meet such
17 training needs.

18 **SEC. 633. REPEAL OF SENSE OF CONGRESS ON AGE AND**
19 **SERVICE REQUIREMENTS FOR RETIRED PAY**
20 **FOR NON-REGULAR SERVICE.**

21 Section 635 of the Ike Skelton National Defense Au-
22 thorization Act for Fiscal Year 2011 (Public Law 111-
23 383; 124 Stat. 4241) is repealed.

1 **SEC. 634. DEATH GRATUITY AND RELATED BENEFITS FOR**
2 **RESERVES WHO DIE DURING AN AUTHOR-**
3 **IZED STAY AT THEIR RESIDENCE DURING OR**
4 **BETWEEN SUCCESSIVE DAYS OF INACTIVE**
5 **DUTY TRAINING.**

6 (a) DEATH GRATUITY.—

7 (1) PAYMENT AUTHORIZED.—Section
8 1475(a)(3) of title 10, United States Code, is
9 amended by inserting before the semicolon the fol-
10 lowing: “or while staying at the Reserve’s residence,
11 when so authorized by proper authority, during the
12 period of such inactive duty training or between suc-
13 cessive days of inactive duty training”.

14 (2) TREATMENT AS DEATH DURING INACTIVE
15 DUTY TRAINING.—Section 1478(a) of such title is
16 amended—

17 (A) by redesignating paragraphs (4)
18 through (8) as paragraphs (5) through (9), re-
19 spectively; and

20 (B) by inserting after paragraph (3) the
21 following new paragraph (4):

22 “(4) A person covered by subsection (a)(3) of
23 section 1475 of this title who died while on author-
24 ized stay at the person’s residence during a period
25 of inactive duty training or between successive days

1 of inactive duty training is considered to have been
2 on inactive duty training on the date of his death.”.

3 (b) RECOVERY, CARE, AND DISPOSITION OF RE-
4 MAINS AND RELATED BENEFITS.—Section 1481(a)(2) of
5 such title is amended—

6 (1) by redesignating subparagraph (E) and (F)
7 as subparagraphs (F) and (G), respectively; and

8 (2) by inserting after subparagraph (D) the fol-
9 lowing new subparagraph (E):

10 “(E) staying at the member’s residence,
11 when so authorized by proper authority, during
12 a period of inactive duty training or between
13 successive days of inactive duty training;”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on January 1, 2010, and shall
16 apply with respect to deaths that occur on or after that
17 date.

18 **SEC. 635. REPEAL OF REQUIREMENT OF REDUCTION OF**
19 **SURVIVOR BENEFITS PLAN SURVIVOR ANNU-**
20 **ITIES BY DEPENDENCY AND INDEMNITY COM-**
21 **PENSATION.**

22 (a) REPEAL.—

23 (1) IN GENERAL.—Subchapter II of chapter 73
24 of title 10, United States Code, is amended as fol-
25 lows:

1 (A) In section 1450, by striking subsection
2 (c).

3 (B) In section 1451(c)—

4 (i) by striking paragraph (2); and

5 (ii) by redesignating paragraphs (3)

6 and (4) as paragraphs (2) and (3), respec-

7 tively.

8 (2) CONFORMING AMENDMENTS.—Such sub-
9 chapter is further amended as follows:

10 (A) In section 1450—

11 (i) by striking subsection (e);

12 (ii) by striking subsection (k); and

13 (iii) by striking subsection (m).

14 (B) In section 1451(g)(1), by striking sub-
15 paragraph (C).

16 (C) In section 1452—

17 (i) in subsection (f)(2), by striking

18 “does not apply—” and all that follows

19 and inserting “does not apply in the case

20 of a deduction made through administra-

21 tive error.”; and

22 (ii) by striking subsection (g).

23 (D) In section 1455(c), by striking “,
24 1450(k)(2),”.

1 (b) PROHIBITION ON RETROACTIVE BENEFITS.—No
2 benefits may be paid to any person for any period before
3 the effective date provided under subsection (f) by reason
4 of the amendments made by subsection (a).

5 (c) PROHIBITION ON RECOUPMENT OF CERTAIN
6 AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPI-
7 ENTS.—A surviving spouse who is or has been in receipt
8 of an annuity under the Survivor Benefit Plan under sub-
9 chapter II of chapter 73 of title 10, United States Code,
10 that is in effect before the effective date provided under
11 subsection (f) and that is adjusted by reason of the
12 amendments made by subsection (a) and who has received
13 a refund of retired pay under section 1450(e) of title 10,
14 United States Code, shall not be required to repay such
15 refund to the United States.

16 (d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY
17 FOR DEPENDENT CHILDREN.—Section 1448(d) of such
18 title is amended—

19 (1) in paragraph (1), by striking “Except as
20 provided in paragraph (2)(B), the Secretary con-
21 cerned” and inserting “The Secretary concerned”;
22 and

23 (2) in paragraph (2)—

24 (A) by striking “DEPENDENT CHIL-
25 DREN.—” and all that follows through “In the

1 case of a member described in paragraph (1),”
2 and inserting “DEPENDENT CHILDREN ANNU-
3 ITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—

4 In the case of a member described in paragraph
5 (1),”; and

6 (B) by striking subparagraph (B).

7 (e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY
8 ELIGIBLE SPOUSES.—The Secretary of the military de-
9 partment concerned shall restore annuity eligibility to any
10 eligible surviving spouse who, in consultation with the Sec-
11 retary, previously elected to transfer payment of such an-
12 nuity to a surviving child or children under the provisions
13 of section 1448(d)(2)(B) of title 10, United States Code,
14 as in effect on the day before the effective date provided
15 under subsection (f). Such eligibility shall be restored
16 whether or not payment to such child or children subse-
17 quently was terminated due to loss of dependent status
18 or death. For the purposes of this subsection, an eligible
19 spouse includes a spouse who was previously eligible for
20 payment of such annuity and is not remarried, or remar-
21 ried after having attained age 55, or whose second or sub-
22 sequent marriage has been terminated by death, divorce
23 or annulment.

1 (f) EFFECTIVE DATE.—The sections and the amend-
 2 ments made by this section shall take effect on the later
 3 of—

4 (1) the first day of the first month that begins
 5 after the date of the enactment of this Act; or

6 (2) the first day of the fiscal year that begins
 7 in the calendar year in which this Act is enacted.

8 **Subtitle D—Pay and Allowances**

9 **SEC. 641. NO REDUCTION IN BASIC ALLOWANCE FOR HOUS-** 10 **ING FOR NATIONAL GUARD MEMBERS WHO** 11 **TRANSITION BETWEEN ACTIVE DUTY AND** 12 **FULL-TIME NATIONAL GUARD DUTY WITH-** 13 **OUT A BREAK IN ACTIVE SERVICE.**

14 Section 403(g) of title 37, United States Code, is
 15 amended by adding at the end the following new para-
 16 graph:

17 “(6) The rate of basic allowance for housing to be
 18 paid a member of the Army National Guard of the United
 19 States or the Air National Guard of the United States
 20 shall not be reduced upon the transition of the member
 21 from active duty under title 10, United States Code, to
 22 full-time National Guard duty under title 32, United
 23 States Code, or from full-time National Guard duty under
 24 title 32, United States Code, to active duty under title 10,

1 United States Code, when the transition occurs without
2 a break in active service of at least one calendar day”.

3 **TITLE VII—HEALTH CARE**
4 **PROVISIONS**

5 **Subtitle A—TRICARE Program**

6 **SEC. 701. ANNUAL COST-OF-LIVING ADJUSTMENT IN EN-**
7 **ROLLMENT FEES IN TRICARE PRIME.**

8 (a) IN GENERAL.—Section 1097a of title 10, United
9 States Code, is amended—

10 (1) by redesignating subsections (c), (d), (e),
11 and (f) as subsections (d), (e), (f), and (g), respec-
12 tively; and

13 (2) by inserting after subsection (b) the fol-
14 lowing new subsection (c):

15 “(c) COST-OF-LIVING ADJUSTMENT IN ENROLLMENT
16 FEE.—(1) Whenever after September 30, 2012, the Sec-
17 retary of Defense increases the retired pay of members
18 and former members of the armed forces pursuant to sec-
19 tion 1401a of this title, the Secretary shall increase the
20 amount of the fee payable for enrollment in TRICARE
21 Prime by an amount equal to the percentage of such fee
22 payable on the day before the date of the increase of such
23 fee that is equal to the percentage increase in such retired
24 pay. In determining the amount of the increase in such
25 retired pay for purposes of this subsection, the Secretary

1 shall use the amount computed pursuant to section
 2 1401a(b)(2) of this title. The increase in such fee shall
 3 be effective as of January 1 following the date of the in-
 4 crease in such retired pay.

5 “(2) The Secretary shall publish in the Federal Reg-
 6 ister the amount of the fee payable for enrollment in
 7 TRICARE Prime whenever increased pursuant to this
 8 subsection.”.

9 (b) CONFORMING AND CLERICAL AMENDMENTS.—

10 (1) HEADING AMENDMENT.—The heading of
 11 such section is amended to read as follows:

12 **“§ 1097a. TRICARE Prime: automatic enrollment; en-
 13 rollment fee; payment options”.**

14 (2) CLERICAL AMENDMENT.—The table of sec-
 15 tions at the beginning of chapter 55 of such title is
 16 amended by striking the item relating to section
 17 1097a and inserting the following new item:

“1097a. TRICARE Prime: automatic enrollment; enrollment fee; payment op-
 tions.”.

18 **SEC. 702. MAINTENANCE OF THE ADEQUACY OF PROVIDER
 19 NETWORKS UNDER THE TRICARE PROGRAM.**

20 Section 1097b(a) of title 10, United States Code, is
 21 amended by adding at the end the following new para-
 22 graph:

23 “(3) In establishing rates and procedures for reim-
 24 bursement of providers and other administrative require-

1 ments, including those contained in provider network
2 agreements, the Secretary shall to the extent practicable
3 maintain adequate networks of providers, including insti-
4 tutional, professional, and pharmacy. Network providers
5 under such provider network agreements are not consid-
6 ered subcontractors for purposes of the Federal Acquisi-
7 tion Regulation or any other law.”.

8 **SEC. 703. TRANSITION ENROLLMENT OF UNIFORMED SERV-**
9 **ICES FAMILY HEALTH PLAN MEDICARE-ELI-**
10 **GIBLE RETIREES TO TRICARE FOR LIFE.**

11 Section 724(e) of the National Defense Authorization
12 Act for Fiscal Year 1997 (10 U.S.C. 1073 note) is amend-
13 ed—

14 (1) by striking “If a covered beneficiary” and
15 inserting “(1) Except as provided in paragraph (2),
16 if a covered beneficiary”; and

17 (2) by adding at the end the following new
18 paragraph:

19 “(2) After September 30, 2011, a covered beneficiary
20 (other than a beneficiary under section 1079 of title 10,
21 United States Code) who is also entitled to hospital insur-
22 ance benefits under part A of title XVIII of the Social
23 Security Act due to age may not enroll in the managed
24 care program of a designated provider unless the bene-

1 ficiary was enrolled in that program on September 30,
2 2011.”.

3 **SEC. 704. MODIFICATION OF AUTHORITIES ON SURVEYS ON**
4 **CONTINUED VIABILITY OF TRICARE STAND-**
5 **ARD AND TRICARE EXTRA.**

6 (a) SCOPE OF CERTAIN SURVEYS.—Subsection
7 (a)(3)(A) of section 711 of the National Defense Author-
8 ization Act for Fiscal Year 2008 (Public Law 110–181;
9 122 Stat. 190; 10 U.S.C. 1073 note) by striking “2011”
10 and inserting “2015”.

11 (b) FREQUENCY OF SUBMITTAL OF GAO RE-
12 VIEWS.—Subsection (b)(2) of such section is amended by
13 striking “bi-annual basis” and inserting “biennial basis”.

14 **SEC. 705. EXTENSION OF TIME LIMIT FOR SUBMITTAL OF**
15 **CLAIMS UNDER THE TRICARE PROGRAM FOR**
16 **CARE PROVIDED OUTSIDE THE UNITED**
17 **STATES.**

18 Section 1106(b) of title 10, United States Code, is
19 amended by striking “not later than” and all that follows
20 and inserting the following: “as follows:

21 “(1) In the case of services provided outside the
22 United States, the Commonwealth of Puerto Rico, or
23 the possessions of the United States, by not later
24 than three years after the services are provided.

1 “(2) In the case of any other services, by not
2 later than one year after the services are provided.”.

3 **Subtitle B—Other Health Care** 4 **Benefits**

5 **SEC. 711. TRAVEL FOR ANESTHESIA SERVICES FOR CHILD-**
6 **BIRTH FOR COMMAND-SPONSORED DEPEND-**
7 **ENTS OF MEMBERS ASSIGNED TO REMOTE**
8 **LOCATIONS OUTSIDE THE CONTINENTAL**
9 **UNITED STATES.**

10 Section 1040(a) of title 10, United States Code, is
11 amended—

12 (1) by inserting “(1)” after “(a)”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(2)(A) For purposes of paragraph (1), required
16 medical attention of a dependent includes, in the case of
17 a dependent authorized to accompany a member at a loca-
18 tion described in that paragraph, obstetrical anesthesia
19 services for childbirth equivalent to the obstetrical anes-
20 thesia services for childbirth available in a military treat-
21 ment facility in the United States.

22 “(B) In the case of a dependent at a remote location
23 outside the continental United States who elects services
24 described in subparagraph (A) and for whom air transpor-
25 tation would be needed to travel under paragraph (1) to

1 the nearest appropriate medical facility in which adequate
2 medical care is available, the Secretary may authorize the
3 dependent to receive transportation under that paragraph
4 to the continental United States and be treated at the
5 military treatment facility that can provide appropriate
6 obstetrical services that is nearest to the closest port of
7 entry into the continental United States from such remote
8 location.

9 “(C) The second through sixth sentences of para-
10 graph (1) shall apply to a dependent provided transpor-
11 tation by reason of this paragraph.

12 “(D) The total cost incurred by the United States
13 for the provision of transportation and expenses (including
14 per diem) with respect to a dependent by reason of this
15 paragraph may not exceed the cost the United States
16 would otherwise incur for the provision of transportation
17 and expenses with respect to that dependent under para-
18 graph (1) if the transportation and expenses were provided
19 to that dependent without regard to this paragraph.

20 “(E) The authority under this paragraph shall expire
21 on September 30, 2016.”.

1 **SEC. 712. TRANSITIONAL HEALTH BENEFITS FOR CERTAIN**
2 **MEMBERS WITH EXTENSION OF ACTIVE DUTY**
3 **FOLLOWING ACTIVE DUTY IN SUPPORT OF A**
4 **CONTINGENCY OPERATION.**

5 Section 1145(a)(4) of title 10, United States Code,
6 is amended by adding at the end the following new sen-
7 tence: “For purposes of the preceding sentence, in the case
8 of a member on active duty as described in subparagraph
9 (B), (C), or (D) of paragraph (2) who, without a break
10 in service, is extended on active duty for any reason, the
11 180-day period shall begin on the date on which the mem-
12 ber is separated from such extended active duty.”.

13 **SEC. 713. CODIFICATION AND IMPROVEMENT OF PROCE-**
14 **DURES FOR MENTAL HEALTH EVALUATIONS**
15 **FOR MEMBERS OF THE ARMED FORCES.**

16 (a) CODIFICATION AND IMPROVEMENT OF PROCE-
17 DURES.—

18 (1) IN GENERAL.—Chapter 55 of title 10,
19 United States Code, is amended by inserting after
20 section 1090 the following new section:

21 **“§ 1090a. Commanding officer and supervisor refer-**
22 **als of members for mental health evalua-**
23 **tions**

24 “(a) REGULATIONS.—The Secretary of Defense shall
25 prescribe and maintain regulations relating to com-
26 manding officer and supervisor referrals of members of

1 the armed forces for mental health evaluations. The regu-
2 lations shall incorporate the requirements set forth in sub-
3 sections (b), (c), and (d) and such other matters as the
4 Secretary considers appropriate.

5 “(b) REDUCTION OF PERCEIVED STIGMA.—The reg-
6 ulations required by subsection (a) shall, to the greatest
7 extent possible—

8 “(1) seek to eliminate perceived stigma associ-
9 ated with seeking and receiving mental health serv-
10 ices, promoting the use of mental health services on
11 a basis comparable to the use of other medical and
12 health services; and

13 “(2) clarify the appropriate action to be taken
14 by commanders or supervisory personnel who, in
15 good faith, believe that a subordinate may require a
16 mental health evaluation.

17 “(c) PROCEDURES FOR INPATIENT EVALUATIONS.—
18 The regulations required by subsection (a) shall provide
19 that, when a commander or supervise determines that it
20 is necessary to refer a member of the armed forces for
21 a mental health evaluation—

22 “(1) the mental health evaluation shall only be
23 conducted on an inpatient basis if and when such an
24 evaluation cannot appropriately or reasonably be

1 conducted on an outpatient basis, in accordance with
2 the least restrictive alternative principle; and

3 “(2) only a psychiatrist, or, in cases in which
4 a psychiatrist is not available, another mental health
5 professional or a physician, may admit the member
6 pursuant to the referral for a mental health evalua-
7 tion to be conducted on an inpatient basis.

8 “(d) PROHIBITION ON USE OF REFERRALS FOR
9 MENTAL HEALTH EVALUATIONS TO RETALIATE AGAINST
10 WHISTLEBLOWERS.—(1) The regulations required by sub-
11 section (a) shall provide that no person may refer a mem-
12 ber of the armed forces for a mental health evaluation as
13 a reprisal for making or preparing a lawful communication
14 of the type described in section 1034(e)(2) of this title,
15 and applicable regulations. For purposes of this sub-
16 section, such communication also shall include a commu-
17 nication to any appropriate authority in the chain of com-
18 mand of the member.

19 “(2) Such regulations shall provide that a referral for
20 a mental health evaluation by a commander or supervisor,
21 when taken as a reprisal for a communication referred to
22 in paragraph (1), may be the basis for a proceeding under
23 section 892 of this title (article 92 of the Uniform Code
24 of Military Justice). Persons not subject to chapter 47 of
25 this title (the Uniform Code of Military Justice) who fail

1 to comply with the provisions of this section are subject
2 to adverse administrative action.

3 “(3)(A) No person may restrict a member of the
4 armed forces in communicating with an Inspector General,
5 attorney, member of Congress, or others about the referral
6 of a member of the armed forces for a mental health eval-
7 uation.

8 “(B) Subparagraph (A) does not apply to a commu-
9 nication that is unlawful.

10 “(e) DEFINITIONS.—In this section:

11 “(1) The term ‘Inspector General’ means the
12 following:

13 “(A) An Inspector General appointed
14 under the Inspector General Act of 1978 (5
15 U.S.C. App.).

16 “(B) An officer of the armed forces as-
17 signed or detailed under regulations of the Sec-
18 retary concerned to serve as an Inspector Gen-
19 eral at any command level in one of the armed
20 forces.

21 “(2) The term ‘mental health professional’
22 means a psychiatrist or clinical psychologist, a per-
23 son with a doctorate in clinical social work, or a psy-
24 chiatric clinical nurse specialist.

1 “(3) The term ‘mental health evaluation’ means
2 a psychiatric examination or evaluation, a psycho-
3 logical examination or evaluation, an examination for
4 psychiatric or psychological fitness for duty, or any
5 other means of assessing the state of mental health
6 of a member of the armed forces.

7 “(4) The term ‘least restrictive alternative prin-
8 ciple’ means a principle under which a member of
9 the armed forces committed for hospitalization and
10 treatment shall be placed in the most appropriate
11 and therapeutic available setting—

12 “(A) that is no more restrictive than is
13 conducive to the most effective form of treat-
14 ment; and

15 “(B) in which treatment is available and
16 the risks of physical injury or property damage
17 posed by such placement are warranted by the
18 proposed plan of treatment.”.

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 1090 the following new item:

“1090a. Commanding officer and supervisor referrals of members for mental
health evaluations.”.

23 (b) CONFORMING REPEAL.—Section 546 of the Na-
24 tional Defense Authorization Act for Fiscal Year 1993

1 (Public Law 102–484; 106 Stat. 2416; 10 U.S.C. 1074
2 note) is repealed.

3 **Subtitle C—Health Care**
4 **Administration**

5 **SEC. 721. EXPANSION OF STATE LICENSURE EXCEPTIONS**
6 **FOR CERTAIN MENTAL HEALTH-CARE PRO-**
7 **FESSIONALS.**

8 Section 1094(d) of title 10, United States Code, is
9 amended—

10 (1) in paragraph (1)—

11 (A) by inserting “(A)” after “(1)”; and

12 (B) by adding at the end the following new
13 subparagraph:

14 “(B) Notwithstanding any law regarding the licen-
15 sure of health care providers, a health-care professional
16 described in paragraph (4) may perform the duties relat-
17 ing to mental health care specified in the regulations
18 under subparagraph (B) of that paragraph at any location
19 in any State, the District of Columbia, or a Common-
20 wealth, territory or possession of the United States, re-
21 gardless of where such health-care professional or the pa-
22 tient are located, so long as the practice is within the scope
23 of the authorized Federal duties specified in that subpara-
24 graph.”;

1 (2) in paragraphs (2) and (3), by striking
2 “paragraph (1)” and inserting “paragraph (1)(A)”;
3 and

4 (3) by adding at the end the following new
5 paragraph:

6 “(4) A health-care professional referred to in para-
7 graph (1)(B) is a member of the armed forces, civilian
8 employee of the Department of Defense, personal services
9 contractor under section 1091 of this title, or other health-
10 care professional credentialed and privileged at a Federal
11 health care institution or location specially designated by
12 the Secretary for purposes of that paragraph who—

13 “(A) has a current license to practice medicine,
14 osteopathic medicine, or another health profession;
15 and

16 “(B) is performing such authorized duties relat-
17 ing to mental health care for the Department of De-
18 fense as the Secretary shall prescribe in regulations
19 for purposes of this paragraph.”.

20 **SEC. 722. CLARIFICATION ON CONFIDENTIALITY OF MED-**
21 **ICAL QUALITY ASSURANCE RECORDS.**

22 (a) IN GENERAL.—Section 1102(j) of title 10, United
23 States Code, is amended—

1 (1) in paragraph (1), by striking “any activity
2 carried out” and inserting “any peer review activity
3 carried out”; and

4 (2) by adding at the end the following new
5 paragraph:

6 “(4) The term ‘peer review’ means an assess-
7 ment of professional performance by professionally-
8 equivalent health care providers.”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect on January 1, 2012.

11 **TITLE VIII—ACQUISITION POL-**
12 **ICY, ACQUISITION MANAGE-**
13 **MENT, AND RELATED MAT-**
14 **TERS**

15 **Subtitle A—Provisions Relating to**
16 **Major Defense Acquisition Pro-**
17 **grams**

18 **SEC. 801. WAIVER OF REQUIREMENTS RELATING TO NEW**
19 **MILESTONE APPROVAL FOR CERTAIN MAJOR**
20 **DEFENSE ACQUISITION PROGRAMS EXPERI-**
21 **ENCING CRITICAL COST GROWTH DUE TO**
22 **CHANGE IN QUANTITY PURCHASED.**

23 Section 2433a(c) of title 10, United States Code, is
24 amended by adding at the end the following new para-
25 graph:

1 “(3)(A) The requirements of subparagraphs (B) and
2 (C) of paragraph (1) shall not apply to a program or sub-
3 program if—

4 “(i) the Milestone Decision Authority deter-
5 mines in writing, on the basis of a cost assessment
6 and root cause analysis conducted pursuant to sub-
7 section (a), that—

8 “(I) but for a change in the quantity of
9 items to be purchased under the program or
10 subprogram, the program acquisition unit cost
11 or procurement unit cost for the program or
12 subprogram would not have increased by a per-
13 centage equal to or greater than the cost
14 growth thresholds for the program or subpro-
15 gram set forth in subparagraph (B); and

16 “(II) the change in quantity of items de-
17 scribed in subclause (I) was not made as a re-
18 sult of an increase in program cost, a delay in
19 the program, or a problem meeting program re-
20 quirements;

21 “(ii) the Secretary determines in writing that
22 the cost to the Department of Defense of complying
23 with such requirements is likely to exceed the bene-
24 fits to the Department of complying with such re-
25 quirements; and

1 “(iii) the Secretary submits to Congress, before
2 the end of the 60-day period beginning on the day
3 the Selected Acquisition Report containing the infor-
4 mation described in section 2433(g) of this title is
5 required to be submitted under section 2432(f) of
6 this title—

7 “(I) a copy of the written determination
8 under clause (i) and an explanation of the basis
9 for the determination; and

10 “(II) a copy of the written determination
11 under clause (ii) and an explanation of the
12 basis for the determination.

13 “(B) The cost growth thresholds specified in this sub-
14 paragraph are as follows:

15 “(i) In the case of a major defense acquisition
16 program or designated major defense subprogram, a
17 percentage increase in the program acquisition unit
18 cost for the program or subprogram of—

19 “(I) 5 percent over the program acquisi-
20 tion unit cost for the program or subprogram
21 as shown in the current Baseline Estimate for
22 the program or subprogram; and

23 “(II) 10 percent over the program acquisi-
24 tion unit cost for the program or subprogram

1 as shown in the original Baseline Estimate for
2 the program or subprogram.

3 “(ii) In the case of a major defense acquisition
4 program or designated major defense subprogram
5 that is a procurement program, a percentage in-
6 crease in the procurement unit cost for the program
7 or subprogram of—

8 “(I) 5 percent over the procurement unit
9 cost for the program or subprogram as shown
10 in the current Baseline Estimate for the pro-
11 gram or subprogram; and

12 “(II) 10 percent over the procurement unit
13 cost for the program or subprogram as shown
14 in the original Baseline Estimate for the pro-
15 gram or subprogram.”.

16 **SEC. 802. MODIFICATION OF CERTAIN REQUIREMENTS OF**
17 **THE WEAPON SYSTEMS ACQUISITION RE-**
18 **FORM ACT OF 2009.**

19 (a) REPEAL OF CERTIFICATION OF COMPLIANCE OF
20 CERTAIN MAJOR DEFENSE ACQUISITION PROGRAMS
21 WITH ACTIONS ON TREATMENT OF SYSTEMIC PROBLEMS
22 BEFORE MILESTONE APPROVAL.—Subsection (c) of sec-
23 tion 204 of the Weapon Systems Acquisition Reform Act
24 of 2009 (Public Law 111–23; 123 Stat. 1723; 10 U.S.C.
25 2366a note) is repealed.

1 (b) WAIVER OF REQUIREMENT TO REVIEW PRO-
2 GRAMS RECEIVING WAIVER OR CERTAIN CERTIFICATION
3 REQUIREMENTS.—Section 2366b(d) of title 10, United
4 States Code, is amended by adding the following new
5 paragraph:

6 “(3) The requirement in paragraph (2)(B) shall not
7 apply to a program for which a certification was required
8 pursuant to section 2433a(e) of this title if the milestone
9 decision authority—

10 “(A) determines in writing that—

11 “(i) the program has reached a stage in
12 the acquisition process at which it would not be
13 practicable to meet the certification component
14 that was waived; and

15 “(ii) the milestone decision authority has
16 taken appropriate alternative actions to address
17 the underlying purposes of such certification
18 component; and

19 “(B) submits the written determination, and an
20 explanation of the basis for the determination, to the
21 congressional defense committees.”.

1 **SEC. 803. ASSESSMENT, MANAGEMENT, AND CONTROL OF**
2 **OPERATING AND SUPPORT COSTS FOR**
3 **MAJOR WEAPON SYSTEMS.**

4 (a) **GUIDANCE REQUIRED.**—Not later than 180 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall issue guidance on actions to be taken to
7 assess, manage, and control Department of Defense costs
8 for the operation and support of major weapon systems.

9 (b) **ELEMENTS.**—The guidance required by sub-
10 section (a) shall, at a minimum—

11 (1) require the military departments to retain
12 each estimate of operating and support costs that is
13 developed at any time during the life cycle of a
14 major weapon system, together with supporting doc-
15 umentation used to develop the estimate;

16 (2) require the military departments to update
17 estimates of operating and support costs periodically
18 throughout the life cycle of a major weapon system,
19 to determine whether preliminary information and
20 assumptions remain relevant and accurate, and iden-
21 tify and record reasons for variances;

22 (3) establish standard requirements for the col-
23 lection of data on operating and support costs for
24 major weapon systems and require the military de-
25 partments to revise their Visibility and Management
26 of Operating and Support Costs (VAMOSOC) systems

1 to ensure that they collect complete and accurate
2 data in compliance with such requirements and
3 make such data available in a timely manner;

4 (4) establish standard requirements for the col-
5 lection and reporting of data on operating and sup-
6 port costs for major weapon systems by contractors
7 performing weapon system sustainment functions in
8 an appropriate format, and develop contract clauses
9 to ensure that contractors comply with such require-
10 ments;

11 (5) require the military departments—

12 (A) to collect and retain data from oper-
13 ational and developmental testing and evalua-
14 tion on the reliability and maintainability of
15 major weapon systems; and

16 (B) to use such data to inform system de-
17 sign decisions, provide insight into sustainment
18 costs, and inform estimates of operating and
19 support costs for such systems;

20 (6) require the military departments to ensure
21 that sustainment factors are fully considered at key
22 life cycle management decision points and that ap-
23 propriate measures are taken to reduce operating
24 and support costs by influencing system design early

1 in development, developing sound sustainment strat-
2 egies, and addressing key drivers of costs;

3 (7) require the military departments to conduct
4 an independent logistics assessment of each major
5 weapon system prior to key acquisition decision
6 points (including milestone decisions) to identify fea-
7 tures that are likely to drive future operating and
8 support costs, changes to system design that could
9 reduce such costs, and effective strategies for man-
10 aging such costs;

11 (8) include—

12 (A) reliability metrics for major weapon
13 systems; and

14 (B) requirements on the use of metrics
15 under subparagraph (A) as triggers—

16 (i) to conduct further investigation
17 and analysis into drivers of those metrics;
18 and

19 (ii) to develop strategies for improving
20 reliability, availability, and maintainability
21 of such systems at an affordable cost; and

22 (9) require the military departments to conduct
23 periodic reviews of operating and support costs of
24 major weapon systems after such systems achieve
25 initial operational capability to identify and address

1 factors resulting in growth in operating and support
2 costs and adapt support strategies to reduce such
3 costs.

4 (c) RETENTION OF DATA ON OPERATING AND SUP-
5 PORT COSTS.—

6 (1) IN GENERAL.—The Director of Cost Assess-
7 ment and Program Evaluation shall be responsible
8 for developing and maintaining a database on oper-
9 ating and support estimates, supporting documenta-
10 tion, and actual operating and support costs for
11 major weapon systems.

12 (2) SUPPORT.—The Secretary of Defense shall
13 ensure that the Director, in carrying out such re-
14 sponsibility—

15 (A) promptly receives the results of all cost
16 estimates and cost analyses conducted by the
17 military departments with regard to operating
18 and support costs of major weapon systems;

19 (B) has timely access to any records and
20 data of the military departments (including
21 classified and proprietary information) that the
22 Director considers necessary to carry out such
23 responsibility; and

24 (C) with the concurrence of the Under Sec-
25 retary of Defense for Acquisition, Technology,

1 and Logistics, may direct the military depart-
2 ments to collect and retain information nec-
3 essary to support the database.

4 (d) MAJOR WEAPON SYSTEM DEFINED.—In this sec-
5 tion, the term “major weapon system” has the meaning
6 given that term in section 2379(f) of title 10, United
7 States Code.

8 **SEC. 804. CLARIFICATION OF RESPONSIBILITY FOR COST**
9 **ANALYSES AND TARGETS FOR CONTRACT NE-**
10 **GOTIATION PURPOSES.**

11 Section 2334(e) of title 10, United States Code, is
12 amended—

13 (1) by redesignating paragraphs (2), (3), and
14 (4) as paragraphs (3), (4), and (5), respectively;

15 (2) in paragraph (1)—

16 (A) by striking “shall provide that—” and
17 all that follows through “cost estimates” and
18 inserting “shall provide that cost estimates”;
19 and

20 (B) by striking “; and” and inserting a pe-
21 riod;

22 (3) by redesignating subparagraph (B) as para-
23 graph (2) and indenting such paragraph two ems
24 from the left margin;

1 (4) in paragraph (2) as redesignated by para-
2 graph (3) of this section, by striking “cost analyses
3 and targets” and inserting “The Under Secretary of
4 Defense for Acquisition, Technology, and Logistics
5 shall, in consultation with the Director of Cost As-
6 sessment and Program Evaluation, develop policies,
7 procedures, and guidance to ensure that cost anal-
8 yses and targets”;

9 (5) in paragraph (3), as redesignated by para-
10 graph (1) of this section, by striking “issued by the
11 Director of Cost Assessment and Program Evalua-
12 tion” and inserting “issued by the Under Secretary
13 of Defense for Acquisition, Technology, and Logis-
14 tics under paragraph (2)”;

15 (6) in paragraph (5), as redesignated by para-
16 graph (1) of this section, by striking “paragraph
17 (3)” and inserting “paragraph (4)”.

18 **SEC. 805. MODIFICATION OF REQUIREMENTS FOR GUID-**
19 **ANCE ON MANAGEMENT OF MANUFAC-**
20 **TURING RISK IN MAJOR DEFENSE ACQUI-**
21 **TION PROGRAMS.**

22 Section 812(b) of the Ike Skelton National Defense
23 Authorization Act for Fiscal Year 2011 (Public Law 111–
24 383; 124 Stat. 4264; 10 U.S.C. 2430 note) is amended—

1 (1) by striking “manufacturing readiness lev-
2 els” each place it appears and inserting “manufac-
3 turing readiness levels or other manufacturing readi-
4 ness standards”;

5 (2) by redesignating paragraphs (4) and (5) as
6 paragraphs (5) and (6), respectively; and

7 (3) by inserting after paragraph (3) the fol-
8 lowing new paragraph (4):

9 “(4) provide for the tailoring of manufacturing
10 readiness levels or other manufacturing readiness
11 standards to address the unique characteristics of
12 specific industry sectors or weapon system port-
13 folios;”.

14 **SEC. 806. MANAGEMENT OF DEVELOPMENTAL TEST AND**
15 **EVALUATION FOR MAJOR DEFENSE ACQUISI-**
16 **TION PROGRAMS.**

17 (a) CHIEF DEVELOPMENTAL TESTER.—Section
18 820(a) of the John Warner National Defense Authoriza-
19 tion Act for Fiscal Year 2007 (Public Law 109–364; 120
20 Stat. 2330), as amended by section 805(c) of the National
21 Defense Authorization Act for Fiscal Year 2010 (Public
22 Law 110–181; 123 Stat. 2403), is further amended—

23 (1) by redesignating paragraph (6) as para-
24 graph (7); and

1 (2) by inserting after paragraph (5) the fol-
2 lowing new paragraph (6):

3 “(6) Chief developmental tester.”.

4 (b) RESPONSIBILITIES OF CHIEF DEVELOPMENTAL
5 TESTER AND LEAD DEVELOPMENTAL TEST AND EVAL-
6 UATION ORGANIZATION.—Section 139b of title 10, United
7 States Code, is amended—

8 (1) by redesignating subsections (c), (d), and
9 (e) as subsections (d), (e), and (f), respectively; and

10 (2) by inserting after subsection (b) the fol-
11 lowing new subsection (c):

12 “(c) SUPPORT OF MDAPS BY CHIEF DEVELOP-
13 MENTAL TESTER AND LEAD DEVELOPMENTAL TEST AND
14 EVALUATION ORGANIZATION.—

15 “(1) SUPPORT.—The Secretary of Defense shall
16 require that each major defense acquisition program
17 be supported by—

18 “(A) a chief developmental tester; and

19 “(B) a governmental test agency, serving
20 as lead developmental test and evaluation orga-
21 nization for the program.

22 “(2) RESPONSIBILITIES OF CHIEF DEVELOP-
23 MENTAL TESTER.—The chief developmental tester
24 for a major defense acquisition program shall be re-
25 sponsible for—

1 “(A) coordinating the planning, manage-
2 ment, and oversight of all developmental test
3 and evaluation activities for the program;

4 “(B) maintaining insight into contractor
5 activities under the program and overseeing the
6 test and evaluation activities of other partici-
7 pating government activities under the pro-
8 gram; and

9 “(C) helping program managers make
10 technically informed, objective judgments about
11 contractor developmental test and evaluation re-
12 sults under the program.

13 “(3) RESPONSIBILITIES OF LEAD DEVELOP-
14 MENTAL TEST AND EVALUATION ORGANIZATION.—
15 The lead developmental test and evaluation organi-
16 zation for a major defense acquisition program shall
17 be responsible for—

18 “(A) providing technical expertise on test-
19 ing and evaluation issues to the chief develop-
20 mental tester for the program;

21 “(B) conducting developmental testing and
22 evaluation activities for the program, as di-
23 rected by the chief developmental tester; and

24 “(C) assisting the chief developmental
25 tester in providing oversight of contractors

1 under the program and in reaching technically
2 informed, objective judgments about contractor
3 developmental test and evaluation results under
4 the program.”.

5 **SEC. 807. ASSESSMENT OF RISK ASSOCIATED WITH DEVELOP-**
6 **MENT OF MAJOR WEAPON SYSTEMS TO BE**
7 **PROCURED UNDER COOPERATIVE PROJECTS**
8 **WITH FRIENDLY FOREIGN COUNTRIES.**

9 (a) ASSESSMENT OF RISK REQUIRED.—

10 (1) IN GENERAL.—Not later than two days
11 after the President transmits a certification to Con-
12 gress pursuant to section 27(f) of the Arms Export
13 Control Act (22 U.S.C. 2767(f)) regarding a pro-
14 posed cooperative project agreement that is expected
15 to result in the award of a Department of Defense
16 contract for the engineering and manufacturing de-
17 velopment of a major weapon system, the Secretary
18 of Defense shall submit to the Chairmen of the
19 Committees on Armed Services of the Senate and
20 the House of Representatives a report setting forth
21 a risk assessment of the proposed cooperative
22 project.

23 (2) PREPARATION.—The Secretary shall pre-
24 pare each report required by paragraph (1) in con-
25 sultation with the Under Secretary of Defense for

1 Acquisition, Technology, and Logistics, the Assistant
2 Secretary of Defense for Research and Engineering,
3 and the Director of Cost Assessment and Program
4 Evaluation of the Department of Defense.

5 (b) ELEMENTS.—The risk assessment on a coopera-
6 tive project under subsection (a) shall include the fol-
7 lowing:

8 (1) An assessment of the design, technical,
9 manufacturing, and integration risks associated with
10 developing and procuring the weapon system to be
11 procured under the cooperative project.

12 (2) A statement identifying any termination li-
13 ability that would be incurred under the development
14 contract to be entered into under subsection (a)(1),
15 and a statement of the extent to which such termi-
16 nation liability would not be fully funded by appro-
17 priations available or sought in the fiscal year in
18 which the agreement for the cooperative project is
19 signed on behalf of the United States.

20 (3) An assessment of the advisability of incur-
21 ring any unfunded termination liability identified
22 under paragraph (2) given the risks identified in the
23 assessment under paragraph (1).

24 (4) A listing of which, if any, requirements as-
25 sociated with the oversight and management of a

1 major defense acquisition program (as prescribed
2 under Department of Defense Instruction 5000.02
3 or related authorities) will be waived, or in any way
4 modified, in carrying out the development contract
5 to be entered into under (a)(1), and a full expla-
6 nation why such requirements need to be waived or
7 modified.

8 (c) DEFINITIONS.—In this section:

9 (1) The term “engineering and manufacturing
10 development” has the meaning given that term in
11 Department of Defense Instruction 5000.02.

12 (2) The term “major weapon system” has the
13 meaning given that term in section 2379(f) of title
14 10, United States Code.

15 **Subtitle B—Acquisition Policy and** 16 **Management**

17 **SEC. 821. INCLUSION OF DATA ON CONTRACTOR PERFORM-** 18 **ANCE IN PAST PERFORMANCE DATABASES** 19 **FOR SOURCE SELECTION DECISIONS.**

20 (a) STRATEGY ON INCLUSION REQUIRED.—Not later
21 than 180 days after the date of the enactment of this Act,
22 the Under Secretary of Defense for Acquisition, Tech-
23 nology, and Logistics shall develop a strategy for ensuring
24 that timely, accurate, and complete information on con-

1 tractor performance is included in past performance data-
2 bases used for making source selection decisions.

3 (b) ELEMENTS.—The strategy required by subsection
4 (a) shall, at a minimum—

5 (1) establish standards for the timeliness and
6 completeness of past performance submissions for
7 purposes of databases described in subsection (a);

8 (2) assign responsibility and management ac-
9 countability for the completeness of past perform-
10 ance submissions for such purposes; and

11 (3) ensure that past performance submissions
12 for such purposes are consistent with award fee eval-
13 uations in cases where such evaluations have been
14 conducted.

15 (c) CONTRACTOR COMMENTS.—Not later than 180
16 days after the date of the enactment of this Act, the Under
17 Secretary of Defense for Acquisition, Technology, and Lo-
18 gistics shall revise the Defense Supplement to the Federal
19 Acquisition Regulation to require the following:

20 (1) That agency evaluations of contractor past
21 performance are included in the relevant past per-
22 formance database as soon as such evaluations are
23 completed.

1 (2) That affected contractors are notified in a
2 timely manner when such agency evaluations are en-
3 tered into such database.

4 (3) That such contractors are afforded a rea-
5 sonable opportunity to submit comments, rebutting
6 statements, or additional information pertaining to
7 such agency evaluations for inclusion in such data-
8 base.

9 (d) COMPTROLLER GENERAL REPORT.—Not later
10 than 18 months after the date of the enactment of this
11 Act, the Comptroller General of the United States shall
12 submit to the congressional defense committees a report
13 on the actions taken by the Under Secretary of Defense
14 for Acquisition, Technology, and Logistics pursuant to
15 this section, including an assessment of the extent to
16 which such actions have achieved the objectives of this sec-
17 tion.

18 **SEC. 822. IMPLEMENTATION OF RECOMMENDATIONS OF**
19 **DEFENSE SCIENCE BOARD TASK FORCE ON**
20 **SERVICE CONTRACTING.**

21 (a) PLAN FOR IMPLEMENTATION.—Not later than
22 180 days after the date of the enactment of this Act, the
23 Under Secretary of Defense for Acquisition, Technology,
24 and Logistics shall, acting pursuant to the Under Sec-
25 retary's responsibility under section 2330 of title 10,

1 United States Code, develop a plan for implementing the
2 recommendations of the Defense Science Board Task
3 Force on Improvements to Service Contracting.

4 (b) ELEMENTS.—The plan developed pursuant to
5 subsection (a) shall include, to the extent determined ap-
6 propriate by the Under Secretary for Acquisition, Tech-
7 nology, and Logistics, the following:

8 (1) A meaningful taxonomy to track services,
9 which can be built into the inventory of contract
10 services required by section 2330a(c) of title 10,
11 United States Code.

12 (2) Standards, definitions, and performance
13 measures for each portfolio of contract services
14 which can be used for the purposes of performance
15 assessments conducted pursuant to section 2548 of
16 title 10, United States Code, and independent man-
17 agement reviews conducted pursuant to section 808
18 of the National Defense Authorization Act for Fiscal
19 Year 2008 (Public Law 110–181; 122 Stat. 215; 10
20 U.S.C. 2330 note).

21 (3) Meaningful incentives to service contractors
22 for high performance at low cost, consistent with the
23 objectives of the Better Buying Power Initiative es-
24 tablished by the Under Secretary.

1 (4) Improved means of communication between
2 the Government and the services contracting indus-
3 try in the process of developing requirements for
4 services contracts.

5 (5) Clear guidance for defense acquisition per-
6 sonnel on the use of appropriate contract types for
7 particular categories of services contracts.

8 (6) Formal certification and training require-
9 ments for services acquisition personnel, consistent
10 with the requirements of sections 1723 and 1724 of
11 title 10, United States Code.

12 (7) Appropriate emphasis on the recruiting and
13 training of services acquisition personnel, consistent
14 with the strategic workforce plan developed pursuant
15 to section 115b of title 10, United States Code, and
16 the funds available through the Department of De-
17 fense Acquisition Workforce Development Fund es-
18 tablished pursuant to section 1705 of title 10,
19 United States Code.

20 (8) Policies and guidance on career development
21 for services acquisition personnel, consistent with the
22 requirements of sections 1722a and 1722b of title
23 10, United States Code.

24 (9) Actions to ensure that the military depart-
25 ments dedicate portfolio-specific commodity man-

1 agers to coordinate the procurement of key cat-
2 egories of contract services, as required by section
3 2330(b)(3)(C) of title 10, United States Code.

4 (10) Actions to ensure that the Department of
5 Defense conducts realistic exercises and training
6 that account for services contracting during contin-
7 gency operations, as required by section 2333(e) of
8 title 10, United States Code.

9 (c) COMPTROLLER GENERAL REPORT.—Not later
10 than 18 months after the date of the enactment of this
11 Act, the Comptroller General of the United States shall
12 submit to the congressional defense committees a report
13 on the following:

14 (1) The actions taken by the Under Secretary
15 of Defense for Acquisition, Technology, and Logis-
16 tics to carry out the requirements of this section.

17 (2) The actions taken by the Under Secretary
18 to carry out the requirements of section 2330 of title
19 10, United States Code.

20 (3) The actions taken by the military depart-
21 ments to carry out the requirements of section 2330
22 of title 10, United States Code.

23 (4) The extent to which the actions described in
24 paragraphs (1), (2), and (3) have resulted in the im-

1 proved acquisition and management of contract serv-
2 ices.

3 **SEC. 823. TEMPORARY LIMITATION ON AGGREGATE AN-**
4 **NUAL AMOUNT AVAILABLE FOR CONTRACT**
5 **SERVICES.**

6 (a) **LIMITATION.**—Except as provided in subsection
7 (b), the total amount obligated by the Department of De-
8 fense for contract services in fiscal year 2012 or 2013 may
9 not exceed the total amount requested for the Department
10 for contract services in the budget of the President for
11 fiscal year 2010 (as submitted to Congress pursuant to
12 section 1105(b) of title 31, United States Code) adjusted
13 for net transfers from funding for overseas contingency
14 operations.

15 (b) **EXCEPTION.**—Notwithstanding the limitation in
16 subsection (a), the total amount obligated by the Depart-
17 ment for contract services in fiscal year 2012 or 2013 may
18 exceed the amount otherwise provided pursuant to sub-
19 section (a) by an amount elected by the Secretary that
20 is not greater than the cost of any increase in such fiscal
21 year in the number of civilian billets at the Department
22 that has been approved by the Secretary over the number
23 of such billets at the Department in fiscal year 2010.

24 (c) **GUIDANCE.**—Not later than 60 days after the
25 date of the enactment of this Act, the Secretary shall issue

1 guidance to the military departments and the Defense
2 Agencies on implementation of this section during fiscal
3 years 2012 and 2013. The guidance shall, at a min-
4 imum—

5 (1) establish a negotiation objective that labor
6 rates and overhead rates in any contract or task
7 order for contract services with an estimated value
8 in excess of \$10,000,000 awarded to a contractor in
9 fiscal year 2012 or 2013 shall not exceed labor rates
10 and overhead rates paid to the contractor for con-
11 tract services in fiscal year 2010;

12 (2) require the Secretaries of the military de-
13 partments and the heads of the Defense Agencies to
14 approve in writing any contract or task order for
15 contract services with an estimated value in excess
16 of \$10,000,000 awarded to a contractor in fiscal
17 year 2012 or 2013 that provides for continuing serv-
18 ices at an annual cost that exceeds the annual cost
19 paid by the military department or Defense Agency
20 concerned for the same or similar services in fiscal
21 year 2010;

22 (3) require the Secretaries of the military de-
23 partments and the heads of the Defense Agencies to
24 eliminate any contractor positions identified by the
25 military department or Defense Agency concerned as

1 being responsible for the performance of inherently
2 governmental functions;

3 (4) require the Secretaries of the military de-
4 partments and the heads of the Defense Agencies to
5 reduce by 10 percent per fiscal year in each of fiscal
6 years 2012 and 2013 the funding of the military de-
7 partment or Defense Agency concerned for—

8 (A) staff augmentation contracts; and

9 (B) contracts for the performance of func-
10 tions closely associated with inherently govern-
11 mental functions; and

12 (5) assign responsibility to the management of-
13 ficials designated pursuant to section 2330 of title
14 10, United States Code, and section 812(b) of the
15 National Defense Authorization Act for Fiscal Year
16 2006 (Public Law 109–163; 119 Stat. 3378; 10
17 U.S.C. 2330 note) to provide oversight and ensure
18 the implementation of the requirements of this sec-
19 tion during fiscal years 2012 and 2013.

20 (d) DEFINITIONS.—In this section:

21 (1) The term “contract services” has the mean-
22 ing given that term in section 235 of title 10, United
23 States Code, except that the term does not include
24 services that are funded out of amounts available for
25 overseas contingency operations.

1 (2) The term “function closely associated with
2 inherently governmental functions” has the meaning
3 given that term in section 2383(b)(3) of title 10,
4 United States Code.

5 (3) The term “staff augmentation contracts”
6 means contracts for personnel who are subject to the
7 direction of a government official other than the con-
8 tracting officer for the contract, including, but not
9 limited to, contractor personnel who perform per-
10 sonal services contracts (as that term is defined in
11 section 2330a(g)(5) of title 10, United States Code).

12 (4) The term “transfers from funding for over-
13 seas contingency operations” means amounts funded
14 out of amounts available for overseas contingency
15 operations in fiscal year 2010 that are funded out
16 of amounts other than amounts so available in fiscal
17 year 2012 or 2013.

18 **SEC. 824. ANNUAL REPORT ON SINGLE-AWARD TASK AND**
19 **DELIVERY ORDER CONTRACTS.**

20 (a) ANNUAL REPORT.—

21 (1) IN GENERAL.—Paragraph (2) of section
22 817(d) of the Bob Stump National Defense Author-
23 ization Act for Fiscal Year 2003 (Public Law 107–
24 314; 116 Stat. 2611; 10 U.S.C. 2306a note) is
25 amended—

1 (A) in subparagraph (A), by striking
2 “and” at the end;

3 (B) in subparagraph (B), by striking the
4 period at the end and inserting “; and”; and

5 (C) by adding at the end the following new
6 subparagraph:

7 “(C) with respect to any determination pursu-
8 ant to section 2304a(d)(3)(D) of title 10, United
9 States Code, that because of exceptional cir-
10 cumstances it is necessary in the public interest to
11 award a task or delivery order contract with an esti-
12 mated value in excess of \$100,000,000 to a single
13 source, an explanation of the basis for the deter-
14 mination.”.

15 (2) CONFORMING AMENDMENT.—The heading
16 of such section is amended by striking “WITH PRICE
17 OR VALUE GREATER THAN \$15,000,000”.

18 (b) REPEAL OF CASE-BY-CASE REPORTING RE-
19 QUIREMENT.—Section 2304a(d)(3) of title 10, United
20 States Code, is amended—

21 (1) by striking subparagraph (B);

22 (2) by striking “(A)”;

23 (3) by redesignating clauses (i), (ii), (iii), and
24 (iv) as subparagraphs (A), (B), (C), and (D), respec-
25 tively, of paragraph (1); and

1 (4) in subparagraph (B), as redesignated by
2 paragraph (3), by redesignating subclauses (I) and
3 (II) as clauses (i) and (ii), respectively.

4 **SEC. 825. INCORPORATION OF CORROSION PREVENTION**
5 **AND CONTROL INTO REQUIREMENTS APPLI-**
6 **CABLE TO DEVELOPMENT AND ACQUISITION**
7 **OF WEAPON SYSTEMS.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, the Under Secretary
10 of Defense for Acquisition, Technology, and Logistics, in
11 consultation with the Director of Corrosion Policy and
12 Oversight, shall, for purposes of ensuring that corrosion
13 prevention and control are addressed early in the develop-
14 ment and acquisition of weapon systems—

15 (1) identify and disseminate throughout the De-
16 partment of Defense recommendations from the
17 2010 Corrosion Evaluation of the F–22 Raptor and
18 F–35 Lightning II Joint Strike Fighter that are ap-
19 plicable Department-wide;

20 (2) commence implementation of any modifica-
21 tions of policies and practices that the Under Sec-
22 retary considers appropriate in light of such rec-
23 ommendations to improve corrosion prevention and
24 control in new weapon systems; and

1 (3) establish a process for monitoring and as-
2 sessing the effectiveness of the actions taken by the
3 Department pursuant to paragraph (2) to improve
4 corrosion prevention and control in new weapon sys-
5 tems.

6 (b) PLAN.—In carrying out subsection (a), the Under
7 Secretary of Defense for Acquisition, Technology, and Lo-
8 gistics shall develop a plan to achieve, to the extent and
9 in a manner the Under Secretary determines to be feasible
10 and appropriate, the following:

11 (1) Investment in research and development
12 that increases the understanding of corrosion on ma-
13 terials and processes for weapon systems.

14 (2) Development and dissemination of expertise
15 on corrosion in the acquisition programs for weapon
16 systems and in the processes for developing require-
17 ments for weapon systems.

18 (3) Reestablishment of appropriate military
19 specifications and standards regarding corrosion re-
20 sistance in weapon systems.

21 (4) Establishment of new test protocols and
22 methodologies with respect to corrosion in new mate-
23 rials and processes for weapon systems.

24 (5) Development of contract language, metrics,
25 and incentives to improve the emphasis on corrosion

1 prevention and control and the effects of corrosion
2 on life cycle costs in weapon systems.

3 (6) Development of a corrosion-focused design
4 decision methodology to support acquisition pro-
5 grams for weapon systems when required to evaluate
6 alternative designs and help quantify future oper-
7 ation and sustainment costs.

8 (c) CORROSION CONTROL IN CERTAIN FIGHTER AIR-
9 CRAFT PROGRAMS.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the
12 Under Secretary of Defense for Acquisition, Tech-
13 nology, and Logistics shall—

14 (A) identify in the Corrosion Evaluation
15 referred to in subsection (a) specific rec-
16 ommendations on corrosion prevention and con-
17 trol that are applicable to the F-22 Raptor air-
18 craft and to the F-35 Lightning II Joint Strike
19 Fighter aircraft;

20 (B) commence implementation of appro-
21 priate actions to put the recommendations de-
22 scribed in subparagraph (A) into effect; and

23 (C) establish and implement processes for
24 monitoring and assessing the effectiveness of

1 the actions put into effect under subparagraph
2 (B).

3 (2) ACTIONS ON F-22 RAPTOR AIRCRAFT.—The
4 actions implemented under paragraph (1) with re-
5 spect to the F-22 Raptor aircraft shall include a
6 plan and actions to manage cumulative corrosion
7 damage to F-22 Raptor aircraft in order to mitigate
8 long-term structural risk to such aircraft.

9 (3) ACTIONS ON F-35 LIGHTNING II JOINT
10 STRIKE FIGHTER AIRCRAFT.—The actions imple-
11 mented under paragraph (1) with respect to the F-
12 35 Lightning II Joint Strike Fighter aircraft shall
13 include actions as follows:

14 (A) The updating of the F-35 Corrosion
15 Prevention and Control Plan with lessons
16 learned from corrosion prevention and control
17 for the F-22 Raptor aircraft, guidelines for
18 conducting trade studies, and appropriate test
19 and verification methods.

20 (B) Planning for a full climatic test earlier
21 in the acquisition schedule, and ensuring that—

22 (i) such test robustly addresses the ef-
23 fects of severe wet weather, temperature
24 extremes, and high humidity; and

1 (ii) enclosed areas of the aircraft are
2 opened and inspected for water or moisture
3 intrusion.

4 (C) Developing an appropriate corrosion
5 risk mitigation follow-on plan, including the
6 management of the corrosion risk of parts
7 qualified by similarity.

8 (D) Expanding the involvement of the
9 Naval Air Systems Command (NAVAIR) corro-
10 sion testing capability and the Air Force Re-
11 serve Laboratory (AFRL) low observable test-
12 ing capability as a means to independently test
13 and assess materials and components.

14 (E) Reconsidering the selection of mate-
15 rials and coating for corrosion risks.

16 (F) Specifying responsibility for manage-
17 ment of the Autonomic Logistics Information
18 System (ALIS) link with the Aircraft Struc-
19 tural Integrity Program (ASIP).

20 (G) Ensuring that the officials covered by
21 subparagraph (F) are involved in the develop-
22 ment of the Autonomic Logistics Information
23 System and are capable of receiving and ana-
24 lyzing the information to support the Aircraft

1 Structural Integrity Program sustainment ac-
2 tivity.

3 (d) CORROSION CERTIFICATION AND ASSESSMENT
4 FOR MAJOR DEFENSE ACQUISITION PROGRAMS.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall revise Department of De-
8 fense Instruction 5000.02 to ensure that the Mile-
9 stone Decision Authority for a major defense acqui-
10 sition program is required to consider issues of cor-
11 rosion and materials degradation for the purpose of
12 any certification under sections 2366a and 2366b of
13 title 10, United States Code.

14 (2) TEST AND EVALUATION.—In carrying out
15 section 2399 of title 10, United States Code, the Di-
16 rector of Operational Test and Evaluation shall—

17 (A) consider corrosion, environmental se-
18 verity, and duration in the adequacy of oper-
19 ational test and evaluation plans;

20 (B) include in the annual report under
21 subsection (g) of that section an assessment of
22 the adequacy of the consideration of material
23 degradation and corrosion in each major de-
24 fense acquisition program.

1 **SEC. 826. PROHIBITION ON USE OF FUNDS FOR CERTAIN**
2 **PROGRAMS.**

3 No amounts authorized to be appropriated by this
4 Act may be obligated or expended to implement or carry
5 out any program that creates a price evaluation adjust-
6 ment as described in section 2323(e)(3) of title 10, United
7 States Code, or any other authority, that is inconsistent
8 with the holdings in the following:

9 (1) Adarand Constructors, Inc. v. Peña, 515
10 U.S. 200 (1995).

11 (2) Rothe Development Corporation. v. Depart-
12 ment of Defense, 545 F.3d 1023 (2008).

13 **SEC. 827. APPLICABILITY OF BUY AMERICAN ACT TO PRO-**
14 **CUREMENT OF PHOTOVOLTAIC DEVICES BY**
15 **DEPARTMENT OF DEFENSE.**

16 (a) IN GENERAL.—Section 2534 of title 10, United
17 States Code, is amended by adding at the end the fol-
18 lowing new subsection:

19 “(k) PROCUREMENT OF PHOTOVOLTAIC DEVICES.—

20 “(1) CONTRACT REQUIREMENT.—The Secretary
21 of Defense shall ensure that each contract described
22 in paragraph (2) awarded by the Department of De-
23 fense includes a provision requiring any photovoltaic
24 devices installed pursuant to the contract, or pursu-
25 ant to a subcontract under the contract, to comply
26 with the provisions of chapter 83 of title 41 (com-

1 monly known as the ‘Buy American Act’), without
2 regard to whether the contract results in ownership
3 of the photovoltaic devices by the Department.

4 “(2) CONTRACTS DESCRIBED.—The contracts
5 described in this paragraph include energy savings
6 performance contracts, utility service contracts,
7 power purchase agreements, land leases, and private
8 housing contracts pursuant to which any photo-
9 voltaic devices are—

10 “(A) installed on property or in a facility
11 owned by the Department of Defense; and

12 “(B) generate power consumed predomi-
13 nantly by the Department of Defense and
14 counted toward federal renewable energy pur-
15 chase requirements.

16 “(3) CONSISTENCY WITH INTERNATIONAL OBLI-
17 GATIONS.—Paragraph (1) shall be applied in a man-
18 ner consistent with the obligations of the United
19 States under international agreements.

20 “(4) DEFINITION OF PHOTOVOLTAIC DE-
21 VICES.—In this subsection, the term ‘photovoltaic
22 devices’ means devices that convert light directly
23 into electricity.

24 “(5) EFFECTIVE DATE.—This subsection ap-
25 plies to photovoltaic devices procured or installed on

1 or after the date that is 30 days after the date of
2 the enactment of the National Defense Authoriza-
3 tion Act for Fiscal Year 2012 pursuant to contracts
4 entered into or after such date of enactment.”.

5 (b) CONFORMING REPEAL.—Section 846 of the Ike
6 Skelton National Defense Authorization Act for Fiscal
7 Year 2011 (10 U.S.C. 2534 note) is repealed.

8 **Subtitle C—Amendments Relating**
9 **to General Contracting Authori-**
10 **ties, Procedures, and Limita-**
11 **tions**

12 **SEC. 841. TREATMENT FOR TECHNICAL DATA PURPOSES**
13 **OF INDEPENDENT RESEARCH AND DEVELOP-**
14 **MENT AND BID AND PROPOSAL COSTS.**

15 (a) TREATMENT.—Section 2320(a) of title 10,
16 United States Code, is amended—

17 (1) in paragraph (2)(E), by striking “the re-
18 spective rights” and inserting “the Government may
19 use, modify, release, reproduce, perform, display, or
20 disclose the data pertaining to such item or process
21 within the Government without restriction, but may
22 release or disclose the data outside the Government
23 only for Government purposes. The respective
24 rights”;

1 (2) in paragraph (3), by striking “and shall
2 specify that amounts spent for independent research
3 and development and bid and proposal costs shall
4 not be considered to be Federal funds for the pur-
5 poses of paragraph (2)(B), but shall be considered
6 to be Federal funds for the purposes of paragraph
7 (2)(A)”;

8 (3) by adding at the end the following new
9 paragraph:

10 “(4)(A) Except as provided in subparagraph (B),
11 amounts spent for independent research and development
12 and bid and proposal costs shall not be treated as Federal
13 funds for the purposes of this section.

14 “(B) An item or process that is developed in whole
15 or in part with amounts described in subparagraph (A)
16 shall be treated as having been developed in part with Fed-
17 eral funds and in part at private expense in the following
18 circumstances:

19 “(i) In the case of an item or process for which
20 the total amount of costs referred to in subpara-
21 graph (A) allocable to contracts other than Federal
22 contracts and any other contractor funds expended
23 is less than 10 percent of the total funds provided
24 for the development of such item or process (includ-
25 ing all sources of Federal funding).

1 “(ii) In the case an item or process that is inte-
2 grated into a major system for which the rights in
3 technical data are otherwise described under para-
4 graph (2)(A) or (2)(E) and for which—

5 “(I) the total amount of such costs allo-
6 cable to contracts other than Federal contracts
7 and any other contractor funds expended is less
8 than 50 percent of the total funds provided for
9 the development of such item or process (in-
10 cluding all sources of Federal funding); or

11 “(II) such item or process cannot be seg-
12 regated from other elements of the major sys-
13 tem in a practicable manner in order to allow
14 the system to be procured using competition.”.

15 (b) **EFFECTIVE DATE.**—The amendments made by
16 subsection (a) shall take effect on January 7, 2011, imme-
17 diately after the enactment of section 824(b)(2) of the Ike
18 Skelton National Defense Authorization Act for Fiscal
19 Year 2011 (Public Law 111–383; 124 Stat. 4269), to
20 which such amendments relate.

21 **SEC. 842. LIMITATION ON DEFENSE CONTRACTOR COM-**
22 **PENSATION.**

23 Section 2324(e)(1)(P) of title 10, United States
24 Code, is amended to read as follows:

1 “(P) Costs of compensation of contractor and
2 subcontractor employees for a fiscal year, regardless
3 of the contract funding source, to the extent that
4 such compensation exceeds the annual amount paid
5 to the President of the United States in accordance
6 with section 102 of title 3.”.

7 **SEC. 843. COVERED CONTRACTS FOR PURPOSES OF RE-**
8 **QUIREMENTS ON CONTRACTOR BUSINESS**
9 **SYSTEMS.**

10 Paragraph (3) of section 893(f) of the Ike Skelton
11 National Defense Authorization Act for Fiscal Year 2011
12 (Public Law 111–383; 124 Stat. 4312; 10 U.S.C. 2302
13 note) is amended to read as follows:

14 “(3) The term ‘covered contract’ means a con-
15 tract that is subject to the cost accounting standards
16 promulgated pursuant to section 1502 of title 41,
17 United States Code, that could be affected if the
18 data produced by a contractor business system has
19 a significant deficiency.”.

1 **SEC. 844. COMPLIANCE WITH DEFENSE PROCUREMENT RE-**
 2 **QUIREMENTS FOR PURPOSES OF INTERNAL**
 3 **CONTROLS OF NON-DEFENSE AGENCIES FOR**
 4 **PROCUREMENTS ON BEHALF OF THE DE-**
 5 **PARTMENT OF DEFENSE.**

6 Section 801(d) of the National Defense Authorization
 7 Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amend-
 8 ed by striking “with the requirements” and all that follows
 9 and inserting “with the following:

10 “(1) The Federal Acquisition Regulation and
 11 other laws and regulations that apply to procure-
 12 ments of property and services by Federal agencies.

13 “(2) Laws and regulations (including applicable
 14 Department of Defense financial management regu-
 15 lations) that apply to procurements of property and
 16 services made by the Department of Defense
 17 through other Federal agencies.”.

18 **SEC. 845. PROHIBITION ON COLLECTION OF POLITICAL IN-**
 19 **FORMATION.**

20 (a) IN GENERAL.—Chapter 137 of title 10, United
 21 States Code, is amended by adding at the end the fol-
 22 lowing new section:

23 **“§ 2335. Prohibition on collection of political informa-**
 24 **tion**

25 “(a) PROHIBITION ON REQUIRING SUBMISSION OF
 26 POLITICAL INFORMATION.—The head of an agency may

1 not require a contractor to submit political information re-
2 lated to the contractor or a subcontractor at any tier, or
3 any partner, officer, director, or employee of the con-
4 tractor or subcontractor—

5 “(1) as part of a solicitation, request for bid,
6 request for proposal, or any other form of commu-
7 nication designed to solicit offers in connection with
8 the award of a contract for procurement of property
9 or services;

10 “(2) during the course of contract performance
11 as part of the process associated with modifying a
12 contract or exercising a contract option; or

13 “(3) any time prior to contract completion and
14 final contract closeout.

15 “(b) SCOPE.—The prohibition under this section ap-
16 plies to the procurement of commercial items, the procure-
17 ment of commercial-off-the-shelf-items, and the non-com-
18 mercial procurement of supplies, property, services, and
19 manufactured items, irrespective of contract vehicle, in-
20 cluding contracts, purchase orders, task or deliver orders
21 under indefinite delivery/indefinite quantity contracts,
22 blanket purchase agreements, and basic ordering agree-
23 ments.

24 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion shall be construed as—

1 “(1) waiving, superseding, restricting, or lim-
2 iting the application of the Federal Election Cam-
3 paign Act of 1971 (2 U.S.C. 431 et seq.) or pre-
4 venting Federal regulatory or law enforcement agen-
5 cies from collecting or receiving information author-
6 ized by law; or

7 “(2) precluding the Defense Contract Audit
8 Agency from accessing and reviewing certain infor-
9 mation, including political information, for the pur-
10 pose of identifying unallowable costs and admin-
11 istering cost principles established pursuant to sec-
12 tion 2324 of this title.

13 “(d) DEFINITIONS.—In this section:

14 “(1) CONTRACTOR.—The term ‘contractor’ in-
15 cludes contractors, bidders, and offerors, and indi-
16 viduals and legal entities who would reasonably be
17 expected to submit offers or bids for Federal Gov-
18 ernment contracts.

19 “(2) POLITICAL INFORMATION.—The term ‘po-
20 litical information’ means information relating to po-
21 litical spending, including any payment consisting of
22 a contribution, expenditure, independent expendi-
23 ture, or disbursement for an electioneering commu-
24 nication that is made by the contractor, any of its
25 partners, officers, directors or employees, or any of

1 its affiliates or subsidiaries to a candidate or on be-
 2 half of a candidate for election for Federal office, to
 3 a political committee, to a political party, to a third
 4 party entity with the intention or reasonable expect-
 5 ation that it would use the payment to make inde-
 6 pendent expenditures or electioneering communica-
 7 tions, or that is otherwise made with respect to any
 8 election for Federal office, party affiliation, and vot-
 9 ing history. Each of the terms ‘contribution’, ‘ex-
 10 penditure’, ‘independent expenditure’, ‘candidate’,
 11 ‘election’, ‘electioneering communication’, and ‘Fed-
 12 eral office’ has the meaning given the term in the
 13 Federal Campaign Act of 1971 (2 U.S.C. 431 et
 14 seq.).”.

15 (b) CLERICAL AMENDMENT.—The table of sections
 16 at the beginning of chapter 137 of such title is amended
 17 by inserting after the item relating to section 2334 the
 18 following new item:

“2335. Prohibition on collection of political information.”.

19 **SEC. 846. WAIVER OF “BUY AMERICAN” REQUIREMENT FOR**
 20 **PROCUREMENT OF COMPONENTS OTHER-**
 21 **WISE PRODUCIBLE OVERSEAS WITH SPE-**
 22 **CIALTY METAL NOT PRODUCED IN THE**
 23 **UNITED STATES.**

24 Section 2533b of title 10, United States Code, is
 25 amended—

1 (1) by redesignating subsections (l) and (m) as
2 subsections (m) and (n), respectively; and

3 (2) by inserting after subsection (k) the fol-
4 lowing new subsection (l):

5 “(l) **ADDITIONAL WAIVER AUTHORITY.**—(1) The
6 Secretary of Defense may waive the requirement of sub-
7 section (a) with regard to the procurement of a component
8 containing specialty metal if the Secretary determines
9 that, in the absence of the waiver, the component will be
10 produced overseas and will contain specialty metal not
11 melted or produced in the United States.

12 “(2) The Secretary shall establish a process to review
13 petitions for waivers under this subsection by interested
14 persons. The process shall include an opportunity for com-
15 ment by persons engaged in melting or producing specialty
16 metals in the United States.

17 “(3) The authority to grant a waiver under para-
18 graph (1) may be delegated to any civilian official in the
19 Department of Defense or a military department who is
20 appointed by the President, by and with the advice and
21 consent of the Senate.”.

1 **SEC. 847. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORTS ON NONCOMPETITIVE AND**
3 **ONE-OFFER CONTRACTS AWARDED BY THE**
4 **DEPARTMENT OF DEFENSE.**

5 (a) **REPORTS REQUIRED.**—Not later than March 31
6 of each of 2013, 2014, and 2015, the Comptroller General
7 of the United States shall submit to the Committees on
8 Armed Services of the Senate and the House of Represent-
9 atives a report setting forth a review and assessment by
10 the Comptroller General of the noncompetitive contracts
11 and one-offer contracts awarded by the Department of De-
12 fense during the preceding fiscal year.

13 (b) **ELEMENTS.**—Each report under subsection (a)
14 shall include the following:

15 (1) The number of noncompetitive contracts
16 awarded by the Department of Defense during the
17 fiscal year covered by such report, and the percent-
18 age of such number to the total number of contracts
19 awarded by the Department during such fiscal year.

20 (2) A description of the competition exceptions
21 that served as the basis for the award of such non-
22 competitive contracts.

23 (3) An assessment of the adequacy of the jus-
24 tification and approvals issued under section 2304(f)
25 of title 10, United States Code, in support of such
26 noncompetitive contracts.

1 (4) The number of one-offer contracts awarded
2 by the Department during the fiscal year covered by
3 such report, and the percentage of such number to
4 the total number of contracts awarded by the De-
5 partment during such fiscal year.

6 (5) An assessment of the extent to which such
7 one-offer contracts were awarded in compliance with
8 applicable Department guidance on one-offer con-
9 tracts.

10 (6) An assessment whether the contracting
11 practices of the Department during the fiscal year
12 covered by such report were in keeping with the ob-
13 jective of promoting full and open competition in the
14 award of contracts in excess of the simplified acqui-
15 sition threshold.

16 (c) DEFINITIONS.—In this section:

17 (1) The term “competitive procedures” has the
18 meaning given that term in section 2302(2) of title
19 10, United States Code.

20 (2) The term “noncompetitive contract” means
21 a contract awarded through other than competitive
22 procedures.

23 (3) The term “one-offer contract” means a con-
24 tract awarded after receiving a bid from only one
25 qualified vendor.

1 **SEC. 848. DETECTION AND AVOIDANCE OF COUNTERFEIT**
2 **ELECTRONIC PARTS.**

3 (a) REVISED REGULATIONS REQUIRED.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Defense shall revise the Department of De-
7 fense Supplement to the Federal Acquisition Regula-
8 tion to address the detection and avoidance of coun-
9 terfeit electronic parts.

10 (2) CONTRACTOR RESPONSIBILITIES.—The re-
11 vised regulations issued pursuant to paragraph (1)
12 shall provide that—

13 (A) contractors on Department of Defense
14 contracts for products that include electronic
15 parts are responsible for detecting and avoiding
16 the use or inclusion of counterfeit electronic
17 parts or suspect counterfeit electronic parts in
18 such products and for any rework or corrective
19 action that may be required to remedy the use
20 or inclusion of such parts; and

21 (B) the cost of counterfeit electronic parts
22 and suspect counterfeit electronic parts and the
23 cost of rework or corrective action that may be
24 required to remedy the use or inclusion of such
25 parts are not allowable costs under such con-
26 tracts.

1 (3) TRUSTED SUPPLIERS.—The revised regula-
2 tions issued pursuant to paragraph (1) shall—

3 (A) require that, whenever possible, the
4 Department of Defense and Department of De-
5 fense contractors and subcontractors—

6 (i) obtain electronic parts that are in
7 production or currently available in stock
8 from the original manufacturers of the
9 parts or their authorized dealers, or from
10 trusted suppliers who obtain such parts ex-
11 clusively from the original manufacturers
12 of the parts or their authorized dealers;
13 and

14 (ii) obtain electronic parts that are
15 not in production or currently available in
16 stock from trusted suppliers;

17 (B) establish requirements for notification
18 of the Department of Defense, inspection, test,
19 and authentication of electronic parts that the
20 Department of Defense or a Department of De-
21 fense contractor or subcontractor obtains from
22 any source other than a source described in
23 subparagraph (A);

24 (C) establish qualification requirements,
25 consistent with the requirements of section

1 2319 of title 10, United States Code, pursuant
2 to which the Department of Defense may iden-
3 tify trusted suppliers that have appropriate
4 policies and procedures in place to detect and
5 avoid counterfeit electronic parts and suspect
6 counterfeit electronic parts; and

7 (D) authorize Department of Defense con-
8 tractors and subcontractors to identify and use
9 additional trusted suppliers, provided that—

10 (i) the standards and processes for
11 identifying such trusted suppliers complies
12 with established industry standards;

13 (ii) the contractor or subcontractor
14 assumes responsibility for the authenticity
15 of parts provided by such supplier as pro-
16 vided in paragraph (2); and

17 (iii) the selection of such trusted sup-
18 pliers is subject to review and audit by ap-
19 propriate Department of Defense officials.

20 (4) REPORTING REQUIREMENT.—The revised
21 regulations issued pursuant to paragraph (1) shall
22 require that any Department of Defense contractor
23 or subcontractor who becomes aware, or has reason
24 to suspect, that any end item, component, part, or
25 material contained in supplies purchased by the De-

1 partment of Defense, or purchased by a contractor
2 of subcontractor for delivery to, or on behalf of, the
3 Department of Defense, contains counterfeit elec-
4 tronic parts or suspect counterfeit electronic parts,
5 shall provide a written report on the matter within
6 30 calendar days to the Inspector General of the De-
7 partment of Defense, the contracting officer for the
8 contract pursuant to which the supplies are pur-
9 chased, and the Government-Industry Data Ex-
10 change Program or a similar program designated by
11 the Secretary of Defense.

12 (b) INSPECTION OF IMPORTED ELECTRONIC
13 PARTS.—

14 (1) INSPECTION PROGRAM.—The Secretary of
15 Homeland Security shall establish a risk-based
16 methodology for the enhanced targeting of electronic
17 parts imported from any country, after consultation
18 with the Secretary of Defense as to sources of coun-
19 terfeit electronic parts and suspect counterfeit elec-
20 tronic parts in the supply chain for products pur-
21 chased by the Department of Defense.

22 (2) INFORMATION SHARING.—If United States
23 Customs and Border Protection suspects a product
24 of being imported or exported in violation of section
25 42 of the Lanham Act, and subject to any applicable

1 bonding requirements, the Secretary of Treasury is
2 authorized to share information appearing on, and
3 unredacted samples of, products and their packaging
4 and labels, or photographs of such products, pack-
5 aging and labels, with the rightholders of the trade-
6 marks suspected of being copied or simulated, for
7 purposes of determining whether the products are
8 prohibited from importation pursuant to such sec-
9 tion.

10 (c) CONTRACTOR SYSTEMS FOR DETECTION AND
11 AVOIDANCE OF COUNTERFEIT AND SUSPECT COUNTER-
12 FEIT ELECTRONIC PARTS.—

13 (1) IN GENERAL.—Not later than 270 days
14 after the date of the enactment of this Act, the Sec-
15 retary of Defense shall implement a program for the
16 improvement of contractor systems for the detection
17 and avoidance of counterfeit electronic parts and
18 suspect counterfeit electronic parts.

19 (2) ELEMENTS.—The program developed pur-
20 suant to paragraph (1) shall—

21 (A) require covered contractors to adopt
22 and implement policies and procedures, con-
23 sistent with applicable industry standards, for
24 the detection and avoidance of counterfeit elec-
25 tronic parts and suspect counterfeit electronic

1 parts, including policies and procedures for
2 training personnel, designing and maintaining
3 systems to mitigate risks associated with parts
4 obsolescence, making sourcing decisions,
5 prioritizing mission critical and sensitive compo-
6 nents, ensuring traceability of parts, developing
7 lists of trusted and untrusted suppliers, flowing
8 down requirements to subcontractors, inspect-
9 ing and testing parts, reporting and quaran-
10 tining suspect counterfeit electronic parts and
11 counterfeit electronic parts, and taking correc-
12 tive action;

13 (B) establish processes for the review and
14 approval or disapproval of contractor systems
15 for the detection and avoidance of counterfeit
16 electronic parts and suspect counterfeit elec-
17 tronic parts, comparable to the processes estab-
18 lished for contractor business systems under
19 section 893 of the Ike Skelton National Defense
20 Authorization Act for Fiscal Year 2011 (Public
21 Law 111–383; 124 Stat. 4311; 10 U.S.C. 2302
22 note); and

23 (C) effective beginning one year after the
24 date of the enactment of this Act, authorize the
25 withholding of payments as provided in sub-

1 section (c) of such section, in the event that a
2 contractor system for detection and avoidance
3 of counterfeit electronic parts is disapproved
4 pursuant to subparagraph (B) and has not sub-
5 sequently received approval.

6 (3) COVERED CONTRACTOR AND COVERED CON-
7 TRACT DEFINED.—In this subsection, the terms
8 “covered contractor” and “covered contract” have
9 the meanings given such terms in section 893(f) of
10 the Ike Skelton National Defense Authorization Act
11 for Fiscal Year 2011 (Public Law 111–383; 124
12 Stat. 4312; 10 U.S.C. 2302 note).

13 (d) DEPARTMENT OF DEFENSE RESPONSIBIL-
14 ITIES.—Not later than 270 days after the date of the en-
15 actment of this Act, the Secretary of Defense shall take
16 steps to address shortcomings in Department of Defense
17 systems for the detection and avoidance of counterfeit
18 electronic parts and suspect counterfeit electronic parts.
19 Such steps shall include, at a minimum, the following:

20 (1) Policies and procedures applicable to De-
21 partment of Defense components engaged in the
22 purchase of electronic parts, including requirements
23 for training personnel, making sourcing decisions,
24 ensuring traceability of parts, inspecting and testing
25 parts, reporting and quarantining suspect counter-

1 feit electronic parts and counterfeit electronic parts,
2 and taking corrective action. The policies and proce-
3 dures developed by the Secretary under this para-
4 graph shall prioritize mission critical and sensitive
5 components.

6 (2) The establishment of a system for ensuring
7 that government employees who become aware of, or
8 have reason to suspect, that any end item, compo-
9 nent, part, or material contained in supplies pur-
10 chased by or for the Department of Defense con-
11 tains counterfeit electronic parts or suspect counter-
12 feit electronic parts are required to provide a written
13 report on the matter within 30 calendar days to the
14 Inspector General of the Department of Defense, the
15 contracting officer for the contract pursuant to
16 which the supplies are purchased, and the Govern-
17 ment-Industry Data Exchange Program or a similar
18 program designated by the Secretary of Defense.

19 (3) A process for analyzing, assessing, and act-
20 ing on reports of counterfeit electronic parts and
21 suspect counterfeit electronic parts that are sub-
22 mitted to the Inspector General of the Department
23 of Defense, contracting officers, and the Govern-
24 ment-Industry Data Exchange Program or a similar
25 program designated by the Secretary of Defense.

1 (4) Guidance on appropriate remedial actions in
2 the case of a supplier who has repeatedly failed to
3 detect and avoid counterfeit electronic parts and sus-
4 pect counterfeit electronic parts or otherwise failed
5 to exercise due diligence in the detection and avoid-
6 ance of such parts, including consideration of wheth-
7 er to suspend or debar a supplier until such time as
8 the supplier has effectively addressed the issues that
9 led to such failures.

10 (e) **TRAFFICKING IN COUNTERFEIT MILITARY**
11 **GOODS OR SERVICES.**—Section 2320 of title 18, United
12 States Code, is amended—

13 (1) in subsection (a), by adding at the end the
14 following:

15 “(3) **MILITARY GOODS OR SERVICES.**—

16 “(A) **IN GENERAL.**—A person who com-
17 mits an offense under paragraph (1) shall be
18 punished in accordance with subparagraph (B)
19 if—

20 “(i) the offense involved a good or
21 service described in paragraph (1) that if
22 it malfunctioned, failed, or was com-
23 promised, could reasonably be foreseen to
24 cause—

1 “(I) serious bodily injury or
2 death;

3 “(II) disclosure of classified in-
4 formation;

5 “(III) impairment of combat op-
6 erations; or

7 “(IV) other significant harm to a
8 member of the Armed Forces or to
9 national security; and

10 “(ii) the person had knowledge that
11 the good or service is falsely identified as
12 meeting military standards or is intended
13 for use in a military or national security
14 application.

15 “(B) PENALTIES.—

16 “(i) INDIVIDUAL.—An individual who
17 commits an offense described in subpara-
18 graph (A) shall be fined not more than
19 \$5,000,000, imprisoned for not more than
20 20 years, or both.

21 “(ii) PERSON OTHER THAN AN INDI-
22 VIDUAL.—A person other than an indi-
23 vidual that commits an offense described in
24 subparagraph (A) shall be fined not more
25 than \$15,000,000.

1 “(C) SUBSEQUENT OFFENSES.—

2 “(i) INDIVIDUAL.—An individual who
3 commits an offense described in subpara-
4 graph (A) after the individual is convicted
5 of an offense under subparagraph (A) shall
6 be fined not more than \$15,000,000, im-
7 prisoned not more than 30 years, or both.

8 “(ii) PERSON OTHER THAN AN INDI-
9 VIDUAL.—A person other than an indi-
10 vidual that commits an offense described in
11 subparagraph (A) after the person is con-
12 victed of an offense under subparagraph
13 (A) shall be fined not more than
14 \$30,000,000.”; and

15 (2) in subsection (e)—

16 (A) in paragraph (1), by striking the pe-
17 riod at the end and inserting a semicolon;

18 (B) in paragraph (3), by striking “and” at
19 the end;

20 (C) in paragraph (4), by striking the pe-
21 riod at the end and inserting a semicolon; and

22 (D) by adding at the end the following:

23 “(5) the term ‘falsely identified as meeting mili-
24 tary standards’ relating to a good or service means
25 there is a material misrepresentation that the good

1 or service meets a standard, requirement, or speci-
2 fication issued by the Department of Defense, an
3 Armed Force, or a reserve component; and

4 “(6) the term ‘use in a military or national se-
5 curity application’ means the use of a good or serv-
6 ice, independently, in conjunction with, or as a com-
7 ponent of another good or service—

8 “(A) during the performance of the official
9 duties of the Armed Forces of the United
10 States or the reserve components of the Armed
11 Forces; or

12 “(B) by the United States to perform or
13 directly support—

14 “(i) combat operations; or

15 “(ii) critical national defense or na-
16 tional security functions.”.

17 (f) SENTENCING GUIDELINES.—

18 (1) DEFINITION.—In this subsection, the term
19 “critical infrastructure” has the meaning given that
20 term in application note 13(A) of section 2B1.1 of
21 the Federal Sentencing Guidelines.

22 (2) DIRECTIVE.—The United States Sentencing
23 Commission shall review and, if appropriate, amend
24 the Federal Sentencing Guidelines and policy state-
25 ments applicable to persons convicted of an offense

1 under section 2320(a) of title 18, United States
2 Code, to reflect the intent of Congress that penalties
3 for such offenses be increased for defendants that
4 sell infringing products to, or for the use by or for,
5 the Armed Forces or a Federal, State, or local law
6 enforcement agency or for use in critical infrastruc-
7 ture or in national security applications.

8 (3) REQUIREMENTS.—In amending the Federal
9 Sentencing Guidelines and policy statements under
10 paragraph (2), the United States Sentencing Com-
11 mission shall—

12 (A) ensure that the guidelines and policy
13 statements, including section 2B5.3 of the Fed-
14 eral Sentencing Guidelines (and any successor
15 thereto), reflect—

16 (i) the serious nature of the offenses
17 described in section 2320(a) of title 18,
18 United States Code;

19 (ii) the need for an effective deterrent
20 and appropriate punishment to prevent of-
21 fenses under section 2320(a) of title 18,
22 United States Code; and

23 (iii) the effectiveness of incarceration
24 in furthering the objectives described in
25 clauses (i) and (ii);

1 (B) consider an appropriate offense level
2 enhancement and minimum offense level for of-
3 fenses that involve a product used to maintain
4 or operate critical infrastructure, or used by or
5 for an entity of the Federal Government or a
6 State or local government in furtherance of the
7 administration of justice, national defense, or
8 national security;

9 (C) ensure reasonable consistency with
10 other relevant directives and guidelines and
11 Federal statutes;

12 (D) make any necessary conforming
13 changes to the guidelines; and

14 (E) ensure that the guidelines relating to
15 offenses under section 2320(a) of title 18,
16 United States Code, adequately meet the pur-
17 poses of sentencing, as described in section
18 3553(a)(2) of title 18, United States Code.

19 (4) EMERGENCY AUTHORITY.—The United
20 States Sentencing Commission shall—

21 (A) promulgate the guidelines, policy state-
22 ments, or amendments provided for in this Act
23 as soon as practicable, and in any event not
24 later than 180 days after the date of the enact-
25 ment of this Act, in accordance with the proce-

1 dure set forth in section 21(a) of the Sen-
2 tencing Act of 1987 (28 U.S.C. 994 note), as
3 though the authority under that Act had not
4 expired; and

5 (B) pursuant to the emergency authority
6 provided under subparagraph (A), make such
7 conforming amendments to the Federal Sen-
8 tencing Guidelines as the Commission deter-
9 mines necessary to achieve consistency with
10 other guideline provisions and applicable law.

11 (g) DEFINITIONS.—

12 (1) COUNTERFEIT ELECTRONIC PART.—The
13 Secretary of Defense shall define the term “counter-
14 feit electronic part” for the purposes of this section.
15 Such definition shall include used electronic parts
16 that are represented as new.

17 (2) SUSPECT COUNTERFEIT ELECTRONIC PART
18 AND ELECTRONIC PART.—For the purposes of this
19 section:

20 (A) A part is a “suspect counterfeit elec-
21 tronic part” if visual inspection, testing, or
22 other information provide reason to believe that
23 the part may be a counterfeit part.

24 (B) An “electronic part” means an inte-
25 grated circuit, a discrete electronic component

1 (including but not limited to a transistor, ca-
2 pacitor, resistor, or diode), or a circuit assem-
3 bly.

4 **SEC. 849. REPORT ON AUTHORITIES AVAILABLE TO THE**
5 **DEPARTMENT OF DEFENSE FOR MULTIYEAR**
6 **CONTRACTS FOR THE PURCHASE OF AD-**
7 **VANCED BIOFUELS.**

8 Not later than 120 days after the date of the enact-
9 ment of this Act, the Secretary of Defense shall submit
10 to the congressional defense committees a report on the
11 authorities currently available to the Department of De-
12 fense for multiyear contracts for the purchase of advanced
13 biofuels (as defined by section 211(o)(1)(B) of the Clean
14 Air Act (42 U.S.C. 7545(o)(1)(B)). The report shall in-
15 clude a description of such additional authorities, if any,
16 as the Secretary considers appropriate to authorize the
17 Department to enter into contracts for the purchase of
18 advanced biofuels of sufficient length to reduce the impact
19 to the Department of future price or supply shocks in the
20 petroleum market, to benefit taxpayers, and to reduce
21 United States dependence on foreign oil.

1 **SEC. 850. COMPTROLLER GENERAL OF THE UNITED**
2 **STATES REPORTS ON DEPARTMENT OF DE-**
3 **FENSE IMPLEMENTATION OF JUSTIFICATION**
4 **AND APPROVAL REQUIREMENTS FOR CER-**
5 **TAIN SOLE-SOURCE CONTRACTS.**

6 Not later than 90 days after March 1, 2012, and
7 March 1, 2013, the dates on which the Department of De-
8 fense submits to Congress a report on its implementation
9 of section 811 of the Fiscal Year 2010 National Defense
10 Authorization Act, the Comptroller General of the United
11 States shall submit to the congressional defense commit-
12 tees a report setting forth an assessment of the extent to
13 which the implementation of such section 811 by the De-
14 partment ensures that sole-source contracts are awarded
15 in applicable procurements only when those awards have
16 been determined to be in the best interest of the Depart-
17 ment.

18 **Subtitle D—Provisions Relating to**
19 **Wartime Contracting**

20 **SEC. 861. PROHIBITION ON CONTRACTING WITH THE**
21 **ENEMY IN THE UNITED STATES CENTRAL**
22 **COMMAND THEATER OF OPERATIONS.**

23 (a) PROHIBITION.—

24 (1) IN GENERAL.—Not later than 30 days after
25 the date of the enactment of this Act, the Secretary
26 of Defense shall revise the Department of Defense

1 Supplement to the Federal Acquisition Regulation to
2 authorize the head of a contracting activity, pursu-
3 ant to a request from the Commander of the United
4 States Central Command under subsection (c)(2)—

5 (A) to restrict the award of Department of
6 Defense contracts, grants, or cooperative agree-
7 ments that the head of the contracting activity
8 determines in writing would provide funding di-
9 rectly or indirectly to a person or entity that
10 has been identified by the Commander of the
11 United States Central Command as actively
12 supporting an insurgency or otherwise actively
13 opposing United States or coalition forces in a
14 contingency operation in the United States Cen-
15 tral Command theater of operations;

16 (B) to terminate for default any Depart-
17 ment contract, grant, or cooperative agreement
18 upon a written determination by the head of the
19 contracting activity that the contractor, or the
20 recipient of the grant or cooperative agreement,
21 has failed to exercise due diligence to ensure
22 that none of the funds received under the con-
23 tract, grant, or cooperative agreement are pro-
24 vided directly or indirectly to a person or entity
25 who is actively supporting an insurgency or oth-

1 otherwise actively opposing United States or coali-
2 tion forces in a contingency operation in the
3 United States Central Command theater of op-
4 erations; or

5 (C) to void in whole or in part any Depart-
6 ment contract, grant, or cooperative agreement
7 upon a written determination by the head of the
8 contracting activity that the contract, grant, or
9 cooperative agreement provides funding directly
10 or indirectly to a person or entity that has been
11 identified by the Commander of the United
12 States Central Command as actively supporting
13 an insurgency or otherwise actively opposing
14 United States or coalition forces in a contin-
15 gency operation in the United States Central
16 Command theater of operations.

17 (2) TREATMENT AS VOID.—For purposes of
18 this section:

19 (A) A contract, grant, or cooperative
20 agreement that is void is unenforceable as con-
21 trary to public policy.

22 (B) A contract, grant, or cooperative
23 agreement that is void in part is unenforceable
24 as contrary to public policy with regard to a

1 segregable task or effort under the contract,
2 grant, or cooperative agreement.

3 (b) CONTRACT CLAUSE.—

4 (1) IN GENERAL.—Not later than 30 days after
5 the date of the enactment of this Act, the Secretary
6 shall revise the Department of Defense Supplement
7 to the Federal Acquisition Regulation to require
8 that—

9 (A) the clause described in paragraph (2)
10 shall be included in each covered contract,
11 grant, and cooperative agreement of the De-
12 partment that is awarded on or after the date
13 of the enactment of this Act; and

14 (B) to the maximum extent practicable,
15 each covered contract, grant, and cooperative
16 agreement of the Department that is awarded
17 before the date of the enactment of this Act
18 shall be modified to include the clause described
19 in paragraph (2).

20 (2) CLAUSE DESCRIBED.—The clause described
21 in this paragraph is a clause that—

22 (A) requires the contractor, or the recipi-
23 ent of the grant or cooperative agreement, to
24 exercise due diligence to ensure that none of the
25 funds received under the contract, grant, or co-

1 operative agreement are provided directly or in-
2 directly to a person or entity who is actively
3 supporting an insurgency or otherwise actively
4 opposing United States or coalition forces in a
5 contingency operation; and

6 (B) notifies the contractor, or the recipient
7 of the grant or cooperative agreement, of the
8 authority of the head of the contracting activity
9 to terminate or void the contract, grant, or co-
10 operative agreement, in whole or in part, as
11 provided in subsection (a).

12 (3) COVERED CONTRACT, GRANT, OR COOPERA-
13 TIVE AGREEMENT.—In this subsection, the term
14 “covered contract, grant, or cooperative agreement”
15 means a contract, grant, or cooperative agreement
16 with an estimated value in excess of \$100,000 that
17 will be performed in the United States Central Com-
18 mand theater of operations.

19 (c) IDENTIFICATION OF CONTRACTS WITH SUP-
20 PORTERS OF THE ENEMY.—

21 (1) IN GENERAL.—Not later than 30 days after
22 the date of the enactment of this Act, the Secretary,
23 acting through the Commander of the United States
24 Central Command, shall establish a program to use
25 available intelligence to review persons and entities

1 who receive United States funds through contracts,
2 grants, and cooperative agreements performed in the
3 United States Central Command theater of oper-
4 ations and identify any such persons and entities
5 who are actively supporting an insurgency or other-
6 wise actively opposing United States or coalition
7 forces in a contingency operation.

8 (2) NOTICE TO CONTRACTING ACTIVITIES.—If
9 the Commander of the United States Central Com-
10 mand, acting pursuant to the program required by
11 paragraph (1), identifies a person or entity as ac-
12 tively supporting an insurgency or otherwise actively
13 opposing United States or coalition forces in a con-
14 tingency operation, the Commander may notify the
15 head of a contracting activity in writing of such
16 identification and request that the head of the con-
17 tracting activity exercise the authority provided in
18 subsection (a) with regard to any contracts, grants,
19 or cooperative agreements that provide funding di-
20 rectly or indirectly to the person or entity.

21 (3) PROTECTION OF CLASSIFIED INFORMA-
22 TION.—Classified information relied upon by the
23 Commander of the United States Central Command
24 to make an identification in accordance with this
25 subsection may not be disclosed to a contractor or

1 a recipient of a grant or cooperative agreement with
2 respect to which an action is taken pursuant to the
3 authority provided in subsection (a), or to their rep-
4 resentatives, in the absence of a protective order
5 issued by a court of competent jurisdiction estab-
6 lished under Article III of the Constitution of the
7 United States that specifically addresses the condi-
8 tions upon which such classified information may be
9 so disclosed.

10 (d) NONDELEGATION OF RESPONSIBILITIES.—

11 (1) CONTRACT ACTIONS.—The authority pro-
12 vided by subsection (a) to restrict, terminate, or void
13 contracts, grants, and cooperative agreements may
14 not be delegated below the level of the head of a con-
15 tracting activity.

16 (2) IDENTIFICATION OF SUPPORT OF ENEMY.—

17 The authority to make an identification under sub-
18 section (c)(1) may not be delegated below the level
19 of the Commander of the United States Central
20 Command.

21 (e) CONTRACTS, GRANTS, AND COOPERATIVE
22 AGREEMENTS OF OTHER FEDERAL AGENCIES.—This sec-
23 tion shall not be construed to preclude the issuance of a
24 government-wide regulation—

1 (1) extending the authority in subsection (a) to
2 the heads of contracting agencies outside the De-
3 partment; or

4 (2) requiring the insertion of a contract clause
5 similar to the clause described by subsection (b)(2)
6 into contracts, grants, and cooperative agreements
7 awarded by Federal agencies other than the Depart-
8 ment.

9 (f) REPORTS.—Not later than March 1 of each of
10 2013, 2014, and 2015, the Secretary shall submit to the
11 congressional defense committees a report on the use of
12 the authority provided by this section in the preceding cal-
13 endar year. Each report shall identify, for the calendar
14 year covered by such report, each instance in which the
15 Department of Defense exercised the authority to restrict,
16 terminate, or void contracts, grants, and cooperative
17 agreements pursuant to subsection (a) and explain the
18 basis for the action taken. Any report under this sub-
19 section may be submitted in classified form.

20 (g) OTHER DEFINITION.—In this section, the term
21 “contingency operation” has the meaning given that term
22 in section 101(a)(13) of title 10, United States Code.

23 (h) SUNSET.—The authority to restrict, terminate, or
24 void contracts, grants, and cooperative agreements pursu-
25 ant to subsection (a) shall cease to be effective on the date

1 that is three years after the date of the enactment of this
2 Act.

3 **SEC. 862. ADDITIONAL ACCESS TO CONTRACTOR AND SUB-**
4 **CONTRACTOR RECORDS IN THE UNITED**
5 **STATES CENTRAL COMMAND THEATER OF**
6 **OPERATIONS.**

7 (a) DEPARTMENT OF DEFENSE CONTRACTS,
8 GRANTS, AND COOPERATIVE AGREEMENTS.—

9 (1) IN GENERAL.—Not later than 30 days after
10 the date of the enactment of this Act, the Secretary
11 of Defense shall revise the Department of Defense
12 Supplement to the Federal Acquisition Regulation to
13 require that—

14 (A) the clause described in paragraph (2)
15 shall be included in each covered contract,
16 grant, and cooperative agreement of the De-
17 partment of Defense that is awarded on or
18 after the date of the enactment of this Act; and

19 (B) to the maximum extent practicable,
20 each covered contract, grant, and cooperative
21 agreement of the Department that is awarded
22 before the date of the enactment of this Act
23 shall be modified to include the clause described
24 in paragraph (2).

1 (2) CLAUSE.—The clause described in this
2 paragraph is a clause authorizing the Secretary,
3 upon a written determination pursuant to paragraph
4 (3), to examine any records of the contractor, the re-
5 cipient of a grant or cooperative agreement, or any
6 subcontractor or subgrantee under such contract,
7 grant, or cooperative agreement to the extent nec-
8 essary to ensure that funds available under the con-
9 tract, grant, or cooperative agreement—

10 (A) are not subject to extortion or corrup-
11 tion; and

12 (B) are not provided directly or indirectly
13 to persons or entities that are actively sup-
14 porting an insurgency or otherwise actively op-
15 posing United States or coalition forces in a
16 contingency operation.

17 (3) WRITTEN DETERMINATION.—The authority
18 to examine records pursuant to the contract clause
19 described in paragraph (2) may be exercised only
20 upon a written determination by the contracting offi-
21 cer or comparable official responsible for a grant or
22 cooperative agreement, upon a finding by the Com-
23 mander of the United States Central Command, that
24 there is reason to believe that funds available under
25 the contract, grant, or cooperative agreement con-

1 cerned may have been subject to extortion or corrup-
2 tion or may have been provided directly or indirectly
3 to persons or entities that are actively supporting an
4 insurgency or otherwise actively opposing United
5 States or coalition forces in a contingency operation.

6 (4) FLOWDOWN.—A clause described in para-
7 graph (2) shall also be required in any subcontract
8 or subgrant under a covered contract, grant, or co-
9 operative agreement if the subcontract or subgrant
10 has an estimated value in excess of \$100,000.

11 (b) CONTRACTS, GRANTS, AND COOPERATIVE
12 AGREEMENTS OF OTHER FEDERAL AGENCIES.—This sec-
13 tion shall not be construed to preclude the issuance of a
14 government-wide regulation requiring the insertion of a
15 clause similar to the clause described by subsection (a)(2)
16 into contracts, grants, and cooperative agreements award-
17 ed by Federal agencies other than the Department of De-
18 fense.

19 (c) REPORTS.—Not later than March 1 of each of
20 2013, 2014, and 2015, the Secretary shall submit to the
21 congressional defense committees a report on the use of
22 the authority provided by this section in the preceding cal-
23 endar year. Each report shall identify, for the calendar
24 year covered by such report, each instance in which the
25 Department of Defense exercised the authority provided

1 under this section to examine records, explain the basis
2 for the action taken, and summarize the results of any
3 examination of records so undertaken, Any report under
4 this subsection may be submitted in classified form.

5 (d) DEFINITIONS.—In this section:

6 (1) The term “contingency operation” has the
7 meaning given that term in section 101(a)(13) of
8 title 10, United States Code.

9 (2) The term “covered contract, grant, or coop-
10 erative agreement” means a contract, grant, or co-
11 operative agreement with an estimated value in ex-
12 cess of \$100,000 that will be performed in the
13 United States Central Command theater of oper-
14 ations in support of a contingency operation.

15 (e) SUNSET.—

16 (1) IN GENERAL.—The clause described by sub-
17 section (a)(2) shall not be required in any contract,
18 grant, or cooperative agreement that is awarded
19 after the date that is three years after the date of
20 the enactment of this Act.

21 (2) CONTINUING EFFECT OF CLAUSES IN-
22 CLUDED BEFORE SUNSET.—Any clause described by
23 subsection (a)(2) that is included in a contract,
24 grant, or cooperative agreement pursuant this sec-

1 tion before the date specified in paragraph (1) shall
2 remain in effect in accordance with its terms.

3 **SEC. 863. JOINT URGENT OPERATIONAL NEEDS FUND TO**
4 **RAPIDLY MEET URGENT OPERATIONAL**
5 **NEEDS.**

6 (a) ESTABLISHMENT OF FUND.—

7 (1) IN GENERAL.—Chapter 131 of title 10,
8 United States Code, is amended by inserting after
9 section 2216 the following new section:

10 **“§ 2216a. Rapidly meeting urgent needs: Joint Urgent**
11 **Operational Needs Fund**

12 “(a) ESTABLISHMENT.—There is established in the
13 Treasury an account to be known as the ‘Joint Urgent
14 Operational Needs Fund’ (in this section referred to as
15 the ‘Fund’).

16 “(b) ELEMENTS.—The Fund shall consist of the fol-
17 lowing:

18 “(1) Amounts appropriated to the Fund.

19 “(2) Amounts transferred to the Fund.

20 “(3) Any other amounts made available to the
21 Fund by law.

22 “(c) USE OF FUNDS.—(1) Amounts in the Fund shall
23 be available to the Secretary of Defense for capabilities
24 that are determined by the Secretary, pursuant to the re-
25 view process required by section 804(b) of the Ike Skelton

1 National Defense Authorization Act for Fiscal Year 2011
2 (10 U.S.C. 2302 note), to be suitable for rapid fielding
3 in response to urgent operational needs.

4 “(2) The Secretary shall establish a merit-based proc-
5 ess for identifying equipment, supplies, services, training,
6 and facilities suitable for funding through the Fund.

7 “(3) Nothing in this section shall be interpreted to
8 require or enable any official of the Department of De-
9 fense to provide funding under this section pursuant to
10 a congressional earmark, as defined in clause 9 of Rule
11 XXI of the Rules of the House of Representatives, or a
12 congressionally directed spending item, as defined in para-
13 graph 5 of Rule XLIV of the Standing Rules of the Sen-
14 ate.

15 “(d) TRANSFER AUTHORITY.—(1) Amounts in the
16 Fund may be transferred by the Secretary of Defense
17 from the Fund to any of the following accounts of the De-
18 partment of Defense to accomplish the purpose stated in
19 subsection (c):

20 “(A) Operation and maintenance accounts.

21 “(B) Procurement accounts.

22 “(C) Research, development, test, and evalua-
23 tion accounts.

24 “(2) Upon determination by the Secretary that all or
25 part of the amounts transferred from the Fund under

1 paragraph (1) are not necessary for the purpose for which
2 transferred, such amounts may be transferred back to the
3 Fund.

4 “(3) The transfer of an amount to an account under
5 the authority in paragraph (1) shall be deemed to increase
6 the amount authorized for such account by an amount
7 equal to the amount so transferred.

8 “(4) The transfer authority provided by paragraphs
9 (1) and (2) is in addition to any other transfer authority
10 available to the Department of Defense by law.

11 “(e) SUNSET.—The authority to make expenditures
12 or transfers from the Fund shall expire on the last day
13 of the third fiscal year that begins after the date of the
14 enactment of the National Defense Authorization Act for
15 Fiscal Year 2012.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions at the beginning of chapter 131 of such title
18 is amended by inserting after the item relating to
19 section 2216 the following new item:

“2216a. Rapidly meeting urgent needs: Joint Urgent Operational Needs Fund.”.

20 (b) LIMITATION ON COMMENCEMENT OF EXPENDI-
21 TURES FROM FUND.—No expenditure may be made from
22 the Joint Urgent Operational Needs Fund established by
23 section 2216a of title 10, United States Code (as added
24 by subsection (a)), until the Secretary of Defense certifies
25 to the congressional defense committees that the Secretary

1 has developed and implemented an expedited review pro-
2 cess in compliance with the requirements of section 804
3 of the Ike Skelton National Defense Authorization Act for
4 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4256;
5 10 U.S.C. 2302 note).

6 **SEC. 864. INCLUSION OF ASSOCIATED SUPPORT SERVICES**
7 **IN RAPID ACQUISITION AND DEPLOYMENT**
8 **PROCEDURES FOR SUPPLIES.**

9 (a) INCLUSION.—Section 806 of the Bob Stump Na-
10 tional Defense Authorization Act for Fiscal Year 2003 (10
11 U.S.C. 2302 note) is amended by striking “supplies” each
12 place it appears (other than subsections (a)(1)(B) and (f))
13 and inserting “supplies and associated support services”.

14 (b) DEFINITION.—Such section is further amended
15 by adding at the end the following new subsection:

16 “(g) ASSOCIATED SUPPORT SERVICES DEFINED.—In
17 this section, the term ‘associated support services’ means
18 training, operation, maintenance, and support services
19 needed in connection with the deployment of supplies to
20 be acquired pursuant to the authority of this section. The
21 term does not include functions that are inherently gov-
22 ernmental or otherwise exempted from private sector per-
23 formance.”.

24 (c) LIMITATION ON AVAILABILITY OF AUTHORITY.—
25 The authority to acquire associated support services pur-

1 suant to section 806 of the Bob Stump National Defense
2 Authorization Act for Fiscal Year 2003, as amended by
3 this section, shall not take effect until the Secretary of
4 Defense certifies to the congressional defense committees
5 that the Secretary has developed and implemented an ex-
6 pedited review process in compliance with the require-
7 ments of section 804 of the Ike Skelton National Defense
8 Authorization Act for Fiscal Year 2011 (Public Law 111–
9 383; 124 Stat. 4256; 10 U.S.C. 2302 note).

10 **SEC. 865. REACH-BACK CONTRACTING AUTHORITY FOR OP-**
11 **ERATION ENDURING FREEDOM AND OPER-**
12 **ATION NEW DAWN.**

13 (a) **AUTHORITY TO DESIGNATE LEAD CONTRACTING**
14 **ACTIVITY.**—The Under Secretary of Defense for Acquisi-
15 tion, Technology, and Logistics may designate a single
16 contracting activity inside the United States to act as the
17 lead contracting activity with authority for use of domestic
18 capabilities in support of overseas contracting for Oper-
19 ation Enduring Freedom and Operation New Dawn. The
20 contracting activity so designated shall be known as the
21 “lead reach-back contracting authority” for such oper-
22 ations.

23 (b) **LIMITED AUTHORITY FOR USE OF OUTSIDE-THE-**
24 **UNITED-STATES-THRESHOLDS.**—The head of the con-
25 tracting authority designated pursuant to subsection (a)

1 may, when awarding a contract inside the United States
2 for performance in the theater of operations for Operation
3 Enduring Freedom or Operation New Dawn, use the over-
4 seas increased micro-purchase threshold and the overseas
5 increased simplified acquisition threshold in the same
6 manner and to the same extent as if the contract were
7 to be awarded and performed outside the United States.

8 (c) DEFINITIONS.—In this section:

9 (1) The term “overseas increased micro-pur-
10 chase threshold” means the amount specified in
11 paragraph (1)(B) of section 1903(b) of title 41,
12 United States Code.

13 (2) The term “overseas increased simplified ac-
14 quisition threshold” means the amount specified in
15 paragraph (2)(B) of section 1903(b) of title 41,
16 United States Code.

17 **SEC. 866. INCLUSION OF CONTRACTOR SUPPORT REQUIRE-**
18 **MENTS IN DEPARTMENT OF DEFENSE PLAN-**
19 **NING DOCUMENTS.**

20 (a) ELEMENTS IN QDR REPORTS TO CONGRESS.—
21 Section 118(d) of title 10, United States Code, is amend-
22 ed—

23 (1) in paragraph (4)—

24 (A) in subparagraph (D), by striking
25 “and” at the end;

1 (B) in subparagraph (E), by striking the
2 period at the end and inserting “; and”; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(F) the roles and responsibilities that
6 would be discharged by contractors.”;

7 (2) in paragraph (6), by striking “manpower
8 and sustainment” and inserting “manpower,
9 sustainment, and contractor support”; and

10 (3) in paragraph (8), by inserting “, and the
11 scope of contractor support,” after “Defense Agen-
12 cies”.

13 (b) CHAIRMAN OF JOINT CHIEFS OF STAFF ASSESS-
14 MENTS OF CONTRACTOR SUPPORT OF ARMED FORCES.—

15 (1) ASSESSMENTS UNDER CONTINGENCY PLAN-
16 NING.—Paragraph (3) of subsection (a) of section
17 153 of such title is amended—

18 (A) by redesignating subparagraphs (C)
19 and (D) as subparagraphs (D) and (E), respec-
20 tively; and

21 (B) by inserting after subparagraph (B)
22 the following new subparagraph (C):

23 “(C) Identifying the support functions that are
24 likely to require contractor performance under those

1 contingency plans, and the risks associated with the
2 assignment of such functions to contractors.”.

3 (2) ASSESSMENTS UNDER ADVICE ON REQUIRE-
4 MENTS, PROGRAMS, AND BUDGET.—Paragraph
5 (4)(E) of such subsection is amended by inserting
6 “and contractor support” after “area of manpower”.

7 (3) ASSESSMENTS FOR BIENNIAL REVIEW OF
8 NATIONAL MILITARY STRATEGY.—Subsection (d) of
9 such section is amended—

10 (A) in paragraph (2), by adding at the end
11 the following new subparagraph:

12 “(I) Assessment of the requirements for con-
13 tractor support of the armed forces in conducting
14 peacetime training, peacekeeping, overseas contin-
15 gency operations, and major combat operations, and
16 the risks associated with such support.”; and

17 (B) in paragraph (3)(B), by striking “and
18 the levels of support from allies and other
19 friendly nations” and inserting “the levels of
20 support from allies and other friendly nations,
21 and the levels of contractor support”.

1 **Subtitle E—Other Matters**

2 **SEC. 881. EXTENSION OF AVAILABILITY OF FUNDS IN THE**
 3 **DEFENSE ACQUISITION WORKFORCE DEVEL-**
 4 **OPMENT FUND.**

5 (a) EXTENSION OF AVAILABILITY.—Section
 6 1705(e)(6) of title 10, United States Code, is amended
 7 by striking “under subsection (d)(2)” and inserting
 8 “(whether by credit in accordance with subsection (d)(2),
 9 by transfer pursuant to subsection (d)(3), by direct appro-
 10 priation, or by deposit)”.

11 (b) PROSPECTIVE APPLICABILITY.—The amendment
 12 made by subsection (a) shall not apply to funds appro-
 13 priated before the date of the enactment of this Act.

14 (c) NATURE OF AVAILABILITY.—Such section is fur-
 15 ther amended by striking “expenditure” and inserting
 16 “obligation”.

17 **SEC. 882. MODIFICATION OF DELEGATION OF AUTHORITY**
 18 **TO MAKE DETERMINATIONS ON ENTRY INTO**
 19 **COOPERATIVE RESEARCH AND DEVELOP-**
 20 **MENT AGREEMENTS WITH NATO AND OTHER**
 21 **FRIENDLY ORGANIZATIONS AND COUNTRIES.**

22 Section 2350a(b)(2) of title 10, United States Code,
 23 is amended by striking “and to one other official of the
 24 Department of Defense” and inserting “, the Under Sec-
 25 retary of Defense for Acquisition, Technology, and Logis-

1 ties, and the Principal Deputy Under Secretary of Defense
2 for Acquisition, Technology, and Logistics”.

3 **SEC. 883. RATE OF PAYMENT FOR AIRLIFT SERVICES**
4 **UNDER THE CIVIL RESERVE AIR FLEET PRO-**
5 **GRAM.**

6 (a) RATE OF PAYMENT.—

7 (1) IN GENERAL.—Chapter 931 of title 10,
8 United States Code, is amended by inserting after
9 section 9511 the following new section:

10 **“§ 9511a. Civil Reserve Air Fleet contracts: payment**
11 **rate**

12 “(a) AUTHORITY.—The Secretary of Defense shall
13 determine a fair and reasonable rate of payment for airlift
14 services provided to the Department of Defense by air car-
15 riers who are participants in the Civil Reserve Air Fleet
16 program. Such rate of payment shall be determined in ac-
17 cordance with—

18 “(1) the methodology and ratemaking proce-
19 dures in effect on the date of the enactment of the
20 National Defense Authorization Act for Fiscal Year
21 2012; and

22 “(2) such other procedures as the Secretary
23 may prescribe by regulation.

24 “(b) REGULATIONS.—The Secretary shall prescribe
25 regulations for purposes of subsection (a). Such regula-

1 tions shall include a process for modifying the ratemaking
 2 methodology referred to in paragraph (1) of that sub-
 3 section. The Secretary may exclude from the applicability
 4 of such regulations any airlift services contract made
 5 through the use of competitive procedures.

6 “(c) COMMITMENT OF AIRCRAFT AS BUSINESS FAC-
 7 TOR.—The Secretary may, in determining the quantity of
 8 business to be received under an airlift services contract
 9 for which the rate of payment is determined in accordance
 10 with subsection (a), use as a factor the relative amount
 11 of airlift capability committed by each air carrier to the
 12 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 (2) CLERICAL AMENDMENT.—The table of sec-
 20 tions at the beginning of chapter 931 of such title
 21 is amended by inserting after the item relating to
 22 section 9511 the following new item:

“9511a. Civil Reserve Air Fleet contracts: payment rate.”.

23 (b) 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. 884. CLARIFICATION OF DEPARTMENT OF DEFENSE**
4 **AUTHORITY TO PURCHASE RIGHT-HAND**
5 **DRIVE PASSENGER SEDAN VEHICLES AND**
6 **ADJUSTMENT OF THRESHOLD FOR INFLA-**
7 **TION.**

8 (a) CLARIFICATION OF AUTHORITY.—Section
9 2253(a)(2) of title 10, United States Code, is amended
10 by striking “at a cost of not more than \$30,000 each”
11 and inserting “, but at a cost of not more than \$40,000
12 each for passenger sedans”.

13 (b) ADJUSTMENT FOR INFLATION.—The Department
14 of Defense representative to the Federal Acquisition Regu-
15 latory Council established under section 1302 of title 41,
16 United States Code, shall ensure that the threshold estab-
17 lished in section 2253 of title 10, United States Code, for
18 the acquisition of right-hand drive passenger sedans is in-
19 cluded on the list of dollar thresholds that are subject to
20 adjustment for inflation in accordance with the require-
21 ments of section 1908 of title 41, United States Code, and
22 is adjusted pursuant to such provision, as appropriate.

1 **SEC. 885. EXTENSION AND EXPANSION OF SMALL BUSINESS**
2 **PROGRAMS OF THE DEPARTMENT OF DE-**
3 **FENSE.**

4 (a) **EXTENSION OF SBIR PROGRAM.**—Section
5 9(m)(2) of the Small Business Act (15 U.S.C. 638(m)(2))
6 is amended by striking “September 30, 2010” and insert-
7 ing “September 30, 2018”.

8 (b) **EXTENSION OF STTR PROGRAM.**—Section
9 9(n)(1)(A)(ii) of the Small Business Act (15 U.S.C.
10 638(n)(1)(A)(ii)) is amended by striking “2010” and in-
11 serting “2018”.

12 (c) **EXTENSION AND EXPANSION OF COMMER-**
13 **CIALIZATION PILOT PROGRAM.**—Section 9(y) of the Small
14 Business Act (15 U.S.C. 638(y)) is amended—

15 (1) in paragraphs (1), (2), and (4), by inserting
16 “and the Small Business Technology Transfer Pro-
17 gram” after “Small Business Innovation Research
18 Program”; and

19 (2) in paragraph (6), by striking “2010” and
20 inserting “2018”.

21 **SEC. 886. THREE-YEAR EXTENSION OF TEST PROGRAM FOR**
22 **NEGOTIATION OF COMPREHENSIVE SMALL**
23 **BUSINESS SUBCONTRACTING PLANS.**

24 (a) **THREE-YEAR EXTENSION.**—Subsection (e) of
25 section 834 of the National Defense Authorization Act for
26 Fiscal Years 1990 and 1991 (15 U.S.C. 637 note) is

1 amended by striking “September 30, 2011” and inserting
2 “September 30, 2014”.

3 (b) ADDITIONAL REPORT.—Subsection (f) of such
4 section is amended by inserting “and March 1, 2012,”
5 after “March 1, 1994,”.

6 **SEC. 887. FIVE-YEAR EXTENSION OF DEPARTMENT OF DE-**
7 **FENSE MENTOR-PROTEGE PROGRAM.**

8 Section 831(j) of the National Defense Authorization
9 Act for Fiscal Year 1991 (10 U.S.C. 2302 note) is amend-
10 ed—

11 (1) in paragraph (1), by striking “September
12 30, 2010” and inserting “September 30, 2015”; and

13 (2) in paragraph (2), by striking “September
14 30, 2013” and inserting “September 30, 2018”.

15 **SEC. 888. REPORT ON ALTERNATIVES FOR THE PROCURE-**
16 **MENT OF FIRE-RESISTANT AND FIRE-RE-**
17 **TARDANT FIBER AND MATERIALS FOR THE**
18 **PRODUCTION OF MILITARY PRODUCTS.**

19 (a) FINDINGS.—Congress makes the following find-
20 ings:

21 (1) Vehicle and aircraft fires remain a signifi-
22 cant force protection and safety threat for the mem-
23 bers of the Armed Forces, whether deployed in sup-
24 port of ongoing military operations or while training
25 for future deployment.

1 (2) Since 2003, the United States Army Insti-
2 tute of Surgical Research, the sole burn center with-
3 in the Department of Defense, has admitted and
4 treated more than 800 combat casualties with burn
5 injuries. The probability of this type of injury re-
6 mains extremely high with continued operations in
7 Iraq and the surge of forces into Afghanistan and
8 the associated increase in combat operations.

9 (3) Advanced fiber products currently in use to
10 protect first responders such as fire fighters and fac-
11 tory and refinery personnel in the United States
12 steel and fuel refinery industries may provide great-
13 er protection against burn injuries to members of
14 the Armed Forces.

15 (b) REPORT.—Not later than February 28, 2012, the
16 Secretary of Defense shall submit to the Committee on
17 Armed Services of the Senate and the Committee on
18 Armed Services of the House of Representatives a report
19 on fire-resistant and fire-retardant fibers and materials
20 for the production of military products. The report shall
21 include the following:

22 (1) An identification of the fire-resistance or
23 fire-retardant properties or capabilities of fibers and
24 materials (whether domestic or foreign) currently
25 used for the production of military products that re-

1 quire such properties or capabilities (including in-
2 clude uniforms, protective equipment, firefighting
3 equipment, lifesaving equipment, and life support
4 equipment), and an assessment of the sufficiency,
5 adequacy, availability, and cost of such fibers and
6 materials for that purpose.

7 (2) An identification of the fire-resistance or
8 fire-retardant properties or capabilities of fibers and
9 materials (whether domestic or foreign) otherwise
10 available in the United States that are suitable for
11 use in the production of military products that re-
12 quire such properties or capabilities, and an assess-
13 ment of the sufficiency, adequacy, availability, and
14 cost of such fibers and materials for that purpose.

15 **SEC. 889. OVERSIGHT OF AND REPORTING REQUIREMENTS**
16 **WITH RESPECT TO EVOLVED EXPENDABLE**
17 **LAUNCH VEHICLE PROGRAM.**

18 The Secretary of Defense shall—

19 (1) redesignate the Evolved Expendable Launch
20 Vehicle program as a major defense acquisition pro-
21 gram not in the sustainment phase under section
22 2430 of title 10, United States Code; or

23 (2) require the Evolved Expendable Launch Ve-
24 hicle program—

1 (A) to provide to the congressional defense
2 committees all information with respect to the
3 cost, schedule, and performance of the program
4 that would be required to be provided under
5 sections 2431 (relating to weapons development
6 and procurement schedules), 2432 (relating to
7 Select Acquisition Reports, including updated
8 program life-cycle cost estimates), and 2433
9 (relating to unit cost reports) of title 10, United
10 States Code, with respect to the program if the
11 program were designated as a major defense ac-
12 quisition program not in the sustainment phase;
13 and

14 (B) to provide to the Under Secretary of
15 Defense for Acquisition, Technology, and Logis-
16 tics—

17 (i) a quarterly cost and status report,
18 commonly known as a Defense Acquisition
19 Executive Summary, which serves as an
20 early-warning of actual and potential prob-
21 lems with a program and provides for pos-
22 sible mitigation plans; and

23 (ii) earned value management data
24 that contains measurements of contractor
25 technical, schedule, and cost performance.

1 **SEC. 890. DEPARTMENT OF DEFENSE ASSESSMENT OF IN-**
2 **DUSTRIAL BASE FOR NIGHT VISION IMAGE**
3 **INTENSIFICATION SENSORS.**

4 (a) ASSESSMENT REQUIRED.—The Under Secretary
5 of Defense for Acquisition, Technology, and Logistics shall
6 undertake an assessment of the current and long-term
7 availability within the United States and international in-
8 dustrial base of critical equipment, components, sub-
9 components, and materials (including, but not limited to,
10 lenses, tubes, and electronics) needed to support current
11 and future United States military requirements for night
12 vision image intensification sensors. In carrying out the
13 assessment, the Secretary shall—

14 (1) identify items in connection with night vi-
15 sion image intensification sensors that the Secretary
16 determines are critical to military readiness, includ-
17 ing key components, subcomponents, and materials;

18 (2) describe and perform a risk assessment of
19 the supply chain for items identified under para-
20 graph (1) and evaluate the extent to which—

21 (A) the supply chain for such items could
22 be disrupted by a loss of industrial capability in
23 the United States; and

24 (B) the industrial base obtains such items
25 from foreign sources; and

1 (3) describe and assess current and future in-
2 vestment, gaps, and vulnerabilities in the ability of
3 the Department to respond to the potential loss of
4 domestic or international sources that provide items
5 identified under paragraph (1); and

6 (4) identify and assess current strategies to le-
7 verage innovative night vision image intensification
8 technologies being pursued in both Department of
9 Defense laboratories and the private sector for the
10 next generation of night vision capabilities, including
11 an assessment of the competitiveness and techno-
12 logical advantages of the United States night vision
13 image intensification industrial base.

14 (b) REPORT.—Not later than 180 days after the date
15 of the enactment of this Act, the Secretary of Defense
16 shall submit to Congress a report containing the results
17 of the assessment required under subsection (a).

18 **SEC. 891. IMPLEMENTATION OF ACQUISITION STRATEGY**
19 **FOR EVOLVED EXPENDABLE LAUNCH VEHI-**
20 **CLE.**

21 (a) IN GENERAL.—The Secretary of Defense shall
22 submit, with the budget justification materials submitted
23 to Congress in support of the budget of the Department
24 of Defense for fiscal year 2013 (as submitted with the

1 budget of the President under section 1105(a) of title 31,
2 United States Code), the following information:

3 (1) A description of how the strategy of the De-
4 partment to acquire space launch capability under
5 the Evolved Expendable Launch Vehicle program
6 implements each of the recommendations included in
7 the Report of the Government Accountability Office
8 on the Evolved Expendable Launch Vehicle, dated
9 September 15, 2011 (GAO–11–641).

10 (2) With respect to any such recommendation
11 that the Department does not implement, an expla-
12 nation of how the Department is otherwise address-
13 ing the deficiencies identified in that report.

14 (b) ASSESSMENT BY COMPTROLLER GENERAL OF
15 THE UNITED STATES.—Not later than 60 days after the
16 submission of the information required by subsection (a),
17 the Comptroller General of the United States shall submit
18 to the congressional defense committees an assessment of
19 that information and any additional findings or rec-
20 ommendations the Comptroller General considers appro-
21 priate.

22 **SEC. 892. REPORT ON IMPACT OF FOREIGN BOYCOTTS ON**
23 **THE DEFENSE INDUSTRIAL BASE.**

24 (a) IN GENERAL.—Not later than October 1, 2012,
25 the Department of Defense shall submit to the appropriate

1 congressional committees a report setting forth an assess-
2 ment of the impact of foreign boycotts on the defense in-
3 dustrial base.

4 (b) ELEMENT.—The report required by subsection
5 (a) shall include a summary of foreign boycotts that posed
6 a material risk to the defense industrial base from Janu-
7 ary 2008 to the date of the enactment of this Act.

8 (c) DEFINITIONS.—In this section:

9 (1) FOREIGN BOYCOTT.—The term “foreign
10 boycott” means any policy or practice adopted by a
11 foreign government or foreign business enterprise in-
12 tended to penalize, disadvantage, or harm any con-
13 tractor or subcontractor of the Department of De-
14 fense on account of the provision by that contractor
15 or subcontractor of any product or service to the De-
16 partment.

17 (2) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the congressional defense committees;

21 and

22 (B) the Committee on Foreign Relations of
23 the Senate and the Committee on Foreign Af-
24 fairs of the House of Representatives.

1 **TITLE IX—DEPARTMENT OF DE-**
2 **FENSE ORGANIZATION AND**
3 **MANAGEMENT**

4 **Subtitle A—Department of Defense**
5 **Management**

6 **SEC. 901. QUALIFICATIONS FOR APPOINTMENTS TO THE**
7 **POSITION OF DEPUTY SECRETARY OF DE-**
8 **FENSE.**

9 Section 132(a) of title 10, United States Code, is
10 amended by inserting after the first sentence the following
11 new sentence: “The Deputy Secretary shall be appointed
12 from among persons most highly qualified for the position
13 by reason of background and experience, including persons
14 with appropriate management experience.”.

15 **SEC. 902. DESIGNATION OF DEPARTMENT OF DEFENSE**
16 **SENIOR OFFICIAL WITH PRINCIPAL RESPON-**
17 **SIBILITY FOR AIRSHIP PROGRAMS.**

18 Not later than 180 days after the date of the enact-
19 ment of this Act, the Secretary of Defense shall—

20 (1) designate a senior official of the Depart-
21 ment of Defense as the official with principal re-
22 sponsibility for the airship programs of the Depart-
23 ment; and

24 (2) set forth the responsibilities of that senior
25 official with respect to such programs.

1 **SEC. 903. MEMORANDA OF AGREEMENT ON SYNCHRONI-**
2 **ZATION OF ENABLING CAPABILITIES OF GEN-**
3 **ERAL PURPOSE FORCES WITH THE REQUIRE-**
4 **MENTS OF SPECIAL OPERATIONS FORCES.**

5 By not later than 180 days after the date of the en-
6 actment of this Act, each Secretary of a military depart-
7 ment shall enter into a memorandum of agreement with
8 the Commander of the United States Special Operations
9 Command establishing procedures by which the avail-
10 ability of the enabling capabilities of the general purpose
11 forces of the Armed Forces under the jurisdiction of such
12 Secretary will be synchronized with the training and de-
13 ployment cycle of special operations forces under the
14 United States Special Operations Command.

15 **SEC. 904. ENHANCEMENT OF ADMINISTRATION OF THE**
16 **UNITED STATES AIR FORCE INSTITUTE OF**
17 **TECHNOLOGY.**

18 (a) IN GENERAL.—Chapter 901 of title 10, United
19 States Code, is amended by inserting after section 9314a
20 the following new section:

21 **“§ 9314b. United States Air Force Institute of Tech-**
22 **nology: administration**

23 “(a) COMMANDANT.—

24 “(1) SELECTION.—The Commandant of the
25 United States Air Force Institute of Technology
26 shall be selected by the Secretary of the Air Force.

1 “(2) ELIGIBILITY.—The Commandant shall be
2 one of the following:

3 “(A) An officer of the Air Force on active
4 duty in a grade not below the grade of colonel
5 who possesses such qualifications as the Sec-
6 retary considers appropriate and is assigned or
7 detailed to such position.

8 “(B) A member of the Senior Executive
9 Service or a civilian individual, including an in-
10 dividual who was retired from the Air Force in
11 a grade not below brigadier general, who has
12 the qualifications appropriate for the position of
13 Commandant and is selected by the Secretary
14 as the best qualified from among candidates for
15 the position in accordance with a process and
16 criteria determined by the Secretary.

17 “(3) TERM FOR CIVILIAN COMMANDANT.—An
18 individual selected for the position of Commandant
19 under paragraph (2)(B) shall serve in that position
20 for a term of not more than five years and may be
21 continued in that position for an additional term of
22 up to five years.

23 “(b) PROVOST AND ACADEMIC DEAN.—

24 “(1) IN GENERAL.—There is established at the
25 United States Air Force Institute of Technology the

1 civilian position of Provost and Academic Dean who
 2 shall be appointed by the Secretary.

3 “(2) TERM.—An individual appointed to the po-
 4 sition of Provost and Academic Dean shall serve in
 5 that position for a term of five years.

6 “(3) COMPENSATION.—The individual serving
 7 as Provost and Academic Dean is entitled to such
 8 compensation for such service as the Secretary shall
 9 prescribe for purposes of this section, but not more
 10 than the rate of compensation authorized for level
 11 IV of the Executive Schedule.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
 13 at the beginning of chapter 901 of such title is amended
 14 by inserting after the item relating to section 9314a the
 15 following new item:

“9314b. United States Air Force Institute of Technology: administration.”.

16 **SEC. 905. DEFENSE LABORATORY MATTERS.**

17 (a) REPEAL OF SUNSET ON DIRECT HIRE AUTHOR-
 18 ITY AT PERSONNEL DEMONSTRATION LABORATORIES.—
 19 Section 1108 of the Duncan Hunter National Defense Au-
 20 thorization Act for Fiscal Year 2009 (10 U.S.C. 1580
 21 prec. note) is amended by striking subsection (e).

22 (b) REPEAL OF SUNSET ON MECHANISMS TO PRO-
 23 VIDE FUNDS FOR LABORATORIES FOR RESEARCH AND
 24 DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MIS-
 25 SIONS.—Section 219 of the Duncan Hunter National De-

1 fense Authorization Act for Fiscal Year 2009 (10 U.S.C.
2 2358 note) is amended by striking subsection (c).

3 (c) REPEAL OF SUNSET ON AUTHORITY FOR UN-
4 SPECIFIED MINOR MILITARY CONSTRUCTION FOR LAB-
5 ORATORY REVITALIZATION.—Section 2805(d) of title 10,
6 United States Code, is amended by striking paragraph (5).

7 (d) ASSESSMENT OF MILITARY CONSTRUCTION RE-
8 QUIRED FOR LABORATORY REVITALIZATION AND RECAPI-
9 TALIZATION.—

10 (1) ASSESSMENT REQUIRED.—The Secretary of
11 Defense shall conduct an assessment of the current
12 requirements of the defense laboratories for the revi-
13 talization and recapitalization of their infrastructure
14 in order to identify required military construction.

15 (2) ELEMENTS.—The assessment required by
16 paragraph (1) shall—

17 (A) identify the military construction re-
18 quirements of the defense laboratories described
19 in paragraph (1) that cannot be met by current
20 authorities for unspecified minor military con-
21 struction; and

22 (B) establish for each Armed Force a
23 prioritized list of military construction projects
24 to meet the requirements described in subpara-
25 graph (A), and identify among the projects so

1 listed each project previously submitted to a
2 military construction review panel and the
3 length of time such project has remained
4 unaddressed.

5 (3) REPORTS.—

6 (A) STATUS REPORT.—Not later than 180
7 days after the date of the enactment of this
8 Act, the Secretary shall submit to the congres-
9 sional defense committees a report describing
10 the current status of the assessment required
11 by paragraph (1).

12 (B) FINAL REPORT.—Not later than one
13 year after the date of the enactment of this Act,
14 the Secretary shall submit to the congressional
15 defense committees a report on the assessment.
16 The report shall set forth the following:

17 (i) The results of the assessment.

18 (ii) Such recommendations for legisla-
19 tive or administrative action as the Sec-
20 retary considers appropriate in light of the
21 results of the assessment.

22 (4) DEFENSE LABORATORY DEFINED.—In this
23 subsection, the term “defense laboratory” means a
24 laboratory (as that term is defined in section
25 2805(d)(4) of title 10, United States Code) that is

1 owned by the United States and under the jurisdic-
2 tion of the Secretary of a military department.

3 **SEC. 906. ASSESSMENT OF DEPARTMENT OF DEFENSE AC-**
4 **CESS TO NON-UNITED STATES CITIZENS WITH**
5 **SCIENTIFIC AND TECHNICAL EXPERTISE**
6 **VITAL TO THE NATIONAL SECURITY INTER-**
7 **ESTS.**

8 (a) **ASSESSMENT REQUIRED.**—The Secretary of De-
9 fense shall conduct an assessment of current and potential
10 mechanisms to permit the Department of Defense to em-
11 ploy non-United States citizens with critical scientific and
12 technical skills that are vital to the national security inter-
13 ests of the United States.

14 (b) **ELEMENTS.**—The assessment required by sub-
15 section (a) shall include the following:

16 (1) An identification of the critical scientific
17 and technical skills that are vital to the national se-
18 curity interests of the United States and are antici-
19 pated to be in short supply over the next 10 years,
20 and an identification of the military positions and ci-
21 vilian positions of the Department of Defense that
22 require such skills.

23 (2) An identification of mechanisms and incen-
24 tives for attracting persons who are non-United
25 States citizens with such skills to such positions, in-

1 including the expedited extension of United States citi-
2 zenship.

3 (3) An identification and assessment of any
4 concerns associated with the provision of security
5 clearances to such persons.

6 (4) An identification and assessment of any
7 concerns associated with the employment of such
8 persons in civilian positions in the United States de-
9 fense industrial base, including in positions in which
10 United States citizenship, a security clearance, or
11 both are a condition of employment.

12 (c) REPORTS.—

13 (1) STATUS REPORT.—Not later than 180 days
14 after the date of the enactment of this Act, the Sec-
15 retary shall submit to the congressional defense com-
16 mittees a report describing the current status of the
17 assessment required by subsection (a).

18 (2) FINAL REPORT.—Not later than one year
19 after the date of the enactment of this Act, the Sec-
20 retary shall submit to the congressional defense com-
21 mittees a report on the assessment. The report shall
22 set forth the following:

23 (A) The results of the assessment.

24 (B) Such recommendations for legislative
25 or administrative action as the Secretary con-

1 siders appropriate in light of the results of the
2 assessment.

3 **SEC. 907. SENSE OF CONGRESS ON USE OF MODELING AND**
4 **SIMULATION IN DEPARTMENT OF DEFENSE**
5 **ACTIVITIES.**

6 It is the sense of Congress to encourage the Depart-
7 ment of Defense to continue the use and enhancement of
8 modeling and simulation (M&S) across the spectrum of
9 defense activities, including acquisition, analysis, experi-
10 mentation, intelligence, planning, medical, test and evalua-
11 tion, and training.

12 **SEC. 908. SENSE OF CONGRESS ON TIES BETWEEN JOINT**
13 **WARFIGHTING AND COALITION CENTER AND**
14 **ALLIED COMMAND TRANSFORMATION OF**
15 **NATO.**

16 It is the sense of Congress that the successor organi-
17 zation to the United States Joint Forces Command
18 (USJFCOM), the Joint Warfighting and Coalition Center,
19 should establish close ties with the Allied Command
20 Transformation (ACT) command of the North Atlantic
21 Treaty Organization (NATO).

1 **SEC. 909. REPORT ON EFFECTS OF PLANNED REDUCTIONS**
2 **OF PERSONNEL AT THE JOINT WARFARE**
3 **ANALYSIS CENTER ON PERSONNEL SKILLS.**

4 Not later than 120 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall submit
6 to the congressional defense committees a report setting
7 forth a description and assessment of the effects of
8 planned reductions of personnel at the Joint Warfare
9 Analysis Center (JWAC) on the personnel skills to be
10 available at the Center after the reductions. The report
11 shall be in unclassified form, but may contain a classified
12 annex.

13 **Subtitle B—Space Activities**

14 **SEC. 911. COMMERCIAL SPACE LAUNCH COOPERATION.**

15 (a) IN GENERAL.—Chapter 135 of title 10, United
16 States Code, is amended by adding at the end the fol-
17 lowing new section:

18 **“§ 2275. Commercial space launch cooperation**

19 “(a) AUTHORITY.—The Secretary of Defense may, to
20 assist the Secretary of Transportation in carrying out re-
21 sponsibilities set forth in titles 49 and 51 with respect to
22 private sector involvement in commercial space activities
23 and public-private partnerships pertaining to space trans-
24 portation infrastructure, take such actions as the Sec-
25 retary considers to be in the best interests of the Federal
26 Government to do the following:

1 “(1) Maximize the use of the capacity of the
2 space transportation infrastructure of the Depart-
3 ment of Defense by the private sector in the United
4 States.

5 “(2) Maximize the effectiveness and efficiency
6 of the space transportation infrastructure of the De-
7 partment of Defense.

8 “(3) Reduce the cost of services provided by the
9 Department of Defense related to space transpor-
10 tation infrastructure at launch support facilities and
11 space recovery support facilities.

12 “(4) Encourage commercial space activities by
13 enabling investment in the space transportation in-
14 frastructure of the Department of Defense by cov-
15 ered entities.

16 “(5) Foster cooperation between the Depart-
17 ment of Defense and covered entities.

18 “(b) **AUTHORITY FOR CONTRACTS AND OTHER**
19 **AGREEMENTS RELATING TO SPACE TRANSPORTATION IN-**
20 **FRAS**TRUCTURE.—The Secretary of Defense—

21 “(1) may enter into a contract or other agree-
22 ment with a covered entity to provide to the covered
23 entity support and services related to the space
24 transportation infrastructure of the Department of
25 Defense; and

1 “(2) upon the request of that covered entity,
2 may include such support and services in the space
3 launch and reentry range support requirements of
4 the Department of Defense if—

5 “(A) the Secretary determines that the in-
6 clusion of such support and services in such re-
7 quirements—

8 “(i) is in the best interests of the Fed-
9 eral Government;

10 “(ii) does not interfere with the re-
11 quirements of the Department of Defense;
12 and

13 “(iii) does not compete with the com-
14 mercial space activities of other covered en-
15 tities, unless that competition is in the na-
16 tional security interests of the United
17 States; and

18 “(B) any commercial requirement included
19 in a contract or other agreement entered into
20 under this subsection has full non-Federal fund-
21 ing before the execution of the contract or other
22 agreement.

23 “(c) CONTRIBUTIONS.—

24 “(1) IN GENERAL.—The Secretary of Defense
25 may enter into contracts or other agreements with

1 covered entities on a cooperative and voluntary basis
2 to accept contributions of funds, services, and equip-
3 ment to carry out this section.

4 “(2) USE OF CONTRIBUTIONS.—Any funds,
5 services, or equipment accepted by the Secretary
6 under this subsection—

7 “(A) may be used only for the objectives
8 specified in this section in accordance with
9 terms of use set forth in the contract or other
10 agreement entered into under this subsection;
11 and

12 “(B) shall be managed by the Secretary in
13 accordance with regulations of the Department
14 of Defense.

15 “(3) REQUIREMENTS WITH RESPECT TO
16 AGREEMENTS.—A contract or other agreement en-
17 tered into under this subsection shall address terms
18 of use, ownership, and disposition of the funds, serv-
19 ices, or equipment contributed pursuant to the con-
20 tract or other agreement.

21 “(d) DEFENSE COOPERATION SPACE LAUNCH AC-
22 COUNT.—

23 “(1) ESTABLISHMENT.—There is established in
24 the Treasury of the United States a special account

1 to be known as the ‘Defense Cooperation Space
2 Launch Account’.

3 “(2) CREDITING OF FUNDS.—Funds received
4 by the Secretary of Defense under subsection (c)
5 shall be credited to the Defense Cooperation Space
6 Launch Account and shall be available until ex-
7 pended without further authorization or appropria-
8 tion only for the objectives specified in this section.

9 “(e) ANNUAL REPORT.—Not later than January 31
10 of each year, the Secretary of Defense shall submit to the
11 congressional defense committees a report on the funds,
12 services, and equipment accepted and used by the Sec-
13 retary under this section during the previous fiscal year.

14 “(f) DEFINITIONS.—In this section:

15 “(1) COVERED ENTITY.—The term ‘covered en-
16 tity’ means a non-Federal entity that—

17 “(A) is organized under the laws of the
18 United States or of any jurisdiction within the
19 United States; and

20 “(B) is engaged in commercial space ac-
21 tivities.

22 “(2) LAUNCH SUPPORT FACILITIES.—The term
23 ‘launch support facilities’ has the meaning given
24 that term in section 50501(7) of title 51.

1 “(3) SPACE RECOVERY SUPPORT FACILITIES.—
2 The term ‘space recovery support facilities’ has the
3 meaning given that term in section 50501(11) of
4 title 51.

5 “(4) SPACE TRANSPORTATION INFRASTRUC-
6 TURE.—The term ‘space transportation infrastruc-
7 ture’ has the meaning given that term in section
8 50501(12) of title 51.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of such chapter is amended by adding
11 at the end the following new item:

“2275. Commercial space launch cooperation.”.

12 (c) REGULATIONS.—The Secretary of Defense shall
13 prescribe regulations relating to the activities of the De-
14 partment of Defense under section 2275 of title 10,
15 United States Code, as added by subsection (a).

16 **SEC. 912. AUTHORITY TO DESIGNATE INCREMENTS OR**
17 **BLOCKS OF SPACE VEHICLES AS MAJOR SUB-**
18 **PROGRAMS SUBJECT TO ACQUISITION RE-**
19 **PORTING REQUIREMENTS.**

20 Section 2430a(a)(1) of title 10, United States Code,
21 is amended—

22 (1) by inserting “(A)” before “If the Secretary
23 of Defense determines”; and

24 (2) by adding at the end the following new sub-
25 paragraph:

1 “(B) If the Secretary of Defense determines that a
2 major defense acquisition program to purchase space vehi-
3 cles requires the delivery of space vehicles in two or more
4 increments or blocks, the Secretary may designate each
5 such increment or block as a major subprogram for the
6 purposes of acquisition reporting under this chapter.”.

7 **SEC. 913. REVIEW TO IDENTIFY INTERFERENCE WITH NA-**
8 **TIONAL SECURITY GLOBAL POSITIONING**
9 **SYSTEM RECEIVERS BY COMMERCIAL COM-**
10 **MUNICATIONS SERVICES.**

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

13 (1) the reliable provision of precision navigation
14 and timing signals by Global Positioning System sat-
15 ellites owned and operated by the Department of
16 Defense is critical to the economy, public health and
17 safety, and the national security of the United
18 States;

19 (2) any interference with the signals of the
20 Global Positioning System satellites or the various
21 receivers that use those signals would be extraor-
22 dinarily disruptive; and

23 (3) the Federal Communications Commission
24 should ensure that the signals of Global Positioning

1 System satellites can be received without interrup-
2 tion or interference.

3 (b) REVIEW.—Not later than 90 days after the date
4 of the enactment of this Act, and every 90 days thereafter
5 until the termination date described in subsection (d), the
6 Secretary of Defense shall conduct a review—

7 (1) to assess the ability of national security
8 Global Positioning System receivers to receive the
9 signals of Global Positioning System satellites with-
10 out interruption or interference; and

11 (2) to determine if commercial communications
12 services are causing or will cause widespread or
13 harmful interference with national security Global
14 Positioning System receivers.

15 (c) NOTIFICATION TO CONGRESS.—

16 (1) IN GENERAL.—If the Secretary determines
17 under subsection (b)(2) that commercial communica-
18 tions services are causing or will cause widespread or
19 harmful interference with national security Global
20 Positioning System receivers, the Secretary shall
21 promptly submit to the congressional defense com-
22 mittees a report notifying those committees of the
23 interference.

24 (2) ELEMENTS.—The report required by para-
25 graph (1) shall include the following:

1 (A) A list and description of the national
2 security Global Positioning System receivers
3 that are being or are expected to be interfered
4 with by commercial communications services.

5 (B) A description of the source of, and the
6 entity causing or expected to cause, the inter-
7 ference with those receivers.

8 (C) A description of the manner in which
9 that source or entity is causing or is expected
10 to cause the interference.

11 (D) A description of the magnitude of
12 harm caused or expected to be caused by the in-
13 terference.

14 (E) A description of the duration of and
15 the conditions and circumstances under which
16 the interference is occurring or is expected to
17 occur.

18 (F) A description of the impact of the in-
19 terference on the national security interests of
20 the United States.

21 (G) A description of the plans of the Sec-
22 retary to address, alleviate, or mitigate the in-
23 terference or the harm caused or expected to be
24 caused by the interference.

1 (d) TERMINATION DATE DESCRIBED.—The require-
 2 ment that the Secretary conduct the review under sub-
 3 section (b) and submit the report under subsection (c)
 4 shall terminate on the earlier of—

5 (1) the date that is 2 years after the date of the
 6 enactment of this Act; or

7 (2) the date on which the Secretary—

8 (A) determines that there is no widespread
 9 or harmful interference with national security
 10 Global Positioning System receivers by commer-
 11 cial communication services; and

12 (B) notifies the congressional defense com-
 13 mittees of that determination.

14 **Subtitle C—Intelligence Matters**

15 **SEC. 921. EXPANSION OF AUTHORITY FOR EXCHANGES OF** 16 **MAPPING, CHARTING, AND GEODETIC DATA** 17 **TO INCLUDE NONGOVERNMENTAL ORGANI-** 18 **ZATIONS AND ACADEMIC INSTITUTIONS.**

19 (a) BROADENING OF AUTHORITY.—Section 454 of
 20 title 10, United States Code, is amended—

21 (1) by inserting “(a) FOREIGN COUNTRIES AND
 22 INTERNATIONAL ORGANIZATIONS.—” before “The
 23 Secretary of Defense”; and

24 (2) by adding at the end the following new sub-
 25 section:

1 “(b) NONGOVERNMENTAL ORGANIZATIONS AND ACADEMIC INSTITUTIONS.—The Secretary may authorize the
2 National Geospatial-Intelligence Agency to exchange or
3 furnish mapping, charting, and geodetic data, supplies,
4 and services relating to areas outside of the United States
5 to a nongovernmental organization or an academic institution engaged in geospatial information research or production of such areas pursuant to an agreement for the production or exchange of such data.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) SECTION HEADING.—The heading of such
12 section is amended to read as follows:

13 “**§ 454. Exchange of mapping, charting, and geodetic**
14 **data with foreign countries, international**
15 **organizations, nongovernmental organizations,**
16 **and academic institutions”.**

17 (2) TABLE OF SECTIONS.—The table of sections
18 at the beginning of subchapter II of chapter 22 of
19 such title is amended by striking the item relating
20 to section 454 and inserting the following new item:

“454. Exchange of mapping, charting, and geodetic data with foreign countries,
international organizations, nongovernmental organizations,
and academic institutions.”.

21 **SEC. 922. FACILITIES FOR INTELLIGENCE COLLECTION OR**
22 **SPECIAL OPERATIONS ACTIVITIES ABROAD.**

23 Section 2682 of title 10, United States Code, is
24 amended—

1 (1) by inserting “(a) MAINTENANCE AND RE-
2 PAIR.—” before “The maintenance and repair”;

3 (2) by designating the second sentence as sub-
4 section (b), realigning such subsection so as to be in-
5 dented two ems from the left margin, and inserting
6 “JURISDICTION.—” before “A real property facil-
7 ity”; and

8 (3) by adding at the end the following new sub-
9 section:

10 “(c) FACILITIES FOR INTELLIGENCE COLLECTION
11 OR FOR SPECIAL OPERATIONS ABROAD.—The Secretary
12 of Defense may maintain and repair, and may exercise ju-
13 risdiction over, a real property facility if necessary to pro-
14 vide security for authorized intelligence collection or spe-
15 cial operations activities abroad undertaken by the De-
16 partment of Defense.”.

17 **SEC. 923. OZONE WIDGET FRAMEWORK.**

18 (a) MECHANISM FOR INTERNET PUBLICATION OF IN-
19 FORMATION FOR DEVELOPMENT OF ANALYSIS TOOLS
20 AND APPLICATIONS.—The Director of the Defense Infor-
21 mation Systems Agency shall implement a mechanism to
22 publish and maintain on the public Internet the Applica-
23 tion Programming Interface specifications, a developer’s
24 toolkit, source code, and such other information on, and
25 resources for, the Ozone Widget Framework (OWF) as the

1 Director considers necessary to permit individuals and
2 companies to develop, integrate, and test analysis tools
3 and applications for use by the Department of Defense
4 and the elements of the intelligence community.

5 (b) PROCESS FOR VOLUNTARY CONTRIBUTION OF
6 IMPROVEMENTS BY PRIVATE SECTOR.—In addition to the
7 requirement under subsection (a), the Director shall also
8 establish a process by which private individuals and com-
9 panies may voluntarily contribute the following:

10 (1) Improvements to the source code and docu-
11 mentation for the Ozone Widget Framework.

12 (2) Alternative or compatible implementations
13 of the published Application Programming Interface
14 specifications for the Framework.

15 (c) ENCOURAGEMENT OF USE AND DEVELOP-
16 MENT.—The Director shall, whenever practicable, encour-
17 age and foster the use, support, development, and en-
18 hancement of the Ozone Widget Framework by the com-
19 puter industry and commercial information technology
20 vendors, including the development of tools that are com-
21 patible with the Framework.

1 **SEC. 924. PLAN FOR INCORPORATION OF ENTERPRISE**
2 **QUERY AND CORRELATION CAPABILITY INTO**
3 **THE DEFENSE INTELLIGENCE INFORMATION**
4 **ENTERPRISE.**

5 (a) **PLAN REQUIRED.**—

6 (1) **IN GENERAL.**—The Under Secretary of De-
7 fense for Intelligence shall develop a plan for the in-
8 corporation of an enterprise query and correlation
9 capability into the Defense Intelligence Information
10 Enterprise (D2IE).

11 (2) **ELEMENTS.**—The plan required by para-
12 graph (1) shall—

13 (A) include an assessment of all the cur-
14 rent and planned advanced query and correla-
15 tion systems which operate on large centralized
16 databases that are deployed or to be deployed
17 in elements of the Defense Intelligence Informa-
18 tion Enterprise; and

19 (B) determine where duplication can be
20 eliminated, how use of these systems can be ex-
21 panded, whether these systems can be operated
22 collaboratively, and whether they can and
23 should be integrated with the enterprisewide
24 query and correlation capability required pursu-
25 ant to paragraph (1).

26 (b) **PILOT PROGRAM.**—

1 (1) IN GENERAL.—The Under Secretary shall
2 conduct a pilot program to demonstrate an
3 enterprisewide query and correlation capability
4 through the Defense Intelligence Information Enter-
5 prise program.

6 (2) PURPOSE.—The purpose of the pilot pro-
7 gram shall be to demonstrate the capability of an
8 enterprisewide query and correlation system to
9 achieve the following:

10 (A) To conduct complex, simultaneous que-
11 ries by a large number of users and analysts
12 across numerous, large distributed data stores
13 with response times measured in seconds.

14 (B) To be scaled up to operate effectively
15 on all the data holdings of the Defense Intel-
16 ligence Information Enterprise.

17 (C) To operate across multiple levels of se-
18 curity with data guards.

19 (D) To operate effectively on both
20 unstructured data and structured data.

21 (E) To extract entities, resolve them, and
22 (as appropriate) mask them to protect sources
23 and methods, privacy, or both.

1 (F) To control access to data by means of
2 on-line electronic user credentials, profiles, and
3 authentication.

4 (c) REPORT.—Not later than November 1, 2012, the
5 Under Secretary shall submit to the appropriate commit-
6 tees of Congress a report on the actions undertaken by
7 the Under Secretary to carry out this section. The report
8 shall set forth the plan developed under subsection (a) and
9 a description and assessment of the pilot program con-
10 ducted under subsection (b).

11 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
12 FINED.—In this section, the term “appropriate commit-
13 tees of Congress” means—

14 (1) the Committee on Armed Services, the
15 Committee on Appropriations, and the Select Com-
16 mittee on Intelligence of the Senate; and

17 (2) the Committee on Armed Services, the
18 Committee on Appropriations, and the Permanent
19 Select Committee on Intelligence of the House of
20 Representatives.

1 **Subtitle D—Cybersecurity Matters**

2 **SEC. 931. STRATEGY TO ACQUIRE CAPABILITIES TO DE-** 3 **TECT PREVIOUSLY UNKNOWN CYBER AT-** 4 **TACKS.**

5 (a) IN GENERAL.—The Secretary of Defense shall
6 develop and implement a plan to augment the cybersecu-
7 rity strategy of the Department of Defense through the
8 acquisition of advanced capabilities to discover and isolate
9 penetrations and attacks that were previously unknown
10 and for which signatures have not been developed for in-
11 corporation into computer intrusion detection and preven-
12 tion systems and anti-virus software systems.

13 (b) CAPABILITIES.—

14 (1) NATURE OF CAPABILITIES.—The capabili-
15 ties to be acquired under the plan required by sub-
16 section (a) shall—

17 (A) be adequate to enable well-trained ana-
18 lysts to discover the sophisticated attacks con-
19 ducted by nation-state adversaries that are cat-
20 egorized as “advanced persistent threats”;

21 (B) be appropriate for—

22 (i) endpoints or hosts;

23 (ii) network-level gateways operated
24 by the Defense Information Systems Agen-

1 cy where the Department of Defense net-
2 work connects to the public Internet; and

3 (iii) global networks owned and oper-
4 ated by private sector Tier 1 Internet
5 Service Providers;

6 (C) at the endpoints or hosts, add new dis-
7 covery capabilities to the Host-Based Security
8 System of the Department, including capabili-
9 ties such as—

10 (i) automatic blocking of unauthorized
11 software programs and accepting approved
12 and vetted programs;

13 (ii) constant monitoring of all key
14 computer attributes, settings, and oper-
15 ations (such as registry keys, operations
16 running in memory, security settings,
17 memory tables, event logs, and files); and

18 (iii) automatic baselining and remedi-
19 ation of altered computer settings and
20 files;

21 (D) at the network-level gateways and in-
22 ternal network peering points, include the
23 sustainment and enhancement of a system that
24 is based on full-packet capture, session recon-

1 struction, extended storage, and advanced ana-
2 lytic tools, by—

3 (i) increasing the number and skill
4 level of the analysts assigned to query
5 stored data, whether by contracting for se-
6 curity services, hiring and training Govern-
7 ment personnel, or both; and

8 (ii) increasing the capacity of the sys-
9 tem to handle the rates for data flow
10 through the gateways and the storage re-
11 quirements specified by the United States
12 Cyber Command; and

13 (E) include the behavior-based threat de-
14 tection capabilities of Tier 1 Internet Service
15 Providers and other companies that operate on
16 the global Internet.

17 (2) SOURCE OF CAPABILITIES.—The capabili-
18 ties to be acquired shall, to the maximum extent
19 practicable, be acquired from commercial sources. In
20 making decisions on the procurement of such capa-
21 bilities from among competing commercial and Gov-
22 ernment providers, the Secretary shall take into con-
23 sideration the needs of other departments and agen-
24 cies of the Federal Government, State and local gov-
25 ernments, and critical infrastructure owned and op-

1 erated by the private sector for unclassified, afford-
2 able, and sustainable commercial solutions.

3 (c) INTEGRATION AND MANAGEMENT OF DISCOVERY
4 CAPABILITIES.—The plan required by subsection (a) shall
5 include mechanisms for improving the standardization, or-
6 ganization, and management of the security information
7 and event management systems that are widely deployed
8 across the Department of Defense to improve the ability
9 of United States Cyber Command to understand and con-
10 trol the status and condition of Department networks, in-
11 cluding mechanisms to ensure that the security informa-
12 tion and event management systems of the Department
13 receive and correlate data collected and analyses con-
14 ducted at the host or endpoint, at the network gateways,
15 and by Internet Service Providers in order to discover new
16 attacks reliably and rapidly.

17 (d) PROVISION FOR CAPABILITY DEMONSTRA-
18 TIONS.—The plan required by subsection (a) shall provide
19 for the conduct of demonstrations, pilot projects, and
20 other tests on cyber test ranges and operational networks
21 in order to determine and verify that the capabilities to
22 be acquired pursuant to the plan are effective, practical,
23 and affordable.

24 (e) REPORT.—Not later than April 1, 2012, the Sec-
25 retary shall submit to the congressional defense commit-

1 tees a report on the plan required by subsection (a). The
2 report shall set forth the plan and include a comprehensive
3 description of the actions being undertaken by the Depart-
4 ment to implement the plan.

5 **SEC. 932. PROGRAM IN SUPPORT OF DEPARTMENT OF DE-**
6 **FENSE POLICY ON SUSTAINING AND EXPAND-**
7 **ING INFORMATION SHARING.**

8 (a) PROGRAM REQUIRED.—The Secretary of Defense
9 shall carry out a program to support the policy of the De-
10 partment of Defense on sustaining and expanding infor-
11 mation sharing which program shall provide for the adop-
12 tion and improvement of technical and procedural capa-
13 bilities to detect and prevent personnel without authoriza-
14 tion from acquiring and exporting information from classi-
15 fied networks.

16 (b) CAPABILITIES.—Options for the technical and
17 procedural capabilities to be adopted and improved under
18 the program required by subsection (a) shall include, but
19 not be limited to, capabilities for the following:

20 (1) Disabling the removable media ports of
21 computers, whether physically or electronically.

22 (2) In the case of computers authorized to write
23 to removable media, requiring systems administrator
24 approval for transfers of data.

1 (3) Electronic monitoring and reporting of com-
2 pliance with policies on downloading of information
3 to removable media, and of attempts to circumvent
4 such policies.

5 (4) Using public-key infrastructure-based iden-
6 tity authentication and user profiles to control infor-
7 mation access and use.

8 (5) Electronic auditing and reporting of user
9 activities to deter and detect unauthorized activities.

10 (6) Using data-loss-prevention and data-rights
11 management technology to prevent the unauthorized
12 export of information from a network or to render
13 the information unusable in the event of unauthor-
14 ized export.

15 (7) Appropriately implementing and integrating
16 such capabilities to enable efficient management and
17 operations, and effective protection of information,
18 without impairing the work of analysts and users of
19 networks.

20 (c) PROGRAM WITHIN BROADER APPROACH TO CY-
21 BERSECURITY CHALLENGES.—In developing the program
22 required by subsection (a), the Secretary—

23 (1) shall take into account that the prevention
24 of security breaches from personnel operating from
25 inside Department networks substantially overlaps

1 with the prevention of cyber attacks (including pre-
2 vention of theft of information and intellectual prop-
3 erty and the destruction of information and network
4 functionality); and

5 (2) should make decisions about the utility and
6 affordability of capabilities under subsection (b) for
7 purposes of the program in full contemplation of the
8 broad range of cybersecurity challenges facing the
9 Department.

10 (d) BUDGET MATTERS.—The budget justification
11 documents for the budget of the President for each fiscal
12 year after fiscal year 2012, as submitted to Congress pur-
13 suant to section 1105 of title 31, United States Code, shall
14 set forth information on the program required by sub-
15 section (a), including the following:

16 (1) The amount requested for such fiscal year
17 for the program.

18 (2) A description of the objectives and scope of
19 the program for such fiscal year, including manage-
20 ment objectives and program milestones and per-
21 formance metrics for such fiscal year.

22 **TITLE X—GENERAL PROVISIONS**

23 **Subtitle A—Financial Matters**

24 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

25 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

1 (1) AUTHORITY.—Upon determination by the
2 Secretary of Defense that such action is necessary in
3 the national interest, the Secretary may transfer
4 amounts of authorizations made available to the De-
5 partment of Defense in this division for fiscal year
6 2012 between any such authorizations for that fiscal
7 year (or any subdivisions thereof). Amounts of au-
8 thorizations so transferred shall be merged with and
9 be available for the same purposes as the authoriza-
10 tion to which transferred.

11 (2) LIMITATION.—Except as provided in para-
12 graph (3), the total amount of authorizations that
13 the Secretary may transfer under the authority of
14 this section may not exceed \$5,000,000,000.

15 (3) EXCEPTION FOR TRANSFERS BETWEEN
16 MILITARY PERSONNEL AUTHORIZATIONS.—A trans-
17 fer of funds between military personnel authoriza-
18 tions under title IV shall not be counted toward the
19 dollar limitation in paragraph (2).

20 (b) LIMITATIONS.—The authority provided by this
21 section to transfer authorizations—

22 (1) may only be used to provide authority for
23 items that have a higher priority than the items
24 from which authority is transferred; and

1 (2) may not be used to provide authority for an
2 item that has been denied authorization by Con-
3 gress.

4 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
5 transfer made from one account to another under the au-
6 thority of this section shall be deemed to increase the
7 amount authorized for the account to which the amount
8 is transferred by an amount equal to the amount trans-
9 ferred.

10 (d) NOTICE TO CONGRESS.—The Secretary shall
11 promptly notify Congress of each transfer made under
12 subsection (a).

13 **SEC. 1002. DEFENSE BUSINESS SYSTEMS.**

14 (a) AVAILABILITY OF FUNDS FOR DEFENSE BUSI-
15 NESS SYSTEM PROGRAMS.—

16 (1) CONDITIONS FOR OBLIGATION.—Subsection
17 (a) of section 2222 of title 10, United States Code,
18 is amended to read as follows:

19 “(a) CONDITIONS FOR OBLIGATION OF FUNDS FOR
20 COVERED DEFENSE BUSINESS SYSTEM PROGRAMS.—Ap-
21 propriated and nonappropriated funds available to the De-
22 partment of Defense may not be obligated for a covered
23 defense business system program unless—

24 “(1) the appropriate chief management officer
25 for the defense business system program has—

1 “(A) determined that—

2 “(i) the defense business system pro-
3 gram is in compliance with the enterprise
4 architecture developed under subsection
5 (c); and

6 “(ii) appropriate business process re-
7 engineering efforts have been undertaken
8 to ensure that—

9 “(I) the business process to be
10 supported by the defense business sys-
11 tem program will be as streamlined
12 and efficient as practicable; and

13 “(II) the need to tailor commer-
14 cial-off-the-shelf systems to meet
15 unique requirements or incorporate
16 unique interfaces has been eliminated
17 or reduced to the maximum extent
18 practicable; or

19 “(B) waived the requirement in subpara-
20 graph (A) on the basis of a determination by
21 the chief management officer that—

22 “(i) the defense business system pro-
23 gram is necessary to achieve a critical na-
24 tional security capability or address a crit-

1 ical requirement in an area such as safety
2 or security; or

3 “‘(ii) the defense business system pro-
4 gram is necessary to prevent a significant
5 adverse effect on a project that is needed
6 to achieve an essential capability, taking
7 into consideration the alternative solutions
8 for preventing such adverse effect;

9 “(2) the determination or waiver of the chief
10 management officer under paragraph (1) has been
11 reviewed, approved, and certified by an appropriate
12 investment review board established under sub-
13 section (g); and

14 “(3) the certification by the investment review
15 board under paragraph (2) has been approved by the
16 Defense Business Systems Management Com-
17 mittee.”.

18 (2) TREATMENT OF CERTAIN OBLIGATIONS OF
19 FUNDS.—Subsection (b) of such section is amended
20 by striking “business system” and all that follows
21 through “such subsection” and inserting “covered
22 defense business system program that has not been
23 certified or approved in accordance with subsection
24 (a)”.

25 (b) ENTERPRISE ARCHITECTURE.—

1 (1) IN GENERAL.—Subsection (c) of such sec-
2 tion is amended—

3 (A) in paragraph (1), by inserting “,
4 known as the defense business enterprise archi-
5 tecture,” after “an enterprise architecture”;
6 and

7 (B) in paragraph (2), by striking “the en-
8 terprise architecture for defense business sys-
9 tems” and inserting “the defense business en-
10 terprise architecture”.

11 (2) COMPOSITION.—Subsection (d) of such sec-
12 tion is amended—

13 (A) in paragraph (1)—

14 (i) in subparagraph (A), by striking
15 “all” and inserting “applicable law, includ-
16 ing”; and

17 (ii) in subparagraph (B), by inserting
18 “business and” before “financial informa-
19 tion”;

20 (B) in paragraph (2), by inserting “per-
21 formance measures,” after “data standards,”;
22 and

23 (C) by adding at the end the following new
24 paragraph:

1 “(3) A target systems environment, aligned to
2 the business enterprise architecture, for each of the
3 major business processes conducted by the Depart-
4 ment of Defense, as determined by the Chief Man-
5 agement Officer of the Department of Defense.”.

6 (3) TRANSITION PLAN.—Subsection (e) of such
7 section is amended—

8 (A) in paragraph (1)—

9 (i) in subparagraph (A), by striking
10 “The acquisition strategy for” and insert-
11 ing “A listing of the”; and

12 (ii) in subparagraph (B)—

13 (I) by striking “defense business
14 systems as of December 2, 2002” and
15 inserting “existing defense business
16 systems”; and

17 (II) by striking the comma before
18 “that will”; and

19 (B) in paragraph (2), by striking “Each of
20 the strategies under paragraph (1)” and insert-
21 ing “For each system listed under paragraph
22 (1), the transition plan”.

23 (c) RESPONSIBLE SENIOR OFFICIALS AND CHIEF
24 MANAGEMENT OFFICERS.—Subsection (f) of such section
25 is amended—

1 (1) by striking all the matter preceding sub-
2 paragraph (A) of paragraph (1) and inserting the
3 following:

4 “(f) DESIGNATION OF SENIOR OFFICIALS AND
5 CHIEF MANAGEMENT OFFICERS.—(1) For purposes of
6 subsection (g), the appropriate senior Department of De-
7 fense official for the functions and activities supported by
8 a covered defense business system is as follows:”;

9 (2) in such paragraph (1), as so amended—

10 (A) by striking “shall be responsible and
11 accountable for” each place it appears and in-
12 serting “, in the case of”;

13 (B) in subparagraph (D), by striking “As-
14 sistant Secretary of Defense for Networks and
15 Information Integration and the”; and

16 (C) in subparagraph (E), by striking
17 “Deputy Secretary of Defense” and all that fol-
18 lows through “responsible for” and inserting
19 “Deputy Chief Management Officer of the De-
20 partment of Defense, in the case of”; and

21 (3) in paragraph (2)—

22 (A) in the matter preceding subparagraph
23 (A)—

24 (i) by striking “subsection (a)” and
25 inserting “subsections (a) and (g)”; and

1 (ii) by striking “modernization” and
2 inserting “program”;

3 (B) in subparagraph (D), by inserting “the
4 Director of such Defense Agency, unless other-
5 wise approved by” before “the Deputy Chief
6 Management Officer”; and

7 (C) in subparagraph (E), by inserting “the
8 designee of” before “the Deputy Chief Manage-
9 ment Officer”.

10 (d) INVESTMENT REVIEW.—Subsection (g) of such
11 section is amended—

12 (1) by striking paragraph (1) and inserting the
13 following new paragraph (1):

14 “(1) The Secretary of Defense, acting through the
15 Chief Management Officer of the Department of Defense,
16 shall establish, by not later than March 15, 2012, an in-
17 vestment review board and investment management proc-
18 ess, consistent with section 11312 of title 40, to review
19 the planning, design, acquisition, development, deploy-
20 ment, operation, maintenance, modernization, and project
21 cost benefits and risks of covered defense business system
22 programs. The investment review process so established
23 shall specifically address the requirements of subsection
24 (a).”; and

25 (2) in paragraph (2)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “systems” and inserting “sys-
3 tem programs”;

4 (B) in subparagraph (A), by striking “de-
5 fense business system” and all that follows
6 through “as an investment” and inserting “cov-
7 ered defense business system program, in ac-
8 cordance with the requirements of subsection
9 (a),”;

10 (C) in subparagraph (B), by striking
11 “every defense business system” and all that
12 follows and inserting “covered defense business
13 system programs, grouped in portfolios of de-
14 fense business systems;”;

15 (D) by striking subparagraph (C) and in-
16 serting the following new subparagraph (C):

17 “(C) Representation on each investment review
18 board by appropriate officials from among the Office
19 of the Secretary of Defense, the armed forces, the
20 combatant commands, the Joint Chiefs of Staff, and
21 the Defense Agencies, including representatives of
22 each of the following:

23 “(i) The appropriate chief management of-
24 ficer for the defense business system under re-
25 view.

1 “(ii) The appropriate senior Department of
2 Defense official for the functions and activities
3 supported by the defense business system under
4 review.

5 “(iii) The Chief Information Officer of the
6 Department of Defense.”; and

7 (E) in subparagraph (D), by striking “in-
8 vestments” and inserting “programs”.

9 (e) BUDGET INFORMATION.—Subsection (h) of such
10 section is amended—

11 (1) in paragraph (1), by inserting “program”
12 after “defense business system”;

13 (2) in paragraph (2)—

14 (A) in the matter preceding subparagraph
15 (A), by striking “such system” and inserting
16 “such program”; and

17 (B) in subparagraph (A), by striking “the
18 system” and inserting “the system covered by
19 such program”;

20 (3) by striking paragraph (3) and inserting the
21 following new paragraph (3):

22 “(3) For each such program, an identification
23 of the appropriate chief management officer and
24 senior Department of Defense official designated
25 under subsection (f).”; and

1 (4) in paragraph (4), by striking “such system”
2 both places it appears and inserting “such pro-
3 gram”.

4 (f) REPORTS TO CONGRESS.—Subsection (i) of such
5 section is amended—

6 (1) in the matter preceding paragraph (1)—

7 (A) by striking “2005 through 2013” and
8 inserting “2012 through 2016”;

9 (B) by striking the second sentence; and

10 (C) by striking “Subsequent reports” and
11 inserting “Each report”;

12 (2) by striking “modernizations” each place it
13 appears in paragraphs (1) and (2) and inserting
14 “programs”;

15 (3) by striking paragraph (3) and inserting the
16 following new paragraph (3):

17 “(3) identify any covered defense business sys-
18 tem program for which a waiver was granted under
19 subsection (a)(1)(B) during the preceding fiscal
20 year, and set forth the reasons for each such waver;
21 and”;

22 (4) in paragraph (4), by striking “moderniza-
23 tion efforts” and inserting “programs”.

24 (g) DEFINITIONS.—Subsection (j) of such section is
25 amended—

1 (1) by striking paragraphs (1) and (3);

2 (2) by redesignating paragraphs (2), (4), (5),
3 and (6) as paragraphs (1), (3), (4), and (5), respec-
4 tively; and

5 (3) by inserting after paragraph (1), as redesign-
6 dated by paragraph (2) of this subsection, the fol-
7 lowing new paragraph (2):

8 “(2) The term ‘covered defense business system
9 program’ means any program as follows:

10 “(A) A program for the acquisition or de-
11 velopment of a new defense business system
12 with a total cost in excess of \$1,000,000.

13 “(B) A program for any significant modi-
14 fication or enhancement of an existing defense
15 business system with a total cost in excess of
16 \$1,000,000.

17 “(C) A program for the operation and
18 maintenance of an existing defense business
19 system, if the estimated cost of operation and
20 maintenance of such system exceeds \$1,000,000
21 over the period of the current future-years de-
22 fense program submitted to Congress under
23 section 221 of this title.”.

1 **SEC. 1003. MODIFICATION OF AUTHORITIES ON CERTIFI-**
2 **CATION AND CREDENTIAL STANDARDS FOR**
3 **FINANCIAL MANAGEMENT POSITIONS IN THE**
4 **DEPARTMENT OF DEFENSE.**

5 (a) IN GENERAL.—Section 1599d of title 10, United
6 States Code, is amended to read as follows:

7 **“§ 1599d. Financial management positions: authority**
8 **to prescribe professional certification**
9 **and credential standards**

10 “(a) AUTHORITY TO PRESCRIBE PROFESSIONAL
11 CERTIFICATION AND CREDENTIAL STANDARDS.—The
12 Secretary of Defense may prescribe professional certifi-
13 cation and credential standards for financial management
14 positions within the Department of Defense, including re-
15 quirements for formal education and requirements for cer-
16 tifications that individuals have met predetermined quali-
17 fications set by an agency of Government or by an indus-
18 try or professional group. Any such professional certifi-
19 cation or credential standard shall be prescribed as a De-
20 partment regulation.

21 “(b) WAIVER.—The Secretary may waive any stand-
22 ard prescribed under subsection (a) whenever the Sec-
23 retary determines such a waiver to be appropriate.

24 “(c) APPLICABILITY.—(1) Except as provided in
25 paragraph (2), the Secretary may, in the Secretary’s dis-
26 cretion—

1 “(A) require that a standard prescribed under
2 subsection (a) apply immediately to all personnel
3 holding financial management positions designated
4 by the Secretary; or

5 “(B) delay the imposition of such a standard
6 for a reasonable period to permit persons holding fi-
7 nancial management positions so designated time to
8 comply.

9 “(2) A formal education requirement prescribed
10 under subsection (a) shall not apply to any person em-
11 ployed by the Department in a financial management posi-
12 tion before the standard is prescribed.

13 “(d) DISCHARGE OF AUTHORITY.—The Secretary
14 shall prescribe any professional certification or credential
15 standards under subsection (a) through the Under Sec-
16 retary of Defense (Comptroller), in consultation with the
17 Under Secretary of Defense for Personnel and Readiness.

18 “(e) REPORTS.—Not later than one year after the ef-
19 fective date of any regulations prescribed under subsection
20 (a), or any significant modification of such regulations,
21 the Secretary shall, in conjunction with the Director of
22 the Office of Personnel Management, submit to Congress
23 a report setting forth the plans of the Secretary to provide
24 training to appropriate Department personnel to meet any

1 new professional certification or credential standard under
2 such regulations or modification.

3 “(f) FINANCIAL MANAGEMENT POSITION DE-
4 FINED.—In this section, the term ‘financial management
5 position’ means a position or group of positions (including
6 civilian and military positions), as designated by the Sec-
7 retary for purposes of this section, that perform, super-
8 vise, or manage work of a fiscal, financial management,
9 accounting, auditing, cost or budgetary nature, or that re-
10 quire the performance of financial management related
11 work.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of chapter 81 of such title is amended
14 by striking the item relating to section 1599d and insert-
15 ing the following new item:

“1599d. Financial management positions: authority to prescribe professional
certification and credential standards.”.

16 **SEC. 1004. DEPOSIT OF REIMBURSED FUNDS UNDER RECIP-**
17 **ROCAL FIRE PROTECTION AGREEMENTS.**

18 (a) IN GENERAL.—Section 5(b) of the Act of May
19 27, 1955 (chapter 105; 69 Stat. 67; 42 U.S.C. 1856d(b)),
20 is amended to read as follows:

21 “(b) Notwithstanding subsection (a), all sums re-
22 ceived as reimbursements for costs incurred by any De-
23 partment of Defense activity for fire protection rendered
24 pursuant to this Act shall be credited to the same appro-

1 priation or fund from which the expenses were paid or,
 2 if the period of availability for obligation for that appro-
 3 priation has expired, to the appropriation or fund that is
 4 currently available to the activity for the same purpose.
 5 Amounts so credited shall be subject to the same provi-
 6 sions and restrictions as the appropriation or account to
 7 which credited.”.

8 (b) **APPLICABILITY.**—The amendment made by sub-
 9 section (a) shall apply with respect to reimbursements for
 10 expenditures of funds appropriated after the date of the
 11 enactment of this Act.

12 **SEC. 1005. AUDIT READINESS OF FINANCIAL STATEMENTS**
 13 **OF DEPARTMENT OF DEFENSE.**

14 Section 1003(a)(2)(A)(ii) of the National Defense
 15 Authorization Act for Fiscal Year 2010 (Public Law 111–
 16 84; 123 Stat. 2440; 10 U.S.C. 2222 note) is amended by
 17 inserting “, and that a complete and validated full state-
 18 ment of budget resources is ready by not later than Sep-
 19 tember 30, 2014” after “validated as ready for audit by
 20 not later than September 30, 2017”.

21 **SEC. 1006. PLAN TO ENSURE AUDIT READINESS OF STATE-**
 22 **MENTS OF BUDGETARY RESOURCES.**

23 (a) **PLANNING REQUIREMENT.**—The report to be
 24 issued pursuant to section 1003(b) of the National De-
 25 fense Authorization Act for 2010 (Public Law 111–84;

1 123 Stat. 2440; 10 U.S.C. 2222 note) and provided by
2 not later than May 15, 2012, shall include a plan, includ-
3 ing interim objectives and a schedule of milestones for
4 each military department and for the defense agencies, to
5 ensure that the statement of budgetary resources of the
6 Department of Defense meets the goal established by the
7 Secretary of Defense of being validated for audit by not
8 later than September 30, 2014. Consistent with the re-
9 quirements of such section, the plan shall ensure that the
10 actions to be taken are systemically tied to process and
11 control improvements and business systems modernization
12 efforts necessary for the Department to prepare timely,
13 reliable, and complete financial management information
14 on a repeatable basis.

15 (b) SEMIANNUAL UPDATES.—The reports to be
16 issued pursuant to such section after the report described
17 in subsection (a) shall update the plan required by such
18 subsection and explain how the Department has pro-
19 gressed toward meeting the milestones established in the
20 plan.

1 **Subtitle B—Counter-Drug**
2 **Activities**

3 **SEC. 1011. FIVE-YEAR EXTENSION AND MODIFICATION OF**
4 **AUTHORITY OF DEPARTMENT OF DEFENSE**
5 **TO PROVIDE ADDITIONAL SUPPORT FOR**
6 **COUNTERDRUG ACTIVITIES OF OTHER GOV-**
7 **ERNMENTAL AGENCIES.**

8 (a) FIVE-YEAR EXTENSION.—Subsection (a) of sec-
9 tion 1004 of the National Defense Authorization Act for
10 Fiscal Year 1991 (10 U.S.C. 374 note) is amended by
11 striking “During fiscal years 2002 through 2011” and in-
12 serting “Until September 30, 2016”.

13 (b) COVERAGE OF TRIBAL LAW ENFORCEMENT
14 AGENCIES.—

15 (1) IN GENERAL.—Such section is further
16 amended—

17 (A) in subsection (a)—

18 (i) in the matter preceding paragraph
19 (1), by inserting “tribal,” after “local,”;
20 and

21 (ii) in paragraph (2), by striking
22 “State or local” both places it appears and
23 insert “State, local, or tribal”; and

24 (B) in subsection (b)—

1 (i) in paragraph (1), by striking
2 “State or local” and inserting “State,
3 local, or tribal”;

4 (ii) in paragraph (4), by striking
5 “State, or local” and inserting “State,
6 local, or tribal”; and

7 (iii) in paragraph (5), by striking
8 “State and local” and inserting “State,
9 local, and tribal”.

10 (2) TRIBAL GOVERNMENT DEFINED.—Such sec-
11 tion is further amended by adding at the end the fol-
12 lowing new subsection:

13 “(i) DEFINITIONS RELATING TO TRIBAL GOVERN-
14 MENTS.—In this section:

15 “(1) The term ‘Indian tribe’ has the meaning
16 given the term in section 4 of the Indian Self-Deter-
17 mination and Education Assistance Act (25 U.S.C.
18 450b).

19 “(2) The term ‘tribal government’ means the
20 governing body of an Indian tribe.”.

1 **SEC. 1012. FIVE-YEAR EXTENSION AND EXPANSION OF AU-**
2 **THORITY TO PROVIDE ADDITIONAL SUPPORT**
3 **FOR COUNTER-DRUG ACTIVITIES OF CER-**
4 **TAIN FOREIGN GOVERNMENTS.**

5 (a) IN GENERAL.—Subsection (a)(2) of section 1033
6 of the National Defense Authorization Act for Fiscal Year
7 1998 (Public Law 105–85; 111 Stat. 1881), as most re-
8 cently amended by section 1014(a) of the Ike Skelton Na-
9 tional Defense Authorization Act for Fiscal Year 2011
10 (Public Law 111–383; 124 Stat. 4337), is further amend-
11 ed by striking “2012” and inserting “2017”.

12 (b) MAXIMUM AMOUNT OF SUPPORT.—Section (e)(2)
13 of such section, as so amended, is further amended—

14 (1) by striking “\$75,000,000” and inserting
15 “\$100,000,000”; and

16 (2) by striking “2012” and inserting “2017”.

17 (c) ADDITIONAL GOVERNMENTS ELIGIBLE TO RE-
18 CEIVE SUPPORT.—Subsection (b) of such section, as most
19 recently amended by section 1024(b) of the Duncan Hun-
20 ter National Defense Authorization Act for Fiscal Year
21 2009 (Public Law 110–417; 122 Stat. 4587), is further
22 amended by adding at the end the following new para-
23 graphs:

24 “(23) Government of Benin.

25 “(24) Government of Cape Verde.

26 “(25) Government of The Gambia.

- 1 “(26) Government of Ghana.
2 “(27) Government of Guinea.
3 “(28) Government of Ivory Coast.
4 “(29) Government of Jamaica.
5 “(30) Government of Liberia.
6 “(31) Government of Mauritania.
7 “(32) Government of Nicaragua.
8 “(33) Government of Nigeria.
9 “(34) Government of Sierra Leone.
10 “(35) Government of Togo.”.

11 **SEC. 1013. REPORTING REQUIREMENT ON EXPENDITURES**
12 **TO SUPPORT FOREIGN COUNTER-DRUG AC-**
13 **TIVITIES.**

14 Section 1022(a) of the Floyd D. Spence National De-
15 fense Authorization Act for Fiscal Year 2001 (as enacted
16 into law by Public Law 106–398; 114 Stat. 1654A–255),
17 as most recently amended by the section 1013 of the Ike
18 Skelton National Defense Authorization Act for Fiscal
19 Year 2011 (Public Law 111–383; 124 Stat. 4347), is fur-
20 ther amended by striking “February 15, 2011” and in-
21 serting “February 15, 2012”.

1 **SEC. 1014. EXTENSION OF AUTHORITY FOR JOINT TASK**
2 **FORCES TO PROVIDE SUPPORT TO LAW EN-**
3 **FORCEMENT AGENCIES CONDUCTING**
4 **COUNTER-TERRORISM ACTIVITIES.**

5 (a) EXTENSION.—Section 1022(b) of the National
6 Defense Authorization Act for Fiscal Year 2004 (10
7 U.S.C. 371 note) is amended by striking “2011” and in-
8 serting “2012”.

9 (b) LIMITATION ON EXERCISE OF AUTHORITY.—The
10 authority in section 1022 of the National Defense Author-
11 ization Act for Fiscal Year 2004, as amended by sub-
12 section (a), may not be exercised after September 30,
13 2011, unless the Secretary of Defense certifies to Con-
14 gress, in writing, that the Department of Defense is in
15 compliance with the provisions of paragraph (2) of sub-
16 section (d) of such section, as added by section 1012(b)
17 of the Ike Skelton National Defense Authorization Act for
18 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4346).

19 **SEC. 1015. EXTENSION OF AUTHORITY TO SUPPORT UNI-**
20 **FIED COUNTERDRUG AND COUNTERTER-**
21 **RORISM CAMPAIGN IN COLOMBIA.**

22 Section 1021(a)(1) of the Ronald W. Reagan Na-
23 tional Defense Authorization Act for Fiscal Year 2005
24 (Public Law 108–375; 118 Stat. 2042), as most recently
25 amended by section 1011 of the Ike Skelton National De-
26 fense Authorization Act for Fiscal Year 2011 (Public Law

1 111–383; 124 Stat. 4346), is further amended by striking
2 “2011” and inserting “2012”.

3 **Subtitle C—Naval Vessels and**
4 **Shipyards**

5 **SEC. 1021. LIMITATION ON AVAILABILITY OF FUNDS FOR**
6 **PLACING MARITIME PREPOSITIONING SHIP**
7 **SQUADRONS ON REDUCED OPERATING STA-**
8 **TUS.**

9 No amounts authorized to be appropriated by this
10 Act may be obligated or expended to place a Maritime
11 Prepositioning Ship squadron, or any component thereof,
12 on reduced operating status until the later of the fol-
13 lowing:

14 (1) The date on which the Commandant of the
15 Marine Corps submits to the congressional defense
16 committees a report setting forth an assessment of
17 the impact on military readiness of the plans of the
18 Navy for placing such Maritime Prepositioning Ship
19 squadron, or component thereof, on reduced oper-
20 ating status.

21 (2) The date on which the Chief of Naval Oper-
22 ations submits to the congressional defense commit-
23 tees a report that—

24 (A) describes the plans of the Navy for
25 placing such Maritime Prepositioning Ship

1 squadron, or component thereof, on reduced op-
2 erating status; and

3 (B) sets forth comments of the Chief of
4 Naval Operations on the assessment described
5 in paragraph (1).

6 (3) The date on which the Secretary of Defense
7 certifies to the congressional defense committees
8 that the risks to readiness of placing such Maritime
9 Prepositioning squadron, or component thereof, on
10 reduced operating status are acceptable.

11 **SEC. 1022. MODIFICATION OF CONDITIONS ON STATUS OF**
12 **RETIRED AIRCRAFT CARRIER EX-JOHN F.**
13 **KENNEDY.**

14 Section 1011(c)(2) of the John Warner National De-
15 fense Authorization Act for Fiscal Year 2007 (Public Law
16 109–364; 120 Stat. 2374) is amended by striking “shall
17 require” and all that follows and inserting “may, notwith-
18 standing paragraph (1), demilitarize the vessel in prepara-
19 tion for the transfer.”.

20 **SEC. 1023. AUTHORITY TO PROVIDE INFORMATION FOR**
21 **MARITIME SAFETY OF FORCES AND HYDRO-**
22 **GRAPHIC SUPPORT.**

23 (a) **AUTHORITY.**—Part IV of subtitle C of title 10,
24 United States Code, is amended by adding at the end the
25 following new chapter:

1 **“CHAPTER 669—MARITIME SAFETY OF**
 2 **FORCES**

“Sec.

“7921. Safety and effectiveness information; hydrographic information.

3 **“§ 7921. Safety and effectiveness information; hydro-**
 4 **graphic information**

5 “(a) SAFETY AND EFFECTIVENESS INFORMATION.—

6 (1) The Secretary of the Navy shall maximize the safety
 7 and effectiveness of all maritime vessels, aircraft, and
 8 forces of the armed forces by means of—

9 “(A) marine data collection;

10 “(B) numerical weather and ocean prediction;

11 and

12 “(C) forecasting of hazardous weather and
 13 ocean conditions.

14 “(2) The Secretary may extend similar support to
 15 forces of the North Atlantic Treaty Organization, and to
 16 coalition forces, that are operating with the armed forces.

17 “(b) HYDROGRAPHIC INFORMATION.—The Secretary
 18 of the Navy shall collect, process, and provide to the Direc-
 19 tor of the National Geospatial-Intelligence Agency hydro-
 20 graphic information to support preparation of maps,
 21 charts, books, and geodetic products by that Agency.”.

22 (b) CLERICAL AMENDMENT.—The table of chapters
 23 at the beginning of subtitle C of such title, and the table
 24 of chapters at the beginning of part IV of such subtitle,

1 are each amended by inserting after the item relating to
 2 chapter 667 the following new item:

“669. Maritime Safety of Forces 7921”.

3 **SEC. 1024. REPORT ON POLICIES AND PRACTICES OF THE**
 4 **NAVY FOR NAMING THE VESSELS OF THE**
 5 **NAVY.**

6 (a) REPORT REQUIRED.—Not later than 180 days
 7 after the date of the enactment of this Act, the Secretary
 8 of Defense shall submit to Congress a report on the poli-
 9 cies and practices of the Navy for naming vessels of the
 10 Navy.

11 (b) ELEMENTS.—The report required by subsection
 12 (a) shall set forth the following:

13 (1) A description of the current policies and
 14 practices of the Navy for naming vessels of the
 15 Navy.

16 (2) A description of the extent to which the
 17 policies and practices described under paragraph (1)
 18 vary from historical policies and practices of the
 19 Navy for naming vessels of the Navy, and an expla-
 20 nation for such variances (if any).

21 (3) An assessment of the feasibility and advis-
 22 ability of establishing fixed policies for the naming
 23 of one or more classes of vessels of the Navy, and
 24 a statement of the policies recommended to apply to
 25 each class of vessels recommended to be covered by

1 such fixed policies if the establishment of such fixed
2 policies is considered feasible and advisable.

3 (4) Any other matters relating to the policies
4 and practices of the Navy for naming vessels of the
5 Navy that the Secretary of Defense considers appro-
6 priate.

7 **SEC. 1025. ASSESSMENT OF STATIONING OF ADDITIONAL**
8 **DDG-51 CLASS DESTROYERS AT NAVAL STA-**
9 **TION MAYPORT, FLORIDA.**

10 (a) NAVY ASSESSMENT REQUIRED.—

11 (1) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the Sec-
13 retary of the Navy shall conduct an analysis of the
14 costs and benefits of stationing additional DDG-51
15 class destroyers at Naval Station Mayport, Florida.

16 (2) ELEMENTS.—The analysis required by
17 paragraph (1) shall include, at a minimum, the fol-
18 lowing:

19 (A) Consideration of the negative effects
20 on the ship repair industrial base at Naval Sta-
21 tion Mayport caused by the retirement of FFG-
22 7 class frigates and the procurement delays of
23 the Littoral Combat Ship, including, in par-
24 ticular, the increase in costs (which would be
25 passed on to the taxpayer) of reconstituting the

1 ship repair industrial base at Naval Station
2 Mayport following the projected drastic de-
3 crease in workload.

4 (B) Updated consideration of life exten-
5 sions of FFG-7 class frigates in light of contin-
6 ued delays in deliveries of the Littoral Combat
7 Ship deliveries.

8 (C) Consideration of the possibility of
9 bringing additional surface warships to Naval
10 Station Mayport for maintenance with the con-
11 sequence of spreading the ship repair workload
12 appropriately amongst the various public and
13 private shipyards and ensuring the long-term
14 health of the shipyard in Mayport.

15 (b) COMPTROLLER GENERAL OF THE UNITED
16 STATES ASSESSMENT.—Not later than 120 days after the
17 submittal of the report required by subsection (a), the
18 Comptroller General of the United States shall submit to
19 Congress an assessment by the Comptroller General of the
20 report, including a determination whether or not the re-
21 port complies with applicable best practices.

22 **SEC. 1026. TRANSFER OF CERTAIN HIGH-SPEED FERRIES**
23 **TO THE NAVY.**

24 (a) TRANSFER FROM MARAD AUTHORIZED.—The
25 Secretary of the Navy may, subject to appropriations,

1 from funds available for the Department of Defense for
2 fiscal year 2012, provide to the Maritime Administration
3 of the Department of Transportation an amount not to
4 exceed \$35,000,000 for the transfer by the Maritime Ad-
5 ministration to the Department of the Navy of jurisdiction
6 and control over the vessels as follows:

7 (1) M/V HUAKAI.

8 (2) M/V ALAKAI.

9 (b) USE AS DEPARTMENT OF DEFENSE SEALIFT
10 VESSELS.—Each vessel transferred to the Department of
11 the Navy under subsection (a) shall be administered as
12 a Department of Defense sealift vessel (as such term is
13 defined in section 2218(k)(2) of title 10, United States
14 Code).

15 **Subtitle D—Detainee Matters**

16 **SEC. 1031. AFFIRMATION OF AUTHORITY OF THE ARMED** 17 **FORCES OF THE UNITED STATES TO DETAIN** 18 **COVERED PERSONS PURSUANT TO THE AU-** 19 **THORIZATION FOR USE OF MILITARY FORCE.**

20 (a) IN GENERAL.—Congress affirms that the author-
21 ity of the President to use all necessary and appropriate
22 force pursuant to the Authorization for Use of Military
23 Force (Public Law 107–40) includes the authority for the
24 Armed Forces of the United States to detain covered per-

1 sons (as defined in subsection (b)) pending disposition
2 under the law of war.

3 (b) COVERED PERSONS.—A covered person under
4 this section is any person as follows:

5 (1) A person who planned, authorized, com-
6 mitted, or aided the terrorist attacks that occurred
7 on September 11, 2001, or harbored those respon-
8 sible for those attacks.

9 (2) A person who was a part of or substantially
10 supported al-Qaeda, the Taliban, or associated forces
11 that are engaged in hostilities against the United
12 States or its coalition partners, including any person
13 who has committed a belligerent act or has directly
14 supported such hostilities in aid of such enemy
15 forces.

16 (c) DISPOSITION UNDER LAW OF WAR.—The dis-
17 position of a person under the law of war as described
18 in subsection (a) may include the following:

19 (1) Detention under the law of war without
20 trial until the end of the hostilities authorized by the
21 Authorization for Use of Military Force.

22 (2) Trial under chapter 47A of title 10, United
23 States Code (as amended by the Military Commis-
24 sions Act of 2009 (title XVIII of Public Law 111-
25 84)).

1 (3) Transfer for trial by an alternative court or
2 competent tribunal having lawful jurisdiction.

3 (4) Transfer to the custody or control of the
4 person's country of origin, any other foreign coun-
5 try, or any other foreign entity.

6 (d) CONSTRUCTION.—Nothing in this section is in-
7 tended to limit or expand the authority of the President
8 or the scope of the Authorization for Use of Military
9 Force.

10 (e) AUTHORITIES.—Nothing in this section shall be
11 construed to affect existing law or authorities, relating to
12 the detention of United States citizens, lawful resident
13 aliens of the United States or any other persons who are
14 captured or arrested in the United States.

15 (f) REQUIREMENT FOR BRIEFINGS OF CONGRESS.—
16 The Secretary of Defense shall regularly brief Congress
17 regarding the application of the authority described in this
18 section, including the organizations, entities, and individ-
19 uals considered to be “covered persons” for purposes of
20 subsection (b)(2).

21 **SEC. 1032. REQUIREMENT FOR MILITARY CUSTODY.**

22 (a) CUSTODY PENDING DISPOSITION UNDER LAW OF
23 WAR.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (4), the Armed Forces of the United States

1 shall hold a person described in paragraph (2) who
2 is captured in the course of hostilities authorized by
3 the Authorization for Use of Military Force (Public
4 Law 107–40) in military custody pending disposition
5 under the law of war.

6 (2) COVERED PERSONS.—The requirement in
7 paragraph (1) shall apply to any person whose de-
8 tention is authorized under section 1031 who is de-
9 termined—

10 (A) to be a member of, or part of, al-
11 Qaeda or an associated force that acts in co-
12 ordination with or pursuant to the direction of
13 al-Qaeda; and

14 (B) to have participated in the course of
15 planning or carrying out an attack or attempted
16 attack against the United States or its coalition
17 partners.

18 (3) DISPOSITION UNDER LAW OF WAR.—For
19 purposes of this subsection, the disposition of a per-
20 son under the law of war has the meaning given in
21 section 1031(c), except that no transfer otherwise
22 described in paragraph (4) of that section shall be
23 made unless consistent with the requirements of sec-
24 tion 1033.

1 (4) WAIVER FOR NATIONAL SECURITY.—The
2 Secretary of Defense may, in consultation with the
3 Secretary of State and the Director of National In-
4 telligence, waive the requirement of paragraph (1) if
5 the Secretary submits to Congress a certification in
6 writing that such a waiver is in the national security
7 interests of the United States.

8 (b) APPLICABILITY TO UNITED STATES CITIZENS
9 AND LAWFUL RESIDENT ALIENS.—

10 (1) UNITED STATES CITIZENS.—The require-
11 ment to detain a person in military custody under
12 this section does not extend to citizens of the United
13 States.

14 (2) LAWFUL RESIDENT ALIENS.—The require-
15 ment to detain a person in military custody under
16 this section does not extend to a lawful resident
17 alien of the United States on the basis of conduct
18 taking place within the United States, except to the
19 extent permitted by the Constitution of the United
20 States.

21 (c) IMPLEMENTATION PROCEDURES.—

22 (1) IN GENERAL.—Not later than 60 days after
23 the date of the enactment of this Act, the President
24 shall issue, and submit to Congress, procedures for
25 implementing this section.

1 (2) ELEMENTS.—The procedures for imple-
2 menting this section shall include, but not be limited
3 to, procedures as follows:

4 (A) Procedures designating the persons au-
5 thorized to make determinations under sub-
6 section (a)(2) and the process by which such
7 determinations are to be made.

8 (B) Procedures providing that the require-
9 ment for military custody under subsection
10 (a)(1) does not require the interruption of ongo-
11 ing surveillance or intelligence gathering with
12 regard to persons not already in the custody or
13 control of the United States.

14 (C) Procedures providing that a determina-
15 tion under subsection (a)(2) is not required to
16 be implemented until after the conclusion of an
17 interrogation session which is ongoing at the
18 time the determination is made and does not
19 require the interruption of any such ongoing
20 session.

21 (D) Procedures providing that the require-
22 ment for military custody under subsection
23 (a)(1) does not apply when intelligence, law en-
24 forcement, or other government officials of the
25 United States are granted access to an indi-

1 vidual who remains in the custody of a third
2 country.

3 (E) Procedures providing that a certifi-
4 cation of national security interests under sub-
5 section (a)(4) may be granted for the purpose
6 of transferring a covered person from a third
7 country if such a transfer is in the interest of
8 the United States and could not otherwise be
9 accomplished.

10 (d) EFFECTIVE DATE.—This section shall take effect
11 on the date that is 60 days after the date of the enactment
12 of this Act, and shall apply with respect to persons de-
13 scribed in subsection (a)(2) who are taken into the custody
14 or brought under the control of the United States on or
15 after that effective date.

16 **SEC. 1033. REQUIREMENTS FOR CERTIFICATIONS RELAT-**
17 **ING TO THE TRANSFER OF DETAINEES AT**
18 **UNITED STATES NAVAL STATION, GUANTA-**
19 **NAMO BAY, CUBA, TO FOREIGN COUNTRIES**
20 **AND OTHER FOREIGN ENTITIES.**

21 (a) CERTIFICATION REQUIRED PRIOR TO TRANS-
22 FER.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2) and subsection (d), the Secretary of De-
25 fense may not use any amounts authorized to be ap-

1 appropriated or otherwise available to the Department
2 of Defense for fiscal year 2012 to transfer any indi-
3 vidual detained at Guantanamo to the custody or
4 control of the individual's country of origin, any
5 other foreign country, or any other foreign entity
6 unless the Secretary submits to Congress the certifi-
7 cation described in subsection (b) not later than 30
8 days before the transfer of the individual.

9 (2) EXCEPTION.—Paragraph (1) shall not
10 apply to any action taken by the Secretary to trans-
11 fer any individual detained at Guantanamo to effec-
12 tuate—

13 (A) an order affecting the disposition of
14 the individual that is issued by a court or com-
15 petent tribunal of the United States having law-
16 ful jurisdiction (which the Secretary shall notify
17 Congress of promptly after issuance); or

18 (B) a pre-trial agreement entered in a mili-
19 tary commission case prior to the date of the
20 enactment of this Act.

21 (b) CERTIFICATION.—A certification described in this
22 subsection is a written certification made by the Secretary
23 of Defense, with the concurrence of the Secretary of State
24 and in consultation with the Director of National Intel-
25 ligence, that the government of the foreign country or the

1 recognized leadership of the foreign entity to which the
2 individual detained at Guantanamo is to be transferred—

3 (1) is not a designated state sponsor of ter-
4 rorism or a designated foreign terrorist organization;

5 (2) maintains control over each detention facil-
6 ity in which the individual is to be detained if the
7 individual is to be housed in a detention facility;

8 (3) is not, as of the date of the certification,
9 facing a threat that is likely to substantially affect
10 its ability to exercise control over the individual;

11 (4) has taken or agreed to take effective actions
12 to ensure that the individual cannot take action to
13 threaten the United States, its citizens, or its allies
14 in the future;

15 (5) has taken or agreed to take such actions as
16 the Secretary of Defense determines are necessary to
17 ensure that the individual cannot engage or re-
18 engage in any terrorist activity; and

19 (6) has agreed to share with the United States
20 any information that—

21 (A) is related to the individual or any asso-
22 ciates of the individual; and

23 (B) could affect the security of the United
24 States, its citizens, or its allies.

1 (c) PROHIBITION IN CASES OF PRIOR CONFIRMED
2 RECIDIVISM.—

3 (1) PROHIBITION.—Except as provided in para-
4 graph (2) and subsection (d), the Secretary of De-
5 fense may not use any amounts authorized to be ap-
6 propriated or otherwise made available to the De-
7 partment of Defense to transfer any individual de-
8 tained at Guantanamo to the custody or control of
9 the individual's country of origin, any other foreign
10 country, or any other foreign entity if there is a con-
11 firmed case of any individual who was detained at
12 United States Naval Station, Guantanamo Bay,
13 Cuba, at any time after September 11, 2001, who
14 was transferred to such foreign country or entity
15 and subsequently engaged in any terrorist activity.

16 (2) EXCEPTION.—Paragraph (1) shall not
17 apply to any action taken by the Secretary to trans-
18 fer any individual detained at Guantanamo to effec-
19 tuate—

20 (A) an order affecting the disposition of
21 the individual that is issued by a court or com-
22 petent tribunal of the United States having law-
23 ful jurisdiction (which the Secretary shall notify
24 Congress of promptly after issuance); or

1 (B) a pre-trial agreement entered in a mili-
2 tary commission case prior to the date of the
3 enactment of this Act.

4 (d) NATIONAL SECURITY WAIVER.—

5 (1) IN GENERAL.—The Secretary of Defense
6 may waive the applicability to a detainee transfer of
7 a certification requirement specified in paragraph
8 (4) or (5) of subsection (b) or the prohibition in sub-
9 section (c) if the Secretary, with the concurrence of
10 the Secretary of State and in consultation with the
11 Director of National Intelligence, determines that—

12 (A) alternative actions will be taken to ad-
13 dress the underlying purpose of the requirement
14 or requirements to be waived;

15 (B) in the case of a waiver of paragraph
16 (4) or (5) of subsection (b), it is not possible
17 to certify that the risks addressed in the para-
18 graph to be waived have been completely elimi-
19 nated, but the actions to be taken under sub-
20 paragraph (A) will substantially mitigate such
21 risks with regard to the individual to be trans-
22 ferred;

23 (C) in the case of a waiver of subsection
24 (c), the Secretary has considered any confirmed
25 case in which an individual who was transferred

1 to the country subsequently engaged in terrorist
2 activity, and the actions to be taken under sub-
3 paragraph (A) will substantially mitigate the
4 risk of recidivism with regard to the individual
5 to be transferred; and

6 (D) the transfer is in the national security
7 interests of the United States.

8 (2) REPORTS.—Whenever the Secretary makes
9 a determination under paragraph (1), the Secretary
10 shall submit to the appropriate committees of Con-
11 gress, not later than 30 days before the transfer of
12 the individual concerned, the following:

13 (A) A copy of the determination and the
14 waiver concerned.

15 (B) A statement of the basis for the deter-
16 mination, including—

17 (i) an explanation why the transfer is
18 in the national security interests of the
19 United States; and

20 (ii) in the case of a waiver of para-
21 graph (4) or (5) of subsection (b), an ex-
22 planation why it is not possible to certify
23 that the risks addressed in the paragraph
24 to be waived have been completely elimi-
25 nated.

1 (C) A summary of the alternative actions
2 to be taken to address the underlying purpose
3 of, and to mitigate the risks addressed in, the
4 paragraph or subsection to be waived.

5 (e) DEFINITIONS.—In this section:

6 (1) The term “appropriate committees of Con-
7 gress” means—

8 (A) the Committee on Armed Services, the
9 Committee on Appropriations, and the Select
10 Committee on Intelligence of the Senate; and

11 (B) the Committee on Armed Services, the
12 Committee on Appropriations, and the Perma-
13 nent Select Committee on Intelligence of the
14 House of Representatives.

15 (2) The term “individual detained at Guanta-
16 namo” means any individual located at United
17 States Naval Station, Guantanamo Bay, Cuba, as of
18 October 1, 2009, who—

19 (A) is not a citizen of the United States or
20 a member of the Armed Forces of the United
21 States; and

22 (B) is—

23 (i) in the custody or under the control
24 of the Department of Defense; or

1 (ii) otherwise under detention at
2 United States Naval Station, Guantanamo
3 Bay, Cuba.

4 (3) The term “foreign terrorist organization”
5 means any organization so designated by the Sec-
6 retary of State under section 219 of the Immigra-
7 tion and Nationality Act (8 U.S.C. 1189).

8 (f) REPEAL OF SUPERSEDED AUTHORITY.—Section
9 1033 of the Ike Skelton National Defense Authorization
10 Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat.
11 4351) is repealed.

12 **SEC. 1034. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**
13 **OR MODIFY FACILITIES IN THE UNITED**
14 **STATES TO HOUSE DETAINEES TRANS-**
15 **FERRED FROM UNITED STATES NAVAL STA-**
16 **TION, GUANTANAMO BAY, CUBA.**

17 (a) IN GENERAL.—No amounts authorized to be ap-
18 propriated or otherwise made available to the Department
19 of Defense for fiscal year 2012 may be used to construct
20 or modify any facility in the United States, its territories,
21 or possessions to house any individual detained at Guanta-
22 namo for the purposes of detention or imprisonment in
23 the custody or under the control of the Department of De-
24 fense unless authorized by Congress.

1 (b) EXCEPTION.—The prohibition in subsection (a)
2 shall not apply to any modification of facilities at United
3 States Naval Station, Guantanamo Bay, Cuba.

4 (c) INDIVIDUAL DETAINED AT GUANTANAMO DE-
5 FINED.—In this section, the term “individual detained at
6 Guantanamo” has the meaning given that term in section
7 1033(e)(2).

8 (d) REPEAL OF SUPERSEDED AUTHORITY.—Section
9 1034 of the Ike Skelton National Defense Authorization
10 Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat.
11 4353) is amended by striking subsections (a), (b), and (c).

12 **SEC. 1035. PROCEDURES FOR PERIODIC DETENTION RE-**
13 **VIEW OF INDIVIDUALS DETAINED AT UNITED**
14 **STATES NAVAL STATION, GUANTANAMO BAY,**
15 **CUBA.**

16 (a) PROCEDURES REQUIRED.—Not later than 180
17 days after the date of the enactment of this Act, the Sec-
18 retary of Defense shall submit to the appropriate commit-
19 tees of Congress a report setting forth procedures for im-
20 plementing the periodic review process required by Execu-
21 tive Order No. 13567 for individuals detained at United
22 States Naval Station, Guantanamo Bay, Cuba, pursuant
23 to the Authorization for Use of Military Force (Public
24 Law 107–40).

1 (b) COVERED MATTERS.—The procedures submitted
2 under subsection (a) shall, at a minimum—

3 (1) clarify that the purpose of the periodic re-
4 view process is not to determine the legality of any
5 detainee’s law of war detention, but to make discre-
6 tionary determinations whether or not a detainee
7 represents a continuing threat to the security of the
8 United States;

9 (2) clarify that the Secretary of Defense is re-
10 sponsible for any final decision to release or transfer
11 an individual detained in military custody at United
12 States Naval Station, Guantanamo Bay, Cuba, pur-
13 suant to the Executive Order referred to in sub-
14 section (a), and that in making such a final decision,
15 the Secretary shall consider the recommendation of
16 a periodic review board or review committee estab-
17 lished pursuant to such Executive Order, but shall
18 not be bound by any such recommendation; and

19 (3) ensure that appropriate consideration is
20 given to factors addressing the need for continued
21 detention of the detainee, including—

22 (A) the likelihood the detainee will resume
23 terrorist activity if transferred or released;

24 (B) the likelihood the detainee will reestab-
25 lish ties with al-Qaeda, the Taliban, or associ-

1 ated forces that are engaged in hostilities
2 against the United States or its coalition part-
3 ners if transferred or released;

4 (C) the likelihood of family, tribal, or gov-
5 ernment rehabilitation or support for the de-
6 tainee if transferred or released;

7 (D) the likelihood the detainee may be sub-
8 ject to trial by military commission; and

9 (E) any law enforcement interest in the de-
10 tainee.

11 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
12 FINED.—In this section, the term “appropriate commit-
13 tees of Congress” means—

14 (1) the Committee on Armed Services and the
15 Select Committee on Intelligence of the Senate; and

16 (2) the Committee on Armed Services and the
17 Permanent Select Committee on Intelligence of the
18 House of Representatives.

19 **SEC. 1036. PROCEDURES FOR STATUS DETERMINATIONS.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall submit to the appropriate committees of Congress
23 a report setting forth the procedures for determining the
24 status of persons detained pursuant to the Authorization

1 for Use of Military Force (Public Law 107–40) for pur-
2 poses of section 1031.

3 (b) ELEMENTS OF PROCEDURES.—The procedures
4 required by this section shall provide for the following in
5 the case of any unprivileged enemy belligerent who will
6 be held in long-term detention under the law of war pursu-
7 ant to the Authorization for Use of Military Force:

8 (1) A military judge shall preside at pro-
9 ceedings for the determination of status of an
10 unprivileged enemy belligerent.

11 (2) An unprivileged enemy belligerent may, at
12 the election of the belligerent, be represented by
13 military counsel at proceedings for the determination
14 of status of the belligerent.

15 (c) REPORT ON MODIFICATION OF PROCEDURES.—
16 The Secretary of Defense shall submit to the appropriate
17 committees of Congress a report on any modification of
18 the procedures submitted under this section. The report
19 on any such modification shall be so submitted not later
20 than 60 days before the date on which such modification
21 goes into effect.

22 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
23 FINED.—In this section, the term “appropriate commit-
24 tees of Congress” means—

1 (1) the Committee on Armed Services and the
2 Select Committee on Intelligence of the Senate; and

3 (2) the Committee on Armed Services and the
4 Permanent Select Committee on Intelligence of the
5 House of Representatives.

6 **SEC. 1037. CLARIFICATION OF RIGHT TO PLEAD GUILTY IN**
7 **TRIAL OF CAPITAL OFFENSE BY MILITARY**
8 **COMMISSION.**

9 (a) CLARIFICATION OF RIGHT.—Section 949m(b)(2)
10 of title 10, United States Code, is amended—

11 (1) in subparagraph (C), by inserting before the
12 semicolon the following: “, or a guilty plea was ac-
13 cepted and not withdrawn prior to announcement of
14 the sentence in accordance with section 949i(b) of
15 this title”; and

16 (2) in subparagraph (D), by inserting “on the
17 sentence” after “vote was taken”.

18 (b) PRE-TRIAL AGREEMENTS.—Section 949i of such
19 title is amended by adding at the end the following new
20 subsection:

21 “(c) PRE-TRIAL AGREEMENTS.—(1) A plea of guilty
22 made by the accused that is accepted by a military judge
23 under subsection (b) and not withdrawn prior to an-
24 nouncement of the sentence may form the basis for an
25 agreement reducing the maximum sentence approved by

1 the convening authority, including the reduction of a sen-
 2 tence of death to a lesser punishment, or that the case
 3 will be referred to a military commission under this chap-
 4 ter without seeking the penalty of death. Such an agree-
 5 ment may provide for terms and conditions in addition to
 6 a guilty plea by the accused in order to be effective.

7 “(2) A plea agreement under this subsection may not
 8 provide for a sentence of death imposed by a military
 9 judge alone. A sentence of death may only be imposed by
 10 the unanimous vote of all members of a military commis-
 11 sion concurring in the sentence of death as provided in
 12 section 949m(b)(2)(D) of this title.”

13 **Subtitle E—Miscellaneous** 14 **Authorities and Limitations**

15 **SEC. 1041. MANAGEMENT OF DEPARTMENT OF DEFENSE IN-** 16 **STALLATIONS.**

17 (a) SECRETARY OF DEFENSE AUTHORITY.—Chapter
 18 159 of title 10, United States Code, is amended by insert-
 19 ing after section 2671 the following new section:

20 **“§ 2672. Protection of property**

21 “(a) IN GENERAL.—The Secretary of Defense shall
 22 protect the buildings, grounds, and property that are
 23 under the jurisdiction, custody, or control of the Depart-
 24 ment of Defense and the persons on that property.

25 “(b) OFFICERS AND AGENTS.—

1 “(1) DESIGNATION.—(A) The Secretary may
2 designate military or civilian personnel of the De-
3 partment of Defense as officers and agents to per-
4 form the functions of the Secretary under subsection
5 (a), including, with regard to civilian officers and
6 agents, duty in areas outside the property specified
7 in that subsection to the extent necessary to protect
8 that property and persons on that property.

9 “(B) A designation under subparagraph (A)
10 may be made by individual, by position, by installa-
11 tion, or by such other category of personnel as the
12 Secretary determines appropriate.

13 “(C) In making a designation under subpara-
14 graph (A) with respect to any category of personnel,
15 the Secretary shall specify each of the following:

16 “(i) The personnel or positions to be in-
17 cluded in the category.

18 “(ii) Which authorities provided for in
19 paragraph (2) may be exercised by personnel in
20 that category.

21 “(iii) In the case of civilian personnel in
22 that category—

23 “(I) which authorities provided for in
24 paragraph (2), if any, are authorized to be

1 exercised outside the property specified in
2 subsection (a); and

3 “(II) with respect to the exercise of
4 any such authorities outside the property
5 specified in subsection (a), the cir-
6 cumstances under which coordination with
7 law enforcement officials outside of the De-
8 partment of Defense should be sought in
9 advance.

10 “(D) The Secretary may make a designation
11 under subparagraph (A) only if the Secretary deter-
12 mines, with respect to the category of personnel to
13 be covered by that designation, that—

14 “(i) the exercise of each specific authority
15 provided for in paragraph (2) to be delegated to
16 that category of personnel is necessary for the
17 performance of the duties of the personnel in
18 that category and such duties cannot be per-
19 formed as effectively without such authorities;
20 and

21 “(ii) the necessary and proper training for
22 the authorities to be exercised is available to
23 the personnel in that category.

24 “(2) POWERS.—Subject to subsection (h) and
25 to the extent specifically authorized by the Sec-

1 retary, while engaged in the performance of official
2 duties pursuant to this section, an officer or agent
3 designated under this subsection may—

4 “(A) enforce Federal laws and regulations
5 for the protection of persons and property;

6 “(B) carry firearms;

7 “(C) make arrests—

8 “(i) without a warrant for any offense
9 against the United States committed in the
10 presence of the officer or agent; or

11 “(ii) for any felony cognizable under
12 the laws of the United States if the officer
13 or agent has reasonable grounds to believe
14 that the person to be arrested has com-
15 mitted or is committing a felony;

16 “(D) serve warrants and subpoenas issued
17 under the authority of the United States; and

18 “(E) conduct investigations, on and off the
19 property in question, of offenses that may have
20 been committed against property under the ju-
21 risdiction, custody, or control of the Depart-
22 ment of Defense or persons on such property.

23 “(c) REGULATIONS.—

24 “(1) IN GENERAL.—The Secretary may pre-
25 scribe regulations, including traffic regulations, nec-

1 essary for the protection and administration of prop-
2 erty under the jurisdiction, custody, or control of the
3 Department of Defense and persons on that prop-
4 erty. The regulations may include reasonable pen-
5 alties, within the limits prescribed in paragraph (2),
6 for violations of the regulations. The regulations
7 shall be posted and remain posted in a conspicuous
8 place on the property to which they apply.

9 “(2) PENALTIES.—A person violating a regula-
10 tion prescribed under this subsection shall be fined
11 under title 18, imprisoned for not more than 30
12 days, or both.

13 “(d) LIMITATION ON DELEGATION OF AUTHORITY.—
14 The authority of the Secretary of Defense under sub-
15 sections (b) and (c) may be exercised only by the Secretary
16 or Deputy Secretary of Defense.

17 “(e) DISPOSITION OF PERSONS ARRESTED.—A per-
18 son who is arrested pursuant to authority exercised under
19 subsection (b) may not be held in a military confinement
20 facility, other than in the case of a person who is subject
21 to chapter 47 of this title (the Uniform Code of Military
22 Justice).

23 “(f) FACILITIES AND SERVICES OF OTHER AGEN-
24 CIES.—In implementing this section, when the Secretary
25 determines it to be economical and in the public interest,

1 the Secretary may utilize the facilities and services of Fed-
2 eral, State, tribal, and local law enforcement agencies,
3 with the consent of those agencies, and may reimburse
4 those agencies for the use of their facilities and services.

5 “(g) AUTHORITY OUTSIDE FEDERAL PROPERTY.—
6 For the protection of property under the jurisdiction, cus-
7 tody, or control of the Department of Defense and persons
8 on that property, the Secretary may enter into agreements
9 with Federal agencies and with State, tribal, and local
10 governments to obtain authority for civilian officers and
11 agents designated under this section to enforce Federal
12 laws and State, tribal, and local laws concurrently with
13 other Federal law enforcement officers and with State,
14 tribal, and local law enforcement officers.

15 “(h) ATTORNEY GENERAL APPROVAL.—The powers
16 granted pursuant to subsection (b)(2) to officers and
17 agents designated under subsection (b)(1) shall be exer-
18 cised in accordance with guidelines approved by the Attor-
19 ney General.

20 “(i) LIMITATION ON STATUTORY CONSTRUCTION.—
21 Nothing in this section shall be construed—

22 “(1) to preclude or limit the authority of any
23 Federal law enforcement agency;

24 “(2) to restrict the authority of the Secretary of
25 Homeland Security or of the Administrator of Gen-

1 eral Services to promulgate regulations affecting
 2 property under the custody and control of that Sec-
 3 retary or the Administrator, respectively;

4 “(3) to expand or limit section 21 of the Inter-
 5 nal Security Act of 1950 (50 U.S.C. 797);

6 “(4) to affect chapter 47 of this title; or

7 “(5) to restrict any other authority of the Sec-
 8 retary of Defense or the Secretary of a military de-
 9 partment.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of such chapter is amended by inserting
 12 after the item relating to section 2671 the following new
 13 item:

“2672. Protection of property.”.

14 **SEC. 1042. AMENDMENTS RELATING TO THE MILITARY**
 15 **COMMISSIONS ACT OF 2009.**

16 (a) REFERENCE TO HOW CHARGES ARE MADE.—
 17 Section 949a(b)(2)(C) of title 10, United States Code, is
 18 amended by striking “preferred” in clauses (i) and (ii) and
 19 inserting “sworn”.

20 (b) JUDGES OF UNITED STATES COURT OF MILI-
 21 TARY COMMISSION REVIEW.—Section 949b(b) of such
 22 title is amended—

23 (1) in paragraph (1)(A), by striking “a military
 24 appellate judge or other duly appointed judge under
 25 this chapter on” and inserting “a judge on”;

1 (2) in paragraph (2), by striking “a military
2 appellate judge on” and inserting “a judge on”; and

3 (3) in paragraph (3)(B), by striking “an appel-
4 late military judge or a duly appointed appellate
5 judge on” and inserting “a judge on”.

6 (c) PANELS OF UNITED STATES COURT OF MILI-
7 TARY COMMISSION REVIEW.—Section 950f(a) of such title
8 is amended by striking “appellate military judges” in the
9 second sentence and inserting “judges on the Court”.

10 (d) REVIEW OF FINAL JUDGMENTS BY UNITED
11 STATES COURT OF APPEALS FOR THE D.C. CIRCUIT.—

12 (1) CLARIFICATION OF MATTER SUBJECT TO
13 REVIEW.—Subsection (a) of section 950g of such
14 title is amended by inserting “as affirmed or set
15 aside as incorrect in law by” after “where applica-
16 ble,”.

17 (2) CLARIFICATION ON TIME FOR SEEKING RE-
18 VIEW.—Subsection (c) of such section is amended—

19 (A) in the matter preceding paragraph (1),
20 by striking “by the accused” and all that fol-
21 lows through “which—” and inserting “in the
22 Court of Appeals—”;

23 (B) in paragraph (1)—

1 (i) by inserting “not later than 20
2 days after the date on which” after “(1)”;
3 and

4 (ii) by striking “on the accused or on
5 defense counsel” and inserting “on the
6 parties”; and

7 (C) in paragraph (2)—

8 (i) by inserting “if” after “(2)”; and

9 (ii) by inserting before the period the
10 following: “, not later than 20 days after
11 the date on which such notice is sub-
12 mitted”.

13 **SEC. 1043. DEPARTMENT OF DEFENSE AUTHORITY TO**
14 **CARRY OUT PERSONNEL RECOVERY RE-**
15 **INTEGRATION AND POST-ISOLATION SUP-**
16 **PORT ACTIVITIES.**

17 (a) IN GENERAL.—Chapter 53 of title 10, United
18 States Code, is amended by inserting after section 1056
19 the following new section:

20 **“§ 1056a. Reintegration of recovered Department of**
21 **Defense personnel; post-isolation support**
22 **activities for other recovered personnel**

23 “(a) REINTEGRATION AND SUPPORT AUTHORIZED.—
24 The Secretary of Defense may carry out the following:

1 “(1) Reintegration activities for recovered per-
2 sons who are Department of Defense personnel.

3 “(2) Post-isolation support activities for or on
4 behalf of other recovered persons who are officers or
5 employees of the United States Government, military
6 or civilian officers or employees of an allied or coaliti-
7 on partner of the United States, or other United
8 States or foreign nationals.

9 “(b) ACTIVITIES AUTHORIZED.—(1) The activities
10 authorized by subsection (a) for or on behalf of a recov-
11 ered person may include the following:

12 “(A) The provision of food, clothing, necessary
13 medical support, and essential sundry items for the
14 recovered person.

15 “(B) In accordance with regulations prescribed
16 by the Secretary of Defense, travel and transpor-
17 tation allowances for not more than three family
18 members, or other designated individuals, deter-
19 mined by the commander or head of a military med-
20 ical treatment facility to be beneficial for the re-
21 integration of the recovered person and whose pres-
22 ence may contribute to improving the physical and
23 mental health of the recovered person.

24 “(C) Transportation or reimbursement for
25 transportation in connection with the attendance of

1 the recovered person at events or functions deter-
2 mined by the commander or head of a military med-
3 ical treatment facility to contribute to the physical
4 and mental health of the recovered person.

5 “(2) Medical support may be provided under para-
6 graph (1)(A) to a recovered person who is not a member
7 of the armed forces for not more than 20 days.

8 “(c) DEFINITIONS.—In this section:

9 “(1) The term ‘post-isolation support’, in the
10 case of a recovered person, means—

11 “(A) the debriefing of the recovered person
12 following a separation as described in para-
13 graph (2);

14 “(B) activities to promote or support the
15 physical and mental health of the recovered per-
16 son following such a separation; and

17 “(C) other activities to facilitate return of
18 the recovered person to military or civilian life
19 as expeditiously as possible following such a
20 separation.

21 “(2) The term ‘recovered person’ means an in-
22 dividual who is returned alive from separation
23 (whether as an individual or a group) while partici-
24 pating in or in association with a United States-
25 sponsored military activity or mission in which the

1 individual was detained in isolation or held in cap-
 2 tivity by a hostile entity.

3 “(3) The term ‘reintegration’, in the case of a
 4 recovered person, means—

5 “(A) the debriefing of the recovered person
 6 following a separation as described in para-
 7 graph (2);

8 “(B) activities to promote or support for
 9 the physical and mental health of the recovered
 10 person following such a separation; and

11 “(C) other activities to facilitate return of
 12 the recovered person to military duty or em-
 13 ployment with the Department of Defense as
 14 expeditiously as possible following such a sepa-
 15 ration.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
 17 at the beginning of chapter 53 of such title is amended
 18 by inserting after the item relating to section 1056 the
 19 following new item:

“1056a. Reintegration of recovered Department of Defense personnel; post-isola-
 tion support activities for other recovered personnel.”.

20 **SEC. 1044. TREATMENT UNDER FREEDOM OF INFORMA-**
 21 **TION ACT OF CERTAIN SENSITIVE NATIONAL**
 22 **SECURITY INFORMATION.**

23 (a) CRITICAL INFRASTRUCTURE SECURITY INFORMA-
 24 TION.—

1 (1) IN GENERAL.—The Secretary of Defense
2 may exempt certain Department of Defense informa-
3 tion from disclosure under section 552 of title 5,
4 United States Code, upon a written determination
5 that—

6 (A) the information is Department of De-
7 fense critical infrastructure security informa-
8 tion; and

9 (B) the public interest in the disclosure of
10 such information does not outweigh the Govern-
11 ment's interest in withholding such information
12 from the public.

13 (2) INFORMATION PROVIDED TO STATE OR
14 LOCAL FIRST RESPONDERS.—Critical infrastructure
15 security information covered by a written determina-
16 tion under this subsection that is provided to a State
17 or local government to assist first responders in the
18 event that emergency assistance should be required
19 shall be deemed to remain under the control of the
20 Department of Defense.

21 (b) MILITARY FLIGHT OPERATIONS QUALITY ASSUR-
22 ANCE SYSTEM.—The Secretary of Defense may exempt in-
23 formation contained in any data file of the Military Flight
24 Operations Quality Assurance system of a military depart-
25 ment from disclosure under section 552 of title 5, United

1 States Code, upon a written determination that the disclo-
2 sure of such information in the aggregate (and when com-
3 bined with other information already in the public domain)
4 would reveal sensitive information regarding the tactics,
5 techniques, procedures, processes, or operational and
6 maintenance capabilities of military combat aircraft, units,
7 or aircrews. Information covered by a written determina-
8 tion under this subsection shall be exempt from disclosure
9 under such section 552 even when such information is con-
10 tained in a data file that is not exempt in its entirety from
11 such disclosure.

12 (c) DELEGATION.—The Secretary of Defense may
13 delegate the authority to make a determination under sub-
14 section (a) or (b) to any civilian official in the Department
15 of Defense or a military department who is appointed by
16 the President, by and with the advice and consent of the
17 Senate.

18 (d) TRANSPARENCY.—Each determination of the
19 Secretary, or the Secretary's designee, under subsection
20 (a) or (b) shall be made in writing and accompanied by
21 a statement of the basis for the determination. All such
22 determinations and statements of basis shall be available
23 to the public, upon request, through the office of the As-
24 sistant Secretary of Defense for Public Affairs.

25 (e) DEFINITIONS.—In this section:

1 (1) The term “Department of Defense critical
2 infrastructure security information” means sensitive
3 but unclassified information that, if disclosed, would
4 reveal vulnerabilities in Department of Defense crit-
5 ical infrastructure that, if exploited, would likely re-
6 sult in the significant disruption, destruction, or
7 damage of or to Department of Defense operations,
8 property, or facilities, including information regard-
9 ing the securing and safeguarding of explosives, haz-
10 ardous chemicals, or pipelines, related to critical in-
11 frastructure or protected systems owned or operated
12 by or on behalf of the Department of Defense, in-
13 cluding vulnerability assessments prepared by or on
14 behalf of the Department, explosives safety informa-
15 tion (including storage and handling), and other
16 site-specific information on or relating to installation
17 security.

18 (2) The term “data file” means a file of the
19 Military Flight Operations Quality Assurance system
20 that contains information acquired or generated by
21 the Military Flight Operations Quality Assurance
22 system, including the following:

23 (A) Any data base containing raw Military
24 Flight Operations Quality Assurance data.

1 (B) Any analysis or report generated by
2 the Military Flight Operations Quality Assur-
3 ance system or which is derived from Military
4 Flight Operations Quality Assurance data.

5 **SEC. 1045. CLARIFICATION OF AIRLIFT SERVICE DEFINI-**
6 **TIONS RELATING TO THE CIVIL RESERVE AIR**
7 **FLEET.**

8 (a) CLARIFICATION.—Section 41106 of title 49,
9 United States Code, is amended—

10 (1) by striking “transport category aircraft” in
11 subsections (a)(1), (b), and (c) and inserting
12 “CRAF-eligible aircraft”; and

13 (2) in subsection (c), by striking “that has air-
14 craft in the civil reserve air fleet” and inserting “re-
15 ferred to in subsection (a)”.

16 (b) CRAF-ELIGIBLE AIRCRAFT DEFINED.—Such
17 section is further amended by adding at the end the fol-
18 lowing new subsection:

19 “(e) CRAF-ELIGIBLE AIRCRAFT DEFINED.—In this
20 section, the term ‘CRAF-eligible aircraft’ means aircraft
21 of a type the Secretary of Defense has determined to be
22 eligible to participate in the Civil Reserve Air Fleet.”.

1 **SEC. 1046. AUTHORITY FOR ASSIGNMENT OF CIVILIAN EM-**
2 **EMPLOYEES OF THE DEPARTMENT OF DEFENSE**
3 **AS ADVISORS TO FOREIGN MINISTRIES OF**
4 **DEFENSE AND INTERNATIONAL PEACE AND**
5 **SECURITY ORGANIZATIONS.**

6 (a) **AUTHORITY.**—The Secretary of Defense may,
7 with the concurrence of the Secretary of State, carry out
8 a program to assign civilian employees of the Department
9 of Defense as advisors to the ministries of defense (or se-
10 curity agencies serving a similar defense function) of for-
11 eign countries and international peace and security organi-
12 zations in order to—

13 (1) provide institutional, ministerial-level advice,
14 and other training to personnel of the ministry or
15 organization to which assigned in support of sta-
16 bilization or post-conflict activities; or

17 (2) assist such ministry or organization in
18 building core institutional capacity, competencies,
19 and capabilities to manage defense-related processes.

20 (b) **TERMINATION OF AUTHORITY.**—

21 (1) **IN GENERAL.**—The authority of the Sec-
22 retary of Defense to assign civilian employees under
23 the program under subsection (a) terminates at the
24 close of September 30, 2014.

25 (2) **CONTINUATION OF ASSIGNMENTS.**—Any as-
26 signment of a civilian employee under subsection (a)

1 before the date specified in paragraph (1) may con-
2 tinue after that date, but only using funds available
3 for fiscal year 2012, 2013, or 2014.

4 (c) ANNUAL REPORT.—Not later than December 30
5 each year through 2014, the Secretary of Defense shall
6 submit to the Committee on Armed Services of the Senate
7 and the Committee on Armed Services of the House of
8 Representatives a report on activities under the program
9 under subsection (a) during the preceding fiscal year.
10 Each report shall include, for the fiscal year covered by
11 such report, the following:

12 (1) A list of the defense ministries and inter-
13 national peace and security organizations to which
14 civilian employees were assigned under the program.

15 (2) A statement of the number of such employ-
16 ees so assigned.

17 (3) A statement of the duration of the various
18 assignments of such employees.

19 (4) A brief description of the activities carried
20 out such by such employees pursuant to such assign-
21 ments.

22 (5) A statement of the cost of each such assign-
23 ment.

24 (d) COMPTROLLER GENERAL REPORT.—Not later
25 than December 30, 2013, the Comptroller General of the

1 United States shall submit to the committees of Congress
2 specified in subsection (c) a report setting forth an assess-
3 ment of the effectiveness of the advisory services provided
4 by civilian employees assigned under the program under
5 subsection (a) as of the date of the report in meeting the
6 purposes of the program.

7 **SEC. 1047. NET ASSESSMENT OF NUCLEAR FORCE LEVELS**
8 **REQUIRED WITH RESPECT TO CERTAIN PRO-**
9 **POSALS TO REDUCE THE NUCLEAR WEAPONS**
10 **STOCKPILE OF THE UNITED STATES.**

11 (a) IN GENERAL.—If, on or after the date of the en-
12 actment of this Act, the President makes a proposal de-
13 scribed in subsection (b), the President shall—

14 (1) conduct a net assessment of the current and
15 proposed nuclear forces of the United States and of
16 other countries that possess nuclear weapons to de-
17 termine whether the nuclear forces of the United
18 States are anticipated to be capable of meeting the
19 objectives of the United States with respect to nu-
20 clear deterrence, extended deterrence, assurance of
21 allies, and defense; and

22 (2) as soon as practicable after the date on
23 which the President makes such a proposal, submit
24 that assessment to the congressional defense com-
25 mittees.

1 (b) PROPOSAL DESCRIBED.—

2 (1) IN GENERAL.—A proposal described in this
3 subsection is a proposal—

4 (A) to reduce the number of deployed nu-
5 clear weapons of the United States to a level
6 that is lower than the level described in the
7 Treaty between the United States of America
8 and the Russian Federation on Measures for
9 the Further Reduction and Limitation of Stra-
10 tegic Offensive Arms, signed at Prague April 8,
11 2010; or

12 (B) except as provided in paragraph (2), to
13 reduce, in a calendar year before 2022, the
14 number of non-deployed nuclear weapons held
15 by the United States as a hedge.

16 (2) EXCEPTION FOR ROUTINE STOCKPILE
17 STEWARDSHIP ACTIVITIES.—The requirement to
18 conduct the net assessment under subsection (a)
19 does not apply with respect to a proposal described
20 in paragraph (1)(B) to reduce the number of non-
21 deployed nuclear weapons held by the United States
22 if that reduction is associated with routine stockpile
23 stewardship activities.

24 (3) HEDGE DEFINED.—For purposes of para-
25 graph (1)(B), the term “hedge” means the retention

1 of non-deployed nuclear weapons in both the active
2 and inactive nuclear weapons stockpiles to respond
3 to a technical failure in the stockpile or a change in
4 the geopolitical environment.

5 **SEC. 1048. FISCAL YEAR 2012 ADMINISTRATION AND RE-**
6 **PORT ON THE TROOPS-TO-TEACHERS PRO-**
7 **GRAM.**

8 (a) FISCAL YEAR 2012 ADMINISTRATION.—Notwith-
9 standing section 2302(c) of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C. 6672(c)), the
11 Secretary of Defense may administer the Troops-to-
12 Teachers Program during fiscal year 2012. Amounts au-
13 thorized to be appropriated for the Department of Defense
14 by this Act shall be available to the Secretary of Defense
15 for that purpose.

16 (b) REPORT.—Not later than April 1, 2012, the Sec-
17 retary of Defense and the Secretary of Education shall
18 jointly submit to the appropriate committees of Congress
19 a report on the Troops-to-Teachers Program. The report
20 shall include the following:

21 (1) A summary of the funding of the Troops-
22 to-Teachers Program since its inception and pro-
23 jected funding of the program during the period cov-
24 ered by the future-years defense program submitted
25 to Congress during 2011.

1 (2) The number of past participants in the
2 Troops-to-Teachers Program by year, the number of
3 past participants who have fulfilled, and have not
4 fulfilled, their service obligation under the program,
5 and the number of waivers of such obligations (and
6 the reasons for such waivers).

7 (3) A discussion and assessment of the current
8 and anticipated effects of recent economic cir-
9 cumstances in the United States, and cuts nation-
10 wide in State and local budgets, on the ability of
11 participants in the Troops-to-Teachers Program to
12 obtain teaching positions.

13 (4) A discussion of the youth education goals in
14 the Troops-to-Teachers Program and the record of
15 the program to date in producing teachers in high-
16 need and other eligible schools.

17 (5) An assessment of the extent to which the
18 Troops-to-Teachers Program achieves its purpose as
19 a military transition assistance program and, in par-
20 ticular, as transition assistance program for mem-
21 bers of the Armed Forces who are nearing retire-
22 ment or who are voluntarily or involuntarily sepa-
23 rating from military service.

24 (6) An assessment of the performance of the
25 Troops-to-Teachers Program in providing qualified

1 teachers to high-need public schools, and reasons for
2 expanding the program to additional school districts.

3 (7) A discussion and assessment of the advis-
4 ability of the administration of the Troops-to-Teach-
5 ers Program by the Department of Education in
6 consultation with the Department of Defense.

7 (c) DEFINITIONS.—In this section:

8 (1) APPROPRIATE COMMITTEES OF CON-
9 GRESS.—The term “appropriate committees of Con-
10 gress” means—

11 (A) the Committees on Armed Services
12 and Health, Education, Labor, and Pensions of
13 the Senate; and

14 (B) the Committees on Armed Services
15 and Education and Labor of the House of Rep-
16 resentatives.

17 (2) TROOPS-TO-TEACHERS PROGRAM.—The
18 term “Troops-to-Teachers Program” means the
19 Troops-to-Teachers Program authorized by chapter
20 A of subpart 1 of part C of title II of the Elemen-
21 tary and Secondary Education Act of 1965 (20
22 U.S.C. 6671 et seq.).

1 **SEC. 1049. EXPANSION OF OPERATION HERO MILES.**

2 (a) EXPANDED DEFINITION OF TRAVEL BENEFIT.—

3 Subsection (b) of section 2613 of title 10, United States
4 Code, is amended to read as follows:

5 “(b) TRAVEL BENEFIT DEFINED.—In this section,
6 the term ‘travel benefit’ means—

7 “(1) frequent traveler miles, credits for tickets,
8 or tickets for air or surface transportation issued by
9 an air carrier or a surface carrier, respectively, that
10 serves the public; and

11 “(2) points or awards for free or reduced-cost
12 accommodations issued by an inn, hotel, or other
13 commercial establishment that provides lodging to
14 transient guests.”.

15 (b) CONDITION ON AUTHORITY TO ACCEPT DONA-
16 TION.—Subsection (c) of such section is amended—

17 (1) by striking “the air or surface carrier” and
18 inserting “the business entity referred to in sub-
19 section (b)”;

20 (2) by striking “the surface carrier” and insert-
21 ing “the business entity”; and

22 (3) by striking “the carrier” and inserting “the
23 business entity”.

24 (c) ADMINISTRATION.—Subsection (e)(3) of such sec-
25 tion is amended by striking “the air carrier or surface car-

1 rier” and inserting “the business entity referred to in sub-
2 section (b)”.

3 (d) **STYLISTIC AMENDMENTS.**—

4 (1) **SECTION HEADING.**—The heading of such
5 section is amended to read as follows:

6 **“§ 2613. Acceptance of frequent traveler miles, cred-
7 its, points, and tickets: use to facilitate
8 rest and recuperation travel of deployed
9 members and their families”.**

10 (2) **TABLE OF SECTIONS.**—The table of sections
11 at the beginning of chapter 155 of such title is
12 amended by striking the item relating to section
13 2613 and inserting the following new item:

“2613. Acceptance of frequent traveler miles, credits, points, and tickets: use
to facilitate rest and recuperation travel of deployed members
and their families.”.

14 **Subtitle F—Repeal and Modifica-
15 tion of Reporting Requirements**

16 **PART I—REPEAL OF REPORTING REQUIREMENTS**

17 **SEC. 1061. REPEAL OF REPORTING REQUIREMENTS UNDER**

18 **TITLE 10, UNITED STATES CODE.**

19 Title 10, United States Code, is amended as follows:

20 (1) Section 127a(a) is amended—

21 (A) by striking paragraph (3); and

22 (B) by redesignating paragraph (4) as
23 paragraph (3).

1 (2) Section 184 is amended by striking sub-
2 section (h).

3 (3)(A) Section 427 is repealed.

4 (B) The table of sections at the beginning of
5 subchapter I of chapter 21 is amended by striking
6 the item relating to section 427.

7 (4) Section 437 is amended by striking sub-
8 section (c).

9 (5)(A) Section 483 is repealed.

10 (B) The table of sections at the beginning of
11 chapter 23 is amended by striking the item relating
12 to section 483.

13 (6)(A) Section 484 is repealed.

14 (B) The table of sections at the beginning of
15 chapter 23 is amended by striking the item relating
16 to section 484.

17 (7)(A) Section 485 is repealed.

18 (B) The table of sections at the beginning of
19 chapter 23 is amended by striking the item relating
20 to section 485.

21 (8)(A) Section 486 is repealed.

22 (B) The table of sections at the beginning of
23 chapter 23 is amended by striking the item relating
24 to section 486.

25 (9)(A) Section 487 is repealed.

1 (B) The table of sections at the beginning of
2 chapter 23 is amended by striking the item relating
3 to section 487.

4 (10) Section 983(e)(1) is amended—

5 (A) by striking the comma after “Sec-
6 retary of Education” and inserting “and”; and

7 (B) by striking “, and to Congress”.

8 (11) Section 1781b is amended by striking sub-
9 section (d).

10 (12) Section 2010 is amended—

11 (A) by striking subsection (b); and

12 (B) by redesignating subsections (c), (d),
13 and (e) as subsections (b), (c), and (d), respec-
14 tively.

15 (13) Section 2244a(c) is amended by striking
16 the second sentence.

17 (14)(A) Section 2282 is repealed.

18 (B) The table of sections at the beginning of
19 chapter 136 is amended by striking the item relating
20 to section 2282.

21 (15) Section 2350a(g) is amended by striking
22 paragraph (3).

23 (16) Section 2410m is amended by striking
24 subsection (c).

25 (17) Section 2485(a) is amended—

1 (A) by striking “(1)”; and

2 (B) by striking paragraph (2).

3 (18) Section 2493 is amended by striking sub-
4 section (g).

5 (19) Section 2515 is amended by striking sub-
6 section (d).

7 (20)(A) Section 2582 is repealed.

8 (B) the table of sections at the beginning of
9 chapter 153 is amended by striking the item relating
10 to section 2582.

11 (21) Section 2583 is amended—

12 (A) by striking subsection (f); and

13 (B) by redesignating subsection (g) as sub-
14 section (f).

15 (22) Section 2688 is amended—

16 (A) in subsection (a)—

17 (i) by striking “(1)” before “The Sec-
18 retary of a military department”; and

19 (ii) by striking paragraphs (2) and
20 (3);

21 (B) in subsection (d)(2), by striking the
22 second sentence;

23 (C) by striking subsection (f); and

24 (D) in subsection (h), by striking the last
25 sentence.

1 (23)(A) Section 2706 is repealed.

2 (B) The table of sections at the beginning of
3 chapter 160 is amended by striking the item relating
4 to section 2706.

5 (24)(A) Section 2815 is repealed.

6 (B) The table of sections at the beginning of
7 subchapter I of chapter 169 is amended by striking
8 the item relating to section 2815.

9 (25) Section 2825(c)(1) is amended—

10 (A) by inserting “and” at the end of sub-
11 paragraph (A);

12 (B) by striking the semicolon at the end of
13 subparagraph (B) and inserting a period; and

14 (C) by striking subparagraphs (C) and
15 (D).

16 (26) Section 2826 is amended—

17 (A) by striking “(a) LOCAL COM-
18 PARABILITY.—”; and

19 (B) by striking subsection (b).

20 (27) Section 2827 is amended—

21 (A) by striking “(a) Subject to subsection
22 (b), the Secretary” and inserting “The Sec-
23 retary”; and

24 (B) by striking subsection (b).

25 (28) Section 2836 is amended—

1 (A) in subsection (b)—

2 (i) by striking “(1)” before “The Sec-
3 retary of a military department”; and

4 (ii) by striking paragraph (2);

5 (B) by striking subsection (f); and

6 (C) by redesignating subsection (g) as sub-
7 section (f).

8 (29) Section 2837(c) is amended—

9 (A) by striking “(1)” after “OPPORTUNI-
10 TIES.—”; and

11 (B) by striking paragraph (2).

12 (30) Section 2854a is amended by striking sub-
13 section (c).

14 (31) Section 2861 is amended by striking sub-
15 section (d).

16 (32)(A) Section 7296 is repealed.

17 (B) The table of sections at the beginning of
18 chapter 633 is amended by striking the item relating
19 to section 7296.

20 (33)(A) Section 10504 is repealed.

21 (B) The table of sections at the beginning of
22 chapter 1011 is amended by striking the item relat-
23 ing to section 10504.

24 (34) Section 12302(b) is amended by striking
25 the last sentence.

1 (35)(A) Section 16137 is repealed.

2 (B) The table of sections at the beginning of
3 chapter 1606 is amended by striking the item relat-
4 ing to section 16137.

5 **SEC. 1062. REPEAL OF REPORTING REQUIREMENTS UNDER**
6 **ANNUAL DEFENSE AUTHORIZATION ACTS.**

7 (a) FISCAL YEAR 2010.—The National Defense Au-
8 thorization Act for Fiscal Year 2010 (Public Law 111–
9 84) is amended as follows:

10 (1) Section 219 (123 Stat. 2228) is amended
11 by striking subsection (e).

12 (2) Section 1113(e)(1) (123 Stat. 2502) is
13 amended by striking “, which information shall be”
14 and all that follows through “semiannual basis”.

15 (3) Section 1245 (123 Stat. 2542) is repealed.

16 (b) FISCAL YEAR 2009.—Section 1504 of The Dun-
17 can Hunter National Defense Authorization Act for Fiscal
18 Year 2009 (10 U.S.C. 2358 note) is amended by striking
19 subsection (e).

20 (c) FISCAL YEAR 2008.—The National Defense Au-
21 thorization Act for Fiscal Year 2008 (Public Law 110–
22 181) is amended as follows:

23 (1) Section 885 (10 U.S.C. 2304 note) is
24 amended—

1 (A) in subsection (a), by striking the last
2 sentence of paragraph (2); and

3 (B) in subsection (b), by striking “the date
4 of the enactment of this Act” both places it ap-
5 pears and inserting “January 28, 2008”.

6 (2) Section 2864 (10 U.S.C. 2911 note) is re-
7 pealed.

8 (d) FISCAL YEAR 2007.—The John Warner National
9 Defense Authorization Act for Fiscal Year 2007 (Public
10 Law 109–364) is amended as follows:

11 (1) Section 347 (10 U.S.C. 221 note) is re-
12 pealed.

13 (2) Section 731 (10 U.S.C. 1095c note) is
14 amended—

15 (A) by striking subsection (d); and

16 (B) by redesignating subsection (e) as sub-
17 section (d).

18 (3) Section 732 (10 U.S.C. 1073 note) is
19 amended by striking subsection (d).

20 (4) Section 1231 (22 U.S.C. 2776a) is repealed.

21 (5) Section 1402 (10 U.S.C. 113 note) is re-
22 pealed.

23 (e) FISCAL YEAR 2006.—Section 716 of the National
24 Defense Authorization Act for Fiscal Year 2006 (10
25 U.S.C. 1073 note) is amended—

1 (1) by striking subsection (b); and

2 (2) by redesignating subsection (c) as sub-
3 section (b).

4 (f) FISCAL YEAR 2005.—The Ronald W. Reagan Na-
5 tional Defense Authorization Act for Fiscal Year 2005
6 (Public Law 108–375) is amended as follows:

7 (1) Section 731 (10 U.S.C. 1074 note) is
8 amended by striking subsection (c).

9 (2) Section 1041 (10 U.S.C. 229 note) is re-
10 pealed.

11 (g) FISCAL YEAR 2004.—The National Defense Au-
12 thorization Act for Fiscal Year 2004 (Public Law 108–
13 136) is amended as follows:

14 (1) Section 586 (117 Stat. 1493) is repealed.

15 (2) Section 812 (117 Stat. 1542) is amended
16 by striking subsection (c).

17 (3) Section 1601(d) (10 U.S.C. 2358 note) is
18 amended—

19 (A) by striking paragraph (5); and

20 (B) by redesignating paragraphs (6) and
21 (7) as paragraphs (5) and (6), respectively.

22 (h) FISCAL YEAR 2003.—Section 221 of the Bob
23 Stump National Defense Authorization Act for Fiscal
24 Year 2003 (10 U.S.C. 2431 note) is repealed.

1 (i) FISCAL YEAR 2002.—Section 232 of the National
2 Defense Authorization Act for Fiscal Year 2002 (10
3 U.S.C. 2431 note) is amended by striking subsections (c)
4 and (d).

5 (j) FISCAL YEAR 2001.—The Floyd D. Spence Na-
6 tional Defense Authorization Act for Fiscal Year 2001 (as
7 enacted into law by Public Law 106–398) is amended as
8 follows:

9 (1) Section 374 (10 U.S.C. 2851 note) is re-
10 pealed.

11 (2) Section 1212 (114 Stat. 1654A–326) is
12 amended by striking subsections (c) and (d).

13 (3) Section 1213 (114 Stat. 1654A–327) is re-
14 pealed.

15 (k) FISCAL YEAR 2000.—The National Defense Au-
16 thorization Act for Fiscal Year 2000 (Public Law 106–
17 65) is amended as follows:

18 (1) Section 723 (10 U.S.C. 1071 note) is
19 amended—

20 (A) in subsection (d)—

21 (i) by striking paragraph (5); and

22 (ii) by redesignating paragraphs (6)
23 and (7) as paragraphs (5) and (6), respec-
24 tively; and

25 (B) by striking subsection (e).

1 (2) Section 1025 (10 U.S.C. 113 note) is re-
2 pealed.

3 (3) Section 1035 (113 Stat. 753), as amended
4 by section 1211 of the Floyd D. Spence National
5 Defense Authorization Act for Fiscal Year 2001 (as
6 enacted into law by Public Law 106–398; 114 Stat.
7 1654A–325), is repealed.

8 (l) FISCAL YEAR 1999.—Section 1101 of the Strom
9 Thurmond National Defense Authorization Act for Fiscal
10 Year 1999 (5 U.S.C. 3104 note) is amended by striking
11 subsection (g).

12 (m) FISCAL YEAR 1998.—The National Defense Au-
13 thorization Act for Fiscal Year 1998 (Public Law 105–
14 85) is amended as follows:

15 (1) Section 234 (50 U.S.C. 2367) is repealed.

16 (2) Section 349 (10 U.S.C. 2702 note) is
17 amended by striking subsection (e).

18 (3) Section 743 (111 Stat. 1817) is amended
19 by striking subsection (f).

20 (n) FISCAL YEAR 1997.—Section 218 of the National
21 Defense Authorization Act for Fiscal Year 1997 (Public
22 Law 104–201; 110 Stat. 2455) is repealed.

23 (o) FISCAL YEARS 1992 AND 1993.—Section 2868
24 of the National Defense Authorization Act for Fiscal
25 Years 1992 and 1993 (10 U.S.C. 2802 note) is repealed.

1 (p) FISCAL YEAR 1991.—Section 831 of the National
2 Defense Authorization Act for Fiscal Year 1991 (10
3 U.S.C. 2302 note) is amended—

4 (1) by striking subsection (l); and

5 (2) by redesignating subsection (m) as sub-
6 section (1).

7 **SEC. 1063. REPEAL OF REPORTING REQUIREMENTS UNDER**
8 **OTHER LAWS.**

9 (a) TITLE 37.—Section 402a of title 37, United
10 States Code, is amended—

11 (1) by striking subsection (f); and

12 (2) by redesignating subsections (g) and (h) as
13 subsections (f) and (g), respectively.

14 (b) TITLE 38.—Section 3020 of title 38, United
15 States Code, is amended—

16 (1) by striking subsection (l); and

17 (2) by redesignating subsection (m) as sub-
18 section (1).

19 (c) NATIONAL AND COMMUNITY SERVICE ACT OF
20 1990.—Section 172 of the National and Community Serv-
21 ice Act of 1990 (42 U.S.C. 12632) is amended by striking
22 subsection (e).

1 **PART II—MODIFICATION OF EXISTING**
2 **REPORTING REQUIREMENTS**

3 **SEC. 1066. MODIFICATION OF REPORTING REQUIREMENTS**
4 **UNDER TITLE 10, UNITED STATES CODE.**

5 Title 10, United States Code, is amended as follows:

6 (1) Section 113(j) is amended—

7 (A) in paragraph (1)—

8 (i) by striking subparagraphs (A) and

9 (C);

10 (ii) by redesignating subparagraph

11 (B) as subparagraph (A); and

12 (iii) by inserting after subparagraph

13 (A), as redesignated by clause (ii), the fol-

14 lowing new subparagraph (B):

15 “(B) The amount of direct and indirect support
16 for the stationing of United States forces provided
17 by each host nation.”;

18 (B) by striking paragraph (2); and

19 (C) by redesignating paragraph (3) as
20 paragraph (2).

21 (2)(A) Section 115b is amended—

22 (i) in subsection (a)—

23 (I) in the subsection caption, by strik-
24 ing “ANNUAL” and inserting “BIENNIAL”;

25 and

1 (II) by striking “on an annual basis”
2 and inserting “in every even-numbered
3 year”; and

4 (ii) in subsection (b)(1)(A), by striking
5 “during the seven-year period following the year
6 in which the plan is submitted” and inserting
7 “during the five-year period corresponding to
8 the current future-years defense plan under sec-
9 tion 221 of this title”.

10 (B)(i) The heading of such section is amended
11 to read as follows:

12 **“§ 115b. Biennial strategic workforce plan”.**

13 (ii) The table of sections at the beginning of
14 chapter 2 is amended by striking the item relating
15 to section 115b and inserting the following new
16 item:

“115b. Biennial strategic workforce plan.”.

17 (3) Section 116 is amended—

18 (A) by redesignating subsection (b) as sub-
19 section (c); and

20 (B) by inserting after subsection (a) the
21 following new subsection (b):

22 “(b) The Secretary may submit the report required
23 by subsection (a) by including the materials required in
24 the report as an exhibit to the defense authorization re-

1 quest submitted pursuant to section 113a of this title in
2 the fiscal year concerned.”.

3 (4) Section 127b(f) is amended by striking
4 “December 1” and inserting “February 1”.

5 (5) Section 138c(e)(4) is amended—

6 (A) by striking “Not later than 10 days”
7 and all that follows through “title 31,” and in-
8 serting “Not later than March 31 in any year,”;
9 and

10 (B) by striking “that fiscal year” and in-
11 serting “the fiscal year beginning in the year in
12 which such report is submitted”.

13 (6)(A) Section 228 is amended—

14 (i) in subsection (a)—

15 (I) by striking “QUARTERLY RE-
16 PORT.—” and inserting “BIANNUAL RE-
17 PORT.—”;

18 (II) by striking “a quarterly report”
19 and inserting “a biannual report”; and

20 (III) by striking “fiscal-year quarter”
21 and inserting “two fiscal-year quarters”;
22 and

23 (ii) in subsection (c)—

24 (I) by striking “(1)”;

1 (II) by striking “a quarter of a fiscal
2 year after the first quarter of that fiscal
3 year” and inserting “the second two fiscal-
4 year quarters of a fiscal year”;

5 (III) by striking “the first quarter of
6 that fiscal year” and inserting “the first
7 two fiscal-year quarters of that fiscal
8 year”; and

9 (IV) by striking paragraph (2).

10 (B)(i) The heading of such section is amended
11 to read as follows:

12 **“§ 228. Biannual reports on allocation of funds within**
13 **operation and maintenance budget sub-**
14 **activities”.**

15 (ii) The table of sections at the beginning of
16 chapter 9 is amended by striking the item relating
17 to section 228 and inserting the following new item:

“228. Biannual reports on allocation of funds within operation and maintenance
budget subactivities.”.

18 (7) Subsection (f) of section 408 is amended to
19 read as follows:

20 “(f) CONGRESSIONAL OVERSIGHT.—Whenever the
21 Secretary of Defense provides assistance to a foreign na-
22 tion under this section, the Secretary shall submit to the
23 congressional defense committees a report on the assist-
24 ance provided. Each such report shall identify the nation

1 to which the assistance was provided and include a de-
 2 scription of the type and amount of the assistance pro-
 3 vided.”.

4 (8)(A) Section 488—

5 (i) in subsection (a), by striking “Every
 6 other year” and inserting “Every fourth year”;

7 (ii) in subsection (b), by striking “an even-
 8 numbered fiscal year” and inserting “every
 9 other even-numbered fiscal year beginning with
 10 fiscal year 2012”; and

11 (iii) by adding at the end the following new
 12 subsection:

13 “(c) BIENNIAL NOTICE ON CHANGES TO STRATEGIC
 14 PLAN.—If the Secretary modifies a strategic plan under
 15 subsection (a) during the two-year period beginning on the
 16 date of its submittal to Congress under subsection (b), the
 17 Secretary shall submit to Congress a written notice on the
 18 modifications at the end of such two-year period.”.

19 (B)(i) The heading of such section is amended
 20 to read as follows:

21 “§ 488. Management of electromagnetic spectrum:
 22 quadrennial strategic plan”.

23 (ii) The table of sections at the beginning of
 24 chapter 23 is amended by striking the item relating
 25 to section 488 and inserting the following new item:

“488. Management of electromagnetic spectrum: quadrennial strategic plan.”.

1 (9) Section 490(b)(1) is amended by inserting
2 “through 2014” after “every even-numbered year”.

3 (10) Section 2401(h) is amended—

4 (A) by striking “only if—” and all that fol-
5 lows through “of the proposed” and inserting
6 “only if the Secretary has notified the congress-
7 sional defense committees of the proposed”;

8 (B) by striking paragraph (2);

9 (C) by redesignating subparagraphs (A),
10 (B), and (C) as paragraphs (1), (2), and (3),
11 respectively, and realigning those paragraphs so
12 as to be indented two ems from the left margin;
13 and

14 (D) by striking “; and” at the end of para-
15 graph (3), as so redesignated, and inserting a
16 period.

17 (11) Section 2482(d)(1) is amended by insert-
18 ing “in the United States” after “commissary
19 store”.

20 (12) Section 2608(e)(1) is amended—

21 (A) by striking “each quarter” and insert-
22 ing “the second quarter and the fourth quar-
23 ter”; and

24 (B) by striking “the preceding quarter”
25 and inserting “the preceding two quarters”.

1 (13) Section 2645(d) is amended by striking
2 “\$1,000,000” and inserting “\$10,000,000”.

3 (14) Section 2803(b) is amended by striking
4 “21-day period” and inserting “seven-day period”.

5 (15) Section 2811(d) is amended by striking
6 “\$7,500,000” and inserting “\$10,000,000”.

7 (16) Section 9514(c) is amended by striking
8 “\$1,000,000” and inserting “\$10,000,000”.

9 (17) Section 10541(a) is amended by striking
10 “February 15” and inserting “April 15”.

11 (18) Section 10543(c)(3) is amended by strik-
12 ing “15 days” and inserting “90 days”.

13 **SEC. 1067. MODIFICATION OF REPORTING REQUIREMENTS**

14 **UNDER OTHER TITLES OF THE UNITED**
15 **STATES CODE.**

16 (a) TITLE 32.—Section 908(a) of title 32, United
17 States Code, is amended by striking “After the end of each
18 fiscal year,” and inserting “After the end of any fiscal
19 year during which any assistance was provided or activi-
20 ties were carried out under this chapter,”.

21 (b) TITLE 37.—Section 316a(f) of title 37, United
22 States Code, is amended by striking “January 1, 2010”
23 and inserting “April 1, 2012”.

1 **SEC. 1068. MODIFICATION OF REPORTING REQUIREMENTS**
2 **UNDER ANNUAL DEFENSE AUTHORIZATION**
3 **ACTS.**

4 (a) FISCAL YEAR 2010.—Section 121(e) of the Na-
5 tional Defense Authorization Act for Fiscal Year 2010
6 (Public Law 111–84; 123 Stat. 2212) is amended by strik-
7 ing paragraph (5).

8 (b) FISCAL YEAR 2008.—The National Defense Au-
9 thorization Act for Fiscal Year 2008 (Public Law 110–
10 181) is amended as follows:

11 (1) Section 958 (122 Stat. 297) is amended—

12 (A) in subsection (a), by striking “240
13 days after the date of the enactment of this
14 Act” and inserting “June 30, 2012”; and

15 (B) in subsection (d), by striking “Decem-
16 ber 31, 2013” and inserting “June 30, 2014”.

17 (2) Section 1107 (10 U.S.C. 2358 note) is
18 amended—

19 (A) in subsection (d)—

20 (i) by striking “beginning with March
21 1, 2008,”; and

22 (ii) by inserting “a report containing”
23 after “to Congress”; and

24 (B) in subsection (e)—

25 (i) in paragraph (1), by striking “Not
26 later than” and all that follows through

1 “the information” and inserting “The Sec-
2 retary shall include in each report under
3 subsection (d) the information”; and

4 (ii) in paragraph (2), by striking
5 “under this subsection” and inserting
6 “under subsection (d)”.

7 (3) Section 1674(c) (122 Stat. 483) is amend-
8 ed—

9 (A) by striking “After submission” and all
10 the follows through “that patients,” and insert-
11 ing “Patients,”; and

12 (B) by striking “have not been moved or
13 disestablished until” and inserting “may not be
14 moved or disestablished until the Secretary of
15 Defense has certified to the congressional de-
16 fense committees that”.

17 (c) FISCAL YEAR 2007.—Subsection (a) of section
18 1104 of the John Warner National Defense Authorization
19 Act for Fiscal Year 2007 (10 U.S.C. note prec. 711) is
20 amended to read as follows:

21 “(a) REPORTS ON DETAILS AND FELLOWSHIPS OF
22 LONG DURATION.—Whenever a member of the Armed
23 Forces or a civilian employee of the Department of De-
24 fense serves continuously in the Legislative Branch for
25 more than 12 consecutive months in one or a combination

1 of covered legislative details or fellowships, the Secretary
2 of Defense shall submit to the congressional defense com-
3 mittees, within 90 days, and quarterly thereafter for as
4 long as the service continues, a report on the service of
5 the member or employee.”.

6 (d) FISCAL YEAR 2001.—Section 1308(c) of the
7 Floyd D. Spence National Defense Authorization Act for
8 Fiscal Year 2001 (22 U.S.C. 5959(c)) is amended—

9 (1) by striking paragraph (7); and

10 (2) by redesignating paragraph (8) as para-
11 graph (7).

12 (e) FISCAL YEAR 2000.—The National Defense Au-
13 thorization Act for Fiscal Year 2000 (Public Law 106-
14 65) is amended as follows:

15 (1) Section 1202(b)(11) (10 U.S.C. 113 note)
16 is amended by adding at the end the following new
17 subparagraph:

18 “(G) The Secretary’s certification whether
19 or not any military-to-military exchange or con-
20 tact was conducted during the period covered
21 by the report in violation of section 1201(a).”.

22 (2) Section 1201 (10 U.S.C. 168 note) is
23 amended by striking subsection (d).

1 **SEC. 1069. MODIFICATION OF REPORTING REQUIREMENTS**
2 **UNDER OTHER LAWS.**

3 (a) **SMALL BUSINESS ACT.**—Section 9 of the Small
4 Business Act (15 U.S.C. 638) is amended—

5 (1) in subsection (b)(7), by inserting “and in-
6 cluding an accounting of funds, initiatives, and out-
7 comes under the Commercialization Pilot Program”
8 after “and (o)(15),”; and

9 (2) in subsection (y), by striking paragraph (5).

10 (b) **UNIFORMED AND OVERSEAS CITIZENS ABSEN-**
11 **TEE VOTING ACT.**—Section 105A(b) The Uniformed and
12 Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-
13 4a(b)) is amended—

14 (1) in the subsection heading, by striking “AN-
15 NUAL REPORT” and inserting “BIENNIAL REPORT”;

16 (2) in the matter preceding paragraph (1)—

17 (A) by striking “March 31 of each year”
18 and inserting “September 30 of each odd-num-
19 bered year”; and

20 (B) by striking “the following information”
21 and inserting “the following information with
22 respect to the Federal election held during the
23 preceding calendar year”; and

24 (3) in paragraph (3), by striking “In the case
25 of” and all that follows through “a description” and
26 inserting “A description”.

1 (c) IMPLEMENTING RECOMMENDATIONS OF THE 9/
 2 11 COMMISSION ACT OF 2007.—Section 1821(b)(2) of the
 3 Implementing Recommendations of the 9/11 Commission
 4 Act of 2007 (50 U.S.C. 2911(b)(2)) is amended in the
 5 first sentence by striking “of each year” and inserting “of
 6 each even-numbered year”.

7 **Subtitle G—Other Study and**
 8 **Report Matters**

9 **SEC. 1071. MODIFICATION OF DATES OF COMPTROLLER**
 10 **GENERAL OF THE UNITED STATES REVIEW**
 11 **OF EXECUTIVE AGREEMENT ON JOINT MED-**
 12 **ICAL FACILITY DEMONSTRATION PROJECT,**
 13 **NORTH CHICAGO AND GREAT LAKES, ILLI-**
 14 **NOIS.**

15 Section 1701(e)(1) of the National Defense Author-
 16 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
 17 Stat. 2568) is amended by striking “and annually there-
 18 after” and inserting “not later than two years after the
 19 execution of the executive agreement, and not later than
 20 September 30, 2015”.

21 **SEC. 1072. REPORT ON PLAN TO IMPLEMENT ORGANIZA-**
 22 **TIONAL GOALS RECOMMENDED IN THE NA-**
 23 **TIONAL SECURITY STRATEGY-2010.**

24 (a) FINDINGS.—Congress makes the following find-
 25 ings:

1 (1) An urgent need exists to transform the
2 United States national security system in order to
3 employ all elements of national power effectively and
4 efficiently to meet the challenges of the 21st century
5 security environment.

6 (2) The Quadrennial Defense Review Inde-
7 pendent Panel emphasized this need in its July 2010
8 report, writing that “the Panel notes with extreme
9 concern that our current Federal Government struc-
10 tures—both executive and legislative, and in par-
11 ticular those related to security—were fashioned in
12 the 1940s and, at best, they work imperfectly
13 today. . . . A new approach is needed”.

14 (3) The National Security Strategy—May 2010
15 calls for such a transformation of the United States
16 national security system through its identification of
17 organizational changes already underway, its rec-
18 ommendation of additional organizational changes to
19 be undertaken, and its commitment to strengthening
20 national capacity through a whole-of-government ap-
21 proach.

22 (4) The realization of these organizational goals
23 can best be assured by the preparation of a report
24 by the President on progress being made on organi-
25 zational changes already underway and on an imple-

1 mentation plan for the organizational changes newly
2 recommended in the National Security Strategy.

3 (b) PLAN TO IMPLEMENT RECOMMENDATIONS RE-
4 QUIRED.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, the
7 President shall submit to the appropriate commit-
8 tees of Congress a report setting forth a plan to im-
9 plement the organizational goals recommended in
10 the National Security Strategy—May 2010.

11 (2) ELEMENTS.—The report required under
12 this subsection shall include the following:

13 (A) A progress report identifying each or-
14 ganizational change identified by the National
15 Security Strategy as already underway, includ-
16 ing for each such change the following:

17 (i) The goal such organizational
18 change seeks to achieve.

19 (ii) The actions required of the Execu-
20 tive Branch to achieve such goal.

21 (iii) The actions required of Congress
22 to achieve such goal.

23 (iv) The preferred sequencing of the
24 executive and legislative actions specified
25 under clauses (ii) and (iii).

1 (v) The preferred timetable for such
2 executive and legislative actions and for
3 achievement of such goal.

4 (vi) The progress that has already
5 been achieved toward such goal, and the
6 obstacles that have been encountered.

7 (B) An implementation plan addressing
8 each organizational change newly recommended
9 by the National Security Strategy, including for
10 each such change the following:

11 (i) The goal such organizational
12 change seeks to achieve.

13 (ii) The actions required of the Execu-
14 tive Branch to achieve such goal.

15 (iii) The actions required of Congress
16 to achieve such goal.

17 (iv) The preferred sequencing of the
18 executive and legislative actions specified
19 under clauses (ii) and (iii).

20 (v) The preferred timetable for such
21 executive and legislative actions and for
22 achievement of such goal.

23 (c) ANNUAL UPDATE.—Not later than December 1
24 in each year following the year in which the report re-
25 quired by subsection (b) is submitted, the President shall

1 submit to the appropriate committees of Congress an up-
2 date of the report setting forth a description of the fol-
3 lowing:

4 (1) The progress made in achieving each orga-
5 nizational goal covered by the report required by
6 subsection (b).

7 (2) The modifications necessary to the plan re-
8 quired by subsection (b) in light of the experience of
9 the Executive Branch in implementing the plan.

10 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
11 FINED.—In this section, the term “appropriate commit-
12 tees of Congress” means—

13 (1) the Committee on Armed Services, Com-
14 mittee on Foreign Relations, Committee on Home-
15 land Security and Government Affairs, Committee
16 on the Budget, Committee on the Judiciary, Com-
17 mittee on Appropriations, and Select Committee on
18 Intelligence of the Senate; and

19 (2) the Committee on Armed Services, Com-
20 mittee on Foreign Affairs, Committee on Homeland
21 Security, Committee on the Budget, Committee on
22 the Judiciary, Committee on Oversight and Govern-
23 ment Reform, Committee on Appropriations, and
24 Permanent Select Committee on Intelligence of the
25 House of Representatives.

1 **SEC. 1073. BIENNIAL ASSESSMENT OF AND REPORT ON DE-**
2 **LIVERY PLATFORMS FOR NUCLEAR WEAPONS**
3 **AND THE NUCLEAR COMMAND AND CONTROL**
4 **SYSTEM.**

5 (a) IN GENERAL.—The Secretary of Defense shall,
6 in each odd-numbered year beginning with calendar year
7 2013, conduct an assessment of the safety, security, reli-
8 ability, sustainability, performance, and military effective-
9 ness of each type of platform for the delivery of nuclear
10 weapons and of the nuclear command and control system
11 of the United States.

12 (b) REPORT REQUIRED.—Not later than March 1 of
13 each odd-numbered year beginning with calendar year
14 2013, the Secretary of Defense shall submit to the con-
15 gressional defense committees a report on the assessment
16 conducted under subsection (a) that includes the following:

- 17 (1) The results of the assessment.
- 18 (2) An identification and assessment of any
19 gaps or shortfalls in the capabilities of the platforms
20 or the system described in subsection (a).
- 21 (3) An identification and assessment of any
22 risks with respect to whether any of those platforms
23 or that system will meet the mission or capability re-
24 quirements of those platforms or that system, as the
25 case may be.

1 (4) Recommendations of the Secretary of De-
2 fense with respect to measures to mitigate any gaps
3 or shortfalls identified under paragraph (2) and any
4 risks identified under paragraph (3).

5 (c) CONSULTATIONS.—The Secretary of Defense
6 shall consult with the Commander of the United States
7 Strategic Command in conducting assessments under sub-
8 section (a) and preparing reports under subsection (b).

9 **SEC. 1074. ANNUAL REPORT ON THE NUCLEAR WEAPONS**
10 **STOCKPILE OF THE UNITED STATES.**

11 (a) FINDINGS.—Congress makes the following find-
12 ings:

13 (1) In response to a question for the record
14 from a March 29, 2011, hearing of the Committee
15 on Armed Services of the Senate, General C. Robert
16 Kehler stated, “The stockpile under New START is
17 appropriately sized to meet our deterrence require-
18 ments and manage risk associated with our aging
19 systems and infrastructure. A recapitalized nuclear
20 infrastructure could also support potential reduc-
21 tions in the future non-deployed stockpile.”.

22 (2) In response to an additional question for
23 the record from that hearing, General Kehler stated,
24 “Completion of critical stockpile sustainment activi-
25 ties and restoration of [the National Nuclear Secu-

1 rity Administration’s] production infrastructure
2 could enable future reductions in the quantity of
3 non-deployed warheads currently held to mitigate
4 weapon and infrastructure risk.”.

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

7 (1) sustained investments in the nuclear weap-
8 ons stockpile and the nuclear security complex are
9 needed to ensure a reliable nuclear deterrent; and

10 (2) such investments could enable additional fu-
11 ture reductions in the hedge stockpile.

12 (c) REPORT REQUIRED.—Not later than March 1,
13 2012, and annually thereafter, the Secretary of Defense
14 shall submit to the congressional defense committees a re-
15 port on the nuclear weapons stockpile of the United States
16 that includes the following:

17 (1) An accounting of the weapons in the stock-
18 pile as of the end of the fiscal year preceding the
19 submission of the report that includes deployed and
20 non-deployed weapons, including each category of
21 non-deployed weapon.

22 (2) The planned force levels for each category
23 of nuclear weapon over the course of the future-
24 years defense program submitted to Congress under
25 section 221 of title 10, United States Code, for the

1 fiscal year following the fiscal year in which the re-
2 port is submitted.

3 **SEC. 1075. NUCLEAR EMPLOYMENT STRATEGY OF THE**
4 **UNITED STATES.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that any future modification to the nuclear employ-
7 ment strategy of the United States should maintain or en-
8 hance the ability of the nuclear forces of the United States
9 to support the goals of the United States with respect to
10 nuclear deterrence, extended deterrence, and assurances
11 for allies, and the defense of the United States.

12 (b) REPORTS ON MODIFICATION OF STRATEGY.—

13 (1) IN GENERAL.—Chapter 23 title 10, United
14 States Code, is amended by adding at the end the
15 following new section:

16 **“§ 491. Nuclear employment strategy of the United**
17 **States: reports on modification of strat-**
18 **egy**

19 “Not later than 30 days after the date on which the
20 President issues a nuclear employment strategy of the
21 United States that differs from the nuclear employment
22 strategy of the United States then in force, the President
23 shall submit to Congress a report setting forth the fol-
24 lowing:

1 “(1) A description of the modifications to nu-
2 clear employment strategy of the United States
3 made by the strategy so issued.

4 “(2) An assessment of effects of such modifica-
5 tion for the nuclear posture of the United States.”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of chapter 23 of such title is
8 amended by adding at the end the following new
9 item:

“491. Nuclear employment strategy of the United States: reports on modifica-
tion of strategy.”.

10 **SEC. 1076. STUDY ON THE RECRUITMENT, RETENTION, AND**

11 **DEVELOPMENT OF CYBERSPACE EXPERTS.**

12 (a) STUDY.—The Secretary of Defense shall conduct
13 an independent study examining the availability of mili-
14 tary and civilian personnel for Department of Defense de-
15 fensive and offensive cyberspace operations, identifying
16 any gaps in meeting personnel needs, and recommending
17 available mechanisms to fill such gaps, including perma-
18 nent and temporary positions.

19 (b) REPORT.—

20 (1) IN GENERAL.—Not later than one year
21 after the date of the enactment of this Act, the Sec-
22 retary of Defense shall submit to the congressional
23 defense committees a report containing the results of
24 the study conducted under subsection (a).

1 (2) MATTERS TO BE COVERED.—The report re-
2 quired under paragraph (1) shall include the fol-
3 lowing elements:

4 (A) A statement of capabilities and num-
5 ber of cyberspace operations personnel required
6 to meet the defensive and offensive cyberspace
7 operation requirements of the Department of
8 Defense.

9 (B) An assessment of the sufficiency of the
10 numbers and types of personnel available for
11 cyberspace operations, including an assessment
12 of the balance of military personnel, Depart-
13 ment of Defense civilian employees, and con-
14 tractor positions, and the availability of per-
15 sonnel with expertise in matters related to
16 cyberspace operations from outside of the De-
17 partment of Defense.

18 (C) A description of the obstacles to ade-
19 quate recruitment and retention of such per-
20 sonnel.

21 (D) An exploration of the various recruit-
22 ing, training, and affiliation mechanisms, such
23 as the reserve components, including the indi-
24 vidual ready reserves, the civilian expeditionary
25 workforce, corporate and university partner-

1 ships, the Reserve Officers' Training Corps,
2 and civilian auxiliaries to address challenges to
3 recruitment, retention, and training.

4 (E) A description of incentives that enable
5 and encourage individuals with cyber skills from
6 outside the Department of Defense to affiliate
7 with the Armed Forces and civilian employees
8 of the Department of Defense through other
9 types of service agreements, as well as obstacles
10 that discourage cyberspace experts and the De-
11 partment of Defense from implementing new
12 organizational constructs.

13 (F) Identification of legal, policy, or ad-
14 ministrative impediments to attracting and re-
15 taining cyberspace operations personnel.

16 (G) Recommendations for legislative or
17 policy changes necessary to increase the avail-
18 ability of cyberspace operations personnel.

19 (3) SUBMISSION OF COMMENTS.—The Sec-
20 retary of Defense shall include with the report sub-
21 mitted under paragraph (1) comments on the find-
22 ings and recommendations contained in the report,
23 including comments from the Secretaries of each of
24 the military departments.

1 (c) CYBERSPACE OPERATIONS PERSONNEL DE-
2 FINED.—In this section, the term “cyberspace operations
3 personnel” refers to members of the Armed Forces and
4 civilian employees of the Department of Defense involved
5 with the operations and maintenance of a computer net-
6 work connected to the global information grid, as well as
7 offensive, defensive, and exploitation functions of such a
8 network.

9 **SEC. 1077. REPORTS ON RESOLUTION RESTRICTIONS ON**
10 **THE COMMERCIAL SALE OR DISSEMINATION**
11 **OF ELETRO-OPTICAL IMAGERY COLLECTED**
12 **BY SATELLITES.**

13 (a) SECRETARY OF COMMERCE REPORT.—

14 (1) REPORT REQUIRED.—Not later than April
15 15, 2012, the Secretary of Commerce shall submit
16 to Congress a report setting forth the results of a
17 comprehensive review of current restrictions on the
18 resolution of electro-optical (EO) imagery collected
19 from satellites that commercial companies may sell
20 or disseminate. The report shall include such rec-
21 ommendations for legislative or administrative action
22 as the Secretary considers appropriate in light of the
23 results of the review.

24 (2) CONSIDERATIONS.—In conducting the re-
25 view required for purposes of the report under para-

1 graph (1), the Secretary shall take into consider-
2 ation the following:

3 (A) Increases in sales of commercial sat-
4 ellite imagery that would result from a relax-
5 ation of resolution restrictions, and the ensuing
6 benefit to the United States Government, com-
7 merce, and academia from an expanding market
8 in satellite imagery.

9 (B) Current and anticipated deployments
10 of satellites built in foreign countries that can
11 or will be able to collect imagery at a resolution
12 greater than .5 meter resolution, and the sale
13 or dissemination of such imagery.

14 (C) The lead-time involved in securing fi-
15 nancing, designing, building, and launching the
16 new satellite imagery collection capabilities that
17 would be required to enable United States com-
18 mercial satellite companies to match current
19 and anticipated foreign satellite imagery collec-
20 tion capabilities.

21 (D) Inconsistencies between the current
22 resolution restrictions on the sale or dissemina-
23 tion of imagery collected by United States com-
24 mercial companies, the availability of higher
25 resolution imagery from foreign sources, and

1 the National Space Policy of the United States,
2 released by the President on June 28, 2010.

3 (E) The lack of restrictions on the sale or
4 dissemination of high-resolution imagery col-
5 lected by aircraft.

6 (F) The utility that higher resolution im-
7 agery would bring to the United States Armed
8 Forces, the production of military geo-spatial
9 information, intelligence analysis, cooperation
10 with allies, scientific research efforts, and do-
11 mestic disaster monitoring and relief.

12 (b) INTELLIGENCE ASSESSMENT.—

13 (1) ASSESSMENT REQUIRED.—Not later than
14 15 days after the date of the enactment of this Act,
15 the Director of National Intelligence and the Under
16 Secretary of Defense for Intelligence shall jointly
17 submit to the appropriate committees of Congress a
18 report setting forth an assessment of the benefits
19 and risks of relaxing current resolution restrictions
20 on the electro-optical imagery from satellites that
21 commercial United States companies may sell or dis-
22 seminate, together with recommendations for means
23 of protecting national security related information in
24 the event of the relaxation of such resolution restric-
25 tions.

1 (2) APPROPRIATE COMMITTEES OF CONGRESS
2 DEFINED.—In this subsection, the term “appro-
3 priate committees of Congress” means—

4 (A) the Committee on Armed Services, the
5 Committee on Appropriations, and the Select
6 Committee on Intelligence of the Senate; and

7 (B) the Committee on Armed Services, the
8 Committee on Appropriations, and the Perma-
9 nent Select Committee on Intelligence of the
10 House of Representatives.

11 **SEC. 1078. REPORT ON INTEGRATION OF UNMANNED AER-**
12 **IAL SYSTEMS INTO THE NATIONAL AIRSPACE**
13 **SYSTEM.**

14 (a) REPORT REQUIRED.—Not later than 90 days
15 after the date of the enactment of this Act, the Secretary
16 of Defense shall, in consultation with the Administrator
17 of the Federal Aviation Administration and on behalf of
18 the UAS Executive Committee, submit to the appropriate
19 committees of Congress a report setting forth the fol-
20 lowing:

21 (1) A description and assessment of the rate of
22 progress in integrating unmanned aircraft systems
23 into the national airspace system.

24 (2) An assessment of the potential for one or
25 more pilot program or programs on such integration

1 at certain test ranges to increase that rate of
2 progress.

3 (b) APPROPRIATE COMMITTEES OF CONGRESS DE-
4 FINED.—In this section, the term “appropriate commit-
5 tees of Congress” means—

6 (1) the Committee on Armed Services, the
7 Committee on Commerce, Science, and Transpor-
8 tation, and the Committee on Appropriations of the
9 Senate; and

10 (2) the Committee on Armed Services, the
11 Committee on Transportation and Infrastructure,
12 the Committee on Science, Space, and Technology,
13 and the Committee on Appropriations of the House
14 of Representatives.

15 **SEC. 1079. STUDY ON UNITED STATES FORCE POSTURE IN**
16 **EAST ASIA AND THE PACIFIC REGION.**

17 (a) INDEPENDENT ASSESSMENT.—

18 (1) IN GENERAL.—The Secretary of Defense, in
19 consultation with the Chairmen and Ranking Mem-
20 bers of the Committees on Armed Services of the
21 Senate and the House of Representatives, shall com-
22 mission an independent assessment of America’s se-
23 curity interests in East Asia and the Pacific region.
24 The assessment shall be conducted by an inde-
25 pendent, non-governmental institute which is de-

1 scribed in section 501(c)(3) of the Internal Revenue
2 Code of 1986 and exempt from tax under section
3 501(a) of such Code, and has recognized credentials
4 and expertise in national security and military af-
5 fairs with ready access to policy experts throughout
6 the country and from the region.

7 (2) ELEMENTS.—The assessment conducted
8 pursuant to paragraph (1) shall include the fol-
9 lowing elements:

10 (A) A review of current and emerging
11 United States national security interests in the
12 East Asia and Pacific region.

13 (B) A review of current United States mili-
14 tary force posture and deployment plans, with
15 an emphasis on the current plans for United
16 States force realignments in Okinawa and
17 Guam.

18 (C) Options for the realignment of United
19 States forces in the region to respond to new
20 opportunities presented by allies and partners.

21 (D) The views of noted policy leaders and
22 regional experts, including military commanders
23 in the region.

24 (b) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the designated private entity

1 shall provide an unclassified report, with a classified
2 annex, containing its findings to the Secretary of Defense.
3 Not later than 90 days after the date of receipt of the
4 report, the Secretary of Defense shall transmit the report
5 to the congressional defense committees, together with
6 such comments on the report as the Secretary considers
7 appropriate.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—Of the
9 amounts authorized to be appropriated under section 301
10 for operation and maintenance for Defense-wide activities,
11 up to \$1,000,000, shall be made available for the comple-
12 tion of the study required under this section.

13 **SEC. 1080. REPORT ON STATUS OF IMPLEMENTATION OF**
14 **ACCEPTED RECOMMENDATIONS IN THE**
15 **FINAL REPORT OF THE 2010 ARMY ACQUISI-**
16 **TION REVIEW PANEL.**

17 Not later than 1 October 2012, the Secretary of the
18 Army shall submit to the congressional defense commit-
19 tees a report describing the plan and implementation sta-
20 tus of the recommendations contained in the Final Report
21 of the 2010 Army Acquisition Review panel (also known
22 as the “Decker-Wagner Report”) that the Army agreed
23 to implement.

1 **SEC. 1080A. REPORT ON FEASIBILITY OF USING UNMANNED**
2 **AERIAL SYSTEMS TO PERFORM AIRBORNE IN-**
3 **SPECTION OF NAVIGATIONAL AIDS IN FOR-**
4 **EIGN AIRSPACE.**

5 Not later than 90 days after the date of the enact-
6 ment of this Act, the Secretary of the Air Force shall sub-
7 mit to the congressional defense committees a report on
8 the feasibility of using unmanned aerial systems to per-
9 form airborne flight inspection of electronic signals-in-
10 space from ground-based navigational aids that support
11 aircraft departure, en route, and arrival flight procedures
12 in foreign airspace in support of United States military
13 operations.

14 **SEC. 1080B. COMPTROLLER GENERAL REVIEW OF MEDICAL**
15 **RESEARCH AND DEVELOPMENT RELATING**
16 **TO IMPROVED COMBAT CASUALTY CARE.**

17 (a) **STUDY REQUIRED.**—The Comptroller General of
18 the United States shall conduct a review of Department
19 of Defense programs and organizations related to, and
20 resourcing of, medical research and development in sup-
21 port of improved combat casualty care designed to save
22 lives on the battlefield.

23 (b) **REPORT.**—Not later than January 1, 2013, the
24 Comptroller General shall submit to the congressional de-
25 fense committees a report on the review conducted under
26 subsection (a), including the following elements:

1 (1) A description of current medical combat
2 casualty care research and development programs
3 throughout the Department of Defense, including
4 basic and applied medical research, technology devel-
5 opment, and clinical research.

6 (2) An identification of organizational elements
7 within the Department that have responsibility for
8 planning and oversight of combat casualty care re-
9 search and development.

10 (3) A description of the means by which the
11 Department applies combat casualty care research
12 findings, including development of new medical de-
13 vices, to improve battlefield care.

14 (4) An assessment of the adequacy of the co-
15 ordination by the Department of planning for com-
16 bat casualty care medical research and development
17 and whether or not the Department has a coordi-
18 nated combat casualty care research and develop-
19 ment strategy.

20 (5) An assessment of the adequacy of resources
21 provided for combat casualty care research and de-
22 velopment across the Department.

23 (6) An assessment of the programmatic, organi-
24 zational, and resource challenges and gaps faced by
25 the Department in optimizing investments in combat

1 casualty care medical research and development in
2 order to save lives on the battlefield.

3 (7) The extent to which the Department utilizes
4 expertise from experts and entities outside the De-
5 partment with expertise in combat casualty care
6 medical research and development.

7 (8) An assessment of the challenges faced in
8 rapidly applying research findings and technology
9 developments to improved battlefield care.

10 (9) Recommendations regarding—

11 (A) the need for a coordinated combat cas-
12 ualty care medical research and development
13 strategy;

14 (B) organizational obstacles or realign-
15 ments to improve effectiveness of combat cas-
16 ualty care medical research and development;
17 and

18 (C) adequacy of resource support.

19 **SEC. 1080C. REPORTS TO CONGRESS ON THE MODIFICA-**
20 **TION OF THE FORCE STRUCTURE FOR THE**
21 **STRATEGIC NUCLEAR WEAPONS DELIVERY**
22 **SYSTEMS OF THE UNITED STATES.**

23 (a) FINDINGS.—Congress makes the following find-
24 ings:

1 (1) Since the early 1960s, the United States
2 has developed and maintained a triad of strategic
3 nuclear weapons delivery systems.

4 (2) The triad includes sea-based, land-based,
5 and air-based strategic nuclear weapons delivery sys-
6 tems.

7 (b) REPORT ON MODIFICATION.—Whenever after the
8 date of the enactment of this Act the President proposes
9 a modification of the force structure for the strategic nu-
10 clear weapons delivery systems of the United States, the
11 President shall submit to Congress a report on the modi-
12 fication. The report shall include a description of the man-
13 ner in which such modification will maintain for the
14 United States a range of strategic nuclear weapons deliv-
15 ery systems appropriate for the current and anticipated
16 threats faced by the United States when compared with
17 the current force structure of strategic nuclear weapons
18 delivery systems.

19 **SEC. 1080D. COMPTROLLER GENERAL OF THE UNITED**
20 **STATES REPORTS ON THE MAJOR AUTO-**
21 **MATED INFORMATION SYSTEM PROGRAMS**
22 **OF THE DEPARTMENT OF DEFENSE.**

23 (a) ASSESSMENT REPORTS REQUIRED.—

24 (1) IN GENERAL.—Not later than March 30 of
25 each year from 2013 through 2018, the Comptroller

1 General of the United States shall submit to the ap-
2 propriate committees of Congress a report setting
3 forth an assessment of the performance of the major
4 automated information system programs of the De-
5 partment of Defense.

6 (2) ELEMENTS.—Each report under subsection
7 (a) shall include the following:

8 (A) An assessment by the Comptroller
9 General of the cost, schedule, and performance
10 of a representative variety of major automated
11 information system programs selected by the
12 Comptroller General for purposes of such re-
13 port.

14 (B) An assessment by the Comptroller
15 General of the level of risk associated with the
16 programs selected under subparagraph (A) for
17 purposes of such report, and a description of
18 the actions taken by the Department to manage
19 or reduce such risk.

20 (C) An assessment by the Comptroller
21 General of the extent to which the programs se-
22 lected under subparagraph (A) for purposes of
23 such report employ best practices for the acqui-
24 sition of information technology systems, as

1 identified by the Comptroller General, the De-
2 fense Science Board, and the Department.

3 (b) PRELIMINARY REPORT.—

4 (1) IN GENERAL.—Not later than September
5 30, 2012, the Comptroller General shall submit to
6 the appropriate committees of Congress a report set-
7 ting forth the following:

8 (A) The metrics to be used by the Comp-
9 troller General for the reports submitted under
10 subsection (a).

11 (B) A preliminary assessment on the mat-
12 ters set forth under subsection (a)(2).

13 (2) BRIEFINGS.—In developing metrics for pur-
14 poses of the report required by paragraph (1)(A),
15 the Comptroller General shall provide the appro-
16 priate committees of Congress with periodic brief-
17 ings on the development of such metrics.

18 (c) DEFINITIONS.—In this section:

19 (1) The term “appropriate committees of Con-
20 gress” means—

21 (A) the Committee on Armed Services, the
22 Committee on Homeland Security and Govern-
23 mental Affairs, and the Committee on Appro-
24 priations of the Senate; and

1 (B) the Committee on Armed Services, the
2 Committee on Oversight and Government Re-
3 form, and the Committee on Appropriations of
4 the House of Representatives.

5 (2) The term “major automated information
6 system program” has the meaning given that term
7 in section 2445a of title 10, United States Code.

8 **SEC. 1080E. COMPTROLLER GENERAL REPORT ON DEPART-**
9 **MENT OF DEFENSE SCIENCE AND TECH-**
10 **NOLOGY PROGRAMS.**

11 (a) STUDY.—The Comptroller General of the United
12 States shall conduct a study on unnecessary redundancies,
13 inefficiencies, and gaps in Department of Defense 6.1–6.3
14 Science and Technology (S&T) programs. The study
15 shall—

16 (1) focus on S&T programs within the Army,
17 Navy, and Air Force, as well as programs run by the
18 Office of the Secretary of Defense;

19 (2) describe options for consolidation and cost-
20 savings, if any;

21 (3) assess how the military departments and
22 the Office of the Secretary of Defense are aligning
23 their programs with the seven S&T strategic invest-
24 ment priorities identified by the Assistant Secretary
25 of Defense for Research and Engineering: Data to

1 Decisions, Engineered Resilient Systems, Cyber
2 Science and Technology, Electronic Warfare/Elec-
3 tronic Protection, Counter Weapons of Mass De-
4 struction, Autonomy, and Human Systems; and

5 (4) assess how the military departments and
6 the Office of the Secretary of Defense are coordi-
7 nating efforts with respect to duplicative programs,
8 if any.

9 (b) REPORT.—Not later than January 1, 2013, the
10 Comptroller General shall submit to the congressional de-
11 fense committees a report on the findings of the study con-
12 ducted under subsection (a).

13 **SEC. 1080F. COMPTROLLER GENERAL REPORT ON**
14 **SCIENCE, TECHNOLOGY, ENGINEERING, AND**
15 **MATH (STEM) INITIATIVES.**

16 (a) STUDY.—The Comptroller General of the United
17 States shall conduct a study assessing Science, Tech-
18 nology, Engineering, and Math (STEM) initiatives of the
19 Department of Defense. The study shall—

20 (1) determine which programs are ineffective,
21 and which are unnecessarily redundant within the
22 Department of Defense;

23 (2) describe options for consolidation and elimi-
24 nation of programs identified under paragraph (1);
25 and

1 (3) describe options for how the Department
2 and other Federal departments and agencies can
3 work together on similar initiatives without unneces-
4 sary duplication of funding.

5 (b) REPORT.—Not later than January 1, 2013, the
6 Comptroller General shall submit to the congressional de-
7 fense committees a report on the findings of the study con-
8 ducted under subsection (a).

9 **SEC. 1080G. REPORT ON DEFENSE DEPARTMENT ANALYTIC**
10 **CAPABILITIES REGARDING FOREIGN BAL-**
11 **LISTIC MISSILE THREATS.**

12 (a) REPORT REQUIRED.—Not later than 180 days
13 after the date of enactment of this Act, the Secretary of
14 Defense shall submit to the congressional defense commit-
15 tees a report on the analytic capabilities of the Depart-
16 ment of Defense regarding threats from foreign ballistic
17 missiles of all ranges.

18 (b) ELEMENTS.—The report required by subsection
19 (a) shall include the following:

20 (1) A description of the current capabilities of
21 the Department of Defense to analyze threats from
22 foreign ballistic missiles of all ranges, including the
23 degree of coordination among the relevant analytic
24 elements of the Department.

1 (2) A description of any current or foreseeable
2 gaps in the analytic capabilities of the Department
3 regarding threats from foreign ballistic missiles of
4 all ranges.

5 (3) A plan to address any gaps identified pur-
6 suant to paragraph (2) during the 5-year period be-
7 ginning on the date of the report.

8 (c) FORM.—The report required by subsection (a)
9 shall be submitted in unclassified form, but may include
10 a classified annex.

11 **SEC. 1080H. REPORT ON APPROVAL AND IMPLEMENTATION**

12 **OF AIR SEA BATTLE CONCEPT.**

13 (a) REPORT REQUIRED.—Not later than 180 days
14 after the date of the enactment of this Act, the Secretary
15 of Defense shall submit to Congress a report on the ap-
16 proved Air Sea Battle Concept, as required by the 2010
17 Quadrennial Defense Review Report, and a plan for the
18 implementation of the concept.

19 (b) ELEMENTS.—The report required by subsection
20 (a) shall include, at a minimum, the following:

21 (1) The approved Air Sea Battle Concept.

22 (2) An identification and assessment of risks
23 related to gaps between Air Sea Battle Concept re-
24 quirements and the current force structure and ca-
25 pabilities of the Department of Defense.

1 (3) The plan and assessment of the Department
2 on the risks to implementation of the approved con-
3 cept within the current force structure and capabili-
4 ties.

5 (4) A description and assessment of how cur-
6 rent research, development, and acquisition priorities
7 in the program of record meet or fail to meet cur-
8 rent and future requirements for implementation of
9 the Air Sea Battle Concept.

10 (5) An identification, in order of priority, of the
11 five most critical force structure or capabilities re-
12 quiring increased or sustained investment for the
13 implementation of the Air Sea Battle Concept.

14 (6) An identification, in order of priority, of
15 how the Department will offset the increased costs
16 for force structure and capabilities required by im-
17 plementation of the Air Sea Battle Concept, includ-
18 ing an explanation of what force structure, capabili-
19 ties, and programs will be reduced and how poten-
20 tially increased risks based on those reductions will
21 be managed relative to other strategic requirements.

22 (7) A description and assessment of the esti-
23 mated incremental increases in costs and savings
24 from implementing the Air Sea Battle Concept, in-

1 including the most significant reasons for those in-
2 creased costs and savings.

3 (8) A description and assessment of the con-
4 tributions required from allies and other inter-
5 national partners, including the identification and
6 plans for management of related risks, in order to
7 implement the Air Sea Battle Concept.

8 (9) Such other matters relating to the develop-
9 ment and implementation of the Air Sea Battle Con-
10 cept as the Secretary considers appropriate.

11 (c) FORM.—The report required by subsection (a)
12 shall be submitted in both unclassified and classified form.

13 **SEC. 1080I. REPORT ON EFFECTS OF CHANGING FLAG OFFI-
14 CER POSITIONS WITHIN THE AIR FORCE MA-
15 TERIAL COMMAND.**

16 (a) REPORT REQUIRED.—Not later than 60 days
17 after the date of the enactment of this Act, the Secretary
18 of the Air Force shall conduct an analysis and submit to
19 the congressional defense committees a report on the ef-
20 fects of changing flag officer positions within the Air
21 Force Materiel Command (AFMC), including consider-
22 ation of the following issues:

23 (1) The effect on the weapons testing mission
24 of AFMC.

1 (2) The potential for lack of oversight if flag
2 positions are reduced or eliminated.

3 (3) The reduced experience level of general offi-
4 cers managing challenging weapons development
5 programs under a new command structure.

6 (4) The additional duties of base management
7 functions impacting the test wing commander's abil-
8 ity to manage actual weapons testing under the new
9 structure.

10 (b) COMPTROLLER GENERAL ASSESSMENT.—Not
11 later than 60 days after the submittal of the report under
12 subsection (a), the Comptroller General of the United
13 States shall submit to Congress an assessment by the
14 Comptroller General of the report, including a determina-
15 tion whether or not the report complies with applicable
16 best practices.

17 **Subtitle H—Other Matters**

18 **SEC. 1081. REDESIGNATION OF PSYCHOLOGICAL OPER-** 19 **ATIONS AS MILITARY INFORMATION SUP-** 20 **PORT OPERATIONS IN TITLE 10, UNITED** 21 **STATES CODE, TO CONFORM TO DEPART-** 22 **MENT OF DEFENSE USAGE.**

23 Title 10, United States Code, is amended as follows:

24 (1) In section 167(j), by striking paragraph (6)
25 and inserting the following new paragraph:

1 “(6) Military information support operations.”.

2 (2) Section 2011(d)(1) is amended by striking
3 “psychological operations” and inserting “military
4 information support operations”.

5 **SEC. 1082. TERMINATION OF REQUIREMENT FOR APPOINT-**
6 **MENT OF CIVILIAN MEMBERS OF NATIONAL**
7 **SECURITY EDUCATION BOARD BY AND WITH**
8 **THE ADVICE AND CONSENT OF THE SENATE.**

9 (a) **TERMINATION.**—Subsection (b)(7) of section 803
10 of the David L. Boren National Security Education Act
11 of 1991 (50 U.S.C. 1903) is amended by striking “by and
12 with the advice and consent of the Senate,”.

13 (b) **TECHNICAL AMENDMENT.**—Subsection (c) of
14 such section is amended by striking “subsection (b)(6)”
15 and inserting “subsection (b)(7)”.

16 **SEC. 1083. REDESIGNATION OF INDUSTRIAL COLLEGE OF**
17 **THE ARMED FORCES AS THE DWIGHT D. EI-**
18 **SENHOWER SCHOOL FOR NATIONAL SECU-**
19 **RITY AND RESOURCE STRATEGY.**

20 (a) **REDESIGNATION.**—The Industrial College of the
21 Armed Forces is hereby renamed the “Dwight D. Eisen-
22 hower School for National Security and Resource Strat-
23 egy”.

1 (b) CONFORMING AMENDMENT.—Paragraph (2) of
 2 section 2165(b) of title 10, United States Code, is amend-
 3 ed to read as follows:

4 “(2) The Dwight D. Eisenhower School for Na-
 5 tional Security and Resource Strategy.”.

6 (c) REFERENCES.—Any reference to the Industrial
 7 College of the Armed Forces in any law, regulation, map,
 8 document, record, or other paper of the United States
 9 shall be deemed to be a reference to the Dwight D. Eisen-
 10 hower School for National Security and Resource Strat-
 11 egy.

12 **SEC. 1084. DESIGNATION OF FISHER HOUSE FOR THE FAMI-**
 13 **LIES OF THE FALLEN AND MEDITATION PA-**
 14 **VILION, DOVER AIR FORCE BASE, DELAWARE,**
 15 **AS A FISHER HOUSE.**

16 The Fisher House for the Families of the Fallen and
 17 Meditation Pavilion at Dover Air Force Base, Delaware,
 18 is hereby designated as a Fisher House for purposes of
 19 section 2493 of title 10, United States Code.

20 **SEC. 1085. SENSE OF SENATE ON APPLICATION OF MORA-**
 21 **TORIUM ON EARMARKS TO THIS ACT.**

22 It is the sense of the Senate that the moratorium on
 23 congressionally-directed spending items in the Senate, and
 24 on congressional earmarks in the House of Representa-
 25 tives, should be fully enforced in this Act.

1 **SEC. 1086. TECHNICAL AMENDMENT RELATING TO RESPON-**
2 **SIBILITIES OF DEPUTY ASSISTANT SEC-**
3 **RETARY OF DEFENSE FOR MANUFACTURING**
4 **AND INDUSTRIAL BASE POLICY.**

5 Section 139e(b)(12) of title 10, United States Code,
6 is amended by striking “titles I and II” and inserting “ti-
7 tles I and III”.

8 **SEC. 1087. TECHNICAL AMENDMENT.**

9 Section 382 of title 10, United States Code, is
10 amended by striking “biological or chemical” each place
11 it appears in subsections (a) and (b).

12 **SEC. 1088. IMPROVING THE TRANSITION OF MEMBERS OF**
13 **THE ARMED FORCES WITH EXPERIENCE IN**
14 **THE OPERATION OF CERTAIN MOTOR VEHI-**
15 **CLES INTO CAREERS OPERATING COMMER-**
16 **CIAL MOTOR VEHICLES IN THE PRIVATE SEC-**
17 **TOR.**

18 (a) STUDY.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the date of the enactment of this Act, the Secretary
21 of Defense and the Secretary of Transportation shall
22 jointly conduct a study to identify the legislative and
23 regulatory actions that can be taken for purposes as
24 follows:

25 (A) To facilitate the obtaining of commer-
26 cial driver’s licenses (within the meaning of sec-

1 tion 31302 of title 49, United States Code) by
2 former members of the Armed Forces who oper-
3 ated qualifying motor vehicles as members of
4 the Armed Forces.

5 (B) To improve the transition of members
6 of the Armed Forces who operate qualifying
7 motor vehicles as members of the Armed Forces
8 into careers operating commercial motor vehi-
9 cles (as defined in section 31301 of such title)
10 in the private sector after separation from serv-
11 ice in the Armed Forces.

12 (2) ELEMENTS.—The study required by para-
13 graph (1) shall include the following:

14 (A) Identification of any training, quali-
15 fications, or experiences of members of the
16 Armed Forces described in paragraph (1)(B)
17 that satisfy the minimum standards prescribed
18 by the Secretary of Transportation for the oper-
19 ation of commercial motor vehicles under sec-
20 tion 31305 of title 49, United States Code.

21 (B) Identification of the actions the Sec-
22 retary of Defense can take to document the
23 training, qualifications, and experiences of such
24 members for the purposes described in para-
25 graph (1).

1 (C) Identification of the actions the Sec-
2 retary of Defense can take to modify the train-
3 ing and education programs of the Department
4 of Defense for the purposes described in para-
5 graph (1).

6 (D) An assessment of the feasibility and
7 advisability of each of the legislative and regu-
8 latory actions identified under the study.

9 (E) Development of recommendations for
10 legislative and regulatory actions to further the
11 purposes described in paragraph (1).

12 (b) IMPLEMENTATION.—Upon completion of the
13 study required by subsection (a), the Secretary of Defense
14 and the Secretary of Transportation shall carry out the
15 actions identified under the study which the Secretaries—

16 (1) can carry out without legislative action; and
17 (2) jointly consider both feasible and advisable.

18 (c) REPORT.—

19 (1) IN GENERAL.—Upon completion of the
20 study required by subsection (a)(1), the Secretary of
21 Defense and the Secretary of Transportation shall
22 jointly submit to Congress a report on the findings
23 of the Secretaries with respect to the study.

24 (2) ELEMENTS.—The report required by para-
25 graph (1) shall include the following:

1 (A) A description of the legislative and
2 regulatory actions identified under the study.

3 (B) A description of the actions described
4 in subparagraph (A) that can be carried out by
5 the Secretary of Defense and the Secretary of
6 Transportation without any legislative action.

7 (C) A description of the feasibility and ad-
8 visability of each of the legislative and regu-
9 latory actions identified by the study.

10 (D) The recommendations developed under
11 subsection (a)(2)(E).

12 (d) DEFINITIONS.—In this section:

13 (1) MOTOR VEHICLE.—The term “motor vehi-
14 cle” means a vehicle, machine, tractor, trailer, or
15 semitrailer propelled or drawn by mechanical power
16 and used on land, but does not include a vehicle,
17 machine, tractor, trailer, or semitrailer operated only
18 on a rail line or custom harvesting farm machinery.

19 (2) QUALIFYING MOTOR VEHICLE.—The term
20 “qualifying motor vehicle” means a motor vehicle or
21 combination of motor vehicles used to transport pas-
22 sengers or property that—

23 (A) has a gross combination vehicle weight
24 rating of 26,001 pounds or more, inclusive of a

1 towed unit with a gross vehicle weight rating of
2 more than 10,000 pounds;

3 (B) has a gross vehicle weight rating of
4 26,001 pounds or more;

5 (C) is designed to transport 16 or more
6 passengers, including the driver; or

7 (D) is of any size and is used in the trans-
8 portation of materials found to be hazardous
9 under chapter 51 of title 49, United States
10 Code, and which require the motor vehicle to be
11 placarded under subpart F of part 172 of title
12 49, Code of Federal Regulations, or any cor-
13 responding similar regulation or ruling.

14 **SEC. 1089. FIRE SUPPRESSION AGENTS.**

15 Section 605(a) of the Clean Air Act (42 U.S.C.
16 7671d(a)) is amended—

17 (1) in paragraph (2), by striking “or” at the
18 end;

19 (2) in paragraph (3), by striking the period at
20 the end and inserting “; or”; and

21 (3) by adding at the end the following:

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

1 **SEC. 1090. ACQUISITION AND PROCUREMENT EXCHANGES**
2 **BETWEEN THE UNITED STATES AND INDIA.**

3 The Secretary of Defense should seek to establish ex-
4 changes between acquisition and procurement officials of
5 the Department of Defense and defense officials of the
6 Government of India to increase mutual understanding re-
7 garding best practices in defense acquisition.

8 **SEC. 1091. LONG-TERM PLAN FOR MAINTENANCE OF INTER-**
9 **CONTINENTAL BALLISTIC MISSILE SOLID**
10 **ROCKET MOTOR PRODUCTION CAPACITY.**

11 The Secretary of Defense shall submit, with the
12 budget justification materials submitted to Congress in
13 support of the budget of the Department of Defense for
14 fiscal year 2013 (as submitted with the budget of the
15 President under section 1105(a) of title 31, United States
16 Code), a long-term plan for maintaining a minimal capac-
17 ity to produce intercontinental ballistic missile solid rocket
18 motors.

19 **SEC. 1092. CYBERSECURITY COLLABORATION BETWEEN**
20 **THE DEPARTMENT OF DEFENSE AND THE DE-**
21 **PARTMENT OF HOMELAND SECURITY.**

22 (a) INTERDEPARTMENTAL COLLABORATION.—

23 (1) IN GENERAL.—The Secretary of Defense
24 and the Secretary of Homeland Security shall pro-
25 vide personnel, equipment, and facilities in order to

1 increase interdepartmental collaboration with respect
2 to—

3 (A) strategic planning for the cybersecurity
4 of the United States;

5 (B) mutual support for cybersecurity capa-
6 bilities development; and

7 (C) synchronization of current operational
8 cybersecurity mission activities.

9 (2) EFFICIENCIES.—The collaboration provided
10 for under paragraph (1) shall be designed—

11 (A) to improve the efficiency and effective-
12 ness of requirements formulation and requests
13 for products, services, and technical assistance
14 for, and coordination and performance assess-
15 ment of, cybersecurity missions executed across
16 a variety of Department of Defense and De-
17 partment of Homeland Security elements; and

18 (B) to leverage the expertise of each indi-
19 vidual Department and to avoid duplicating,
20 replicating, or aggregating unnecessarily the di-
21 verse line organizations across technology devel-
22 opments, operations, and customer support that
23 collectively execute the cybersecurity mission of
24 each Department.

25 (b) RESPONSIBILITIES.—

1 (1) DEPARTMENT OF HOMELAND SECURITY.—
2 The Secretary of Homeland Security shall identify
3 and assign, in coordination with the Department of
4 Defense, a Director of Cybersecurity Coordination
5 within the Department of Homeland Security to un-
6 dertake collaborative activities with the Department
7 of Defense.

8 (2) DEPARTMENT OF DEFENSE.—The Sec-
9 retary of Defense shall identify and assign, in co-
10 ordination with the Department of Homeland Secu-
11 rity, one or more officials within the Department of
12 Defense to coordinate, oversee, and execute collabo-
13 rative activities and the provision of cybersecurity
14 support to the Department of Homeland Security.

15 **SEC. 1093. REEMPLOYMENT RIGHTS FOLLOWING CERTAIN**
16 **NATIONAL GUARD DUTY.**

17 Section 4312(c)(4) of title 38, United States Code,
18 is amended—

19 (1) in subparagraph (D), by striking “or” at
20 the end;

21 (2) in subparagraph (E), by striking the period
22 at the end and inserting “; or”; and

23 (3) by adding at the end the following new sub-
24 paragraph:

1 “(F) ordered to full-time National Guard
2 duty (other than for training) under section
3 502(f) of title 32 when authorized by the Presi-
4 dent or the Secretary of Defense for the pur-
5 pose of responding to a national emergency de-
6 clared by the President and supported by Fed-
7 eral funds, as determined by the Secretary con-
8 cerned.”.

9 **TITLE XI—CIVILIAN PERSONNEL**
10 **MATTERS**

11 **SEC. 1101. AUTHORITY OF THE SECRETARIES OF THE MILI-**
12 **TARY DEPARTMENTS TO EMPLOY UP TO 10**
13 **PERSONS WITHOUT PAY.**

14 Section 1583 of title 10, United States Code, is
15 amended in the first sentence—

16 (1) by inserting “and the Secretaries of the
17 military departments” after “the Secretary of De-
18 fense”; and

19 (2) by inserting “each” after “may”.

1 **SEC. 1102. EXTENSION OF ELIGIBILITY TO CONTINUE FED-**
2 **ERAL EMPLOYEE HEALTH BENEFITS FOR**
3 **CERTAIN EMPLOYEES OF THE DEPARTMENT**
4 **OF DEFENSE.**

5 (a) EXTENSION FOR DEPARTMENT OF DEFENSE.—
6 Subparagraph (B) of section 8905a(d)(4) of title 5,
7 United States Code, is amended—

8 (1) in clause (i), by striking “December 31,
9 2011” and inserting “October 1, 2015”; and

10 (2) in clause (ii)—

11 (A) by striking “February 1, 2012” and
12 inserting “February 1, 2016”; and

13 (B) by striking “December 31, 2011” and
14 inserting “the date specified in clause (i)”.

15 (b) TECHNICAL AMENDMENT TO DELETE OBSOLETE
16 AUTHORITY APPLICABLE TO DEPARTMENT OF EN-
17 ERGY.—Subparagraph (A) of such section is amended by
18 striking “, or the Department of Energy due to a reduc-
19 tion in force resulting from the establishment of the Na-
20 tional Nuclear Security Administration”.

21 **SEC. 1103. AUTHORITY FOR WAIVER OF RECOVERY OF CER-**
22 **TAIN PAYMENTS PREVIOUSLY MADE UNDER**
23 **CIVILIAN EMPLOYEES VOLUNTARY SEPARA-**
24 **TION INCENTIVE PROGRAM.**

25 (a) AUTHORITY FOR WAIVER.—Subject to subsection
26 (c), the Secretary of Defense may waive the requirement

1 under subsection (f)(6)(B) of section 9902 of title 5,
2 United States Code, for repayment to the Department of
3 Defense of a voluntary separation incentive payment made
4 under subsection (f)(1) of that section in the case of an
5 employee or former employee of the Department of De-
6 fense described in subsection (b).

7 (b) PERSONS COVERED.—Subsection (a) applies to
8 any employee or former employee of the Department of
9 Defense—

10 (1) who during the period beginning on April 1,
11 2004, and ending on March 1, 2008, received a vol-
12 untary separation incentive payment under sub-
13 section (f)(1) of section 9902 of title 5, United
14 States Code;

15 (2) who was reappointed to a position in the
16 Department of Defense to support a declared na-
17 tional emergency related to terrorism or a natural
18 disaster during the period beginning on June 1,
19 2004, and ending on March 1, 2008; and

20 (3) with respect to whom the Secretary deter-
21 mines—

22 (A) that the employee or former employee,
23 before accepting the reappointment referred to
24 in paragraph (2), received a representation
25 from an officer or employee of the Department

1 of Defense that recovery of the amount of the
2 payment referred to in paragraph (1) would not
3 be required or would be waived; and

4 (B) that the employee or former employee
5 reasonably relied on that representation when
6 accepting reappointment.

7 (c) REQUIRED DETERMINATION.—The Secretary of
8 Defense may grant a waiver under subsection (a) in the
9 case of any individual only if the Secretary determines
10 that recovery of the amount of the payment otherwise re-
11 quired would be against equity and good conscience be-
12 cause of the circumstances of that individual's reemploy-
13 ment after receiving a voluntary separation incentive pay-
14 ment.

15 (d) TREATMENT OF PRIOR REPAYMENTS.—The Sec-
16 retary of Defense may, pursuant to a determination under
17 subsection (c) specific to an individual, provide for reim-
18 bursement to that individual for any amount the indi-
19 vidual has previously repaid to the United States for a
20 voluntary separation incentive payment covered by this
21 section. The reimbursement shall be paid either from the
22 appropriations into which the repayment was deposited,
23 if such appropriations remain available, or from appro-
24 priations currently available for the purposes of the appro-
25 priation into which the repayment was deposited.

1 (e) EXPIRATION OF AUTHORITY.—The authority to
2 grant a waiver under this section shall expire on December
3 31, 2012.

4 **SEC. 1104. PERMANENT EXTENSION AND EXPANSION OF EX-**
5 **PERIMENTAL PERSONNEL PROGRAM FOR**
6 **SCIENTIFIC AND TECHNICAL PERSONNEL.**

7 (a) PERMANENT EXTENSION.—Section 1101 of the
8 Strom Thurmond National Defense Authorization Act for
9 Fiscal Year 1999 (5 U.S.C. 3104 note) is amended—

10 (1) in subsection (a), by striking “During the
11 program period” and all that follows through “use
12 of the” and inserting “The Secretary of Defense
13 may carry out a program to use the”; and

14 (2) by striking subsections (e), (f), and (g).

15 (b) EXPANSION OF AVAILABILITY OF PERSONNEL
16 MANAGEMENT AUTHORITY.—Subsection (b)(1) of such
17 section is amended—

18 (1) in subparagraph (A), by striking “40” and
19 inserting “50”;

20 (2) in subparagraph (C), by striking “and” at
21 the end;

22 (3) in subparagraph (D), by adding “and” at
23 the end; and

24 (4) by adding at the end the following new sub-
25 paragraph:

1 “(E) not more than a total of 10 scientific and
2 engineering positions in the Office of the Director of
3 Operational Test and Evaluation;”.

4 **SEC. 1105. MODIFICATION OF BENEFICIARY DESIGNATION**
5 **AUTHORITIES FOR DEATH GRATUITY PAY-**
6 **ABLE UPON DEATH OF A UNITED STATES**
7 **GOVERNMENT EMPLOYEE IN SERVICE WITH**
8 **THE ARMED FORCES.**

9 (a) **AUTHORITY TO DESIGNATE MORE THAN 50**
10 **PERCENT OF DEATH GRATUITY TO UNRELATED PER-**
11 **SONS.—**

12 (1) **IN GENERAL.—**Paragraph (4) of section
13 8102a(d) of title 5, United States Code, is amend-
14 ed—

15 (A) by striking the first sentence and in-
16 serting “A person covered by this section may
17 designate another person to receive an amount
18 payable under this section.”; and

19 (B) in the second sentence, by striking “up
20 to the maximum of 50 percent”.

21 (2) **EFFECTIVE DATE.—**The amendments made
22 by this subsection shall take effect on the date of en-
23 actment of this Act and apply to the payment of a
24 death gratuity based on any death occurring on or
25 after that date.

1 (b) NOTICE TO SPOUSE OF DESIGNATION OF AN-
2 OTHER PERSON TO RECEIVE PORTION OF DEATH GRA-
3 TUIITY.—Such section is further amended by adding at the
4 end the following new paragraph:

5 “(6) If a person covered by this section has a
6 spouse, but designates a person other than the
7 spouse to receive all or a portion of the amount pay-
8 able under this section, the head of the agency, or
9 other entity, in which that person is employed shall
10 provide notice of the designation to the spouse.”.

11 **SEC. 1106. TWO-YEAR EXTENSION OF DISCRETIONARY AU-**
12 **THORITY TO GRANT ALLOWANCES, BENE-**
13 **FITS, AND GRATUITIES TO PERSONNEL ON**
14 **OFFICIAL DUTY IN A COMBAT ZONE.**

15 Paragraph (2) of section 1603(a) of the Emergency
16 Supplemental Appropriations Act for Defense, the Global
17 War on Terror, and Hurricane Recovery, 2006 (Public
18 Law 109–234; 120 Stat. 443), as added by section 1102
19 of the Duncan Hunter National Defense Authorization
20 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
21 4616), is amended by striking “fiscal years 2009, 2010,
22 and 2011” and inserting “fiscal years 2009 through
23 2013”.

1 **SEC. 1107. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
 2 **ANNUAL LIMITATION ON PREMIUM PAY AND**
 3 **AGGREGATE LIMITATION ON PAY FOR FED-**
 4 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
 5 **SEAS.**

6 Effective January 1, 2012, section 1101(a) of the
 7 Duncan Hunter National Defense Authorization Act for
 8 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615),
 9 as most recently amended by section 1103 of the Ike Skel-
 10 ton National Defense Authorization Act for Fiscal Year
 11 2011 (Public Law 111–383; 124 Stat. 4382), is further
 12 amended by striking “through 2011” and inserting
 13 “through 2012”.

14 **TITLE XII—MATTERS RELATING**
 15 **TO FOREIGN NATIONS**
 16 **Subtitle A—Assistance and**
 17 **Training**

18 **SEC. 1201. EXPANSION OF SCOPE OF HUMANITARIAN**
 19 **DEMINE ASSISTANCE AUTHORITY TO IN-**
 20 **CLUDE STOCKPILED CONVENTIONAL MUNI-**
 21 **TIONS.**

22 (a) EXPANSION.—Section 407 of title 10, United
 23 States Code, is amended—

24 (1) in subsection (a)—

1 (A) in paragraph (1), by inserting “and
2 stockpiled conventional munitions assistance”
3 after “humanitarian demining assistance”;

4 (B) in paragraph (2), by inserting “and
5 stockpiled conventional munitions assistance”
6 after “Humanitarian demining assistance”; and

7 (C) in paragraph (3)—

8 (i) in the matter preceding subpara-
9 graph (A), by inserting “or stockpiled con-
10 ventional munitions assistance” after “hu-
11 manitarian demining assistance”; and

12 (ii) in subparagraph (A), by inserting
13 “, or stockpiled conventional munitions, as
14 applicable,” after “explosive remnants of
15 war”;

16 (2) in subsection (b)—

17 (A) in paragraph (1), by inserting “and
18 stockpiled conventional munitions assistance”
19 after “humanitarian demining assistance”; and

20 (B) in paragraph (2), by inserting “or
21 stockpiled conventional munitions assistance”
22 after “humanitarian demining assistance”;

23 (3) in subsection (c)—

1 (A) in paragraph (1), by inserting “or
2 stockpiled conventional munitions assistance”
3 after “humanitarian demining assistance”; and

4 (B) in paragraph (2)(B)—

5 (i) by inserting “or stockpiled conven-
6 tional munitions activities” after “humani-
7 tarian demining activities”; and

8 (ii) by inserting “, or stockpiled con-
9 ventional munitions, as applicable,” after
10 “explosive remnants of war”; and

11 (4) in subsection (d), by inserting “or stock-
12 piled conventional munitions assistance” after “hu-
13 manitarian demining assistance” each place it ap-
14 pears.

15 (b) DEFINITIONS.—Subsection (e) of such section is
16 amended to read as follows:

17 “(e) DEFINITIONS.—In this section:

18 “(1) HUMANITARIAN DEMINING ASSISTANCE.—
19 The term ‘humanitarian demining assistance’, as it
20 relates to training and support, means detection and
21 clearance of landmines and other explosive remnants
22 of war.

23 “(2) STOCKPILED CONVENTIONAL MUNITIONS
24 ASSISTANCE.—The term ‘stockpiled conventional
25 munitions assistance’, as it relates to support of hu-

1 humanitarian assistance efforts, means training and
 2 support in the disposal, demilitarization, physical se-
 3 curity, and stockpile management of potentially dan-
 4 gerous stockpiles of explosive ordnance.

5 “(3) INCLUDED ACTIVITIES.—The terms in
 6 paragraphs (1) and (2) include activities related to
 7 the furnishing of education, training, and technical
 8 assistance with respect to explosive safety, the detec-
 9 tion and clearance of landmines and other explosive
 10 remnants of war, and the disposal, demilitarization,
 11 physical security, and stockpile management of po-
 12 tentially dangerous stockpiles of explosive ord-
 13 nance.”.

14 (c) CLERICAL AMENDMENTS.—

15 (1) SECTION HEADING.—The heading of such
 16 section is amended to read as follows:

17 **“§ 407. Humanitarian demining assistance and stock-**
 18 **piled conventional munitions assistance:**
 19 **authority; limitations”.**

20 (2) TABLE OF SECTIONS.—The table of sections
 21 at the beginning of chapter 20 of such title is
 22 amended by striking the item relating to section 407
 23 and inserting the following new item:

“407. Humanitarian demining assistance and stockpiled conventional munitions
 assistance: authority; limitations.”.

1 **SEC. 1202. ONE-YEAR EXTENSION AND MODIFICATION OF**
2 **AUTHORITIES APPLICABLE TO COM-**
3 **MANDERS' EMERGENCY RESPONSE PRO-**
4 **GRAM.**

5 (a) ONE-YEAR EXTENSION OF AUTHORITY.—

6 (1) IN GENERAL.—Subsection (a) of section
7 1202 of the National Defense Authorization Act for
8 Fiscal Year 2006 (Public Law 109–163; 119 Stat.
9 3455), as most recently amended by section 1212 of
10 the Ike Skelton National Defense Authorization Act
11 for Fiscal Year 2011 (Public Law 111–383; 124
12 Stat. 4389), is further amended—

13 (A) in the subsection heading, by striking
14 “FISCAL YEAR 2011” and inserting “FISCAL
15 YEAR 2012”;

16 (B) by striking “fiscal year 2011, from”
17 and inserting “fiscal year 2012”; and

18 (C) by striking “operation and mainte-
19 nance” and all that follows and inserting “oper-
20 ation and maintenance, not to exceed
21 \$400,000,000 may be used by the Secretary of
22 Defense to provide funds for the Commanders’
23 Emergency Response Program in Afghani-
24 stan.”.

1 (2) EFFECTIVE DATE.—The amendments made
2 by paragraph (1) shall take effect on October 1,
3 2011.

4 (b) EXTENSION OF DUE DATE FOR QUARTERLY RE-
5 PORTS TO CONGRESS.—Subsection (b)(1) of such section,
6 as most recently amended by section 1222 of the National
7 Defense Authorization Act for Fiscal Year 2010 (Public
8 Law 111–84; 123 Stat. 2518), is further amended by
9 striking “30 days” and inserting “45 days”.

10 (c) AUTHORITY TO ACCEPT CONTRIBUTIONS.—Such
11 section, as so amended by section 1212 of the Ike Skelton
12 National Defense Authorization Act for Fiscal Year 2011,
13 is further amended—

14 (1) by redesignating subsection (i) as subsection
15 (j); and

16 (2) by inserting after subsection (h) the fol-
17 lowing new subsection (i):

18 “(i) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The
19 Secretary of Defense may accept cash contributions from
20 any person, foreign government, or international organiza-
21 tion for the purposes specified in subsection (a). Funds
22 received by the Secretary may be credited to the operation
23 and maintenance account from which funds are made
24 available to carry out the authority in subsection (a), and

1 may be used for such purposes until expended in addition
2 to the funds specified in that subsection.”.

3 **SEC. 1203. 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 Section 1202(e) of the John Warner National De-
9 fense Authorization Act for Fiscal Year 2007 (Public Law
10 109–364; 120 Stat. 2413), as most recently amended by
11 section 1204(b) of the Duncan Hunter National Defense
12 Authorization Act for Fiscal Year 2009 (Public Law 110–
13 417; 122 Stat. 4623), is further amended by striking
14 “September 30, 2011” and inserting “September 30,
15 2014”.

16 **SEC. 1204. CONDITIONAL EXTENSION AND MODIFICATION**
17 **OF AUTHORITY TO BUILD THE CAPACITY OF**
18 **COUNTER TERRORISM FORCES OF YEMEN.**

19 (a) EXTENSION.—Subsection (a) of section 1205 of
20 the Ike Skelton National Defense Authorization Act for
21 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4387)
22 is amended by striking “fiscal year 2011” and inserting
23 “fiscal years 2011 and 2012”.

24 (b) ASSISTANCE THROUGH MINOR MILITARY CON-
25 STRUCTION.—Subsection (b) of such section is amended—

1 (1) in paragraph (1), by inserting “and minor
2 military construction” before the period at the end;

3 (2) by redesignating paragraph (3) as para-
4 graph (4); and

5 (3) by inserting after paragraph (2) the fol-
6 lowing new paragraph (3):

7 “(3) LIMITATIONS ON MINOR MILITARY CON-
8 STRUCTION.—Minor military construction may be
9 provided under subsection (a) only after September
10 30, 2011. The total amount that may be obligated
11 and expended on such construction in any fiscal year
12 may not exceed \$10,000,000. Minor military con-
13 struction may not be provided under subsection (a)
14 in the city of Sana’a or in the Sana’a Governate,
15 Yemen.”.

16 (c) FUNDING.—Subsection (c) of that section is
17 amended by striking “by section 301” and all that follows
18 through “for fiscal year 2011” and inserting “for the fis-
19 cal year concerned for operation and maintenance (other
20 than operation and maintenance for overseas contingency
21 operations)”.

22 (d) CONDITION ON USE OF AUTHORITIES.—

23 (1) NOTICE AND WAIT.—An authority specified
24 in paragraph (2) may not be used until 60 days
25 after the date on which the Secretary of Defense

1 and the Secretary of State jointly certify, in writing,
2 to the appropriate committees of Congress that the
3 use of such authority is important to the national se-
4 curity interests of the United States. The certifi-
5 cation on an authority shall include the following:

6 (A) The reasons why the use of such au-
7 thority is important to the national security in-
8 terests of the United States.

9 (B) A justification for the provision of as-
10 sistance pursuant to such authority.

11 (C) An acknowledgment by the Secretary
12 of Defense and the Secretary of State that they
13 have received assurance from the Government
14 of Yemen that any assistance provided pursuant
15 to such authority will be utilized in manner con-
16 sistent with subsection (b)(2) of the applicable
17 section.

18 (2) COVERED AUTHORITIES.—The authorities
19 referred to in this paragraph are the following:

20 (A) The authority in section 1205 of the
21 Ike Skelton National Defense Authorization Act
22 for Fiscal Year 2011, as amended by this sec-
23 tion.

24 (B) The authority in section 1206 of the
25 National Defense Authorization Act for Fiscal

1 Year 2006 (Public Law 109–163; 119 Stat.
2 2456), as amended.

3 (3) APPROPRIATE COMMITTEES OF CONGRESS
4 DEFINED.—In this subsection, the term “appro-
5 priate committees of Congress” means the commit-
6 tees of Congress specified in section 1205(d)(2) of
7 the Ike Skelton National Defense Authorization Act
8 for Fiscal Year 2011.

9 **SEC. 1205. EXTENSION OF AUTHORITY FOR SUPPORT OF**
10 **SPECIAL OPERATIONS TO COMBAT TER-**
11 **RORISM.**

12 (a) EXTENSION.—Subsection (h) of section 1208 of
13 the Ronald W. Reagan National Defense Authorization
14 Act for Fiscal Year 2005 (Public Law 108–375), as most
15 recently amended by section 1208(c) of the Duncan Hun-
16 ter National Defense Authorization Act for Fiscal Year
17 2009 (Public Law 110–417; 122 Stat. 4626), is further
18 amended by striking “2013” and inserting “2017”.

19 (b) CLARIFICATION OF LIMITATION ON FUNDING.—
20 Subsection (g) of such section, as amended by section
21 1202(b) of the National Defense Authorization Act for
22 Fiscal Year 2008 (Public Law 110–181; 122 Stat. 364),
23 is further amended—

24 (1) by striking “each fiscal year” and inserting
25 “any fiscal year”; and

1 (2) by striking “pursuant to title XV of this
2 Act” and inserting “for that fiscal year”.

3 **SEC. 1206. LIMITATION ON AVAILABILITY OF FUNDS FOR**
4 **AUTHORITIES RELATING TO PROGRAM TO**
5 **BUILD THE CAPACITY OF FOREIGN MILITARY**
6 **FORCES.**

7 Of the funds available for fiscal year 2012 for build-
8 ing the capacity of foreign military forces under section
9 1206 of the National Defense Authorization Act for Fiscal
10 Year 2006 (Public Law 109–163; 119 Stat. 3456), as
11 most recently amended by section 1207 of the Ike Skelton
12 National Defense Authorization Act for Fiscal Year 2011
13 (Public Law 111–383; 124 Stat. 4389), not more than
14 \$100,000,000 may be obligated and expended until the
15 Secretary of Defense and the Secretary of State submit
16 the report required by section 1237 of the Duncan Hunter
17 National Defense Authorization Act for Fiscal Year 2009
18 (Public Law 110–417; 122 Stat. 4642).

19 **SEC. 1207. GLOBAL SECURITY CONTINGENCY FUND.**

20 (a) **ESTABLISHMENT.**—There is established on the
21 books of the Treasury of the United States an account
22 to be known as the “Global Security Contingency Fund”.

23 (b) **AUTHORITY.**—Amounts in the Fund shall be
24 available to either the Secretary of State or the Secretary
25 of Defense, notwithstanding any other provision of law,

1 to provide assistance to countries designated by the Sec-
2 retary of State, with the concurrence of the Secretary of
3 Defense, for purposes of this section, as follows:

4 (1) Assistance under this section may be pro-
5 vided to enhance the capabilities of a foreign coun-
6 try's national military forces, and other national se-
7 curity forces that conduct border and maritime secu-
8 rity, internal security, and counterterrorism oper-
9 ations, as well as the government agencies respon-
10 sible for such forces, to—

11 (A) conduct border and maritime security,
12 internal defense, and counterterrorism oper-
13 ations; and

14 (B) participate in or support military, sta-
15 bility, or peace support operations consistent
16 with United States foreign policy and national
17 security interests.

18 (2) Assistance may be provided for the justice
19 sector (including law enforcement and prisons), rule
20 of law programs, and stabilization efforts in those
21 cases in which the Secretary of State, in consulta-
22 tion with the Secretary of Defense, determines that
23 conflict or instability in a country or region chal-
24 lenges the existing capability of civilian providers to
25 deliver such assistance.

1 (c) TYPES OF ASSISTANCE.—

2 (1) AUTHORIZED ELEMENTS.—A program to
3 provide the assistance under subsection (b)(1) may
4 include the provision of equipment, supplies, and
5 training.

6 (2) REQUIRED ELEMENTS.—A program to pro-
7 vide the assistance under subsection (b)(1) shall in-
8 clude elements that promote—

9 (A) observance of and respect for human
10 rights and fundamental freedoms; and

11 (B) respect for legitimate civilian authority
12 within that country.

13 (d) LIMITATIONS.—

14 (1) ASSISTANCE OTHERWISE PROHIBITED BY
15 LAW.—The Secretary of Defense and the Secretary
16 of State may not use the authority provided under
17 subsection (b) to provide any type of assistance that
18 is otherwise prohibited by any provision of law.

19 (2) LIMITATION ON ELIGIBLE COUNTRIES.—
20 The Secretary of Defense and the Secretary of State
21 may not use the authority provided under subsection
22 (b) to provide assistance to any foreign country that
23 is otherwise prohibited from receiving such type of
24 assistance under any other provision of law.

1 (e) FORMULATION AND APPROVAL OF ASSISTANCE
2 PROGRAMS.—

3 (1) SECURITY PROGRAMS.—The Secretary of
4 State and the Secretary of Defense shall jointly for-
5 mulate assistance programs under subsection (b)(1).
6 Assistance programs to be carried out pursuant to
7 subsection (b)(1) shall be approved by the Secretary
8 of State, with the concurrence of the Secretary of
9 Defense, prior to implementation.

10 (2) JUSTICE SECTOR AND STABILIZATION PRO-
11 GRAMS.—The Secretary of State, in consultation
12 with the Secretary of Defense, shall formulate assist-
13 ance programs under subsection (b)(2). Assistance
14 programs to be carried out under the authority in
15 subsection (b)(2) shall be approved by the Secretary
16 of State, with the concurrence of the Secretary of
17 Defense, prior to implementation.

18 (f) RELATION TO OTHER AUTHORITIES.—The au-
19 thority to provide assistance under this section is in addi-
20 tion to any other authority to provide assistance to foreign
21 nations. The administrative authorities of the Foreign As-
22 sistance Act of 1961 (22 U.S.C. 2151 et seq.) shall be
23 available to the Secretary of State with respect to funds
24 made available to carry out this section.

25 (g) TRANSFER AUTHORITY.—

1 (1) FOREIGN ASSISTANCE AND OTHER
2 FUNDS.—Funds available to the Department of
3 State for foreign assistance may be transferred to
4 the Fund by the Secretary of State. Funds available
5 to the Department of Defense may be transferred to
6 the Fund by the Secretary of Defense in accordance
7 with established procedures for reprogramming
8 under section 1001 of this Act and successor provi-
9 sions of law. Amounts transferred under this para-
10 graph shall be merged with funds made available
11 under this section and remain available until ex-
12 pended as provided in subsection (i) for the purposes
13 specified in subsection (b).

14 (2) LIMITATION.—The total amount of funds
15 appropriated and transferred to the Fund in any fis-
16 cal year shall not exceed \$300,000,000. This limita-
17 tion does not apply to amounts contributed to the
18 Fund under subsection (h).

19 (3) TRANSFERS TO OTHER ACCOUNTS.—Funds
20 made available to carry out assistance activities ap-
21 proved pursuant to subsection (c) may be trans-
22 ferred to accounts under the following authorities:

23 (A) Section 1206 of the National Defense
24 Authorization Act for Fiscal Year 2006 (Public
25 Law 109–163; 119 Stat. 3456; relating to pro-

1 gram to build the capacity of foreign military
2 forces).

3 (B) Section 23 of the Arms Export Control
4 Act (22 U.S.C. 2763; relating to foreign mili-
5 tary financing program).

6 (C) Section 481 of the Foreign Assistance
7 Act of 1961 (22 U.S.C. 2291; relating to inter-
8 national narcotics control and law enforcement).

9 (D) Chapter 5 of part II of the Foreign
10 Assistance Act of 1961 (22 U.S.C. 2347 et seq.;
11 relating to international military education and
12 training program).

13 (E) Chapter 8 of part II of the Foreign
14 Assistance Act of 1961 (22 U.S.C. 2349aa et
15 seq.; relating to antiterrorism assistance).

16 (F) Complex Crises Fund of the Foreign
17 Assistance Act of 1961 (title III of the Depart-
18 ment of State, Foreign Operations, and Related
19 Programs Appropriations Act, 2010 (division F
20 of Public Law 111–117; 123 Stat. 3327)).

21 (4) **ADDITIONAL AUTHORITIES.**—The transfer
22 authorities in paragraphs (1) and (3) are in addition
23 to any other transfer authority available to the De-
24 partment of State or the Department of Defense.

1 (5) EFFECT ON AUTHORIZATION AMOUNTS.—A
2 transfer of an amount to an account under the au-
3 thority provided in paragraph (3) shall be deemed to
4 increase the amount authorized for such account by
5 an amount equal to the amount transferred.

6 (h) AUTHORITY TO ACCEPT GIFTS.—The Secretary
7 of State may use money, funds, property, and services ac-
8 cepted pursuant to the authority of section 635(d) of the
9 Foreign Assistance Act of 1961 (22 U.S.C. 2395(d)) to
10 fulfill the purposes of subsection (b).

11 (i) AVAILABILITY OF FUNDS.—Amounts in the Fund
12 shall remain available until September 30, 2015.

13 (j) CONGRESSIONAL NOTIFICATION.—

14 (1) SECURITY PROGRAMS.—Not less than 15
15 days before initiating activities under a program of
16 assistance under subsection (b)(1), the Secretary of
17 Defense, with the concurrence of the Secretary of
18 State, shall notify the specified congressional com-
19 mittees of the program to be initiated.

20 (2) JUSTICE SECTOR AND STABILIZATION PRO-
21 GRAMS.—Not less than 15 days before initiating ac-
22 tivities under a program of assistance under sub-
23 section (b)(2), the Secretary of State, with the con-
24 currence of the Secretary of Defense, shall notify the

1 specified congressional committees of the program to
2 be initiated.

3 (3) EXERCISE OF TRANSFER AUTHORITY.—Not
4 less than 15 days before a transfer under the au-
5 thority of subsection (g), the Secretary of State and
6 the Secretary of Defense shall jointly notify the
7 specified congressional committees of the transfer of
8 funds into the Fund.

9 (k) REPORTING REQUIREMENT.—The Secretary of
10 State and the Secretary of Defense jointly shall provide
11 a report quarterly to the specified congressional commit-
12 tees on obligations of funds or transfers into the Fund
13 made during the preceding quarter.

14 (l) SPECIFIED CONGRESSIONAL COMMITTEES.—In
15 this section, the term “specified congressional commit-
16 tees” means—

17 (1) the Committee on Armed Services, the
18 Committee on Foreign Affairs, and the Committee
19 on Appropriations of the House of Representatives;
20 and

21 (2) the Committee on Armed Services, the
22 Committee on Foreign Relations, and the Committee
23 on Appropriations of the Senate.

24 (m) EXPIRATION.—The authority provided under
25 this section may not be exercised after September 30,

1 2014, except with respect to amounts appropriated or
2 transferred to the Fund prior to such date, which can con-
3 tinue to be obligated and expended as provided in sub-
4 section (i).

5 (n) ADMINISTRATIVE EXPENSES.—Amounts in the
6 Fund may be used for necessary administrative expenses.

7 **SEC. 1208. AUTHORITY TO BUILD THE CAPACITY OF CER-**
8 **TAIN COUNTERTERRORISM FORCES OF EAST**
9 **AFRICAN COUNTRIES.**

10 (a) AUTHORITY.—The Secretary of Defense may,
11 with the concurrence of the Secretary of State, provide
12 assistance during fiscal years 2012 and 2013 as follows:

13 (1) To enhance the capacity of the national
14 military forces, security agencies serving a similar
15 defense function, and border security forces of
16 Djibouti, Ethiopia, and Kenya to conduct counter-
17 terrorism operations against al Qaeda, al Qaeda af-
18 filiates, and al Shabaab.

19 (2) To enhance the capacity of national military
20 forces participating in the African Union Mission in
21 Somalia to conduct counterterrorism operations de-
22 scribed in paragraph (1).

23 (b) TYPES OF ASSISTANCE.—

24 (1) AUTHORIZED ELEMENTS.—Assistance
25 under subsection (a) may include the provision of

1 equipment, supplies, training, and minor military
2 construction.

3 (2) REQUIRED ELEMENTS.—Assistance under
4 subsection (a) shall be provided in a manner that
5 promotes—

6 (A) observance of and respect for human
7 rights and fundamental freedoms; and

8 (B) respect for legitimate civilian authority
9 in the country receiving such assistance.

10 (3) ASSISTANCE OTHERWISE PROHIBITED BY
11 LAW.—The Secretary of Defense may not use the
12 authority in subsection (a) to provide any type of as-
13 sistance described in this subsection that is other-
14 wise prohibited by any provision of law.

15 (c) FUNDING.—

16 (1) IN GENERAL.—Of the amount authorized to
17 be appropriated for each of fiscal years 2012 and
18 2103 for the Department of Defense for operation
19 and maintenance (other than operation and mainte-
20 nance for overseas contingency operations),
21 \$75,000,000 may be utilized to provide assistance
22 under subsection (a).

23 (2) AVAILABILITY OF FUNDS FOR ASSISTANCE
24 ACROSS FISCAL YEARS.—Amounts available under
25 this subsection for the authority in subsection (a)

1 for a fiscal year may be used for assistance under
2 that authority that begins in such fiscal year but
3 ends in the next fiscal year.

4 (d) NOTICE TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 30 days be-
6 fore providing assistance under subsection (a), the
7 Secretary of Defense shall submit to the committees
8 of Congress specified in paragraph (2) a notice set-
9 ting forth the assistance to be provided, including
10 the types of such assistance, the budget for such as-
11 sistance, and the completion date for the provision
12 of such assistance.

13 (2) COMMITTEES OF CONGRESS.—The commit-
14 tees of Congress specified in this paragraph are—

15 (A) the Committee on Armed Services, the
16 Committee on Foreign Relations, and the Com-
17 mittee on Appropriations of the Senate; and

18 (B) the Committee on Armed Services, the
19 Committee on Foreign Affairs, and the Com-
20 mittee on Appropriations of the House of Rep-
21 resentatives.

1 **SEC. 1209. SUPPORT OF FORCES PARTICIPATING IN OPER-**
2 **ATIONS TO DISARM THE LORD'S RESISTANCE**
3 **ARMY.**

4 (a) **AUTHORITY.**—Pursuant to the policy established
5 by the Lord's Resistance Army Disarmament and North-
6 ern Uganda Recovery Act of 2009 (Public Law 111–172;
7 124 Stat. 1209), the Secretary of Defense may, with the
8 concurrence of Secretary of State, provide logistic support,
9 supplies, and services and intelligence support for forces
10 participating in operations to mitigate and eliminate the
11 threat posed by the Lord's Resistance Army as follows:

- 12 (1) The national military forces of Uganda.
- 13 (2) The national military forces of any other
14 country determined by the Secretary of Defense,
15 with the concurrence of the Secretary of State, to be
16 participating in such operations.

17 (b) **PARTICIPATION OF UNITED STATES PER-**
18 **SONNEL.**—No United States Armed Forces personnel,
19 United States civilian employees, or United States civilian
20 contractor personnel may participate in combat operations
21 in connection with the provision of support under sub-
22 section (a), except for the purpose of acting in self-defense
23 or of rescuing any United States citizen (including any
24 member of the United States Armed Forces, any United
25 States civilian employee, or any United States civilian con-
26 tractor).

1 (c) FUNDING.—Of the amount authorized to be ap-
2 propriated for the Department of Defense for each of fis-
3 cal years 2012 and 2013 for operation and maintenance,
4 not more than \$35,000,000 may be utilized in each such
5 fiscal year to provide support under subsection (a).

6 (d) LIMITATIONS.—

7 (1) IN GENERAL.—The Secretary of Defense
8 may not use the authority in subsection (a) to pro-
9 vide any type of support that is otherwise prohibited
10 by any provision of law.

11 (2) ELIGIBLE COUNTRIES.—The Secretary of
12 Defense may not use the authority in subsection (a)
13 to provide support to any foreign country that is
14 otherwise prohibited from receiving such type of sup-
15 port under any other provision of law.

16 (e) NOTICE TO CONGRESS ON ELIGIBLE COUN-
17 TRIES.—The Secretary of Defense may not provide sup-
18 port under subsection (a) for the national military forces
19 of a country determined to be eligible for such support
20 under that subsection until the Secretary notifies the ap-
21 propriate committees of Congress of the eligibility of the
22 country for such support.

23 (f) NOTICE TO CONGRESS ON SUPPORT TO BE PRO-
24 VIDED.—Not later than 5 days after the date on which
25 funds are obligated to provide support under subsection

1 (a), the Secretary of Defense shall submit to the appro-
2 priate committees of Congress a notice setting forth the
3 following:

4 (1) The type of support to be provided.

5 (2) The national military forces to be sup-
6 ported.

7 (3) The objectives of such support.

8 (4) The estimated cost of such support.

9 (5) The intended duration of such support.

10 (g) QUARTERLY REPORTS TO CONGRESS.—The Sec-
11 retary of State and the Secretary of Defense shall jointly
12 submit to the appropriate committees of Congress on a
13 quarterly basis a report on the obligation of funds under
14 this section during the preceding quarter.

15 (h) DEFINITIONS.—In this section:

16 (1) The term “appropriate committees of Con-
17 gress” means—

18 (A) the Committee on Armed Services, the
19 Committee on Foreign Relations, and the Com-
20 mittee on Appropriations of the Senate; and

21 (B) the Committee on Armed Services, the
22 Committee on Foreign Affairs, and the Com-
23 mittee on Appropriations of the House of Rep-
24 resentatives.

1 (2) The term “logistic support, supplies, and
2 services” has the meaning given that term in section
3 2350(1) of title 10, United States Code.

4 (i) EXPIRATION.—The authority provided under this
5 section may not be exercised after September 30, 2013.

6 **Subtitle B—Matters Relating to**
7 **Iraq, Afghanistan, and Pakistan**

8 **SEC. 1221. EXTENSION AND MODIFICATION OF LOGISTICAL**
9 **SUPPORT FOR COALITION FORCES SUP-**
10 **PORTING OPERATIONS IN IRAQ AND AFGHAN-**
11 **ISTAN.**

12 (a) EXTENSION.—Section 1234 of the National De-
13 fense Authorization Act for Fiscal Year 2008 (Public Law
14 110–181; 122 Stat. 394), as amended by section 1218 of
15 the Ike Skelton National Defense Authorization Act for
16 Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4394),
17 is further amended by striking “fiscal year 2011” each
18 place it appears and inserting “fiscal year 2012”.

19 (b) AMOUNT OF FUNDS AVAILABLE.—Subsection (d)
20 of such section is amended by striking “\$400,000,000”
21 and inserting “\$450,000,000”.

22 (c) ADDITIONAL LIMITATION ON AVAILABILITY OF
23 FUNDS.—Of the funds available for logistical support
24 under such section during fiscal year 2012, not more than
25 \$200,000,000 may be obligated and expended until the

1 Secretary of Defense submits the report required by sec-
2 tion 1234 of the Ike Skelton National Defense Authoriza-
3 tion Act for Fiscal Year 2011 (124 Stat. 4397).

4 **SEC. 1222. ONE-YEAR EXTENSION OF AUTHORITY TO**
5 **TRANSFER DEFENSE ARTICLES AND PRO-**
6 **VIDE DEFENSE SERVICES TO THE MILITARY**
7 **AND SECURITY FORCES OF IRAQ AND AF-**
8 **GHANISTAN.**

9 (a) EXTENSION OF AUTHORITY.—Subsection (h) of
10 section 1234 of the National Defense Authorization Act
11 for Fiscal Year 2010 (Public Law 111–84; 123 Stat.
12 2532), as amended by section 1214 of the Ike Skelton Na-
13 tional Defense Authorization Act for Fiscal Year 2011
14 (Public Law 111–383; 124 Stat. 4391), is further amend-
15 ed by striking “December 31, 2011” and inserting “De-
16 cember 31, 2012”.

17 (b) QUARTERLY REPORTS.—Subsection (f)(1) of
18 such section, as so amended, is further amended by strik-
19 ing “and every 90 days thereafter through March 31,
20 2012” and inserting “every 90 days thereafter through
21 March 31, 2012, and at the end of each calendar quarter,
22 if any, thereafter through March 31, 2013, in which the
23 authority in subsection (a) is implemented”.

1 **SEC. 1223. ONE-YEAR EXTENSION OF AUTHORITIES APPLI-**
2 **CABLE TO THE PAKISTAN COUNTERINSUR-**
3 **GENCY FUND.**

4 (a) ONE-YEAR EXTENSION.—Subsection (h) of sec-
5 tion 1224 of the National Defense Authorization Act for
6 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2521),
7 as amended by section 1220(a) of the Ike Skelton Na-
8 tional Defense Authorization Act for Fiscal Year 2011
9 (Public Law 111–383; 124 Stat. 4395), is further amend-
10 ed by striking “September 30, 2011” both places it ap-
11 pears and inserting “September 30, 2012”.

12 (b) CLARIFICATION OF SOURCE OF FUNDS FOR
13 FUND.—Subsection (a)(1)(A) of such section is amended
14 by striking “for fiscal year 2009”.

15 **SEC. 1224. ONE-YEAR EXTENSION OF AUTHORITY TO USE**
16 **FUNDS FOR REINTEGRATION ACTIVITIES IN**
17 **AFGHANISTAN.**

18 Section 1216 of the Ike Skelton National Defense
19 Authorization Act for Fiscal Year 2011 (Public Law 111–
20 383; 124 Stat. 4392) is amended—

21 (1) in subsection (a), by striking “fiscal year
22 2011” and inserting “in each of fiscal years 2011
23 and 2012”; and

24 (2) in subsection (e), by striking “December 31,
25 2011” and inserting “December 31, 2012”.

1 **SEC. 1225. MODIFICATION OF AUTHORITY ON PROGRAM TO**
2 **DEVELOP AND CARRY OUT INFRASTRUCTURE**
3 **PROJECTS IN AFGHANISTAN.**

4 (a) FUNDING.—Subsection (f) of section 1217 of the
5 Ike Skelton National Defense Authorization Act for Fiscal
6 Year 2011 (Public Law 111–383; 124 Stat. 4393; 22
7 U.S.C. 7513 note) is amended—

8 (1) in paragraph (1), by inserting “or 2012”
9 after “fiscal year 2011”; and

10 (2) in paragraph (2), by striking “until Sep-
11 tember 30, 2012.” and inserting “as follows:

12 “(A) In the case of funds for fiscal year
13 2011, until September 30, 2012.

14 “(B) In the case of funds for fiscal year
15 2012, until September 30, 2013.”.

16 (b) NOTICE TO CONGRESS.—Subsection (g) of such
17 section is amended by striking “30 days” and inserting
18 “15 days”.

19 **SEC. 1226. ONE-YEAR EXTENSION OF AUTHORITY FOR RE-**
20 **IMBURSEMENT OF CERTAIN COALITION NA-**
21 **TIONS FOR SUPPORT PROVIDED TO UNITED**
22 **STATES MILITARY OPERATIONS.**

23 (a) EXTENSION.—Subsection (a) of section 1233 of
24 the National Defense Authorization Act for Fiscal Year
25 2008 (Public Law 110–181; 122 Stat. 393), as amended
26 by section 1223 of the National Defense Authorization Act

1 for Fiscal Year 2010 (Public Law 111–84; 123 Stat.
2 2519) and section 1213 of the Ike Skelton National De-
3 fense Authorization Act for Fiscal Year 2011 (Public Law
4 111–383; 12 Stat. 4391), is further amended by striking
5 “by section 1510 of the Ike Skelton National Defense Au-
6 thorization Act for Fiscal Year 2011” and inserting “for
7 fiscal year 2012 for overseas contingency operations”.

8 (b) LIMITATION ON AMOUNT AVAILABLE.—Sub-
9 section (d)(1) of such section, as so amended, is further
10 amended—

11 (1) by striking “fiscal year 2010 or 2011” and
12 inserting “fiscal year 2012”; and

13 (2) by striking “\$1,600,000,000” and inserting
14 “\$1,750,000,000”.

15 (c) TECHNICAL AMENDMENT.—Subsection (c)(2) of
16 such section, as so amended, is further amended by insert-
17 ing a comma after “Budget”.

18 (d) EXTENSION OF NOTICE REQUIREMENT RELAT-
19 ING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT
20 PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the Na-
21 tional Defense Authorization Act for Fiscal Year 2008
22 (122 Stat. 393), as most recently amended by section
23 1213(d) of the Ike Skelton National Defense Authoriza-
24 tion Act for Fiscal Year 2011, is further amended by

1 striking “September 30, 2012” and inserting “September
2 30, 2013”.

3 **SEC. 1227. TWO-YEAR EXTENSION OF CERTAIN REPORTS ON**
4 **AFGHANISTAN.**

5 (a) REPORT ON PROGRESS TOWARD SECURITY AND
6 STABILITY IN AFGHANISTAN.—Section 1230(a) of the
7 National Defense Authorization Act for Fiscal Year 2008
8 (Public Law 110–181; 122 Stat. 385), as most recently
9 amended by section 1231 of the Ike Skelton National De-
10 fense Authorization Act for Fiscal Year 2011 (Public Law
11 111–383; 124 Stat. 4395), is further amended by striking
12 “2012” and inserting “2014”.

13 (b) REPORT ON UNITED STATES PLAN FOR SUS-
14 TAINING AFGHANISTAN NATIONAL SECURITY FORCES.—
15 Section 1231(a) of the National Defense Authorization
16 Act for Fiscal Year 2008 (122 Stat. 390), as amended
17 by section 1232 of the Ike Skelton National Defense Au-
18 thorization Act for Fiscal Year 2011 (124 Stat. 4395),
19 is further amended by striking “2012” and inserting
20 “2014”.

1 **SEC. 1228. AUTHORITY TO SUPPORT OPERATIONS AND AC-**
2 **TIVITIES OF THE OFFICE OF SECURITY CO-**
3 **OPERATION IN IRAQ.**

4 (a) **AUTHORITY.**—The Secretary of Defense may sup-
5 port United States Government transition activities in
6 Iraq by providing funds for the following:

7 (1) Operations and activities of the Office of
8 Security Cooperation in Iraq.

9 (2) Operations and activities of security assist-
10 ance teams in Iraq.

11 (b) **TYPES OF SUPPORT.**—The operations and activi-
12 ties for which the Secretary may provide funds under the
13 authority in subsection (a) may include life support, trans-
14 portation and personal security, and minor construction
15 and renovation of facilities.

16 (c) **LIMITATION ON AMOUNT.**—The total amount of
17 funds provided under the authority in subsection (a) in
18 fiscal year 2012 may not exceed \$524,000,000.

19 (d) **SOURCE OF FUNDS.**—Funds for purposes of sub-
20 section (a) for fiscal year 2012 shall be derived from
21 amounts available for that fiscal year for operation and
22 maintenance for the Air Force.

23 (e) **COVERAGE OF COSTS OF OSCI IN CONNECTION**
24 **WITH SALES OF DEFENSE ARTICLES OR DEFENSE SERV-**
25 **ICES TO IRAQ.**—The President shall ensure that any letter
26 of offer for the sale to Iraq of any defense articles or de-

1 fense services issued after the date of the enactment of
2 this Act includes, consistent with the provisions of the
3 Arms Export Control Act (22 U.S.C. 2751 et seq.),
4 charges for administrative services sufficient to recover
5 the pro rata costs of operations and activities of the Office
6 of Security Cooperation in Iraq and associated security as-
7 sistance teams in Iraq in connection with such sale.

8 **SEC. 1229. BENCHMARKS TO EVALUATE THE PROGRESS**
9 **BEING MADE TOWARD THE TRANSITION OF**
10 **SECURITY RESPONSIBILITIES FOR AFGHANI-**
11 **STAN TO THE GOVERNMENT OF AFGHANI-**
12 **STAN.**

13 (a) FINDINGS.—Congress makes the following find-
14 ings:

15 (1) October 7, 2011, will mark the 10-year an-
16 niversary of the start of Operation Enduring Free-
17 dom in Afghanistan.

18 (2) Military operations in Afghanistan have cost
19 United States taxpayers more than
20 \$300,000,000,000 to date.

21 (3) As of June 6, 2011, 1,599 members of the
22 United States Armed Forces have lost their lives in
23 support of Operation Enduring Freedom in Afghani-
24 stan and more than 11,000 have been wounded.

1 (4) On December 1, 2009, at a speech at the
2 United States Military Academy at West Point, New
3 York, President Barack Obama stated that the
4 United States would begin the transfer of United
5 States Armed Forces out of Afghanistan in July
6 2011 with the pace of reductions to be based upon
7 conditions on the ground.

8 (5) In the December 2010 Afghanistan-Paki-
9 stan Annual Review, President Obama reaffirmed
10 that the core goal of the United States strategy in
11 Afghanistan is to disrupt, dismantle, and defeat al
12 Qaeda.

13 (6) In January 2010, participants at the Lon-
14 don Conference pledged to develop a plan for phased
15 transition to Afghan security lead. The North Atlan-
16 tic Treaty Organization (NATO) and foreign min-
17 isters of the constituent elements of the Inter-
18 national Security Assistance Force (ISAF) endorsed
19 the Joint Framework for Transition in April 2010,
20 and President Obama and President Karzai of Af-
21 ghanistan committed to the process in a May 2010
22 joint statement.

23 (7) At the Kabul Conference in July 2010, the
24 international community expressed its support for
25 the objective of President Karzai that the Afghani-

1 stan National Security Forces (ANSF) should lead
2 and conduct all military operations in all provinces
3 in Afghanistan by the end of 2014, support that was
4 later re-affirmed by North Atlantic Treaty Organiza-
5 tion and International Security Assistance Force
6 member nations at the Lisbon Summit in November
7 2010.

8 (8) On May 1, 2011, in support of the goal to
9 disrupt, dismantle, and defeat al Qaeda, President
10 Obama authorized a United States operation that
11 killed Osama bin Laden, leader of al Qaeda. While
12 the impact of his death on al Qaeda remains to be
13 seen, Secretary of Defense Robert Gates called the
14 death of bin Laden a “game changer” in a speech
15 on May 6, 2011.

16 (b) BENCHMARKS REQUIRED.—The President shall
17 establish, and may update from time to time, a com-
18 prehensive set of benchmarks to evaluate progress being
19 made toward the objective of transitioning and transfer-
20 ring lead security responsibilities in Afghanistan to the
21 Government of Afghanistan by December 31, 2014.

22 (c) TRANSITION PLAN.—The President shall devise
23 a plan based on inputs from military commanders, NATO
24 and Coalition allies, the diplomatic missions in the region,
25 and appropriate members of the Cabinet, along with the

1 consultation of Congress, for expediting the drawdown of
2 United States combat troops in Afghanistan and accel-
3 erating the transfer of security authority to Afghan au-
4 thorities.

5 (d) SUBMITTAL TO CONGRESS.—The President shall
6 include the most current set of benchmarks established
7 pursuant to subsection (b) and the plan pursuant to sub-
8 section (c) with each report on progress toward security
9 and stability in Afghanistan that is submitted to Congress
10 under sections 1230 and 1231 of the National Defense
11 Authorization Act for Fiscal Year 2008 (Public Law 110–
12 181; 122 Stat. 385, 390).

13 **SEC. 1230. CERTIFICATION REQUIREMENT REGARDING EF-**
14 **FORTS BY GOVERNMENT OF PAKISTAN TO IM-**
15 **PLEMENT A STRATEGY TO COUNTER IMPRO-**
16 **VED EXPLOSIVE DEVICES.**

17 (a) CERTIFICATION REQUIREMENT.—

18 (1) IN GENERAL.—None of the amounts au-
19 thorized to be appropriated under this Act for the
20 Pakistan Counterinsurgency Fund or transferred to
21 the Pakistan Counterinsurgency Fund from the
22 Pakistan Counterinsurgency Capability Fund should
23 be made available for the Government of Pakistan
24 until the Secretary of Defense, in consultation with
25 the Secretary of State, certifies to the congressional

1 defense committees and the Committee on Foreign
2 Relations of the Senate and the Committee on For-
3 eign Affairs of the House of Representatives that
4 the Government of Pakistan is demonstrating a con-
5 tinuing commitment to and is making significant ef-
6 forts towards the implementation of a strategy to
7 counter improvised explosive devices (IEDs).

8 (2) SIGNIFICANT IMPLEMENTATION EF-
9 FORTS.—For purposes of this subsection, significant
10 implementation efforts include attacking IED net-
11 works, monitoring of known precursors used in
12 IEDs, and the development of a strict protocol for
13 the manufacture of explosive materials, including
14 calcium ammonium nitrate, and accessories and
15 their supply to legitimate end users.

16 (b) WAIVER.—The Secretary of Defense, in consulta-
17 tion with the Secretary of State, may waive the require-
18 ments of subsection (a) if the Secretary determines it is
19 in the national security interest of the United States to
20 do so.

1 **SEC. 1231. REPORT ON COALITION SUPPORT FUND REIM-**
2 **BURSEMENTS TO THE GOVERNMENT OF**
3 **PAKISTAN FOR OPERATIONS CONDUCTED IN**
4 **SUPPORT OF OPERATION ENDURING FREE-**
5 **DOM.**

6 (a) IN GENERAL.—Not later than 120 days after the
7 date of the enactment of this Act, the Secretary of Defense
8 shall submit a report to the congressional defense commit-
9 tees and the Committee on Foreign Relations of the Sen-
10 ate and the Committee on Foreign Affairs of the House
11 of Representatives assessing the effectiveness of the Coali-
12 tion Support Fund reimbursements to the Government of
13 Pakistan for operations conducted in support of Operation
14 Enduring Freedom.

15 (b) ELEMENTS.—The report required under sub-
16 section (a) shall include the following elements:

17 (1) A description of the types of reimburse-
18 ments requested by the Government of Pakistan.

19 (2) The total amount reimbursed to the Gov-
20 ernment of Pakistan since the beginning of Oper-
21 ation Enduring Freedom, in the aggregate and by
22 fiscal year.

23 (3) The percentage and types of reimbursement
24 requests made by the Government of Pakistan for
25 which the United States Government has deferred or
26 not provided payment.

1 (4) An assessment of the effectiveness of Coali-
 2 tion Support Fund reimbursements in supporting
 3 operations conducted by the Government of Pakistan
 4 in support of Operation Enduring Freedom and of
 5 the impact of those operations in containing the abil-
 6 ity of terrorist organizations to threaten the stability
 7 of Afghanistan and Pakistan and to impede the op-
 8 erations of the United States in Afghanistan.

9 (5) Recommendations, if any, relative to poten-
 10 tial alternatives to or termination of reimbursements
 11 from the Coalition Support Fund to the Government
 12 of Pakistan taking into account the transition plan
 13 for Afghanistan.

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

17 **Subtitle C—Reports and Other** 18 **Matters**

19 **SEC. 1241. REPORT ON PROGRESS OF THE AFRICAN UNION** 20 **IN OPERATIONALIZING THE AFRICAN STAND-** 21 **BY FORCE.**

22 (a) REPORT REQUIRED.—Not later than 180 days
 23 after the date of the enactment of this Act, the Under
 24 Secretary of Defense for Policy shall submit to the Com-
 25 mittees on Armed Services of the Senate and the House

1 of Representatives a report on the progress of the African
2 Union in operationalizing the African Standby Force.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include the following:

5 (1) An assessment of the existing personnel
6 strengths and capabilities of each of the five regional
7 brigades of the African Standby Force and their bri-
8 gade-level headquarters.

9 (2) An assessment of the specific capacity-
10 building needs of the African Standby Force, includ-
11 ing with respect to supply management, information
12 management, strategic planning, and other critical
13 components.

14 (3) A description of the functionality of the
15 supply depots of each brigade referred to in para-
16 graph (1), and current information on existing
17 stocks of each such brigade.

18 (4) An assessment of the capacity of the Afri-
19 can Union to manage the African Standby Force.

20 (5) An assessment of inter-organizational co-
21 ordination on assistance to the African Union and
22 the African Standby Force between multilateral do-
23 nors, including the United Nations, the European
24 Union, and the North Atlantic Treaty Organization.

1 (6) An assessment of the capacity of the Afri-
2 can Union to absorb additional international assist-
3 ance toward the development of a fully functional
4 African Standby Force.

5 **SEC. 1242. COMPTROLLER GENERAL OF THE UNITED**
6 **STATES REPORT ON THE NATIONAL GUARD**
7 **STATE PARTNERSHIP PROGRAM.**

8 (a) REPORT REQUIRED.—Not later than March 31,
9 2012, the Comptroller General of the United States shall
10 submit to the Committee on Armed Services of the Senate
11 and the Committee on Armed Services of the House of
12 Representatives a report on the National Guard State
13 Partnership Program.

14 (b) ELEMENTS.—The report required by subsection
15 (a) shall include the following:

16 (1) A summary of the sources of funds for the
17 State Partnership Program over the last five years.

18 (2) An analysis of the types and frequency of
19 activities performed by participants in the State
20 Partnership Program.

21 (3) A description of the objectives of the State
22 Partnership Program and the manner in which ob-
23 jectives under the program are established and co-
24 ordinated with the Office of the Secretary of De-
25 fense, the geographic combatant commands, United

1 States Country Teams, and other departments and
2 agencies of the United States Government.

3 (4) A description of the manner in which the
4 Department of Defense selects and designates par-
5 ticular State and foreign country partnerships under
6 the State Partnership Program.

7 (5) A description of the manner in which the
8 Department measures the effectiveness of the activi-
9 ties under the State Partnership Program in meet-
10 ing the objectives of the program.

11 (6) An assessment by the Comptroller General
12 of the United States of the effectiveness of the ac-
13 tivities under the State Partnership Program in
14 meeting the objectives of the program.

15 **SEC. 1243. MAN-PORTABLE AIR-DEFENSE SYSTEMS ORIGI-**
16 **NATING FROM LIBYA.**

17 (a) STATEMENT OF POLICY.—Pursuant to section 11
18 of the Department of State Authorities Act of 2006 (22
19 U.S.C. 2349bb–6), the following is the policy of the United
20 States:

21 (1) To reduce and mitigate, to the greatest ex-
22 tent feasible, the threat posed to United States citi-
23 zens and citizens of allies of the United States by
24 man-portable air-defense systems (MANPADS) that
25 were in Libya as of March 19, 2011.

1 (2) To seek the cooperation of, and to assist,
2 the Government of Libya and governments of neigh-
3 boring countries and other countries (as determined
4 by the President) to secure, remove, or eliminate
5 stocks of man-portable air-defense systems described
6 in paragraph (1) that pose a threat to United States
7 citizens and citizens of allies of the United States.

8 (3) To pursue, as a matter of priority, an
9 agreement with the Government of Libya and gov-
10 ernments of neighboring countries and other coun-
11 tries (as determined by the Secretary of State) to
12 formalize cooperation with the United States to limit
13 the availability, transfer, and proliferation of man-
14 portable air-defense systems described in paragraph
15 (1).

16 (b) INTELLIGENCE COMMUNITY ASSESSMENT ON
17 MANPADS IN LIBYA.—

18 (1) IN GENERAL.—The Director of National In-
19 telligence shall submit to the appropriate committees
20 of Congress an assessment by the intelligence com-
21 munity that accounts for the disposition of, and the
22 threat to United States citizens and citizens of allies
23 of the United States posed by man-portable air-de-
24 fense systems that were in Libya as of March 19,
25 2011. The assessment shall be submitted as soon as

1 practicable, but not later than the end of the 45-day
2 period beginning on the date of the enactment of
3 this Act.

4 (2) ELEMENTS.—The assessment submitted
5 under this subsection shall include the following:

6 (A) An estimate of the number of man-
7 portable air-defense systems that were in Libya
8 as of March 19, 2011.

9 (B) An estimate of the number of man-
10 portable air-defense systems in Libya as of
11 March 19, 2011, that are currently in the se-
12 cure custody of the Government of Libya, the
13 United States, an ally of the United States, a
14 member of the North Atlantic Treaty Organiza-
15 tion (NATO), or the United Nations.

16 (C) An estimate of the number of man-
17 portable air-defense systems in Libya as of
18 March 19, 2011, that were destroyed, disabled,
19 or otherwise rendered unusable during Oper-
20 ation Unified Protector and since the end of
21 Operation Unified Protector.

22 (D) An assessment of the number of man-
23 portable air-defense systems that is the dif-
24 ference between the number of man-portable
25 air-defense systems in Libya as of March 19,

1 2011, and the cumulative number of man-port-
2 able air-defense systems accounted for under
3 subparagraphs (B) and (C), and the current
4 disposition and locations of such man-portable
5 air-defense systems.

6 (E) An assessment of the number of man-
7 portable air-defense systems that are currently
8 in the custody of militias in Libya.

9 (F) A list of any organizations designated
10 as terrorist organizations by the Department of
11 State, or affiliate organizations or members of
12 such organizations, that are known or believed
13 to have custody of any man-portable air-defense
14 systems that were in the custody of the Govern-
15 ment of Libya as of March 19, 2011.

16 (G) An assessment of the threat posed to
17 United States citizens and citizens of allies of
18 the United States from unsecured man-portable
19 air-defense systems (as defined in section 11 of
20 the Department of State Authorities Act of
21 2006) originating from Libya.

22 (H) An assessment of the effect of the pro-
23 liferation of man-portable air-defense systems
24 that were in Libya as of March 19, 2011, on
25 the price and availability of man-portable air-

1 defense systems that are on the global arms
2 market.

3 (3) NOTICE REGARDING DELAY IN SUB-
4 MITTAL.—If, before the end of the 45-day period
5 specified in paragraph (1), the Director determines
6 that the assessment required by that paragraph can-
7 not be submitted by the end of that period as re-
8 quired by that paragraph, the Director shall (before
9 the end of that period) submit to the appropriate
10 committees of Congress a report setting forth—

11 (A) the reasons why the assessment cannot
12 be submitted by the end of that period; and

13 (B) an estimated date for the submittal of
14 the assessment.

15 (c) COMPREHENSIVE STRATEGY ON THREAT OF
16 MANPADS ORIGINATING FROM LIBYA.—

17 (1) STRATEGY REQUIRED.—The President shall
18 develop and implement, and from time to time up-
19 date, a comprehensive strategy, pursuant to section
20 11 of the Department of State Authorities Act of
21 2006, to reduce and mitigate the threat posed to
22 United States citizens and citizens of allies of the
23 United States from man-portable air-defense sys-
24 tems that were in Libya as of March 19, 2011.

25 (2) REPORT REQUIRED.—

1 (A) IN GENERAL.—Not later than 45 days
2 after the assessment required by subsection (b)
3 is submitted to the appropriate committees of
4 Congress, the President shall submit to the ap-
5 propriate committees of Congress a report set-
6 ting forth the strategy required by paragraph
7 (1).

8 (B) ELEMENTS.—The report required by
9 this paragraph shall include the following:

10 (i) An assessment of the effectiveness
11 of efforts undertaken to date by the United
12 States, Libya, Mauritania, Egypt, Algeria,
13 Tunisia, Mali, Morocco, Niger, Chad, the
14 United Nations, the North Atlantic Treaty
15 Organization, and any other country or en-
16 tity (as determined by the President) to re-
17 duce the threat posed to United States citi-
18 zens and citizens of allies of the United
19 States from man-portable air-defense sys-
20 tems that were in Libya as of March 19,
21 2011.

22 (ii) A timeline for future efforts by
23 the United States, Libya, and neighboring
24 countries to—

1 (I) secure, remove, or disable any
2 man-portable air-defense systems that
3 remain in Libya;

4 (II) counter proliferation of man-
5 portable air-defense systems origi-
6 nating from Libya that are in the re-
7 gion; and

8 (III) disrupt the ability of terror-
9 ists, non-state actors, and state spon-
10 sors of terrorism to acquire such man-
11 portable air-defense systems.

12 (iii) A description of any additional
13 funding required to address the threat of
14 man-portable air-defense systems origi-
15 nating from Libya.

16 (iv) A description of technologies cur-
17 rently available to reduce the susceptibility
18 and vulnerability of civilian aircraft to
19 man-portable air-defense systems, includ-
20 ing an assessment of the feasibility of
21 using aircraft-based anti-missile systems to
22 protect United States passenger jets.

23 (v) Recommendations for the most ef-
24 fective policy measures that can be taken
25 to reduce and mitigate the threat posed to

1 United States citizens and citizens of allies
2 of the United States from man-portable
3 air-defense systems that were in Libya as
4 of March 19, 2011.

5 (vi) Such recommendations for legisla-
6 tive or administrative action as the Presi-
7 dent considers appropriate to implement
8 the strategy required by paragraph (1).

9 (C) FORM.—The report required by this
10 paragraph shall be submitted in unclassified
11 form, but may include a classified annex.

12 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
13 FINED.—In this section, the term “appropriate commit-
14 tees of Congress” means—

15 (1) the Committee on Armed Services, the
16 Committee on Foreign Relations, and the Select
17 Committee on Intelligence of the Senate; and

18 (2) the Committee on Armed Services, the
19 Committee on Foreign Affairs, and the Permanent
20 Select Committee on Intelligence of the House of
21 Representatives.

22 **SEC. 1244. DEFENSE COOPERATION WITH REPUBLIC OF**
23 **GEORGIA.**

24 (a) PLAN FOR NORMALIZATION.—Not later than 90
25 days after the date of the enactment of this Act, the Presi-

1 dent shall develop and submit to the congressional defense
2 committees and the Committee on Foreign Relations of
3 the Senate and the Committee on Foreign Affairs of the
4 House of Representatives a plan for the normalization of
5 United States defense cooperation with the Republic of
6 Georgia, including the sale of defensive arms.

7 (b) OBJECTIVES.—The plan required under sub-
8 section (a) shall address the following objectives:

9 (1) To establish a normalized defense coopera-
10 tion relationship between the United States and the
11 Republic of Georgia, taking into consideration the
12 progress of the Government of the Republic of Geor-
13 gia on democratic and economic reforms and the ca-
14 pacity of the Georgian armed forces.

15 (2) To support the Government of the Republic
16 of Georgia in providing for the defense of its govern-
17 ment, people, and sovereign territory, consistent with
18 the continuing commitment of the Government of
19 the Republic of Georgia to its nonuse-of-force pledge
20 and consistent with Article 51 of the Charter of the
21 United Nations.

22 (3) To provide for the sale by the United States
23 of defense articles and services in support of the ef-
24 forts of the Government of the Republic of Georgia

1 to provide for its own self-defense consistent with
2 paragraphs (1) and (2).

3 (4) To continue to enhance the ability of the
4 Government of the Republic of Georgia to partici-
5 pate in coalition operations and meet NATO part-
6 nership goals.

7 (5) To encourage NATO member and candidate
8 countries to restore and enhance their sales of defen-
9 sive articles and services to the Republic of Georgia
10 as part of a broader NATO effort to deepen its de-
11 fense relationship and cooperation with the Republic
12 of Georgia.

13 (6) To ensure maximum transparency in the
14 United States-Georgia defense relationship.

15 (c) INCLUDED INFORMATION.—The plan required
16 under subsection (a) shall include the following informa-
17 tion:

18 (1) A needs-based assessment, or an update to
19 an existing needs-based assessment, of the defense
20 requirements of the Republic of Georgia, which shall
21 be prepared by the Department of Defense.

22 (2) A description of each of the requests by the
23 Government of the Republic of Georgia for purchase
24 of defense articles and services during the two-year
25 period ending on the date of the report.

1 (3) A summary of the defense needs asserted by
2 the Government of the Republic of Georgia as jus-
3 tification for its requests for defensive arms pur-
4 chases.

5 (4) A description of the action taken on any de-
6 fensive arms sale request by the Government of the
7 Republic of Georgia and an explanation for such ac-
8 tion.

9 (d) FORM.—The plan required under subsection (a)
10 shall be submitted in unclassified form, but may contain
11 a classified annex.

12 **SEC. 1245. IMPOSITION OF SANCTIONS WITH RESPECT TO**
13 **THE FINANCIAL SECTOR OF IRAN.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) On November 21, 2011, the Secretary of
17 the Treasury issued a finding under section 5318A
18 of title 31, United States Code, that identified Iran
19 as a jurisdiction of primary money laundering con-
20 cern.

21 (2) In that finding, the Financial Crimes En-
22 forcement Network of the Department of the Treas-
23 ury wrote, “The Central Bank of Iran, which regu-
24 lates Iranian banks, has assisted designated Iranian
25 banks by transferring billions of dollars to these

1 banks in 2011. In mid-2011, the CBI transferred
2 several billion dollars to designated banks, including
3 Saderat, Mellat, EDBI and Melli, through a variety
4 of payment schemes. In making these transfers, the
5 CBI attempted to evade sanctions by minimizing the
6 direct involvement of large international banks with
7 both CBI and designated Iranian banks.”.

8 (3) On November 22, 2011, the Under Sec-
9 retary of the Treasury for Terrorism and Financial
10 Intelligence, David Cohen, wrote, “Treasury is call-
11 ing out the entire Iranian banking sector, including
12 the Central Bank of Iran, as posing terrorist financ-
13 ing, proliferation financing, and money laundering
14 risks for the global financial system.”.

15 (b) DESIGNATION OF FINANCIAL SECTOR OF IRAN
16 AS OF PRIMARY MONEY LAUNDERING CONCERN.—The fi-
17 nancial sector of Iran, including the Central Bank of Iran,
18 is designated as of primary money laundering concern for
19 purposes of section 5318A of title 31, United States Code,
20 because of the threat to government and financial institu-
21 tions resulting from the illicit activities of the Government
22 of Iran, including its pursuit of nuclear weapons, support
23 for international terrorism, and efforts to deceive respon-
24 sible financial institutions and evade sanctions.

1 (c) FREEZING OF ASSETS OF IRANIAN FINANCIAL
2 INSTITUTIONS.—The President shall, pursuant to the
3 International Emergency Economic Powers Act (50
4 U.S.C. 1701 et seq.), block and prohibit all transactions
5 in all property and interests in property of an Iranian fi-
6 nancial institution if such property and interests in prop-
7 erty are in the United States, come within the United
8 States, or are or come within the possession or control
9 of a United States person.

10 (d) IMPOSITION OF SANCTIONS WITH RESPECT TO
11 THE CENTRAL BANK OF IRAN AND OTHER IRANIAN FI-
12 NANCIAL INSTITUTIONS.—

13 (1) IN GENERAL.—Except as specifically pro-
14 vided in this subsection, beginning on the date that
15 is 60 days after the date of the enactment of this
16 Act, the President—

17 (A) shall prohibit the opening or maintain-
18 ing in the United States of a correspondent ac-
19 count or a payable-through account by a foreign
20 financial institution that the President deter-
21 mines has knowingly conducted or facilitated
22 any significant financial transaction with the
23 Central Bank of Iran or another Iranian finan-
24 cial institution designated by the Secretary of
25 the Treasury for the imposition of sanctions

1 pursuant to the International Emergency Eco-
2 nomic Powers Act (50 U.S.C. 1701 et seq.);
3 and

4 (B) may impose sanctions pursuant to the
5 International Emergency Economic Powers Act
6 (50 U.S.C. 1701 et seq.) with respect to the
7 Central Bank of Iran.

8 (2) EXCEPTION FOR SALES OF FOOD, MEDI-
9 CINE, AND MEDICAL DEVICES.—The President may
10 not impose sanctions under paragraph (1) with re-
11 spect to any person for conducting or facilitating a
12 transaction for the sale of food, medicine, or medical
13 devices to Iran.

14 (3) APPLICABILITY OF SANCTIONS WITH RE-
15 SPECT TO FOREIGN CENTRAL BANKS.—Except as
16 provided in paragraph (4), sanctions imposed under
17 paragraph (1)(A) shall apply with respect to a for-
18 eign financial institution owned or controlled by the
19 government of a foreign country, including a central
20 bank of a foreign country, only insofar as it engages
21 in a financial transaction for the sale or purchase of
22 petroleum or petroleum products to or from Iran
23 conducted or facilitated on or after that date that is
24 180 days after the date of the enactment of this Act.

1 (4) APPLICABILITY OF SANCTIONS WITH RE-
2 SPECT TO PETROLEUM TRANSACTIONS.—

3 (A) REPORT REQUIRED.—Not later than
4 60 days after the date of the enactment of this
5 Act, and every 60 days thereafter, the Adminis-
6 trator of the Energy Information Administra-
7 tion, in consultation with the Secretary of the
8 Treasury, shall submit to Congress a report on
9 the availability and price of petroleum and pe-
10 troleum products produced in countries other
11 than Iran in the 60-day period preceding the
12 submission of the report.

13 (B) DETERMINATION REQUIRED.—Not
14 later than 90 days after the date of the enact-
15 ment of the Act, and every 180 days thereafter,
16 the President shall make a determination, based
17 on the reports required by subparagraph (A), of
18 whether the price and supply of petroleum and
19 petroleum products produced in countries other
20 than Iran is sufficient to permit purchasers of
21 petroleum and petroleum products from Iran to
22 reduce significantly in volume their purchases
23 from Iran.

24 (C) APPLICATION OF SANCTIONS.—Except
25 as provided in subparagraph (D), sanctions im-

1 posed under paragraph (1)(A) shall apply with
2 respect to a financial transaction conducted or
3 facilitated by a foreign financial institution on
4 or after the date that is 180 days after the date
5 of the enactment of this Act for the purchase
6 of petroleum or petroleum products from Iran
7 if the President determines pursuant to sub-
8 paragraph (B) that there is a sufficient supply
9 of petroleum and petroleum products from
10 countries other than Iran to permit a signifi-
11 cant reduction in the volume of petroleum and
12 petroleum products purchased from Iran by or
13 through foreign financial institutions.

14 (D) EXCEPTION.—Sanctions imposed pur-
15 suant to paragraph (1) shall not apply with re-
16 spect to a foreign financial institution if the
17 President determines and reports to Congress,
18 not later than 90 days after the date on which
19 the President makes the determination required
20 by subparagraph (B), and every 180 days
21 thereafter, that the country with primary juris-
22 diction over the foreign financial institution has
23 significantly reduced its volume of crude oil
24 purchases from Iran during the period begin-
25 ning on the date on which the President sub-

1 mitted the last report with respect to the coun-
2 try under this subparagraph.

3 (5) WAIVER.—The President may waive the im-
4 position of sanctions under paragraph (1) for a pe-
5 riod of not more than 120 days, and may renew that
6 waiver for additional periods of not more than 120
7 days, if the President—

8 (A) determines that such a waiver is vital
9 to the national security of the United States;
10 and

11 (B) submits to Congress a report—

12 (i) providing a justification for the
13 waiver; and

14 (ii) that includes any concrete co-
15 operation the President has received or ex-
16 pects to receive as a result of the waiver.

17 (e) MULTILATERAL DIPLOMACY INITIATIVE.—

18 (1) IN GENERAL.—The President shall—

19 (A) carry out an initiative of multilateral
20 diplomacy to persuade countries purchasing oil
21 from Iran—

22 (i) to limit the use by Iran of revenue
23 from purchases of oil to purchases of non-
24 luxury consumers goods from the country
25 purchasing the oil; and

- 1 (ii) to prohibit purchases by Iran of—
2 (I) military or dual-use tech-
3 nology, including items—
4 (aa) in the Annex to the to
5 the Missile Technology Control
6 Regime Guidelines;
7 (bb) in the Annex on Chemi-
8 cals to the Convention on the
9 Prohibition of the Development,
10 Production, Stockpiling and Use
11 of Chemical Weapons and on
12 their Destruction, done at Paris
13 January 13, 1993, and entered
14 into force April 29, 1997 (com-
15 monly known as the “Chemical
16 Weapons Convention”);
17 (cc) in Part 1 or 2 of the
18 Nuclear Suppliers Group Guide-
19 lines; or
20 (dd) on a control list of the
21 Wassenaar Arrangement on Ex-
22 port Controls for Conventional
23 Arms and Dual-Use Goods and
24 Technologies; or

1 (II) any other item that could
2 contribute to Iran's conventional, nu-
3 clear, chemical or biological weapons
4 program; and

5 (B) conduct outreach to petroleum-pro-
6 ducing countries to encourage those countries
7 to increase their output of crude oil to ensure
8 there is a sufficient supply of crude oil from
9 countries other than Iran and to minimize any
10 impact on the price of oil resulting from the im-
11 position of sanctions under this section.

12 (2) REPORT REQUIRED.—Not later than 180
13 days after the date of the enactment of this Act, and
14 every 180 days thereafter, the President shall sub-
15 mit to Congress a report on the efforts of the Presi-
16 dent to carry out the initiative described in para-
17 graph (1)(A) and conduct the outreach described in
18 paragraph (1)(B) and the results of those efforts.

19 (f) FORM OF REPORTS.—Each report submitted
20 under this section shall be submitted in unclassified form,
21 but may contain a classified annex.

22 (g) DEFINITIONS.—In this section:

23 (1) ACCOUNT; CORRESPONDENT ACCOUNT; PAY-
24 ABLE-THROUGH ACCOUNT.—The terms “account”,
25 “correspondent account”, and “payable-through ac-

1 count” have the meanings given those terms in sec-
 2 tion 5318A of title 31, United States Code.

3 (2) FOREIGN FINANCIAL INSTITUTION.—The
 4 term “foreign financial institution” has the meaning
 5 of that term as determined by the Secretary of the
 6 Treasury pursuant to section 104(i) of the Com-
 7 prehensive Iran Sanctions, Accountability, and Di-
 8 vestment Act of 2010 (22 U.S.C. 8513(i)).

9 (3) UNITED STATES PERSON.—The term
 10 “United States person” means—

11 (A) a natural person who is a citizen or
 12 resident of the United States or a national of
 13 the United States (as defined in section 101(a)
 14 of the Immigration and Nationality Act (8
 15 U.S.C. 1101(a)); and

16 (B) an entity that is organized under the
 17 laws of the United States or jurisdiction within
 18 the United States.

19 **TITLE XIII—COOPERATIVE** 20 **THREAT REDUCTION**

21 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-** 22 **DUCTION PROGRAMS AND FUNDS.**

23 (a) SPECIFICATION OF COOPERATIVE THREAT RE-
 24 Duction PROGRAMS.—For purposes of section 301 and
 25 other provisions of this Act, Cooperative Threat Reduction

1 programs are the programs specified in section 1501 of
2 the National Defense Authorization Act for Fiscal Year
3 1997 (50 U.S.C. 2632 note).

4 (b) FISCAL YEAR 2012 COOPERATIVE THREAT RE-
5 Duction FUNDS DEFINED.—As used in this title, the
6 term “fiscal year 2012 Cooperative Threat Reduction
7 funds” means the funds appropriated pursuant to the au-
8 thorization of appropriations in section 301 and made
9 available by the funding table in section 4301 for Coopera-
10 tive Threat Reduction programs.

11 (c) AVAILABILITY OF FUNDS.—Funds appropriated
12 pursuant to the authorization of appropriations in section
13 301 and made available by the funding table in section
14 4301 for Cooperative Threat Reduction programs shall be
15 available for obligation for fiscal years 2012, 2013, and
16 2014.

17 **SEC. 1302. FUNDING ALLOCATIONS.**

18 (a) FUNDING FOR SPECIFIC PURPOSES.—Of the
19 \$508,219,000 authorized to be appropriated to the De-
20 partment of Defense for fiscal year 2012 in section 301
21 and made available by the funding table in section 4301
22 for Cooperative Threat Reduction programs, the following
23 amounts may be obligated for the purposes specified:

24 (1) For strategic offensive arms elimination,
25 \$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 other assessments/administrative sup-
10 port, \$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 USE OF FUNDS FOR ESTABLISH-**
2 **MENT OF CENTERS OF EXCELLENCE IN**
3 **COUNTRIES OUTSIDE OF THE FORMER SO-**
4 **VIET UNION.**

5 Not more than \$500,000 of the fiscal year 2012 Co-
6 operative Threat Reduction funds may be obligated or ex-
7 pended to establish a center of excellence in a country that
8 is not a state of the former Soviet Union until the date
9 that is 15 days after the date on which the Secretary of
10 Defense submits to the congressional defense committees
11 a report that includes the following:

12 (1) An identification of the country in which
13 the center will be located.

14 (2) A description of the purpose for which the
15 center will be established.

16 (3) The agreement under which the center will
17 operate.

18 (4) A funding plan for the center, including—

19 (A) the amount of funds to be provided by
20 the government of the country in which the cen-
21 ter will be located; and

22 (B) the percentage of the total cost of es-
23 tablishing and operating the center the funds
24 described in subparagraph (A) will cover.

1 **TITLE XIV—OTHER**
2 **AUTHORIZATIONS**

3 **Subtitle A—Military Programs**

4 **SEC. 1401. WORKING CAPITAL FUNDS.**

5 Funds are hereby authorized to be appropriated for
6 fiscal year 2012 for the use of the Armed Forces and other
7 activities and agencies of the Department of Defense for
8 providing capital for working capital and revolving funds,
9 as specified in the funding table in section 4401.

10 **SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2012 for the National Defense Sealift Fund,
13 as specified in the funding table in section 4401.

14 **SEC. 1403. DEFENSE HEALTH PROGRAM.**

15 Funds are hereby authorized to be appropriated for
16 the Department of Defense for fiscal year 2012 for ex-
17 penses, not otherwise provided for, for the Defense Health
18 Program, as specified in the funding table in section 4401.

19 **SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
20 **TION, DEFENSE.**

21 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
22 are hereby authorized to be appropriated for the Depart-
23 ment of Defense for fiscal year 2012 for expenses, not oth-
24 erwise provided for, for Chemical Agents and Munitions

1 Destruction, Defense, as specified in the funding table in
2 section 4401.

3 (b) USE.—Amounts authorized to be appropriated
4 under subsection (a) are authorized for—

5 (1) the destruction of lethal chemical agents
6 and munitions in accordance with section 1412 of
7 the Department of Defense Authorization Act, 1986
8 (50 U.S.C. 1521); and

9 (2) the destruction of chemical warfare materiel
10 of the United States that is not covered by section
11 1412 of such Act.

12 **SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG AC-**
13 **TIVITIES, DEFENSE-WIDE.**

14 Funds are hereby authorized to be appropriated for
15 the Department of Defense for fiscal year 2012 for ex-
16 penses, not otherwise provided for, for Drug Interdiction
17 and Counter-Drug Activities, Defense-wide, as specified in
18 the funding table in section 4401.

19 **SEC. 1406. DEFENSE INSPECTOR GENERAL.**

20 Funds are hereby authorized to be appropriated for
21 the Department of Defense for fiscal year 2012 for ex-
22 penses, not otherwise provided for, for the Office of the
23 Inspector General of the Department of Defense, as speci-
24 fied in the funding table in section 4401.

1 **Subtitle B—National Defense**
2 **Stockpile**

3 **SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE**
4 **STOCKPILE FUNDS.**

5 (a) **OBLIGATION OF STOCKPILE FUNDS.**—During fis-
6 cal year 2012, the National Defense Stockpile Manager
7 may obligate up to \$50,107,320 of the funds in the Na-
8 tional Defense Stockpile Transaction Fund established
9 under subsection (a) of section 9 of the Strategic and Crit-
10 ical Materials Stock Piling Act (50 U.S.C. 98h) for the
11 authorized uses of such funds under subsection (b)(2) of
12 such section, including the disposal of hazardous materials
13 that are environmentally sensitive.

14 (b) **ADDITIONAL OBLIGATIONS.**—The National De-
15 fense Stockpile Manager may obligate amounts in excess
16 of the amount specified in subsection (a) if the National
17 Defense Stockpile Manager notifies Congress that extraor-
18 dinary or emergency conditions necessitate the additional
19 obligations. The National Defense Stockpile Manager may
20 make the additional obligations described in the notifica-
21 tion after the end of the 45-day period beginning on the
22 date on which Congress receives the notification.

23 (c) **LIMITATIONS.**—The authorities provided by this
24 section shall be subject to such limitations as may be pro-
25 vided in appropriations Acts.

1 **SEC. 1412. REVISION TO REQUIRED RECEIPT OBJECTIVES**
 2 **FOR PREVIOUSLY AUTHORIZED DISPOSALS**
 3 **FROM THE NATIONAL DEFENSE STOCKPILE.**

4 Section 3402(b) of the National Defense Authoriza-
 5 tion Act for Fiscal Year 2000 (Public Law 106–65; 50
 6 U.S.C. 98d note), as most recently amended by section
 7 1412 of the Ike Skelton National Defense Authorization
 8 Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat.
 9 4412), is further amended by striking “\$730,000,000 by
 10 the end of fiscal year 2013” in paragraph (5) and insert-
 11 ing “\$830,000,000 by the end of fiscal year 2016”.

12 **Subtitle C—Armed Forces**
 13 **Retirement Home**

14 **PART I—AUTHORIZATION OF APPROPRIATIONS**

15 **SEC. 1421. AUTHORIZATION OF APPROPRIATIONS.**

16 There is hereby authorized to be appropriated for fis-
 17 cal year 2012 from the Armed Forces Retirement Home
 18 Trust Fund the sum of \$67,700,000 for the operation of
 19 the Armed Forces Retirement Home.

20 **PART II—ARMED FORCES RETIREMENT HOME**

21 **AUTHORITIES**

22 **SEC. 1422. AMENDMENT OF ARMED FORCES RETIREMENT**
 23 **HOME ACT OF 1991.**

24 Except as otherwise expressly provided, whenever in
 25 this part an amendment or repeal is expressed in terms
 26 of an amendment to, or a repeal of, a section or other

1 provision, the reference shall be considered to be made to
2 a section or other provision of the Armed Forces Retire-
3 ment Home Act of 1991 (title XV of Public Law 101-
4 510; 24 U.S.C. 401 et seq.).

5 **SEC. 1423. ANNUAL VALIDATION OF MULTIYEAR ACCREDI-**
6 **TATION.**

7 (a) IN GENERAL.—Section 1511(g) (24 U.S.C.
8 411(g)) is amended—

9 (1) by inserting “(1)” before “The Chief Oper-
10 ating Officer shall”; and

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

13 “(2)(A) If the Chief Operating Officer secures ac-
14 creditation for a facility of the Retirement Home (or for
15 any aspect of a facility of the Retirement Home) that is
16 effective for a period of more than one year, for each year
17 after the first year for which such accreditation is in ef-
18 fect, the Chief Operating Officer shall seek to obtain, from
19 the organization that awarded the accreditation, a valida-
20 tion of the accreditation. The requirement in the preceding
21 sentence shall not apply with respect to a facility of the
22 Retirement Home for any year for which the Inspector
23 General of the Department of Defense conducts an inspec-
24 tion of that facility under section 1518(b).

1 “(B) In carrying out subparagraph (A) with respect
 2 to validation of an accreditation, the Chief Operating Offi-
 3 cer may substitute another nationally recognized civilian
 4 accrediting organization if the organization that awarded
 5 the accreditation is not available.”.

6 (b) CONFORMING AMENDMENT.—The heading of
 7 such section is amended by inserting “AND ANNUAL VALI-
 8 DATION” after “ACCREDITATION”.

9 **SEC. 1424. CLARIFICATION OF DUTIES OF SENIOR MEDICAL**
 10 **ADVISOR.**

11 Section 1513A(c) (24 U.S.C. 413a(c)) is amended—

12 (1) in paragraph (3)—

13 (A) by striking “and inspect” after “Peri-
 14 odically visit”; and

15 (B) by inserting before the period the fol-
 16 lowing: “and review medical reports, inspec-
 17 tions, and records audits to make sure appro-
 18 priate follow-up has been made”; and

19 (2) by striking paragraphs (4) and (5).

20 **SEC. 1425. REPLACEMENT OF LOCAL BOARDS OF TRUSTEES**
 21 **FOR EACH FACILITY WITH SINGLE ADVISORY**
 22 **COUNCIL.**

23 (a) ESTABLISHMENT OF AFRH ADVISORY COUN-
 24 CIL.—Section 1516 (24 U.S.C. 416) is amended to read
 25 as follows:

1 **“SEC. 1516. ADVISORY COUNCIL.**

2 “(a) ESTABLISHMENT.—The Retirement Home shall
3 have an Advisory Council, to be known as the ‘Armed
4 Forces Retirement Home Advisory Council’. The Advisory
5 Council shall serve the interests of both facilities of the
6 Retirement Home.

7 “(b) COMPOSITION; TERMS OF SERVICE.—(1) The
8 Advisory Council shall consist of at least 11 members,
9 each of whom shall be a full or part-time Federal employee
10 and at least one of whom shall be from the Department
11 of Veterans Affairs. Members of the Advisory Council shall
12 be designated by the Secretary of Defense, except that a
13 member who is an employee of a department or agency
14 outside of the Department of Defense shall be designated
15 by the head of such department or agency in consultation
16 with the Secretary of Defense.

17 “(2)(A) Except as provided in subparagraphs (B)
18 and (C), the term of service of a member of the Advisory
19 Council shall be two years. A member may be designated
20 to serve one additional term.

21 “(B) Unless earlier terminated by the Secretary of
22 Defense, a person may continue to serve as a member of
23 the Advisory Council after the expiration of the member’s
24 term until a successor is designated.

25 “(C) The Secretary of Defense may terminate the ap-
26 pointment of a member of the Advisory Council before the

1 expiration of the member's term for any reason that the
2 Secretary determines appropriate.

3 “(3) The Secretary of Defense shall designate one
4 member of the Advisory Council to serve as the chair of
5 the Advisory Council.

6 “(c) DUTIES.—(1) The Advisory Council shall pro-
7 vide to the Chief Operating Officer and the Administrator
8 of each facility such observations, advice, and rec-
9 ommendations regarding the Retirement Home as the Ad-
10 visory Council considers appropriate.

11 “(2) Not less often than annually, the Advisory Coun-
12 cil shall submit to the Secretary of Defense a report sum-
13 marizing its activities during the preceding year and pro-
14 viding such observations and recommendations with re-
15 spect to the Retirement Home as the Advisory Council
16 considers appropriate.

17 “(3) In carrying out its duties, the Advisory Council
18 shall provide for participation in its activities by a rep-
19 resentative of the resident advisory committee of each fa-
20 cility of the Retirement Home.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) DEFINITION.—Paragraph (2) of section
23 1502 (24 U.S.C. 401) is amended to read as follows:

1 “(2) The term ‘Advisory Council’ means the
2 Armed Forces Retirement Home Advisory Council
3 established by section 1516.”.

4 (2) RESPONSIBILITIES AND DUTIES OF SENIOR
5 MEDICAL ADVISOR.—Section 1513A(b) (24 U.S.C.
6 413a(b)) is amended—

7 (A) in paragraph (1), by striking “and the
8 Chief Operating Officer” and inserting “, the
9 Chief Operating Officer, and the Advisory
10 Council”; and

11 (B) in paragraph (2), by striking “to the
12 Local Board” and all that follows and inserting
13 “to the Advisory Council regarding all medical
14 and medical administrative matters of each fa-
15 cility of the Retirement Home.”.

16 (3) RESPONSIBILITIES OF CHIEF OPERATING
17 OFFICER.—Section 1515(e)(2) (24 U.S.C. 415(e)(2))
18 is amended by striking “, including the Local
19 Boards of those facilities”.

20 (4) INSPECTION OF RETIREMENT HOME.—Sec-
21 tion 1518 (24 U.S.C. 418) is amended by striking
22 “Local Board for the facility” each place it appears
23 and inserting “Advisory Council”.

1 **SEC. 1426. ADMINISTRATORS AND OMBUDSMEN OF FACILI-**
2 **TIES.**

3 (a) LEADERSHIP OF FACILITIES OF THE RETIRE-
4 MENT HOME.—Section 1517 (24 U.S.C. 417) is amend-
5 ed—

6 (1) in subsection (a), by striking “a Director, a
7 Deputy Director, and an Associate Director” and in-
8 serting “an Administrator and an Ombudsman”;

9 (2) in subsections (b) and (c), by striking “Di-
10 rector” each place it appears and inserting “Admin-
11 istrator”;

12 (3) by striking subsections (d) and (e) and re-
13 designating subsections (f), (g), (h), and (i) as sub-
14 sections (d), (e), (f), and (g), respectively;

15 (4) in subsection (d), as so redesignated, by
16 striking “Associate Director” each place it appears
17 and inserting “Ombudsman”;

18 (5) in subsection (e), as so redesignated—

19 (A) by striking “Associate Director” and
20 inserting “Ombudsman”;

21 (B) by striking “Director and Deputy Di-
22 rector” and inserting “Administrator”; and

23 (C) by striking “Director may” and insert-
24 ing “Administrator may”;

1 (6) in subsection (f), as so redesignated, by
2 striking “Director” each place it appears and insert-
3 ing “Administrator”; and

4 (7) in subsection (g), as so redesignated—

5 (A) in paragraph (1), by striking “Direc-
6 tors” and inserting “Administrators”; and

7 (B) in paragraph (2), by striking “a Direc-
8 tor” and inserting “an Administrator”.

9 (b) CLERICAL AMENDMENTS.—Such section is fur-
10 ther amended—

11 (1) in the headings of subsections (b) and (c),
12 by striking “DIRECTOR” and inserting “ADMINIS-
13 TRATOR”;

14 (2) in the headings of subsection (d) and (e), as
15 redesignated by subsection (a)(3), by striking “AS-
16 SOCIATE DIRECTOR” and inserting “OMBUDSMAN”;
17 and

18 (3) in the heading of subsection (g), as so re-
19 designated, by striking “DIRECTORS” and inserting
20 “ADMINISTRATORS”.

21 (c) CONFORMING AMENDMENTS.—

22 (1) The following provisions are amended by
23 striking “Director” each place it appears and insert-
24 ing “Administrator”: sections 1511(d)(2), 1512(c),
25 1514(a), 1518(b)(4), 1518(c), 1518(d)(2), 1520,

1 1522, and 1523(b) (24 U.S.C. 411(d)(2), 412(c),
2 414(a), 418(c), 418(d)(2), 420, 422, 423(b)).

3 (2) Sections 1514(b) and 1520(c) (24 U.S.C.
4 414(b), 420(c)) are amended by striking “Directors”
5 and inserting “Administrators”.

6 **SEC. 1427. INSPECTION REQUIREMENTS.**

7 Section 1518 (24 U.S.C. 418) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1)—

10 (i) by striking “In any year in which
11 a facility of the Retirement Home is not
12 inspected by a nationally recognized civil-
13 ian accrediting organization,” and insert-
14 ing “Not less often than every three
15 years,”;

16 (ii) by striking “of that facility” and
17 inserting “of each facility of the Retire-
18 ment Home”;

19 (iii) by inserting “long-term care,”
20 after “assisted living,”; and

21 (iv) by striking “or council”; and

22 (B) in paragraph (3), by striking “or coun-
23 cil”;

24 (2) in subsection (c)—

25 (A) by striking paragraph (2);

1 (B) by designating the second sentence as
2 a new paragraph (2) and indenting such para-
3 graph, as so designated, two ems from the left
4 margin; and

5 (C) in such paragraph (2), as so des-
6 ignated—

7 (i) by striking “45 days” and insert-
8 ing “90 days”; and

9 (ii) by adding at the end the following
10 new sentence: “The report shall include the
11 plan of the Chief Operating Officer to ad-
12 dress the recommendations and other mat-
13 ters set forth in the report.”; and

14 (3) in subsection (e)(1)—

15 (A) by striking “45 days” and inserting
16 “60 days”;

17 (B) by striking “Director of the facility
18 concerned” and inserting “Chief Operating Of-
19 ficer”; and

20 (C) by striking “, the Chief Operating Of-
21 ficer,” after “Secretary of Defense”.

22 **SEC. 1428. REPEAL OF OBSOLETE PROVISIONS.**

23 Part B, relating to transitional provisions for the
24 Armed Forces Retirement Home Board and the Directors

1 and Deputy Directors of the facilities of the Armed Forces
2 Retirement Home, is repealed.

3 **SEC. 1429. TECHNICAL, CONFORMING, AND CLERICAL**
4 **AMENDMENTS.**

5 (a) CORRECTION OF OBSOLETE REFERENCES TO RE-
6 TIREMENT HOME BOARD.—

7 (1) ARMED FORCES RETIREMENT HOME ACT.—
8 Section 1519(a)(2) (24 U.S.C. 419(a)(2)) is amend-
9 ed by striking “Retirement Home Board” and in-
10 sserting “Chief Operating Officer”.

11 (2) TITLE 10, USC.—Section 2772(b) of title
12 10, United States Code, is amended by striking
13 “Armed Forces Retirement Home Board” and in-
14 sserting “Chief Operating Officer of the Armed
15 Forces Retirement Home”.

16 (b) SECTION HEADINGS.—

17 (1) SECTION 1501.—The heading of section
18 1501 is amended to read as follows:

19 **“SEC. 1501. SHORT TITLE; TABLE OF CONTENTS.”.**

20 (2) SECTION 1513.—The heading of section
21 1513 is amended to read as follows:

22 **“SEC. 1513. SERVICES PROVIDED TO RESIDENTS.”.**

23 (3) SECTION 1513A.—The heading of section
24 1513A is amended to read as follows:

1 **“SEC. 1513A. OVERSIGHT OF HEALTH CARE PROVIDED TO**
 2 **RESIDENTS.”.**

3 (4) SECTION 1517.—The heading of section
 4 1517 is amended to read as follows:

5 **“SEC. 1517. ADMINISTRATORS, OMBUDSMEN, AND STAFF OF**
 6 **FACILITIES.”.**

7 (5) SECTION 1518.—The heading of section
 8 1518 is amended to read as follows:

9 **“SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME**
 10 **FACILITIES BY DEPARTMENT OF DEFENSE**
 11 **INSPECTOR GENERAL AND OUTSIDE INSPEC-**
 12 **TORS.”.**

13 (6) PUNCTUATION.—The headings of sections
 14 1512 and 1520 are each amended by adding a pe-
 15 riod at the end.

16 (c) PART A HEADER.—The heading for part A is re-
 17 pealed.

18 (d) TABLE OF CONTENTS.—The table of contents in
 19 section 1501(b) is amended—

20 (1) by striking the item relating to the heading
 21 for part A;

22 (2) by striking the items relating to sections
 23 1513 and 1513A and inserting the following new
 24 items:

“Sec. 1513. Services provided to residents.

“Sec. 1513A. Oversight of health care provided to residents.”;

1 (3) by striking the items relating to sections
2 1516, 1517, and 1518 and inserting the following
3 new items:

“Sec. 1516. Advisory Council.

“Sec. 1517. Administrators, Ombudsmen, and staff of facilities.

“Sec. 1518. Periodic inspection of Retirement Home facilities by Department
of Defense Inspector General and outside inspectors.”; and

4 (4) by striking the items relating to part B (in-
5 cluding the items relating to sections 1531, 1532,
6 and 1533).

7 **Subtitle D—Other Matters**

8 **SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
9 **DEPARTMENT OF DEFENSE—DEPARTMENT OF**
10 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
11 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
12 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

13 (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Funds
14 authorized to be appropriated by section 1403 and avail-
15 able for Defense Health Program for operation and main-
16 tenance as specified in the funding table in section 4401
17 may be transferred by the Secretary of Defense to the
18 Joint Department of Defense—Department of Veterans Af-
19 fairs Medical Facility Demonstration Fund established by
20 subsection (a)(1) of section 1704 of the National Defense
21 Authorization Act for Fiscal Year 2010 (Public Law 111–
22 84; 123 Stat. 2571). For purposes of subsection (a)(2)
23 of such section 1704, any funds so transferred shall be

1 treated as amounts authorized and appropriated for the
2 Department of Defense specifically for such transfer.

3 (b) USE OF TRANSFERRED FUNDS.—For purposes
4 of subsection (b) of such section 1704, facility operations
5 for which funds transferred under subsection (a) may be
6 used are operations of the Captain James A. Lovell Fed-
7 eral Health Care Center, consisting of the North Chicago
8 Veterans Affairs Medical Center, the Navy Ambulatory
9 Care Center, and supporting facilities designated as a
10 combined Federal medical facility under an operational
11 agreement pursuant to section 706 of the Duncan Hunter
12 National Defense Authorization Act for Fiscal Year 2009
13 (Public Law 110–417; 122 Stat. 455).

14 **TITLE XV—AUTHORIZATION OF**
15 **APPROPRIATIONS FOR OVER-**
16 **SEAS CONTINGENCY OPER-**
17 **ATIONS**

18 **Subtitle A—Authorization of**
19 **Appropriations**

20 **SEC. 1501. PURPOSE.**

21 The purpose of this subtitle is to authorize appropria-
22 tions for the Department of Defense for fiscal year 2012
23 to provide additional funds for overseas contingency oper-
24 ations being carried out by the Armed Forces.

1 **SEC. 1502. PROCUREMENT.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2012 for procurement accounts for the Army,
4 the Navy and the Marine Corps, the Air Force, and De-
5 fense-wide activities, as specified in the funding table in
6 section 4102.

7 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
8 **TION.**

9 Funds are hereby authorized to be appropriated for
10 fiscal year 2012 for the use of the Department of Defense
11 for research, development, test, and evaluation, as speci-
12 fied in the funding table in section 4202.

13 **SEC. 1504. OPERATION AND MAINTENANCE.**

14 Funds are hereby authorized to be appropriated for
15 fiscal year 2012 for the use of the Armed Forces and other
16 activities and agencies of the Department of Defense for
17 expenses, not otherwise provided for, for operation and
18 maintenance, as specified in the funding table in section
19 4302.

20 **SEC. 1505. MILITARY PERSONNEL.**

21 Funds are hereby authorized to be appropriated for
22 fiscal year 2012 for the Department of Defense for mili-
23 tary personnel in the amount of \$10,228,566,000.

24 **SEC. 1506. WORKING CAPITAL FUNDS.**

25 Funds are hereby authorized to be appropriated for
26 fiscal year 2012 for the use of the Armed Forces and other

1 activities and agencies of the Department of Defense for
2 providing capital for working capital and revolving funds,
3 as specified in the funding table in section 4402.

4 **SEC. 1507. DEFENSE HEALTH PROGRAM.**

5 Funds are hereby authorized to be appropriated for
6 the Department of Defense for fiscal year 2012 for ex-
7 penses, not otherwise provided for, for the Defense Health
8 Program, as specified in the funding table in section 4402.

9 **SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG AC-**
10 **TIVITIES, DEFENSE-WIDE.**

11 Funds are hereby authorized to be appropriated for
12 the Department of Defense for fiscal year 2012 for ex-
13 penses, not otherwise provided for, for Drug Interdiction
14 and Counter-Drug Activities, Defense-wide, as specified in
15 the funding table in section 4402.

16 **SEC. 1509. DEFENSE INSPECTOR GENERAL.**

17 Funds are hereby authorized to be appropriated for
18 the Department of Defense for fiscal year 2012 for ex-
19 penses, not otherwise provided for, for the Office of the
20 Inspector General of the Department of Defense, as speci-
21 fied in the funding table in section 4402.

1 **Subtitle B—Financial Matters**

2 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

3 The amounts authorized to be appropriated by this
4 title are in addition to amounts otherwise authorized to
5 be appropriated by this Act.

6 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

7 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

8 (1) AUTHORITY.—Upon determination by the
9 Secretary of Defense that such action is necessary in
10 the national interest, the Secretary may transfer
11 amounts of authorizations made available to the De-
12 partment of Defense in this title for fiscal year 2012
13 between any such authorizations for that fiscal year
14 (or any subdivisions thereof). Amounts of authoriza-
15 tions so transferred shall be merged with and be
16 available for the same purposes as the authorization
17 to which transferred.

18 (2) LIMITATION.—The total amount of author-
19 izations that the Secretary may transfer under the
20 authority of this subsection may not exceed
21 \$4,000,000,000.

22 (b) TERMS AND CONDITIONS.—Transfers under this
23 section shall be subject to the same terms and conditions
24 as transfers under section 1001.

1 (c) ADDITIONAL AUTHORITY.—The transfer author-
2 ity provided by this section is in addition to the transfer
3 authority provided under section 1001.

4 **Subtitle C—Other Matters**

5 **SEC. 1531. ONE-YEAR EXTENSION AND MODIFICATION OF** 6 **AUTHORITY FOR TASK FORCE FOR BUSINESS** 7 **AND STABILITY OPERATIONS IN AFGHANI-** 8 **STAN.**

9 (a) ENHANCEMENT OF AUTHORITY.—Subsection (a)
10 of section 1535 of the Ike Skelton National Defense Au-
11 thorization Act for Fiscal Year 2011 (Public Law 111–
12 383; 124 Stat. 4426) is amended—

13 (1) in paragraph (3), by striking “may include
14 projects” and all that follows and inserting “may in-
15 clude projects that facilitate private investment, min-
16 ing sector development, industrial development, and
17 other projects determined by the Secretary of De-
18 fense, with the concurrence of the Secretary of
19 State, as strengthening stability or providing stra-
20 tegic support to the counterinsurgency campaign in
21 Afghanistan.”;

22 (2) in paragraph (4), by striking “The” and in-
23 serting “During each of fiscal years 2011 and 2012,
24 the”;

1 (3) by redesignating paragraphs (5), (6), and
2 (7) as paragraphs (6), (7), and (8), respectively; and
3 (4) by inserting after paragraph (4) the fol-
4 lowing new paragraph (5):

5 “(5) AVAILABILITY OF FUNDS FOR ACTIVITIES
6 ACROSS FISCAL YEARS.—Amounts available to carry
7 out the authority in paragraph (1) shall be available
8 for projects under that authority that begin in a fis-
9 cal year and end in the following fiscal year.”.

10 (b) ONE-YEAR EXTENSION OF AUTHORITY.—Para-
11 graph (8) of such subsection, as redesignated by sub-
12 section (a)(3) of this section, is further amended to read
13 as follows:

14 “(8) EXPIRATION OF AUTHORITY.—A project
15 may not be commenced under the authority in para-
16 graph (1) after September 30, 2012.”.

17 (c) ANNUAL REPORTS.—Paragraph (7) of such sub-
18 section, as so redesignated, is further amended—

19 (1) in the matter preceding subparagraph (A),
20 by striking “, 2011” and inserting “of each year fol-
21 lowing a fiscal year in which the authority in para-
22 graph (1) is exercised”; and

23 (2) in subparagraph (A), by striking “during
24 fiscal year 2011” and inserting “during that fiscal
25 year”.

1 (d) AUTHORITY FOR ADDITIONAL REPRESENTATIVES
2 ON TASK FORCE.—Such section is further amended—

3 (1) by redesignating subsections (c) and (d) as
4 subsections (d) and (e), respectively; and

5 (2) by inserting after subsection (b) the fol-
6 lowing new subsection (c):

7 “(c) ADDITIONAL MEMBERS.—The members of the
8 Task Force for Business and Stability Operations in Af-
9 ghanistan may include the following:

10 “(1) A representative of the Department of
11 State, designated by the Secretary of State.

12 “(2) A representative of the United States
13 Agency for International Development, designated
14 by the Administrator of the United States Agency
15 for International Development.”.

16 **SEC. 1532. MODIFICATION OF AVAILABILITY OF FUNDS IN**
17 **AFGHANISTAN SECURITY FORCES FUND.**

18 (a) LIMITATIONS.—Funds available to the Depart-
19 ment of Defense for the Afghanistan Security Forces
20 Fund for fiscal year 2012 shall be subject to the condi-
21 tions contained in subsections (b) through (g) of section
22 1513 of the National Defense Authorization Act for Fiscal
23 Year 2008 (Public Law 110–181; 122 Stat. 428), as
24 amended by section 1531(b) of the Ike Skelton National

1 Defense Authorization Act for Fiscal Year 2011 (Public
2 Law 111–383; 124 Stat. 4424).

3 (b) AVAILABILITY FOR LITERACY INSTRUCTION AND
4 TRAINING.—Assistance provided utilizing funds in the Af-
5 ghanistan Security Forces Fund may include literacy in-
6 struction and training to build the logistical, management,
7 and administrative capacity of military and civilian per-
8 sonnel of the Ministry of Defense and Ministry of Interior,
9 including through instruction at training facilities of the
10 North Atlantic Treaty Organization Training Mission in
11 Afghanistan.

12 **SEC. 1533. LIMITATION ON AVAILABILITY OF FUNDS FOR**
13 **TRANS REGIONAL WEB INITIATIVE.**

14 None of the amounts authorized to be appropriated
15 by this Act may be obligated or expended on any program
16 under the Trans Regional Web Initiative of the Depart-
17 ment of Defense, or any similar initiative, until the Sec-
18 retary of Defense certifies, in writing, to the Committees
19 on Armed Services of the Senate and the House of Rep-
20 resentatives that such program—

21 (1) appropriately defines its target audience;

22 (2) is determined to be the most effective meth-
23 od to reach such target audience;

24 (3) is the most cost-effective means of reaching
25 such target audience; and

1 (4) includes measurement mechanisms to en-
2 sure such target audience is being reached.

3 **SEC. 1534. REPORT ON LESSONS LEARNED FROM DEPART-**
4 **MENT OF DEFENSE PARTICIPATION ON**
5 **INTERAGENCY TEAMS FOR COUNTERTER-**
6 **RORISM OPERATIONS IN AFGHANISTAN AND**
7 **IRAQ.**

8 (a) **REPORT REQUIRED.**—Not later than one year
9 after the date of the enactment of this Act, the Secretary
10 of Defense shall submit to the congressional defense com-
11 mittees a report on the lessons learned from Department
12 of Defense participation on interagency teams for counter-
13 terrorism operations on Afghanistan and Iraq.

14 (b) **ELEMENTS.**—The report required by subsection
15 (a) shall include the following:

16 (1) An assessment of the value of interagency
17 teams in counterterrorism operations.

18 (2) A description of the best practices of such
19 interagency teams.

20 (3) A description of efforts to codify the best
21 practices of interagency teams described under para-
22 graph (2) in military doctrine.

23 (4) An assessment whether the lessons learned
24 through Department of Defense participation on
25 such interagency teams is applicable to other inter-

1 agency teams in which Department personnel par-
 2 ticipate.

3 (5) An assessment of the feasibility and advis-
 4 ability of adding a skill identifier to track Depart-
 5 ment civilian and military personnel who have suc-
 6 cessfully supported, participated on, or led an inter-
 7 agency team.

8 (6) A description of the additional authorities,
 9 if any, needed to permit Department personnel to
 10 more effectively support, participate on, or lead an
 11 interagency team.

12 **TITLE XVI—NATIONAL GUARD** 13 **EMPOWERMENT**

14 **SEC. 1601. SHORT TITLE.**

15 This title may be cited as the “National Guard Em-
 16 powerment and State-National Defense Integration Act of
 17 2011”.

18 **SEC. 1602. REESTABLISHMENT OF POSITION OF VICE CHIEF** 19 **OF THE NATIONAL GUARD BUREAU AND TER-** 20 **MINATION OF POSITION OF DIRECTOR OF** 21 **THE JOINT STAFF OF THE NATIONAL GUARD** 22 **BUREAU.**

23 (a) REESTABLISHMENT AND TERMINATION OF POSI-
 24 TIONS.—Section 10505 of title 10, United States Code,
 25 is amended to read as follows:

1 **“§ 10505. Vice Chief of the National Guard Bureau**

2 “(a) APPOINTMENT.—(1) There is a Vice Chief of the
3 National Guard Bureau, selected by the Secretary of De-
4 fense from officers of the Army National Guard of the
5 United States or the Air National Guard of the United
6 States who—

7 “(A) are recommended for such appointment by
8 their respective Governors or, in the case of the Dis-
9 trict of Columbia, the commanding general of the
10 District of Columbia National Guard;

11 “(B) have had at least 10 years of federally rec-
12 ognized service in an active status in the National
13 Guard; and

14 “(C) are in a grade above the grade of brigadier
15 general.

16 “(2) The Chief and Vice Chief of the National Guard
17 Bureau may not both be members of the Army or of the
18 Air Force.

19 “(3)(A) Except as provided in subparagraph (B), an
20 officer appointed as Vice Chief of the National Guard Bu-
21 reau serves for a term of four years, but may be removed
22 from office at any time for cause.

23 “(B) The term of the Vice Chief of the National
24 Guard Bureau shall end within a reasonable time (as de-
25 termined by the Secretary of Defense) following the ap-

1 pointment of a Chief of the National Guard Bureau who
2 is a member of the same armed force as the Vice Chief.

3 “(b) DUTIES.—The Vice Chief of the National Guard
4 Bureau performs such duties as may be prescribed by the
5 Chief of the National Guard Bureau.

6 “(c) GRADE.—The Vice Chief of the National Guard
7 Bureau shall be appointed to serve in the grade of lieuten-
8 ant general.

9 “(d) FUNCTIONS AS ACTING CHIEF.—When there is
10 a vacancy in the office of the Chief of the National Guard
11 Bureau or in the absence or disability of the Chief, the
12 Vice Chief of the National Guard Bureau acts as Chief
13 and performs the duties of the Chief until a successor is
14 appointed or the absence of disability ceases.”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) Section 10502 of such title is amended by
17 striking subsection (e).

18 (2) Section 10506(a)(1) of such title is amend-
19 ed by striking “and the Director of the Joint Staff
20 of the National Guard Bureau” and inserting “and
21 the Vice Chief of the National Guard Bureau”.

22 (c) CLERICAL AMENDMENTS.—

23 (1) HEADING AMENDMENT.—The heading of
24 section 10502 of such title is amended to read as
25 follows:

1 **“§ 10502. Chief of the National Guard Bureau: ap-**
 2 **pointment; advisor on National Guard**
 3 **matters; grade”.**

4 (2) TABLE OF SECTIONS.—The table of sections
 5 at the beginning of chapter 1011 of such title is
 6 amended—

7 (A) by striking the item relating to section
 8 10502 and inserting the following new item:

“10502. Chief of the National Guard Bureau: appointment; advisor on National
 Guard matters; grade.”;

9 and

10 (B) by striking the item relating to section
 11 10505 and inserting the following new item:

“10505. Vice Chief of the National Guard Bureau.”.

12 **SEC. 1603. MEMBERSHIP OF THE CHIEF OF THE NATIONAL**
 13 **GUARD BUREAU ON THE JOINT CHIEFS OF**
 14 **STAFF.**

15 (a) MEMBERSHIP ON JOINT CHIEFS OF STAFF.—
 16 Section 151(a) of title 10, United States Code, is amended
 17 by adding at the end the following new paragraph:

18 “(7) The Chief of the National Guard Bu-
 19 reau.”.

20 (b) CONFORMING AMENDMENTS.—Section 10502 of
 21 such title, as amended by section 2(b)(1) of this Act, is
 22 further amended—

1 (1) by redesignating subsection (d) as sub-
2 section (e); and

3 (2) by inserting after subsection (c) the fol-
4 lowing new subsection (d):

5 “(d) MEMBER OF JOINT CHIEFS OF STAFF.—The
6 Chief of the National Guard Bureau shall perform the du-
7 ties prescribed for him or her as a member of the Joint
8 Chiefs of Staff under section 151 of this title.”.

9 **SEC. 1604. CONTINUATION AS A PERMANENT PROGRAM**
10 **AND ENHANCEMENT OF ACTIVITIES OF TASK**
11 **FORCE FOR EMERGENCY READINESS PILOT**
12 **PROGRAM OF THE FEDERAL EMERGENCY**
13 **MANAGEMENT AGENCY.**

14 (a) CONTINUATION.—

15 (1) CONTINUATION AS PERMANENT PRO-
16 GRAM.—The Administrator of the Federal Emer-
17 gency Management Agency shall continue the Task
18 Force for Emergency Readiness (TFER) pilot pro-
19 gram of the Federal Emergency Management Agen-
20 cy as a permanent program of the Agency.

21 (2) LIMITATION ON TERMINATION.—The Ad-
22 ministrator may not terminate the Task Force for
23 Emergency Readiness program, as so continued,
24 until authorized or required to terminate the pro-
25 gram by law.

1 (b) EXPANSION OF PROGRAM SCOPE.—As part of the
2 continuation of the Task Force for Emergency Readiness
3 program pursuant to subsection (a), the Administrator
4 shall carry out the program in at least five States in addi-
5 tion to the five States in which the program is carried
6 out as of the date of the enactment of this Act.

7 (c) ADDITIONAL FEMA ACTIVITIES.—As part of the
8 continuation of the Task Force for Emergency Readiness
9 program pursuant to subsection (a), the Administrator
10 shall—

11 (1) establish guidelines and standards to be
12 used by the States in strengthening the planning
13 and planning capacities of the States with respect to
14 responses to catastrophic disaster emergencies; and

15 (2) develop a methodology for implementing the
16 Task Force for Emergency Readiness that includes
17 goals and standards for assessing the performance
18 of the Task Force.

19 (d) NATIONAL GUARD BUREAU ACTIVITIES.—As
20 part of the continuation of the Task Force for Emergency
21 Readiness program pursuant to subsection (a), the Chief
22 of the National Guard Bureau shall—

23 (1) assist the Administrator in the establish-
24 ment of the guidelines and standards, implementa-

1 tion methodology, and performance goals and stand-
2 ards required by subsection (c);

3 (2) in coordination with the Administrator—

4 (A) identify, using catastrophic disaster re-
5 sponse plans for each State developed under the
6 program, any gaps in State civilian and military
7 response capabilities that Federal military capa-
8 bilities are unprepared to fill; and

9 (B) notify the Secretary of Defense, the
10 Commander of the United States Northern
11 Command, and the Commander of the United
12 States Pacific Command of any gaps in capa-
13 bilities identified under subparagraph (A); and

14 (3) acting through and in coordination with the
15 Adjutants General of the States, assist the States in
16 the development of State plans on responses to cata-
17 strophic disaster emergencies.

18 (e) ANNUAL REPORTS.—The Administrator and the
19 Chief of the National Guard Bureau shall jointly submit
20 to the appropriate committees of Congress each year a re-
21 port on activities under the Task Force for Emergency
22 Readiness program during the preceding year. Each re-
23 port shall include a description of the activities under the
24 program during the preceding year and a current assess-

1 ment of the effectiveness of the program in meeting its
2 purposes.

3 (f) APPROPRIATE COMMITTEES OF CONGRESS DE-
4 FINED.—In this section, the term “appropriate commit-
5 tees of Congress” means—

6 (1) the Committee on Armed Services and the
7 Committee on Homeland Security and Governmental
8 Affairs of the Senate; and

9 (2) the Committee on Armed Services and the
10 Committee on Homeland Security of the House of
11 Representatives.

12 **SEC. 1605. REPORT ON COMPARATIVE ANALYSIS OF COSTS**
13 **OF COMPARABLE UNITS OF THE RESERVE**
14 **COMPONENTS AND THE REGULAR COMPO-**
15 **NENTS OF THE ARMED FORCES.**

16 (a) REPORT REQUIRED.—

17 (1) IN GENERAL.—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall submit to the congressional
20 defense committees a report setting forth a com-
21 parative analysis of the costs of units of the regular
22 components of the Armed Forces with the costs of
23 similar units of the reserve components of the
24 Armed Forces. The analysis shall include a separate

1 comparison of the costs of units in the aggregate
2 and of the costs of units solely when on active duty.

3 (2) SIMILAR UNITS.—For purposes of this sub-
4 section, units of the regular components and reserve
5 components shall be treated as similar if such units
6 have the same general structure, personnel, or func-
7 tion, or are substantially composed of personnel hav-
8 ing identical or similar military occupational special-
9 ties (MOS).

10 (b) ASSESSMENT OF INCREASED RESERVE COMPO-
11 NENT PRESENCE IN TOTAL FORCE STRUCTURE.—The
12 Secretary shall include in the report required by sub-
13 section (a) an assessment of the advisability of increasing
14 the number of units and members of the reserve compo-
15 nents of the Armed Forces within the total force structure
16 of the Armed Forces. The assessment shall take into ac-
17 count the comparative analysis conducted for purposes of
18 subsection (a) and such other matters as the Secretary
19 considers appropriate for purposes of the assessment.

20 (c) COMPTROLLER GENERAL REPORT.—Not later
21 than 180 days after the date of the submittal of the report
22 required by subsection (a), the Comptroller General of the
23 United States shall submit to the congressional defense
24 committees a report setting forth a review of such report
25 by the Comptroller General. The report of the Comptroller

1 General shall include an assessment of the comparative
2 analysis contained in the report required by subsection (a)
3 and of the assessment of the Secretary pursuant to sub-
4 section (b).

5 **SEC. 1606. DISPLAY OF PROCUREMENT OF EQUIPMENT FOR**
6 **THE RESERVE COMPONENTS OF THE ARMED**
7 **FORCES UNDER ESTIMATED EXPENDITURES**
8 **FOR PROCUREMENT IN FUTURE-YEARS DE-**
9 **FENSE PROGRAMS.**

10 Each future-years defense program submitted to
11 Congress under section 221 of title 10, United States
12 Code, shall, in setting forth estimated expenditures and
13 item quantities for procurement for the Armed Forces for
14 the fiscal years covered by such program, display sepa-
15 rately under such estimated expenditures and item quan-
16 tities the estimated expenditures for each such fiscal year
17 for equipment for each reserve component of the Armed
18 Forces that will receive items in any fiscal year covered
19 by such program.

20 **SEC. 1607. ENHANCEMENT OF AUTHORITIES RELATING TO**
21 **THE UNITED STATES NORTHERN COMMAND**
22 **AND OTHER COMBATANT COMMANDS.**

23 (a) **COMMANDS RESPONSIBLE FOR SUPPORT TO**
24 **CIVIL AUTHORITIES IN THE UNITED STATES.**—The
25 United States Northern Command and the United States

1 Pacific Command shall be the combatant commands of the
2 Armed Forces that are principally responsible for the sup-
3 port of civil authorities in the United States by the Armed
4 Forces.

5 (b) DISCHARGE OF RESPONSIBILITY.—In dis-
6 charging the responsibility set forth in subsection (a), the
7 Commander of the United States Northern Command and
8 the Commander of the United States Pacific Command
9 shall each—

10 (1) in consultation with and acting through the
11 Chief of the National Guard Bureau and the Joint
12 Force Headquarters of the National Guard of the
13 State or States concerned, assist the States in the
14 employment of the National Guard under State con-
15 trol, including National Guard operations conducted
16 in State active duty or under title 32, United States
17 Code; and

18 (2) facilitate the deployment of the Armed
19 Forces on active duty under title 10, United States
20 Code, as necessary to augment and support the Na-
21 tional Guard in its support of civil authorities when
22 National Guard operations are conducted under
23 State control, whether in State active duty or under
24 title 32, United States Code.

25 (c) MEMORANDUM OF UNDERSTANDING.—

1 (1) MEMORANDUM REQUIRED.—Not later than
2 180 days after the date of the enactment of this Act,
3 the Commander of the United States Northern Com-
4 mand, the Commander of the United States Pacific
5 Command, and the Chief of the National Guard Bu-
6 reau shall, with the approval of the Secretary of De-
7 fense, jointly enter into a memorandum of under-
8 standing setting forth the operational relationships,
9 and individual roles and responsibilities, during re-
10 sponses to domestic emergencies among the United
11 States Northern Command, the United States Pa-
12 cific Command, and the National Guard Bureau.

13 (2) MODIFICATION.—The Commander of the
14 United States Northern Command, the Commander
15 of the United States Pacific Command, and the
16 Chief of the National Guard Bureau may from time
17 to time modify the memorandum of understanding
18 under this subsection to address changes in cir-
19 cumstances and for such other purposes as the Com-
20 mander of the United States Northern Command,
21 the Commander of the United States Pacific Com-
22 mand, and the Chief of the National Guard Bureau
23 jointly consider appropriate. Each such modification
24 shall be subject to the approval of the Secretary of
25 Defense.

1 (d) AUTHORITY TO MODIFY ASSIGNMENT OF COM-
2 MAND RESPONSIBILITY.—Nothing in this section shall be
3 construed as altering or limiting the power of the Presi-
4 dent or the Secretary of Defense to modify the Unified
5 Command Plan in order to assign all or part of the respon-
6 sibility described in subsection (a) to a combatant com-
7 mand other than the United States Northern Command
8 or the United States Pacific Command.

9 (e) REGULATIONS.—The Secretary of Defense shall
10 prescribe regulations for purposes of aiding the expedi-
11 tious implementation of the authorities and responsibilities
12 in this section.

13 **SEC. 1608. REQUIREMENTS RELATING TO NATIONAL**
14 **GUARD OFFICERS IN CERTAIN COMMAND PO-**
15 **SITIONS.**

16 (a) COMMANDER OF ARMY NORTH COMMAND.—The
17 officer serving in the position of Commander, Army North
18 Command, shall be an officer in the Army National Guard
19 of the United States.

20 (b) COMMANDER OF AIR FORCE NORTH COM-
21 MAND.—The officer serving in the position of Commander,
22 Air Force North Command, shall be an officer in the Air
23 National Guard of the United States.

24 (c) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that, in assigning officers to the command positions

1 specified in subsections (a) and (b), the President should
2 afford a preference in assigning officers in the Army Na-
3 tional Guard of the United States or Air National Guard
4 of the United States, as applicable, who have served as
5 the adjutant general of a State.

6 **SEC. 1609. AVAILABILITY OF FUNDS UNDER STATE PART-**
7 **nership Program for Additional Na-**
8 **tional Guard Contacts on Matters**
9 **within the Core Competencies of the**
10 **National Guard.**

11 The Secretary of Defense shall, in consultation with
12 the Secretary of State, modify the regulations prescribed
13 pursuant to section 1210 of the National Defense Author-
14 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
15 Stat. 2517; 32 U.S.C. 107 note) to provide for the use
16 of funds available pursuant to such regulations for con-
17 tacts between members of the National Guard and civilian
18 personnel of foreign governments outside the ministry of
19 defense on matters within the core competencies of the
20 National Guard such as the following:

- 21 (1) Disaster response and mitigation.
- 22 (2) Defense support to civilian authorities.
- 23 (3) Consequence management and installation
24 protection.

1 (4) Chemical, biological, radiological, or nuclear
2 event (CBRNE) response.

3 (5) Border and port security and cooperation
4 with civilian law enforcement.

5 (6) Search and rescue.

6 (7) Medical matters.

7 (8) Counterdrug and counternarcotics activities.

8 (9) Public affairs.

9 (10) Employer and family support of reserve
10 forces.

11 (11) Such other matters within the core com-
12 petencies of the National Guard and suitable for
13 contacts under the State Partnership Program as
14 the Secretary of Defense shall specify.

15 **DIVISION B—MILITARY CON-**
16 **STRUCTION AUTHORIZA-**
17 **TIONS**

18 **SEC. 2001. SHORT TITLE.**

19 This division may be cited as the “Military Construc-
20 tion Authorization Act for Fiscal Year 2012”.

21 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
22 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
23 **LAW.**

24 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
25 YEARS.—Except as provided in subsection (b), all author-

1 izations contained in titles XXI through XXVII for mili-
2 tary construction projects, land acquisition, family housing
3 projects and facilities, and contributions to the North At-
4 lantic Treaty Organization Security Investment Program
5 (and authorizations of appropriations therefor) shall ex-
6 pire on the later of—

7 (1) October 1, 2014; or

8 (2) the date of the enactment of an Act author-
9 izing funds for military construction for fiscal year
10 2015.

11 (b) EXCEPTION.—Subsection (a) shall not apply to
12 authorizations for military construction projects, land ac-
13 quisition, family housing projects and facilities, and con-
14 tributions to the North Atlantic Treaty Organization Se-
15 curity Investment Program (and authorizations of appro-
16 priations therefor), for which appropriated funds have
17 been obligated before the later of—

18 (1) October 1, 2014; or

19 (2) the date of the enactment of an Act author-
20 izing funds for fiscal year 2015 for military con-
21 struction projects, land acquisition, family housing
22 projects and facilities, or contributions to the North
23 Atlantic Treaty Organization Security Investment
24 Program.

1 **SEC. 2003. FUNDING TABLES.**

2 (a) IN GENERAL.—The amounts authorized to be ap-
 3 propriated by sections 2104, 2204, 2304, 2403, 2411,
 4 2502, and 2606 shall be available in the amounts specified
 5 in the funding table in section 4501.

6 (b) BASE CLOSURE AND REALIGNMENT ACTIVI-
 7 TIES.—The amounts authorized to be appropriated by sec-
 8 tion 2703 shall be available in the amounts specified in
 9 the funding table in section 4501.

10 **TITLE XXI—ARMY**11 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
12 **ACQUISITION PROJECTS.**

13 (a) INSIDE THE UNITED STATES.—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2104(1), the Secretary of the Army may
 16 acquire real property and carry out military construction
 17 projects for the installations or locations inside the United
 18 States, and in the amounts, set forth in the following
 19 table:

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	\$11,600,000
Alaska	Fort Wainwright	\$114,000,000
	Joint Base Elmendorf-Richardson	\$103,600,000
California	Presidio of Monterey	\$3,000,000
	Fort Irwin	\$23,000,000
Colorado	Fort Carson	\$238,600,000
Georgia	Fort Benning	\$66,700,000
	Fort Gordon	\$1,450,000
	Fort Stewart	\$2,600,000
Hawaii	Fort Shafter	\$17,500,000
	Schofield Barracks	\$105,000,000
Kansas	Fort Riley	\$83,400,000
	Forbes Air Field	\$5,300,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
Kentucky	Fort Campbell	\$247,500,000
	Fort Knox	\$55,000,000
Louisiana	Fort Polk	\$70,100,000
Maryland	Aberdeen Proving Ground	\$78,500,000
	Fort Meade	\$79,000,000
Missouri	Fort Leonard Wood	\$49,000,000
New York	Fort Drum	\$13,300,000
North Carolina	Fort Bragg	\$186,000,000
Oklahoma	Fort Sill	\$184,600,000
	McAlester Army Ammunition Plant	\$8,000,000
South Carolina	Fort Jackson	\$63,900,000
Texas	Fort Bliss	\$110,900,000
	Fort Hood	\$132,000,000
	Joint Base San Antonio	\$10,400,000
	Red River Army Depot	\$44,000,000
Utah	Dugway Proving Ground	\$32,000,000
Virginia	Fort Belvoir	\$52,000,000
	Joint Base Langley Eustis	\$26,000,000
Washington	Joint Base Lewis McChord	\$296,300,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(2), the Secretary of the Army may
4 acquire real property and carry out military construction
5 projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Army: Outside the United States

Country	Installation or Location	Amount
Afghanistan	Bagram Air Base	\$80,000,000
Germany	Grafenwoehr	\$22,500,000
	Landstuhl	\$63,000,000
	Oberdachstetten	\$12,200,000
	Kelley Barracks	\$12,200,000
	Vilseck	\$20,000,000
Korea	Camp Carroll	\$41,000,000
	Camp Henry	\$48,000,000

8 SEC. 2102. FAMILY HOUSING.

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2104(5)(A), the Secretary of the

1 Army may construct or acquire family housing units (in-
 2 cluding land acquisition and supporting facilities) at the
 3 installations or locations, in the number of units, and in
 4 the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	64	\$34,329,000
	Illesheim	80	\$41,000,000
	Vilseck	22	\$12,000,000

5 (b) PLANNING AND DESIGN.—Using amounts appro-
 6 priated pursuant to the authorization of appropriations in
 7 section 2104(5)(A), the Secretary of the Army may carry
 8 out architectural and engineering services and construc-
 9 tion design activities with respect to the construction or
 10 improvement of family housing units in an amount not
 11 to exceed \$7,897,000.

12 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 13 **UNITS.**

14 Subject to section 2825 of title 10, United States
 15 Code, and using amounts appropriated pursuant to the
 16 authorization of appropriations in section 2104(5)(A), the
 17 Secretary of the Army may improve existing military fam-
 18 ily housing units in an amount not to exceed
 19 \$103,000,000.

20 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

21 Funds are hereby authorized to be appropriated for
 22 fiscal years beginning after September 30, 2011, for mili-

1 tary construction, land acquisition, and military family
2 housing functions of the Department of the Army in the
3 total amount of \$3,643,146,000, as follows:

4 (1) For military construction projects inside the
5 United States authorized by section 2101(a),
6 \$2,400,250,000.

7 (2) For military construction projects outside
8 the United States authorized by section 2101(b),
9 \$298,900,000.

10 (3) For unspecified minor military construction
11 projects authorized by section 2805 of title 10,
12 United States Code, \$20,000,000.

13 (4) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$195,241,000.

16 (5) For military family housing functions:

17 (A) For construction and acquisition, plan-
18 ning and design, and improvement of military
19 family housing and facilities, \$176,897,000.

20 (B) For support of military family housing
21 (including the functions described in section
22 2833 of title 10, United States Code),
23 \$494,858,000.

24 (6) For the construction of increment 1 of an
25 aviation complex, phase 3A at Fort Wainwright,

1 Alaska, authorized by section 2101(a) of this Act,
2 \$57,000,000.

3 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
4 **CERTAIN FISCAL YEAR 2009 PROJECT.**

5 In the case of the authorization contained in the table
6 in section 2101(a) of the Military Construction Authoriza-
7 tion Act for Fiscal Year 2009 (division B of Public Law
8 110–417; 122 Stat. 4658) for Fort Benning, Georgia, for
9 construction of a Multipurpose Training Range at the in-
10 stallation, the Secretary of the Army may construct up
11 to 1,802 square feet of loading dock consistent with the
12 Army’s construction guidelines for Multipurpose Training
13 Ranges.

14 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**
15 **CERTAIN FISCAL YEAR 2010 PROJECT.**

16 In the case of the authorization contained in the table
17 in section 2101(a) of the Military Construction Authoriza-
18 tion Act for Fiscal Year 2010 (division B of Public Law
19 111–84; 123 Stat. 2629) for Joint Base Lewis-McChord,
20 Washington, for construction of an access road adjoining
21 McChord Air Force Base and Fort Lewis, the Secretary
22 of the Army may construct a secure elevated roadway over
23 the existing railroad and public road in lieu of an on-grade
24 road and access control point.

1 **SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2011 PROJECTS.**

3 (a) HAWAII.—In the case of the authorization con-
4 tained in the table in section 2101(a) of the Military Con-
5 struction Authorization Act for Fiscal Year 2011 (division
6 B of Public Law 111–383; 124 Stat. 4437) for Schofield
7 Barracks, Hawaii, for renovations of buildings 450 and
8 452, the Secretary of the Army may renovate building 451
9 in lieu of building 452.

10 (b) NEW YORK.—In the case of the authorization
11 contained in the table in section 2101(a) of the Military
12 Construction Authorization Act for Fiscal Year 2011 (di-
13 vision B of Public Law 111–383; 124 Stat. 4437) for Fort
14 Drum, New York, for construction of an Aircraft Mainte-
15 nance Hangar at the installation, the Secretary of the
16 Army may construct up to 39,049 square yards of parking
17 apron consistent with the Army’s construction guidelines
18 for Aircraft Maintenance Hangars and associated parking
19 aprons.

20 (c) GERMANY.—In the case of the authorization con-
21 tained in the table in section 2101(b) of the Military Con-
22 struction Authorization Act for Fiscal Year 2011 (division
23 B of Public Law 111–383; 124 Stat. 4438) for Wiesbaden
24 Air Base, Germany, for construction of an Information
25 Processing Center at the installation, the Secretary of the
26 Army may construct up to 9,400 square yards of vehicle

1 parking garage consistent with the Army's construction
2 guidelines for parking garages, in lieu of renovating 9,400
3 square yards of parking area.

4 **SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CER-**
5 **TAIN FISCAL YEAR 2012 PROJECT.**

6 (a) **PROJECT AUTHORIZATION.**—The Secretary of
7 the Army may carry out a military construction project
8 to construct a water treatment facility for Fort Irwin,
9 California, in the amount of \$115,000,000.

10 (b) **USE OF UNOBLIGATED PRIOR-YEAR ARMY MILI-**
11 **TARY CONSTRUCTION FUNDS.**—The Secretary may use
12 available, unobligated Army military construction funds
13 appropriated for a fiscal year before fiscal year 2012 for
14 the project described in subsection (a).

15 (c) **CONGRESSIONAL NOTIFICATION.**—The Secretary
16 of the Army shall provide information in accordance with
17 section 2851(c) of title 10, United States Code, regarding
18 the project described in subsection (a). If it becomes nec-
19 essary to exceed the estimated project cost, the Secretary
20 shall utilize the authority provided by section 2853 of such
21 title regarding authorized cost and scope of work vari-
22 ations.

1 **SEC. 2109. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2008 PROJECTS.**

3 (a) **EXTENSION.**—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2008 (division B of Public Law 110–181; 122 Stat.
 6 503), authorizations set forth in the table in subsection
 7 (b), as provided in section 2101 of that Act (122 Stat.
 8 504), shall remain in effect until October 1, 2012, or the
 9 date of the enactment of an Act authorizing funds for mili-
 10 tary construction for fiscal year 2013, whichever is later.

11 (b) **TABLE.**—The table referred to in subsection (a)
 12 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

13 **SEC. 2110. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 14 **FISCAL YEAR 2009 PROJECTS.**

15 (a) **EXTENSION.**—Notwithstanding section 2002 of
 16 the Military Construction Authorization Act for Fiscal
 17 Year 2009 (division B of Public Law 110–417; 122 Stat.
 18 4658), authorizations set forth in the table in subsection
 19 (b), as provided in section 2101 of that Act (122 Stat.
 20 504), shall remain in effect until October 1, 2012, or the

1 date of the enactment of an Act authorizing funds for mili-
 2 tary construction for fiscal year 2013, whichever is later.

3 (b) TABLE.—The table referred to in subsection (a)
 4 is as follows:

Army: Extension of 2009 Project Authorizations

State/Country	Installation or Location	Project	Amount
Alabama	Anniston Army Depot	Lake Yard Interchange	\$1,400,000
Hawaii	Schofield Barracks	Brigade Complex	\$65,000,000
	Schofield Barracks	Battalion Complex	\$69,000,000
	Schofield Barracks	Battalion Complex	\$27,000,000
	Schofield Barracks	Infrastructure Expansion	\$76,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility Phase I	\$9,900,000
Virginia	Fort Eustis	Vehicle Paint Facility	\$3,900,000

5 **SEC. 2111. TECHNICAL AMENDMENTS TO CORRECT CER-**
 6 **TAIN PROJECT SPECIFICATIONS.**

7 The table in section 3002 of the Ike Skelton National
 8 Defense Authorization Act for Fiscal Year 2011 (Public
 9 Law 111–383; 124 Stat. 4503) is amended—

10 (1) in the item for the Army relating to “Entry
 11 Control Point and Access Roads” that appears im-
 12 mediately below the item relating to “Vet Clinic &
 13 Kennel” at Bagram Air Force Base, by striking
 14 “Delaram Ii” in the State/Country and Installation
 15 column and inserting “Delaram II”; and

16 (2) in the item for the Army that appears im-
 17 mediately below the item relating to “Electrical Util-
 18 ity Systems, Ph.2” at the Shank installation, by
 19 striking “Expand Extended Cooperation Programme

1 I and Extended Cooperation Programme 2” in the
2 Project Title column and inserting “Expand Entry
3 Control Point 1 and Entry Control Point 2”.

4 **SEC. 2112. REDUCTION OF ARMY MILITARY CONSTRUCTION**
5 **AUTHORIZATION.**

6 Amounts previously authorized for military construc-
7 tion, land acquisition, and military family housing func-
8 tions of the Department of the Army for fiscal years prior
9 to fiscal year 2012 are hereby reduced by \$100,000,000.

10 **SEC. 2113. TOUR NORMALIZATION.**

11 None of the funds authorized to be appropriated
12 under this Act may be obligated or expended for tour nor-
13 malization until—

14 (1) the Director of Cost Assessment and Pro-
15 gram Evaluation conducts an analysis of alternatives
16 to tour normalization that identifies alternative
17 courses of action and their associated life cycle costs,
18 potential benefits, advantages, and disadvantages;

19 (2) the Secretary of the Army submits to the
20 congressional defense committees a master plan for
21 completing all phases of tour normalization that in-
22 cludes a detailed description of all costs and a sched-
23 ule for the construction of necessary facilities and
24 infrastructure; and

1 (3) legislation enacted after the date of the en-
 2 actment of this Act authorizes the obligation of
 3 funds for such purpose.

4 **TITLE XXII—NAVY**

5 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND** 6 **ACQUISITION PROJECTS.**

7 (a) INSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropria-
 9 tions in section 2204(1), the Secretary of the Navy may
 10 acquire real property and carry out military construction
 11 projects for the installations or locations inside the United
 12 States, and in the amounts, set forth in the following
 13 table:

Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$162,785,000
California	Marine Corps Base, Camp Pendleton	\$335,080,000
	Naval Base, Coronado	\$93,735,000
	Marine Corps Base, Twentynine Palms	\$67,109,000
	Marine Corps Logistics Base, Barstow	\$8,590,000
	Marine Corps Mountain Warfare Training Center, Bridgeport	\$16,138,000
	Naval Base Ventura County Point Mugu	\$15,377,000
Florida	Naval Air Station, Jacksonville	\$36,552,000
	Naval Station, Mayport	\$14,998,000
	Naval Air Station, Whiting Field (Eglin Air Force Base)	\$20,620,000
Georgia	Naval Submarine Base, Kings Bay	\$86,063,000
Hawaii	Marine Corps Base, Kaneohe Bay	\$57,704,000
	Pacific Missile Range Facility, Barking Sands	\$9,679,000
	Joint Base Pearl Harbor-Hickam	\$7,492,000
	Naval Station, Great Lakes	\$91,042,000
Maryland	Naval Support Facility, Indian Head	\$67,779,000
	Naval Air Station, Patuxent River	\$45,844,000
North Carolina	Marine Corps Base, Camp Lejeune	\$200,482,000
	Marine Corps Air Station, Cherry Point	\$17,760,000
	Marine Corps Air Station, New River	\$78,930,000
South Carolina	Marine Corps Air Station, Beaufort	\$21,096,000
Virginia	Naval Station, Norfolk	\$81,304,000
	Naval Support Activity, Norfolk	\$26,924,000
	Naval Ship Yard, Portsmouth	\$74,864,000
	Marine Corps Base, Quantico	\$183,690,000

Inside the United States—Continued

State	Installation or Location	Amount
Washington	Naval Base Kitsap, Bremerton (Puget Sound Ship Yard)	\$13,341,000
	Naval Base Kitsap, Bremerton (Bangor)	\$758,842,000

1 (b) **OUTSIDE THE UNITED STATES.**—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(2), the Secretary of the Navy may
4 acquire real property and carry out military construction
5 projects for the installation or location outside the United
6 States, and in the amounts, set forth in the following
7 table:

Navy: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonier	\$89,499,000
Diego Garcia	Naval Support Facility, Diego Garcia	\$35,444,000

8 **SEC. 2202. FAMILY HOUSING.**

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2204(5)(A), the Sec-
11 retary of the Navy may carry out architectural and engi-
12 neering services and construction design activities with re-
13 spect to the construction or improvement of family hous-
14 ing units in an amount not to exceed \$3,199,000.

15 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
16 **UNITS.**

17 Subject to section 2825 of title 10, United States
18 Code, and using amounts appropriated pursuant to the
19 authorization of appropriations in section 2204(5)(A), the

1 Secretary of the Navy may improve existing military fam-
2 ily housing units in an amount not to exceed \$97,773,000.

3 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

4 Funds are hereby authorized to be appropriated for
5 fiscal years beginning after September 30, 2011, for mili-
6 tary construction, land acquisition, and military family
7 housing functions of the Department of the Navy in the
8 total amount of \$2,641,457,000, as follows:

9 (1) For military construction projects inside the
10 United States authorized by section 2201(a),
11 \$1,956,822,000.

12 (2) For military construction projects outside
13 the United States authorized by section 2201(b),
14 \$124,943,000.

15 (3) For unspecified minor military construction
16 projects authorized by section 2805 of title 10,
17 United States Code, \$21,495,000.

18 (4) For architectural and engineering services
19 and construction design under section 2807 of title
20 10, United States Code, \$69,362,000.

21 (5) For military family housing functions:

22 (A) For construction and acquisition, plan-
23 ning and design, and improvement of military
24 family housing and facilities, \$100,972,000.

1 (B) For support of military family housing
 2 (including functions described in section 2833
 3 of title 10, United States Code), \$367,863,000.

4 **SEC. 2205. EXTENSION OF AUTHORIZATION OF CERTAIN**
 5 **FISCAL YEAR 2008 PROJECT.**

6 (a) EXTENSION.—Notwithstanding section 2002 of
 7 the Military Construction Authorization Act for Fiscal
 8 Year 2008 (division B of Public Law 110–181; 122 Stat.
 9 503), the authorization set forth in the table in subsection
 10 (b), as provided in section 2201(c) of that Act (122 Stat.
 11 511) and extended by section 2206 of the Military Con-
 12 struction Authorization Act for Fiscal Year 2011 (division
 13 B of Public Law 111–383; 124 Stat. 4443), shall remain
 14 in effect until October 1, 2012, or the date of an Act au-
 15 thORIZING funds for military construction for fiscal year
 16 2013, whichever is later.

17 (b) TABLE.—The table referred to in subsection (a)
 18 is as follows:

Navy: Extension of 2008 Project Authorization

State/Country	Installation or Location	Project	Amount
Worldwide Unspecified	Various	Host Nation Infrastructure	\$2,700,000

19 (c) TECHNICAL AMENDMENT FOR CONSISTENCY IN
 20 PROJECT AUTHORIZATION DISPLAY.—The table in sec-
 21 tion 2201(c) of the Military Construction Authorization

1 Act for Fiscal Year 2008 (division B of Public Law 110–
2 181; 122 Stat. 511) is amended to read as follows:

Navy: Worldwide Unspecified

State/Country	Installation or Location	Project	Amount
Worldwide Unspecified	Various	Wharf Utilities Upgrade	\$8,900,000
Worldwide Unspecified	Various	Host Nation Infrastructure	\$2,700,000

3 **SEC. 2206. 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), the authorization set forth in the table in sub-
9 section (b), as provided in section 2201 of that Act (122
10 Stat 4670), shall remain in effect until October 1, 2012,
11 or the date of an Act authorizing funds for military con-
12 struction for fiscal year 2013, whichever is later.

13 (b) TABLE.—The table referred to in subsection (a)
14 is as follows:

Navy: Extension of 2009 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Marine Corps Base, Camp Pendelton ...	Operations Assess Points, Red Beach	\$11,970,000
	Marine Corps Air Station, Miramar ..	Emergency Response Sta- tion	\$6,530,000
District of Co- lumbia	Washington Navy Yard	Child Development Center	\$9,340,000

1 **SEC. 2207. REDUCTION OF NAVY MILITARY CONSTRUCTION**

2 **AUTHORIZATION.**

3 Amounts previously authorized for military construc-
4 tion, land acquisition, and military family housing func-
5 tions of the Department of the Navy for fiscal years prior
6 to fiscal year 2012 are hereby reduced by \$25,000,000.

7 **SEC. 2208. GUAM REALIGNMENT.**

8 None of the funds authorized to be appropriated
9 under this title, or amounts provided by the Government
10 of Japan for military construction activities on land under
11 the jurisdiction of the Department of Defense, may be ob-
12 ligated or expended to implement the realignment of
13 United States Marine Corps forces from Okinawa to
14 Guam as envisioned in the United States–Japan Roadmap
15 for Realignment Implementation issued May 1, 2006,
16 until—

17 (1) the Commandant of the Marine Corps pro-
18 vides the congressional defense committees the Com-
19 mandant’s preferred force lay-down for the United
20 States Pacific Command Area of Responsibility;

21 (2) the Secretary of Defense submits to the
22 congressional defense committees a master plan for
23 the construction of facilities and infrastructure to
24 execute the Commandant’s preferred force lay-down
25 on Guam, including a detailed description of costs
26 and a schedule for such construction;

(3) the Secretary of Defense certifies to the congressional defense committees that tangible progress has been made regarding the relocation of Marine Corps Air Station Futenma; and

(4) a plan coordinated by all pertinent Federal agencies is provided to the congressional defense committees detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the non-military utilities, facilities, and infrastructure on Guam affected by the realignment of forces.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$45,000,000
	Joint Base Elmendorf-Richardson	\$97,000,000
Arizona	Davis-Monthan Air Force Base ...	\$33,000,000
	Luke Air Force Base	\$24,000,000
California	Travis Air Force Base	\$22,000,000
	Vandenberg Air Force Base	\$14,200,000
Colorado	U.S. Air Force Academy	\$13,400,000
Delaware	Dover Air Force Base	\$2,800,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
Kansas	Fort Riley, Kansas	\$7,600,000
Louisiana	Barksdale Air Force Base	\$23,500,000
Missouri	Whiteman Air Force Base	\$4,800,000
Nebraska	Offutt Air Force Base	\$564,000,000
Nevada	Nellis Air Force Base	\$35,850,000
New Mexico	Cannon Air Force Base	\$22,598,000
	Holloman Air Force Base	\$29,200,000
	Kirtland Air Force Base	\$25,000,000
North Carolina	Pope Air Force Base	\$6,000,000
North Dakota	Minot Air Force Base	\$67,800,000
Texas	Joint Base San Antonio	\$110,000,000
Utah	Hill Air Force Base	\$16,500,000
Virginia	Joint Base Langley Eustis	\$50,000,000
Washington	Fairechild Air Force Base	\$27,600,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(2), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Germany	Ramstein Air Base	\$34,697,000
Greenland	Thule Air Base	\$28,000,000
Guam	Joint Region Marianas	\$64,400,000
Italy	Naval Air Station, Sigonella	\$15,000,000
Korea	Osan Air Base	\$23,000,000

8 SEC. 2302. FAMILY HOUSING.

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2304(5)(A), the Sec-
11 retary of the Air Force may carry out architectural and
12 engineering services and construction design activities
13 with respect to the construction or improvement of family
14 housing units in an amount 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(5)(A), the
6 Secretary of the Air Force may improve existing military
7 family housing units in an amount not to exceed
8 \$80,596,000.

9 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
10 **FORCE.**

11 Funds are hereby authorized to be appropriated for
12 fiscal years beginning after September 30, 2011, for mili-
13 tary construction, land acquisition, and military family
14 housing functions of the Department of the Air Force in
15 the total amount of \$1,619,423,000, as follows:

16 (1) For military construction projects inside the
17 United States authorized by section 2301(a),
18 \$677,848,000.

19 (2) For military construction projects outside
20 the United States authorized by section 2301(b),
21 \$165,897,000.

22 (3) For unspecified minor military construction
23 projects authorized by section 2805 of title 10,
24 United States Code, \$20,000,000.

1 (4) For architectural and engineering services
2 and construction design under section 2807 of title
3 10, United States Code, \$67,913,000.

4 (5) For military family housing functions:

5 (A) For construction and acquisition, plan-
6 ning and design, and improvement of military
7 family housing and facilities, \$84,804,000.

8 (B) For support of military family housing
9 (including functions described in section 2833
10 of title 10, United States Code), \$404,761,000.

11 (6) For the construction of increment 2 of the
12 Air Force Technical Applications Center at Patrick
13 Air Force Base, Florida, as authorized by section
14 2301(a) of the Military Construction Authorization
15 Act for Fiscal Year 2011 (division B of Public Law
16 111–383; 124 Stat. 4444), \$79,000,000.

17 (7) For the construction of increment 1 of a
18 STRATCOM replacement facility at Offutt Air
19 Force Base, Nebraska, authorized by section
20 2301(a) of this Act, \$120,000,000.

21 **SEC. 2305. MODIFICATION OF AUTHORIZATION TO CARRY**
22 **OUT CERTAIN FISCAL YEAR 2010 PROJECT.**

23 In the case of the authorization contained in the table
24 in section 2301(a) of the National Defense Authorization
25 Act for Fiscal Year 2010 (Division B of Public Law 111–

1 84; 123 Stat. 2636) for Hickam Air Force Base, Hawaii,
 2 for construction of a Ground Control Tower at the instal-
 3 lation, the Secretary of the Air Force may construct 43
 4 vertical meters (141 vertical feet) in lieu of 111 square
 5 meters (1,195 square feet), consistent with the Air Force's
 6 construction guidelines for control towers, using amounts
 7 appropriated pursuant to authorizations of appropriations
 8 in prior years.

9 **SEC. 2306. EXTENSION OF AUTHORIZATION OF CERTAIN**
 10 **FISCAL YEAR 2009 PROJECT.**

11 (a) **EXTENSION.**—Notwithstanding section 2002 of
 12 the Military Construction Authorization Act for Fiscal
 13 Year 2009 (division B of Public Law 110–417; 122 Stat.
 14 4658), the authorization set forth in the table in sub-
 15 section (b), as provided in section 2301(b) of that Act
 16 (122 Stat. 4680) shall remain in effect until October 1,
 17 2012, or the date of the enactment of an Act authorizing
 18 funds for military construction for fiscal year 2013, which-
 19 ever is later:

20 (b) **TABLE.**—The table referred to in subsection (a)
 21 is as follows:

Air Force: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Germany	Spangdahlem AB	Construct Child Development Center	\$11,400,000

1 **SEC. 2307. REDUCTION OF AIR FORCE MILITARY CON-**
 2 **STRUCTION AUTHORIZATION.**

3 Amounts previously authorized for military construc-
 4 tion, land acquisition, and military family housing func-
 5 tions of the Department of the Air Force for fiscal years
 6 prior to fiscal year 2012 are hereby reduced by
 7 \$32,000,000.

8 **TITLE XXIV—DEFENSE**
 9 **AGENCIES**
 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(1), the Secretary of Defense may
 17 acquire real property and carry out military construction
 18 projects for the installations or locations inside the United
 19 States, and in the amounts, set forth in the following
 20 table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	\$58,800,000
Alaska	Anchorage	\$18,400,000
	Eielson Air Force Base	\$14,800,000
Arizona	Davis-Monthan Air Force Base	\$23,000,000
California	Defense Distribution Depot Tracy	\$15,500,000
	Marine Corps Base, Camp Pendleton	\$12,141,000
	Naval Base, Coronado	\$42,000,000
	Naval Base, Coronado (San Clemente)	\$21,800,000
Colorado	Buckley Air Force Base	\$140,932,000
District of Columbia	Bolling Air Force Base	\$16,736,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
Florida	Eglin Air Force Base	\$61,100,000
	Macdill Air Force Base	\$15,200,000
	Naval Air Station, Whiting Field	\$3,800,000
Georgia	Fort Benning	\$37,205,000
	Fort Gordon	\$17,705,000
	Fort Stewart	\$72,300,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$14,400,000
Illinois	Naval Station, Great Lakes	\$16,900,000
Kentucky	Fort Campbell	\$138,500,000
	Fort Knox	\$38,845,000
Louisiana	Barksdale Air Force Base	\$6,200,000
Maryland	Joint Base Andrews	\$265,700,000
	National Naval Medical Center, Bethesda	\$18,000,000
Massachusetts	Hanscom Air Force Base	\$34,040,000
	Westover Air Reserve Base	\$23,300,000
Mississippi	Columbus Air Force Base	\$2,600,000
	Construction Battalion Center, Gulfport	\$34,700,000
Missouri	Arnold	\$9,253,000
New Mexico	Cannon Air Force Base	\$132,997,000
New York	Fort Drum	\$20,400,000
North Carolina	Camp Lejeune	\$6,670,000
	Fort Bragg	\$206,274,000
	Marine Corps Air Station, New River	\$22,687,000
	Pope Air Force Base	\$5,400,000
	Defense Supply Center Columbus	\$10,000,000
Oklahoma	Altus Air Force Base	\$8,200,000
Pennsylvania	Defense Distribution Depot New Cum- berland	\$17,500,000
	Defense Supply Center Philadelphia	\$8,000,000
	Joint Base Charleston	\$24,868,000
Texas	Joint Base Antonio	\$194,300,000
Virginia	Charlottesville	\$10,805,000
	Joint Expeditionary Base Little Creek-Fort Story	\$37,000,000
	Marine Corps Base, Quantico	\$46,727,000
	Naval Air Station, Oceana (Dam Neck)	\$23,116,000
	Dahlgren	\$1,988,000
	Pentagon Reservation	\$8,742,000
	Washington	Joint Base Lewis-McChord
West Virginia	Naval Air Station, Whidbey Island	\$25,000,000
	Camp Dawson	\$2,200,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Ansbach	\$11,672,000
	Grafenwoehr	\$6,529,000
	Spangdahlem 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

1 SEC. 2402. ENERGY CONSERVATION PROJECTS.

2 Using amounts appropriated pursuant to the author-
3 ization of appropriations in section 2403(6), the Secretary
4 of Defense may carry out energy conservation projects
5 under chapter 173 of title 10, United States Code, in the
6 amount of \$135,000,000.

**7 SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-
8 FENSE AGENCIES.**

9 Funds are hereby authorized to be appropriated for
10 fiscal years beginning after September 30, 2011, for mili-
11 tary construction, land acquisition, and military family
12 housing functions of the Department of Defense (other
13 than the military departments) in the total amount of
14 \$3,212,498,000, as follows:

15 (1) For military construction projects inside the
16 United States authorized by section 2401(a),
17 \$1,476,499,000.

18 (2) For military construction projects outside
19 the United States authorized by section 2401(b),
20 \$357,004,000.

1 (3) For unspecified minor military construction
2 projects under section 2805 of title 10, United
3 States Code, \$32,964,000.

4 (4) For contingency construction projects of the
5 Secretary of Defense under section 2804 of title 10,
6 United States Code, \$10,000,000.

7 (5) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$399,602,000.

10 (6) For energy conservation projects under
11 chapter 173 of title 10, United States Code,
12 \$135,000,000.

13 (7) For military family housing functions:

14 (A) For support of military family housing
15 (including functions described in section 2833
16 of title 10, United States Code), \$50,723,000.

17 (B) For credits to the Department of De-
18 fense Family Housing Improvement Fund
19 under section 2883 of title 10, United States
20 Code, and the Homeowners Assistance Fund es-
21 tablished under section 1013 of the Demonstra-
22 tion Cities and Metropolitan Development Act
23 of 1966 (42 U.S.C. 3374), \$3,468,000.

24 (8) For the construction of increment 6 of the
25 Army Medical Research Institute of Infectious Dis-

1 eases Stage I at Fort Detrick, Maryland, authorized
2 by section 2401(a) of the Military Construction Au-
3 thorization Act for Fiscal Year 2007 (division B of
4 Public Law 109–364; 120 Stat. 2457),
5 \$137,600,000.

6 (9) For the construction of increment 4 of re-
7 placement fuel storage facilities at Point Loma
8 Annex, California, authorized by section 2401(a) of
9 the Military Construction Authorization Act for Fis-
10 cal Year 2008 (division B of Public Law 110–181;
11 122 Stat. 521), as amended by section 2406 of the
12 Military Construction Authorization Act for Fiscal
13 Year 2010 (division B of Public Law 111–84; 123
14 Stat. 2646), \$27,000,000.

15 (10) For the construction of increment 4 of the
16 United States Army Medical Research Institute of
17 Chemical Defense replacement facility at Aberdeen
18 Proving Ground, Maryland, authorized by section
19 2401(a) of the Military Construction Authorization
20 Act for Fiscal Year 2009 (division B of Public Law
21 110–417; 122 Stat. 4689), \$22,850,000.

22 (11) For the construction of increment 3 of a
23 National Security Agency data center at Camp Wil-
24 liams, Utah, authorized as a Military Construction,
25 Defense-Wide project by title IX of the Supple-

1 mental Appropriations Act, 2009 (Public Law 111–
2 32; 123 Stat. 1888), \$123,201,000.

3 (12) For the construction of increment 3 of the
4 hospital at Fort Bliss, Texas, authorized by section
5 2401(a) of the Military Construction Authorization
6 Act for Fiscal Year 2010 (division B of Public Law
7 111–84; 123 Stat. 2642), \$109,400,000.

8 (13) For the construction of increment 1 of a
9 Mountainview operations facility at Buckley Air
10 Force Base, Colorado, authorized by section 2401(a)
11 of this Act, \$70,432,000.

12 (14) For the construction of increment 1 of an
13 ambulatory care center at Joint Base Andrews,
14 Maryland, authorized by section 2401(a) of this Act,
15 \$121,500,000.

16 (15) For the construction of increment 1 of an
17 ambulatory care center, phase 3 at Fort Bliss,
18 Texas, authorized by section 2401(a) of this Act,
19 \$80,600,000.

1 **Subtitle B—Chemical**
2 **Demilitarization Authorizations**

3 **SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEM-**
4 **ICAL DEMILITARIZATION CONSTRUCTION,**
5 **DEFENSE-WIDE.**

6 Funds are hereby authorized to be appropriated for
7 fiscal years beginning after September 30, 2011, for mili-
8 tary construction and land acquisition for chemical demili-
9 tarization in the total amount of \$75,312,000, as follows:

10 (1) For the construction of phase 13 of a chem-
11 ical munitions demilitarization facility at Pueblo
12 Chemical Activity, Colorado, authorized by section
13 2401(a) of the Military Construction Authorization
14 Act for Fiscal Year 1997 (division B of Public Law
15 104–201; 110 Stat. 2775), as amended by section
16 2406 of the Military Construction Authorization Act
17 for Fiscal Year 2000 (division B of Public Law 106–
18 65; 113 Stat. 839), section 2407 of the Military
19 Construction Authorization Act for Fiscal Year 2003
20 (division B of Public Law 107–314; 116 Stat.
21 2698), and section 2413 of the Military Construc-
22 tion Authorization Act for Fiscal Year 2009 (divi-
23 sion B of Public Law 110–417; 122 Stat. 4697),
24 \$15,338,000.

1 (2) For the construction of phase 12 of a muni-
2 tions demilitarization facility at Blue Grass Army
3 Depot, Kentucky, authorized by section 2401(a) of
4 the Military Construction Authorization Act for Fis-
5 cal Year 2000 (division B of Public Law 106–65;
6 113 Stat. 835), as amended by section 2405 of the
7 Military Construction Authorization Act for Fiscal
8 Year 2002 (division B of Public Law 107–107; 115
9 Stat. 1298), section 2405 of the Military Construc-
10 tion Authorization Act for Fiscal Year 2003 (divi-
11 sion B of Public Law 107–314; 116 Stat. 2698),
12 section 2414 of the Military Construction Authoriza-
13 tion Act for Fiscal Year 2009 (division B of Public
14 Law 110–417; 122 Stat. 4697), and section 2412 of
15 the Military Construction Authorization Act for Fis-
16 cal Year 2011 (division B Public Law 111–383; 124
17 Stat. 4450), \$59,974,000.

18 **SEC. 2412. REDUCTION OF DEFENSE AGENCIES MILITARY**
19 **CONSTRUCTION AUTHORIZATION.**

20 Amounts previously authorized for military construc-
21 tion, land acquisition, and military family housing func-
22 tions of the Department of Defense (other than the mili-
23 tary departments) for fiscal years prior to fiscal year 2012
24 are hereby reduced by \$131,000,000.

1 **TITLE XXV—NORTH ATLANTIC**
2 **TREATY ORGANIZATION SE-**
3 **CURITY INVESTMENT PRO-**
4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
6 **ACQUISITION PROJECTS.**

7 The Secretary of Defense may make contributions for
8 the North Atlantic Treaty Organization Security Invest-
9 ment Program as provided in section 2806 of title 10,
10 United States Code, in an amount not to exceed the sum
11 of the amount authorized to be appropriated for this pur-
12 pose in section 2502 and the amount collected from the
13 North Atlantic Treaty Organization as a result of con-
14 struction previously financed by the United States.

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 2011, for con-
18 tributions by the Secretary of Defense under section 2806
19 of title 10, United States Code, for the share of the United
20 States of the cost of projects for the North Atlantic Treaty
21 Organization Security Investment Program authorized by
22 section 2501, in the amount of \$240,611,000.

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-
STRUCTION AND LAND ACQUISITION
PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	\$16,500,000
Arizona	Papago Military Reservation	\$17,800,000
Arkansas	Fort Chafee	\$3,500,000
California	Camp Roberts	\$38,160,000
	Camp San Luis Obispo	\$8,000,000
Colorado	Alamosa	\$6,400,000
	Aurora	\$3,600,000
	Fort Carson	\$43,000,000
District of Columbia	Anacostia	\$5,300,000
Florida	Camp Blanding	\$5,500,000
Georgia	Atlanta	\$11,000,000
	Hinesville	\$17,500,000
	Macon	\$14,500,000
Hawaii	Kalaheo	\$33,000,000
Illinois	Normal	\$10,000,000
Indiana	Camp Atterbury	\$81,900,000
	Indianapolis	\$25,700,000
Maine	Bangor	\$15,600,000
	Brunswick	\$23,000,000
Maryland	Dundalk	\$16,000,000
	La Plata	\$9,000,000
	Westminster	\$10,400,000
Massachusetts	Natick	\$9,000,000
Minnesota	Camp Ripley	\$8,400,000
Mississippi	Camp Shelby	\$64,600,000
Nebraska	Grand Island	\$22,000,000
	Mead	\$9,100,000
Nevada	Las Vegas	\$23,000,000
New Jersey	Lakehurst	\$49,000,000
New Mexico	Santa Fe	\$5,200,000
North Carolina	Greensboro	\$3,700,000

Army National Guard: Inside the United States—Continued

State	Location	Amount
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
West Virginia	Buckhannon	\$10,000,000
Wisconsin	Camp Williams	\$7,000,000
Wyoming	Cheyenne	\$8,900,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2606(1), the Secretary of the Army may
4 acquire real property and carry out military construction
5 projects for the Army National Guard locations outside
6 the United States, and in the amounts, set forth in the
7 following table:

Army National Guard: Outside the United States

Country	Location	Amount
Puerto Rico	Fort Buchanan	\$57,000,000

8 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
9 **AND LAND ACQUISITION PROJECTS.**

10 Using amounts appropriated pursuant to the author-
11 ization of appropriations in section 2606(2), the Secretary
12 of the Army may acquire real property and carry out mili-
13 tary construction projects for the Army Reserve locations
14 inside the United States, and in the amounts, set forth
15 in the following table:

Army Reserve

State	Location	Amount
California	Fort Hunter Liggett	\$5,200,000
Colorado	Fort Collins	\$13,600,000

Army Reserve—Continued

State	Location	Amount
Illinois	Homewood	\$16,000,000
	Rockford	\$12,800,000
Indiana	Fort Benjamin Harrison	\$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
New York	Schenectady	\$20,000,000
North Carolina	Greensboro	\$19,000,000
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(3), the Secretary
6 of the Navy may acquire real property and carry out mili-
7 tary construction projects for the Navy Reserve and Ma-
8 rine Corps Reserve locations inside the United States, and
9 in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Pennsylvania	Pittsburgh	\$13,759,000
Tennessee	Memphis	\$7,949,000

10 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
11 **TION AND LAND ACQUISITION PROJECTS.**

12 Using amounts appropriated pursuant to the author-
13 ization of appropriations in section 2606(4), the Secretary
14 of the Air Force may acquire real property and carry out
15 military construction projects for the Air National Guard

1 locations inside the United States, and in the amounts,
 2 set forth in the following table:

Air National Guard

State	Location	Amount
California	Beale Air Force Base	\$6,100,000
	Moffett Field	\$26,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$39,521,000
Indiana	Fort Wayne International Airport	\$4,000,000
Maryland	Martin State Airport	\$4,900,000
Massachusetts	Otis Air National Guard Base	\$7,800,000
Ohio	Springfield Beckley-Municipal Airport ..	\$6,700,000

3 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 4 **TION AND LAND ACQUISITION PROJECTS.**

5 Using amounts appropriated pursuant to the author-
 6 ization of appropriations in section 2606(5), the Secretary
 7 of the Air Force may acquire real property and carry out
 8 military construction projects for the Air Force Reserve
 9 locations inside the United States, and in the amounts,
 10 set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March Air Force Base	\$16,393,000
South Carolina	Charleston Air Force Base	\$9,593,000

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
 18 1803 of title 10, United States Code (including the cost

1 of acquisition of land for those facilities), in the following
2 amounts:

3 (1) For the Department of the Army, for the
4 Army National Guard of the United States,
5 \$773,592,000.

6 (2) For the Department of the Army, for the
7 Army Reserve, \$280,549,000.

8 (3) For the Department of the Navy, for the
9 Navy and Marine Corps Reserve, \$26,299,000.

10 (4) For the Department of the Air Force, for
11 the Air National Guard of the United States,
12 \$116,246,000.

13 (5) For the Department of the Air Force, for
14 the Air Force Reserve, \$33,620,000.

15 **SEC. 2607. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
16 **FISCAL YEAR 2008 PROJECTS.**

17 (a) **EXTENSION.**—Notwithstanding section 2002 of
18 the Military Construction Authorization Act for Fiscal
19 Year 2008 (division B of Public Law 110–181; 122 Stat.
20 503), the authorization set forth in the table in subsection
21 (b), as provided in section 2601 and 2604 of that Act (122
22 Stat. 527–528), shall remain in effect until October 1,
23 2012, or the date of the enactment of an Act authorizing
24 funds for military construction for fiscal year 2013, which-
25 ever is later.

1 (b) TABLE.—The table referred to in subsection (a)
 2 is as follows:

Army National Guard: Extension of 2008 Project Authorization

State	Installation or Location	Project	Amount
Pennsylvania	Coatesville	Readiness Center	\$ 8,300,000

3 **SEC. 2608. 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), the authorization set forth in the tables in sub-
 9 section (b), as provided in sections 2601, 2602, and 2603
 10 of that Act, shall remain in effect until October 1, 2012,
 11 or the date of the enactment of an Act authorizing funds
 12 for military construction for fiscal year 2013, whichever
 13 is later.

14 (b) TABLES.—The tables referred to in subsection (a)
 15 are as follows:

Air National Guard: Extension of 2009 Project Authorizations

State	Installation or Location	Project	Amount
Indiana	Camp Atterbury	Multipurpose Ma- chine Gun Range ..	\$5,800,000
Nevada	Elko	Readiness Center	\$11,375,000

Air National Guard: Extension of 2009 Project Authorization

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Inter- national Airport	Relocate munitions storage complex	\$3,400,000

Air Reserve: Extension of 2009 Project Authorization

State	Installation or Location	Project	Amount
New York	Staten Island	Army Reserve Center	\$18,550,000

Navy Reserve and Marine Corps Reserve: Extension of 2009 Project Authorization

State	Installation or Location	Project	Amount
Delaware	Wilmington	Armed Forces Reserve Center	\$11,530,000

1 **SEC. 2609. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2009 PROJECT.**

3 In the case of the authorization contained in the table
4 in section 2601(a) of the Military Construction Authoriza-
5 tion Act for Fiscal Year 2009 (division B of Public Law
6 110–417; 122 Stat. 4701) for Elko, Nevada, for construc-
7 tion of an Army Reserve Center, the Secretary of the
8 Army may instead construct the Army Reserve Center at
9 Carlin, Nevada.

10 **TITLE XXVII—BASE CLOSURE**
11 **AND REALIGNMENT ACTIVITIES**

12 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
13 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
14 **TIES FUNDED THROUGH DEPARTMENT OF**
15 **DEFENSE BASE CLOSURE ACCOUNT 1990.**

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 2011, for base
18 closure and realignment activities, including real property
19 acquisition and military construction projects, as author-

1 ized by the Defense Base Closure and Realignment Act
2 of 1990 (part A of title XXIX of Public Law 101–510;
3 10 U.S.C. 2687 note) and funded through the Department
4 of Defense Base Closure Account 1990 established by sec-
5 tion 2906 of such Act, in the total amount of
6 \$323,543,000, as follows:

7 (1) For the Department of the Army,
8 \$70,716,000.

9 (2) For the Department of the Navy,
10 \$129,351,000.

11 (3) For the Department of the Air Force,
12 \$123,476,000.

13 **SEC. 2702. AUTHORIZED BASE REALIGNMENT AND CLO-**
14 **SURE ACTIVITIES FUNDED THROUGH DE-**
15 **PARTMENT OF DEFENSE BASE CLOSURE AC-**
16 **COUNT 2005.**

17 Using amounts appropriated pursuant to the author-
18 ization of appropriations in section 2703, the Secretary
19 of Defense may carry out base closure and realignment
20 activities, including real property acquisition and military
21 construction projects, as authorized by the Defense Base
22 Closure and Realignment Act of 1990 (part A of title
23 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and
24 funded through the Department of Defense Base Closure

1 Account 2005 established by section 2906A of such Act,
2 in the amount of \$258,776,000.

3 **SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR**
4 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
5 **TIES FUNDED THROUGH DEPARTMENT OF**
6 **DEFENSE BASE CLOSURE ACCOUNT 2005.**

7 Funds are hereby authorized to be appropriated for
8 fiscal years beginning after September 30, 2011, for base
9 closure and realignment activities, including real property
10 acquisition and military construction projects, as author-
11 ized by the Defense Base Closure and Realignment Act
12 of 1990 (part A of title XXIX of Public Law 101–510;
13 10 U.S.C. 2687 note) and funded through the Department
14 of Defense Base Closure Account 2005 established by sec-
15 tion 2906A of such Act, in the total amount of
16 \$258,776,000 as follows:

17 (1) For the Department of the Army,
18 \$229,190,000.

19 (2) For the Department of the Navy,
20 \$25,829,000.

21 (3) For the Department of the Air Force,
22 \$1,966,000.

23 (4) For the Defense Agencies, \$1,791,000.

1 **SEC. 2704. REDUCTION OF MILITARY CONSTRUCTION AU-**
2 **THORIZATION FOR BASE REALIGNMENT AND**
3 **CLOSURE ACTIVITIES AUTHORIZED**
4 **THROUGH THE DEPARTMENT OF DEFENSE**
5 **BASE CLOSURE ACCOUNT 1990.**

6 Amounts previously authorized for base closure and
7 realignment activities, including real property acquisition
8 and military construction projects, as authorized by the
9 Defense Base Closure and Realignment Act of 1990 (part
10 A of title XXIX of Public Law 101–510; 10 U.S.C. 2687
11 note) and funded through the Department of Defense
12 Base Closure Account 1990 established by section 2906
13 of such Act for fiscal years prior to fiscal year 2012 are
14 hereby reduced by \$100,000,000.

15 **TITLE XXVIII—MILITARY CON-**
16 **STRUCTION GENERAL PROVI-**
17 **SIONS**

18 **Subtitle A—Military Construction**
19 **Program and Military Family**
20 **Housing Changes**

21 **SEC. 2801. GENERAL MILITARY CONSTRUCTION TRANSFER**
22 **AUTHORITY.**

23 (a) **AUTHORITY TO TRANSFER AUTHORIZATION OF**
24 **APPROPRIATIONS.—**

25 (1) **AUTHORITY.—**Upon a determination by the
26 Secretary of a military department, or with respect

1 to the Defense Agencies, the Secretary of Defense,
2 that such action is necessary in the national interest,
3 the Secretary concerned may transfer amounts of
4 authorization of appropriations made available to
5 that military department or Defense Agency in this
6 division for fiscal year 2012 between any such au-
7 thorization of appropriations for that military de-
8 partment or Defense Agency for that fiscal year.
9 Amounts of authorization of appropriations so trans-
10 ferred shall be merged with and be available for the
11 same purposes as the authorization of appropria-
12 tions to which transferred.

13 (2) AGGREGATE LIMIT.—The aggregate amount
14 of authorizations that the Secretaries concerned may
15 transfer under the authority of this section may not
16 exceed \$400,000,000.

17 (b) LIMITATION.—The authority provided by this sec-
18 tion to transfer authorizations may only be used to fund
19 increases in the cost of military construction projects that
20 have been authorized by law.

21 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
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 appropriation for the account to

1 which the amount is transferred by an amount equal to
2 the amount transferred.

3 (d) NOTICE TO CONGRESS.—The Secretary con-
4 cerned shall promptly notify the congressional defense
5 committees of each transfer made by that Secretary under
6 subsection (a).

7 **SEC. 2802. EXTENSION OF TEMPORARY, LIMITED AUTHOR-**
8 **ITY TO USE OPERATION AND MAINTENANCE**
9 **FUNDS FOR CONSTRUCTION PROJECTS OUT-**
10 **SIDE THE UNITED STATES.**

11 (a) ONE-YEAR EXTENSION OF AUTHORITY.—Section
12 2808 of the Military Construction Authorization Act for
13 Fiscal Year 2004 (division B of Public Law 108–136; 117
14 Stat. 1723), as most recently amended by section 2804
15 of the Military Construction Authorization Act for Fiscal
16 Year 2011 (division B of Public Law 111–383; 124 Stat.
17 4459), is amended—

18 (1) in subsection (c)(2), by striking “fiscal year
19 2011” and inserting “fiscal year 2012”; and

20 (2) in subsection (h)—

21 (A) in paragraph (1), by striking “Sep-
22 tember 30, 2011” and inserting “September 30,
23 2012”; and

24 (B) in paragraph (2), by striking “fiscal
25 year 2012” and inserting “fiscal year 2013”.

1 (b) MODIFICATION OF QUARTERLY REPORTING RE-
 2 QUIREMENT.—Subsection (g) of such section is amend-
 3 ed—

4 (1) by striking “QUARTERLY REPORTS OR” in
 5 the subsection heading;

6 (2) by striking “the report for a fiscal-year
 7 quarter under subsection (d) or”; and

8 (3) by striking “report or”.

9 (c) TECHNICAL AMENDMENTS.—Subsections (a) and
 10 (i) of such section are amended by striking “Combined
 11 Task Force-Horn of Africa” each place it appears and in-
 12 serting “Combined Joint Task Force-Horn of Africa”.

13 **SEC. 2803. CLARIFICATION OF AUTHORITY TO USE THE**
 14 **PENTAGON RESERVATION MAINTENANCE RE-**
 15 **VOLVING FUND FOR MINOR CONSTRUCTION**
 16 **AND ALTERATION ACTIVITIES AT THE PEN-**
 17 **TAGON RESERVATION.**

18 Section 2674(e)(4) of title 10, United States Code,
 19 is amended—

20 (1) by striking “The authority” and inserting
 21 “(A) Except as provided in subparagraph (B), the
 22 authority”; and

23 (2) by adding at the end the following new sub-
 24 paragraph:

1 “(B) The Secretary may use monies from the Fund
2 to support construction or alteration activities at the Pen-
3 tagon Reservation within the limits stated in section 2805
4 of this title.”.

5 **Subtitle B—Real Property and**
6 **Facilities Administration**

7 **SEC. 2811. EXCHANGE OF PROPERTY AT MILITARY INSTAL-**
8 **LATIONS.**

9 (a) EXCHANGE AUTHORITY.—Section 2869 of title
10 10, United States Code, is amended—

11 (1) in the section heading, by striking “**Con-**
12 **veyance of property at military installa-**
13 **tions to limit encroachment**” and inserting
14 **“Exchange of property at military instal-**
15 **lations**”; and

16 (2) in subsection (a)—

17 (A) in the subsection heading, by striking
18 “CONVEYANCE AUTHORIZED; CONSIDERATION”
19 and inserting “EXCHANGE AUTHORIZED”; and

20 (B) in paragraph (1), by striking “to any
21 person who agrees, in exchange for the real
22 property, to carry out a land acquisition” and
23 inserting “to any eligible entity who agrees, in
24 exchange for the real property, to transfer to
25 the United States all right, title, and interest of

1 the entity in and to a parcel of real property,
2 including any improvements thereon under their
3 control, or to carry out a land acquisition”.

4 (b) **EXTENSION OF AUTHORITY.**—Such section is
5 further amended—

6 (1) by striking subsection (f); and

7 (2) by redesignating subsections (g) and (h) as
8 subsections (f) and (g), respectively.

9 (c) **CLERICAL AMENDMENT.**—The table of sections
10 at the beginning of chapter 169 of such title is amended
11 by striking the item relating to section 2869 and inserting
12 the following new item:

“2869. Exchange of property at military installations.”.

13 **SEC. 2812. CLARIFICATION OF AUTHORITY TO LIMIT EN-**
14 **CROACHMENTS.**

15 (a) **INAPPLICABILITY OF CERTAIN CONTRACT RE-**
16 **QUIREMENTS.**—Subsection (c) of section 2684a of title 10,
17 United States Code, is amended to read as follows:

18 “(c) **INAPPLICABILITY OF CERTAIN CONTRACT RE-**
19 **QUIREMENTS.**—Notwithstanding chapter 63 of title 31, an
20 agreement under this section that is a cooperative agree-
21 ment or a grant may be used to acquire property or serv-
22 ices for the direct benefit or use of the United States Gov-
23 ernment.”.

1 (b) ACQUISITION AND ACCEPTANCE OF PROPERTY
2 AND INTERESTS.—Subsection (d) of such section is
3 amended—

4 (1) in paragraph (3)—

5 (A) by inserting “, and the monitoring and
6 enforcement of any right, title, or interest in,”
7 after “resources on”;

8 (B) by inserting “and monitoring and en-
9 forcement” after “natural resource manage-
10 ment”; and

11 (C) by adding at the end the following:
12 “Any such payment by the United States—

13 “(A) may be paid in a lump sum and in-
14 clude an amount intended to cover the future
15 costs of natural resource management and mon-
16 itoring and enforcement; and

17 “(B) shall be placed by the eligible entity
18 in an interest-bearing account, and any interest
19 shall be applied for the same purposes as the
20 principal.”; and

21 (2) in paragraph (5)—

22 (A) inserting “(A)” after “(5)”;

23 (B) by inserting after the first sentence
24 the following: “No such requirement need be in-
25 cluded in the agreement if the property or in-

1 terest is being transferred to a State, or the
2 agreement requires it to be subsequently trans-
3 ferred to a State, and the Secretary concerned
4 determines that the laws and regulations appli-
5 cable to the future use of such property or in-
6 terest provide adequate assurance that the
7 property concerned will be developed and used
8 in a manner appropriate for purposes of this
9 section.”; and

10 (C) by adding at the end the following new
11 subparagraph:

12 “(B) Notwithstanding subparagraph (A), if all or a
13 portion of the property or interest acquired under the
14 agreement is subsequently transferred to the United
15 States and administrative jurisdiction over the property
16 is under a Federal official other than a Secretary con-
17 cerned, the Secretary concerned and that Federal official
18 shall enter into a memorandum of agreement providing,
19 to the satisfaction of the Secretary concerned, for the
20 management of the property or interest concerned in a
21 manner appropriate for purposes of this section. Such
22 memorandum of agreement shall also provide that, should
23 it be proposed that the property or interest concerned be
24 developed or used in a manner not appropriate for pur-
25 poses of this section, including declaring the property to

1 be excess to the agency’s needs or proposing to exchange
2 the property for other property, the Secretary concerned
3 may request that administrative jurisdiction over the prop-
4 erty be transferred to the Secretary concerned at no cost,
5 and, upon such a request being made, the administrative
6 jurisdiction over the property shall be transferred accord-
7 ingly.”.

8 **SEC. 2813. DEPARTMENT OF DEFENSE CONSERVATION AND**
9 **CULTURAL ACTIVITIES.**

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

12 (1) in subparagraph (B), by inserting “and sus-
13 tainability” after “safety”; and

14 (2) by adding at the end the following new sub-
15 paragraph:

16 “(F) The implementation of ecosystem-wide
17 land management plans—

18 “(i) for a single ecosystem that encom-
19 passes at least two non-contiguous military in-
20 stallations, if those military installations are not
21 all under the administrative jurisdiction of the
22 same Secretary of a military department; and

23 “(ii) providing synergistic benefits unavail-
24 able if the installations acted separately.”.

1 **Subtitle C—Land Conveyances**

2 **SEC. 2821. RELEASE OF REVERSIONARY INTEREST, CAMP**

3 **JOSEPH T. ROBINSON, ARKANSAS.**

4 Section 2852 of the Military Construction Authoriza-
 5 tion Act for Fiscal Year 2010 (division B of Public Law
 6 111–84; 123 Stat. 2685) is amended by striking “to be
 7 acquired by the United States of America” and inserting
 8 “to be acquired by the Military Department of Arkansas”.

9 **SEC. 2822. CLARIFICATION OF LAND CONVEYANCE AU-**

10 **THORITY, CAMP CAITLIN AND OHANA NUI** 11 **AREAS, HAWAII.**

12 Section 2856(a) of the Military Construction Author-
 13 ization Act for Fiscal Year 2010 (division B of Public Law
 14 111–84; 123 Stat. 2689) is amended by inserting before
 15 the period at the end the following: “, before the property
 16 or portion thereof is made available for transfer pursuant
 17 to the Hawaiian Home Lands Recovery Act (title II of
 18 Public Law 104–42; 109 Stat. 357), for use by any other
 19 Federal agency, or for disposal under applicable laws”.

20 **SEC. 2823. LAND CONVEYANCE AND EXCHANGE, JOINT**

21 **BASE ELMENDORF RICHARDSON, ALASKA.**

22 (a) CONVEYANCES AUTHORIZED.—

23 (1) MUNICIPALITY OF ANCHORAGE.—The Sec-
 24 retary of the Air Force may, in consultation with the
 25 Secretary of the Interior, convey to the Municipality

1 of Anchorage (in this section referred to as the “Mu-
2 nicipality”) all right, title, and interest of the United
3 States in and to all or any part of a parcel of real
4 property, including any improvements thereon, con-
5 sisting of approximately 220 acres at JBER situated
6 to the west of and adjacent to the Anchorage Re-
7 gional Landfill in Anchorage, Alaska, for solid waste
8 management purposes, including reclamation there-
9 of, and for alternative energy production, and other
10 related activities. This authority may not be exer-
11 cised unless and until the March 15, 1982, North
12 Anchorage Land Agreement is amended by the par-
13 ties thereto to specifically permit the conveyance
14 under this subparagraph.

15 (2) EKLUTNA, INC.—The Secretary of the Air
16 Force may, in consultation with the Secretary of the
17 Interior, upon terms mutually agreeable to the Sec-
18 retary of the Air Force and Eklutna, Inc., an Alaska
19 Native village corporation organized pursuant to the
20 Alaska Native Claims Settlement Act (43 U.S.C.
21 1601 et seq.) (in this section referred to as
22 “Eklutna”), convey to Eklutna all right, title, and
23 interest of the United States in and to all or any
24 part of a parcel of real property, including any im-
25 provements thereon, consisting of approximately 130

1 acres situated on the northeast corner of the Glenn
2 Highway and Boniface Parkway in Anchorage, Alas-
3 ka, or such other property as may be identified in
4 consultation with the Secretary of the Interior, for
5 any use compatible with JBER's current and rea-
6 sonably foreseeable mission as determined by the
7 Secretary of the Air Force.

8 (3) RIGHT TO WITHHOLD TRANSFER.—The
9 Secretary may withhold transfer of any portion of
10 the real property described in paragraphs (1) and
11 (2) based on public interest or military mission re-
12 quirements.

13 (b) CONSIDERATION.—

14 (1) MUNICIPALITY PROPERTY.—As consider-
15 ation for the conveyance under subsection (a)(1), the
16 Secretary of the Air Force shall receive in-kind solid
17 waste management services at the Anchorage Re-
18 gional Landfill or such other consideration as deter-
19 mined satisfactory by the Secretary equal to at least
20 fair market value of the property conveyed.

21 (2) EKLUTNA PROPERTY.—As consideration for
22 the conveyance under subsection (a)(2), the Sec-
23 retary of the Air Force is authorized to receive, upon
24 terms mutually agreeable to the Secretary and
25 Eklutna, such interests in the surface estate of real

1 property owned by Eklutna and situated at the
2 northeast boundary of JBER and other consider-
3 ation as considered satisfactory by the Secretary
4 equal to at least fair market value of the property
5 conveyed.

6 (c) PAYMENT OF COSTS OF CONVEYANCE.—

7 (1) PAYMENT REQUIRED.—The Secretary of
8 the Air Force shall require the Municipality and
9 Eklutna to reimburse the Secretary to cover costs
10 (except costs for environmental remediation of the
11 property) to be incurred by the Secretary, or to re-
12 imburse the Secretary for costs incurred by the Sec-
13 retary, to carry out the conveyances under sub-
14 section (a), including survey costs, costs for environ-
15 mental documentation, and any other administrative
16 costs related to the conveyance.

17 (2) TREATMENT OF AMOUNTS RECEIVED.—

18 Amounts received as reimbursement under para-
19 graph (1) shall be credited to the fund or account
20 that was used to cover those costs incurred by the
21 Secretary in carrying out the conveyance. Amounts
22 so credited shall be merged with amounts in such
23 fund or account, and shall be available for the same
24 purposes, and subject to the same conditions and
25 limitations, as amounts in such fund or account.

1 (d) TREATMENT OF CASH CONSIDERATION RE-
2 CEIVED.—Any cash payment received by the United
3 States as consideration for the conveyances under sub-
4 section (a) shall be deposited in the special account in the
5 Treasury established under subsection (b) of section 572
6 of title 40, United States Code, and shall be available in
7 accordance with paragraph (5)(B) of such subsection.

8 (e) DESCRIPTION OF PROPERTY.—The exact acreage
9 and legal description of the real property to be conveyed
10 under subsection (a) shall be determined by surveys satis-
11 factory to the Secretary.

12 (f) OTHER OR ADDITIONAL TERMS AND CONDI-
13 TIONS.—The Secretary may require such additional terms
14 and conditions in connection with the conveyances under
15 subsection (a) as the Secretary considers appropriate to
16 protect the interests of the United States.

17 **Subtitle D—Other Matters**

18 **SEC. 2831. INVESTMENT PLAN FOR THE MODERNIZATION** 19 **OF PUBLIC SHIPYARDS UNDER JURISDIC-** 20 **TION OF DEPARTMENT OF THE NAVY.**

21 (a) PLAN REQUIRED.—Not later than March 1,
22 2012, the Secretary of the Navy shall submit to the con-
23 gressional defense committees a plan to address the facili-
24 ties and infrastructure requirements at each public ship-

1 yard under the jurisdiction of the Department of the
2 Navy.

3 (b) CONTENT.—The report required under subsection
4 (a) shall include the following elements:

5 (1) A description of the operations and support
6 required at each shipyard under the control of the
7 Secretary, including the location, year constructed,
8 the classes of ships serviced, number of personnel
9 assigned, and the average age of facilities at each lo-
10 cation.

11 (2) A review of all workload requirements in the
12 past 5 years, an assessment of the efficiency in the
13 use of existing facilities to meet the workload, and
14 an estimate of the workload planned for each ship-
15 yard through the current Future Years Defense
16 plan.

17 (3) An assessment of the adequacy of each fa-
18 cility—

19 (A) to carry out efficient depot-level ship
20 maintenance with modern technology and equip-
21 ment;

22 (B) to ensure workplace safety;

23 (C) to support nuclear-related activities
24 (where applicable);

1 (D) to maintain the quality of life of the
2 workforce; and

3 (E) to meet the energy savings goals of the
4 Secretary of the Navy for military installations.

5 (4) An assessment of the existing condition of
6 each facility at each shipyard to include a review of
7 existing and projected deficiencies or inadequate
8 conditions at each facility, and whether any of the
9 facilities listed are temporary structures.

10 (5) A description and cost estimate for each
11 project to improve, repair, renovate, or modernize fa-
12 cilities or infrastructure.

13 (6) A description of the facility improvements
14 or new construction projects at each shipyard that
15 would improve the efficiency of the facility's oper-
16 ations or generate energy savings based upon a busi-
17 ness case analysis.

18 (7) An investment strategy planned for each
19 shipyard to correct deficiencies identified in para-
20 graph (4), including timelines to complete each
21 project and cost estimates and timelines necessary to
22 complete the projects identified in paragraph (6).

23 (8) A list of projects, costs, and timelines
24 through the future years defense plan to meet the
25 requirements of the minimum capital investment

1 percentage required under section 2476 of title 10,
2 United States Code.

3 **SEC. 2832. DATA SERVERS AND CENTERS.**

4 (a) LIMITATIONS ON OBLIGATION OF FUNDS.—

5 (1) LIMITATIONS.—

6 (A) BEFORE PERFORMANCE PLAN.—Dur-
7 ing the period beginning on the date of the en-
8 actment of this Act and ending on May 1,
9 2012, a department, agency, or component of
10 the Department of Defense may not obligate
11 funds for a data server, data server upgrade,
12 data server farm, or data center unless ap-
13 proved by the Chief Information Officer of the
14 Department of Defense or the Chief Informa-
15 tion Officer of a component of the Department
16 to whom the Chief Information Officer of the
17 Department has specifically delegated such ap-
18 proval authority.

19 (B) UNDER PERFORMANCE PLAN.—After
20 May 1, 2012, a department, agency, or compo-
21 nent of the Department may not obligate funds
22 for a data center, or any information systems
23 technology used therein, unless that obligation
24 is in accordance with the performance plan re-

1 required by subsection (b) and is approved as de-
2 scribed in subparagraph (A).

3 (2) REQUIREMENTS FOR APPROVALS.—

4 (A) BEFORE PERFORMANCE PLAN.—An
5 approval of the obligation of funds may not be
6 granted under paragraph (1)(A) unless the offi-
7 cial granting the approval determines, in writ-
8 ing, that existing resources of the agency, com-
9 ponent, or element concerned cannot affordably
10 or practically be used or modified to meet the
11 requirements to be met through the obligation
12 of funds.

13 (B) UNDER PERFORMANCE PLAN.—An ap-
14 proval of the obligation of funds may not be
15 granted under paragraph (1)(B) unless the offi-
16 cial granting the approval determines that—

17 (i) existing resources of the Depart-
18 ment do not meet the operation require-
19 ments to be met through the obligation of
20 funds; and

21 (ii) the proposed obligation is in ac-
22 cordance with the performance standards
23 and measures established by the Chief In-
24 formation Officer of the Department under
25 subsection (b).

1 (3) REPORTS.—Not later than 30 days after
2 the end of each calendar quarter, each Chief Infor-
3 mation Officer of a component of the Department
4 who grants an approval under paragraph (1) during
5 such calendar quarter shall submit to the Chief In-
6 formation Officer of the Department a report on the
7 approval or approvals so granted during such cal-
8 endar quarter.

9 (b) PERFORMANCE PLAN FOR REDUCTION OF RE-
10 SOURCES REQUIRED FOR DATA SERVERS AND CEN-
11 TERS.—

12 (1) COMPONENT PLANS.—

13 (A) IN GENERAL.—Not later than January
14 15, 2012, the Secretaries of the military depart-
15 ments and the heads of the Defense Agencies
16 shall each submit to the Chief Information Offi-
17 cer of the Department a plan for the depart-
18 ment or agency concerned to achieve the fol-
19 lowing:

20 (i) A reduction in the square feet of
21 floor space devoted to information systems
22 technologies, attendant support tech-
23 nologies, and operations within data cen-
24 ters.

1 (ii) A reduction in the use of all utili-
2 ties necessary to power and cool informa-
3 tion systems technologies and data centers.

4 (iii) An increase in multi-organiza-
5 tional utilization of data centers, informa-
6 tion systems technologies, and associated
7 resources.

8 (iv) A reduction in the investment for
9 capital infrastructure or equipment re-
10 quired to support data centers as meas-
11 ured in cost per megawatt of data storage.

12 (v) A reduction in the number of com-
13 mercial and government developed applica-
14 tions running on data servers and within
15 data centers.

16 (vi) A reduction in the number of gov-
17 ernment and vendor provided full-time
18 equivalent personnel, and in the cost of
19 labor, associated with the operation of data
20 servers and data centers.

21 (B) SPECIFICATION OF REQUIRED ELE-
22 MENTS.—The Chief Information Officer of the
23 Department shall specify the particular per-
24 formance standards and measures and imple-
25 mentation elements to be included in the plans

1 submitted under this paragraph, including spe-
2 cific goals and schedules for achieving the mat-
3 ters specified in subparagraph (A).

4 (2) DEFENSE-WIDE PLAN.—

5 (A) IN GENERAL.—Not later than April 1,
6 2012, the Chief Information Officer of the De-
7 partment shall submit to the congressional de-
8 fense committees a performance plan for a re-
9 duction in the resources required for data cen-
10 ters and information systems technologies De-
11 partment-wide. The plan shall be based upon
12 and incorporate appropriate elements of the
13 plans submitted under paragraph (1).

14 (B) ELEMENTS.—The performance plan
15 required under this paragraph shall include the
16 following:

17 (i) A Department-wide performance
18 plan for achieving the matters specified in
19 paragraph (1)(A), including performance
20 standards and measures for data centers
21 and information systems technologies,
22 goals and schedules for achieving such
23 matters, and an estimate of cost savings
24 anticipated through implementation of the
25 plan.

1 (ii) A Department-wide strategy for
2 each of the following:

3 (I) Desktop, laptop, and mobile
4 device virtualization.

5 (II) Transitioning to cloud com-
6 puting.

7 (III) Migration of Defense data
8 and government-provided services
9 from Department-owned and operated
10 data centers to cloud computing serv-
11 ices generally available within the pri-
12 vate sector that provide a better capa-
13 bility at a lower cost with the same or
14 greater degree of security.

15 (IV) Utilization of private sector-
16 managed security services for data
17 centers and cloud computing services.

18 (V) A finite set of metrics to ac-
19 curately and transparently report on
20 data center infrastructure (space,
21 power and cooling): age, cost, capac-
22 ity, usage, energy efficiency and utili-
23 zation, accompanied with the aggre-
24 gate data for each data center site in
25 use by the Department in excess of

1 100 kilowatts of information tech-
2 nology power demand.

3 (VI) Transitioning to just-in-time
4 delivery of Department-owned data
5 center infrastructure (space, power
6 and cooling) through use of modular
7 data center technology and integrated
8 data center infrastructure manage-
9 ment software.

10 (3) RESPONSIBILITY.—The Chief Information
11 Officer of the Department shall discharge the re-
12 sponsibility for establishing performance standards
13 and measures for data centers and information sys-
14 tems technologies for purposes of this subsection.
15 Such responsibility may not be delegated.

16 (c) EXCEPTION.—The Chief Information Officer of
17 the Department and the Chief Information Officer of the
18 Office of the Director of National Intelligence may jointly
19 exempt from the applicability of this section such intel-
20 ligence components of the Department of Defense (and the
21 programs and activities thereof) that are funded through
22 the National Intelligence Program (NIP) as the Chief In-
23 formation Officers consider appropriate.

24 (d) REPORTS ON COST SAVINGS.—

1 (1) IN GENERAL.—Not later than March 1 of
 2 each fiscal year, and ending in fiscal year 2016, the
 3 Chief Information Officer of the Department shall
 4 submit to the appropriate committees of Congress a
 5 report on the cost savings, cost reductions, cost
 6 avoidances, and performance gains achieved, and an-
 7 ticipated to be achieved, as of the date of such re-
 8 port as a result of activities undertaken under this
 9 section.

10 (2) APPROPRIATE COMMITTEES OF CONGRESS
 11 DEFINED.—In this subsection, the term “appro-
 12 priate committees of Congress” means—

13 (A) the Committee on Armed Services, the
 14 Committee on Appropriations, and the Select
 15 Committee on Intelligence of the Senate; and

16 (B) the Committee on Armed Services, the
 17 Committee on Appropriations, and the Perma-
 18 nent Select Committee on Intelligence of the
 19 House of Representatives.

20 **SEC. 2833. REDESIGNATION OF MIKE O’CALLAGHAN FED-**
 21 **ERAL HOSPITAL IN NEVADA AS MIKE**
 22 **O’CALLAGHAN FEDERAL MEDICAL CENTER.**

23 (a) REDESIGNATION.—Section 2867 of the Military
 24 Construction Authorization Act for Fiscal Year 1997 (di-
 25 vision B of Public Law 104–201; 110 Stat. 2806), as

1 amended by section 8135(a) of the Department of Defense
 2 Appropriations Act, 1997 (section 101(b) of division A of
 3 the Omnibus Consolidated Appropriations Act, 1997
 4 (Public Law 104–208; 110 Stat. 3009–118)), is further
 5 amended by striking “Mike O’Callaghan Federal Hos-
 6 pital” each place it appears and inserting “Mike
 7 O’Callaghan Federal Medical Center”.

8 (b) CONFORMING AMENDMENT.—The heading of
 9 such section 2867 is amended to read as follows:

10 **“SEC. 2867. MIKE O’CALLAGHAN FEDERAL MEDICAL CEN-
 11 TER.”.**

12 **DIVISION C—DEPARTMENT OF
 13 ENERGY NATIONAL SECURITY
 14 AUTHORIZATIONS AND
 15 OTHER AUTHORIZATIONS**

16 **TITLE XXXI—DEPARTMENT OF
 17 ENERGY NATIONAL SECURITY
 18 PROGRAMS**

19 **Subtitle A—National Security
 20 Programs Authorizations**

21 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-
 22 TION.**

23 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
 24 are hereby authorized to be appropriated to the Depart-
 25 ment of Energy for fiscal year 2012 for the activities of

1 the National Nuclear Security Administration in carrying
2 out programs as specified in the funding table in section
3 4601.

4 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
5 From funds referred to in subsection (a) that are available
6 for carrying out plant projects, the Secretary of Energy
7 may carry out the following new plant project for the Na-
8 tional Nuclear Security Administration:

9 Project 12–D–301, Transuranic (TRU) Waste
10 Facility, Los Alamos National Laboratory, Los Ala-
11 mos, New Mexico, \$13,481,000.

12 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

13 Funds are hereby authorized to be appropriated to
14 the Department of Energy for fiscal year 2012 for defense
15 environmental cleanup activities in carrying out programs
16 as specified in the funding table in section 4601.

17 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

18 Funds are hereby authorized to be appropriated to
19 the Department of Energy for fiscal year 2012 for other
20 defense activities in carrying out programs as specified in
21 the funding table in section 4601.

1 **Subtitle B—Program Authoriza-**
2 **tions, Restrictions, and Limita-**
3 **tions**

4 **SEC. 3111. REVIEW OF SECURITY VULNERABILITIES OF NA-**
5 **TIONAL LABORATORY COMPUTERS.**

6 (a) IN GENERAL.—Section 4508 of the Atomic En-
7 ergy Defense Act (50 U.S.C. 2659) is amended to read
8 as follows:

9 **“SEC. 4508. REVIEW OF SECURITY VULNERABILITIES OF NA-**
10 **TIONAL LABORATORY COMPUTERS.**

11 “(a) IN GENERAL.—The Secretary of Energy shall—

12 “(1) not later than one year after the date of
13 the enactment of the National Defense Authoriza-
14 tion Act for Fiscal Year 2012, and annually there-
15 after, review the security vulnerabilities of the com-
16 puters of each national laboratory; and

17 “(2) if, in conducting a review under paragraph
18 (1), the Secretary discovers a significant vulner-
19 ability in a national laboratory computer, promptly
20 notify the congressional defense committees of the
21 vulnerability.

22 “(b) ELEMENTS.—A notification submitted under
23 subsection (a) with respect to a significant vulnerability
24 of a national laboratory computer shall include the fol-
25 lowing:

1 “(1) A description of the vulnerability.

2 “(2) An assessment of the loss, if any, of classi-
3 fied or unclassified data as a result of the vulner-
4 ability.

5 “(3) An assessment of the harm to national se-
6 curity or individual privacy resulting from the loss,
7 if any, of such data.

8 “(4) A description of the actions taken to ad-
9 dress the vulnerability.

10 “(c) NATIONAL LABORATORY DEFINED.—In this
11 section, the term ‘national laboratory’ has the meaning
12 given that term in section 4502(g)(3).”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 for the Atomic Energy Defense Act is amended by striking
15 the item relating to section 4508 and inserting the fol-
16 lowing new item:

 “Sec. 4508. Review of security vulnerabilities of national laboratory com-
 puters.”.

1 **SEC. 3112. REVIEW BY SECRETARY OF ENERGY AND SEC-**
2 **RETARY OF DEFENSE OF COMPTROLLER**
3 **GENERAL ASSESSMENT OF BUDGET RE-**
4 **QUESTS WITH RESPECT TO THE MODERNIZA-**
5 **TION AND REFURBISHMENT OF THE NU-**
6 **CLEAR SECURITY COMPLEX.**

7 Section 3255(a) of the National Nuclear Security Ad-
8 ministration Act (50 U.S.C. 2455(a)) is amended by add-
9 ing at the end the following new paragraph:

10 “(3) The Secretary of Energy shall, in consultation
11 with the Secretary of Defense—

12 “(A) review the report submitted by the Comp-
13 troller General under paragraph (2); and

14 “(B) not later than 30 days after receiving that
15 report, submit to the congressional defense commit-
16 tees a report that includes—

17 “(i) the results of the review conducted
18 under subparagraph (A);

19 “(ii) the views of the Secretary of Energy
20 and the Secretary of Defense with respect to—

21 “(I) the findings of the Comptroller
22 General in the report submitted under
23 paragraph (2); and

24 “(II) whether the actual funding level
25 for the fiscal year in which the report is
26 submitted under this subparagraph is suf-

1 ficient for the modernization of the nuclear
2 security complex and the refurbishment of
3 the nuclear weapons stockpile; and

4 “(iii) a description of any measures the
5 Administration plans to take in response to the
6 findings of the Comptroller General.”.

7 **SEC. 3113. AIRCRAFT PROCUREMENT.**

8 Of the amounts authorized to be appropriated and
9 made available for obligation under section 3101 for weap-
10 ons activities for any fiscal year before fiscal year 2013,
11 the Secretary of Energy may procure not more than one
12 aircraft.

13 **SEC. 3114. LIMITATION ON USE OF FUNDS FOR ESTABLISH-**
14 **MENT OF CENTERS OF EXCELLENCE IN**
15 **COUNTRIES OUTSIDE OF THE FORMER SO-**
16 **VIET UNION.**

17 Not more than \$500,000 of the funds authorized to
18 be appropriated by section 3101 and made available by
19 the funding table in section 4601 for defense nuclear non-
20 proliferation activities may be obligated or expended to es-
21 tablish a center of excellence in a country that is not a
22 state of the former Soviet Union until the date that is
23 15 days after the date on which the Administrator for Nu-
24 clear Security submits to the congressional defense com-
25 mittees a report that includes the following:

1 (1) An identification of the country in which
2 the center will be located.

3 (2) A description of the purpose for which the
4 center will be established.

5 (3) The agreement under which the center will
6 operate.

7 (4) A funding plan for the center, including—

8 (A) the amount of funds to be provided by
9 the government of the country in which the cen-
10 ter will be located; and

11 (B) the percentage of the total cost of es-
12 tablishing and operating the center the funds
13 described in subparagraph (A) will cover.

14 **SEC. 3115. RECOGNITION AND STATUS OF NATIONAL ATOM-**
15 **IC TESTING MUSEUM.**

16 Section 3137 of the National Defense Authorization
17 Act for Fiscal Years 1992 and 1993 (42 U.S.C. 7142)
18 is amended—

19 (1) in the section heading, by inserting “**AND**
20 **NATIONAL ATOMIC TESTING MUSEUM**” after
21 “**ATOMIC MUSEUM**”; and

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

24 “(d) **RECOGNITION AND STATUS OF NATIONAL**
25 **ATOMIC TESTING MUSEUM.**—The museum operated by

1 the Nevada Test Site Historical Foundation and located
2 in Las Vegas, Nevada—

3 “(1) is recognized as the official atomic testing
4 museum of the United States;

5 “(2) shall be known as the ‘National Atomic
6 Testing Museum’; and

7 “(3) shall have the sole right throughout the
8 United States and its possessions to have and use
9 the name ‘National Atomic Testing Museum’.”.

10 **Subtitle C—Reports**

11 **SEC. 3121. REPORT ON FEASIBILITY OF FEDERALIZING THE** 12 **SECURITY PROTECTIVE FORCES CONTRACT** 13 **GUARD WORKFORCE AT CERTAIN DEPART-** 14 **MENT OF ENERGY FACILITIES.**

15 (a) IN GENERAL.—Not later than one year after the
16 date of the enactment of this Act, the Secretary of Energy
17 and the Administrator for Nuclear Security shall jointly
18 submit to the congressional defense committees—

19 (1) a report on the feasibility of federalizing
20 some or all of the security protective forces contract
21 guard workforce at the facilities specified in sub-
22 section (d); and

23 (2) the comments of the Comptroller General of
24 the United States on that report required under sub-
25 section (b).

1 (b) COMMENTS BY COMPTROLLER GENERAL.—The
2 Secretary and the Administrator shall provide the draft
3 text of the report required by subsection (a)(1) to the
4 Comptroller General of the United States for review and
5 comment before submitting the report to the congressional
6 defense committees.

7 (c) ELEMENTS.—The report required by subsection
8 (a)(1) shall include the following:

9 (1) An evaluation of the feasibility of converting
10 the security protective forces contract workforce at
11 the facilities specified in subsection (d) into a force
12 made up, in whole or in part, of full-time Federal
13 employees.

14 (2) An estimate of the immediate and projected
15 costs of any such conversion.

16 (3) An estimate of the immediate and projected
17 costs of maintaining guards under contract status
18 and of maintaining guards as full-time Federal em-
19 ployee.

20 (4) An assessment of the effects of any such
21 conversion on security, including an analysis of the
22 effects of using a Federal security guard, a Federal
23 police officer, or a Federal protective service officer
24 instead of a contract guard.

1 (5) An estimate of the hourly and annual costs
2 of—

3 (A) contract guards, including benefits and
4 overtime; and

5 (B) any comparably trained and equipped
6 Federal force with comparable physical and
7 other requirements.

8 (6) A comparison of similar conversions of large
9 groups of contract workers to full-time Federal em-
10 ployees and an assessment of the potential benefits
11 and challenges of such conversions.

12 (7) The views of the Secretary and the Admin-
13 istrator on the feasibility of—

14 (A) converting the security protective
15 forces contract workforce at the facilities speci-
16 fied in subsection (d) into a force made up, in
17 whole or in part, of full-time Federal employees;

18 (B) maintaining the security protective
19 forces contract workforce in its current form;
20 and

21 (C) instituting some or all of the changes
22 recommended in the Implementation Plan for
23 the 29 Recommendations of the Protective
24 Force Career Options Study Group prepared
25 pursuant to the Report of the Committee on

1 Appropriations of the House of Representatives
2 (House Report No. 111–230) accompanying the
3 Department of Defense Appropriations Act,
4 2010 (Public Law 111–118; 123 Stat. 3409).

5 (d) FACILITIES SPECIFIED.—The facilities specified
6 in this subsection are the following:

7 (1) The Albuquerque National Nuclear Security
8 Administration Service Center, Albuquerque, New
9 Mexico.

10 (2) The Argonne National Laboratory and the
11 Argonne Site Office, Argonne, Illinois, and the Chi-
12 cago Service Center, Chicago, Illinois.

13 (3) The Brookhaven National Laboratory and
14 Brookhaven Site Office, Upton, New York.

15 (4) The Idaho National Laboratory and the
16 Idaho Site Office, Idaho Falls, Idaho.

17 (5) The Kansas City Plant and the Kansas City
18 Site Office, Kansas City, Missouri.

19 (6) The Lawrence Livermore National Labora-
20 tory and the Livermore Site Office, Livermore, Cali-
21 fornia.

22 (7) The Los Alamos National Laboratory and
23 the Los Alamos Site Office, Los Alamos, New Mex-
24 ico.

1 (8) The National Energy Technology Labora-
2 tory.

3 (9) The Nevada Site Office and the Nevada Na-
4 tional Security Site, Nevada.

5 (10) The Oak Ridge National Laboratory, the
6 Oak Ridge Office of the Department of Energy, and
7 the East Tennessee Technology Park of the Depart-
8 ment of Energy, Oak Ridge, Tennessee.

9 (11) The Office of Secure Transportation of the
10 Department of Energy and associated field locations.

11 (12) The Pantex Plant and Pantex Site Office,
12 Amarillo, Texas.

13 (13) The Pittsburgh Naval Reactors Office, the
14 Bettis Atomic Power Laboratory, the Idaho Naval
15 Reactors Facility, and the Knolls Atomic Power
16 Laboratory.

17 (14) The Portsmouth Gaseous Diffusion Plant,
18 Piketon, Ohio, and the Paducah Gaseous Diffusion
19 Plant, Paducah, Kentucky.

20 (15) The Richland Operations Office and the
21 Hanford Site, Richland, Washington.

22 (16) The Sandia National Laboratories and the
23 Sandia Site Office, Albuquerque, New Mexico.

24 (17) The Savannah River Plant and the Savan-
25 nah River Site Office of the Office of Environmental

1 Management of the Department of Energy, Aiken,
2 South Carolina.

3 (18) The Savannah River National Laboratory,
4 Aiken, South Carolina.

5 (19) The National Savannah River Site Office
6 and the Tritium Extraction Facility and Mixed
7 Oxide Fuel Fabrication Facility of the National Nu-
8 clear Security Administration, Aiken, South Caro-
9 lina.

10 (20) The Strategic Petroleum Reserve Project
11 Office and the Strategic Petroleum Reserve Sites.

12 (21) The Waste Isolation Pilot Plant, Carlsbad,
13 New Mexico.

14 (22) The Y-12 Site Office and the Y-12 Na-
15 tional Security Complex of the National Nuclear Se-
16 curity Administration, Oak Ridge, Tennessee.

17 **SEC. 3122. COMPTROLLER GENERAL STUDY ON OVERSIGHT**
18 **OF DEPARTMENT OF ENERGY DEFENSE NU-**
19 **CLEAR FACILITIES.**

20 (a) IN GENERAL.—The Comptroller General of the
21 United States shall conduct a study of the value of and
22 the need for external regulation or external oversight of
23 the safety of nuclear operations and the design and con-
24 struction of nuclear facilities at the Department of Energy

1 defense nuclear facilities to protect the public health and
2 safety.

3 (b) ELEMENTS.—The study required by subsection
4 (a) shall include the following:

5 (1) An assessment of the value of and the need
6 for external regulation or external oversight, or a
7 combination of both, of the safety of nuclear oper-
8 ations and the design and construction of nuclear fa-
9 cilities at the Department of Energy defense nuclear
10 facilities.

11 (2) An assessment of the ability of existing reg-
12 ulatory authorities to regulate safety at the Depart-
13 ment of Energy defense nuclear facilities.

14 (3) An assessment of the ability of the Defense
15 Nuclear Facilities Safety Board to regulate safety at
16 the Department of Energy defense nuclear facilities.

17 (4) An assessment of the current functions of
18 the Board and whether those functions should be
19 modified or amended, including whether the Depart-
20 ment of Energy should pay an oversight fee to the
21 Board.

22 (5) An assessment of the relative advantages
23 and disadvantages to the Department of Energy and
24 the public of—

1 (A) continuing the oversight functions of
2 the Board; or

3 (B) replacing the oversight functions of the
4 Board with external regulation of some or all of
5 the Department of Energy defense nuclear fa-
6 cilities.

7 (6) A list of all existing or planned Department
8 of Energy defense nuclear facilities that are similar
9 to facilities under the regulatory jurisdiction of the
10 Nuclear Regulatory Commission.

11 (7)(A) A list of each existing Department of
12 Energy defense nuclear facility or activity relating to
13 such a facility that the Comptroller General rec-
14 ommends should—

15 (i) remain within the oversight jurisdiction
16 of the Board for a period of time or indefi-
17 nitely; or

18 (ii) be transferred to the jurisdiction of an
19 outside regulatory authority; and

20 (B) the basis for the recommendations of the
21 Comptroller General.

22 (8) For any existing Department of Energy de-
23 fense nuclear facilities that the Comptroller General
24 recommends should be transferred to the jurisdiction
25 of an outside regulatory authority—

1 (A) the date by which that transfer should
2 occur and the period of time necessary for the
3 transfer; and

4 (B) whether the regulatory authority
5 should be an existing or new regulatory author-
6 ity.

7 (9) A list of any proposed Department of En-
8 ergy defense nuclear facilities and a recommendation
9 of the Comptroller General with respect to whether
10 each such facility—

11 (A) should come under the oversight juris-
12 diction of the Board or be transferred to the ju-
13 risdiction of an outside regulatory authority;
14 and

15 (B) if the Comptroller General rec-
16 ommends that the facility be transferred to the
17 jurisdiction of any outside regulatory authority,
18 whether the regulatory authority should be an
19 existing or new regulatory authority.

20 (10) An assessment of the comparative advan-
21 tages and disadvantages to the Department of En-
22 ergy and to public health and safety of the transfer
23 of some or all of the Department of Energy defense
24 nuclear facilities from the oversight jurisdiction of

1 the Board to the jurisdiction of an outside regu-
2 latory authority.

3 (11) An assessment of the comparative costs
4 associated with external oversight or external regula-
5 tion of safety at Department of Energy defense nu-
6 clear facilities.

7 (12) Any other recommendations of the Comp-
8 troller General with respect to external regulation or
9 oversight of safety at the Department of Energy.

10 (c) INTERIM REPORT.—Not later than 180 days after
11 the date of the enactment of this Act, the Comptroller
12 General shall submit to the congressional defense commit-
13 tees an interim report on the status of the study conducted
14 under subsection (a).

15 (d) FINAL REPORT.—Not later than one year after
16 the date of the enactment of this Act, the Comptroller
17 General shall submit to the congressional defense commit-
18 tees, the Secretary of Energy, the Defense Nuclear Facili-
19 ties Safety Board, and the Nuclear Regulatory Commis-
20 sion the final report of the Comptroller General that con-
21 tains the findings and recommendations of the Comp-
22 troller General resulting from the study conducted under
23 subsection (a).

24 (e) COMMENTS ON REPORT.—Not later than 180
25 days after receiving the final report from the Comptroller

1 General under subsection (d), the Secretary of Energy, the
2 Defense Nuclear Facilities Safety Board, and the Nuclear
3 Regulatory Commission shall submit to the congressional
4 defense committees the comments of the Secretary, the
5 Board, or the Commission (as the case may be) on the
6 report.

7 (f) DEPARTMENT OF ENERGY DEFENSE NUCLEAR
8 FACILITY DEFINED.—In this section, the term “Depart-
9 ment of Energy defense nuclear facility” has the meaning
10 given that term in section 318 of the Atomic Energy Act
11 of 1954 (42 U.S.C. 2286g).

12 **SEC. 3123. PLAN TO COMPLETE THE GLOBAL INITIATIVES**
13 **FOR PROLIFERATION PREVENTION PRO-**
14 **GRAM IN THE RUSSIAN FEDERATION.**

15 At or about the same time that the budget of the
16 President for fiscal year 2013 is submitted to Congress
17 under section 1105(a) of title 31, United States Code, the
18 Administrator for Nuclear Security shall submit to Con-
19 gress a plan to complete the Global Initiatives for Pro-
20 liferation Prevention program in the Russian Federation
21 by the end of calendar year 2013.

1 **TITLE XXXII—DEFENSE NU-**
2 **CLEAR FACILITIES SAFETY**
3 **BOARD**

4 **SEC. 3201. AUTHORIZATION.**

5 There are authorized to be appropriated for fiscal
6 year 2012, \$33,317,000 for the operation of the Defense
7 Nuclear Facilities Safety Board under chapter 21 of the
8 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq).

9 **SEC. 3202. AUTHORITY OF THE DEFENSE NUCLEAR FACILI-**
10 **TIES SAFETY BOARD TO REVIEW THE FACIL-**
11 **ITY DESIGN AND CONSTRUCTION OF CON-**
12 **STRUCTION PROJECT 10-D-904 OF THE NA-**
13 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
14 **TION.**

15 Notwithstanding section 318(1)(A) of the Atomic En-
16 ergy Act of 1954 (42 U.S.C. 2286g(1)(A)), the Defense
17 Nuclear Facilities Safety Board shall exercise the author-
18 ity of the Board under section 312(a)(4) of that Act (42
19 U.S.C. 2286a(a)(4)) to review the design of, and review
20 and monitor construction with respect to, Construction
21 Project 10-D-904 of the National Nuclear Security Ad-
22 ministration.

1 **TITLE XXXIII—MARITIME**
2 **ADMINISTRATION**

3 **SEC. 3301. MARITIME ADMINISTRATION.**

4 Section 109 of title 49, United States Code, is
5 amended to read as follows:

6 **“§ 109. Maritime Administration**

7 “(a) ORGANIZATION.—The Maritime Administration
8 is an administration in the Department of Transportation.

9 “(b) MARITIME ADMINISTRATOR.—The head of the
10 Maritime Administration is the Maritime Administrator,
11 who is appointed by the President by and with the advice
12 and consent of the Senate. The Administrator shall report
13 directly to the Secretary of Transportation and carry out
14 the duties prescribed by the Secretary.

15 “(c) DEPUTY MARITIME ADMINISTRATOR.—The
16 Maritime Administration shall have a Deputy Maritime
17 Administrator, who is appointed in the competitive service
18 by the Secretary, after consultation with the Adminis-
19 trator. The Deputy Administrator shall carry out the du-
20 ties prescribed by the Administrator. The Deputy Admin-
21 istrator shall be Acting Administrator during the absence
22 or disability of the Administrator and, unless the Sec-
23 retary designates another individual, during a vacancy in
24 the office of Administrator.

1 “(d) DUTIES AND POWERS VESTED IN SEC-
2 RETARY.—All duties and powers of the Maritime Adminis-
3 tration are vested in the Secretary.

4 “(e) REGIONAL OFFICES.—The Maritime Adminis-
5 tration shall have regional offices for the Atlantic, Gulf,
6 Great Lakes, and Pacific port ranges, and may have other
7 regional offices as necessary. The Secretary shall appoint
8 a qualified individual as Director of each regional office.
9 The Secretary shall carry out appropriate activities and
10 programs of the Maritime Administration through the re-
11 gional offices.

12 “(f) INTERAGENCY AND INDUSTRY RELATIONS.—
13 The Secretary shall establish and maintain liaison with
14 other agencies, and with representative trade organiza-
15 tions throughout the United States, concerned with the
16 transportation of commodities by water in the export and
17 import foreign commerce of the United States, for the pur-
18 pose of securing preference to vessels of the United States
19 for the transportation of those commodities.

20 “(g) DETAILING OFFICERS FROM ARMED FORCES.—
21 To assist the Secretary in carrying out duties and powers
22 relating to the Maritime Administration, not more than
23 five officers of the armed forces may be detailed to the
24 Secretary at any one time, in addition to details author-
25 ized by any other law. During the period of a detail, the

1 Secretary shall pay the officer an amount that, when
2 added to the officer's pay and allowances as an officer in
3 the armed forces, makes the officer's total pay and allow-
4 ances equal to the amount that would be paid to an indi-
5 vidual performing work the Secretary considers to be of
6 similar importance, difficulty, and responsibility as that
7 performed by the officer during the detail.

8 “(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND
9 AUDITS.—

10 “(1) CONTRACTS AND COOPERATIVE AGREE-
11 MENTS.—In the same manner that a private cor-
12 poration may make a contract within the scope of its
13 authority under its charter, the Secretary may make
14 contracts and cooperative agreements for the United
15 States Government and disburse amounts to—

16 “(A) carry out the Secretary's duties and
17 powers under this section, subtitle V of title 46,
18 and all other Maritime Administration pro-
19 grams; and

20 “(B) protect, preserve, and improve collat-
21 eral held by the Secretary to secure indebted-
22 ness.

23 “(2) AUDITS.—The financial transactions of
24 the Secretary under paragraph (1) shall be audited
25 by the Comptroller General. The Comptroller Gen-

1 eral shall allow credit for an expenditure shown to
2 be necessary because of the nature of the business
3 activities authorized by this section or subtitle V of
4 title 46. At least once a year, the Comptroller Gen-
5 eral shall report to Congress any departure by the
6 Secretary from this section or subtitle V of title 46.

7 “(i) GRANT ADMINISTRATIVE EXPENSES.—Except as
8 otherwise provided by law, the administrative and related
9 expenses for the administration of any grant programs by
10 the Maritime Administrator may not exceed 3 percent.

11 “(j) AUTHORIZATION OF APPROPRIATIONS.—

12 “(1) IN GENERAL.—Except as otherwise pro-
13 vided in this subsection, there are authorized to be
14 appropriated such amounts as may be necessary to
15 carry out the duties and powers of the Secretary re-
16 lating to the Maritime Administration.

17 “(2) LIMITATIONS.—Only those amounts spe-
18 cifically authorized by law may be appropriated for
19 the use of the Maritime Administration for—

20 “(A) acquisition, construction, or recon-
21 struction of vessels;

22 “(B) construction-differential subsidies in-
23 cident to the construction, reconstruction, or re-
24 conditioning of vessels;

25 “(C) costs of national defense features;

1 “(D) payments of obligations incurred for
2 operating-differential subsidies;

3 “(E) expenses necessary for research and
4 development activities, including reimbursement
5 of the Vessel Operations Revolving Fund for
6 losses resulting from expenses of experimental
7 vessel operations;

8 “(F) the Vessel Operations Revolving
9 Fund;

10 “(G) National Defense Reserve Fleet ex-
11 penses;

12 “(H) expenses necessary to carry out part
13 B of subtitle V of title 46; and

14 “(I) other operations and training expenses
15 related to the development of waterborne trans-
16 portation systems, the use of waterborne trans-
17 portation systems, and general administration.

18 “(3) TRAINING VESSELS.—Amounts may not be
19 appropriated for the purchase or construction of
20 training vessels for State maritime academies unless
21 the Secretary has approved a plan for sharing train-
22 ing vessels between State maritime academies.”.

1 **DIVISION D—FUNDING TABLES**

2 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 3 **BLES.**

4 (a) **IN GENERAL.**—Whenever a funding table in this
5 division specifies a dollar amount authorized for a project,
6 program, or activity, the obligation and expenditure of the
7 specified dollar amount for the project, program, or activ-
8 ity is hereby authorized, subject to the availability of ap-
9 propriations.

10 (b) **MERIT-BASED DECISIONS.**—Decisions by agency
11 heads to commit, obligate, or expend funds with or to a
12 specific entity on the basis of a dollar amount authorized
13 pursuant to subsection (a) shall be based on authorized,
14 transparent, statutory criteria, or merit-based selection
15 procedures in accordance with the requirements of sec-
16 tions 2304(k) and 2374 of title 10, United States Code,
17 and other applicable provisions of law.

18 (c) **RELATIONSHIP TO TRANSFER AND PROGRAM-**
19 **MING AUTHORITY.**—An amount specified in the funding
20 tables in this division may be transferred or repro-
21 grammed under a transfer or reprogramming authority
22 provided by another provision of this Act or by other law.
23 The transfer or reprogramming of an amount specified in
24 such funding tables shall not count against a ceiling on
25 such transfers or reprogrammings under section 1001 of

1 this Act or any other provision of law, unless such transfer
2 or reprogramming would move funds between appropria-
3 tion accounts.

4 (d) ORAL AND WRITTEN COMMUNICATIONS.—No
5 oral or written communication concerning any amount
6 specified in the funding tables in this division shall
7 supercede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
1	UTILITY F/W AIRCRAFT	14,572	14,572
2	C-12 CARGO AIRPLANE	0	0
3	AERIAL COMMON SENSOR (ACS) (MIP)	539,574	0
	Terminate EMARRS		[-539,574]
4	MQ-1 UAV	658,798	0
	Transfer to OCO		[-658,798]
5	RQ-11 (RAVEN)	70,762	58,862
	Army offered program reduction		[-11,900]
6	BCT UNMANNED AERIAL VEH (UAVS) INCR 1	0	0
7	HELICOPTER, LIGHT UTILITY (LUH)	250,415	250,415
8	AH-64 BLOCK II/WRA	0	0
9	AH-64 APACHE BLOCK IIIA REMAN	572,155	395,155
	Army offered program reduction		[-177,000]
9	AH-64 APACHE BLOCK IIIA REMAN	-161,150	-161,150
10	AH-64 APACHE BLOCK IIIA REMAN	192,764	192,764
11	AH-64 APACHE BLOCK IIIB NEW BUILD	104,263	104,263
12	UH-60 BLACKHAWK M MODEL (MYP)	1,426,198	1,418,198
	Unjustified program management growth		[-8,000]
12	UH-60 BLACKHAWK M MODEL (MYP)	-100,532	-100,532
13	UH-60 BLACKHAWK M MODEL (MYP)	199,781	199,781
14	CH-47 HELICOPTER	1,363,116	1,297,116
	Army requested transfer to APA Line 15 for correct execution		[-66,000]
14	CH-47 HELICOPTER	-57,756	-57,756
15	CH-47 HELICOPTER	54,956	120,956
	Army requested transfer from APA Line 14 for correct execution		[66,000]
16	HELICOPTER NEW TRAINING	0	0
17	KIOWA WARRIOR UPGRADE (OH-58 D)/WRA	0	0
18	C12 AIRCRAFT MODS	0	0
19	MQ-1 PAYLOAD—UAS	136,183	0
	Administration recommendation		[-29,000]
	Transfer to OCO		[-107,183]
20	MQ-1 WEAPONIZATION—UAS	0	0
21	GUARDRAIL MODS (MIP)	27,575	27,575
22	MULTI SENSOR ABN RECON (MIP)	8,362	8,362
23	AH-64 MODS	331,230	331,230
23	AH-64 MODS	0	0
24	CH-47 CARGO HELICOPTER MODS (MYP)	79,712	57,012
	Cargo and ballistic protection contract delays		[-22,700]
24	CH-47 CARGO HELICOPTER MODS (MYP)	0	0
25	UTILITY/CARGO AIRPLANE MODS	22,107	12,107
	Contract delays		[-10,000]
26	AIRCRAFT LONG RANGE MODS	0	0
27	UTILITY HELICOPTER MODS	80,745	74,745
	Contract delays		[-6,000]
28	KIOWA WARRIOR	162,052	162,052
29	AIRBORNE AVIONICS	0	0
30	NETWORK AND MISSION PLAN	138,832	136,432
	Aviation Data Exploitation Capability ahead of need		[-2,400]
31	COMMS, NAV SURVEILLANCE	132,855	117,855
	JTRS Integration ahead of need		[-15,000]
32	GATM ROLLUP	105,519	105,519
33	RQ-7 UAV MODS	126,239	76,239
	Administration recommendation		[-50,000]
34	SPARE PARTS (AIR)	0	0
35	AIRCRAFT SURVIVABILITY EQUIPMENT	35,993	35,993
36	SURVIVABILITY CM	0	0
37	CMWS	162,811	104,251
	Production and installation contract delays		[-58,560]
38	AVIONICS SUPPORT EQUIPMENT	4,840	4,840
39	COMMON GROUND EQUIPMENT	176,212	95,417
	Army offered program reduction		[-19,100]
	Aviation Light Utility Mobile Maintenance (ALUMMC) no longer required		[-3,287]
	Aviation Sets, Kits, Outfits, Tools contract delay		[-58,408]
40	AIRCREW INTEGRATED SYSTEMS	82,883	62,746
	Air Soldier System early to need		[-20,137]
41	AIR TRAFFIC CONTROL	114,844	102,444
	Army offered program reduction		[-12,400]
42	INDUSTRIAL FACILITIES	1,593	1,593

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
43	LAUNCHER, 2.75 ROCKET	2,878	2,878
44	AIRBORNE COMMUNICATIONS	0	0
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	7,061,381	5,251,934
	MISSILE PROCUREMENT, ARMY		
1	PATRIOT SYSTEM SUMMARY	662,231	662,231
2	MSE MISSILE	74,953	74,953
3	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:	0	0
3	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:	0	0
4	HELLFIRE SYS SUMMARY	1,410	1,410
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	160,767	140,767
	Army offered program reduction		[-20,000]
6	TOW 2 SYSTEM SUMMARY	84,108	81,108
	Unit cost efficiencies		[-3,000]
6	TOW 2 SYSTEM SUMMARY	-22,432	-22,432
7	TOW 2 SYSTEM SUMMARY	19,886	19,886
8	BCT NON LINE OF SIGHT LAUNCH SYSTEM—INCREM	0	0
9	GUIDED MLRS ROCKET (GMLRS)	314,167	164,167
	Program reduction		[-150,000]
10	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,175	18,175
11	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	31,674	20,674
	Army offered program reduction		[-11,000]
12	PATRIOT MODS	66,925	66,925
13	STINGER MODS	14,495	-5
	Transfer at Army request to RDTE Army PE 23801A		[-14,500]
14	ITAS/TOW MODS	13,577	13,577
15	MLRS MODS	8,236	8,236
16	HIMARS MODIFICATIONS	11,670	11,670
17	HELLFIRE MODIFICATIONS	0	0
18	SPARES AND REPAIR PARTS	8,700	8,700
19	AIR DEFENSE TARGETS	3,674	3,674
20	ITEMS LESS THAN \$5.0M (MISSILES)	1,459	1,459
21	PRODUCTION BASE SUPPORT	5,043	5,043
	TOTAL, MISSILE PROCUREMENT, ARMY	1,478,718	1,280,218
	PROCUREMENT OF W&TCV, ARMY		
1	STRYKER VEHICLE	632,994	606,894
	Prior year unobligated funds available		[-26,100]
2	FUTURE COMBAT SYSTEMS: (FCS)	0	0
2	FUTURE COMBAT SYSTEMS: (FCS)	0	0
3	FCS SPIN OUTS	0	0
3	FCS SPIN OUTS	0	0
4	FCS SPIN OUTS	0	0
5	STRYKER (MOD)	52,797	51,497
	Excess program management		[-1,300]
6	FIST VEHICLE (MOD)	43,962	35,162
	Funding ahead of need		[-8,800]
7	BRADLEY PROGRAM (MOD)	250,710	250,710
8	HOWITZER, MED SP FT 155MM M109A6 (MOD)	46,876	46,876
9	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	10,452	6,452
	Excess contractor engineering		[-4,000]
10	ASSAULT BREACHER VEHICLE	99,904	95,904
	Unjustified growth in matrix support and engineering change proposals		[-4,000]
11	M88 FOV MODS	32,483	32,483
12	JOINT ASSAULT BRIDGE	0	0
13	M1 ABRAMS TANK (MOD)	160,578	131,178
	Unjustified technical support costs		[-29,400]
14	ABRAMS UPGRADE PROGRAM	181,329	421,329
	Program increase to add 49 tanks to bridge production gap		[240,000]
15	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,073	1,073
16	HOWITZER, LIGHT, TOWED, 105MM, M119	0	0
17	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	16,046	0
	Transfer at Army's request to RDTE, Army PE 64601A		[-16,046]
18	M240 MEDIUM MACHINE GUN (7.62MM)	0	0
19	MACHINE GUN, CAL .50 M2 ROLL	65,102	0
	Transfer at Army request to WTCV line 34		[-34,000]
	Transfer to OCO		[-31,102]
20	LIGHTWEIGHT .50 CALIBER MACHINE GUN	28,796	13,931
	Transfer at Army request to RDTE Army PE 64601A		[-1,700]
	Army revised lower quantity		[-13,165]
21	M249 SAW MACHINE GUN (5.56MM)	0	0
22	MK-19 GRENADE MACHINE GUN (40MM)	0	0
23	MORTAR SYSTEMS	12,477	10,177
	Excess production engineering		[-2,300]
24	M107, CAL .50, SNIPER RIFLE	0	0
25	XM320 GRENADE LAUNCHER MODULE (GLM)	12,055	12,055

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
26	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	0	0
27	M4 CARBINE	35,015	35,015
28	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,707	4,207
	Army offered program reduction		[-2,500]
29	COMMON REMOTELY OPERATED WEAPONS STATION (CRO)	0	0
30	HANDGUN	0	0
31	HOWITZER LT WT 155MM (T)	13,066	0
	Transfer to OCO		[-13,066]
32	MK-19 GRENADE MACHINE GUN MODS	0	0
33	M4 CARBINE MODS	25,092	25,092
34	M2 50 CAL MACHINE GUN MODS	14,856	0
	Transfer at Army request from WTCV line 19		[34,000]
	Transfer to OCO		[-48,856]
35	M249 SAW MACHINE GUN MODS	8,480	8,480
36	M240 MEDIUM MACHINE GUN MODS	15,718	15,718
37	SNIPER RIFLES MODIFICATIONS	1,994	1,994
38	M119 MODIFICATIONS	38,701	38,701
39	M16 RIFLE MODS	3,476	3,476
40	M14 7.62 RIFLE MODS	0	0
41	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	2,973	2,973
42	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	0	0
43	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,080	10,080
44	INDUSTRIAL PREPAREDNESS	424	424
45	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,453	2,453
46	SPARES AND REPAIR PARTS (WTCV)	106,843	106,843
	TOTAL, PROCUREMENT OF W&TCV, ARMY	1,933,512	1,971,177
	PROCUREMENT OF AMMUNITION, ARMY		
1	CTG, 5.56MM, ALL TYPES	210,758	210,758
2	CTG, 7.62MM, ALL TYPES	83,730	83,730
3	CTG, 7.62MM, 4 BALL M80 FS, 1 DIM TRCR M276,	0	0
4	CTG, HANDGUN, ALL TYPES	9,064	7,064
	Funding ahead of need.		[-2,000]
5	CTG, .50 CAL, ALL TYPES	131,775	131,775
6	CTG, 20MM, ALL TYPES	0	0
7	CTG, 25MM, ALL TYPES	14,894	10,594
	Army offered reduction.		[-4,300]
8	OBJECTIVE FAMILY OF WEAPONS AMMUNITION, ALL T	3,399	0
	Funding ahead of need.		[-3,399]
9	CTG, 30MM, ALL TYPES	118,966	105,966
	Program growth adjustment.		[-13,000]
10	CTG, 40MM, ALL TYPES	84,799	34,799
	Army offered reduction.		[-50,000]
11	CTG, CAL .300 WIN MAG, MK 248 MOD 0 (7.62X67M)	0	0
12	60MM MORTAR, ALL TYPES	31,287	31,287
13	81MM MORTAR, ALL TYPES	12,187	12,187
14	120MM MORTAR, ALL TYPES	108,416	98,416
	Army offered reduction.		[-10,000]
15	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	105,704	105,205
	Unjustified request.		[-499]
16	CTG, TANK, 120MM, ALL TYPES	0	0
17	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	103,227	103,227
18	CTG, ARTY, 105MM: ALL TYPES	0	0
19	ARTILLERY PROJECTILE, 155MM, ALL TYPES	32,887	32,887
20	PROJ 155MM EXTENDED RANGE XM982	69,074	48,074
	Program restructure.		[-21,000]
21	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	48,205	46,705
	Pricing adjustment.		[-1,500]
22	ARTILLERY FUZES, ALL TYPES	0	0
23	MINES & CLEARING CHARGES, ALL TYPES	2,518	2,518
24	MINE, CLEARING CHARGE, ALL TYPES	0	0
25	SPIDER NETWORK MUNITIONS, ALL TYPES	43,123	15,423
	Full rate production delay.		[-27,700]
26	SCORPION, INTELLIGENT MUNITIONS SYSTEM , ALL	0	0
27	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	19,254	17,854
	Excess production engineering.		[-1,400]
28	ROCKET, HYDRA 70, ALL TYPES	127,265	127,265
29	DEMOLITION MUNITIONS, ALL TYPES	53,685	53,685
30	GRENADES, ALL TYPES	42,558	40,558
	Grenade Rifle Entry Munition—Army offered reduction.		[-2,000]
31	SIGNALS, ALL TYPES	26,173	26,173
32	SIMULATORS, ALL TYPES	14,108	6,108
	Army offered reduction—M115A2 Simulators		[-4,000]
	Army offered reduction—M116A1 Simulators		[-4,000]
33	ALL OTHER (AMMO)	50	50
34	AMMO COMPONENTS, ALL TYPES	18,296	18,296
35	NON-LETHAL AMMUNITION, ALL TYPES	14,864	14,864

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
36	CAD/PAD ALL TYPES	5,449	5,449
37	ITEMS LESS THAN \$5 MILLION	11,009	11,009
38	AMMUNITION PECULIAR EQUIPMENT	24,200	24,200
39	FIRST DESTINATION TRANSPORTATION (AMMO)	13,711	13,711
40	CLOSEOUT LIABILITIES	103	103
41	PROVISION OF INDUSTRIAL FACILITIES	199,841	199,841
42	LAYAWAY OF INDUSTRIAL FACILITIES	9,451	9,451
43	MAINTENANCE OF INACTIVE FACILITIES	5,533	1,533
	Army offered reduction		[-4,000]
44	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	189,789	177,789
	Contract award delay		[-12,000]
45	ARMS INITIATIVE	3,273	3,273
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,992,625	1,831,827
	OTHER PROCUREMENT, ARMY		
1	TACTICAL TRAILERS/DOLLY SETS	0	0
2	SEMITRAILERS, FLATBED:	13,496	596
	Early to need		[-12,900]
3	SEMITRAILERS, TANKERS	0	0
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	0	0
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	432,936	422,936
	Unjustified program management cost growth		[-10,000]
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	21,930	21,930
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	627,294	555,294
	Army offered program reduction		[-72,000]
8	PLS ESP	251,667	251,667
9	ARMORED SECURITY VEHICLES (ASV)	0	0
10	MINE PROTECTION VEHICLE FAMILY	56,671	0
	Army offered program reduction		[-48,000]
	Transfer to OCO		[-8,671]
11	FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP)	0	0
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	1,461	0
	Prior year unobligated funds available		[-1,461]
13	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	156,747	156,747
14	HMMWV RECAPITALIZATION PROGRAM	161,631	4,313
	Funding provided in approved prior year reprogramming action		[-157,318]
15	TACTICAL WHEELED VEHICLE PROTECTION KITS	39,908	0
	Transfer to OCO		[-39,908]
16	MODIFICATION OF IN SVC EQUIP	362,672	344,772
	HMMWV installation early to need		[-3,900]
	Excessive program support costs		[-14,000]
17	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	142,862	0
	Excessive program support costs		[-15,000]
	Transfer to OCO		[-127,862]
18	ITEMS LESS THAN \$5.0M (TAC VEH)	0	0
19	TOWING DEVICE-FIFTH WHEEL	0	0
20	AMC CRITICAL ITEMS, OPA1	20,156	0
	Unjustified request		[-20,156]
21	HEAVY ARMORED SEDAN	1,161	1,161
22	PASSENGER CARRYING VEHICLES	3,222	3,222
23	NONTACTICAL VEHICLES, OTHER	19,869	19,869
24	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	9,984	9,984
25	WIN-T—GROUND FORCES TACTICAL NETWORK	974,186	865,186
	Increment 2 contract delay		[-109,000]
26	JCSE EQUIPMENT (USREDCOM)	4,826	4,826
28	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	123,859	123,859
29	SHF TERM	8,910	8,910
30	SAT TERM, EMUT (SPACE)	0	0
31	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	29,568	25,168
	Army offered program reduction		[-4,400]
32	SMART-T (SPACE)	49,704	49,704
33	SCAMP (SPACE)	2,415	2,415
34	GLOBAL BRDCST SVC—GBS	73,374	64,774
	Excessive unit cost growth		[-8,600]
35	MOD OF IN-SVC EQUIP (TAC SAT)	31,799	31,799
36	MOD-IN-SERVICE PROFILER	969	969
37	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	18,788	18,788
38	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	3,994	3,994
39	JOINT TACTICAL RADIO SYSTEM	775,832	206,087
	Ground Mobile Radio program restructure		[-153,833]
	Airborne, Maritime, Fixed Station program delay		[-108,000]
	Manpack radio program delay		[-256,912]
	Army requested transfer to RDTE Navy line 100		[-51,000]
40	RADIO TERMINAL SET, MIDS LV'T(2)	8,336	8,336
41	SINCGARS FAMILY	4,992	500
	Prior year unobligated funds available		[-4,492]
42	AMC CRITICAL ITEMS—OPA2	0	0

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Line	Item	FY 2012 Request	Senate Authorized
43	TRACTOR DESK	10,827	10,827
44	COMMS-ELEC EQUIP FIELDING	0	0
45	SPIDER APLA REMOTE CONTROL UNIT	36,224	14,024
	Program delay		[-22,200]
46	DMS REMOTE CONTROL UNIT	0	0
47	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,843	1,843
48	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	0	0
49	GUNSHOT DETECTION SYSTEM (GDS)	3,939	3,939
50	RADIO, IMPROVED HF (COTS) FAMILY	38,535	29,435
	Army offered program reduction		[-9,100]
51	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	26,232	26,232
53	CI AUTOMATION ARCHITECTURE	1,547	1,547
54	RESERVE CA/MISO GPF EQUIPMENT	28,266	28,266
55	TSEC—ARMY KEY MGT SYS (AKMS)	12,541	11,441
	Army offered program reduction		[-1,100]
56	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	39,349	39,349
57	TERRESTRIAL TRANSMISSION	2,232	2,232
58	BASE SUPPORT COMMUNICATIONS	37,780	37,780
59	WW TECH CON IMP PROG (WWTCIP)	12,805	12,805
60	INFORMATION SYSTEMS	187,227	131,227
	Prior year unobligated funds available		[-56,000]
61	DEFENSE MESSAGE SYSTEM (DMS)	4,393	4,393
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(.....	310,761	310,761
63	PENTAGON INFORMATION MGT AND TELECOM	4,992	4,992
66	JTT/CIBS-M	4,657	4,657
67	PROPHET GROUND	72,041	72,041
68	DIGITAL TOPOGRAPHIC SPT SYS (DTSS)	0	0
69	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	0	0
70	DCGS-A (MIP)	144,548	0
	unjustified growth		[-20,000]
	Transfer to OCO		[-124,548]
71	JOINT TACTICAL GROUND STATION (JTAGS)	1,199	1,199
72	TROJAN (MIP)	32,707	32,707
73	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	9,163	9,163
74	CI HUMINT AUTO REPRTING AND COLL(CHARCS) (MIP)	3,493	3,493
75	ITEMS LESS THAN \$5.0M (MIP)	802	802
76	LIGHTWEIGHT COUNTER MORTAR RADAR	33,810	0
	Requirement met with prior year funds		[-33,810]
77	CREW	24,104	0
	Requirement met with prior year funds		[-24,104]
78	BCT UNATTENDED GROUND SENSOR	0	0
79	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITES	0	0
80	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,252	1,252
81	CI MODERNIZATION	1,332	1,332
82	FAAD GBS	7,958	7,958
83	SENTINEL MODS	41,657	41,657
84	SENSE THROUGH THE WALL (STTW)	47,498	47,498
85	NIGHT VISION DEVICES	156,204	151,704
	Army offered program reduction		[-4,500]
86	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	102,334	102,334
87	NIGHT VISION, THERMAL WPN SIGHT	186,859	143,059
	Army offered program reduction		[-43,800]
88	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	10,227	8,027
	Army offered program reduction		[-2,200]
89	RADIATION MONITORING SYSTEMS	0	0
90	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	15,774	0
	Transfer to OCO		[-15,774]
91	BASE EXPEDITIONARY TARGETING AND SURV SYS	0	0
92	GREEN LASER INTERDICTION SYSTEM	25,356	0
	Army offered program reduction		[-6,300]
	Transfer to OCO		[-19,056]
93	ARTILLERY ACCURACY EQUIP	0	0
94	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	0	0
95	PROFILER	3,312	3,312
96	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,005	3,005
97	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	0	0
98	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	69,514	20,014
	Army offered program reduction		[-49,500]
99	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	58,042	58,042
100	COMPUTER BALLISTICS: LHMCB XM32	0	0
101	MORTAR FIRE CONTROL SYSTEM	21,022	21,022
102	COUNTERFIRE RADARS	227,629	170,529
	Army offered program reduction		[-57,100]
103	ENHANCED SENSOR & MONITORING SYSTEM	2,226	2,226
104	TACTICAL OPERATIONS CENTERS	54,907	54,907
105	FIRE SUPPORT C2 FAMILY	54,223	37,423
	Army offered program reduction		[-16,800]
106	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC	12,454	7,754

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Line	Item	FY 2012 Request	Senate Authorized
	Army offered program reduction		[-4,700]
107	FAAD C2	5,030	5,030
108	AIR & MSL DEFENSE PLANNING & CONTROL SYS	62,710	54,910
	Army offered program reduction		[-7,800]
109	KNIGHT FAMILY	51,488	32,202
	Program growth adjustment		[-19,286]
110	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,807	1,807
111	AUTOMATIC IDENTIFICATION TECHNOLOGY	28,924	19,524
	Army offered program reduction		[-9,400]
112	TC AIMS II	0	0
113	TACTICAL INTERNET MANAGER	0	0
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	0	0
115	MANEUVER CONTROL SYSTEM (MCS)	34,031	34,031
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	210,312	124,026
	Army requested transfer to RDTE Army line 177		[-9,251]
	Army requested transfer to OMA Budget Activity 04		[-60,240]
	Army requested transfer to OPA line 119		[-1,795]
	Army identified excess		[-15,000]
117	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	19,113	19,113
118	MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)	0	0
119	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	23,664	25,459
	Army requested transfer from OPA line 116		[1,795]
120	ARMY TRAINING MODERNIZATION	11,192	11,192
121	AUTOMATED DATA PROCESSING EQUIP	220,250	174,772
	Prior year unobligated funds available		[-45,478]
122	CSS COMMUNICATIONS	39,310	39,310
123	RESERVE COMPONENT AUTOMATION SYS (RCAS)	41,248	41,248
124	ITEMS LESS THAN \$5.0M (A/V)	10,437	10,437
125	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	7,480	4,395
	Excessive design engineering costs		[-3,085]
126	PRODUCTION BASE SUPPORT (C-E)	571	571
127	BCT NETWORK	0	0
127A	CLASSIFIED PROGRAMS	4,273	4,273
128	PROTECTIVE SYSTEMS	0	0
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	8,636	5,213
	Acoustic hailing device contract delay		[-3,423]
130	BASE DEFENSE SYSTEMS (BDS)	41,204	0
	Transfer to OCO		[-41,204]
131	CBRN SOLDIER PROTECTION	10,700	10,700
132	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	362	362
133	TACTICAL BRIDGING	77,428	77,428
134	TACTICAL BRIDGE, FLOAT-RIBBON	49,154	45,454
	Excessive program support cost growth		[-3,700]
135	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	39,263	39,263
136	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	20,678	20,678
137	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	30,297	0
	M160 incremental funding		[-8,000]
	Transfer to OCO		[-22,297]
138	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	17,626	17,626
139	REMOTE DEMOLITION SYSTEMS	14,672	14,672
140	< \$5M, COUNTERMINE EQUIPMENT	7,352	7,352
141	AERIAL DETECTION	0	0
142	HEATERS AND ECUS	10,109	10,109
143	LAUNDRIES, SHOWERS AND LATRINES	0	0
144	SOLDIER ENHANCEMENT	9,591	9,591
145	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	0	0
146	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	8,509	8,509
147	GROUND SOLDIER SYSTEM	184,072	4,000
	Army requested transfer to RDTE Army line 119		[-7,600]
	Program delay		[-172,472]
148	MOUNTED SOLDIER SYSTEM	43,419	19
	Army offered program reduction		[-43,400]
149	FORCE PROVIDER	0	0
150	FIELD FEEDING EQUIPMENT	26,860	26,860
151	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	68,392	55,392
	Army offered program reduction		[-13,000]
152	MOBILE INTEGRATED REMAINS COLLECTION SYSTEM:	7,384	7,384
153	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	54,190	54,190
154	ITEMS LESS THAN \$5M (ENG SPT)	12,482	12,482
155	QUALITY SURVEILLANCE EQUIPMENT	0	0
156	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	75,457	75,457
157	WATER PURIFICATION SYSTEMS	0	0
158	COMBAT SUPPORT MEDICAL	53,450	53,450
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	16,572	16,572
160	ITEMS LESS THAN \$5.0M (MAINT EQ)	3,852	3,852
161	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,201	2,201
162	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	8,584	3,984
	Excessive unit cost and program support cost growth		[-4,600]

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Line	Item	FY 2012 Request	Senate Authorized
163	SCRAPERS, EARTHMOVING	21,031	21,031
164	MISSION MODULES—ENGINEERING	43,432	43,432
165	COMPACTOR	2,859	0
	Army offered program reduction		[-2,859]
166	LOADERS	0	0
167	HYDRAULIC EXCAVATOR	0	0
168	TRACTOR, FULL TRACKED	59,534	50,434
	Unjustified program support cost growth		[-9,100]
169	PLANT, ASPHALT MIXING	8,314	614
	Prior year unobligated funds available		[-7,700]
170	HIGH MOBILITY ENGINEER EXCAVATOR TYPE—FOS	18,974	18,974
171	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA	15,833	0
	Unexecutable acquisition strategy		[-15,833]
172	CONST EQUIP ESP	9,771	9,771
173	ITEMS LESS THAN \$5.0M (CONST EQUIP)	12,654	12,654
174	JOINT HIGH SPEED VESSEL (JHSV)	223,845	223,845
175	HARBORMASTER COMMAND AND CONTROL CENTER (HCCC)	0	0
176	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	10,175	10,175
177	GENERATORS AND ASSOCIATED EQUIP	31,897	31,897
178	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	0	0
179	FAMILY OF FORKLIFTS	10,944	10,944
180	ALL TERRAIN LIFTING ARMY SYSTEM	21,859	21,859
181	COMBAT TRAINING CENTERS SUPPORT	133,178	47,878
	Army offered program reduction		[-85,300]
182	TRAINING DEVICES, NONSYSTEM	168,392	168,392
183	CLOSE COMBAT TACTICAL TRAINER	17,760	13,290
	Prior year unobligated funds available		[-4,470]
184	AVIATION COMBINED ARMS TACTICAL TRAINER	9,413	9,413
185	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	0	0
186	CALIBRATION SETS EQUIPMENT	13,618	13,618
187	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	49,437	36,937
	Prior year unobligated funds available		[-12,500]
188	TEST EQUIPMENT MODERNIZATION (TEMOD)	30,451	30,451
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	4,923	4,923
190	PHYSICAL SECURITY SYSTEMS (OPA3)	69,316	19,606
	Prior year unobligated funds available		[-49,710]
191	BASE LEVEL COMMON EQUIPMENT	1,591	1,591
192	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	72,271	72,271
193	PRODUCTION BASE SUPPORT (OTH)	2,325	2,325
194	SPECIAL EQUIPMENT FOR USER TESTING	17,411	17,411
195	AMC CRITICAL ITEMS OPA3	34,500	34,500
196	TRACTOR YARD	3,740	3,740
197	BCT UNMANNED GROUND VEHICLE	24,805	0
	Program adjustment		[-24,805]
198	BCT TRAINING/LOGISTICS/MANAGEMENT	149,308	26,008
	Program cancellation		[-123,300]
199	BCT TRAINING/LOGISTICS/MANAGEMENT INC 2	57,103	3
	Program cancellation		[-57,100]
200	BCT UNMANNED GROUND VEHICLE INC 2	11,924	24
	Program cancellation		[-11,900]
201	INITIAL SPARES—C&E	21,647	21,647
	TOTAL, OTHER PROCUREMENT, ARMY	9,682,592	7,050,774
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
1	ATTACK THE NETWORK	0	0
2	DEFEAT THE DEVICE	0	0
3	TRAIN THE FORCE	0	0
4	OPERATIONS	220,634	0
	Transfer to OCO: JIEDDO Operations		[-220,634]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	220,634	0
	AIRCRAFT PROCUREMENT, NAVY		
1	EA-18G	1,134,445	1,127,445
	Reduce Engineering Change Orders (ECO) to fiscal year 2010 levels		[-7,000]
1	EA-18G	-55,081	-55,081
2	EA-18G	28,119	28,119
3	F/A-18E/F (FIGHTER) HORNET	2,369,047	1,774,347
	Funded in H. R. 1473		[-495,000]
	ECO excess		[-21,000]
	Government furnished equipment engine cost growth		[-10,700]
	Multi-year procurement savings		[-68,000]
3	F/A-18E/F (FIGHTER) HORNET	-2,295	-2,295
4	F/A-18E/F (FIGHTER) HORNET	64,962	63,262
	Airframe termination liability growth		[-1,700]
5	JOINT STRIKE FIGHTER CV	1,722,991	1,722,991
5	JOINT STRIKE FIGHTER CV	-219,895	-219,895

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Line	Item	FY 2012 Request	Senate Authorized
6	JOINT STRIKE FIGHTER CV	217,666	217,666
7	JSF STOVL	1,428,259	1,428,259
7	JSF STOVL	-286,326	-286,326
8	JSF STOVL	117,229	117,229
9	V-22 (MEDIUM LIFT)	2,365,561	2,365,561
9	V-22 (MEDIUM LIFT)	-140,744	-151,244
	Reduce ECO		[-10,500]
10	V-22 (MEDIUM LIFT)	84,008	84,008
11	UH-1Y/AH-1Z	769,666	733,666
	Unjustified support increase		[-30,000]
	Reduce ECO		[-6,000]
11	UH-1Y/AH-1Z	-69,360	-69,360
12	UH-1Y/AH-1Z	68,310	68,310
13	MH-60S (MYP)	479,001	479,001
13	MH-60S (MYP)	-70,080	-70,080
14	MH-60S (MYP)	74,040	74,040
15	MH-60R	953,031	948,831
	Reduce ECO		[-4,200]
15	MH-60R	-162,006	-162,006
16	MH-60R	209,431	209,431
17	P-8A POSEIDON	2,185,004	2,185,004
17	P-8A POSEIDON	-166,153	-166,153
18	P-8A POSEIDON	256,594	256,594
19	E-2D ADV HAWKEYE	1,033,511	1,013,511
	Excess funding reserve		[-20,000]
19	E-2D ADV HAWKEYE	-118,619	-118,619
20	E-2D ADV HAWKEYE	157,942	157,942
21	C-40A	0	0
22	JPATS	266,906	256,906
	Excess ECO		[-10,000]
23	HC-130J	0	0
24	KC-130J	87,288	87,288
24	KC-130J	0	0
25	RQ-7 UAV	0	0
26	MQ-8 UAV	191,986	191,986
27	STUASL0 UAV	12,772	0
	Low rate initial production contract award slip		[-12,772]
28	OTHER SUPPORT AIRCRAFT	0	0
29	EA-6 SERIES	27,734	27,734
30	AEA SYSTEMS	34,065	31,765
	Air launched decoy jammer		[-2,300]
31	AV-8 SERIES	30,762	30,762
32	F-18 SERIES	499,597	445,597
	Integrated Logistics Support excess to need		[-20,900]
	Digital Communications System reduce quantities		[-14,000]
	Other support growth		[-12,800]
	Net Centric Operations reduce A kits		[-6,300]
33	H-46 SERIES	27,112	24,612
	Unjustified Request		[-2,500]
34	AH-1W SERIES	15,828	15,828
35	H-53 SERIES	62,820	61,820
	DIRCM Other support excess		[-1,000]
36	SH-60 SERIES	83,394	83,394
37	H-1 SERIES	11,012	8,412
	Obsolescence install unjustified growth		[-2,600]
38	EP-3 SERIES	83,181	83,181
39	P-3 SERIES	171,466	169,766
	Other support growth		[-1,700]
40	E-2 SERIES	29,215	29,215
41	TRAINER A/C SERIES	22,090	18,790
	Training equipment growth		[-3,300]
42	C-2A	16,302	16,302
43	C-130 SERIES	27,139	27,139
44	FEWSG	2,773	1,773
	Other support growth		[-1,000]
45	CARGO/TRANSPORT A/C SERIES	16,463	16,463
46	E-6 SERIES	165,253	130,653
	Service life extension program install early to need		[-7,800]
	Block I install cost savings		[-1,200]
	Block II FAB-T non-recurring engineering early to need		[-5,200]
	Block Recapture program delay		[-20,400]
47	EXECUTIVE HELICOPTERS SERIES	58,011	82,011
	Navy requested transfer from RDT&E, Navy line 98, for VH-3/VH-60 sustainment.		[24,000]
48	SPECIAL PROJECT AIRCRAFT	12,248	11,048
	Install equipment nonrecurring unjustified growth		[-1,200]
49	T-45 SERIES	57,779	45,179
	Correction of Deficiencies contract support growth		[-6,600]

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Line	Item	FY 2012 Request	Senate Authorized
	Avionics Obsolescence contract support growth		[-6,000]
50	POWER PLANT CHANGES	21,847	21,847
51	JPATS SERIES	1,524	524
	Unobligated balances		[-1,000]
52	AVIATION LIFE SUPPORT MODS	1,069	1,069
53	COMMON ECM EQUIPMENT	92,072	89,272
	DIRCM A kit savings		[-2,800]
54	COMMON AVIONICS CHANGES	147,093	138,293
	CNS/ATM Other support growth		[-8,800]
55	COMMON DEFENSIVE WEAPON SYSTEM	0	0
56	ID SYSTEMS	37,330	32,030
	Other support growth		[-5,300]
57	P-8 SERIES	2,930	0
	P-8 modifications ahead of need		[-2,930]
58	MAGTF EW FOR AVIATION	489	489
59	RQ-7 SERIES	11,419	11,419
60	V-22 (TILT/ROTOR ACFT) OSPREY	60,264	55,764
	Deficiencies modifications other support growth		[-2,500]
	Reliability modifications other support growth		[-2,000]
61	SPARES AND REPAIR PARTS	1,331,961	1,171,994
	F/A-18E/F initial spares cost growth		[-23,967]
	F-35 initial spares execution		[-100,000]
	P-8A initial spares execution		[-36,000]
62	COMMON GROUND EQUIPMENT	351,685	363,685
	Transfer from PE 64273N (RDN 98) for VH-60 trainer		[12,000]
63	AIRCRAFT INDUSTRIAL FACILITIES	22,358	22,358
64	WAR CONSUMABLES	27,300	0
	Transfer to OCO		[-27,300]
65	OTHER PRODUCTION CHARGES	10,124	10,124
66	SPECIAL SUPPORT EQUIPMENT	24,395	21,395
	Unjustified support increase		[-3,000]
67	FIRST DESTINATION TRANSPORTATION	1,719	1,719
68	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	18,587,033	17,593,764
	WEAPONS PROCUREMENT, NAVY		
1	TRIDENT II MODS	1,309,102	1,309,102
2	MISSILE INDUSTRIAL FACILITIES	3,492	3,492
3	TOMAHAWK	303,306	303,306
4	AMRAAM	188,494	119,494
	Production Backlog		[-69,000]
5	SIDEWINDER	47,098	47,098
6	JSOW	137,722	137,722
7	STANDARD MISSILE	420,324	362,278
	Unit Cost efficiencies		[-58,046]
8	RAM	66,197	66,197
9	HELLFIRE	22,703	22,703
10	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	0	0
11	AERIAL TARGETS	46,359	46,359
12	OTHER MISSILE SUPPORT	3,561	3,561
13	ESSM	48,486	48,486
14	HARM MODS	73,061	73,061
15	STANDARD MISSILES MODS	0	0
16	WEAPONS INDUSTRIAL FACILITIES	1,979	1,979
17	FLEET SATELLITE COMM FOLLOW-ON	238,215	33,215
	Booster for SV4 early to need		[-205,000]
17	FLEET SATELLITE COMM FOLLOW-ON	0	0
18	FLEET SATELLITE COMM FOLLOW-ON	0	0
19	ORDNANCE SUPPORT EQUIPMENT	52,255	52,255
20	ASW TARGETS	31,803	31,803
21	MK-54 TORPEDO MODS	78,045	78,045
22	MK-48 TORPEDO ADCAP MODS	42,493	42,493
23	QUICKSTRIKE MINE	5,770	5,770
24	TORPEDO SUPPORT EQUIPMENT	43,003	43,003
25	ASW RANGE SUPPORT	9,219	9,219
26	FIRST DESTINATION TRANSPORTATION	3,553	3,553
27	SMALL ARMS AND WEAPONS	15,037	15,037
28	CIWS MODS	37,550	37,550
29	COAST GUARD WEAPONS	17,525	17,525
30	GUN MOUNT MODS	43,957	43,957
31	LCS MODULE WEAPONS	0	0
32	CRUISER MODERNIZATION WEAPONS	50,013	50,013
33	AIRBORNE MINE NEUTRALIZATION SYSTEMS	12,203	12,203
34	CANCELLED ACCOUNT ADJUSTMENTS	0	0
35	SPARES AND REPAIR PARTS	55,953	55,953
	TOTAL, WEAPONS PROCUREMENT, NAVY	3,408,478	3,076,432

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
PROCUREMENT OF AMMO, NAVY & MC			
1	GENERAL PURPOSE BOMBS	64,766	63,666
	BLU-109 cost growth.		[-1,100]
2	JDAM	0	0
3	AIRBORNE ROCKETS, ALL TYPES	38,264	37,264
	Support funding carryover.		[-1,000]
4	MACHINE GUN AMMUNITION	17,788	17,788
5	PRACTICE BOMBS	35,289	35,289
6	CARTRIDGES & CART ACTUATED DEVICES	49,416	49,416
7	AIR EXPENDABLE COUNTERMEASURES	60,677	60,677
8	JATOS	2,766	2,766
9	5 INCH/54 GUN AMMUNITION	19,006	10,901
	Excess prior year multi-option fuze support funding.		[-7,105]
	Support funding carryover.		[-1,000]
10	INTERMEDIATE CALIBER GUN AMMUNITION	19,320	1,112
	MK295 cartridge contract delay.		[-18,208]
11	OTHER SHIP GUN AMMUNITION	21,938	19,018
	Production engineering growth.		[-2,920]
12	SMALL ARMS & LANDING PARTY AMMO	51,819	46,039
	Production engineering growth.		[-1,200]
	A131 complete rounds cost growth.		[-2,500]
	A576 LAP kit cost growth.		[-2,080]
13	PYROTECHNIC AND DEMOLITION	10,199	10,199
14	AMMUNITION LESS THAN \$5 MILLION	4,107	4,107
15	SMALL ARMS AMMUNITION	58,812	58,812
16	LINEAR CHARGES, ALL TYPES	21,434	17,660
	M913 LAP kit contract delay.		[-3,774]
17	40 MM, ALL TYPES	84,864	72,864
	Program execution—USMC offered reduction.		[-12,000]
18	60MM, ALL TYPES	937	937
19	81MM, ALL TYPES	26,324	18,100
	M913 LAP kit contract delay.		[-8,224]
20	120MM, ALL TYPES	9,387	7,387
	Program execution—USMC offered reduction.		[-2,000]
21	CTG 25MM, ALL TYPES	3,889	3,889
22	GRENADES, ALL TYPES	13,452	13,452
23	ROCKETS, ALL TYPES	15,556	15,556
24	ARTILLERY, ALL TYPES	42,526	42,526
25	DEMOLITION MUNITIONS, ALL TYPES	22,786	1,786
	Program execution—USMC offered reduction.		[-21,000]
26	FUZE, ALL TYPES	9,266	9,266
27	NON LETHALS	2,927	2,927
28	AMMO MODERNIZATION	8,557	8,557
29	ITEMS LESS THAN \$5 MILLION	3,880	3,880
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	719,952	635,841
SHIPBUILDING & CONVERSION, NAVY			
1	CARRIER REPLACEMENT PROGRAM	0	0
2	CARRIER REPLACEMENT PROGRAM	554,798	554,798
3	VIRGINIA CLASS SUBMARINE	5,142,765	5,142,765
3	VIRGINIA CLASS SUBMARINE	-1,910,550	-1,910,550
4	VIRGINIA CLASS SUBMARINE	1,524,761	1,524,761
5	CVN REFUELING OVERHAULS	0	0
6	CVN REFUELING OVERHAULS	529,652	529,652
7	SSBN ERO	0	0
8	DDG 1000	453,727	453,727
9	DDG-51	2,028,693	2,028,693
9	DDG-51	-47,984	-47,984
10	DDG-51	100,723	100,723
11	LITTORAL COMBAT SHIP	1,921,386	1,921,386
11	LITTORAL COMBAT SHIP	-119,293	-119,293
12	LITTORAL COMBAT SHIP	0	0
13	LPD-17	2,031,430	2,031,430
13	LPD-17	-183,986	-183,986
14	LPD-17	0	0
15	LHA REPLACEMENT	2,018,691	2,018,691
16	LHA REPLACEMENT	0	0
17	JOINT HIGH SPEED VESSEL	185,106	185,106
18	OCEANOGRAPHIC SHIPS	89,000	89,000
19	MOORED TRAINING SHIP	155,200	155,200
20	OUTFITTING	292,871	292,871
21	SERVICE CRAFT	3,863	3,863
22	LCAC SLEP	84,076	84,076
23	COMPLETION OF PY SHIPBUILDING PROGRAMS	73,992	73,992
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	14,928,921	14,928,921

SEC. 4101. PROCUREMENT
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Line	Item	FY 2012 Request	Senate Authorized
OTHER PROCUREMENT, NAVY			
1	LM-2500 GAS TURBINE	13,794	13,794
2	ALLISON 501K GAS TURBINE	8,643	8,643
3	OTHER NAVIGATION EQUIPMENT	22,982	22,982
4	SUB PERISCOPES & IMAGING EQUIP	60,860	60,860
5	DDG MOD	119,522	119,522
6	FIREFIGHTING EQUIPMENT	17,637	17,637
7	COMMAND AND CONTROL SWITCHBOARD	3,049	3,049
8	POLLUTION CONTROL EQUIPMENT	22,266	22,266
9	SUBMARINE SUPPORT EQUIPMENT	15,892	15,892
10	VIRGINIA CLASS SUPPORT EQUIPMENT	100,693	100,693
11	SUBMARINE BATTERIES	42,296	42,296
12	STRATEGIC PLATFORM SUPPORT EQUIP	25,228	25,228
13	DSSP EQUIPMENT	2,600	2,600
14	CG MODERNIZATION	590,349	585,349
	Shore Site Upgrades--Excessive Growth		[-5,000]
15	LCAC	0	0
16	UNDERWATER EOD PROGRAMS	18,499	18,499
17	ITEMS LESS THAN \$5 MILLION	113,809	99,470
	LCS Waterjet Impellers--No Longer Required		[-10,859]
	Auto Voltage Regulators--Ahead of Need		[-3,480]
18	CHEMICAL WARFARE DETECTORS	5,508	5,508
19	SUBMARINE LIFE SUPPORT SYSTEM	13,397	13,397
20	REACTOR POWER UNITS	436,838	436,838
21	REACTOR COMPONENTS	271,600	271,600
22	DIVING AND SALVAGE EQUIPMENT	11,244	11,244
23	STANDARD BOATS	39,793	39,793
24	OTHER SHIPS TRAINING EQUIPMENT	29,913	29,913
25	OPERATING FORCES IPE	54,642	54,642
26	NUCLEAR ALTERATIONS	144,175	144,175
27	LCS MODULES	79,583	68,163
	AN/AQS-20A--Contract Delay		[-8,920]
	Production Support--Excess to Need		[-2,500]
28	LSD MIDLIFE	143,483	143,483
29	RADAR SUPPORT	18,818	18,818
30	SPQ-9B RADAR	24,613	24,613
31	AN/SQQ-89 SURF ASW COMBAT SYSTEM	73,829	73,829
32	SSN ACOUSTICS	212,913	212,913
33	UNDERSEA WARFARE SUPPORT EQUIPMENT	29,686	29,686
34	SONAR SWITCHES AND TRANSDUCERS	13,537	13,537
35	ELECTRONIC WARFARE MILDEC	18,141	18,141
36	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,554	20,554
37	SSTD	2,257	2,257
38	FIXED SURVEILLANCE SYSTEM	60,141	60,141
39	SURTASS	29,247	27,047
	Integrated Common Processor [ICP] Procurement--Ahead of Need		[-2,200]
40	MARITIME PATROL AND RECONNAISSANCE FORCE	13,453	13,453
41	AN/SLQ-32	43,096	39,902
	Block 1B3 Units--No Longer Required		[-3,194]
42	SHIPBOARD IW EXPLOIT	103,645	100,745
	Paragon Systems--Change to Procurement Strategy		[-2,900]
43	AUTOMATED IDENTIFICATION SYSTEM (AIS)	1,364	1,364
44	SUBMARINE SUPPORT EQUIPMENT PROG	100,793	100,793
45	COOPERATIVE ENGAGEMENT CAPABILITY	23,332	17,032
	PAAA Backfit Installation Funding--No Longer Required		[-2,000]
	Signal Data Processors Backfits--Ahead of Need		[-2,000]
	Signal Data Processors Backfits [AN/USG-2A]--Ahead of Need		[-2,300]
46	TRUSTED INFORMATION SYSTEM (TIS)	426	426
47	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	33,017	33,017
48	ATDLS	942	942
49	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	7,896	7,896
50	MINESWEEPING SYSTEM REPLACEMENT	27,868	27,868
51	SHALLOW WATER MCM	1,048	1,048
52	NAVSTAR GPS RECEIVERS (SPACE)	9,926	9,926
53	AMERICAN FORCES RADIO AND TV SERVICE	4,370	4,370
54	STRATEGIC PLATFORM SUPPORT EQUIP	4,143	4,143
55	OTHER TRAINING EQUIPMENT	45,989	45,989
56	MATCALS	8,136	8,136
57	SHIPBOARD AIR TRAFFIC CONTROL	7,394	7,394
58	AUTOMATIC CARRIER LANDING SYSTEM	18,518	18,518
59	NATIONAL AIR SPACE SYSTEM	26,054	26,054
60	FLEET AIR TRAFFIC CONTROL SYSTEMS	7,213	7,213
61	LANDING SYSTEMS	7,138	7,138
62	ID SYSTEMS	33,170	31,470
	Mark XII Mode 5--Ahead of Need		[-1,700]
63	NAVAL MISSION PLANNING SYSTEMS	8,941	8,941
64	DEPLOYABLE JOINT COMMAND AND CONT	8,994	8,994

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Line	Item	FY 2012 Request	Senate Authorized
65	MARITIME INTERGRATED BROADCAST SYSTEM	13,529	13,529
66	TACTICAL/MOBILE C4I SYSTEMS	12,776	10,876
	Tactical/Mobile C4I Systems Increment 2.1 Ahead of Need		[-1,900]
67	DCGS-N	11,201	11,201
68	CANES	195,141	105,541
	Transfer to Ship Communications Automation (OPN 76) per USN request		[-77,600]
	Transfer to PE 33138N (RDN 201) per USN request		[-12,000]
69	RADLAC	6,201	6,201
70	CANES-INTELL	75,084	75,084
71	GPETE	6,010	6,010
72	INTEG COMBAT SYSTEM TEST FACILITY	4,441	4,441
73	EMI CONTROL INSTRUMENTATION	4,741	4,741
74	ITEMS LESS THAN \$5 MILLION	51,716	51,716
75	SHIPBOARD TACTICAL COMMUNICATIONS	26,197	1,494
	JTRS AMF--Program Delay		[-24,703]
76	SHIP COMMUNICATIONS AUTOMATION	177,510	255,110
	Transfer from CANES (OPN 68) pe USN request		[77,600]
77	MARITIME DOMAIN AWARENESS (MDA)	24,022	24,022
78	COMMUNICATIONS ITEMS UNDER \$5M	33,644	27,544
	HMS Radios--Contract Delays		[-3,300]
	BFTN--Installations Ahead of Need		[-2,800]
79	SUBMARINE BROADCAST SUPPORT	10,357	10,357
80	SUBMARINE COMMUNICATION EQUIPMENT	75,447	75,447
81	SATELLITE COMMUNICATIONS SYSTEMS	25,522	25,522
82	NAVY MULTIBAND TERMINAL (NMT)	109,022	94,022
	Revised Pricing		[-15,000]
83	JCS COMMUNICATIONS EQUIPMENT	2,186	2,186
84	ELECTRICAL POWER SYSTEMS	1,329	1,329
85	NAVAL SHORE COMMUNICATIONS	2,418	2,418
86	INFO SYSTEMS SECURITY PROGRAM (ISSP)	119,857	114,257
	EKMS Afloat--KMI Ahead of Need		[-1,000]
	VACM Program Delay		[-4,600]
87	CRYPTOLOGIC COMMUNICATIONS EQUIP	14,820	14,820
88	COAST GUARD EQUIPMENT	6,848	6,848
89	OTHER DRUG INTERDICTION SUPPORT	2,290	2,290
90	SONOBUOYS--ALL TYPES	96,314	84,464
	AN/SSQ-125--Ahead of Need		[-11,850]
91	WEAPONS RANGE SUPPORT EQUIPMENT	40,697	40,697
92	EXPEDITIONARY AIRFIELDS	8,561	8,561
93	AIRCRAFT REARMING EQUIPMENT	8,941	8,941
94	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	19,777	19,777
95	METEOROLOGICAL EQUIPMENT	22,003	22,003
96	DCRS/DPL	1,595	1,595
97	AVIATION LIFE SUPPORT	66,031	66,031
98	AIRBORNE MINE COUNTERMEASURES	49,668	42,765
	AN/AQS-20A--Contract Delay		[-6,903]
99	LAMPS MK III SHIPBOARD EQUIPMENT	18,471	18,471
100	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,875	7,875
101	OTHER AVIATION SUPPORT EQUIPMENT	12,553	12,553
102	NAVAL FIRES CONTROL SYSTEM	2,049	2,049
103	GUN FIRE CONTROL EQUIPMENT	4,488	4,488
104	NATO SEASPARROW	8,926	8,926
105	RAM GMLS	4,321	4,321
106	SHIP SELF DEFENSE SYSTEM	60,700	54,381
	SSDS COTS Conversion Kits Ahead of Need		[-6,319]
107	AEGIS SUPPORT EQUIPMENT	43,148	43,148
108	TOMAHAWK SUPPORT EQUIPMENT	72,861	72,861
109	VERTICAL LAUNCH SYSTEMS	732	732
110	MARITIME INTEGRATED PLANNING SYSTEM-MIPS	4,823	4,823
111	STRATEGIC MISSILE SYSTEMS EQUIP	187,807	187,807
112	SSN COMBAT CONTROL SYSTEMS	81,596	81,596
113	SUBMARINE ASW SUPPORT EQUIPMENT	5,241	5,241
114	SURFACE ASW SUPPORT EQUIPMENT	5,816	5,816
115	ASW RANGE SUPPORT EQUIPMENT	7,842	7,842
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	98,847	98,847
117	ITEMS LESS THAN \$5 MILLION	4,073	4,073
118	ANTI-SHIP MISSILE DECOY SYSTEM	32,716	32,716
119	SURFACE TRAINING DEVICE MODS	5,814	5,814
120	SUBMARINE TRAINING DEVICE MODS	36,777	36,777
121	PASSENGER CARRYING VEHICLES	6,271	3,771
	Unjustified Growth		[-2,500]
122	GENERAL PURPOSE TRUCKS	3,202	2,202
	Unjustified Growth		[-1,000]
123	CONSTRUCTION & MAINTENANCE EQUIP	9,850	6,850
	Contract Delays		[-3,000]
124	FIRE FIGHTING EQUIPMENT	14,315	14,315
125	TACTICAL VEHICLES	16,502	16,502
126	AMPHIBIOUS EQUIPMENT	3,235	3,235

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(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
127	POLLUTION CONTROL EQUIPMENT	7,175	7,175
128	ITEMS UNDER \$5 MILLION	20,727	10,727
	Contract Delays		[-10,000]
129	PHYSICAL SECURITY VEHICLES	1,142	1,142
130	MATERIALS HANDLING EQUIPMENT	14,972	9,972
	Contract Delays		[-5,000]
131	OTHER SUPPLY SUPPORT EQUIPMENT	4,453	4,453
132	FIRST DESTINATION TRANSPORTATION	6,416	6,416
133	SPECIAL PURPOSE SUPPLY SYSTEMS	51,894	51,894
134	TRAINING SUPPORT EQUIPMENT	16,353	16,353
135	COMMAND SUPPORT EQUIPMENT	28,693	27,693
	SPAWAR--Excess to Need		[-1,000]
136	EDUCATION SUPPORT EQUIPMENT	2,197	2,197
137	MEDICAL SUPPORT EQUIPMENT	7,175	4,175
	Unjustified Growth		[-3,000]
138	NAVAL MIP SUPPORT EQUIPMENT	1,457	1,457
140	OPERATING FORCES SUPPORT EQUIPMENT	15,330	15,330
141	C4ISR EQUIPMENT	136	136
142	ENVIRONMENTAL SUPPORT EQUIPMENT	18,639	18,639
143	PHYSICAL SECURITY EQUIPMENT	177,240	177,240
144	ENTERPRISE INFORMATION TECHNOLOGY	143,022	143,022
147	JUDGMENT FUND REIMBURSEMENT	0	0
148	CANCELLED ACCOUNT ADJUSTMENTS	0	0
148A	CLASSIFIED PROGRAMS	14,402	14,402
149	SPARES AND REPAIR PARTS	208,384	208,384
	TOTAL, OTHER PROCUREMENT, NAVY	6,285,451	6,122,523
	PROCUREMENT, MARINE CORPS		
1	AAV7A1 PIP	9,894	9,894
2	LAV PIP	147,051	147,051
3	EXPEDITIONARY FIRE SUPPORT SYSTEM	11,961	11,961
4	155MM LIGHTWEIGHT TOWED HOWITZER	5,552	5,552
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	14,695	14,695
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	14,868	14,868
7	MODIFICATION KITS	53,932	53,932
8	WEAPONS ENHANCEMENT PROGRAM	13,795	13,795
9	GROUND BASED AIR DEFENSE	12,287	12,287
10	JAVELIN	0	0
11	FOLLOW ON TO SMAW	46,563	46,563
12	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	19,606	19,606
13	MODIFICATION KITS	4,140	4,140
14	UNIT OPERATIONS CENTER	16,755	16,755
15	REPAIR AND TEST EQUIPMENT	24,071	24,071
16	COMBAT SUPPORT SYSTEM	25,461	25,461
17	MODIFICATION KITS	0	0
18	ITEMS UNDER \$5 MILLION (COMM & ELEC)	5,926	5,926
19	AIR OPERATIONS C2 SYSTEMS	44,152	44,152
20	RADAR SYSTEMS	40,352	40,352
21	FIRE SUPPORT SYSTEM	8,793	4,470
	Excess to need		[-4,323]
22	INTELLIGENCE SUPPORT EQUIPMENT	64,276	32,276
	Marine Corps recommendation		[-32,000]
24	RQ-11 UAV	2,104	2,104
25	DCGS-MC	10,789	10,789
28	NIGHT VISION EQUIPMENT	6,847	6,847
29	COMMON COMPUTER RESOURCES	218,869	196,869
	Marine Corps recommendation		[-22,000]
30	COMMAND POST SYSTEMS	84,856	84,856
31	RADIO SYSTEMS	89,479	79,770
	Equipment upgrade for CBNIRF (UFR)		[1,000]
	Marine Corps recommendation		[-10,709]
32	COMM SWITCHING & CONTROL SYSTEMS	16,598	16,598
33	COMM & ELEC INFRASTRUCTURE SUPPORT	47,505	47,505
33A	CLASSIFIED PROGRAMS	1,606	1,606
34	COMMERCIAL PASSENGER VEHICLES	894	894
35	COMMERCIAL CARGO VEHICLES	14,231	14,231
36	5/4T TRUCK HMMWV (MYP)	0	0
37	MOTOR TRANSPORT MODIFICATIONS	8,389	8,389
38	MEDIUM TACTICAL VEHICLE REPLACEMENT	5,833	5,833
39	LOGISTICS VEHICLE SYSTEM REP	972	972
40	FAMILY OF TACTICAL TRAILERS	21,848	21,848
41	TRAILERS	0	0
42	ITEMS LESS THAN \$5 MILLION	4,503	4,503
43	ENVIRONMENTAL CONTROL EQUIP ASSORT	2,599	2,599
44	BULK LIQUID EQUIPMENT	16,255	16,255
45	TACTICAL FUEL SYSTEMS	26,853	26,853
46	POWER EQUIPMENT ASSORTED	27,247	27,247

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(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
47	AMPHIBIOUS SUPPORT EQUIPMENT	5,533	5,533
48	EOD SYSTEMS	61,753	29,753
	Marine Corps recommendation		[-32,000]
49	PHYSICAL SECURITY EQUIPMENT	16,627	16,627
50	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	10,827	10,827
51	MATERIAL HANDLING EQUIP	37,055	37,055
52	FIRST DESTINATION TRANSPORTATION	1,462	1,462
53	FIELD MEDICAL EQUIPMENT	24,079	24,079
54	TRAINING DEVICES	10,277	10,277
55	CONTAINER FAMILY	3,123	3,123
56	FAMILY OF CONSTRUCTION EQUIPMENT	18,137	18,137
57	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	0	0
58	BRIDGE BOATS	0	0
59	RAPID DEPLOYABLE KITCHEN	5,026	5,026
60	ITEMS LESS THAN \$5 MILLION	5,206	5,206
61	SPARES AND REPAIR PARTS	90	90
	TOTAL, PROCUREMENT, MARINE CORPS	1,391,602	1,291,570
	AIRCRAFT PROCUREMENT, AIR FORCE		
1	F-35	3,597,615	3,597,615
1	F-35	-257,000	-257,000
2	F-35	323,477	323,477
3	F-22A	104,118	104,118
3	F-22A	0	0
4	C-17A (MYP)	0	0
5	C-130J	120,879	120,879
5	C-130J	-48,000	-48,000
6	C-130J	0	0
7	HC-130J	342,899	342,899
7	HC-130J	-10,000	-10,000
8	HC-130J	0	0
9	MC-130J	642,466	642,466
9	MC-130J	-60,000	-60,000
10	MC-130J	0	0
11	HC/MC-130 RECAP	0	0
11	HC/MC-130 RECAP	0	0
12	HC/MC-130 RECAP	0	0
13	C-27J	479,896	479,896
14	LIGHT MOBILITY AIRCRAFT	0	0
15	USFAA POWERED FLIGHT PROGRAM	1,060	1,060
16	T-6	0	0
17	COMMON VERTICAL LIFT SUPPORT	59,232	59,232
17	COMMON VERTICAL LIFT SUPPORT	-6,432	-6,432
18	COMMON VERTICAL LIFT SUPPORT	0	0
19	V22 OSPREY	362,407	362,407
19	V22 OSPREY	-22,542	-22,542
20	V22 OSPREY	20,000	20,000
21	C-12 A	0	0
22	C-40	0	0
23	CIVIL AIR PATROL A/C	2,190	2,190
24	HH-60M	104,711	34,811
	Combat losses funded in FY11		[-69,900]
25	LIGHT ATTACK ARMED RECON ACFT	158,549	0
	Defer production pending R&D completion		[-158,549]
26	RQ-11	0	0
27	STUASL0	0	0
28	ITERIM GATEWAY	0	0
29	TARGET DRONES	64,268	64,268
30	C-37A	77,842	77,842
31	RQ-4	414,164	414,164
31	RQ-4	-90,200	-90,200
32	RQ-4	71,500	71,500
33	MC 130 IN BA 04	108,470	108,470
34	MQ-9	813,092	0
	ASIP 2C early to need		[-29,500]
	Transfer to OCO		[-783,592]
35	B-2A	41,315	41,315
35	B-2A	0	0
36	B-1B	198,007	198,007
37	B-52	93,897	93,897
38	A-10	153,128	7,328
	Program reduction--Wing replacement program		[-145,800]
39	F-15	222,386	208,386
	Early to need--Mode 5 IFF		[-14,000]
40	F-16	73,346	56,746
	Mode 5 procurement ahead of need		[-16,600]
41	F-22A	232,032	232,032

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
42	F-35 MODIFICATIONS	0	0
43	C-5	178,641	178,641
43	C-5	-166,900	-166,900
44	C-5	0	0
45	C-5M	851,859	851,859
46	C-5M	112,200	112,200
47	C-9C	9	9
48	C-17A	202,179	202,179
49	C-21	328	328
50	C-32A	12,157	1,757
	Program reduction--SLC3S-A		[-10,400]
51	C-37A	21,986	486
	Program reduction--SLC3S-A		[-21,500]
52	C-130 AMP	235,635	208,135
	Early to need--kit installs		[-27,500]
53	GLIDER MODS	123	123
54	T-6	15,086	15,086
55	T-1	238	238
56	T-38	31,032	31,032
57	KC-10A (ATCA)	27,220	9,820
	Early to need--CNS/ATM		[-17,400]
58	C-12	1,777	1,777
59	MC-12W	16,767	16,767
60	C-20 MODS	241	241
61	VC-25A MOD	387	387
62	C-40	206	206
63	C-130	45,876	45,876
64	C-130 INTEL	3,593	3,593
65	C-130J MODS	38,174	38,174
66	C-135	62,210	62,210
67	COMPASS CALL MODS	256,624	256,624
68	RC-135	162,211	162,211
69	E-3	135,031	135,031
70	E-4	57,829	57,829
71	E-8	29,058	29,058
72	H-1	5,280	5,280
73	H-60	34,371	88,971
	Transfer from PE 65299F (RDAF 81) per USAF request		[54,600]
74	RQ-4 MODS	89,177	89,177
75	HC/MC-130 MODIFICATIONS	431	10,831
	Transfer from PE 65299F (RDAF 81) per USAF request		[10,400]
76	OTHER AIRCRAFT	115,338	68,238
	EHF SATCOM, FAB-T advance procurement-AF program change (non-add)		[]
	Early to need in FAB-T		[-47,100]
77	MQ-1 MODS	158,446	158,446
78	MQ-9 MODS	181,302	181,302
79	MQ-9 UAS PAYLOADS	74,866	74,866
80	CV-22 MODS	14,715	14,715
81	INITIAL SPARES/REPAIR PARTS	1,030,364	927,364
	Program reduction--poor execution		[-103,000]
82	AIRCRAFT REPLACEMENT SUPPORT EQUIP	92,394	92,394
83	B-1	4,743	4,743
84	B-2A	101	101
85	B-2A	49,319	49,319
86	B-52	0	0
87	C-5	521	521
88	C-5	0	0
89	KC-10A (ATCA)	5,691	5,691
90	C-17A	183,696	75,115
	Transition to post production		[-108,581]
91	C-130	25,646	25,646
92	EC-130J	0	0
93	C-135	2,434	2,434
94	F-15	2,076	2,076
95	F-16	4,537	4,537
96	T-6	0	0
97	OTHER AIRCRAFT	40,025	40,025
98	INDUSTRIAL RESPONSIVENESS	21,050	21,050
99	WAR CONSUMABLES	87,220	0
	Transfer to OCO		[-87,220]
100	OTHER PRODUCTION CHARGES	1,072,858	1,072,858
104	U-2	48,875	48,875
104A	CLASSIFIED PROGRAMS	16,502	16,502
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	14,082,527	12,506,885
	MISSILE PROCUREMENT, AIR FORCE		
1	MISSILE REPLACEMENT EQ-BALLISTIC	67,745	67,745

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
2	JASSM	236,193	236,193
3	SIDEWINDER (AIM-9X)	88,769	88,769
4	AMRAAM	309,561	208,561
	Production Backlog		[-101,000]
5	PREDATOR HELLFIRE MISSILE	46,830	46,830
6	SMALL DIAMETER BOMB	7,523	7,523
7	INDUSTRI'L PREPAREDNS/POL PREVENTION	726	726
8	ADVANCED CRUISE MISSILE	39	39
9	MM III MODIFICATIONS	125,953	125,953
10	AGM-65D MAVERICK	266	266
11	AGM-88A HARM	25,642	25,642
12	AIR LAUNCH CRUISE MISSILE (ALCM)	14,987	14,987
13	INITIAL SPARES/REPAIR PARTS	43,241	43,241
14	ADVANCED EHF	761,353	761,353
14	ADVANCED EHF	-208,520	-208,520
15	ADVANCED EHF	0	0
16	WIDEBAND GAPFILLER SATELLITES(SPACE)	526,855	526,855
16	WIDEBAND GAPFILLER SATELLITES(SPACE)	-58,110	-58,110
17	WIDEBAND GAPFILLER SATELLITES(SPACE)	0	0
18	GPS III SPACE SEGMENT	556,016	556,016
18	GPS III SPACE SEGMENT	-122,490	-122,490
19	GPS III SPACE SEGMENT	81,811	41,811
	Excess advance procurement—AF program change		[-40,000]
20	SPACEBORNE EQUIP (COMSEC)	21,568	21,568
21	GLOBAL POSITIONING (SPACE)	67,689	67,689
22	DEF METEOROLOGICAL SAT PROG(SPACE)	101,397	101,397
23	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,740,222	1,740,222
24	SBIR HIGH (SPACE)	351,389	351,389
24	SBIR HIGH (SPACE)	-270,000	-270,000
25	SBIR HIGH (SPACE)	243,500	243,500
26	NATL POLAR-ORBITING OP ENV SATELLITE	0	0
29	DEFENSE SPACE RECONN PROGRAM	0	0
31	SPECIAL UPDATE PROGRAMS	154,727	154,727
31A	CLASSIFIED PROGRAMS	1,159,135	746,980
	Classified Adjustment		[-412,155]
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	6,074,017	5,520,862
	PROCUREMENT OF AMMUNITION, AIR FORCE		
1	ROCKETS	23,919	23,919
2	CARTRIDGES	89,771	89,771
3	PRACTICE BOMBS	38,756	38,756
4	GENERAL PURPOSE BOMBS	168,557	168,557
5	JOINT DIRECT ATTACK MUNITION	76,649	76,649
6	CAD/PAD	42,410	42,410
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	3,119	3,119
8	SPARES AND REPAIR PARTS	998	998
9	MODIFICATIONS	1,132	1,132
10	ITEMS LESS THAN \$5,000,000	5,075	5,075
11	FLARES	46,749	46,749
12	FUZES	34,735	34,735
13	SMALL ARMS	7,195	7,195
14	ADJ TO MATCH CONTINUING RESOLUTION	0	0
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	539,065	539,065
	OTHER PROCUREMENT, AIR FORCE		
1	PASSENGER CARRYING VEHICLES	5,621	5,621
2	MEDIUM TACTICAL VEHICLE	18,411	18,411
3	CAP VEHICLES	917	917
4	ITEMS LESS THAN \$5,000,000 (CARGO)	18,694	18,694
5	SECURITY AND TACTICAL VEHICLES	5,982	85
	HMMWV--In Excess of Need		[-2,956]
	Guardian Angel Contract Delay		[-2,941]
6	ITEMS LESS THAN \$5,000,000 (SPECIA)	20,677	20,677
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	22,881	22,881
8	ITEMS LESS THAT \$5,000,000	14,978	14,978
9	RUNWAY SNOW REMOV AND CLEANING EQU	16,556	16,556
10	ITEMS LESS THAN \$5M BASE MAINT/CONST	30,225	30,225
11	COMSEC EQUIPMENT	135,169	135,169
12	MODIFICATIONS (COMSEC)	1,263	1,263
13	AIR FORCE PHYSICAL SECURITY	0	0
14	INTELLIGENCE TRAINING EQUIPMENT	2,645	2,645
15	INTELLIGENCE COMM EQUIPMENT	21,762	21,762
16	ADVANCE TECH SENSORS	899	899
17	MISSION PLANNING SYSTEMS	18,529	18,529
18	AIR TRAFFIC CONTROL & LANDING SYS	32,473	32,473
19	NATIONAL AIRSPACE SYSTEM	51,426	51,426

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
20	BATTLE CONTROL SYSTEM—FIXED	32,468	32,468
21	THEATER AIR CONTROL SYS IMPROVEMEN	22,813	22,813
22	WEATHER OBSERVATION FORECAST	14,619	14,619
23	STRATEGIC COMMAND AND CONTROL	39,144	39,144
24	CHEYENNE MOUNTAIN COMPLEX	25,992	25,992
25	TAC SIGNIT SPT	217	217
26	DRUG INTERDICTION SUPPORT	0	0
27	GENERAL INFORMATION TECHNOLOGY	52,263	52,263
28	AF GLOBAL COMMAND & CONTROL SYS	16,951	16,951
29	MOBILITY COMMAND AND CONTROL	26,433	19,033
	SLICC/Viper II Excess of Need		[-7,400]
30	AIR FORCE PHYSICAL SECURITY SYSTEM	90,015	90,015
31	COMBAT TRAINING RANGES	23,955	23,955
32	C3 COUNTERMEASURES	7,518	7,518
33	GCSS-AF FOS	72,641	72,641
34	THEATER BATTLE MGT C2 SYSTEM	22,301	22,301
35	AIR & SPACE OPERATIONS CTR-WPN SYS	15,525	15,525
36	INFORMATION TRANSPORT SYSTEMS	49,377	49,377
37	BASE INFO INFRASTRUCTURE	41,239	41,239
38	AFNET	228,978	108,978
	Reduce Program Growth		[-120,000]
39	VOICE SYSTEMS	43,603	23,603
	Reduce Program Growth		[-20,000]
40	USCENTCOM	30,983	30,983
41	SPACE BASED IR SENSOR PGM SPACE	49,570	49,570
42	NAVSTAR GPS SPACE	2,008	2,008
43	NUDET DETECTION SYS SPACE	4,863	4,863
44	AF SATELLITE CONTROL NETWORK SPACE	61,386	61,386
45	SPACELIFT RANGE SYSTEM SPACE	125,947	125,947
46	MILSATCOM SPACE	104,720	36,570
	EHF SATCOM, FAB-T advance procurement-AF program change (non-add)		[]
	Early to need in FAB-T		[-68,150]
47	SPACE MODS SPACE	28,075	28,075
48	COUNTERSPACE SYSTEM	20,718	20,718
49	TACTICAL C-E EQUIPMENT	227,866	153,590
	JTRS AMF Milestone C Delay		[-12,636]
	JTRS Handheld / Manpack Cost Increases		[-44,500]
	JTC Training and Rehearsal Schedule Ahead of Need		[-17,140]
50	COMBAT SURVIVOR EVADER LOCATER	22,184	7,184
	CSEL Contract Delay		[-15,000]
51	RADIO EQUIPMENT	11,408	11,408
52	CCTV/AUDIOVISUAL EQUIPMENT	11,559	11,559
53	BASE COMM INFRASTRUCTURE	105,977	80,977
	Slow Execution		[-25,000]
54	COMM ELECT MODS	76,810	76,810
55	NIGHT VISION GOGGLES	20,008	1,008
	Night Vision Cueing and Display Contract Delay		[-19,000]
56	ITEMS LESS THAN \$5,000,000 (SAFETY)	25,499	12,598
	Laser Eye Protection Contract Delay		[-5,800]
	MACH Early to Need		[-7,101]
57	MECHANIZED MATERIAL HANDLING EQUIP	37,829	37,829
58	BASE PROCURED EQUIPMENT	16,483	16,483
59	CONTINGENCY OPERATIONS	16,754	16,754
60	PRODUCTIVITY CAPITAL INVESTMENT	3,653	903
	Unjustified Program Growth		[-2,750]
61	MOBILITY EQUIPMENT	30,345	20,345
	Power Generation--Reduce Growth		[-10,000]
62	ITEMS LESS THAN \$5,000,000 (BASE S)	2,819	2,819
64	DARP RC135	23,341	23,341
65	DCGS-AF	212,146	212,146
67	SPECIAL UPDATE PROGRAM	410,069	410,069
68	DEFENSE SPACE RECONNAISSANCE PROG.	41,066	41,066
68A	CLASSIFIED PROGRAMS	14,618,160	14,788,852
	Classified Adjustment		[170,692]
69	SPARES AND REPAIR PARTS	14,630	14,630
	TOTAL, OTHER PROCUREMENT, AIR FORCE	17,602,036	17,392,354
	PROCUREMENT, DEFENSE-WIDE		
1	MAJOR EQUIPMENT, BTA	0	0
2	ITEMS LESS THAN \$5 MILLION	1,473	1,473
3	MAJOR EQUIPMENT	2,076	2,076
4	PERSONNEL ADMINISTRATION	11,019	11,019
13	INTERDICTION SUPPORT	0	0
14	INFORMATION SYSTEMS SECURITY	19,952	19,952
15	GLOBAL COMMAND AND CONTROL SYSTEM	5,324	5,324
16	GLOBAL COMBAT SUPPORT SYSTEM	2,955	2,955
17	TELEPORT PROGRAM	54,743	54,743

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
18	ITEMS LESS THAN \$5 MILLION	174,805	174,805
19	NET CENTRIC ENTERPRISE SERVICES (NCES)	3,429	3,429
20	DEFENSE INFORMATION SYSTEM NETWORK	500,932	200,932
	Other alternatives not evaluated; need to conduct AOA		[-300,000]
21	PUBLIC KEY INFRASTRUCTURE	1,788	1,788
22	CYBER SECURITY INITIATIVE	24,085	24,085
23	MAJOR EQUIPMENT	11,537	11,537
24	MAJOR EQUIPMENT	14,542	14,542
25	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,444	1,444
26	EQUIPMENT	971	971
27	OTHER CAPITAL EQUIPMENT	974	974
28	VEHICLES	200	200
29	OTHER MAJOR EQUIPMENT	12,806	12,806
30	MAJOR EQUIPMENT	447	447
31	THAAD PROCUREMENT	0	0
32	AEGIS BMD PROCUREMENT	0	0
33	THAAD	833,150	713,150
	Excess to production capacity		[-120,000]
34	AEGIS BMD	565,393	250,393
	Production delay; transfer to R&D for fixes		[-315,000]
35	BMDs AN/TPY-2 RADARS	380,195	380,195
43	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,787	5,787
45	MAJOR EQUIPMENT, OSD	47,123	47,123
46	MAJOR EQUIPMENT, INTELLIGENCE	20,176	20,176
47	MAJOR EQUIPMENT, TJS	29,729	29,729
48	MAJOR EQUIPMENT, WHS	31,974	31,974
48A	CLASSIFIED PROGRAMS	554,408	554,408
49	ROTARY WING UPGRADES AND SUSTAINMENT	41,411	41,411
50	MH-47 SERVICE LIFE EXTENSION PROGRAM	0	0
51	MH-60 MODERNIZATION PROGRAM	171,456	171,456
52	NON-STANDARD AVIATION	272,623	176,023
	NSAV-M Unjustified Requirement		[-50,100]
	AvFID Funding ahead of need		[-55,000]
	NSAV-L Transfer from OCO		[8,500]
53	TANKER RECAPITALIZATION	0	0
54	U-28	5,100	5,100
55	MH-47 CHINOOK	142,783	142,783
56	RQ-11 UNMANNED AERIAL VEHICLE	486	486
57	CV-22 MODIFICATION	118,002	118,002
58	MQ-1 UNMANNED AERIAL VEHICLE	3,025	3,025
59	MQ-9 UNMANNED AERIAL VEHICLE	3,024	3,024
60	RQ-7 UNMANNED AERIAL VEHICLE	450	450
61	STUASL0	12,276	12,276
62	AC/MC-130J	74,891	74,891
63	C-130 MODIFICATIONS	19,665	19,665
64	AIRCRAFT SUPPORT	6,207	6,207
65	UNDERWATER SYSTEMS	6,999	6,999
66	SEAL DELIVERY VEHICLE	0	0
67	ORDNANCE REPLENISHMENT	116,009	116,009
68	ORDNANCE ACQUISITION	28,281	28,281
69	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	87,489	87,489
70	INTELLIGENCE SYSTEMS	74,702	85,702
	VSO/ALP Unfunded Requirement		[15,600]
	VSO/ALP Unfunded Requirement		[-4,600]
71	SMALL ARMS AND WEAPONS	9,196	13,196
	VSO/ALP Unfunded Requirement		[4,000]
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	15,621	15,621
74	MARITIME EQUIPMENT MODIFICATIONS	0	0
76	COMBATANT CRAFT SYSTEMS	6,899	21,899
	HSAC Unfunded Requirement		[15,000]
77	SPARES AND REPAIR PARTS	594	594
78	TACTICAL VEHICLES	33,915	41,315
	VSO/ALP Unfunded Requirement		[27,800]
	VSO/ALP Unfunded Requirement		[-20,400]
79	MISSION TRAINING AND PREPARATION SYSTEMS	0	0
80	MISSION TRAINING AND PREPARATION SYSTEMS	46,242	46,242
81	COMBAT MISSION REQUIREMENTS	50,000	20,000
	Reduction to growth		[-30,000]
82	MILCON COLLATERAL EQUIPMENT	18,723	18,723
84	CLASSIFIED PROGRAMS	0	0
85	AUTOMATION SYSTEMS	51,232	51,232
86	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	7,782	7,782
87	OPERATIONAL ENHANCEMENTS INTELLIGENCE	22,960	22,960
88	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	362	2,962
	VSO/ALP Unfunded Requirement		[2,600]
89	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	15,758	15,758
90	TACTICAL RADIO SYSTEMS	76,459	76,459
91	MARITIME EQUIPMENT	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
92	DRUG INTERDICTION	0	0
93	MISCELLANEOUS EQUIPMENT	1,895	1,895
94	OPERATIONAL ENHANCEMENTS	246,893	246,893
95	MILITARY INFORMATION SUPPORT OPERATIONS	4,142	4,142
95A	CLASSIFIED PROGRAMS	4,012	4,012
96	INSTALLATION FORCE PROTECTION	15,900	14,817
	Underexecution		[-1,083]
97	INDIVIDUAL PROTECTION	71,376	70,484
	Underexecution		[-892]
98	DECONTAMINATION	6,466	6,208
	Underexecution		[-258]
99	JOINT BIO DEFENSE PROGRAM (MEDICAL)	11,143	11,019
	Underexecution		[-124]
100	COLLECTIVE PROTECTION	9,414	9,085
	Underexecution		[-329]
101	CONTAMINATION AVOIDANCE	139,948	138,322
	Underexecution		[-1,626]
	TOTAL, PROCUREMENT, DEFENSE-WIDE	5,365,248	4,539,336
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, PROCUREMENT	111,453,792	101,633,483

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
2	C-12 CARGO AIRPLANE	10,500	0
	No justified requirement		[-10,500]
04	MQ-1 UAV	0	658,798
	Transfer from Base		[658,798]
05	RQ-11 (RAVEN)	0	0
8	AH-64 BLOCK II/WRA	35,500	0
	Program reduction		[-35,500]
12	UH-60 BLACKHAWK M MODEL (MYP)	72,000	54,500
	Combat Loss funded in FY11		[-17,500]
17	KIOWA WARRIOR UPGRADE (OH-58 D)/WRA	145,500	145,500
19	MQ-1 PAYLOAD—UAS	10,800	117,983
	Transfer from Base		[107,183]
22	MULTI SENSOR ABN RECON (MIP)	54,500	54,500
33	RQ-7 UAV MODS	94,600	94,600
34	RQ-7 UAV MODS		-79,000
	VADER ISR payload not compatible with host platform		[-79,000]
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	423,400	1,046,881
MISSILE PROCUREMENT, ARMY			
4	HELLFIRE SYS SUMMARY	107,556	107,556
9	GUIDED MLRS ROCKET (GMLRS)	19,000	19,000
	TOTAL, MISSILE PROCUREMENT, ARMY	126,556	126,556
PROCUREMENT OF W&TCV, ARMY			
19	MACHINE GUN, CAL . 50 M2 ROLL	0	31,102
	Transfer from Base		[31,102]
20	LIGHTWEIGHT .50 CALIBER MACHINE GUN	5,427	5,427
29	COMMON REMOTELY OPERATED WEAPONS STATION (CRO)	14,890	14,890
31	HOWITZER LT WT 155MM (T)	0	13,066
	Transfer from Base		[13,066]
33	M4 CARBINE MODS	16,800	16,800
34	M2 50 CAL MACHINE GUN MODS	0	48,856
	Transfer from Base		[48,856]
	TOTAL, PROCUREMENT OF W&TCV, ARMY	37,117	130,141
PROCUREMENT OF AMMUNITION, ARMY			
4	CTG, HANDGUN, ALL TYPES	1,200	1,200
9	CTG, 30MM, ALL TYPES	4,800	4,800
10	CTG, 40MM, ALL TYPES	38,000	38,000
13	81MM MORTAR, ALL TYPES	8,000	8,000
14	120MM MORTAR, ALL TYPES	49,140	49,140
19	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
22	ARTILLERY FUZES, ALL TYPES	5,000	5,000
27	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	5,000	5,000
28	ROCKET, HYDRA 70, ALL TYPES	53,841	53,841
29	DEMOLITION MUNITIONS, ALL TYPES	16,000	16,000
31	SIGNALS, ALL TYPES	7,000	7,000
32	SIMULATORS, ALL TYPES	8,000	8,000
36	CAD/PAD ALL TYPES	2,000	2,000
37	ITEMS LESS THAN \$5 MILLION	400	400
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	208,381	208,381
OTHER PROCUREMENT, ARMY			
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	11,094	11,094
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	47,214	47,214
10	MINE PROTECTION VEHICLE FAMILY	0	8,671
	Transfer from Base		[8,671]
15	TACTICAL WHEELED VEHICLE PROTECTION KITS	0	39,908
	Transfer from Base		[39,908]
17	MINE-RESISTANT AMBUSH-PROTECTED MODS	0	127,862
	Transfer from Base		[127,862]
23	NONTACTICAL VEHICLES, OTHER	3,600	3,600
25	WIN-T—GROUND FORCES TACTICAL NETWORK	547	547
39	JOINT TACTICAL RADIO SYSTEM	450	450
42	AMC CRITICAL ITEMS—OPA2	8,141	8,141
49	GUNSHOT DETECTION SYSTEM (GDS)	44,100	0
	Concurrent development and procurement		[-44,100]
51	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	6,443	6,443

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
56	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	54,730	54,730
58	BASE SUPPORT COMMUNICATIONS	5,000	5,000
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(.....	169,500	169,500
70	DCGS-A (MIP)	83,000	207,548
	Transfer from Base		[124,548]
72	TROJAN (MIP)	61,100	61,100
76	LIGHTWEIGHT COUNTER MORTAR RADAR	54,100	54,100
79	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITES	53,000	53,000
80	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	48,600	48,600
84	SENSE THROUGH THE WALL (STTW)	10,000	10,000
90	COUNTER-ROCKET, ARTILLERY & MORTAR	0	15,774
	Transfer from Base		[15,774]
92	GREEN LASER INTERDICTION SYSTEM	0	25,356
	Transfer from Base		[25,356]
95	PROFILER	2,000	2,000
96	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	30,400	30,400
98	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	148,335	148,335
102	COUNTERFIRE RADARS	110,548	110,548
105	FIRE SUPPORT C2 FAMILY	15,081	15,081
106	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC	10,000	10,000
108	AIR & MSL DEFENSE PLANNING & CONTROL SYS	28,000	28,000
109	KNIGHT FAMILY	42,000	42,000
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	32,800	32,800
115	MANEUVER CONTROL SYSTEM (MCS)	44,000	44,000
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	18,000	18,000
121	AUTOMATED DATA PROCESSING EQUIP	10,000	10,000
127A	CLASSIFIED PROGRAMS	795	795
128	PROTECTIVE SYSTEMS	11,472	11,472
129	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	30,000	30,000
130	BASE DEFENSE SYSTEMS (BDS)	0	41,204
	Transfer from Base		[41,204]
131	CBRN SOLDIER PROTECTION	1,200	1,200
133	TACTICAL BRIDGING	15,000	15,000
134	TACTICAL BRIDGE, FLOAT-RIBBON	26,900	26,900
137	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	0	22,297
	Transfer from Base		[22,297]
138	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	3,205	3,205
149	FORCE PROVIDER	68,000	68,000
158	COMBAT SUPPORT MEDICAL	15,011	15,011
159	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25,129	25,129
180	ALL TERRAIN LIFTING ARMY SYSTEM	1,800	1,800
189	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	43,000	22,000
	Prior year unobligated funds available		[-21,000]
190	PHYSICAL SECURITY SYSTEMS (OPA3)	4,900	4,900
	TOTAL, OTHER PROCUREMENT, ARMY	1,398,195	1,738,715
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
1	ATTACK THE NETWORK	1,368,800	1,211,800
	Undistributed efficiencies reduction		[-90,000]
	BAA S&T Response—unjustified request		[-50,000]
	Information Fusion—unjustified program growth		[-17,000]
2	DEFEAT THE DEVICE	961,200	811,200
	Undistributed efficiencies reduction		[-150,000]
3	TRAIN THE FORCE	247,500	224,450
	Undistributed efficiencies reduction		[-5,000]
	Train the Force Response—unjustified program growth		[-18,050]
04	OPERATIONS		200,634
	Transfer from Base: Operations		[220,634]
	Undistributed efficiencies reduction		[-20,000]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	2,577,500	2,448,084
	AIRCRAFT PROCUREMENT, NAVY		
11	UH-1Y/AH-1Z	30,000	24,875
	Excessive unit cost growth		[-5,125]
19	E-2D ADV HAWKEYE	163,500	0
	Combat loss funded in fiscal year 2011		[-163,500]
28	OTHER SUPPORT AIRCRAFT	21,882	21,882
30	AEA SYSTEMS	53,100	53,100
31	AV-8 SERIES	53,485	53,485
32	F-18 SERIES	46,992	46,992
34	AH-1W SERIES	39,418	37,918
	ANVIS HUD install kit pricing		[-1,500]
35	H-53 SERIES	70,747	63,747
	Excess hardware support		[-2,000]
	Excess NRE for Bue Force Tracker modifications		[-5,000]
37	H-1 SERIES	6,420	6,420

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
38	EP-3 SERIES	20,800	20,800
43	C-130 SERIES	59,625	45,825
	LAIRCM install unit cost		[-3,600]
	Targeting Sight Systems exceed requirement		[-10,200]
45	CARGO/TRANSPORT A/C SERIES	25,880	18,280
	Excess C-20G installation NRE		[-4,000]
	UC-12W excess to need		[-3,600]
48	SPECIAL PROJECT AIRCRAFT	11,184	11,184
53	COMMON ECM EQUIPMENT	27,200	24,200
	Other support excess		[-3,000]
54	COMMON AVIONICS CHANGES	13,467	11,467
	OSIP 10-11 other support growth		[-2,000]
55	COMMON DEFENSIVE WEAPON SYSTEM	3,300	3,300
60	V-22 (TILT/ROTOR ACFT) OSPREY	30,000	25,500
	Deficiencies modifications other support growth		[-2,500]
	Reliability modifications other support growth		[-2,000]
61	SPARES AND REPAIR PARTS	39,060	39,060
62	COMMON GROUND EQUIPMENT	10,800	10,800
64	WAR CONSUMABLES	0	27,300
	Transfer from Base		[27,300]
65	OTHER PRODUCTION CHARGES	4,100	4,100
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	730,960	550,235
	WEAPONS PROCUREMENT, NAVY		
9	HELLFIRE	14,000	14,000
10	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	20,000	20,000
27	SMALL ARMS AND WEAPONS	7,070	7,070
	TOTAL, WEAPONS PROCUREMENT, NAVY	41,070	41,070
	PROCUREMENT OF AMMO, NAVY & MC		
3	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
4	MACHINE GUN AMMUNITION	22,400	22,400
7	AIR EXPENDABLE COUNTERMEASURES	20,000	20,000
11	OTHER SHIP GUN AMMUNITION	182	182
12	SMALL ARMS & LANDING PARTY AMMO	4,545	4,545
13	PYROTECHNIC AND DEMOLITION	1,656	1,656
14	AMMUNITION LESS THAN \$5 MILLION	6,000	6,000
15	SMALL ARMS AMMUNITION	19,575	19,575
16	LINEAR CHARGES, ALL TYPES	6,691	6,691
17	40 MM, ALL TYPES	12,184	12,184
18	60MM, ALL TYPES	10,988	10,988
19	81MM, ALL TYPES	24,515	24,515
20	120MM, ALL TYPES	11,227	11,227
21	CTG 25MM, ALL TYPES	802	802
22	GRENADES, ALL TYPES	5,911	5,911
23	ROCKETS, ALL TYPES	18,871	18,871
24	ARTILLERY, ALL TYPES	57,003	57,003
25	DEMOLITION MUNITIONS, ALL TYPES	7,831	7,831
26	FUZE, ALL TYPES	5,177	5,177
27	NON LETHALS	712	712
29	ITEMS LESS THAN \$5 MILLION	630	630
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	317,100	317,100
	OTHER PROCUREMENT, NAVY		
23	STANDARD BOATS	13,729	13,729
56	MATCALS	7,232	7,232
66	TACTICAL/MOBILE C4I SYSTEMS	4,000	4,000
92	EXPEDITIONARY AIRFIELDS	47,000	47,000
95	METEOROLOGICAL EQUIPMENT	10,800	10,800
97	AVIATION LIFE SUPPORT	14,000	14,000
101	OTHER AVIATION SUPPORT EQUIPMENT	18,226	18,226
112	SSN COMBAT CONTROL SYSTEMS	7,500	7,500
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	15,700	15,700
121	PASSENGER CARRYING VEHICLES	2,628	1,155
	Unjustified Growth		[-1,473]
123	CONSTRUCTION & MAINTENANCE EQUIP	13,290	13,290
124	FIRE FIGHTING EQUIPMENT	3,672	3,672
128	ITEMS UNDER \$5 MILLION	1,002	1,002
130	MATERIALS HANDLING EQUIPMENT	3,644	3,644
134	TRAINING SUPPORT EQUIPMENT	5,789	0
	Funding No Longer Required		[-5,789]
135	COMMAND SUPPORT EQUIPMENT	3,310	3,310
140	OPERATING FORCES SUPPORT EQUIPMENT	6,977	6,977
141	C4ISR EQUIPMENT	24,762	24,762
143	PHYSICAL SECURITY EQUIPMENT	78,241	70,641

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	Intelligence Kits—Funding No Longer Required Due to Force Structure Reductions.		[-7,600]
149	SPARES AND REPAIR PARTS	473	473
	TOTAL, OTHER PROCUREMENT, NAVY	281,975	267,113
	PROCUREMENT, MARINE CORPS		
2	LAV PIP	23,962	23,962
4	155MM LIGHTWEIGHT TOWED HOWITZER	16,000	16,000
5	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	10,488	10,488
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	27,373	27,373
10	JAVELIN	2,527	2,527
13	MODIFICATION KITS	59,730	59,730
15	REPAIR AND TEST EQUIPMENT	19,040	19,040
17	MODIFICATION KITS	2,331	2,331
18	ITEMS UNDER \$5 MILLION (COMM & ELEC)	3,090	3,090
19	AIR OPERATIONS C2 SYSTEMS	5,236	5,236
20	RADAR SYSTEMS	26,506	26,506
21	FIRE SUPPORT SYSTEM	35	35
22	INTELLIGENCE SUPPORT EQUIPMENT	47,132	47,132
28	NIGHT VISION EQUIPMENT	9,850	9,850
29	COMMON COMPUTER RESOURCES	18,629	18,629
30	COMMAND POST SYSTEMS	31,491	31,491
31	RADIO SYSTEMS	87,027	87,027
32	COMM SWITCHING & CONTROL SYSTEMS	54,177	124,177
	Digital technical control shelters		[20,000]
	Data distribution system modules		[50,000]
33	COMM & ELEC INFRASTRUCTURE SUPPORT	2,200	2,200
37	MOTOR TRANSPORT MODIFICATIONS	95,800	95,800
38	MEDIUM TACTICAL VEHICLE REPLACEMENT	392,391	92,391
	MTVR Reduction		[-300,000]
39	LOGISTICS VEHICLE SYSTEM REP	38,382	38,382
40	FAMILY OF TACTICAL TRAILERS	24,826	24,826
43	ENVIRONMENTAL CONTROL EQUIP ASSORT	18,775	18,775
44	BULK LIQUID EQUIPMENT	7,361	7,361
46	POWER EQUIPMENT ASSORTED	51,895	106,895
	Advanced power sources		[20,000]
	Mobile power equipment		[35,000]
48	EOD SYSTEMS	57,237	57,237
49	PHYSICAL SECURITY EQUIPMENT	42,900	42,900
51	MATERIAL HANDLING EQUIP	42,553	42,553
53	FIELD MEDICAL EQUIPMENT	8,307	8,307
54	TRAINING DEVICES	5,200	5,200
55	CONTAINER FAMILY	12	12
56	FAMILY OF CONSTRUCTION EQUIPMENT	28,533	28,533
	TOTAL, PROCUREMENT, MARINE CORPS	1,260,996	1,085,996
	AIRCRAFT PROCUREMENT, AIR FORCE		
19	V22 OSPREY	70,000	0
	Combat Loss funded in FY11		[-70,000]
24	HH-60M	39,300	39,300
27	STUASL0	2,472	2,472
34	MQ-9 (REAPER)	0	783,592
	Transfer from Base		[783,592]
43	C-5	59,299	59,299
59	MC-12W	17,300	17,300
63	C-130	164,041	164,041
64	C-130 INTEL	4,600	4,600
65	C-130J MODS	27,983	27,983
67	COMPASS CALL MODS	12,000	12,000
75	HC/MC-130 MODIFICATIONS	34,000	34,000
76	OTHER AIRCRAFT	15,000	15,000
77	MQ-1 MODS	2,800	2,800
81	INITIAL SPARES/REPAIR PARTS	2,800	2,800
90	C-17A	10,970	10,970
99	WAR CONSUMABLES (OCO)	0	87,220
	Transfer from Base		[87,220]
100	OTHER PRODUCTION CHARGES	23,000	23,000
104	U-2	42,300	13,400
	Sensors		[-28,900]
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	527,865	1,299,777
	MISSILE PROCUREMENT, AIR FORCE		
5	PREDATOR HELLFIRE MISSILE	16,120	16,120
6	SMALL DIAMETER BOMB	12,300	12,300

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	28,420	28,420
	PROCUREMENT OF AMMUNITION, AIR FORCE		
1	ROCKETS	329	329
2	CARTRIDGES	8,014	8,014
4	GENERAL PURPOSE BOMBS	17,385	17,385
5	JOINT DIRECT ATTACK MUNITION	34,100	34,100
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	1,200	1,200
11	FLARES	11,217	11,217
12	FUZES	8,765	8,765
13	SMALL ARMS	11,500	11,500
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	92,510	92,510
	OTHER PROCUREMENT, AIR FORCE		
1	PASSENGER CARRYING VEHICLES	2,658	2,658
4	ITEMS LESS THAN \$5,000,000 (CARGO)	32,824	32,824
6	ITEMS LESS THAN \$5,000,000 (SPECIAL)	110	110
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	1,662	1,662
8	ITEMS LESS THAN \$5,000,000	772	772
10	ITEMS LESS THAN \$5M BASE MAINT/CONST	13,983	13,983
13	AIR FORCE PHYSICAL SECURITY	500	500
22	WEATHER OBSERVATION FORECAST	1,800	1,800
25	TAC SIGNIT SPT	7,020	7,020
30	AIR FORCE PHYSICAL SECURITY SYSTEM	25,920	25,920
49	TACTICAL C-E EQUIPMENT	9,445	9,445
55	NIGHT VISION GOGGLES	12,900	12,900
59	CONTINGENCY OPERATIONS	18,100	18,100
61	MOBILITY EQUIPMENT	9,800	9,800
62	ITEMS LESS THAN \$5,000,000 (BASE S)	8,400	8,400
65	DCGS-AF	3,000	3,000
68	DEFENSE SPACE RECONNAISSANCE PROG.	64,400	64,400
68A	CLASSIFIED PROGRAMS	2,991,347	2,890,685
	Classified Adjustment		[-100,662]
	TOTAL, OTHER PROCUREMENT, AIR FORCE	3,204,641	3,103,979
	PROCUREMENT, DEFENSE-WIDE		
17	TELEPORT PROGRAM	3,307	3,307
43	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	3,000	3,000
46	MAJOR EQUIPMENT, INTELLIGENCE	8,300	8,300
48A	CLASSIFIED PROGRAMS	101,548	101,548
50	MH-47 SERVICE LIFE EXTENSION PROGRAM	40,500	0
	Combat Loss funded in FY11		[-40,500]
51	MH-60 MODERNIZATION PROGRAM	7,800	0
	Combat Loss funded in FY11		[-7,800]
52	NON-STANDARD AVIATION	8,500	0
	NSAV-L Transfer to Base		[-8,500]
57	CV-22 MODIFICATION	15,000	0
	Combat Loss funded in FY11		[-15,000]
63	C-130 MODIFICATIONS	4,800	4,800
67	ORDNANCE REPLENISHMENT	71,659	71,659
68	ORDNANCE ACQUISITION	25,400	25,400
69	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	2,325	2,325
70	INTELLIGENCE SYSTEMS	43,558	36,758
	Funded by reprogramming		[-6,800]
71	SMALL ARMS AND WEAPONS	6,488	6,488
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,601	2,601
78	TACTICAL VEHICLES	15,818	15,818
85	AUTOMATION SYSTEMS	13,387	13,387
87	OPERATIONAL ENHANCEMENTS INTELLIGENCE	5,800	4,800
	Funded by reprogramming		[-1,000]
88	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	34,900	34,900
89	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	3,531	3,531
90	TACTICAL RADIO SYSTEMS	2,894	2,894
93	MISCELLANEOUS EQUIPMENT	7,220	7,220
94	OPERATIONAL ENHANCEMENTS	41,632	41,632
	TOTAL, PROCUREMENT, DEFENSE-WIDE	469,968	390,368
	JOINT URGENT OPERATIONAL NEEDS FUND		
1	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	MINE RESISTANT AMBUSH PROT VEH FUND		
1	MINE RESISTANT AMBUSH PROT VEH FUND	3,195,170	3,195,170

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	TOTAL, MINE RESISTANT AMBUSH PROT VEH FUND	3,195,170	3,195,170
	TOTAL, PROCUREMENT	15,021,824	16,170,496

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2012 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH, ARMY				
1	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,064	21,064
2	0601102A	DEFENSE RESEARCH SCIENCES	213,942	213,942
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,977	80,977
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	120,937	120,937
TOTAL, BASIC RESEARCH, ARMY			436,920	436,920
APPLIED RESEARCH, ARMY				
5	0602105A	MATERIALS TECHNOLOGY	30,258	30,258
6	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	43,521	43,521
7	0602122A	TRACTOR HIP	14,230	14,230
8	0602211A	AVIATION TECHNOLOGY	44,610	44,610
9	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,790	15,790
10	0602303A	MISSILE TECHNOLOGY	50,685	50,685
11	0602307A	ADVANCED WEAPONS TECHNOLOGY	20,034	20,034
12	0602308A	ADVANCED CONCEPTS AND SIMULATION	20,933	20,933
13	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,306	64,306
14	0602618A	BALLISTICS TECHNOLOGY	59,214	59,214
15	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECH- NOLOGY.	4,877	4,877
16	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	8,244	8,244
17	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	39,813	39,813
18	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	62,962	62,962
19	0602709A	NIGHT VISION TECHNOLOGY	57,203	57,203
20	0602712A	COUNTERMINE SYSTEMS	20,280	20,280
21	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,801	21,801
22	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,837	20,837
23	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	26,116	26,116
24	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	8,591	8,591
25	0602784A	MILITARY ENGINEERING TECHNOLOGY	80,317	80,317
26	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,946	18,946
27	0602786A	WARFIGHTER TECHNOLOGY	29,835	29,835
28	0602787A	MEDICAL TECHNOLOGY	105,929	105,929
TOTAL, APPLIED RESEARCH, ARMY			869,332	869,332
ADVANCED TECHNOLOGY DEVELOPMENT, ARMY				
29	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	52,979	52,979
30	0603002A	MEDICAL ADVANCED TECHNOLOGY	68,171	68,171
31	0603003A	AVIATION ADVANCED TECHNOLOGY	62,193	62,193
32	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	77,077	77,077
33	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECH- NOLOGY.	106,145	106,145
34	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECH- NOLOGY.	5,312	5,312
35	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECH- NOLOGY.	10,298	10,298
36	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	57,963	53,963
		Program Decrease		[-4,000]
37	0603009A	TRACTOR HIKE	8,155	8,155
38	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,936	17,936
39	0603020A	TRACTOR ROSE	12,597	12,597
40	0603105A	MILITARY HIV RESEARCH	6,796	6,796
41	0603125A	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	12,191	12,191
42	0603130A	TRACTOR NAIL	4,278	4,278
43	0603131A	TRACTOR EGGS	2,261	2,261
44	0603270A	ELECTRONIC WARFARE TECHNOLOGY	23,677	23,677
45	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	90,602	90,602

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
46	0603322A	TRACTOR CAGE	10,315	10,315
47	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	183,150	183,150
48	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.	31,541	31,541
49	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	7,686	7,686
50	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	42,414	42,414
51	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,959	15,959
52	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	36,516	36,516
53	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY.	30,600	30,600
TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, ARMY.			976,812	972,812
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY				
54	0603024A	UNIQUE ITEM IDENTIFICATION (UID)	0	0
55	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE). Excess growth and delays	36,009	24,009 [-12,000]
56	0603308A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	9,612	9,612
57	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	0	0
58	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	35,383	19,293
		Excess to Army requirement		[-16,090]
59	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV Projected and Generated Obscuration System unexecutable	9,501	5,265 [-4,236]
60	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	39,693	39,693
61	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	101,408	64,408
		Program growth adjustment		[-37,000]
62	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	9,747	9,747
63	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV ..	5,766	5,766
64	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	0	0
65	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY	4,946	4,946
66	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL	297,955	182,955
		Program reduction Increment III		[-115,000]
67	0603790A	NATO RESEARCH AND DEVELOPMENT	4,765	4,765
68	0603801A	AVIATION—ADV DEV	7,107	7,107
69	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	19,509	12,509
		Army requested transfer LAMPS to RDTE Army line 109		[-7,000]
70	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS.	5,258	5,258
71	0603807A	MEDICAL SYSTEMS—ADV DEV	34,997	34,997
72	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	19,598	19,598
73	0603850A	INTEGRATED BROADCAST SERVICE	1,496	1,496
74	0604115A	TECHNOLOGY MATURATION INITIATIVES	10,181	10,181
75	0604131A	TRACTOR JUTE	15,609	0
		Unjustified requirement		[-15,609]
76	0604284A	JOINT COOPERATIVE TARGET IDENTIFICATION—GROUND (JCTI-G) / TECHNOLOGY DEVELOPME. Army offered program reduction	41,652	0 [-41,652]
77	0305205A	ENDURANCE UAVS	42,892	42,892
TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY.			753,084	504,497
SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY				
78	0604201A	AIRCRAFT AVIONICS	144,687	119,187
		JTRS AMF delays and JPALS excessive growth		[-25,500]
79	0604220A	ARMED, DEPLOYABLE HELOS	166,132	92,203
		Army offered program reduction		[-73,929]
80	0604270A	ELECTRONIC WARFARE DEVELOPMENT	101,265	26,872
		Army offered program reduction		[-74,393]
81	0604280A	JOINT TACTICAL RADIO	0	0
82	0604321A	ALL SOURCE ANALYSIS SYSTEM	17,412	7,412
		Machine—Foreign Language Translation System contract delay		[-10,000]
83	0604328A	TRACTOR CAGE	26,577	26,577
84	0604601A	INFANTRY SUPPORT WEAPONS	73,728	91,474
		Transfer at Army request from WTCV line 17		[16,000]
		Transfer at Army request from WTCV line 20		[1,700]
		Army requested transfer from WTCV Army line 17		[46]
85	0604604A	MEDIUM TACTICAL VEHICLES	3,961	3,961
86	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD	0	0
87	0604611A	JAVELIN	17,340	9,940
		Excess to requirement		[-7,400]
88	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	5,478	5,478
89	0604633A	AIR TRAFFIC CONTROL	22,922	22,922
90	0604642A	LIGHT TACTICAL WHEELED VEHICLES	0	20,000

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
		Army requested transfer from RDTE line 109		[20,000]
91	0604646A	NON-LINE OF SIGHT LAUNCH SYSTEM	0	0
92	0604660A	FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE	0	0
93	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	383,872	283,872
		Unjustified requirement		[-100,000]
94	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS	0	0
95	0604663A	FCS UNMANNED GROUND VEHICLES	143,840	26,840
		Program adjustment		[-117,000]
96	0604664A	FCS UNATTENDED GROUND SENSORS	499	0
		Program termination		[-499]
97	0604665A	FCS SUSTAINMENT & TRAINING R&D	0	0
98	0604710A	NIGHT VISION SYSTEMS—SDD	59,265	59,265
99	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,075	2,075
100	0604715A	NON-SYSTEM TRAINING DEVICES—SDD	30,021	30,021
101	0604716A	TERRAIN INFORMATION—SDD	1,596	1,596
102	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—SDD	83,010	83,010
103	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	28,305	28,305
104	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	14,375	14,375
105	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—SDD	15,803	15,803
106	0604778A	POSITIONING SYSTEMS DEVELOPMENT (SPACE)	0	0
107	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	22,226	22,226
108	0604802A	WEAPONS AND MUNITIONS—SDD	13,828	13,828
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—SDD	251,104	238,104
		Army requested transfer to RDTE Army line 90		[-20,000]
		Army request transfer from RDTE line 69		[7,000]
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD	137,811	81,811
		Excessive growth Joint Battle Command-Platform		[-56,000]
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—SDD	27,160	27,160
112	0604808A	LANDMINE WARFARE/BARRIER—SDD	87,426	66,326
		Explosive Hazard Pre-Detonation (EHP) Roller contract delay		[-21,100]
113	0604814A	ARTILLERY MUNITIONS	42,627	35,627
		Program growth adjustment		[-7,000]
114	0604817A	COMBAT IDENTIFICATION	0	0
115	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	123,935	93,935
		Excessive Growth		[-30,000]
116	0604820A	RADAR DEVELOPMENT	2,890	2,890
117	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs)	794	794
118	0604823A	FIREFINDER	10,358	10,358
119	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	48,309	55,909
		Transfer at Army request from OPA line 147		[7,600]
120	0604854A	ARTILLERY SYSTEMS	120,146	120,146
121	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	406,605	0
		Program Decrease		[-406,605]
122	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,398	7,398
123	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	37,098	32,098
		Unjustified cost growth		[-5,000]
124	0605018A	ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMHRS)	68,693	68,693
125	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	127,095	127,095
126	0605455A	SLAMRAAM	19,931	1,531
		Excess to program termination requirements		[-18,400]
127	0605456A	PAC-3/MSE MISSILE	88,993	88,993
128	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	270,607	270,607
129	0605625A	MANNED GROUND VEHICLE	884,387	884,387
130	0605626A	AERIAL COMMON SENSOR	31,465	0
		Program termination		
131	0303032A	TROJAN—RH12	3,920	3,920
132	0304270A	ELECTRONIC WARFARE DEVELOPMENT	13,819	13,819
		TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY.	4,190,788	3,238,843
		RDT&E MANAGEMENT SUPPORT, ARMY		
133	0604256A	THREAT SIMULATOR DEVELOPMENT	16,992	16,992
134	0604258A	TARGET SYSTEMS DEVELOPMENT	11,247	11,247
135	0604759A	MAJOR T&E INVESTMENT	49,437	49,437
136	0605103A	RAND ARROYO CENTER	20,384	20,384
137	0605301A	ARMY KWAJALEIN ATOLL	145,606	145,606
138	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	28,800	28,800
139	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
140	0605601A	ARMY TEST RANGES AND FACILITIES	262,456	312,456
		Program Increase		[50,000]
141	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	70,227	70,227
142	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	43,483	43,483
143	0605605A	DOD HIGH ENERGY LASER TEST FACILITY	18	18

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
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	63,872
153	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	57,142	57,142
154	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,961	4,961
155	0605898A	MANAGEMENT HQ—R&D	17,558	17,558
156	0909980A	JUDGMENT FUND REIMBURSEMENT	0	0
157	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		TOTAL, RDT&E MANAGEMENT SUPPORT, ARMY	1,048,671	1,098,671
		OPERATIONAL SYSTEMS DEVELOPMENT, ARMY		
158	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	66,641	66,641
159	0603820A	WEAPONS CAPABILITY MODIFICATIONS UAV	24,142	7,500
		Excess funds only to the analysis of alternatives		[-16,642]
160	0102419A	AEROSTAT JOINT PROJECT OFFICE	344,655	327,855
		Excess program growth		[-16,800]
161	0203347A	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP	0	0
162	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	29,546	29,546
163	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	53,307	53,307
164	0203740A	MANEUVER CONTROL SYSTEM	65,002	42,414
		Unjustified program growth		[-22,588]
165	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS.	163,205	149,705
		Excess funds to Black Hawk Recapitalization/Modernization for analysis of alternatives.		[-13,500]
166	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	823	823
167	0203758A	DIGITIZATION	8,029	8,029
168	0203759A	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2).	0	0
169	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM ...	44,560	59,060
		Transfer at Army Request from MPA line 13		[14,500]
170	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	0	0
171	0203808A	TRACTOR CARD	42,554	42,554
172	0208053A	JOINT TACTICAL GROUND SYSTEM	27,630	27,630
173	0208058A	JOINT HIGH SPEED VESSEL (JHSV)	3,044	3,044
175	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	2,854	2,854
176	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	61,220	58,720
		Army offered program reduction		[-2,500]
177	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	100,505	160,745
		Army requested transfer for GCSS-Army from OPA line 116		[47,240]
		Army requested transfer for AESIP from OPA line 116		[13,000]
178	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	12,104	12,104
179	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	23,937	23,937
181	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	40,650	26,550
		Contract award delays		[-14,100]
182	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	44,198	31,699
		Unjustified requirements growth		[-12,499]
183	0305219A	MQ-1 SKY WARRIOR A UAV	137,038	122,038
		Excessive growth		[-15,000]
184	0305232A	RQ-11 UAV	1,938	1,938
185	0305233A	RQ-7 UAV	31,940	31,940
186	0307207A	AERIAL COMMON SENSOR (ACS)	0	0
187	0307665A	BIOMETRICS ENABLED INTELLIGENCE	15,018	15,018
188	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	59,297	59,297
999	9999999999	CLASSIFIED PROGRAMS	4,536	4,536
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY.	1,408,373	1,369,484
		TOTAL, RDT&E ARMY	9,683,980	8,490,559
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH, NAVY		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,157	113,157
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,092	18,092
3	0601153N	DEFENSE RESEARCH SCIENCES	446,123	446,123
		TOTAL, BASIC RESEARCH, NAVY	577,372	577,372

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APPLIED RESEARCH, NAVY				
4	0602114N	POWER PROJECTION APPLIED RESEARCH	104,804	64,804
		Program Decrease- Free Electron Laser		[-30,000]
		Program Decrease- Electromagnetic railgun		[-10,000]
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	156,901	156,901
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	44,845	44,845
7	0602234N	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	0	0
8	0602235N	COMMON PICTURE APPLIED RESEARCH	65,448	65,448
9	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	101,205	101,205
10	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	108,329	108,329
11	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH ...	50,076	50,076
12	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,937	5,937
13	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	108,666	108,666
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH ..	37,583	37,583
		TOTAL, APPLIED RESEARCH, NAVY	783,794	743,794
ADVANCED TECHNOLOGY DEVELOPMENT				
15	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	114,270	59,370
		Program Decrease- Electromagnetic railgun		[-16,900]
		Underexecution—Navy recommendation		[-38,000]
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	64,057	45,234
		Transfer MRMUAS to line 220		[-18,823]
17	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY	49,068	49,068
18	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	71,232	71,232
19	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	102,535	102,535
20	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	124,324	124,324
21	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT ..	11,286	11,286
22	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,119	18,119
23	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	37,121	37,121
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS ..	50,157	50,157
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECH- NOLOGY.	6,048	6,048
		TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, NAVY.	648,217	574,494
ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES, NAVY				
26	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	94,972	73,672
		JMARS unjustified request		[-21,300]
27	0603216N	AVIATION SURVIVABILITY	10,893	10,893
28	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,702	3,702
29	0603251N	AIRCRAFT SYSTEMS	10,497	10,497
30	0603254N	ASW SYSTEMS DEVELOPMENT	7,915	7,915
31	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,978	5,978
32	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,418	1,418
33	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES ..	142,657	142,657
34	0603506N	SURFACE SHIP TORPEDO DEFENSE	118,764	118,764
35	0603512N	CARRIER SYSTEMS DEVELOPMENT	54,072	54,072
36	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	0	0
37	0603525N	PILOT FISH	96,012	96,012
38	0603527N	RETRACT LARCH	73,421	73,421
39	0603536N	RETRACT JUNIPER	130,267	130,267
40	0603542N	RADIOLOGICAL CONTROL	1,338	1,338
41	0603553N	SURFACE ASW	29,797	29,797
42	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	856,326	856,326
43	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,253	9,253
44	0603563N	SHIP CONCEPT ADVANCED DESIGN	14,308	14,308
45	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	22,213	22,213
46	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	463,683	463,683
47	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	18,249	18,249
48	0603576N	CHALK EAGLE	584,159	584,159
49	0603581N	LITTORAL COMBAT SHIP (LCS)	286,784	282,784
		Defer development of Irregular Warfare mission package		[-4,000]
50	0603582N	COMBAT SYSTEM INTEGRATION	34,157	34,157
51	0603609N	CONVENTIONAL MUNITIONS	4,753	4,753
52	0603611M	MARINE CORPS ASSAULT VEHICLES	12,000	12,000
53	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	79,858	79,858
54	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	33,654	33,654
55	0603658N	COOPERATIVE ENGAGEMENT	54,783	54,783
56	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	9,996	9,996
57	0603721N	ENVIRONMENTAL PROTECTION	21,714	21,714
58	0603724N	NAVY ENERGY PROGRAM	70,538	70,538
59	0603725N	FACILITIES IMPROVEMENT	3,754	3,754
60	0603734N	CHALK CORAL	79,415	79,415
61	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,137	4,137

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
62	0603746N	RETRACT MAPLE	276,383	276,383
63	0603748N	LINK PLUMERIA	52,721	52,721
64	0603751N	RETRACT ELM	160,964	160,964
65	0603755N	SHIP SELF DEFENSE	0	0
66	0603764N	LINK EVERGREEN	144,985	144,985
67	0603787N	SPECIAL PROCESSES	43,704	43,704
68	0603790N	NATO RESEARCH AND DEVELOPMENT	9,140	9,140
69	0603795N	LAND ATTACK TECHNOLOGY	421	421
70	0603851M	NONLETHAL WEAPONS	40,992	40,992
71	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS	121,455	121,455
72	0603879N	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE)	0	0
73	0603889N	COUNTERDRUG RDT&E PROJECTS	0	0
74	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	0	0
75	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	64,107	64,107
76	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
77	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	62,044	62,044
78	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	22,665	4,450
		FMU-164 fuze program termination		[-18,215]
79	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	33,621	33,621
80	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	1,078	1,078
81	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	0	0
82	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	625	625
		TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY.	4,481,053	4,437,538
		SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY		
83	0604212N	OTHER HELO DEVELOPMENT	35,651	42,651
		Navy requested transfer from line 98 for VH-3/VH-60 sustainment		[7,000]
84	0604214N	AV-8B AIRCRAFT—ENG DEV	30,676	30,676
85	0604215N	STANDARDS DEVELOPMENT	51,191	51,191
86	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	17,673	17,673
87	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	5,922	5,922
88	0604221N	P-3 MODERNIZATION PROGRAM	3,417	3,417
89	0604230N	WARFARE SUPPORT SYSTEM	9,944	9,944
90	0604231N	TACTICAL COMMAND SYSTEM	81,257	77,257
		NTCSS—reduce program growth		[-4,000]
91	0604234N	ADVANCED HAWKEYE	110,994	110,994
92	0604245N	H-1 UPGRADES	72,569	72,569
93	0604261N	ACOUSTIC SEARCH SENSORS	56,509	56,509
94	0604262N	V-22A	84,477	84,477
95	0604264N	AIR CREW SYSTEMS DEVELOPMENT	3,249	3,249
96	0604269N	EA-18	17,100	17,100
97	0604270N	ELECTRONIC WARFARE DEVELOPMENT	89,418	89,418
98	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	180,070	60,770
		Navy requested transfer to line 83		[-7,000]
		Navy requested transfer to APN line 47		[-24,000]
		Navy requested transfer to APN line 62		[-12,000]
		Early to need		[-76,300]
99	0604274N	NEXT GENERATION JAMMER (NGJ)	189,919	154,919
		Technology Development late contract award		[-35,000]
100	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	688,146	568,146
		Unjustified request: HMS capability enhancements		[-120,000]
101	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	223,283	223,283
102	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	884	884
103	0604329N	SMALL DIAMETER BOMB (SDB)	47,635	29,635
		Defer Integration on Joint Strike Fighter		[-18,000]
104	0604366N	STANDARD MISSILE IMPROVEMENTS	46,705	46,705
105	0604373N	AIRBORNE MCM	41,142	41,142
106	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	24,898	24,898
107	0604404N	FUTURE UNMANNED CARRIER-BASED STRIKE SYSTEM	121,150	51,150
		Delay to Technology Development contract award		[-70,000]
108	0604501N	ADVANCED ABOVE WATER SENSORS	227,358	227,358
109	0604503N	SSN-688 AND TRIDENT MODERNIZATION	100,591	95,671
		TB-33 program cancellation		[-4,920]
110	0604504N	AIR CONTROL	5,521	5,521
111	0604512N	SHIPBOARD AVIATION SYSTEMS	45,445	45,445
112	0604518N	COMBAT INFORMATION CENTER CONVERSION	3,400	3,400
113	0604558N	NEW DESIGN SSN	97,235	97,235
114	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,466	48,466
115	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	161,099	98,099
		Ship-to-Shore Connector—contract award delay		[-63,000]
116	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,848	3,848

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
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	651,786
		Block IV development ahead of need		[-18,937]
129	0604800N	JOINT STRIKE FIGHTER (JSF)	677,486	658,549
		Block IV development ahead of need		[-18,937]
130	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	27,461	19,461
		Program underexecution		[-8,000]
131	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	58,764	29,764
		Reduction to fourth quarter contract awards		[-29,000]
132	0605018N	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (N-IMHRS)	55,050	55,050
133	0605212N	CH-53K RDTE	629,461	629,461
134	0605430N	C/KC-130 AVIONICS MODERNIZATION PROGRAM (AMP)	0	0
135	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	118,395	118,395
136	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	622,713	608,713
		Increment 3—development ahead of need		[-14,000]
137	0204201N	CG(X)	0	0
138	0204202N	DDG-1000	261,604	261,604
139	0304231N	TACTICAL COMMAND SYSTEM—MIP	979	979
140	0304503N	SSN-688 AND TRIDENT MODERNIZATION—MIP	0	0
141	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	31,740	31,740
		TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY.	6,475,528	5,959,434
		RDT&E MANAGEMENT SUPPORT, NAVY		
142	0604256N	THREAT SIMULATOR DEVELOPMENT	28,318	28,318
143	0604258N	TARGET SYSTEMS DEVELOPMENT	44,700	44,700
144	0604759N	MAJOR T&E INVESTMENT	37,957	37,957
145	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	2,970	2,970
146	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	23,454	17,454
		Reduction to growth		[-6,000]
147	0605154N	CENTER FOR NAVAL ANALYSES	47,127	47,127
148	0605502N	SMALL BUSINESS INNOVATIVE RESEARCH	10	10
149	0605804N	TECHNICAL INFORMATION SERVICES	571	571
150	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	68,301	58,301
		OASUW—defer new start		[-10,000]
151	0605856N	STRATEGIC TECHNICAL SUPPORT	3,277	3,277
152	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	73,917	73,917
153	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	136,531	136,531
154	0605864N	TEST AND EVALUATION SUPPORT	335,367	335,367
155	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,634	16,634
156	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,228	4,228
157	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	7,642	7,642
158	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	25,655	25,655
159	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	2,764	2,764
160	0804758N	SERVICE SUPPORT TO JFCOM, JNTC	0	0
161	0909980N	JUDGMENT FUND REIMBURSEMENT	0	0
162	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		TOTAL, RDT&E MANAGEMENT SUPPORT, NAVY	859,423	843,423
		OPERATIONAL SYSTEMS DEVELOPMENT, NAVY		
164	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT	198,298	198,298
165	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT	400	400
166	0604766M	MARINE CORPS DATA SYSTEMS	1,650	1,650
167	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	88,873	88,873
168	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	33,553	33,553
169	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	6,360	6,360
170	0101402N	NAVY STRATEGIC COMMUNICATIONS	23,208	23,208
171	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	30,021	30,021
172	0204136N	F/A-18 SQUADRONS	151,030	151,030
173	0204152N	E-2 SQUADRONS	6,696	6,696
174	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	1,739	1,739
175	0204228N	SURFACE SUPPORT	3,377	3,377
176	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	8,819	8,819

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
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	123,012
187	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	1,957	1,957
188	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	82,705	82,705
189	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	320,864	320,864
190	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	209,396	184,396
		Amphibious Combat Vehicle (non-add)		[]
		Excess funds for Marine Personnel Carrier & AAV Upgrade		[-25,000]
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	24,906
		Transfer from CANES (OPN 68) per USN request		[12,000]
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	9,353
210	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS	0	0
211	0305207N	MANNED RECONNAISSANCE SYSTEMS	0	0
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	3,648
		ECP for SOCOM urgent needs statement—transfer to Title XV		[-104,600]
216	0305232M	RQ-11 UAV	979	979
217	0305233N	RQ-7 UAV	872	872
218	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	0	0
219	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	22,698	22,698
220	0305237N	MEDIUM RANGE MARITIME UAS	15,000	33,823
		Transfer from line 16		[18,823]
221	0305239M	RQ-21A	26,301	21,301
		Program delays		[-5,000]
222	0307217N	EP-3E REPLACEMENT (EPX)	0	0
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	0	0
226	0708011N	INDUSTRIAL PREPAREDNESS	54,031	54,031
227	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
227A	9999999999	CLASSIFIED PROGRAMS	1,308,608	1,306,945
		Classified Adjustment		[-1,663]
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, NAVY.	4,131,044	4,025,604
		TOTAL, RDT&E NAVY	17,956,431	17,161,659
		RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE		
		BASIC RESEARCH, AIR FORCE		
1	0601102F	DEFENSE RESEARCH SCIENCES	364,328	364,328
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	140,273	140,273
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,258	14,258
		TOTAL, BASIC RESEARCH, AIR FORCE	518,859	518,859
		APPLIED RESEARCH, AIR FORCE		
4	0602102F	MATERIALS	136,230	136,230
5	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	147,628	147,628

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
6	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	86,663	86,663
7	0602203F	AEROSPACE PROPULSION	207,508	207,508
8	0602204F	AEROSPACE SENSORS	134,787	134,787
9	0602601F	SPACE TECHNOLOGY	115,285	115,285
10	0602602F	CONVENTIONAL MUNITIONS	60,692	60,692
11	0602605F	DIRECTED ENERGY TECHNOLOGY	111,156	111,156
12	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	127,866	127,866
13	0602890F	HIGH ENERGY LASER RESEARCH	54,059	54,059
		TOTAL, APPLIED RESEARCH, AIR FORCE	1,181,874	1,181,874
		ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE		
14	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,738	49,738
		Program Increase- Metals Affordability Initiative		[10,000]
15	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	5,780	5,780
16	0603203F	ADVANCED AEROSPACE SENSORS	53,075	53,075
17	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	67,474	67,474
18	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	120,953	120,953
19	0603270F	ELECTRONIC COMBAT TECHNOLOGY	22,268	22,268
20	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	74,636	74,636
21	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	13,555	13,555
22	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	25,319	25,319
23	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	54,042	34,042
		Program Decrease- Unjustified growth		[-20,000]
24	0603605F	ADVANCED WEAPONS TECHNOLOGY	28,683	28,683
25	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	40,103	40,103
26	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	38,656	38,656
27	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	1,122	1,122
		TOTAL ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE.	585,404	575,404
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE		
28	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,013	4,013
29	0603287F	PHYSICAL SECURITY EQUIPMENT	3,586	3,586
30	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	0	0
31	0603430F	ADVANCED EHF MILSATCOM (SPACE)	421,687	421,687
32	0603432F	POLAR MILSATCOM (SPACE)	122,991	122,991
33	0603438F	SPACE CONTROL TECHNOLOGY	45,755	45,755
34	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	38,496	38,496
35	0603790F	NATO RESEARCH AND DEVELOPMENT	4,424	4,424
36	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	642	642
37	0603830F	SPACE PROTECTION PROGRAM (SPP)	9,819	9,819
38	0603850F	INTEGRATED BROADCAST SERVICE	20,046	20,046
39	0603851F	INTERCONTINENTAL BALLISTIC MISSILE	67,202	72,202
		Program Increase		[20,000]
		ICBM		[-15,000]
40	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,804	12,804
41	0603859F	POLLUTION PREVENTION	2,075	2,075
42	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS	20,112	20,112
43	0604015F	NEXT GENERATION BOMBER	197,023	197,023
44	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	60,250	31,250
		3DELRR Contract Delays		[-29,000]
45	0604317F	TECHNOLOGY TRANSFER	2,553	2,553
46	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	38,248	38,248
47	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	29,759	29,759
48	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	24,217	24,217
49	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT.	0	0
50	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	24,467	24,467
51	0604796F	ALTERNATIVE FUELS	0	0
52	0604830F	AUTOMATED AIR-TO-AIR REFUELING	0	0
53	0604857F	OPERATIONALLY RESPONSIVE SPACE	86,543	86,543
54	0604858F	TECH TRANSITION PROGRAM	2,773	2,773
55	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS).	444,900	444,900
		TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE.	1,684,385	1,660,385
		SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE		
56	0603840F	GLOBAL BROADCAST SERVICE (GBS)	5,680	5,680

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
57	0604222F	NUCLEAR WEAPONS SUPPORT	18,538	18,538
58	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	21,780	21,780
59	0604270F	ELECTRONIC WARFARE DEVELOPMENT	26,880	16,880
		MALD-J Increment 2--Technology Development Contract Delay		[-10,000]
60	0604280F	JOINT TACTICAL RADIO	0	0
61	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	52,355	48,105
		STRATCOM DNC2 Contract Delays		[-3,000]
		CLIP--Contract Delays		[-1,250]
62	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
63	0604329F	SMALL DIAMETER BOMB (SDB)	132,891	132,891
64	0604421F	COUNTERSPACE SYSTEMS	31,913	31,913
65	0604425F	SPACE SITUATION AWARENESS SYSTEMS	273,689	273,689
		Space Surveillance Telescope military utility assessment		[6,000]
		Space Surveillance Telescope		[-6,000]
66	0604429F	AIRBORNE ELECTRONIC ATTACK	47,100	39,000
		Electronic Attack Pod--Delayed Start		[-3,500]
		AEA SoS--Contract Delays		[-4,600]
67	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	621,629	621,629
		Data exploitation		[15,000]
		SABRS integration on SV 5 and 6		[20,000]
		SSABRS integration on SV 5 and 6		[-20,000]
		Data exploitation		[-15,000]
68	0604443F	THIRD GENERATION INFRARED SURVEILLANCE (3GIRS)	0	0
69	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	10,055	6,055
		Universal Armament Interface Contract Delay		[-4,000]
70	0604604F	SUBMUNITIONS	2,427	2,427
71	0604617F	AGILE COMBAT SUPPORT	11,878	3,920
		BEAR--Ahead of Need		[-3,900]
		Airfield Damage Repair--Ahead of Need		[-4,058]
72	0604618F	JOINT DIRECT ATTACK MUNITION	0	0
73	0604706F	LIFE SUPPORT SYSTEMS	11,280	9,280
		Integrated Aircrew Ensemble--Contract Award Delays		[-2,000]
74	0604735F	COMBAT TRAINING RANGES	28,106	8,106
		Joint Threat Emitter Increment 2--Rephased Program		[-12,000]
		Air Combat Training Systems (P5) Upgrades--Contract Delay		[-8,000]
75	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	10
76	0604750F	INTELLIGENCE EQUIPMENT	995	995
77	0604800F	JOINT STRIKE FIGHTER (JSF)	1,387,926	1,387,926
78	0604851F	INTERCONTINENTAL BALLISTIC MISSILE	158,477	158,477
79	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	20,028	20,028
80	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	877,084	742,084
		Align funding to signed KC-46A contract		[-127,100]
		Excess to Requirement		[-7,900]
81	0605229F	CSAR HH-60 RECAPITALIZATION	94,113	11,000
		Transfer to HC-130 modifications (APAF 75) per USAF request		[-10,400]
		Transfer to HH-60 modifications (APAF 73) per USAF request		[-54,600]
		Program reduction to reflect new acquisition strategy		[-18,113]
82	0605277F	CSAR-X RDT&E	0	0
83	0605278F	HC/MC-130 RECAP RDT&E	27,071	22,071
		Contract Savings		[-5,000]
84	0605452F	JOINT SLAP EXECUTIVE PROGRAM OFFICE	0	0
85	0101125F	NUCLEAR WEAPONS MODERNIZATION	93,867	93,867
86	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUAD- RONS	23,721	23,721
87	0207451F	SINGLE INTEGRATED AIR PICTURE (SLAP)	0	0
88	0207701F	FULL COMBAT MISSION TRAINING	39,826	25,826
		Block 40/50 Mission Training Center--Excess to need		[-14,000]
89	0401138F	JOINT CARGO AIRCRAFT (JCA)	27,089	27,089
90	0401318F	CV-22	20,723	10,723
		Contract Delay		[-10,000]
91	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	12,535	0
		Program Termination		[-12,535]
TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE.			4,079,717	3,763,761
RDT&E MANAGEMENT SUPPORT, AIR FORCE				
92	0604256F	THREAT SIMULATOR DEVELOPMENT	22,420	22,420
93	0604759F	MAJOR T&E INVESTMENT	62,206	62,206
94	0605101F	RAND PROJECT AIR FORCE	27,579	27,579
95	0605502F	SMALL BUSINESS INNOVATION RESEARCH	0	0
96	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	17,767	17,767
97	0605807F	TEST AND EVALUATION SUPPORT	654,475	704,475
		Program Increase		[50,000]
98	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	158,096	158,096
99	0605864F	SPACE TEST PROGRAM (STP)	47,926	47,926

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
100	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	44,547	44,547
101	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	27,953	27,953
102	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,953	13,953
103	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	31,966	31,966
104	0804731F	GENERAL SKILL TRAINING	1,510	1,510
105	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
106	1001004F	INTERNATIONAL ACTIVITIES	3,798	3,798
		TOTAL, RDT&E MANAGEMENT SUPPORT, AIR FORCE ...	1,114,196	1,164,196
		OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE		
107	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT. Slow execution	390,889	366,889
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	226,836
		Delay in EHF communications development due to FAB-T delay		[-113,983]
116	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	23,072	23,072
117	0101314F	NIGHT FIST—USSTRATCOM	5,421	5,421
119	0102325F	ATMOSPHERIC EARLY WARNING SYSTEM	4,485	4,485
120	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	12,672	12,672
121	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	14	14
122	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND.	19,934	19,934
123	0205219F	MQ-9 UAV	146,824	126,824
		Contract Delays		[-20,000]
124	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	0	0
125	0207131F	A-10 SQUADRONS	11,051	11,051
126	0207133F	F-16 SQUADRONS	143,869	131,069
		SLEP Contract Delay		[-12,800]
127	0207134F	F-15E SQUADRONS	207,531	194,831
		ADCP--Excess to Requirement		[-12,700]
128	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,253	13,253
129	0207138F	F-22A SQUADRONS	718,432	511,432
		Provide funds that Air Force can execute in FY12		[-140,000]
		Program Growth		[-67,000]
130	0207142F	F-35 SQUADRONS	47,841	0
		Block IV Development--Ahead of need		[-47,841]
131	0207161F	TACTICAL AIM MISSILES	8,023	8,023
132	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) ...	77,830	77,830
133	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,436	1,436
134	0207224F	COMBAT RESCUE AND RECOVERY	2,292	2,292
135	0207227F	COMBAT RESCUE—PARARESCUE	927	927
136	0207247F	AF TENCAP	20,727	20,727
137	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	3,128	3,128
138	0207253F	COMPASS CALL	18,509	18,509
139	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	182,967	172,967
		Excess to Requirement		[-10,000]
140	0207277F	ISR INNOVATIONS	0	0
141	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	5,796	5,796
142	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	121,880	121,880
143	0207412F	CONTROL AND REPORTING CENTER (CRC)	3,954	3,954
144	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	135,961	91,961
		NGIFF--Contract Delays		[-20,000]
		DRAGON--Contract Delays		[-24,000]
145	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	8,309	8,309
146	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	90,083	44,883
		JTRS Integration and Engineering Support--Schedule Delays		[-5,200]
		Common Processing Environment--Schedule Delays		[-40,000]
148	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,428	5,428
149	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	15,528	15,528
150	0207444F	TACTICAL AIR CONTROL PARTY-MOD	15,978	9,678
		VCS--Program Termination and Restructure		[-4,300]
		JETS Contract Delays		[-2,000]
151	0207445F	FIGHTER TACTICAL DATA LINK	0	0
152	0207448F	C2ISR TACTICAL DATA LINK	1,536	1,536
153	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	18,102	18,102
154	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS).	121,610	88,610
		Unjustified Request Based on Program Restructure		[-33,000]

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
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	3,264
		Unjustified growth		[-2,000]
159	0208006F	MISSION PLANNING SYSTEMS	69,918	63,418
		CAF Increment IV--Critical Change Delay		[-6,500]
160	0208021F	INFORMATION WARFARE SUPPORT	2,322	2,322
161	0208059F	CYBER COMMAND ACTIVITIES	702	702
168	0301400F	SPACE SUPERIORITY INTELLIGENCE	11,866	8,866
		Program underexecution due to schedule delays		[-3,000]
169	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	5,845	5,845
170	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	43,811	43,811
171	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	101,788	92,788
		Delay due to protest		[-9,000]
172	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	449	449
173	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	3,854	3,854
174	0303158F	JOINT COMMAND AND CONTROL PROGRAM (JC2)	0	0
175	0303601F	MILSATCOM TERMINALS	238,729	188,729
		Transfer to FAB-T alternative line 175a		[-50,000]
175a	0303601F	FAB-T ALTERNATIVE	0	50,000
		Transfer from FAB-T line 175		[50,000]
177	0304260F	AIRBORNE SIGINT ENTERPRISE	121,748	108,248
		Contract/Program Delays		[-13,500]
180	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,604	4,604
181	0305103F	CYBER SECURITY INITIATIVE	2,026	2,026
182	0305105F	DOD CYBER CRIME CENTER	282	282
183	0305110F	SATELLITE CONTROL NETWORK (SPACE)	18,337	18,337
184	0305111F	WEATHER SERVICE	31,084	31,084
185	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	63,367	9,867
		D--RAPCON Contract Delay		[-53,500]
186	0305116F	AERIAL TARGETS	50,620	45,620
		QF-16--Excess to Need		[-5,000]
189	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	366	366
190	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	39	39
191	0305159F	ENTERPRISE QUERY & CORRELATION	0	10,000
		Enterprise query & correlation		[20,000]
		Classified Adjustment		[-10,000]
192	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	133,601	42,601
		Contract delay		[-91,000]
193	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	17,893	17,893
195	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	196,254	196,254
196	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER	2,961	2,961
197	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	9,940	9,940
198	0305193F	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	1,271	1,271
199	0305202F	DRAGON U-2	0	0
200	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	52,425	15,925
		Funded via reprogramming action		[-6,500]
		Program reduction		[-30,000]
201	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	106,877	99,677
		Unjustified request		[-7,200]
202	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,049	13,049
203	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	90,724	85,724
		Contract delays		[-5,000]
204	0305219F	MQ-1 PREDATOR A UAV	14,112	11,642
		Common Sensor Payload--Ahead of Need		[-2,470]
205	0305220F	RQ-4 UAV	423,462	383,462
		Contract delays		[-40,000]
206	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,348	7,348
207	0305265F	GPS III SPACE SEGMENT	463,081	463,081
208	0305614F	JSPOC MISSION SYSTEM	118,950	83,950
		JMS program restructure		[-35,000]
209	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	14,736	14,736
210	0305913F	NUDET DETECTION SYSTEM (SPACE)	81,989	81,989
211	0305924F	NATIONAL SECURITY SPACE OFFICE	0	0
212	0305940F	SPACE SITUATION AWARENESS OPERATIONS	31,956	31,956
213	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	23,931	23,931
214	0308699F	SHARED EARLY WARNING (SEW)	1,663	1,663
215	0401115F	C-130 AIRLIFT SQUADRON	24,509	6,509
		Contract Delays		[-18,000]
216	0401119F	C-5 AIRLIFT SQUADRONS (IF)	24,941	12,941
		RERP Program Rephased		[-12,000]

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
217	0401130F	C-17 AIRCRAFT (IF)	128,169	94,269
		Contract Delays		[-33,900]
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	0
		Funded in Public Law 112-10		[-1,308]
221	0401218F	KC-135S	6,161	6,161
222	0401219F	KC-10S	30,868	30,868
223	0401314F	OPERATIONAL SUPPORT AIRLIFT	82,591	37,591
		VC-25A--Funding Ahead of Need		[-45,000]
224	0401315F	C-STOL AIRCRAFT	0	0
225	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,118	5,218
		Line of Sight--Contract Delay		[-1,900]
226	0702207F	DEPOT MAINTENANCE (NON-IF)	1,531	1,531
227	0702976F	FACILITIES RESTORATION & MODERNIZATION--LOGISTICS	0	0
228	0708012F	LOGISTICS SUPPORT ACTIVITIES	944	944
229	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	140,284	140,284
230	0708611F	SUPPORT SYSTEMS DEVELOPMENT	10,990	10,990
231	0801711F	RECRUITING ACTIVITIES	0	0
232	0804743F	OTHER FLIGHT TRAINING	322	322
233	0804757F	JOINT NATIONAL TRAINING CENTER	11	11
234	0804772F	TRAINING DEVELOPMENTS	0	0
235	0808716F	OTHER PERSONNEL ACTIVITIES	113	113
236	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,483	2,483
237	0901218F	CIVILIAN COMPENSATION PROGRAM	1,508	1,508
238	0901220F	PERSONNEL ADMINISTRATION	8,041	1,041
		Contract Delays		[-7,000]
239	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	928	928
240	0901279F	FACILITIES OPERATION--ADMINISTRATIVE	12,118	12,118
241	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	101,317	76,317
		DEAMS--Excess to Requirement		[-25,000]
242	0902998F	MANAGEMENT HQ--ADP SUPPORT (AF)	299	299
242A	9999999999	CLASSIFIED PROGRAMS	12,063,140	11,829,329
		Classified Adjustment		[-233,811]
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE.	18,573,266	17,318,853
		TOTAL, RDT&E AIR FORCE	27,737,701	26,183,332
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH, DW		
1	0601000BR	DTRA BASIC RESEARCH INITIATIVE	47,737	47,737
2	0601101E	DEFENSE RESEARCH SCIENCES	290,773	290,773
3	0601110D8Z	BASIC RESEARCH INITIATIVES	14,731	14,731
4	0601111D8Z	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH.	0	0
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	37,870	37,870
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	101,591	86,591
		Program Decrease		[-15,000]
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	52,617	52,617
		TOTAL, BASIC RESEARCH, DW	545,319	530,319
		APPLIED RESEARCH, DW		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	21,592	20,592
		Excessive growth		[-1,000]
9	0602115E	BIOMEDICAL TECHNOLOGY	110,000	110,000
10	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE.	0	0
11	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	37,916	37,916
12	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH	4,381	4,381
13	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	400,499	400,499
14	0602304E	COGNITIVE COMPUTING SYSTEMS	49,365	49,365
15	0602305E	MACHINE INTELLIGENCE	61,351	61,351
16	0602383E	BIOLOGICAL WARFARE DEFENSE	30,421	30,421
17	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	219,873	219,873
18	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH	9,235	5,235
		Program Decrease		[-4,000]
19	0602668D8Z	CYBER SECURITY RESEARCH	9,735	4,735
		Program Decrease		[-5,000]
20	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH.	14,923	10,923
		Excessive growth		[-4,000]

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
21	0602702E	TACTICAL TECHNOLOGY	206,422	206,422
22	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	237,837	237,837
23	0602716E	ELECTRONICS TECHNOLOGY	215,178	215,178
24	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES Due to slow execution	196,954	186,501 [-10,453]
25	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	26,591	26,591
26	1160407BB	SOF MEDICAL TECHNOLOGY DEVELOPMENT	0	0
		TOTAL, APPLIED RESEARCH, DW	1,852,273	1,827,820
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD), DW		
27	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	24,771	20,271
		Excessive growth		[-4,500]
28	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	45,028	45,028
29	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,019	77,019
30	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT. Due to slow execution	283,073	271,123 [-11,950]
31	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	75,003	75,003
32	0603200D8Z	JOINT ADVANCED CONCEPTS	7,903	7,903
33	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT ...	20,372	20,372
34	0603250D8Z	SYSTEMS 2020 ADVANCED TECHNOLOGY DEVELOPMENT	4,381	4,381
35	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)— THEATER CAPABILITY.	998	998
36	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	61,458	61,458
37	0603286E	ADVANCED AEROSPACE SYSTEMS	98,878	98,878
38	0603287E	SPACE PROGRAMS AND TECHNOLOGY	97,541	97,541
39	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—AD- VANCED DEVELOPMENT.	229,235	229,235
40	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	7,287	7,287
41	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	187,707	177,707
		Program Decrease- Unjustified growth		[-10,000]
42	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	23,890	23,890
43	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOP- MENT. Program Decrease	9,235	5,235 [-4,000]
44	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY	10,762	10,762
45	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	10,709	5,709
		Program Decrease		[-5,000]
46	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT. Excessive growth	18,179	14,179 [-4,000]
47	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECH- NOLOGY PROGRAM. Program Increase- Industrial Base Innovation Fund program	17,888	47,888 [30,000]
48	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	26,972	13,972
		Cargo airship demonstration		[2,000]
		Pelican		[-15,000]
49	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,756	9,756
50	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS ...	23,887	23,887
51	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECH- NOLOGY. Excessive growth	41,976	35,976 [-6,000]
52	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	66,409	66,409
53	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUP- PORT. Program reduction	91,132	61,132 [-30,000]
54	0603727D8Z	JOINT WARFIGHTING PROGRAM	10,547	10,547
55	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	160,286	160,286
56	0603745D8Z	SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD).	0	0
57	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PRO- GRAM.	0	0
58	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	296,537	296,537
59	0603765E	CLASSIFIED DARPA PROGRAMS	107,226	107,226
60	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	235,245	235,245
61	0603767E	SENSOR TECHNOLOGY	271,802	271,802
61A	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM	0	200,000
		Program Increase		[200,000]
62	0603768E	GUIDANCE TECHNOLOGY	0	0
63	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVEL- OPMENT.	13,579	13,579
64	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	30,424	30,424
65	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	89,925	79,925
		Program Decrease		[-10,000]
66	0603828D8Z	JOINT EXPERIMENTATION	58,130	48,130
		Program adjustment		[-10,000]
67	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	37,029	31,029

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Line	Program Element	Item	FY 2012 Request	Senate Authorized
		Program Decrease		[-6,000]
68	0603901C	DIRECTED ENERGY RESEARCH	96,329	36,329
		Program Decrease—ALTB		[-60,000]
69	0603902C	NEXT GENERATION AEGIS MISSILE	123,456	123,456
70	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	99,593	99,593
71	0603942D8Z	TECHNOLOGY TRANSFER	0	0
		Program Increase- Technology Transition Initiative		[10,000]
		Technology Transition Initiative		[-10,000]
72	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	20,444	20,444
73	0303310D8Z	CWMD SYSTEMS	7,788	7,788
74	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT. Excess to need	35,242	30,242
		AVIATION ENGINEERING ANALYSIS	837	837
75	1160422BB			[-5,000]
76	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY.	4,924	4,924
		TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD), DW.	3,270,792	3,321,342
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DW		
77	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	36,798	36,798
78	0603527D8Z	RETRACT LARCH	21,040	21,040
79	0603600D8Z	WALKOFF	112,142	112,142
80	0603709D8Z	JOINT ROBOTICS PROGRAM	11,129	11,129
81	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	18,408	18,408
82	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	63,606	63,606
83	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT. THAAD production improvements	290,452	310,452
				[20,000]
84	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,161,001	1,161,001
85	0603883C	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	0	0
86	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	261,143	234,155
		JPID program restructure		[-13,988]
		INATS schedule delays		[-13,000]
87	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	222,374	222,374
88	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS	1,071,039	1,022,039
		Program Decrease—Excess funds		[-40,000]
		Excess to need		[-9,000]
89	0603890C	BMD ENABLING PROGRAMS	373,563	373,563
90	0603891C	SPECIAL PROGRAMS—MDA	296,554	296,554
91	0603892C	AEGIS BMD	960,267	1,250,267
		SM-3 Block IB production improvements		[30,000]
		Transfer from procurement to correct test failures		[260,000]
92	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	96,353	96,353
93	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	7,951	7,951
94	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	364,103	364,103
95	0603897C	BALLISTIC MISSILE DEFENSE HERCULES	0	0
96	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	41,225	41,225
97	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	69,325	69,325
98	0603906C	REGARDING TRENCH	15,797	15,797
99	0603907C	SEA BASED X-BAND RADAR (SBX)	177,058	157,058
		Program Decrease—Excess funds		[-20,000]
100	0603911C	BMD EUROPEAN CAPABILITY	0	0
101	0603913C	ISRAELI COOPERATIVE PROGRAMS	106,100	156,100
		David's Sling development		[25,000]
		Arrow System Improvement Program		[20,000]
		Arrow-3 interceptor development		[5,000]
102	0603920D8Z	HUMANITARIAN DEMINING	14,996	14,996
103	0603923D8Z	COALITION WARFARE	12,743	12,743
104	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,221	35,321
		Program increase—funding shortfall		[32,100]
105	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	25,120	25,120
106	0604648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	0	0
107	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING. Program Decrease	10,309	8,309
				[-2,000]
108	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	13,024	8,024
		Program Decrease		[-5,000]
109	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM ..	9,290	9,290
110	0604880C	LAND-BASED SM-3 (LBSM3)	306,595	306,595

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
111	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	424,454	444,454
		Program Increase- software Integration		[20,000]
112	0604883C	PRECISION TRACKING SPACE SENSOR RDT&E	160,818	160,818
113	0604884C	AIRBORNE INFRARED (ABIR)	46,877	46,877
114	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST	0	0
115	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,358	3,358
		TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DW.	6,808,233	7,117,345
		SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD), DW		
116	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	0	0
117	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	7,220	7,220
118	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	204,824	204,824
119	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	400,608	390,608
		Decontamination FOS delays		[-10,000]
120	0604709D8Z	JOINT ROBOTICS PROGRAM	2,782	2,782
121	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	49,198	44,198
		Cyber threat discovery		[20,000]
		Program growth		[-25,000]
122	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	17,395	17,395
123	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	5,888	5,285
		Due to slow execution		[-603]
124	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,228	12,228
125	0605018BTA	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS).	0	0
126	0605020BTA	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	0	0
127	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	389	389
128	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	1,929	1,929
129	0605027D8Z	OSD(C) IT DEVELOPMENT INITIATIVES	4,993	4,993
130	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	134,285	84,285
		Program Growth		[-50,000]
131	0605075D8Z	DCMO POLICY AND INTEGRATION	41,808	31,808
		Program Growth		[-10,000]
132	0605140D8Z	TRUSTED FOUNDRY	0	0
133	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	14,950	14,950
134	0605648D8Z	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM ..	0	0
135	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	19,837	19,837
136	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WIL-SOC) STAFF OFFICE.	0	0
		TOTAL, SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD), DW.	918,334	842,731
		RDT&E MANAGEMENT SUPPORT, DW		
137	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,658	6,658
138	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,731	4,731
139	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	140,231	140,231
140	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,757	2,757
141	0604943D8Z	THERMAL VICAR	7,827	7,827
142	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	10,479	10,479
143	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	34,213	28,213
		OSD recommendation due to underexecution		[-6,000]
144	0605110D8Z	USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	1,486	1,486
145	0605117D8Z	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	64,524	64,524
146	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	79,859	61,490
		Underexecution		[-18,369]
147	0605128D8Z	CLASSIFIED PROGRAM USD(P)	0	0
148	0605130D8Z	FOREIGN COMPARATIVE TESTING	19,080	19,080
149	0605142D8Z	SYSTEMS ENGINEERING	41,884	41,884
150	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	4,261	4,261
151	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION ..	9,437	9,437
152	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,549	6,549
153	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,806	92,806
154	0605502BP	SMALL BUSINESS INNOVATIVE RESEARCH—CHEMICAL BIOLOGICAL DEF.	0	0
155	0605502BR	SMALL BUSINESS INNOVATION RESEARCH	0	0
156	0605502C	SMALL BUSINESS INNOVATIVE RESEARCH—MDA	0	0
157	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
158	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
159	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
160	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S.	1,924	1,924

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
161	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	16,135	16,135
162	0605799D8Z	EMERGING CAPABILITIES	0	0
163	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	56,269	52,269
		Program Decrease		[-4,000]
164	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	49,810	49,810
165	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,805	20,805
		Program Increase		[5,000]
166	0605897E	DARPA AGENCY RELOCATION	1,000	1,000
167	0605898E	MANAGEMENT HQ—R&D	66,689	66,689
168	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,528	4,528
169	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	6,925	6,925
170	0203345D8Z	OPERATIONS SECURITY (OPSEC)	1,777	1,777
171	0204571J	JOINT STAFF ANALYTICAL SUPPORT	18	18
174	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	12,209	12,209
175	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION	4,288	4,288
176	0305103E	CYBER SECURITY INITIATIVE	10,000	5,000
		Execution delays		[-5,000]
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO).	15,002	15,002
179	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	861	861
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2).	59,958	59,958
181	0901585C	PENTAGON RESERVATION	0	0
182	0901598C	MANAGEMENT HQ—MDA	28,908	28,908
183	0901598D8W	IT SOFTWARE DEV INITIATIVES	167	167
184A	9999999999	CLASSIFIED PROGRAMS	82,627	82,627
		TOTAL, RDT&E MANAGEMENT SUPPORT, DW	961,682	933,313
		OPERATIONAL SYSTEMS DEVELOPMENT, DW		
185	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	8,706	8,706
186	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	2,165	2,165
187	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).	288	288
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	15,956	15,956
189	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY	29,880	29,880
190	0208043J	CLASSIFIED PROGRAMS	2,402	2,402
191	0208045K	C4I INTEROPERABILITY	72,403	72,403
193	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	7,093	7,093
200	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	481	481
201	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	8,366	18,366
		Cybersecurity pilots		[20,000]
		Cybersecurity pilots		[-10,000]
202	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,324	11,324
203	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	12,514	12,514
204	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,548	6,548
205	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	33,751	33,751
206	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	11,753	11,753
207	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	348,593	351,593
		File sanitization tool (FiST)		[3,000]
208	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	5,500	5,500
209	0303148K	DISA MISSION SUPPORT OPERATIONS	0	0
210	0303149J	C4I FOR THE WARRIOR	0	0
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	54,739	54,739
212	0303153K	DEFENSE SPECTRUM ORGANIZATION	29,154	29,154
213	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	1,830	1,830
214	0303260D8Z	JOINT MILITARY DECEPTION INITIATIVE	1,241	1,241
215	0303610K	TELEPORT PROGRAM	6,418	6,418
217	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	5,045	5,045
220	0305103D8Z	CYBER SECURITY INITIATIVE	411	411
222	0305103K	CYBER SECURITY INITIATIVE	4,341	4,341
223	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	13,008	13,008
227	0305186D8Z	POLICY R&D PROGRAMS	6,603	2,892
		OSD recommendation due to underexecution		[-3,711]
229	0305199D8Z	NET CENTRICITY	14,926	11,693
		OSD recommendation due to underexecution		[-3,233]
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	4,303	4,303
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,154	3,154
237	0305219BB	MQ-1 PREDATOR A UAV	2,499	2,499
239	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,660	2,660
240	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	1,444	1,444

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
248	0708011S	INDUSTRIAL PREPAREDNESS	23,103	23,103
249	0708012S	LOGISTICS SUPPORT ACTIVITIES	2,466	2,466
250	0902298J	MANAGEMENT HEADQUARTERS (JCS)	2,730	2,730
251	1001018D8Z	NATO AGS	0	0
252	1105219BB	MQ-9 UAV	2,499	2,499
253	1105232BB	RQ-11 UAV	3,000	3,000
254	1105233BB	RQ-7 UAV	450	450
255	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG.	0	0
256	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DE- VELOPMENT.	89,382	89,382
257	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	799	799
258	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOP- MENT.	27,916	27,916
259	1160408BB	SOF OPERATIONAL ENHANCEMENTS	60,915	60,915
260	1160421BB	SPECIAL OPERATIONS CV-22 DEVELOPMENT	10,775	10,775
261	1160423BB	JOINT MULTI-MISSION SUBMERSIBLE	0	0
262	1160426BB	OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT.	0	0
263	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	4,617	4,617
264	1160428BB	UNMANNED VEHICLES (UV)	0	0
265	1160429BB	AC/MC-130J	18,571	18,571
266	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYS- TEMS.	1,392	1,392
267	1160476BB	SOF TACTICAL RADIO SYSTEMS	0	0
268	1160477BB	SOF WEAPONS SYSTEMS	2,610	2,610
269	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	2,971	2,971
270	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	3,000	3,000
271	1160480BB	SOF TACTICAL VEHICLES	3,522	3,522
272	1160481BB	SOF MUNITIONS	1,500	1,500
273	1160482BB	SOF ROTARY WING AVIATION	51,123	51,123
274	1160483BB	SOF UNDERWATER SYSTEMS	92,424	92,424
275	1160484BB	SOF SURFACE CRAFT	14,475	14,475
276	1160488BB	SOF MILITARY INFORMATION SUPPORT OPERATIONS	2,990	2,990
277	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	8,923	8,923
278	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	9,473	9,473
278A	9999999999	CLASSIFIED PROGRAMS	4,227,920	4,263,700
		Classified Adjustment		[35,780]
		TOTAL OPERATIONAL SYSTEMS DEVELOPMENT, DW	5,399,045	5,440,881
		DARPA--UNDISTRIBUTED	0	-200,000
		Undistributed reduction--Underexecution		[-150,000]
		Undistributed reduction--additional unrestricted cut to DARPA topline		[-50,000]
		TOTAL, RDT&E DW	19,755,678	19,813,751
		OPERATIONAL TEST & EVAL, DEFENSE		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	60,444	60,444
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	12,126	12,126
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	118,722	118,722
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	191,292	191,292
		TOTAL RDT&E	75,325,082	71,840,593

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS				
(In Thousands of Dollars)				
Line	Program Element	Item	FY 2012 Request	Senate Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
RDT&E MANAGEMENT SUPPORT, ARMY				
140	0605601A	ARMY TEST RANGES AND FACILITIES	8,513	8,513
TOTAL, RDT&E MANAGEMENT SUPPORT, ARMY			8,513	8,513
TOTAL, RDT&E ARMY			8,513	8,513
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY				
54	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	1,500	1,500
TOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY.			1,500	1,500
SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY				
97	0604270N	ELECTRONIC WARFARE DEVELOPMENT	5,600	5,600
119	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	3,500	3,500
126	0604771N	MEDICAL DEVELOPMENT	1,950	1,950
TOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, NAVY.			11,050	11,050
OPERATIONAL SYSTEMS DEVELOPMENT, NAVY				
172	0204136N	F/A-18 SQUADRONS	2,000	2,000
189	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	1,500	1,500
192	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	4,050	4,050
216	0305231N	MQ-8 UAV	0	104,600
ECP for SOCOM urgent needs statement—transfer from Title II				[104,600]
227A	9999999999	CLASSIFIED PROGRAMS	33,784	33,784
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, NAVY.			41,334	145,934
TOTAL, RDT&E NAVY			53,884	158,484
RESEARCH, DEVELOPMENT, TEST & EVAL, AIR FORCE				
OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE				
200	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	73,000	58,000
Blue Devil ARGUS Sensors—Already Funded Through Reprogramming Actions.				[-15,000]
242A	9999999999	CLASSIFIED PROGRAMS	69,000	69,000
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE.			142,000	127,000
TOTAL, RDT&E AIR FORCE			142,000	127,000
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
RDT&E MANAGEMENT SUPPORT, DW				
152	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	9,200	9,200
TOTAL, RDT&E MANAGEMENT SUPPORT, DW			9,200	9,200
OPERATIONAL SYSTEMS DEVELOPMENT, DW				
202	0303126K	LONG-HAUL COMMUNICATIONS—DCS	10,500	10,500
207	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	32,850	32,850
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	2,000	2,000
254	1105233BB	RQ-7 UAV	2,450	2,450
278A	9999999999	CLASSIFIED PROGRAMS	135,361	120,581
Classified Adjustment				[-14,780]
TOTAL OPERATIONAL SYSTEMS DEVELOPMENT, DW			183,161	168,381
TOTAL, RDT&E DW			192,361	177,581

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY
 OPERATIONS
 (In Thousands of Dollars)

Line	Program Element	Item	FY 2012 Request	Senate Authorized
TOTAL RDT&E			396,758	471,578

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY			
BA 01: OPERATING FORCES			
010	MANEUVER UNITS	1,399,804	1,249,071
	Transfer to OCO: MRAP Vehicle Sustainment.		[-2,539]
	Transfer to OCO: Theater Demand Reduction.		[-148,194]
020	MODULAR SUPPORT BRIGADES	104,629	102,347
	Transfer to OCO: Theater Demand Reduction.		[-2,282]
030	ECHELONS ABOVE BRIGADE	815,920	815,920
040	THEATER LEVEL ASSETS	825,587	796,595
	Transfer to OCO: Theater Demand Reduction.		[-18,692]
	Transfer to OCO: UAS--Gray Eagle Satellite Service.		[-10,300]
050	LAND FORCES OPERATIONS SUPPORT	1,245,231	1,199,827
	Transfer to OCO: MRAP Vehicle Sustainment at Combat Training Centers.		[-6,420]
	Transfer to OCO: National Training Center Tier Two Level Maintenance Contract.		[-24,000]
	Transfer to OCO: Theater Demand Reduction.		[-14,984]
060	AVIATION ASSETS	1,199,340	1,137,835
	Transfer to OCO: Theater Demand Reduction.		[-61,505]
070	FORCE READINESS OPERATIONS SUPPORT	2,939,455	2,847,795
	FOB Baseline Not Taken into Account in Requested Program Growth.		[-20,000]
	Transfer to OCO: Body Armor Sustainment.		[-71,660]
080	LAND FORCES SYSTEMS READINESS	451,228	431,228
	Deny Requested Growth for Civilian and Contractor Positions.		[-20,000]
090	LAND FORCES DEPOT MAINTENANCE	1,179,675	1,179,675
100	BASE OPERATIONS SUPPORT	7,637,052	7,329,552
	Budget Justification Does Not Match Summary of Price and Program Changes for Utilities.		[-37,500]
	Removal of FY11 Costs Budgeted for Detainee Operations (Full FY12 Requirement Funded in OCO).		[-70,000]
	Transfer to OCO: Overseas Security Guards.		[-200,000]
110	FACILITIES SUSTAINMENT, RESTORATION, & MOD- ERNIZATION	2,495,667	2,495,667
120	MANAGEMENT AND OPERATIONAL HQ	397,952	397,952
130	COMBATANT COMMANDERS CORE OPERATIONS	171,179	171,179
140	ADDITIONAL ACTIVITIES	0	0
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	0	0
160	RESET	0	0
170	COMBATANT COMMANDERS ANCLLARY MISSIONS	459,585	459,585
	TOTAL, BA 01: OPERATING FORCES	21,322,304	20,614,228
BA 02: MOBILIZATION			
180	STRATEGIC MOBILITY	390,394	390,394
190	ARMY PREPOSITIONING STOCKS	169,535	169,535
200	INDUSTRIAL PREPAREDNESS	6,675	6,675
	TOTAL, BA 02: MOBILIZATION	566,604	566,604
BA 03: TRAINING AND RECRUITING			
210	OFFICER ACQUISITION	113,262	113,262
220	RECRUIT TRAINING	71,012	71,012
230	ONE STATION UNIT TRAINING	49,275	49,275
240	SENIOR RESERVE OFFICERS TRAINING CORPS	417,071	417,071
250	SPECIALIZED SKILL TRAINING	1,045,948	1,045,948
260	FLIGHT TRAINING	1,083,808	1,083,808
270	PROFESSIONAL DEVELOPMENT EDUCATION	191,073	191,073
280	TRAINING SUPPORT	607,896	607,896
290	RECRUITING AND ADVERTISING	523,501	523,501
300	EXAMINING	139,159	139,159

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
310	OFF-DUTY AND VOLUNTARY EDUCATION	238,978	238,978
320	CIVILIAN EDUCATION AND TRAINING	221,156	221,156
330	JUNIOR ROTC	170,889	170,889
	TOTAL, BA 03: TRAINING AND RECRUITING	4,873,028	4,873,028
	BA 04: ADMIN & SRVWIDE ACTIVITIES		
340	SECURITY PROGRAMS	995,161	995,161
350	SERVICEWIDE TRANSPORTATION	524,334	524,334
360	CENTRAL SUPPLY ACTIVITIES	705,668	705,668
370	LOGISTIC SUPPORT ACTIVITIES	484,075	484,075
380	AMMUNITION MANAGEMENT	457,741	387,741
	Requested Growth Unjustified by Metrics Provided in Performance Criteria.		[-70,000]
390	ADMINISTRATION	775,313	775,313
400	SERVICEWIDE COMMUNICATIONS	1,534,706	1,504,706
	Budget Justification Does Not Match Summary of Price and Program Changes for DISA.		[-30,000]
410	MANPOWER MANAGEMENT	316,924	316,924
420	OTHER PERSONNEL SUPPORT	214,356	214,356
430	OTHER SERVICE SUPPORT	1,093,877	1,033,877
	Unjustified program growth-Joint DOD Support		[-5,000]
	Unjustified program growth-PA Strategic Communications		[-5,000]
	Budget Justification Does Not Match Summary of Price and Program Changes for DFAS.		[-50,000]
440	ARMY CLAIMS ACTIVITIES	216,621	216,621
450	REAL ESTATE MANAGEMENT	180,717	157,813
	Budget Justification Does Not Match Summary of Price and Program Changes for the Pentagon Reservation Maintenance Revolving Fund.		[-10,000]
	BA-4 Adjustment for Defense Efficiency—Civilian Staffing Reduction.		[-12,904]
460	SUPPORT OF NATO OPERATIONS	449,901	449,901
470	MISC. SUPPORT OF OTHER NATIONS	23,886	23,886
	TOTAL, BA 04: ADMIN & SRVWIDE ACTIVITIES	6,978,119	6,795,215
	UNDISTRIBUTED		
480	UNDISTRIBUTED		-3,942,465
	Reduction in funding for contract services		[-121,700]
	Reduction in funding for DoD business systems		[-46,000]
	Management efficiencies in the military intelligence program ..		[-29,900]
	Unobligated balances		[-275,000]
	Adjustment for Defense Efficiency—Civilian Staffing Reduction.		[-166,365]
	Transfer to OCO: Readiness and Depot Maintenance (BA-1 Undistributed).		[-3,000,000]
	Printing & Reproduction (10% cut)—Efficiency.		[-10,600]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-1,400]
	Decrease in OPTEMPO as cited by Army.		[-291,500]
999	CLASSIFIED		1,600
	Classified adjustment		[1,600]
	TOTAL, OPERATION & MAINTENANCE, ARMY	34,735,216	29,903,371
	OPERATION & MAINTENANCE, ARMY RES		
	BA 01: OPERATING FORCES		
010	MANEUVER UNITS	1,091	1,091
020	MODULAR SUPPORT BRIGADES	18,129	18,129
030	ECHELONS ABOVE BRIGADE	492,705	492,705
040	THEATER LEVEL ASSETS	137,304	137,304
050	LAND FORCES OPERATIONS SUPPORT	597,786	597,786
060	AVIATION ASSETS	67,366	67,366
070	FORCE READINESS OPERATIONS SUPPORT	474,966	474,966
080	LAND FORCES SYSTEMS READINESS	69,841	69,841
090	LAND FORCES DEPOT MAINTENANCE	247,010	247,010
100	BASE OPERATIONS SUPPORT	590,078	583,078
	Reduction in Payments to the GSA for Standard Level Service Charges Not Properly Accounted for in Budget Documentation.		[-7,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	255,618	255,618
120	ADDITIONAL ACTIVITIES	0	0
	UNDISTRIBUTED		-91,000
	Decrease in OPTEMPO as cited by Army.		[-87,000]
	Deny Increase Budgeted for FY12 Price Growth for Civilian Compensation.		[-4,000]
	TOTAL, BA 01: OPERATING FORCES	2,951,894	2,853,894
	BA 02: ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	14,447	14,447
140	ADMINISTRATION	76,393	76,393
150	SERVICEWIDE COMMUNICATIONS	3,844	3,844
160	MANPOWER MANAGEMENT	9,033	9,033
170	RECRUITING AND ADVERTISING	53,565	53,565
	TOTAL, BA 02: ADMIN & SRVWD ACTIVITIES	157,282	
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	3,109,176	3,011,176
	OPERATION & MAINTENANCE, ARNG		
	BA 01: OPERATING FORCES		
010	MANEUVER UNITS	634,181	634,181
020	MODULAR SUPPORT BRIGADES	189,899	189,899
030	ECHELONS ABOVE BRIGADE	751,899	751,899
040	THEATER LEVEL ASSETS	112,971	112,971
050	LAND FORCES OPERATIONS SUPPORT	33,972	33,972
060	AVIATION ASSETS	854,048	854,048
070	FORCE READINESS OPERATIONS SUPPORT	706,299	706,299
080	LAND FORCES SYSTEMS READINESS	50,453	50,453
090	LAND FORCES DEPOT MAINTENANCE	646,608	646,608
100	BASE OPERATIONS SUPPORT	1,028,126	988,626
	Unjustified Growth for Travel.		[-25,000]
	Unjustified Growth for Utilities Based on Metrics Provided in Budget Documentation.		[-10,000]
	Unjustified Growth for Public Affairs.		[-4,500]
110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	618,513	618,513
120	MANAGEMENT AND OPERATIONAL HQ	792,575	787,575
	Army National Guard-Identified Excess.		[-5,000]
130	ADDITIONAL ACTIVITIES	0	0
	TOTAL, BA 01: OPERATING FORCES	6,419,544	6,375,044
	BA 04: ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	11,703	11,703
150	ADMINISTRATION	178,655	178,655
160	SERVICEWIDE COMMUNICATIONS	42,073	42,073
170	MANPOWER MANAGEMENT	6,789	6,789
180	RECRUITING AND ADVERTISING	382,668	382,668
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	621,888	
	UNDISTRIBUTED		
190	UNDISTRIBUTED		-156,500
	Reduction in non-dual status technician limitation		[-20,000]
	Deny Increase Budgeted for FY12 Price Growth for Civilian Compensation.		[-11,000]
	Decrease in OPTEMPO as cited by Army.		[-125,500]
	TOTAL, OPERATION & MAINTENANCE, ARNG	7,041,432	6,840,432
	OPERATION & MAINTENANCE, NAVY		
	BA 01: OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,762,887	4,762,887
020	FLEET AIR TRAINING	1,771,644	1,771,644
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	46,321	46,321
040	AIR OPERATIONS AND SAFETY SUPPORT	104,751	104,751
050	AIR SYSTEMS SUPPORT	431,576	431,576
060	AIRCRAFT DEPOT MAINTENANCE	1,030,303	1,030,303

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,403	37,403
080	AVIATION LOGISTICS	238,007	238,007
090	MISSION AND OTHER SHIP OPERATIONS	3,820,186	3,820,186
100	SHIP OPERATIONS SUPPORT & TRAINING	734,866	734,866
110	SHIP DEPOT MAINTENANCE	4,972,609	4,972,609
120	SHIP DEPOT OPERATIONS SUPPORT	1,304,271	1,304,271
130	COMBAT COMMUNICATIONS	583,659	583,659
140	ELECTRONIC WARFARE	97,011	97,011
150	SPACE SYSTEMS AND SURVEILLANCE	162,303	137,303
	Budget Justification Does Not Match Summary of Price and Program Changes.		[-25,000]
160	WARFARE TACTICS	423,187	423,187
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	320,141	320,141
180	COMBAT SUPPORT FORCES	1,076,478	1,076,478
190	EQUIPMENT MAINTENANCE	187,037	187,037
200	DEPOT OPERATIONS SUPPORT	4,352	4,352
210	COMBATANT COMMANDERS CORE OPERATIONS	103,830	103,830
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	180,800	180,800
230	CRUISE MISSILE	125,333	125,333
240	FLEET BALLISTIC MISSILE	1,209,410	1,209,410
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	99,063	99,063
260	WEAPONS MAINTENANCE	450,454	450,454
270	OTHER WEAPON SYSTEMS SUPPORT	358,002	358,002
280	ENTERPRISE INFORMATION	971,189	971,189
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,946,779	1,946,779
300	BASE OPERATING SUPPORT	4,610,525	4,590,525
	Savings from In-sourcing Security Contractor Positions Not Properly Accounted for in Budget Documentation.		[-20,000]
	TOTAL, BA 01: OPERATING FORCES	32,164,377	32,119,377
	BA 02: MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	493,326	493,326
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,228	6,228
330	SHIP ACTIVATIONS/INACTIVATIONS	205,898	205,898
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	68,634	68,634
350	INDUSTRIAL READINESS	2,684	2,684
360	COAST GUARD SUPPORT	25,192	25,192
	TOTAL, BA 02: MOBILIZATION	801,962	801,962
	BA 03: TRAINING AND RECRUITING		
370	OFFICER ACQUISITION	147,540	147,540
380	RECRUIT TRAINING	10,655	10,655
390	RESERVE OFFICERS TRAINING CORPS	151,147	151,147
400	SPECIALIZED SKILL TRAINING	594,799	594,799
410	FLIGHT TRAINING	9,034	9,034
420	PROFESSIONAL DEVELOPMENT EDUCATION	173,452	173,452
430	TRAINING SUPPORT	168,025	168,025
440	RECRUITING AND ADVERTISING	254,860	254,860
450	OFF-DUTY AND VOLUNTARY EDUCATION	140,279	140,279
460	CIVILIAN EDUCATION AND TRAINING	107,561	107,561
470	JUNIOR ROTC	52,689	52,689
	TOTAL, BA 03: TRAINING AND RECRUITING	1,810,041	1,810,041
	BA 04: ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	754,483	754,483
490	EXTERNAL RELATIONS	14,275	14,275
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	112,616	112,616
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	216,483	216,483
520	OTHER PERSONNEL SUPPORT	282,295	282,295
530	SERVICEWIDE COMMUNICATIONS	534,873	534,873
540	MEDICAL ACTIVITIES	0	0
550	SERVICEWIDE TRANSPORTATION	190,662	190,662
560	ENVIRONMENTAL PROGRAMS	0	0
570	PLANNING, ENGINEERING AND DESIGN	303,636	303,636
580	ACQUISITION AND PROGRAM MANAGEMENT	903,885	903,885
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	54,880	54,880
600	COMBAT/WEAPONS SYSTEMS	20,687	20,687

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	68,374	68,374
620	NAVAL INVESTIGATIVE SERVICE	572,928	572,928
630	CONSOLIDATED CRYPTOLOGICAL PROGRAM	0	0
650	FOREIGN COUNTERINTELLIGENCE	0	0
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	5,516	5,516
690	CANCELLED ACCOUNT ADJUSTMENTS	0	0
700	JUDGEMENT FUND	0	0
700A	CLASSIFIED PROGRAMS	552,715	546,715
	Classified adjustment		[-6,000]
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	4,588,308	4,582,308
	UNDISTRIBUTED		
710	UNDISTRIBUTED		-1,320,600
	Reduction in funding for contract services		[-122,800]
	Reduction in funding for DoD business systems		[-52,900]
	Management efficiencies in the military intelligence program ..		[-11,300]
	Unobligated balances		[-123,800]
	Transfer to OCO: Readiness and Depot Maintenance (BA-1 Undistributed).		[-495,000]
	Deny FY12 Budget Price Growth for Civilian Personnel Com- pensation.		[-5,000]
	Printing & Reproduction (10% cut)—Efficiency.		[-7,100]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-2,700]
	Target area for reduction as cited by Navy.		[-500,000]
	TOTAL, OPERATION & MAINTENANCE, NAVY	39,364,688	37,993,088
	OPERATION & MAINTENANCE, MARINE CORPS		
	BA 01: OPERATING FORCES		
010	OPERATIONAL FORCES	715,196	715,196
020	FIELD LOGISTICS	677,608	677,608
030	DEPOT MAINTENANCE	190,713	78,713
	Transfer to OCO: Depot Maintenance.		[-112,000]
040	MARITIME PREPOSITIONING	101,464	101,464
050	NORWAY PREPOSITIONING	0	0
060	SUSTAINMENT, RESTORATION, & MODERNIZATION	823,390	823,390
070	BASE OPERATING SUPPORT	2,208,949	1,973,949
	Transfer to OCO: Readiness and Depot Maintenance (BA-1 Undistributed).		[-235,000]
	TOTAL, BA 01: OPERATING FORCES	4,717,320	4,370,320
	BA 03: TRAINING AND RECRUITING		
080	RECRUIT TRAINING	18,280	18,280
090	OFFICER ACQUISITION	820	820
100	SPECIALIZED SKILL TRAINING	85,816	85,816
110	FLIGHT TRAINING	0	0
120	PROFESSIONAL DEVELOPMENT EDUCATION	33,142	33,142
130	TRAINING SUPPORT	324,643	324,643
140	RECRUITING AND ADVERTISING	184,432	184,432
150	OFF-DUTY AND VOLUNTARY EDUCATION	43,708	43,708
160	JUNIOR ROTC	19,671	19,671
	TOTAL, BA03: TRAINING AND RECRUITING	710,512	
	BA 04: ADMIN & SRVWD ACTIVITIES		
170	SPECIAL SUPPORT	0	0
180	SERVICEWIDE TRANSPORTATION	36,021	31,021
	Incorrect Price Growth Rate Used for Commercial Transpor- tation.		[-5,000]
190	ADMINISTRATION	405,431	405,431
200	ACQUISITION & PROGRAM MANAGEMENT	91,153	91,153
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	532,605	527,605
	UNDISTRIBUTED		
210	UNDISTRIBUTED		-199,300
	Reduction in funding for DoD business systems		[-5,700]
	Unobligated balances		[-21,600]
	OMMC Request Inconsistent with Information Technology Budget Justification for the Operational Support Systems— Command and Control.		[-20,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	Printing & Reproduction (10% cut)—Efficiency.		[-6,500]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-500]
	Target area for reduction as cited by Marine Corps.		[-145,000]
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	5,960,437	5,409,137
	OPERATION & MAINTENANCE, NAVY RES		
	BA 01: OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	622,868	622,868
020	INTERMEDIATE MAINTENANCE	16,041	16,041
030	AIR OPERATIONS AND SAFETY SUPPORT	1,511	1,511
040	AIRCRAFT DEPOT MAINTENANCE	123,547	123,547
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	379	379
060	MISSION AND OTHER SHIP OPERATIONS	49,701	49,701
070	SHIP OPERATIONS SUPPORT & TRAINING	593	593
080	SHIP DEPOT MAINTENANCE	53,916	53,916
090	COMBAT COMMUNICATIONS	15,445	15,445
100	COMBAT SUPPORT FORCES	153,942	153,942
110	WEAPONS MAINTENANCE	7,292	7,292
120	ENTERPRISE INFORMATION	75,131	75,131
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	72,083	72,083
140	BASE OPERATING SUPPORT	109,024	109,024
	TOTAL, BA 01: OPERATING FORCES	1,301,473	1,301,473
	BA 04: ADMIN & SRVWD ACTIVITIES		
150	ADMINISTRATION	1,857	1,857
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,438	14,438
170	SERVICEWIDE COMMUNICATIONS	2,394	2,394
180	ACQUISITION AND PROGRAM MANAGEMENT	2,972	2,972
190	CANCELLED ACCOUNT ADJUSTMENTS	0	0
200	JUDGMENT FUND	0	0
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	21,661	21,661
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	1,323,134	1,323,134
	OPERATION & MAINTENANCE, MC RESERVE		
	BA 01: OPERATING FORCES		
010	OPERATING FORCES	94,604	94,604
020	DEPOT MAINTENANCE	16,382	16,382
030	TRAINING SUPPORT	0	0
040	SUSTAINMENT, RESTORATION AND MODERNIZATION	31,520	31,520
050	BASE OPERATING SUPPORT	105,809	105,809
	TOTAL, BA 01: OPERATING FORCES	248,315	248,315
	BA 04: ADMIN & SRVWD ACTIVITIES		
060	SPECIAL SUPPORT	0	0
070	SERVICEWIDE TRANSPORTATION	852	852
080	ADMINISTRATION	13,257	13,257
090	RECRUITING AND ADVERTISING	9,019	9,019
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	23,128	23,128
	TOTAL, OPERATION & MAINTENANCE, MC RESERVE	271,443	271,443
	OPERATION & MAINTENANCE, AIR FORCE		
	BA 01: OPERATING FORCES		
010	PRIMARY COMBAT FORCES	4,224,400	4,154,400
	Transfer to OCO: Theater Security Package.		[-70,000]
020	COMBAT ENHANCEMENT FORCES	3,417,731	3,379,731
	Unjustified Increase in Travel.		[-10,000]
	Removal of One-Time FY11 Costs for Administrative Support for Contractor to Civilian Conversions.		[-4,000]
	Removal of One-Time FY11 Costs for Software Maintenance Requirements.		[-24,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,482,814	1,482,814
040	MISSION SUPPORT OPERATIONS	0	0
050	DEPOT MAINTENANCE	2,204,131	2,204,131

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
060	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,652,318	1,652,318
070	BASE SUPPORT	2,507,179	2,482,179
	Budget Justification Does Not Match Summary of Price and Program Changes for Utilities.		[-25,000]
080	GLOBAL C3I AND EARLY WARNING	1,492,459	1,492,459
090	OTHER COMBAT OPS SPT PROGRAMS	1,046,226	1,032,226
	Removal of One-Time FY11 Costs for Administrative Support for Contractor to Civilian Conversions.		[-14,000]
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	696,188	696,188
110	LAUNCH FACILITIES	321,484	321,484
120	SPACE CONTROL SYSTEMS	633,738	626,738
	Removal of One-Time FY11 Costs for Administrative Support for Contractor to Civilian Conversions.		[-7,000]
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	735,488	698,128
	Strategic Command Program Decreases Not Accounted for in Budget Documentation.		[-20,000]
	Transfer to OCO: CENTCOM HQ C4.		[-12,500]
	Transfer to OCO: CENTCOM Public Affairs.		[-4,860]
140	COMBATANT COMMANDERS CORE OPERATIONS	170,481	170,481
	TOTAL, BA 01: OPERATING FORCES	20,584,637	20,393,277
	BA 02: MOBILIZATION		
150	AIRLIFT OPERATIONS	2,988,221	2,988,221
160	MOBILIZATION PREPAREDNESS	150,724	150,724
170	DEPOT MAINTENANCE	373,568	373,568
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	388,103	388,103
190	BASE SUPPORT	674,230	634,230
	Budget Justification Does Not Match Summary of Price and Program Changes for Utilities.		[-25,000]
	Unjustified Growth for Competitive Sourcing and Privatization.		[-15,000]
	TOTAL, BA 02: MOBILIZATION	4,574,846	4,534,846
	BA 03: TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	114,448	114,448
210	RECRUIT TRAINING	22,192	22,192
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	90,545	90,545
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	430,090	430,090
240	BASE SUPPORT	789,654	789,654
250	SPECIALIZED SKILL TRAINING	481,357	471,357
	Budget Justification Does Not Match Summary of Price and Program Changes for Equipment Maintenance by Contract.		[-10,000]
260	FLIGHT TRAINING	957,538	957,538
270	PROFESSIONAL DEVELOPMENT EDUCATION	198,897	198,897
280	TRAINING SUPPORT	108,248	108,248
290	DEPOT MAINTENANCE	6,386	6,386
300	RECRUITING AND ADVERTISING	136,102	136,102
310	EXAMINING	3,079	3,079
320	OFF-DUTY AND VOLUNTARY EDUCATION	167,660	167,660
330	CIVILIAN EDUCATION AND TRAINING	202,767	202,767
340	JUNIOR ROTC	75,259	75,259
	TOTAL, BA 03: TRAINING AND RECRUITING	3,784,222	3,774,222
	BA 04: ADMIN & SRVWD ACTIVITIES		
350	LOGISTICS OPERATIONS	1,112,878	1,112,878
360	TECHNICAL SUPPORT ACTIVITIES	785,150	785,150
370	DEPOT MAINTENANCE	14,356	14,356
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	416,588	416,588
390	BASE SUPPORT	1,219,043	1,219,043
400	ADMINISTRATION	662,180	497,180
	Program decrease		[-165,000]
410	SERVICEWIDE COMMUNICATIONS	650,689	650,689
420	OTHER SERVICEWIDE ACTIVITIES	1,078,769	953,769
	Air Force funds for Space Shuttle (for museum)		[-14,000]
	Program decrease		[-104,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	Budget Justification Does Not Match Summary of Price and Program Changes for DFAS.		[-7,000]
430	CIVIL AIR PATROL	23,338	23,338
440	JUDGMENT FUND REIMBURSEMENT	0	0
460	INTERNATIONAL SUPPORT	72,589	72,589
460A	CLASSIFIED PROGRAMS	1,215,848	1,217,348
	Classified adjustment		[1,500]
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	7,251,428	6,962,928
	UNDISTRIBUTED		
470	UNDISTRIBUTED		-1,204,400
	Reduction in funding for contract services		[-144,200]
	Reduction in funding for DoD business systems		[-26,200]
	Management efficiencies in the military intelligence program ..		[-46,600]
	Unobligated balances		[-143,700]
	Transfer to OCO: Readiness and Depot Maintenance (BA-1 Undistributed).		[-470,000]
	Printing & Reproduction (10% cut)—Efficiency.		[-7,200]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-2,500]
	Target area for reduction as cited by Air Force.		[-364,000]
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	36,195,133	34,460,873
	OPERATION & MAINTENANCE, AF RESERVE		
	BA 01: OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,171,853	2,171,853
020	MISSION SUPPORT OPERATIONS	116,513	116,513
030	DEPOT MAINTENANCE	471,707	471,707
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	77,161	77,161
050	BASE SUPPORT	308,974	308,974
	TOTAL, BA 01: OPERATING FORCES	3,146,208	3,146,208
	BA 04: ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	84,423	84,423
070	RECRUITING AND ADVERTISING	17,076	17,076
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	19,688	19,688
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,170	6,170
100	AUDIOVISUAL	794	794
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	128,151	128,151
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	3,274,359	3,274,359
	OPERATION & MAINTENANCE, ANG		
	BA 01: OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,651,900	3,651,900
020	MISSION SUPPORT OPERATIONS	751,519	751,519
030	DEPOT MAINTENANCE	753,525	753,525
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	284,348	284,348
050	BASE SUPPORT	621,942	588,442
	O&M Air National Guard Request Inconsistent with Information Technology Budget Justification for Base Level Communication Infrastructure.		[-23,500]
	O&M Air National Guard Request Inconsistent with MIP Budget Justification for Air Intelligence Systems.		[-10,000]
	TOTAL, BA 01: OPERATING FORCES	6,063,234	6,029,734
	BA 04: ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	39,387	39,387
070	RECRUITING AND ADVERTISING	33,659	33,659
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	73,046	73,046
	TOTAL, OPERATION & MAINTENANCE, ANG	6,136,280	6,102,780
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	BA 01: OPERATING FORCES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
020	SPECIAL OPERATIONS COMMAND	3,986,766	3,893,859
	Civilian pay freeze and projected personnel reductions		[-10,000]
	Sustaining Base Communications—Excessive Growth		[-8,000]
	Aviation Foreign Internal Defense		[-17,607]
	Military Information Support Activities—Transfer to OCO		[-57,300]
010	JOINT CHIEFS OF STAFF	563,787	558,287
	Reduce Civilian Personnel FY12 Average Salary Growth.		[-5,500]
	TOTAL, BA 01: OPERATING FORCES	4,550,553	4,452,146
	BA 03: TRAINING AND RECRUITING		
030	DEFENSE ACQUISITION UNIVERSITY	124,075	124,075
040	NATIONAL DEFENSE UNIVERSITY	93,348	93,348
	TOTAL, BA 03: TRAINING AND RECRUITING	217,423	217,423
	BA 04: ADMIN & SRVWD ACTIVITIES		
070	DEFENSE BUSINESS TRANSFORMATION AGENCY	0	0
050	CIVIL MILITARY PROGRAMS	159,692	159,692
080	DEFENSE CONTRACT AUDIT AGENCY	508,822	508,822
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,147,366	1,147,366
100	DEFENSE FINANCE AND ACCOUNTING SERVICE	12,000	12,000
110	DEFENSE HUMAN RESOURCES ACTIVITY	676,419	646,419
	Overstatement of FY12 Costs for Civilian Personnel		[-30,000]
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,360,392	1,360,392
150	DEFENSE LOGISTICS AGENCY	450,863	450,863
140	DEFENSE LEGAL SERVICES AGENCY	37,367	37,367
160	DEFENSE MEDIA ACTIVITY	256,133	256,133
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,768,677	2,648,677
	DoD recommended reduction to MyCAA		[-120,000]
170	DEFENSE POW/MIA OFFICE	22,372	22,372
180	DEFENSE SECURITY COOPERATION AGENCY	682,831	530,551
	Reduction to Global Train and Equip		[-150,000]
	Program decrease—Security Cooperation Assessment Office ...		[-2,280]
190	DEFENSE SECURITY SERVICE	505,366	505,366
210	DEFENSE THREAT REDUCTION AGENCY	432,133	432,133
200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	33,848	33,848
230	MISSILE DEFENSE AGENCY	202,758	202,758
250	OFFICE OF ECONOMIC ADJUSTMENT	81,754	48,754
	Ahead of need—Guam FSRM		[-33,000]
260	OFFICE OF THE SECRETARY OF DEFENSE	2,201,964	2,181,964
	Unjustified Growth for Equipment Maintenance by Contract.		[-10,000]
	Additional Efficiencies Based on Disestablishment of the ASD/		
	NII		[-10,000]
270	WASHINGTON HEADQUARTERS SERVICE	563,184	550,684
	Removal of FY11 Costs Budgeted for Boards, Commissions		
	and Task Forces.		[-6,000]
	Removal of FY11 Costs Budgeted for the Defense Agencies		
	Initiative.		[-6,500]
270A	CLASSIFIED PROGRAMS	14,068,492	13,911,653
	Classified adjustment		[-156,839]
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	26,172,433	25,647,814
	UNDISTRIBUTED		
280	UNDISTRIBUTED		-874,800
	Reduction in funding for contract services		[-694,800]
	Reduction in funding for DoD business systems		[-27,600]
	Management efficiencies in the military intelligence program ..		[-41,300]
	Impact Aid		[25,000]
	Severe disabilities		[5,000]
	Unobligated balances		[-119,900]
	Printing & Reproduction (10% cut)—Efficiency.		[-4,300]
	Studies, Analysis & Evaluations (10% cut)—Efficiency.		[-16,900]
	TOTAL, OPERATION & MAINTENANCE, DE-		
	FENSE-WIDE	30,940,409	29,442,583
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES,		
	DEFENSE	13,861	13,861
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	107,662	107,662

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
010	FORMER SOVIET UNION (FSU) THREAT REDUCTION ...	508,219	508,219
010	ACQ WORKFORCE DEV FD	305,501	305,501
030	ENVIRONMENTAL RESTORATION, ARMY	346,031	346,031
050	ENVIRONMENTAL RESTORATION, NAVY	308,668	308,668
070	ENVIRONMENTAL RESTORATION, AIR FORCE	525,453	525,453
090	ENVIRONMENTAL RESTORATION, DEFENSE	10,716	10,716
110	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	276,495	276,495
130	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	5,000	5,000
	TOTAL, MISCELLANEOUS APPROPRIATIONS	2,407,606	2,407,606
	DEFERRED EXPENSES FOR FOREIGN OPER- ATIONS		406,605
	Deferred Expenses for foreign operations		[406,605]
	TOTAL, OPERATION & MAINTENANCE	170,759,313	160,846,587

**SEC. 4302. OPERATION AND MAINTENANCE FOR
OVERSEAS CONTINGENCY OPERATIONS.**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
OPERATION & MAINTENANCE, ARMY			
BA 01: OPERATING FORCES			
040	THEATER LEVEL ASSETS	3,424,314	3,453,306
	Transfer from Base: Theater Demand Reduction.		[18,692]
	Transfer from Base: UAS—Gray Eagle Satellite Service.		[10,300]
050	LAND FORCES OPERATIONS SUPPORT	1,534,886	1,580,290
	Transfer from Base: MRAP Vehicle Sustainment at Combat Training Centers.		[6,420]
	Transfer from Base: National Training Center Tier Two Level Maintenance Contract.		[24,000]
	Transfer from Base: Theater Demand Reduction.		[14,984]
060	AVIATION ASSETS	87,166	148,671
	Transfer from Base: Theater Demand Reduction.		[61,505]
070	FORCE READINESS OPERATIONS SUPPORT	2,675,821	2,747,481
	Transfer from Base: Body Armor Sustainment.		[71,660]
080	LAND FORCES SYSTEMS READINESS	579,000	579,000
090	LAND FORCES DEPOT MAINTENANCE	1,000,000	1,000,000
100	BASE OPERATIONS SUPPORT	951,371	1,151,371
	Transfer from Base: Overseas Security Guards.		[200,000]
110	FACILITIES SUSTAINMENT, RESTORATION, & MOD- ERNIZATION	250,000	250,000
140	ADDITIONAL ACTIVITIES	22,998,441	23,099,456
	Transfer from Base, SAG 111: MRAP Vehicle Sustainment. ...		[2,539]
	Transfer from Base, SAG 111: Theater Demand Reduction. ...		[148,194]
	Transfer from Base, SAG 112: Theater Demand Reduction. ...		[2,282]
	Synchronization Pre-Deployment and Operational Tracker (SPOT) Fully funded in FY12 OMDW Base Request.		[-12,000]
	ARGUS A-160 Deployment Delays.		[-40,000]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	425,000	400,000
	Termination of CERP in Iraq		[-25,000]
160	RESET	3,955,429	3,955,429
	UNDISTRIBUTED	0	3,000,000
	Transfer from Base: Readiness and Depot Maintenance (BA- 1 Undistributed).		[3,000,000]
	TOTAL, BA 01: OPERATING FORCES	37,881,428	41,365,004
BA 04: ADMIN & SRVWIDE ACTIVITIES			
340	SECURITY PROGRAMS	2,476,766	2,476,766
350	SERVICEWIDE TRANSPORTATION	3,507,186	3,507,186
360	CENTRAL SUPPLY ACTIVITIES	50,740	50,740
380	AMMUNITION MANAGEMENT	84,427	84,427
400	SERVICEWIDE COMMUNICATIONS	66,275	66,275
420	OTHER PERSONNEL SUPPORT	143,391	143,391
430	OTHER SERVICE SUPPORT	92,067	92,067
	TOTAL, BA 04: ADMIN & SRVWIDE ACTIVITIES	6,420,852	6,420,852
	TOTAL, OPERATION & MAINTENANCE, ARMY	44,302,280	47,785,856
OPERATION & MAINTENANCE, ARMY RES			
BA 01: OPERATING FORCES			
030	ECHELONS ABOVE BRIGADE	84,200	84,200
050	LAND FORCES OPERATIONS SUPPORT	28,100	28,100
070	FORCE READINESS OPERATIONS SUPPORT	20,700	10,700
	Duplicate Request for Military Pay Support Contract (re- quested both in SAG 121 and 131).		[-10,000]
100	BASE OPERATIONS SUPPORT	84,500	84,500
	TOTAL, BA 01: OPERATING FORCES	217,500	207,500
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	217,500	207,500
OPERATION & MAINTENANCE, ARNG			
BA 01: OPERATING FORCES			
010	MANEUVER UNITS	89,930	89,930
060	AVIATION ASSETS	130,848	130,848

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
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
	TOTAL, BA 01: OPERATING FORCES	387,544	387,544
	TOTAL, OPERATION & MAINTENANCE, ARNG	387,544	387,544
	AFGHANISTAN SECURITY FORCES FUND		
	BA 01: MINISTRY OF DEFENSE		
010	INFRASTRUCTURE	1,304,350	1,304,350
020	EQUIPMENT AND TRANSPORTATION	1,667,905	1,432,490
	Revised Combined Security Transition Command—Afghani- stan (CSTC-A) requirement		[-235,415]
030	TRAINING AND OPERATIONS	751,073	751,073
040	SUSTAINMENT	3,331,774	3,033,984
	Revised Combined Security Transition Command—Afghani- stan (CSTC-A) requirement		[-297,790]
	TOTAL, BA 01: MINISTRY OF DEFENSE	7,055,102	6,521,897
	BA 01: MINISTRY OF INTERIOR		
060	INFRASTRUCTURE	1,128,584	1,128,584
070	EQUIPMENT AND TRANSPORTATION	1,530,420	601,915
	Revised Combined Security Transition Command—Afghani- stan (CSTC-A) requirement		[-928,505]
080	TRAINING AND OPERATIONS	1,102,430	1,102,430
090	SUSTAINMENT	1,938,715	1,800,425
	Revised Combined Security Transition Command—Afghani- stan (CSTC-A) requirement		[-138,290]
	TOTAL, BA 01: MINISTRY OF INTERIOR	5,700,149	4,633,354
	BA 03: ASSOCIATED ACTIVITIES		
110	SUSTAINMENT	21,187	21,187
120	TRAINING AND OPERATIONS	7,344	7,344
130	INFRASTRUCTURE	15,000	15,000
150	EQUIPMENT AND TRANSPORTATION	1,218	1,218
	TOTAL, BA 03: ASSOCIATED ACTIVITIES	44,749	44,749
	TOTAL, AFGHANISTAN SECURITY FORCES FUND	12,800,000	11,200,000
	AFGHANISTAN INFRASTRUCTURE FUND		
	BA 01: AFGHANISTAN INFRASTRUCTURE FUND		
010	POWER	300,000	300,000
020	TRANSPORTATION	100,000	100,000
030	WATER	50,000	50,000
040	OTHER RELATED ACTIVITIES	25,000	25,000
	TOTAL, BA 01: AFGHANISTAN INFRASTRUCTURE FUND	475,000	400,000
	UNDISTRIBUTED		
050	UNDISTRIBUTED		-75,000
	Undistributed Reduction		[-75,000]
	TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	475,000	400,000
	OPERATION & MAINTENANCE, NAVY		
	BA 01: OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	1,058,114	1,038,114
	Unjustified Growth for TAD/TDY		[-20,000]
020	FLEET AIR TRAINING	7,700	7,700
030	AVIATION TECHNICAL DATA & ENGINEERING SERV- ICES	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

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
130	COMBAT COMMUNICATIONS	26,533	26,533
160	WARFARE TACTICS	22,657	22,657
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	28,141	28,141
180	COMBAT SUPPORT FORCES	1,932,640	1,932,640
190	EQUIPMENT MAINTENANCE	19,891	19,891
210	COMBATANT COMMANDERS CORE OPERATIONS	5,465	5,465
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	2,093	2,093
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	125,460	125,460
260	WEAPONS MAINTENANCE	201,083	201,083
270	OTHER WEAPON SYSTEMS SUPPORT	1,457	1,457
280	ENTERPRISE INFORMATION	5,095	5,095
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	26,793	26,793
300	BASE OPERATING SUPPORT	352,210	344,880
	Civilian Pay Overstatement Due to No Requirement for FTE in this SAG.		[-7,330]
	UNDISTRIBUTED	0	495,000
	Transfer from Base: Readiness and Depot Maintenance (BA-1 Undistributed).		[495,000]
	TOTAL, BA 01: OPERATING FORCES	6,261,464	6,729,134
	BA 02: MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE	29,010	29,010
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	34,300	34,300
360	COAST GUARD SUPPORT	258,278	0
	Transfer to Department of Homeland Security.		[-258,278]
	TOTAL, BA 02: MOBILIZATION	321,588	63,310
	BA 03: TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	69,961	69,961
430	TRAINING SUPPORT	5,400	5,400
	TOTAL, BA 03: TRAINING AND RECRUITING	75,361	75,361
	BA 04: ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,348	2,348
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	6,142	6,142
520	OTHER PERSONNEL SUPPORT	5,849	5,849
530	SERVICEWIDE COMMUNICATIONS	28,511	28,511
550	SERVICEWIDE TRANSPORTATION	263,593	263,593
580	ACQUISITION AND PROGRAM MANAGEMENT	17,414	17,414
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	1,075	1,075
620	NAVAL INVESTIGATIVE SERVICE	6,564	6,564
650	FOREIGN COUNTERINTELLIGENCE	14,598	14,598
700A	CLASSIFIED PROGRAMS	2,060	2,060
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	348,154	348,154
	TOTAL, OPERATION & MAINTENANCE, NAVY	7,006,567	7,215,959
	OPERATION & MAINTENANCE, MARINE CORPS		
	BA 01: OPERATING FORCES		
010	OPERATIONAL FORCES	2,069,485	2,096,485
	Family of Shelters and Shelters Equipment		[27,000]
020	FIELD LOGISTICS	575,843	575,843
030	DEPOT MAINTENANCE	251,100	363,100
	Transfer from Base: Depot Maintenance.		[112,000]
070	BASE OPERATING SUPPORT	82,514	82,514
	UNDISTRIBUTED	0	235,000
	Transfer from Base: Readiness and Depot Maintenance (BA-1 Undistributed).		[235,000]
	TOTAL, BA 01: OPERATING FORCES	12,455,768	3,352,942
	BA 03: TRAINING AND RECRUITING		
130	TRAINING SUPPORT	209,784	209,784
	TOTAL, BA03: TRAINING AND RECRUITING	209,784	209,784
	BA 04: ADMIN & SRVWD ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	376,495	376,495
190	ADMINISTRATION	5,989	5,989
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	382,484	382,484

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2012 Request	Senate Authorized
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	3,571,210	3,945,210
	OPERATION & MAINTENANCE, NAVY RES		
	BA 01: OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	38,402	38,402
020	INTERMEDIATE MAINTENANCE	400	400
040	AIRCRAFT DEPOT MAINTENANCE	11,330	11,330
060	MISSION AND OTHER SHIP OPERATIONS	10,137	10,137
100	COMBAT SUPPORT FORCES	13,827	13,827
140	BASE OPERATING SUPPORT	52	52
	TOTAL, BA 01: OPERATING FORCES	74,148	74,148
	TOTAL, OPERATION & MAINTENANCE, NAVY RES	74,148	74,148
	OPERATION & MAINTENANCE, MC RESERVE		
	BA 01: OPERATING FORCES		
010	OPERATING FORCES	31,284	31,284
050	BASE OPERATING SUPPORT	4,800	4,800
	TOTAL, BA 01: OPERATING FORCES	36,084	36,084
	TOTAL, OPERATION & MAINTENANCE, MC RE- SERVE	36,084	36,084
	OPERATION & MAINTENANCE, AIR FORCE		
	BA 01: OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,115,901	2,185,901
	Transfer from Base: Theater Security Package.		[70,000]
020	COMBAT ENHANCEMENT FORCES	2,033,929	2,033,929
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	46,844	46,844
050	DEPOT MAINTENANCE	312,361	312,361
060	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	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 SUP- PORT	46,390	63,750
	Transfer from Base: CENTCOM HQ C4.		[12,500]
	Transfer from Base: CENTCOM Public Affairs.		[4,860]
	UNDISTRIBUTED	0	470,000
	Transfer from Base: Readiness and Depot Maintenance (BA- 1 Undistributed).		[470,000]
	TOTAL, BA 01: OPERATING FORCES	5,914,957	6,472,317
	BA 02: MOBILIZATION		
150	AIRLIFT OPERATIONS	3,533,338	3,533,338
160	MOBILIZATION PREPAREDNESS	85,416	85,416
170	DEPOT MAINTENANCE	161,678	161,678
180	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	9,485	9,485
190	BASE SUPPORT	30,033	30,033
	TOTAL, BA 02: MOBILIZATION	3,819,950	3,819,950
	BA 03: TRAINING AND RECRUITING		
230	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	908	908
240	BASE SUPPORT	2,280	2,280
250	SPECIALIZED SKILL TRAINING	29,592	29,592
260	FLIGHT TRAINING	154	154
270	PROFESSIONAL DEVELOPMENT EDUCATION	691	691
280	TRAINING SUPPORT	753	753
	TOTAL, BA 03: TRAINING AND RECRUITING	34,378	34,378
	BA 04: ADMIN & SRVWD ACTIVITIES		
350	LOGISTICS OPERATIONS	155,121	155,121

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
390	BASE SUPPORT	20,677	20,677
400	ADMINISTRATION	3,320	3,320
410	SERVICEWIDE COMMUNICATIONS	111,561	111,561
420	OTHER SERVICEWIDE ACTIVITIES	605,223	605,223
460A	CLASSIFIED PROGRAMS	54,000	54,000
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	949,902	949,902
	UNDISTRIBUTED		-25,000
	Unjustified Growth in Civilian Personnel Costs.		[-25,000]
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	10,719,187	11,251,547
	OPERATION & MAINTENANCE, AF RESERVE BA 01: OPERATING FORCES		
010	PRIMARY COMBAT FORCES	4,800	4,800
030	DEPOT MAINTENANCE	131,000	131,000
050	BASE SUPPORT	6,250	6,250
	TOTAL, BA 01: OPERATING FORCES	142,050	142,050
	TOTAL, OPERATION & MAINTENANCE, AF RE- SERVE	142,050	142,050
	OPERATION & MAINTENANCE, ANG BA 01: OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	34,050	34,050
	TOTAL, BA 01: OPERATING FORCES	34,050	34,050
	TOTAL, OPERATION & MAINTENANCE, ANG	34,050	34,050
	OPERATION & MAINTENANCE, DEFENSE-WIDE BA 01: OPERATING FORCES		
020	SPECIAL OPERATIONS COMMAND	3,269,939	3,283,939
	Trans Regional Web Initiative		[-11,300]
	Unjustified Program Growth in Operating Support for Oper- ation New Dawn		[-25,000]
	Military Information Support Activities—Transfer from Base		[50,300]
010	JOINT CHIEFS OF STAFF	2,000	2,000
	TOTAL, BA 01: OPERATING FORCES	3,271,939	3,285,939
	BA 04: ADMIN & SRVWD ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	23,478	23,478
090	DEFENSE CONTRACT MANAGEMENT AGENCY	87,925	87,925
120	DEFENSE INFORMATION SYSTEMS AGENCY	164,520	164,520
140	DEFENSE LEGAL SERVICES AGENCY	102,322	67,322
	Unjustified Program Growth.		[-35,000]
160	DEFENSE MEDIA ACTIVITY	15,457	15,457
220	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	194,100	194,100
180	DEFENSE SECURITY COOPERATION AGENCY	2,200,000	2,140,000
	Coalition Support Funds: Excess to Need for Contract Re- newal		[-60,000]
260	OFFICE OF THE SECRETARY OF DEFENSE	143,870	143,870
270A	CLASSIFIED PROGRAMS	3,065,800	3,065,800
	TOTAL, BA 04: ADMIN & SRVWD ACTIVITIES	5,997,472	5,902,472
	TOTAL, OPERATION & MAINTENANCE, DE- FENSE-WIDE	9,269,411	9,188,411
	UNDISTRIBUTED		-4,000,000
	Reduction to reflect policy change on troop strength in Af- ghanistan		[-4,000,000]
	TOTAL, OPERATION & MAINTENANCE	89,035,031	87,868,359

TITLE XLIV—OTHER AUTHORIZATIONS

SEC. 4401. OTHER AUTHORIZATIONS.

SEC. 4401. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
WORKING CAPITAL FUND, ARMY			
010	PREPOSITIONED WAR RESERVE STOCKS	101,194	91,594
	Reduction in funding for DoD business systems		[-9,600]
020	PREPOSITIONED WAR RESERVE STOCKS	0	0
	TOTAL, WORKING CAPITAL FUND, ARMY	101,194	91,594
WORKING CAPITAL FUND, AIR FORCE			
010	TRANSPORTATION FALLEN HEROES	0	0
020	CONTAINER DECONSOLIDATION	0	0
030	WAR RESERVE MATERIAL	65,372	55,872
	Reduction in funding for DoD business systems		[-9,500]
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	65,372	55,872
WORKING CAPITAL FUND, DEFENSE-WIDE			
010	DEFENSE LOGISTICS AGENCY (DLA)	31,614	31,614
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	31,614	31,614
WORKING CAPITAL FUND, DECA			
010	WORKING CAPITAL FUND, DECA	1,376,830	1,376,830
	TOTAL, WORKING CAPITAL FUND, DECA	1,376,830	1,376,830
NATIONAL DEFENSE SEALIFT FUND			
010	T-AKE	0	0
020	MPF MLP	425,865	425,865
030	POST DELIVERY AND OUTFITTING	24,161	24,161
040	NATIONAL DEF SEALIFT VESSEL	1,138	1,138
050	LG MED SPD RO/RO MAINTENANCE	92,567	92,567
060	DOD MOBILIZATION ALTERATIONS	184,109	184,109
070	TAH MAINTENANCE	40,831	40,831
080	STRATEGIC SEALIFT SUPPORT	0	0
090	RESEARCH AND DEVELOPMENT	48,443	48,443
100	READY RESERVE FORCE	309,270	309,270
	TOTAL, NATIONAL DEFENSE SEALIFT FUND	1,126,384	1,126,384
DEFENSE HEALTH PROGRAM (DHP)			
DHP, OPERATION & MAINTENANCE			
010	IN-HOUSE CARE	8,148,856	8,148,856
020	PRIVATE SECTOR CARE	16,377,272	16,047,272
	TRICARE Historical Underexecution		[-330,000]
030	CONSOLIDATED HEALTH SUPPORT	2,193,821	2,193,821
040	INFORMATION MANAGEMENT	1,422,697	1,422,697
050	MANAGEMENT ACTIVITIES	312,102	307,102
	Strategic Communications		[-3,000]
	Contract savings from Web site consolidation		[-2,000]
060	EDUCATION AND TRAINING	705,347	693,647
	Unjustified Growth for Travel		[-11,700]
070	BASE OPERATIONS/COMMUNICATIONS	1,742,451	1,742,451
	SUBTOTAL, DHP, OPERATION & MAINTENANCE	30,902,546	30,555,846
DHP, RDT&E			
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	2,935	2,935
3	APPLIED BIOMEDICAL TECHNOLOGY	33,805	33,805
4	MEDICAL TECHNOLOGY	3,694	3,694
5	MEDICAL ADVANCED TECHNOLOGY	767	767
6	MEDICAL TECHNOLOGY DEVELOPMENT	181,042	181,042
7	MEDICAL PRODUCTS SUPPORT AND ADVANCED CONCEPT DE- VELOPMENT	167,481	167,481
8	INFORMATION TECHNOLOGY DEVELOPMENT	176,345	176,345
9	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	34,559	34,559

SEC. 4401. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
11	MEDICAL PROGRAM-WIDE ACTIVITIES	48,313	48,313
12	MEDICAL PRODUCTS AND CAPABILITIES ENHANCEMENT AC- TIVITIES	14,765	14,765
	SUBTOTAL, DHP, RDT&E	663,706	663,706
	DHP, PROCUREMENT		
090	PROCUREMENT	632,518	632,518
	SUBTOTAL, DHP, PROCUREMENT	632,518	632,518
	TOTAL, DEFENSE HEALTH PROGRAM (DHP)	32,198,770	31,852,070
	CHEM AGENTS & MUNITIONS DESTRUCTION		
01	OPERATION & MAINTENANCE	1,147,691	1,147,691
02	RDT&E	406,731	406,731
	TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION	1,554,422	1,554,422
	DRUG INTERDICTION AND COUNTER-DRUG ACTIVI- TIES, DEFENSE		
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DE- FENSE	1,156,282	989,282
	Undistributed reduction for contractor support		[-30,000]
	Undistributed reduction to U.S. European Command's counterdrug ac- tivities		[-5,000]
	Office of Naval Intelligence (PC 3359)		[-3,500]
	Strategic communications/program termination (PC 9220)		[-500]
	Undistributed Reduction—Excess to Need		[-128,000]
	TOTAL, DRUG INTERDICTION AND COUNTER-DRUG AC- TIVITIES, DEFENSE	1,156,282	989,282
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL, O&M	286,919	327,419
	Program increase—Growth plan		[40,500]
020	OFFICE OF THE INSPECTOR GENERAL, RDT&E	1,600	4,500
	Program increase—Growth plan		[2,900]
030	OFFICE OF THE INSPECTOR GENERAL, PROCUREMENT	1,000	1,000
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	289,519	332,919
	TOTAL OTHER AUTHORIZATIONS	37,900,387	37,410,987

SEC. 4402. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)			
Line	Item	FY 2012 Request	Senate Authorized
WORKING CAPITAL FUND, ARMY			
020	PREPOSITIONED WAR RESERVE STOCKS	54,000	54,000
	TOTAL, WORKING CAPITAL FUND, ARMY	54,000	54,000
WORKING CAPITAL FUND, AIR FORCE			
010	TRANSPORTATION FALLEN HEROES	10,000	10,000
020	CONTAINER DECONSOLIDATION	2,000	2,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	12,000	12,000
WORKING CAPITAL FUND, DEFENSE-WIDE			
010	DEFENSE LOGISTICS AGENCY (DLA)	369,013	316,413
	Reduction in funding for DoD business systems		[-52,600]
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	369,013	316,413
DEFENSE HEALTH PROGRAM OPERATION & MAINTENANCE			
010	IN-HOUSE CARE	641,996	641,996
020	PRIVATE SECTOR CARE	464,869	464,869
030	CONSOLIDATED HEALTH SUPPORT	95,994	95,994
040	INFORMATION MANAGEMENT	5,548	5,548
050	MANAGEMENT ACTIVITIES	751	751
060	EDUCATION AND TRAINING	16,859	16,859
070	BASE OPERATIONS/COMMUNICATIONS	2,271	2,271
	DEFENSE HEALTH PROGRAM	1,228,288	1,228,288
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE			
010	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	486,458	486,458
	TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	486,458	486,458
OFFICE OF THE INSPECTOR GENERAL			
010	OFFICE OF THE INSPECTOR GENERAL	11,055	11,055
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	11,055	11,055
	TOTAL OTHER AUTHORIZATIONS	2,160,814	2,108,214

TITLE XLV—MILITARY CONSTRUCTION

SEC. 4501. MILITARY CONSTRUCTION.

SEC. 4501. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Military Construction, Army				
	Alaska			
Army	Fort Wainwright	Aviation Complex, Ph 3a	114,000	57,000
Army	Jb Elmendorf-Richardson	Physical Fitness Facility	26,000	26,000
Army	Jb Elmendorf-Richardson	Brigade Complex, Ph 2	74,000	74,000
Army	Jb Elmendorf-Richardson	Organizational Parking	3,600	3,600
	Alabama			
Army	Fort Rucker	Combat Readiness Center	11,600	11,600
	California			
Army	Fort Irwin	Qualification Training Range	15,500	15,500
Army	Fort Irwin	Infantry Squad Battle Course	7,500	7,500
Army	Presidio Monterey	General Instruction Building	3,000	3,000
	Colorado			
Army	Fort Carson	Brigade Headquarters	14,400	14,400
Army	Fort Carson	Barracks	67,000	67,000
Army	Fort Carson	Barracks	46,000	46,000
Army	Fort Carson	Control Tower	14,200	14,200
Army	Fort Carson	Aircraft Maintenance Hangar	63,000	63,000
Army	Fort Carson	Aircraft Loading Area	34,000	34,000
	Georgia			
Army	Fort Benning	Rail Loading Facility	13,600	13,600
Army	Fort Benning	Trainee Barracks Complex, Ph 3	23,000	23,000
Army	Fort Gordon	Hand Grenade Familiarization Range	1,450	1,450
Army	Fort Stewart	Dog Kennel	2,600	2,600
Army	Fort Benning	Land Acquisition	5,100	5,100
Army	Fort Benning	Land Acquisition	25,000	25,000
	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
	Kansas			
Army	Fort Riley	Physical Fitness Facility	13,000	13,000
Army	Fort Riley	Chapel	10,400	10,400
Army	Fort Riley	Unmanned Aerial Vehicle Maintenance Hangar	60,000	60,000
Army	Forbes Air Field	Deployment Support Facility	5,300	5,300
	Kentucky			
Army	Fort Campbell	Vehicle Maintenance Facility	16,000	16,000
Army	Fort Campbell	Vehicle Maintenance Facility	40,000	40,000
Army	Fort Campbell	Physical Fitness Facility	18,500	18,500
Army	Fort Campbell	Unmanned Aerial Vehicle Maintenance Hangar	67,000	67,000
Army	Fort Campbell	Scout/Reece Gunnery Range	18,000	18,000
Army	Fort Campbell	Barracks Complex	65,000	65,000
Army	Fort Campbell	Barracks	23,000	23,000
Army	Fort Knox	Automated Infantry Platoon Battle Course	7,000	7,000
Army	Fort Knox	Battalion Complex	48,000	48,000
	Louisiana			
Army	Fort Polk	Fire Station	9,200	9,200
Army	Fort Polk	Military Working Dog Facility	2,600	2,600
Army	Fort Polk	Brigade Complex	23,000	23,000
Army	Fort Polk	Multipurpose Machine Gun Range	8,300	8,300
Army	Fort Polk	Land Acquisition	27,000	27,000
	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
	North Carolina			
Army	Fort Bragg	Neo Academy	42,000	42,000
Army	Fort Bragg	Access Roads, Ph 2	18,000	18,000

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Army	Fort Bragg	Unmanned Aerial Vehicle Maintenance Hangar	54,000	54,000
Army	Fort Bragg	Brigade Complex Facilities	49,000	49,000
Army	Fort Bragg	Battle Command Training Center	23,000	23,000
	New York			
Army	Fort Drum	Ammunition Supply Point	5,700	5,700
Army	Fort Drum	Chapel	7,600	7,600
	Oklahoma			
Army	Fort Sill	Physical Fitness Facility	25,000	25,000
Army	Fort Sill	Chapel	13,200	13,200
Army	Fort Sill	Reception Station, Ph 1	36,000	36,000
Army	Fort Sill	Rail Deployment Facility	3,400	3,400
Army	Fort Sill	Vehicle Maintenance Facility	51,000	51,000
Army	Fort Sill	Battle Command Training Center	23,000	23,000
Army	Fort Sill	Thaad Instruction Facility	33,000	33,000
Army	Mealester	Railroad Tracks	6,300	6,300
Army	Mealester	Ammunition Loading Pads	1,700	1,700
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex, Ph 2	59,000	59,000
Army	Fort Jackson	Modified Record Fire Range	4,900	4,900
	Texas			
Army	Fort Bliss	Vehicle Maintenance Facility	24,000	0
Army	Fort Bliss	Electronics Maintenance Facility	14,600	14,600
Army	Fort Bliss	Infrastructure	14,600	0
Army	Fort Bliss	Vehicle Maintenance Facility	14,600	14,600
Army	Fort Bliss	Barracks Complex	13,000	13,000
Army	Fort Bliss	Vehicle Maintenance Facility	19,000	19,000
Army	Fort Bliss	Jlens Tactical Training Facility	39,000	39,000
Army	Fort Bliss	Water Well, Potable	2,400	2,400
Army	Fort Bliss	Applied Instruction Building	8,300	8,300
Army	Fort Hood	Operational Readiness Training Complex	51,000	51,000
Army	Fort Hood	Unmanned Aerial Vehicle Maintenance Hangar	47,000	47,000
Army	Fort Hood	Vehicle Maintenance Facility	15,500	15,500
Army	Fort Hood	Vehicle Maintenance Facility	18,500	18,500
Army	Red River Army Depot	Maneuver Systems Sustainment Ctr, Ph 3	44,000	44,000
Army	Jb San Antonio	Vehicle Maintenance Facility	10,400	10,400
	Utah			
Army	Dugway Proving Ground	Life Sciences Test Facility Addition	32,000	32,000
	Virginia			
Army	Fort Belvoir	Information Dominance Center, Ph 1	52,000	52,000
Army	Fort Belvoir	Road and Infrastructure Improvements	31,000	0
Army	Jb Langley Eustis	Aviation Training Facility	26,000	26,000
	Washington			
Army	Jb Lewis Mechord	Brigade Complex, Ph 2	56,000	56,000
Army	Jb Lewis Mechord	Operational Readiness Training Cplx, Ph 1	28,000	28,000
Army	Jb Lewis Mechord	Air Support Operations Facilities	7,300	7,300
Army	Jb Lewis Mechord	Battalion Complex	59,000	59,000
Army	Jb Lewis Mechord	Infrastructure, Ph 1	64,000	64,000
Army	Jb Lewis Mechord	Aviation Unit Complex, Ph 1a	34,000	34,000
Army	Jb Lewis Mechord	Aviation Complex, Ph 1b	48,000	48,000
	Afghanistan			
Army	Bagram Air Base	Entry Control Point	20,000	20,000
Army	Bagram Air Base	Construct Drainage System, Ph 3	31,000	31,000
Army	Bagram Air Base	Barracks, Ph 5	29,000	29,000
	Germany			
Army	Germersheim	Infrastructure	16,500	0
Army	Germersheim	Central Distribution Facility	21,000	0
Army	Grafenwoehr	Chapel	15,500	0
Army	Grafenwoehr	Convoy Live Fire Range	5,000	5,000
Army	Grafenwoehr	Barracks	17,500	17,500
Army	Landstuhl	Satellite Communications Center	24,000	24,000
Army	Landstuhl	Satellite Communications Center	39,000	39,000
Army	Stuttgart	Access Control Point	12,200	12,200
Army	Vilseck	Barracks	20,000	20,000
Army	Oberdachstetten	Automated Record Fire Range	12,200	12,200
	Honduras			
Army	Honduras Various	Barracks	25,000	0
	Korea			
Army	Camp Carroll	Barracks	41,000	41,000
Army	Camp Henry	Barracks Complex	48,000	48,000
	Worldwide Unspecified			
Army	Unspecified	Minor Construction	20,000	20,000
Army	Unspecified	Host Nation Support	25,500	25,500
Army	Unspecified	Planning & Design	229,741	169,741
		Total Military Construction, Army	3,235,991	2,971,391

Military Construction, Navy

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	Arizona			
Navy	Yuma	Double Aircraft Maintenance Hangar	81,897	81,897
Navy	Yuma	Aircraft Maintenance Hangar	39,515	39,515
Navy	Yuma	JSF Auxiliary Landing Field	41,373	41,373
	California			
Navy	Barstow	Dip Tank Cleaning Facility	8,590	8,590
Navy	Bridgeport	Multi-Purpose Building—Addition	19,238	16,138
Navy	Camp Pendleton	New Potable Water Conveyance	113,091	113,091
Navy	Camp Pendleton	North Area Waste Water Conveyance	78,271	78,271
Navy	Camp Pendleton	Armory, 1st Marine Division	12,606	12,606
Navy	Camp Pendleton	Infantry Squad Defense Range	29,187	29,187
Navy	Camp Pendleton	Intersection Bridge and Improvements	12,476	12,476
Navy	Camp Pendleton	Individual Equipment Issue Warehouse	16,411	16,411
Navy	Camp Pendleton	Mv-22 Double Hangar Replacement	48,345	48,345
Navy	Camp Pendleton	Mv-22 Aviation Pavement	18,530	18,530
Navy	Camp Pendleton	Mv-22 Aviation Fuel Storage	6,163	6,163
Navy	Point Mugu	E-2d Aircrew Training Facility	15,377	15,377
Navy	Twentynine Palms	Multi-Use Operational Fitness Area	18,819	18,819
Navy	Twentynine Palms	Tracked Vehicle Maintenance Cover	15,882	15,882
Navy	Twentynine Palms	Child Development Center	23,743	23,743
Navy	Twentynine Palms	Land Expansion	8,665	8,665
Navy	Coronado	Fitness Center North Island	46,763	32,063
Navy	Coronado	Rotary Aircraft Depot Maint Fac (North Is.)	61,672	61,672
	Florida			
Navy	Jacksonville	P-8a Training Facility	25,985	25,985
Navy	Jacksonville	P-8a Hangar Upgrades	6,085	6,085
Navy	Jacksonville	Bams UAS Operator Training Facility	4,482	4,482
Navy	Mayport	Massey Avenue Corridor Improvements	14,998	14,998
Navy	Whiting Field	Applied Instruction Facilities, EOD Course	20,620	20,620
	Georgia			
Navy	Kings Bay	Crab Island Security Enclave	52,913	52,913
Navy	Kings Bay	Wra Land/Water Interface	33,150	33,150
	Hawaii			
Navy	Barking Sands	North Loop Electrical Replacement	9,679	9,679
Navy	Kaneohe Bay	MCAS Operations Complex	57,704	57,704
Navy	Joint Base Pearl Harbor-Hickam	Navy Information Operations Command Fes Fac	7,492	7,492
	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, Ph 2	45,844	45,844
	North Carolina			
Navy	Camp Lejeune	Bachelor Enlisted Quarters—Wallace Creek	27,439	27,439
Navy	Camp Lejeune	Squad Battle Course	16,821	16,821
Navy	Camp Lejeune	2nd Combat Engineer Maintenance/Ops Complex	75,214	75,214
Navy	Camp Lejeune	Base Entry Point and Road	81,008	81,008
Navy	Cherry Point Marine Corps Air Station	H-1 Helicopter Gearbox Repair & Test Facility	17,760	17,760
Navy	New River	Aircraft Maintenance Hangar and Apron	69,511	69,511
Navy	New River	Ordnance Loading Area Addition	9,419	9,419
	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	Waste Water Treatment Plant—Upshur	9,969	9,969
Navy	Quantico	Realign Purvis Rd/Russell Rd Intersection	6,442	6,442
Navy	Quantico	Bachelor Enlisted Quarters	31,374	31,374
Navy	Quantico	Enlisted Dining Facility	5,034	5,034
Navy	Quantico	The Basic School Student Quarters, Ph 6	28,488	28,488
Navy	Quantico	Embassy Security Group Facilities	27,079	27,079
Navy	Quantico	Academic Instruction Facility	75,304	75,304
	Washington			
Navy	Bremerton	Integrated Dry Dock Water Treatment Fac, Ph1	13,341	13,341
Navy	Kitsap	Waterfront Restricted Area Vehicle Barriers	17,894	17,894
Navy	Kitsap	Elhw Security Force Facility (Bangor)	25,948	25,948
Navy	Kitsap	Explosives Handling Wharf #2, Inc 1	78,002	78,002
	Bahrain Island			
Navy	Sw Asia	Bachelor Enlisted Quarters	55,010	0
Navy	Sw Asia	Waterfront Development, Ph 4	45,194	0
	Diego Garcia			
Navy	Diego Garcia	Potable Water Plant Modernization	35,444	35,444
	Djibouti			
Navy	Camp Lemonier	Bachelor Quarters	43,529	43,529
Navy	Camp Lemonier	Aircraft Logistics Apron	35,170	35,170
Navy	Camp Lemonier	Taxiway Enhancement	10,800	10,800

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	Guam			
Navy	Joint Region Marianas	North Ramp Utilities—Anderson AFB, Inc 2	78,654	0
Navy	Joint Region Marianas	Finegayan Water Utilities	77,267	0
	Worldwide Unspecified			
Navy	Unspecified	Unspecified Minor Constr	21,495	21,495
Navy	Unspecified	Planning and Design	84,362	69,362
		Total Military Construction, Navy	2,461,547	2,172,622
		Military Construction, Air Force		
	Alaska			
AF	Eielson AFB	Dormitory (168 Rm)	45,000	45,000
AF	Jb Elmendorf-Richardson	Brigade Combat Team (Light) Complex, (480 Rm) ...	97,000	97,000
	Arizona			
AF	Davis-Monthan AFB	Ec-130h Simulator/Training Operations	20,500	20,500
AF	Davis-Monthan AFB	HC-130J Joint Use Fuel Cell	12,500	12,500
AF	Luke AFB	F-35 Adal Aircraft Maintenance Unit	6,000	6,000
AF	Luke AFB	F-35 Squad Ops/AMU 2	18,000	18,000
	California			
AF	Travis AFB	Dormitory (144 Rm)	22,000	22,000
AF	Vandenberg AFB	Education Center	14,200	14,200
	Colorado			
AF	U.S. Air Force Academy	Construct Large Vehicle Inspection Facility	13,400	13,400
	Delaware			
AF	Dover AFB	C-5m Formal Training Unit Facility	2,800	2,800
	Florida			
AF	Patrick AFB	Air Force Technical Applications Ctr, Inc 2	79,000	79,000
	Kansas			
AF	Fort Riley	Air Support Operations Center	7,600	7,600
	Louisiana			
AF	Barksdale AFB	Mission Support Group Complex	23,500	23,500
	Missouri			
AF	Whiteman AFB	Wsa Security Control Facility	4,800	4,800
	North Carolina			
AF	Pope AFB	C-130 Flight Simulator	6,000	6,000
	North Dakota			
AF	Minot AFB	Dormitory (168 Rm)	22,000	22,000
AF	Minot AFB	B-52 3-Bay Conventional Munitions Maintenance	11,800	11,800
AF	Minot AFB	B-52 Two-Bay Phase Maintenance Dock	34,000	34,000
	Nebraska			
AF	Offutt AFB	STRATCOM Replacement Facility, Inc 1	150,000	120,000
	New Mexico			
AF	Cannon AFB	Dormitory (96 Rm)	15,000	15,000
AF	Cannon AFB	Adal Wastewater Treatment Plant	7,598	7,598
AF	Holloman AFB	Child Development Center	11,200	11,200
AF	Holloman AFB	Parallel Taxiway 07/25	8,000	8,000
AF	Holloman AFB	F-16 Academic Facility	5,800	5,800
AF	Holloman AFB	F-16 Sead Training Facility	4,200	4,200
AF	Kirtland AFB	Afwwe Sustainment Center	25,000	25,000
	Nevada			
AF	Nellis AFB	F-35a Age Facility	21,500	21,500
AF	Nellis AFB	Communications Network Control Center	11,600	11,600
AF	Nellis AFB	F-35 Add/Alter Engine Shop	2,750	2,750
	Texas			
AF	Jb San Antonio	Bmt Recruit Dormitory 4, Ph 4	64,000	64,000
AF	Joint Base San Antonio	Adv Indiv Training (Ait) Barracks (300 Rm)	46,000	46,000
	Utah			
AF	Hill AFB	F-35 Adal Hangar 45e/AMU	6,800	0
AF	Hill AFB	F-22 System Support Facility	16,500	16,500
	Virginia			
AF	Jb Langley Eustis	Ait Barracks Complex, Ph 2	50,000	50,000
	Washington			
AF	Fairechild AFB	Wing Headquarters	13,600	13,600
AF	Fairechild AFB	Sere Force Support, Ph 2	14,000	14,000
	Greenland			
AF	Thule AFB	Dormitory (72 Pn)	28,000	28,000
	Guam			
AF	Joint Region Marianas	Prtc Red Horse Cantonment Operations Facility	14,000	14,000
AF	Joint Region Marianas	Prtc Combat Communications Transmission Syst	5,600	5,600
AF	Joint Region Marianas	Prtc Combat Communications Combat Support	9,800	9,800
AF	Joint Region Marianas	Guam Strike Clear Water Rinse Facility	7,500	0
AF	Joint Region Marianas	Guam Strike Fuel Systems Maintenance Hangar	128,000	0
AF	Joint Region Marianas	Guam Strike Conventional Munitions Maintenance	11,700	0
AF	Joint Region Marianas	Air Freight Terminal Complex	35,000	35,000
	Germany			
AF	Ramstein Ab	Dormitory (192 Rm)	34,697	34,697
	Italy			

SEC. 4501. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
AF	Signonella	UAS SATCOM Relay Pads and Facility	15,000	15,000
	Korea			
AF	Osan Ab	Dormitory (156 Rm)	23,000	23,000
	Qatar			
AF	Al Udeid	Blatchford Preston Complex, Ph 4	37,000	0
	Worldwide Unspecified			
AF	Unspecified	Unspecified Minor Construction	20,000	20,000
AF	Unspecified	Planning & Design	81,913	67,913
		Total Military Construction, Air Force	1,364,858	1,129,858
		Military Construction, Defense-Wide		
	District of Columbia			
Def-Wide	Bolling AFB	Diac Parking Garage	13,586	13,586
Def-Wide	Bolling AFB	Electrical Upgrades	1,080	1,080
Def-Wide	Bolling AFB	Cooling Tower Expansion	2,070	2,070
	Virginia			
Def-Wide	Charlottesville	Remote Delivery Facility	10,805	10,805
	Germany			
Def-Wide	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,434	2,434
	Alaska			
Def-Wide	Eielson AFB	Upgrade Rail Line	14,800	14,800
	Arizona			
Def-Wide	Davis-Monthan AFB	Replace Hydrant Fuel System	23,000	23,000
	California			
Def-Wide	Defense Distribution Depot-Tracy	Replace Public Safety Center	15,500	15,500
Def-Wide	Point Loma Annex	Replace Fuel Storage Facilities, Inc 4	27,000	27,000
Def-Wide	San Clemente	Replace Fuel Storage Tanks & Pipeline	21,800	21,800
	Florida			
Def-Wide	Whiting Field	Truck Load/Unload Facility	3,800	3,800
	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	Upgrade Refueler Truck Parking Area	5,200	5,200
Def-Wide	Joint Base Pearl Harbor-Hickam	Alter Warehouse Space	9,200	9,200
	Louisiana			
Def-Wide	Barksdale AFB	Hydrant Fuel System	6,200	6,200
	Massachusetts			
Def-Wide	Westover ARB	Replace Hydrant Fuel System	23,300	23,300
	Mississippi			
Def-Wide	Columbus AFB	Replace Refueler Parking Facility	2,600	2,600
	Ohio			
Def-Wide	Columbus AFB	Security Enhancements	10,000	10,000
	Oklahoma			
Def-Wide	Altus AFB	Replace Fuel Transfer Pipeline	8,200	8,200
	Pennsylvania			
Def-Wide	Def Distribution Depot New Cumberland	Enclose Open-Sided Shed	3,000	0
Def-Wide	Def Distribution Depot New Cumberland	Replace General Purpose Warehouse	25,500	0
Def-Wide	Def Distribution Depot New Cumberland	Upgrade Access Control Points	17,500	17,500
Def-Wide	Philadelphia	Upgrade Hvac System	8,000	8,000
	South Carolina			
Def-Wide	Joint Base Charleston	Replace Fuel Storage & Distribution Facility	24,868	24,868
	Washington			
Def-Wide	Whidbey Island	Replace Fuel Pipeline	25,000	25,000
Def-Wide	Joint Base Lewis-Mechord	Replace Fuel Distribution Facilities	14,000	14,000
	West Virginia			
Def-Wide	Camp Dawson	Replace Hydrant Fuel System	2,200	2,200
	Georgia			
Def-Wide	Fort Benning	Replace McBride Elementary School	37,205	37,205
	Kentucky			
Def-Wide	Fort Knox	Replace Kingsolver-Pierce Elementary Schools	38,845	38,845
	Massachusetts			
Def-Wide	Hanscom AFB	Replace Hanscom Middle School	34,040	34,040
	North Carolina			
Def-Wide	Fort Bragg	Replace District Superintendent's Office	3,138	3,138
Def-Wide	New River	Replace Delalio Elementary School	22,687	22,687
	Virginia			
Def-Wide	Dahlgren	Dahlgren E/MS School Addition	1,988	1,988
	Germany			
Def-Wide	Ansbaeh	Ansbaeh Middle/High School Addition	11,672	11,672
Def-Wide	Baumholder	Replace Wetzel-Smith Elementary Schools	59,419	0
Def-Wide	Grafenwoehr	Netzaberg MS School Addition	6,529	6,529

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Def-Wide	Spangdahlem Ab	Replace Bitburg Elementary School	41,876	41,876
Def-Wide	Spangdahlem Ab	Replace Bitburg Middle & High School	87,167	87,167
	Italy			
Def-Wide	Vicenza	Replace Vicenza High School	41,864	41,864
	Japan			
Def-Wide	Yokota Ab	Replace Temp Classrm/Joan K. Mendel Es	12,236	12,236
Def-Wide	Yokota Ab	Replace Yokota High School	49,606	49,606
	United Kingdom			
Def-Wide	Royal Air Force Alconbury	Replace Alconbury High School	35,030	35,030
	Virginia			
Def-Wide	Quantico	Dss Headquarters Addition	42,727	42,727
Def-Wide	Quantico	Defense Access Road Improvements-Telegraph Rd	4,000	4,000
	Alabama			
Def-Wide	Redstone Arsenal	Von Braun Complex, Ph 4	58,800	58,800
	Missouri			
Def-Wide	Arnold	Data Ctr West #1 Power & Cooling Upgrade	9,253	9,253
	Virginia			
Def-Wide	Fort Belvoir	Technology Center Third Floor Fit-Out	54,625	0
	Colorado			
Def-Wide	Buckley Air Force Base	Mountainview Operations Facility	140,932	70,432
	Georgia			
Def-Wide	Fort Gordon	Whitelaw Wedge Building Addition	11,340	17,705
	Maryland			
Def-Wide	Fort Meade	High Performance Computing Capacity, Inc 1	29,640	0
	Utah			
Def-Wide	Camp Williams	Ic Cnei Data Center 1, Inc 3	246,401	123,201
	United Kingdom			
Def-Wide	Menwith Hill Station	Mhs Psc Construction Generator Plant	68,601	68,601
	Alaska			
Def-Wide	Anchorage	SOF Cold Weather Maritime Training Facility	18,400	18,400
	California			
Def-Wide	Camp Pendleton	SOF Range 130 Support Projects	8,641	8,641
Def-Wide	Camp Pendleton	SOF Military Working Dog Facility	3,500	3,500
Def-Wide	Coronado	SOF Support Activity Operations Facility	42,000	42,000
	Florida			
Def-Wide	Eglin AFB	SOF Company Operations Facility (Gstb)	19,000	19,000
Def-Wide	Eglin AFB	SOF Company Operations Facility (Gsb)	21,000	21,000
Def-Wide	Eglin Aux 9	SOF Enclosed Engine Noise Suppressors	3,200	3,200
Def-Wide	Eglin Aux 9	SOF Simulator Facility	6,300	6,300
Def-Wide	Macdill AFB	SOF Acquisition Center, Ph 2	15,200	15,200
	Kentucky			
Def-Wide	Fort Campbell	SOF Rotary Wing Hangar	38,900	38,900
Def-Wide	Fort Campbell	SOF Mh47 Aviation Facility	43,000	43,000
	North Carolina			
Def-Wide	Camp Lejeune	SOF Armory Facility Expansion	6,670	6,670
Def-Wide	Fort Bragg	SOF Communications Training Complex	10,758	10,758
Def-Wide	Fort Bragg	SOF Squadron HQ Addition	11,000	11,000
Def-Wide	Fort Bragg	SOF Entry Control Point	2,300	2,300
Def-Wide	Fort Bragg	SOF Battalion Operations Complex	23,478	23,478
Def-Wide	Fort Bragg	SOF Brigade Headquarters	19,000	19,000
Def-Wide	Fort Bragg	SOF Group Headquarters	26,000	26,000
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	41,000	41,000
Def-Wide	Fort Bragg	SOF Administrative Annex	12,000	12,000
Def-Wide	Pope AFB	SOF Training Facility	5,400	5,400
	New Mexico			
Def-Wide	Cannon AFB	SOF C-130 Squadron Operations Facility	10,941	10,941
Def-Wide	Cannon AFB	SOF C-130 Wash Raek Hangar	10,856	10,856
Def-Wide	Cannon AFB	SOF Aircraft Maintenance Squadron Facility	15,000	15,000
Def-Wide	Cannon AFB	SOF Apron and Taxiway	28,100	28,100
Def-Wide	Cannon AFB	SOF Hangar Aircraft Maintenance Unit	41,200	41,200
Def-Wide	Cannon AFB	SOF Adal Simulator Facility	9,600	9,600
Def-Wide	Cannon AFB	SOF Squadron Operations Facility	17,300	17,300
	Virginia			
Def-Wide	Dam Neck	SOF Logistic Support Facility	14,402	14,402
Def-Wide	Dam Neck	SOF Building Renovation	3,814	3,814
Def-Wide	Dam Neck	SOF Military Working Dog Facility	4,900	4,900
Def-Wide	Joint Expeditionary Base Little Creek— Story	SOF Seal Team Operations Facility	37,000	37,000
	Washington			
Def-Wide	Jb Lewis Mechord	SOF Company Operations Facility	21,000	21,000
	Florida			
Def-Wide	Eglin AFB	Medical Clinic	11,600	11,600
	Georgia			
Def-Wide	Fort Stewart	Hospital Addition/Alteration, Ph 2	72,300	72,300
	Illinois			
Def-Wide	Great Lakes	Health Clinic Demolition	16,900	16,900

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Def-Wide	Kentucky Fort Campbell	Hospital Addition/Alteration	56,600	56,600
Def-Wide	Maryland Aberdeen Proving Ground	USAMRICD Replacement, Inc 4	22,850	22,850
Def-Wide	Bethesda Naval Hospital	Child Development Center Addition/Alteration	18,000	18,000
Def-Wide	Fort Detrick	USAMRIID Stage I, Inc 6	137,600	137,600
Def-Wide	Joint Base Andrews	Dental Clinic Replacement	22,800	22,800
Def-Wide	Joint Base Andrews	Ambulatory Care Center	242,900	121,400
Def-Wide	Mississippi Gulfport	Medical Clinic Replacement	34,700	34,700
Def-Wide	North Carolina Fort Bragg	Hospital Alteration	57,600	57,600
Def-Wide	New York Fort Drum	Medical Clinic	15,700	15,700
Def-Wide	Fort Drum	Dental Clinic Addition/Alteration	4,700	4,700
Def-Wide	Texas Fort Bliss	Hospital Replacement, Inc 3	136,700	109,400
Def-Wide	Joint Base San Antonio	Hospital Nutrition Care Department Add/Alt	33,000	33,000
Def-Wide	Joint Base San Antonio	Ambulatory Care Center, Ph 3	161,300	80,600
Def-Wide	Germany Rhine Ordnance Barracks	Medical Center Replacement, Inc 1	70,592	0
Def-Wide	Virginia Pentagon	Heliprot Control Tower/Fire Station	6,457	6,457
Def-Wide	Pentagon	Pentagon Memorial Pedestrian Plaza	2,285	2,285
Def-Wide	Belgium Brussels	NATO Headquarters Facility	24,118	0
Def-Wide	Worldwide Unspecified	Energy Conservation Investment Program	135,000	135,000
Def-Wide	Unspecified	Contingency Construction	10,000	10,000
Def-Wide	Unspecified	Exercise Related Construction	8,417	8,417
Def-Wide	Unspecified	Unspecified Minor Construction	6,571	6,571
Def-Wide	Unspecified	Unspecified Minor Milcon	6,365	0
Def-Wide	Unspecified	Unspecified Minor Construction	8,876	8,876
Def-Wide	Unspecified	Minor Construction	6,100	6,100
Def-Wide	Unspecified	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified	Planning and Design	1,993	1,993
Def-Wide	Unspecified	Planning and Design	3,043	3,043
Def-Wide	Unspecified	Planning and Design	6,000	6,000
Def-Wide	Unspecified	Planning and Design	3,000	3,000
Def-Wide	Unspecified	Planning and Design	66,974	61,974
Def-Wide	Unspecified	Planning and Design	8,368	8,368
Def-Wide	Unspecified	Planning and Design	52,974	35,474
Def-Wide	Unspecified	Planning and Design	31,468	28,968
Def-Wide	Unspecified	Planning and Design	227,498	202,498
Def-Wide	Unspecified	Planning and Design	48,007	43,007
Def-Wide	Unspecified	Planning and Design	5,277	5,277
Total Military Construction, Defense-Wide ..			3,848,757	3,103,663
Military Construction, Army NG				
Army NG	Alabama Fort MC Clellan	Readiness Center, Ph 2	16,500	16,500
Army NG	Arkansas Fort Chaffee	Convoy Live Fire/Entry Control Point Range	3,500	3,500
Army NG	Arizona Papago Military Reservation	Readiness Center	17,800	17,800
Army NG	California Camp Roberts	Utilities Replacement, Ph 1	32,000	32,000
Army NG	Camp Roberts	Tactical Unmanned Aircraft System Facility	6,160	6,160
Army NG	Camp San Luis Obispo	Field Maintenance Shop	8,000	8,000
Army NG	Colorado Fort Carson, Colorado	Barracks Complex (Ortc)	43,000	43,000
Army NG	Aurora	Tactical Unmanned Aircraft System Facility	3,600	3,600
Army NG	Alamosa	Readiness Center	6,400	6,400
Army NG	District of Columbia Anacostia	US Property & Fiscal Office Add/Alt	5,300	5,300
Army NG	Florida Camp Blanding	Convoy Live Fire/Entry Control Point Range	2,400	2,400
Army NG	Camp Blanding	Live Fire Shoot House	3,100	3,100
Army NG	Georgia Atlanta	Readiness Center	11,000	11,000
Army NG	Hinesville	Maneuver Area Training & Equipment Site Ph1	17,500	17,500
Army NG	Macon	Readiness Center, Ph 1	14,500	14,500
Army NG	Hawaii Kalaeloa	Readiness Center, Ph 1	33,000	33,000

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Army NG	Illinois Normal	Readiness Center	10,000	10,000
	Indiana			
Army NG	Camp Atterbury	Railhead Expansion & Container Facility	21,000	21,000
Army NG	Camp Atterbury	Deployment Processing Facility	8,900	8,900
Army NG	Camp Atterbury	Operations Readiness Training Complex 1	25,000	25,000
Army NG	Camp Atterbury	Operations Readiness Training Complex 2	27,000	27,000
Army NG	Indianapolis	JFHQ Add/Alt	25,700	25,700
	Massachusetts			
Army NG	Natick	Readiness Center	9,000	9,000
	Maryland			
Army NG	Dundalk	Readiness Center Add/Alt	16,000	16,000
Army NG	Westminster	Readiness Center Add/Alt	10,400	10,400
Army NG	LA Plata	Readiness Center	9,000	9,000
	Maine			
Army NG	Bangor	Readiness Center	15,600	15,600
Army NG	Brunswick	Armed Forces Reserve Center	23,000	23,000
	Minnesota			
Army NG	Camp Ripley	Multipurpose Machine Gun Range	8,400	8,400
	Mississippi			
Army NG	Camp Shelby	Troop Housing (Orte), Ph 1	25,000	25,000
Army NG	Camp Shelby	Deployment Processing Facility	12,600	12,600
Army NG	Camp Shelby	Operational Readiness Training Complex, Ph1	27,000	27,000
	North Carolina			
Army NG	Greensboro	Readiness Center Add/Alt	3,700	3,700
	Nebraska			
Army NG	Mead	Readiness Center	9,100	9,100
Army NG	Grand Island	Readiness Center	22,000	22,000
	New Jersey			
Army NG	Lakehurst	Army Aviation Support Facility	49,000	49,000
	New Mexico			
Army NG	Santa Fe	Readiness Center Add/Alt	5,200	5,200
	Nevada			
Army NG	Las Vegas	Field Maintenance Shop	23,000	23,000
	Oklahoma			
Army NG	Camp Gruber	Upgrade-Combined Arms Collective Training Facility	10,361	10,361
Army NG	Camp Gruber	Live Fire Shoot House	3,000	3,000
	Oregon			
Army NG	the Dalles	Readiness Center	13,800	13,800
	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
	Wisconsin			
Army NG	Camp Williams	Tactical Unmanned Aircraft System Facility	7,000	7,000
	West Virginia			
Army NG	Buckhannon	Readiness Center, Ph1	10,000	10,000
	Wyoming			
Army NG	Cheyenne	Readiness Center	8,900	8,900
	Puerto Rico			
Army NG	Fort Buchanan	Readiness Center	57,000	57,000
	Worldwide Unspecified			
Army NG	Unspecified	Unspecified Minor Construction	11,700	11,700
Army NG	Unspecified	Planning and Design	20,671	20,671
		Total Military Construction, Army NG	773,592	773,592
		Military Construction, Air NG		
	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	TFL—F-22 Flight Simulator Facility	19,800	19,800
Air NG	Joint Base Pearl Harbor-Hickam	TFL—F-22 Weapons Load Crew Training Facility	7,000	7,000
Air NG	Joint Base Pearl Harbor-Hickam	TFL—F-22 Combat Aircraft Parking Apron	12,721	12,721
	Indiana			
Air NG	Fort Wayne IAP	a-10 Facility Conversion—Munitions	4,000	4,000
	Massachusetts			
Air NG	Otis ANGB	TFL—CNAF Beddown—Upgrade Facility	7,800	7,800
	Maryland			
Air NG	Martin State Airport	TFL—C-27 Conversion—Squadron Operations	4,900	4,900
	Ohio			
Air NG	Springfield Beckley-Map	Alter Predator Operations Center	6,700	6,700

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement	
Air NG	Worldwide Unspecified				
Air NG	Unspecified	Minor Construction	9,000	9,000	
Air NG	Unspecified	Planning and Design	12,225	12,225	
		Total Military Construction, Air NG	116,246	116,246	
		Military Construction, Army Reserve			
Army Res	California				
	Fort Hunter Liggett	Automated Multipurpose Machine Gun (Mpmg)	5,200	5,200	
Army Res	Colorado				
	Fort Collins	Army Reserve Center	13,600	13,600	
Army Res	Illinois				
	Homewood	Army Reserve Center	16,000	16,000	
Army Res		Rockford	Army Reserve Center/Land	12,800	12,800
Army Res	Indiana				
	Fort Benjamin Harrison	Army Reserve Center	57,000	57,000	
Army Res	Kansas				
	Kansas City	Army Reserve Center/Land	13,000	13,000	
Army Res	Massachusetts				
	Attleboro	Army Reserve Center/Land	22,000	22,000	
Army Res	Minnesota				
	Saint Joseph	Army Reserve Center	11,800	11,800	
Army Res	Missouri				
	Saint Charles	Army Reserve Center	19,000	19,000	
Army Res	North Carolina				
	Greensboro	Army Reserve Center/Land	19,000	19,000	
Army Res	New York				
	Schenectady	Army Reserve Center	20,000	20,000	
Army Res	South Carolina				
	Orangeburg	Army Reserve Center/Land	12,000	12,000	
Army Res	Wisconsin				
	Fort Me Coy	Container Loading Facility	5,300	5,300	
Army Res		Fort Me Coy	Modified Record Fire Known Distance Range	5,400	5,400
Army Res		Fort Me Coy	Automated Record Fire Range	4,600	4,600
Army Res		Fort Me Coy	Neoa Phase Iii—Billeting	12,000	12,000
Army Res	Worldwide Unspecified				
	Unspecified	Unspecified Minor Construction	2,925	2,925	
Army Res	Unspecified	Planning and Design	28,924	28,924	
		Total Military Construction, Army Reserve	280,549	280,549	
		Military Construction, Navy and MC Reserve			
N/MC Res	Pennsylvania				
	Pittsburgh	Armed Forces Reserve Center (Pittsburgh)	13,759	13,759	
N/MC Res	Tennessee				
	Memphis	Reserve Training Center	7,949	7,949	
N/MC Res	Worldwide Unspecified				
	Unspecified	Menr Unspecified Minor Construction	2,000	2,000	
N/MC Res	Unspecified	Planning and Design	2,591	2,591	
		Total Military Construction, Navy and MC Reserve.	26,299	26,299	
		Military Construction, Air Force Reserve			
AF Res	California				
	March AFB	Airfield Control Tower/Base Ops	16,393	16,393	
AF Res	South Carolina				
	Charleston AFB	TFI Red Horse Readiness & Trng Center	9,593	9,593	
AF Res	Worldwide Unspecified				
	Unspecified	Unspecified Minor Construction	5,434	5,434	
AF Res	Unspecified	Planning & Design	2,200	2,200	
		Total Military Construction, Air Force Reserve.	33,620	33,620	
		Homeowners Assistance Program			
HAP	Worldwide Unspecified				
	Unspecified	Homeowners Assistance Program	1,284	1,284	
		Total Homeowners Assistance Program	1,284	1,284	
		NATO Security Investment Program			
NATO	Worldwide Unspecified				
	Unspecified	NATO Security Investment Program	272,611	240,611	
		Total NATO Security Investment Program	272,611	240,611	

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Housing Improvement Fund				
FHIF	Worldwide Unspecified Unspecified	Family Housing Improvement Fund	2,184	2,184
Total Housing Improvement Fund			2,184	2,184
Chemical Demilitarization Construction, Defense				
Chem Demil	Colorado Pueblo Depot	Ammunition Demilitarization Facility, Ph Xiii	15,338	15,338
Chem Demil	Kentucky Blue Grass Army Depot	Ammunition Demilitarization Ph Xii	59,974	59,974
Total Chemical Demilitarization Construction, Defense.			75,312	75,312
Family Housing O&m, Defense-Wide				
FH Ops DW	Worldwide Unspecified Unspecified	Utilities Account	280	280
FH Ops DW	Unspecified	Utilities Account	10	10
FH Ops DW	Unspecified	Furnishings Account	2,699	2,699
FH Ops DW	Unspecified	Furnishings Account	19	19
FH Ops DW	Unspecified	Services Account	30	30
FH Ops DW	Unspecified	Management Account	347	347
FH Ops DW	Unspecified	Furnishings Account	70	70
FH Ops DW	Unspecified	Leasing	36,552	36,552
FH Ops DW	Unspecified	Leasing	10,100	10,100
FH Ops DW	Unspecified	Maintenance of Real Property	546	546
FH Ops DW	Unspecified	Maintenance of Real Property	70	70
Total Family Housing O&m, Defense-Wide			50,723	50,723
BRAC Account 1990				
BRAC IV	Worldwide Unspecified Unspecified	Base Realignment & Closure	129,351	129,351
BRAC IV	Unspecified	Base Realignment & Closure	70,716	70,716
BRAC IV	Unspecified	Base Realignment & Closure	123,476	123,476
Total BRAC Account 1990			323,543	323,543
BRAC Account 2005				
BRAC 05	Worldwide Unspecified Unspecified	Usa-121: Fort Gillem, GA	8,903	8,903
BRAC 05	Unspecified	Usa-222: Fort Mepherston, GA	9,921	9,921
BRAC 05	Unspecified	Program Management Various Locations	32,298	32,298
BRAC 05	Unspecified	Usa-223: Fort Monmouth, NJ	21,908	21,908
BRAC 05	Unspecified	Usa-36: Red River Army Depot	1,207	1,207
BRAC 05	Unspecified	Usa-113: Fort Monroe, VA	23,601	23,601
BRAC 05	Unspecified	Usa-242: Rc Transformation in NY	259	259
BRAC 05	Unspecified	Usa-63: U.S. Army Garrison (Selfridge)	1,609	1,609
BRAC 05	Unspecified	Usa-167: USAR Command and Control—NE	250	250
BRAC 05	Unspecified	Usa-166: USAR Command and Control—Nw	1,000	1,000
BRAC 05	Unspecified	Usa-131: USAR Command and Control -Se	250	250
BRAC 05	Unspecified	Usa-168: USAR Command and Control—Sw	250	250
BRAC 05	Unspecified	Ind-112: River Bank Army Ammo Plant, CA	320	320
BRAC 05	Unspecified	Ind-119: Newport Chemical Depot, in	467	467
BRAC 05	Unspecified	Ind-106: Kansas Army Ammunition Plant, KS	45,769	45,769
BRAC 05	Unspecified	Ind-110: Mississippi Army Ammo Plant, MS	122	122
BRAC 05	Unspecified	Ind-120: Umatilla Chemical Depot, OR	9,092	9,092
BRAC 05	Unspecified	Ind-122: Lone Star Army Ammo Plant, TX	19,367	19,367
BRAC 05	Unspecified	Ind-117: Deseret Chemical Depot, UT	34,011	34,011
BRAC 05	Unspecified	Int-4: NGA Activities	1,791	1,791
BRAC 05	Unspecified	Med-2: Walter Reed Nmmc, Bethesda, MD	18,586	18,586
BRAC 05	Unspecified	Don-172: NWS Seal Beach, Concord, CA	9,763	9,763
BRAC 05	Unspecified	Don-126: Nses, Athens, GA	325	325
BRAC 05	Unspecified	Don-158: NSA New Orleans, LA	2,056	2,056
BRAC 05	Unspecified	Don-138: NAS Brunswick, ME	421	421
BRAC 05	Unspecified	Don-157: Mesa Kansas City, MO	1,442	1,442
BRAC 05	Unspecified	Don-2: Ns Pascagoula, MS	515	515
BRAC 05	Unspecified	Don-84: JRB Willow Grove & Cambria Reg Ap	196	196
BRAC 05	Unspecified	Don-100: Planing, Design and Management	6,090	6,090
BRAC 05	Unspecified	Don-101: Various Locations	5,021	5,021
BRAC 05	Unspecified	Program Management Various Locations	828	828
BRAC 05	Unspecified	Med-57: Brooks City Base, TX	205	205
BRAC 05	Unspecified	Comm Add 3: Galena Fol, AK	933	933
Total BRAC Account 2005			258,776	258,776

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Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
Family Housing Construction, Army				
FH Con Army	Belgium Brussels	Land Purchase for Gfoq (10 Units)	10,000	0
Germany				
FH Con Army	Grafenwochr	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	Vilseek	Family Housing New Construction (22 Units)	12,000	12,000
Worldwide Unspecified				
FH Con Army	Unspecified	Construction Improvements (276 Units)	103,000	103,000
FH Con Army	Unspecified	Family Housing P&D	7,897	7,897
Total Family Housing Construction, Army			186,897	176,897
Family Housing O&m, Army				
Worldwide Unspecified				
FH Ops Army	Unspecified	Utilities Account	73,637	73,637
FH Ops Army	Unspecified	Services Account	15,797	15,797
FH Ops Army	Unspecified	Management Account	54,728	54,728
FH Ops Army	Unspecified	Miscellaneous Account	605	605
FH Ops Army	Unspecified	Furnishings Account	14,256	14,256
FH Ops Army	Unspecified	Leasing	204,426	204,426
FH Ops Army	Unspecified	Maintenance of Real Property	105,668	105,668
FH Ops Army	Unspecified	Privatization Support Costs	25,741	25,741
Total Family Housing O&m, Army			494,858	494,858
Family Housing Construction, Navy				
Worldwide Unspecified				
FH Con Navy	Unspecified	Improvements	97,773	97,773
FH Con Navy	Unspecified	Design	3,199	3,199
Total Family Housing Construction, Navy			100,972	100,972
Family Housing O&m, Navy				
Worldwide Unspecified				
FH Ops Navy	Unspecified	Utilities Account	70,197	70,197
FH Ops Navy	Unspecified	Furnishings Account	15,979	15,979
FH Ops Navy	Unspecified	Management Account	61,090	61,090
FH Ops Navy	Unspecified	Miscellaneous Account	476	476
FH Ops Navy	Unspecified	Services Account	14,510	14,510
FH Ops Navy	Unspecified	Leasing	79,798	79,798
FH Ops Navy	Unspecified	Maintenance of Real Property	97,231	97,231
FH Ops Navy	Unspecified	Privatization Support Costs	28,582	28,582
Total Family Housing O&m, Navy			367,863	367,863
Family Housing Construction, Air Force				
Worldwide Unspecified				
FH Con AF	Unspecified	Construction Improvements	80,546	80,546
FH Con AF	Unspecified	Classified Improvements	50	50
FH Con AF	Unspecified	Planning and Design	4,208	4,208
Total Family Housing Construction, Air Force			84,804	84,804
Family Housing O&m, Air Force				
Worldwide Unspecified				
FH Ops AF	Unspecified	Utilities Account	67,639	67,639
FH Ops AF	Unspecified	Management Account	1,996	1,996
FH Ops AF	Unspecified	Management Account	55,395	55,395
FH Ops AF	Unspecified	Services Account	13,675	13,675
FH Ops AF	Unspecified	Furnishings Account	35,290	35,290
FH Ops AF	Unspecified	Miscellaneous Account	2,165	2,165
FH Ops AF	Unspecified	Leasing Account	122	122
FH Ops AF	Unspecified	Leasing	80,775	80,775
FH Ops AF	Unspecified	Maintenance Account	2,001	2,001
FH Ops AF	Unspecified	Maintenance (Rpma & Rpme)	98,132	98,132
FH Ops AF	Unspecified	Housing Privatization	47,571	47,571
Total Family Housing O&m, Air Force			404,761	404,761

TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2012 Request	Senate Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	6,187	0
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,629,716	7,628,716
Defense nuclear nonproliferation	2,549,492	2,378,679
Naval reactors	1,153,662	1,153,662
Office of the administrator	450,060	405,092
Total, National nuclear security administration	11,782,930	11,566,149
Environmental and other defense activities:		
Defense environmental cleanup	5,406,781	5,060,126
Other defense activities	859,952	859,952
Total, Environmental & other defense activities	6,266,733	5,920,078
Total, Atomic Energy Defense Activities	18,049,663	17,486,227
Total, Discretionary Funding	18,055,850	17,486,227
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration	6,187	0
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	223,562	223,562
W76 Life extension program	257,035	257,035
Total, Life extension programs	480,597	480,597
Stockpile systems		
B61 Stockpile systems	72,396	72,396
W76 Stockpile systems	63,383	63,383
W78 Stockpile systems	109,518	107,518
W80 Stockpile systems	44,444	44,444
B83 Stockpile systems	48,215	48,215
W87 Stockpile systems	83,943	83,943
W88 Stockpile systems	75,728	75,728
Total, Stockpile systems	497,627	495,627
Weapons dismantlement and disposition		
Operations and maintenance	56,770	56,770
Stockpile services		
Production support	354,502	354,502
Research and development support	30,264	30,264
R&D certification and safety	190,892	190,892
Management, technology, and production	198,700	198,700
Plutonium sustainment	154,231	154,231
Total, Stockpile services	928,589	928,589
Total, Directed stockpile work	1,963,583	1,961,583
Campaigns:		
Science campaign		

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	Senate Authorized
Advanced certification	94,929	94,929
Primary assessment technologies	86,055	86,055
Dynamic materials properties	111,836	111,836
Advanced radiography	27,058	27,058
Secondary assessment technologies	86,061	86,061
Total, Science campaign	405,939	405,939
Engineering campaign		
Enhanced surety	41,696	41,696
Weapon systems engineering assessment technology	15,663	15,663
Nuclear survivability	19,545	19,545
Enhanced surveillance	66,174	66,174
Total, Engineering campaign	143,078	143,078
Inertial confinement fusion ignition and high yield campaign		
Ignition	109,888	109,888
Diagnostics, cryogenics and experimental support	86,259	91,259
Pulsed power inertial confinement fusion	4,997	4,997
Joint program in high energy density laboratory plasmas	9,100	9,100
Facility operations and target production	266,030	266,030
Total, Inertial confinement fusion and high yield campaign	476,274	481,274
Advanced simulation and computing campaign	628,945	628,945
Readiness Campaign		
Nonnuclear readiness	65,000	65,000
Tritium readiness	77,491	70,491
Total, Readiness campaign	142,491	135,491
Total, Campaigns	1,796,727	1,794,727
Readiness in technical base and facilities (RTBF)		
Operations of facilities		
Kansas City Plant	156,217	151,217
Lawrence Livermore National Laboratory	83,990	83,990
Los Alamos National Laboratory	318,526	318,526
Nevada Test Site	97,559	97,559
Pantex	164,848	164,848
Sandia National Laboratory	120,708	120,708
Savannah River Site	97,767	97,767
Y-12 National security complex	246,001	246,001
Institutional site support	199,638	199,638
Total, Operations of facilities	1,485,254	1,480,254
Program readiness	74,180	74,180
Material recycle and recovery	85,939	85,939
Containers	28,979	28,979
Storage	31,272	31,272
Subtotal, Readiness in technical base and facilities	1,705,624	1,700,624
Construction:		
12-D-301 TRU waste facilities, LANL	9,881	9,881
11-D-801 TA-55 Reinvestment project, LANL	19,402	19,402
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN	35,387	35,387
09-D-404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM	25,168	25,168
08-D-802 High explosive pressing facility 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 Security Complex, Oakridge, TN	160,194	160,194
04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM	300,000	300,000
Total, Construction	620,510	620,510
Total, Readiness in technical base and facilities	2,326,134	2,321,134
Secure transportation asset		
Operations and equipment	149,274	149,274
Program direction	101,998	101,998
Total, Secure transportation asset	251,272	251,272

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2012 Request	Senate Authorized
Nuclear counterterrorism incident response	222,147	222,147
Facilities and infrastructure recapitalization program		
Operations and maintenance	96,380	96,380
Total, Facilities and infrastructure recapitalization program	96,380	96,380
Site stewardship		
Operations and maintenance	104,002	104,002
Total, Site stewardship	104,002	104,002
Safeguards and security		
Defense nuclear security		
Operations and maintenance	711,105	711,105
Construction:		
08-D-701 Nuclear materials S&S upgrade project Los Alamos National Laboratory	11,752	9,752
Total, Construction	11,752	9,752
Total, Defense nuclear security	722,857	720,857
Cyber security	126,614	126,614
Total, Safeguards and security	849,471	847,471
National security applications	20,000	30,000
Subtotal, Weapons activities	7,629,716	7,628,716
Total, Weapons Activities	7,629,716	7,628,716
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	417,598	426,959
Total, Operations and maintenance	417,598	426,959
Total, Nonproliferation and verification R&D		
Nonproliferation and international security	161,833	159,833
GIPP		
International nuclear materials protection and cooperation	571,639	571,639
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	274,790	234,790
U.S. uranium disposition	26,435	26,435
Total, Operations and maintenance	301,225	261,225
Construction:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	385,172	385,172
99-D-141-01 Pit disassembly and conversion facility, Savannah River, SC	176,000	48,000
99-D-141-02 Waste Solidification Building, Savannah River, SC	17,582	17,582
Total, Construction	578,754	450,754
Total, U.S. surplus fissile materials disposition	879,979	711,979
Russian surplus materials disposition	10,174	0
Total, Fissile materials disposition	890,153	711,979
Global threat reduction initiative	508,269	508,269
Total, Defense Nuclear Nonproliferation	2,549,492	2,378,679
Naval Reactors		
Naval reactors development		
Operation and maintenance		
Operations and maintenance	1,069,262	1,069,262
Construction:		
10-D-903, Security upgrades, KAPL	100	100
10-D-904, NRF infrastructure upgrades, Idaho	12,000	12,000
08-D-190 Expanded Core Facility M-290 recovering discharge station, Naval Reactor Facility, ID	27,800	27,800
Total, Construction	39,900	39,900
Total, Naval reactors development	1,109,162	1,109,162

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	Senate Authorized
Program direction	44,500	44,500
Total, Naval Reactors	1,153,662	1,153,662
 Office Of The Administrator		
Office of the administrator	450,060	405,092
Total, Office Of The Administrator	450,060	405,092
 Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	5,375	5,375
Total, Closure sites	5,375	5,375
 Hanford site:		
Nuclear facility D&D—remainder of Hanford	56,288	56,288
Nuclear facility D&D river corridor closure project	330,534	330,534
Nuclear material stabilization and disposition PFP	48,458	48,458
SNF stabilization and disposition	112,250	112,250
Soil and water remediation—groundwater vadose zone	222,285	222,285
Solid waste stabilization and disposition 200 area	143,897	143,897
Total, Hanford site	913,712	913,712
 Idaho National Laboratory:		
SNF stabilization and disposition—2012	20,114	20,114
Solid waste stabilization and disposition	165,035	165,035
Radioactive liquid tank waste stabilization and disposition	110,169	110,169
Soil and water remediation—2012	87,451	87,451
Total, Idaho National Laboratory	382,769	382,769
 NNSA sites		
Lawrence Livermore National Laboratory	873	873
Nuclear facility D & D Separations Process Research Unit	1,500	1,500
Nevada	63,380	63,380
Los Alamos National Laboratory	357,939	188,939
Total, NNSA sites and Nevada off-sites	423,692	254,692
 Oak Ridge Reservation:		
Nuclear facility D & D ORNL	44,000	44,000
Nuclear facility D & D Y-12	30,000	30,000
Nuclear facility D & D, E. Tennessee technology park	100	100
Soil and water remediation—offsites	3,000	3,000
Solid waste stabilization and disposition—2012	99,000	99,000
Total, Oak Ridge Reservation	176,100	176,100
 Office of River Protection:		
Waste treatment and immobilization plant		
ORP-0060 / Major construction Waste treatment plant (WTP)	840,000	740,000
Total, Waste treatment and immobilization plant	840,000	740,000
 Tank farm activities		
Rad liquid tank waste stabilization and disposition	521,391	467,001
Total, Office of River protection	1,361,391	1,207,001
 Savannah River sites:		
Nuclear material stabilization and disposition	235,000	245,000
Radioactive liquid tank waste stabilization and disposition	748,896	715,631
05-D-405 Salt waste processing facility, Savannah River	170,071	170,071
SNF stabilization and disposition	40,137	40,137
Solid waste stabilization and disposition	30,040	30,040
Total, Savannah River site	1,224,144	1,200,879
 Waste Isolation Pilot Plant		
Waste isolation pilot plant	147,136	147,136
Central characterization project	23,975	23,975
Transportation	29,044	29,044
Community and regulatory support	28,771	28,771
Total, Waste Isolation Pilot Plant	228,926	228,926

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2012 Request	Senate Authorized
Program direction	321,628	321,628
Community, regulatory and program support	91,279	91,279
Safeguards and Security:		
Oak Ridge Reservation	17,300	17,300
Paducah	9,435	9,435
Portsmouth	16,412	16,412
Richland/Hanford Site	69,234	69,234
Savannah River Site	130,000	130,000
Waste Isolation Pilot Project	4,845	4,845
West Valley	1,600	1,600
Total, Safeguards and Security	248,826	248,826
Technology development	32,320	32,320
Subtotal, Defense environmental cleanup	5,410,162	5,063,507
Use of prior year balances	-3,381	-3,381
Total, Defense Environmental Cleanup	5,406,781	5,060,126
Other Defense Activities		
Health, safety and security		
Health, safety and security	349,445	349,445
Program direction	107,037	107,037
Total, Health, safety and security	456,482	456,482
Office of Legacy Management		
Legacy management	157,514	157,514
Program direction	12,586	12,586
Total, Office of Legacy Management	170,100	170,100
Defense-related activities		
Infrastructure		
Idaho facilities management		
Idaho sitewide safeguards and security	98,500	98,500
Total, Defense-related activities	98,500	98,500
Defense related administrative support	118,836	118,836
Acquisitions workforce improvement	11,892	11,892
Office of hearings and appeals	4,142	4,142
Total, Other Defense Activities	859,952	859,952

1 **DIVISION E—SBIR AND STTR**
2 **REAUTHORIZATION**

3 **SEC. 5001. SHORT TITLE.**

4 This division may be cited as the “SBIR/STTR Re-
5 authorization Act of 2011”.

6 **SEC. 5002. DEFINITIONS.**

7 In this division—

8 (1) the terms “Administration” and “Adminis-
9 trator” mean the Small Business Administration
10 and the Administrator thereof, respectively;

1 (2) the terms “extramural budget”, “Federal
2 agency”, “Small Business Innovation Research Pro-
3 gram”, “SBIR”, “Small Business Technology
4 Transfer Program”, and “STTR” have the mean-
5 ings given such terms in section 9 of the Small Busi-
6 ness Act (15 U.S.C. 638); and

7 (3) the term “small business concern” has the
8 meaning given that term under section 3 of the
9 Small Business Act (15 U.S.C. 632).

10 **SEC. 5003. REPEAL.**

11 Subtitle E of title VIII of this Act is amended by
12 striking section 885.

13 **TITLE LI—REAUTHORIZATION**
14 **OF THE SBIR AND STTR PRO-**
15 **GRAMS**

16 **SEC. 5101. EXTENSION OF TERMINATION DATES.**

17 (a) SBIR.—Section 9(m) of the Small Business Act
18 (15 U.S.C. 638(m)) is amended by striking “2011” and
19 inserting “2019, except as provided in subsection (cc)”.

20 (b) STTR.—Section 9(n)(1)(A) of the Small Busi-
21 ness Act (15 U.S.C. 638(n)(1)(A)) is amended by striking
22 “2011” and inserting “2019”.

23 (c) TECHNICAL AND CONFORMING AMENDMENT.—
24 The Continuing Appropriations Act, 2012 (Public Law
25 112–36), as amended by division D of the Consolidated

1 and Further Continuing Appropriations Act, 2012 (Public
2 Law 112–55), is amended by striking section 123.

3 **SEC. 5102. STATUS OF THE OFFICE OF TECHNOLOGY.**

4 Section 9(b) of the Small Business Act (15 U.S.C.
5 638(b)) is amended—

6 (1) in paragraph (7), by striking “and” at the
7 end;

8 (2) in paragraph (8), by striking the period at
9 the end and inserting “; and”;

10 (3) by redesignating paragraph (8) as para-
11 graph (9); and

12 (4) by adding at the end the following:

13 “(10) to maintain an Office of Technology to
14 carry out the responsibilities of the Administration
15 under this section, which shall be—

16 “(A) headed by the Assistant Adminis-
17 trator for Technology, who shall report directly
18 to the Administrator; and

19 “(B) independent from the Office of Gov-
20 ernment Contracting of the Administration and
21 sufficiently staffed and funded to comply with
22 the oversight, reporting, and public database re-
23 sponsibilities assigned to the Office of Tech-
24 nology by the Administrator.”.

1 **SEC. 5103. SBIR ALLOCATION INCREASE.**

2 Section 9(f) of the Small Business Act (15 U.S.C.
3 638(f)) is amended—

4 (1) in paragraph (1)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “Each” and inserting “Except
7 as provided in paragraph (2)(B), each”;

8 (B) in subparagraph (B), by striking
9 “and” at the end; and

10 (C) by striking subparagraph (C) and in-
11 serting the following:

12 “(C) not less than 2.5 percent of such
13 budget in fiscal year 2013;

14 “(D) not less than 2.6 percent of such
15 budget in fiscal year 2014;

16 “(E) not less than 2.7 percent of such
17 budget in fiscal year 2015;

18 “(F) not less than 2.8 percent of such
19 budget in fiscal year 2016;

20 “(G) not less than 2.9 percent of such
21 budget in fiscal year 2017;

22 “(H) not less than 3.0 percent of such
23 budget in fiscal year 2018;

24 “(I) not less than 3.1 percent of such
25 budget in fiscal year 2019;

1 “(J) not less than 3.2 percent of such
2 budget in fiscal year 2020;

3 “(K) not less than 3.3 percent of such
4 budget in fiscal year 2021;

5 “(L) not less than 3.4 percent of such
6 budget in fiscal year 2022; and

7 “(M) not less than 3.5 percent of such
8 budget in fiscal year 2023 and each fiscal year
9 thereafter,”;

10 (2) in paragraph (2)—

11 (A) by redesignating subparagraphs (A)
12 and (B) as clauses (i) and (ii), respectively, and
13 adjusting the margins accordingly;

14 (B) by striking “A Federal agency” and
15 inserting the following:

16 “(A) IN GENERAL.—A Federal agency”;
17 and

18 (C) by adding at the end the following:

19 “(B) DEPARTMENT OF DEFENSE AND DE-
20 PARTMENT OF ENERGY.—For the Department
21 of Defense and the Department of Energy, to
22 the greatest extent practicable, the percentage
23 of the extramural budget in excess of 2.5 per-
24 cent required to be expended with small busi-

1 ness concerns under subparagraphs (D)
2 through (M) of paragraph (1)—

3 “(i) may not be used for new Phase I
4 or Phase II awards; and

5 “(ii) shall be used for activities that
6 further the readiness levels of technologies
7 developed under Phase II awards, includ-
8 ing conducting testing and evaluation to
9 promote the transition of such technologies
10 into commercial or defense products, or
11 systems furthering the mission needs of
12 the Department of Defense or the Depart-
13 ment of Energy, as the case may be.”; and

14 (3) by adding at the end the following:

15 “(4) RULE OF CONSTRUCTION.—Nothing in
16 this subsection may be construed to prohibit a Fed-
17 eral agency from expending with small business con-
18 cerns an amount of the extramural budget for re-
19 search or research and development of the Federal
20 agency that exceeds the amount required under
21 paragraph (1).”.

22 **SEC. 5104. STTR ALLOCATION INCREASE.**

23 Section 9(n)(1)(B) of the Small Business Act (15
24 U.S.C. 638(n)(1)(B)) is amended—

25 (1) in clause (i), by striking “and” at the end;

1 (2) in clause (ii), by striking “thereafter.” and
2 inserting “through fiscal year 2012;”;

3 (3) by adding at the end the following:

4 “(iii) 0.4 percent for fiscal years 2013
5 and 2014;

6 “(iv) 0.5 percent for fiscal years 2015
7 and 2016; and

8 “(v) 0.6 percent for fiscal year 2017
9 and each fiscal year thereafter.”; and

10 (4) by adding at the end the following:

11 “(4) **RULE OF CONSTRUCTION.**—Nothing in
12 this subsection may be construed to prohibit a Fed-
13 eral agency from expending with small business con-
14 cerns an amount of the extramural budget for re-
15 search or research and development of the Federal
16 agency that exceeds the amount required under
17 paragraph (1).”.

18 **SEC. 5105. SBIR AND STTR AWARD LEVELS.**

19 (a) **SBIR ADJUSTMENTS.**—Section 9(j)(2)(D) of the
20 Small Business Act (15 U.S.C. 638(j)(2)(D)) is amend-
21 ed—

22 (1) by striking “\$100,000” and inserting
23 “\$150,000”; and

24 (2) by striking “\$750,000” and inserting
25 “\$1,000,000”.

1 (b) STTR ADJUSTMENTS.—Section 9(p)(2)(B)(ix) of
2 the Small Business Act (15 U.S.C. 638(p)(2)(B)(ix)) is
3 amended—

4 (1) by striking “\$100,000” and inserting
5 “\$150,000”; and

6 (2) by striking “\$750,000” and inserting
7 “\$1,000,000”.

8 (c) ANNUAL ADJUSTMENTS.—Section 9 of the Small
9 Business Act (15 U.S.C. 638) is amended—

10 (1) in subsection (j)(2)(D), by striking “once
11 every 5 years to reflect economic adjustments and
12 programmatic considerations” and inserting “every
13 year for inflation”; and

14 (2) in subsection (p)(2)(B)(ix), as amended by
15 subsection (b) of this section, by inserting “(each of
16 which the Administrator shall adjust for inflation
17 annually)” after “\$1,000,000,”.

18 (d) LIMITATION ON SIZE OF AWARDS.—Section 9 of
19 the Small Business Act (15 U.S.C. 638) is amended by
20 adding at the end the following:

21 “(aa) LIMITATION ON SIZE OF AWARDS.—

22 “(1) LIMITATION.—No Federal agency may
23 issue an award under the SBIR program or the
24 STTR program if the size of the award exceeds the

1 award guidelines established under this section by
2 more than 50 percent.

3 “(2) MAINTENANCE OF INFORMATION.—Par-
4 ticipating agencies shall maintain information on
5 awards exceeding the guidelines established under
6 this section, including—

7 “(A) the amount of each award;

8 “(B) a justification for exceeding the
9 award amount;

10 “(C) the identity and location of each
11 award recipient; and

12 “(D) whether an award recipient has re-
13 ceived any venture capital investment and, if so,
14 whether the recipient is majority-owned by mul-
15 tiple venture capital operating companies.

16 “(3) REPORTS.—The Administrator shall in-
17 clude the information described in paragraph (2) in
18 the annual report of the Administrator to Congress.

19 “(4) RULE OF CONSTRUCTION.—Nothing in
20 this subsection shall be construed to prevent a Fed-
21 eral agency from supplementing an award under the
22 SBIR program or the STTR program using funds of
23 the Federal agency that are not part of the SBIR
24 program or the STTR program of the Federal agen-
25 cy.”.

1 **SEC. 5106. AGENCY AND PROGRAM FLEXIBILITY.**

2 Section 9 of the Small Business Act (15 U.S.C. 638),
3 as amended by this Act, is amended by adding at the end
4 the following:

5 “(bb) SUBSEQUENT PHASE II AWARDS.—

6 “(1) AGENCY FLEXIBILITY.—A small business
7 concern that received an award from a Federal
8 agency under this section shall be eligible to receive
9 a subsequent Phase II award from another Federal
10 agency, if the head of each relevant Federal agency
11 or the relevant component of the Federal agency
12 makes a written determination that the topics of the
13 relevant awards are the same and both agencies re-
14 port the awards to the Administrator for inclusion in
15 the public database under subsection (k).

16 “(2) SBIR AND STTR PROGRAM FLEXIBILITY.—

17 A small business concern that received an award
18 under this section under the SBIR program or the
19 STTR program may receive a subsequent Phase II
20 award in either the SBIR program or the STTR
21 program and the participating agency or agencies
22 shall report the awards to the Administrator for in-
23 clusion in the public database under subsection (k).

24 “(3) PREVENTING DUPLICATIVE AWARDS.—Be-
25 fore making an award under paragraph (1) or (2),
26 the head of a Federal agency shall verify that the

1 project to be performed with the award has not been
2 funded under the SBIR program or STTR program
3 of another Federal agency.”.

4 **SEC. 5107. ELIMINATION OF PHASE II INVITATIONS.**

5 (a) IN GENERAL.—Section 9(e) of the Small Busi-
6 ness Act (15 U.S.C. 638(e)) is amended—

7 (1) in paragraph (4)(B), by striking “to fur-
8 ther” and inserting: “which shall not include any in-
9 vitation, pre-screening, pre-selection, or down-selec-
10 tion process for eligibility for the second phase, that
11 will further”; and

12 (2) in paragraph (6)(B), by striking “to further
13 develop proposed ideas to” and inserting “which
14 shall not include any invitation, pre-screening, pre-
15 selection, or down-selection process for eligibility for
16 the second phase, that will further develop proposals
17 that”.

18 **SEC. 5108. PARTICIPATION BY FIRMS WITH SUBSTANTIAL**
19 **INVESTMENT FROM MULTIPLE VENTURE**
20 **CAPITAL OPERATING COMPANIES IN A POR-**
21 **TION OF THE SBIR PROGRAM.**

22 (a) IN GENERAL.—Section 9 of the Small Business
23 Act (15 U.S.C. 638), as amended by this Act, is amended
24 by adding at the end the following:

1 “(cc) PARTICIPATION OF SMALL BUSINESS CON-
2 CERNS MAJORITY-OWNED BY VENTURE CAPITAL OPER-
3 ATING COMPANIES IN THE SBIR PROGRAM.—

4 “(1) AUTHORITY.—Upon a written determina-
5 tion described in paragraph (2) provided to the Ad-
6 ministrator and to the Committee on Small Business
7 and Entrepreneurship of the Senate and the Com-
8 mittee on Small Business of the House of Rep-
9 resentatives not later than 30 days before the date
10 on which an award is made—

11 “(A) the Director of the National Insti-
12 tutes of Health, the Secretary of Energy, and
13 the Director of the National Science Founda-
14 tion may award not more than 25 percent of
15 the funds allocated for the SBIR program of
16 the Federal agency to small business concerns
17 that are owned in majority part by multiple
18 venture capital operating companies through
19 competitive, merit-based procedures that are
20 open to all eligible small business concerns; and

21 “(B) the head of a Federal agency other
22 than a Federal agency described in subpara-
23 graph (A) that participates in the SBIR pro-
24 gram may award not more than 15 percent of
25 the funds allocated for the SBIR program of

1 the Federal agency to small business concerns
2 that are owned in majority part by multiple
3 venture capital operating companies through
4 competitive, merit-based procedures that are
5 open to all eligible small business concerns.

6 “(2) DETERMINATION.—A written determina-
7 tion described in this paragraph is a written deter-
8 mination by the head of a Federal agency that ex-
9 plains how the use of the authority under paragraph
10 (1) will—

11 “(A) induce additional venture capital
12 funding of small business innovations;

13 “(B) substantially contribute to the mis-
14 sion of the Federal agency;

15 “(C) demonstrate a need for public re-
16 search; and

17 “(D) otherwise fulfill the capital needs of
18 small business concerns for additional financing
19 for the SBIR project.

20 “(3) REGISTRATION.—A small business concern
21 that is majority-owned by multiple venture capital
22 operating companies and qualified for participation
23 in the program authorized under paragraph (1)
24 shall—

1 “(A) register with the Administrator on
2 the date that the small business concern sub-
3 mits an application for an award under the
4 SBIR program; and

5 “(B) indicate in any SBIR proposal that
6 the small business concern is registered under
7 subparagraph (A) as majority-owned by mul-
8 tiple venture capital operating companies.

9 “(4) COMPLIANCE.—

10 “(A) IN GENERAL.—The head of a Federal
11 agency that makes an award under this sub-
12 section during a fiscal year shall collect and
13 submit to the Administrator data relating to
14 the number and dollar amount of Phase I
15 awards, Phase II awards, and any other cat-
16 egory of awards by the Federal agency under
17 the SBIR program during that fiscal year.

18 “(B) ANNUAL REPORTING.—The Adminis-
19 trator shall include as part of each annual re-
20 port by the Administration under subsection
21 (b)(7) any data submitted under subparagraph
22 (A) and a discussion of the compliance of each
23 Federal agency that makes an award under this
24 subsection during the fiscal year with the max-
25 imum percentages under paragraph (1).

1 “(5) ENFORCEMENT.—If a Federal agency
2 awards more than the percent of the funds allocated
3 for the SBIR program of the Federal agency author-
4 ized under paragraph (1) for a purpose described in
5 paragraph (1), the head of the Federal agency shall
6 transfer an amount equal to the amount awarded in
7 excess of the amount authorized under paragraph
8 (1) to the funds for general SBIR programs from
9 the non-SBIR and non-STTR research and develop-
10 ment funds of the Federal agency not later than 180
11 days after the date on which the Federal agency
12 made the award that caused the total awarded under
13 paragraph (1) to be more than the amount author-
14 ized under paragraph (1) for a purpose described in
15 paragraph (1).

16 “(6) FINAL DECISIONS ON APPLICATIONS
17 UNDER THE SBIR PROGRAM.—

18 “(A) DEFINITION.—In this paragraph, the
19 term ‘covered small business concern’ means a
20 small business concern that—

21 “(i) was not majority-owned by mul-
22 tiple venture capital operating companies
23 on the date on which the small business
24 concern submitted an application in re-

1 sponse to a solicitation under the SBIR
2 programs; and

3 “(ii) on the date of the award under
4 the SBIR program is majority-owned by
5 multiple venture capital operating compa-
6 nies.

7 “(B) IN GENERAL.—If a Federal agency
8 does not make an award under a solicitation
9 under the SBIR program before the date that
10 is 9 months after the date on which the period
11 for submitting applications under the solicita-
12 tion ends—

13 “(i) a covered small business concern
14 is eligible to receive the award, without re-
15 gard to whether the covered small business
16 concern meets the requirements for receiv-
17 ing an award under the SBIR program for
18 a small business concern that is majority-
19 owned by multiple venture capital oper-
20 ating companies, if the covered small busi-
21 ness concern meets all other requirements
22 for such an award; and

23 “(ii) the head of the Federal agency
24 shall transfer an amount equal to any
25 amount awarded to a covered small busi-

1 ness concern under the solicitation to the
2 funds for general SBIR programs from the
3 non-SBIR and non-STTR research and de-
4 velopment funds of the Federal agency, not
5 later than 90 days after the date on which
6 the Federal agency makes the award.

7 “(7) EVALUATION CRITERIA.—A Federal agen-
8 cy may not use investment of venture capital as a
9 criterion for the award of contracts under the SBIR
10 program or STTR program.

11 “(8) TERMINATION.—The authority under this
12 subsection shall terminate on September 30, 2016.”.

13 (b) TECHNICAL AND CONFORMING AMENDMENT.—
14 Section 3 of the Small Business Act (15 U.S.C. 632) is
15 amended by adding at the end the following:

16 “(aa) VENTURE CAPITAL OPERATING COMPANY.—In
17 this Act, the term ‘venture capital operating company’
18 means an entity described in clause (i), (v), or (vi) of sec-
19 tion 121.103(b)(5) of title 13, Code of Federal Regula-
20 tions (or any successor thereto).”.

21 (c) RULEMAKING TO ENSURE THAT FIRMS THAT
22 ARE MAJORITY-OWNED BY MULTIPLE VENTURE CAPITAL
23 OPERATING COMPANIES ARE ABLE TO PARTICIPATE IN
24 A PORTION OF THE SBIR PROGRAM.—

1 (1) STATEMENT OF CONGRESSIONAL INTENT.—

2 It is the stated intent of Congress that the Adminis-
3 trator should promulgate regulations to carry out
4 the authority under section 9(cc) of the Small Busi-
5 ness Act, as added by this section, that—

6 (A) permit small business concerns that
7 are majority-owned by multiple venture capital
8 operating companies to participate in the SBIR
9 program in accordance with section 9(cc) of the
10 Small Business Act;

11 (B) provide specific guidance for small
12 business concerns that are majority-owned by
13 multiple venture capital operating companies
14 with regard to eligibility, participation, and af-
15 filiation rules; and

16 (C) preserve and maintain the integrity of
17 the SBIR program as a program for small busi-
18 ness concerns in the United States, prohibiting
19 large businesses or large entities or foreign-
20 owned businesses or entities from participation
21 in the program established under section 9 of
22 the Small Business Act.

23 (2) RULEMAKING REQUIRED.—

24 (A) PROPOSED REGULATIONS.—Not later
25 than 4 months after the date of enactment of

1 this Act, the Administrator shall issue proposed
2 regulations to amend section 121.103 (relating
3 to determinations of affiliation applicable to the
4 SBIR program) and section 121.702 (relating
5 to ownership and control standards and size
6 standards applicable to the SBIR program) of
7 title 13, Code of Federal Regulations, for firms
8 that are majority-owned by multiple venture
9 capital operating companies and participating
10 in the SBIR program solely under the authority
11 under section 9(cc) of the Small Business Act,
12 as added by this section.

13 (B) FINAL REGULATIONS.—Not later than
14 1 year after the date of enactment of this Act,
15 and after providing notice of and opportunity
16 for comment on the proposed regulations issued
17 under subparagraph (A), the Administrator
18 shall issue final or interim final regulations
19 under this subsection.

20 (3) CONTENTS.—

21 (A) IN GENERAL.—The regulations issued
22 under this subsection shall permit the participa-
23 tion of applicants majority-owned by multiple
24 venture capital operating companies in the
25 SBIR program in accordance with section 9(cc)

1 of the Small Business Act, as added by this sec-
2 tion, unless the Administrator determines—

3 (i) in accordance with the size stand-
4 ards established under subparagraph (B),
5 that the applicant is—

6 (I) a large business or large enti-
7 ty; or

8 (II) majority-owned or controlled
9 by a large business or large entity; or

10 (ii) in accordance with the criteria es-
11 tablished under subparagraph (C), that the
12 applicant—

13 (I) is a foreign business or a for-
14 eign entity or is not a citizen of the
15 United States or alien lawfully admit-
16 ted for permanent residence; or

17 (II) is majority-owned or con-
18 trolled by a foreign business, foreign
19 entity, or person who is not a citizen
20 of the United States or alien lawfully
21 admitted for permanent residence.

22 (B) SIZE STANDARDS.—Under the author-
23 ity to establish size standards under paragraphs
24 (2) and (3) of section 3(a) of the Small Busi-
25 ness Act (15 U.S.C. 632(a)), the Administrator

1 shall, in accordance with paragraph (1) of this
2 subsection, establish size standards for appli-
3 cants seeking to participate in the SBIR pro-
4 gram solely under the authority under section
5 9(cc) of the Small Business Act, as added by
6 this section.

7 (C) CRITERIA FOR DETERMINING FOREIGN
8 OWNERSHIP.—The Administrator shall establish
9 criteria for determining whether an applicant
10 meets the requirements under subparagraph
11 (A)(ii), and, in establishing the criteria, shall
12 consider whether the criteria should include—

13 (i) whether the applicant is at least 51
14 percent owned or controlled by citizens of
15 the United States or domestic venture cap-
16 ital operating companies;

17 (ii) whether the applicant is domiciled
18 in the United States; and

19 (iii) whether the applicant is a direct
20 or indirect subsidiary of a foreign-owned
21 firm, including whether the criteria should
22 include that an applicant is a direct or in-
23 direct subsidiary of a foreign-owned entity
24 if—

1 (I) any venture capital operating
2 company that owns more than 20 per-
3 cent of the applicant is a direct or in-
4 direct subsidiary of a foreign-owned
5 entity; or

6 (II) in the aggregate, entities
7 that are direct or indirect subsidiaries
8 of foreign-owned entities own more
9 than 49 percent of the applicant.

10 (D) CRITERIA FOR DETERMINING AFFILI-
11 ATION.—The Administrator shall establish cri-
12 teria, in accordance with paragraph (1), for de-
13 termining whether an applicant is affiliated
14 with a venture capital operating company or
15 any other business that the venture capital op-
16 erating company has financed and, in estab-
17 lishing the criteria, shall specify that—

18 (i) if a venture capital operating com-
19 pany that is determined to be affiliated
20 with an applicant is a minority investor in
21 the applicant, the portfolio companies of
22 the venture capital operating company
23 shall not be determined to be affiliated
24 with the applicant, unless—

1 (I) the venture capital operating
2 company owns a majority of the port-
3 folio company; or

4 (II) the venture capital operating
5 company holds a majority of the seats
6 on the board of directors of the port-
7 folio company;

8 (ii) subject to clause (i), the Adminis-
9 trator retains the authority to determine
10 whether a venture capital operating com-
11 pany is affiliated with an applicant, includ-
12 ing establishing other criteria;

13 (iii) the Administrator may not deter-
14 mine that a portfolio company of a venture
15 capital operating company is affiliated with
16 an applicant based solely on one or more
17 shared investors; and

18 (iv) subject to clauses (i), (ii), and
19 (iii), the Administrator retains the author-
20 ity to determine whether a portfolio com-
21 pany of a venture capital operating com-
22 pany is affiliated with an applicant based
23 on factors independent of whether there is
24 a shared investor, such as whether there

1 are contractual obligations between the
2 portfolio company and the applicant.

3 (4) ENFORCEMENT.—If the Administrator does
4 not issue final or interim final regulations under this
5 subsection on or before the date that is 1 year after
6 the date of enactment of this Act, the Administrator
7 may not carry out any activities under section 4(h)
8 of the Small Business Act (15 U.S.C. 633(h)) (as
9 continued in effect pursuant to the Act entitled “An
10 Act to extend temporarily certain authorities of the
11 Small Business Administration”, approved October
12 10, 2006 (Public Law 109–316; 120 Stat. 1742))
13 during the period beginning on the date that is 1
14 year and 1 day after the date of enactment of this
15 Act, and ending on the date on which the final or
16 interim final regulations are issued.

17 (5) DEFINITION.—In this subsection, the term
18 “venture capital operating company” has the same
19 meaning as in section 3(aa) of the Small Business
20 Act, as added by this section.

21 (d) ASSISTANCE FOR DETERMINING AFFILIATES.—

22 (1) CLEAR EXPLANATION REQUIRED.—Not
23 later than 30 days after the date of enactment of
24 this Act, the Administrator shall post on the Web
25 site of the Administration (with a direct link dis-

1 played on the homepage of the Web site of the Ad-
2 ministration or the SBIR and STTR Web sites of
3 the Administration)—

4 (A) a clear explanation of the SBIR and
5 STTR affiliation rules under part 121 of title
6 13, Code of Federal Regulations; and

7 (B) contact information for officers or em-
8 ployees of the Administration who—

9 (i) upon request, shall review an issue
10 relating to the rules described in subpara-
11 graph (A); and

12 (ii) shall respond to a request under
13 clause (i) not later than 20 business days
14 after the date on which the request is re-
15 ceived.

16 (2) INCLUSION OF AFFILIATION RULES FOR
17 CERTAIN SMALL BUSINESS CONCERNS.—On and
18 after the date on which the final regulations under
19 subsection (c) are issued, the Administrator shall
20 post on the Web site of the Administration informa-
21 tion relating to the regulations, in accordance with
22 paragraph (1).

1 **SEC. 5109. SBIR AND STTR SPECIAL ACQUISITION PREF-**
2 **ERENCE.**

3 Section 9(r) of the Small Business Act (15 U.S.C.
4 638(r)) is amended by adding at the end the following:

5 “(4) PHASE III AWARDS.—To the greatest ex-
6 tent practicable, Federal agencies and Federal prime
7 contractors shall issue Phase III awards relating to
8 technology, including sole source awards, to the
9 SBIR and STTR award recipients that developed
10 the technology.”.

11 **SEC. 5110. COLLABORATING WITH FEDERAL LABORA-**
12 **TORIES AND RESEARCH AND DEVELOPMENT**
13 **CENTERS.**

14 Section 9 of the Small Business Act (15 U.S.C. 638),
15 as amended by this Act, is amended by adding at the end
16 the following:

17 “(dd) COLLABORATING WITH FEDERAL LABORA-
18 TORIES AND RESEARCH AND DEVELOPMENT CENTERS.—

19 “(1) AUTHORIZATION.—Subject to the limita-
20 tions under this section, the head of each partici-
21 pating Federal agency may make SBIR and STTR
22 awards to any eligible small business concern that—

23 “(A) intends to enter into an agreement
24 with a Federal laboratory or federally funded
25 research and development center for portions of

1 the activities to be performed under that award;

2 or

3 “(B) has entered into a cooperative re-
4 search and development agreement (as defined
5 in section 12(d) of the Stevenson-Wydler Tech-
6 nology Innovation Act of 1980 (15 U.S.C.
7 3710a(d))) with a Federal laboratory.

8 “(2) PROHIBITION.—No Federal agency shall—

9 “(A) condition an SBIR or STTR award
10 upon entering into agreement with any Federal
11 laboratory or any federally funded laboratory or
12 research and development center for any por-
13 tion of the activities to be performed under that
14 award;

15 “(B) approve an agreement between a
16 small business concern receiving a SBIR or
17 STTR award and a Federal laboratory or feder-
18 ally funded laboratory or research and develop-
19 ment center, if the small business concern per-
20 forms a lesser portion of the activities to be
21 performed under that award than required by
22 this section and by the SBIR Policy Directive
23 and the STTR Policy Directive of the Adminis-
24 trator; or

1 “(C) approve an agreement that violates
2 any provision, including any data rights protec-
3 tions provision, of this section or the SBIR and
4 the STTR Policy Directives.

5 “(3) IMPLEMENTATION.—Not later than 180
6 days after the date of enactment of this subsection,
7 the Administrator shall modify the SBIR Policy Di-
8 rective and the STTR Policy Directive issued under
9 this section to ensure that small business concerns—

10 “(A) have the flexibility to use the re-
11 sources of the Federal laboratories and feder-
12 ally funded research and development centers;
13 and

14 “(B) are not mandated to enter into agree-
15 ment with any Federal laboratory or any feder-
16 ally funded laboratory or research and develop-
17 ment center as a condition of an award.”.

18 **SEC. 5111. NOTICE REQUIREMENT.**

19 (a) SBIR PROGRAM.—Section 9(g) of the Small
20 Business Act (15 U.S.C. 638(g)) is amended—

21 (1) in paragraph (10), by striking “and” at the
22 end;

23 (2) in paragraph (11), by striking the period at
24 the end and inserting a semicolon; and

25 (3) by adding at the end the following:

1 “(12) provide timely notice to the Adminis-
2 trator of any case or controversy before any Federal
3 judicial or administrative tribunal concerning the
4 SBIR program of the Federal agency; and”.

5 (b) STTR PROGRAM.—Section 9(o) of the Small
6 Business Act (15 U.S.C. 638(o)) is amended—

7 (1) by striking paragraph (15);

8 (2) in paragraph (16), by striking the period at
9 the end and inserting “; and”;

10 (3) by redesignating paragraph (16) as para-
11 graph (15); and

12 (4) by adding at the end the following:

13 “(16) provide timely notice to the Adminis-
14 trator of any case or controversy before any Federal
15 judicial or administrative tribunal concerning the
16 STTR program of the Federal agency.”.

17 **SEC. 5112. EXPRESS AUTHORITY FOR AN AGENCY TO**
18 **AWARD SEQUENTIAL PHASE II AWARDS FOR**
19 **SBIR OR STTR FUNDED PROJECTS.**

20 Section 9 of the Small Business Act (15 U.S.C. 638),
21 as amended by this Act, is amended by adding at the end
22 the following:

23 “(ee) **ADDITIONAL PHASE II SBIR AND STTR**
24 **AWARDS.**—A small business concern that receives a Phase
25 II SBIR award or a Phase II STTR award for a project

1 remains eligible to receive an additional Phase II SBIR
2 award or Phase II STTR award for that project.”.

3 **TITLE LII—OUTREACH AND**
4 **COMMERCIALIZATION INITIA-**
5 **TIVES**

6 **SEC. 5201. RURAL AND STATE OUTREACH.**

7 (a) IN GENERAL.—Section 9 of the Small Business
8 Act (15 U.S.C. 638) is amended by inserting after sub-
9 section (r) the following:

10 “(s) FEDERAL AND STATE TECHNOLOGY PARTNER-
11 SHIP PROGRAM.—

12 “(1) DEFINITIONS.—In this subsection, the fol-
13 lowing definitions apply:

14 “(A) APPLICANT.—The term ‘applicant’
15 means an entity, organization, or individual
16 that submits a proposal for an award or a coop-
17 erative agreement under this subsection.

18 “(B) FAST PROGRAM.—The term ‘FAST
19 program’ means the Federal and State Tech-
20 nology Partnership Program established under
21 this subsection.

22 “(C) RECIPIENT.—The term ‘recipient’
23 means a person that receives an award or be-
24 comes party to a cooperative agreement under
25 this subsection.

1 “(D) STATE.—The term ‘State’ means
2 each of the several States, the District of Co-
3 lumbia, the Commonwealth of Puerto Rico, the
4 Virgin Islands, Guam, and American Samoa.

5 “(E) DEFINITIONS RELATING TO MEN-
6 TORING NETWORKS.—The terms ‘business ad-
7 vice and counseling’, ‘mentor’, and ‘mentoring
8 network’ have the meanings given those terms
9 in section 34(e).

10 “(2) ESTABLISHMENT OF PROGRAM.—The Ad-
11 ministrator shall establish a program to be known as
12 the Federal and State Technology Partnership Pro-
13 gram, the purpose of which shall be to strengthen
14 the technological competitiveness of small business
15 concerns in the States.

16 “(3) GRANTS AND COOPERATIVE AGREE-
17 MENTS.—

18 “(A) JOINT REVIEW.—In carrying out the
19 FAST program, the Administrator and the pro-
20 gram managers for the SBIR program and
21 STTR program at the National Science Foun-
22 dation, the Department of Defense, and any
23 other Federal agency determined appropriate by
24 the Administrator shall jointly review proposals
25 submitted by applicants and may make awards

1 or enter into cooperative agreements under this
2 subsection based on the factors for consider-
3 ation set forth in subparagraph (B), in order to
4 enhance or develop in a State—

5 “(i) technology research and develop-
6 ment by small business concerns;

7 “(ii) technology transfer from univer-
8 sity research to technology-based small
9 business concerns;

10 “(iii) technology deployment and dif-
11 fusion benefitting small business concerns;

12 “(iv) the technological capabilities of
13 small business concerns through the estab-
14 lishment or operation of consortia com-
15 prised of entities, organizations, or individ-
16 uals, including—

17 “(I) State and local development
18 agencies and entities;

19 “(II) representatives of tech-
20 nology-based small business concerns;

21 “(III) industries and emerging
22 companies;

23 “(IV) universities; and

24 “(V) small business development
25 centers; and

1 “(v) outreach, financial support, and
2 technical assistance to technology-based
3 small business concerns participating in or
4 interested in participating in an SBIR pro-
5 gram or STTR program, including initia-
6 tives—

7 “(I) to make grants or loans to
8 companies to pay a portion or all of
9 the cost of developing SBIR or STTR
10 proposals;

11 “(II) to establish or operate a
12 Mentoring Network within the FAST
13 program to provide business advice
14 and counseling that will assist small
15 business concerns that have been
16 identified by FAST program partici-
17 pants, program managers of partici-
18 pating SBIR agencies, the Adminis-
19 tration, or other entities that are
20 knowledgeable about the SBIR and
21 STTR programs as good candidates
22 for the SBIR and STTR programs,
23 and that would benefit from men-
24 toring, in accordance with section 34;

1 “(III) to create or participate in
2 a training program for individuals
3 providing SBIR or STTR outreach
4 and assistance at the State and local
5 levels; and

6 “(IV) to encourage the commer-
7 cialization of technology developed
8 through funding under the SBIR pro-
9 gram or the STTR program.

10 “(B) SELECTION CONSIDERATIONS.—In
11 making awards or entering into cooperative
12 agreements under this subsection, the Adminis-
13 trator and the program managers referred to in
14 subparagraph (A)—

15 “(i) may only consider proposals by
16 applicants that intend to use a portion of
17 the Federal assistance provided under this
18 subsection to provide outreach, financial
19 support, or technical assistance to tech-
20 nology-based small business concerns par-
21 ticipating in or interested in participating
22 in the SBIR program or STTR program;
23 and

24 “(ii) shall consider, at a minimum—

1 “(I) whether the applicant has
2 demonstrated that the assistance to
3 be provided would address unmet
4 needs of small business concerns in
5 the community, and whether it is im-
6 portant to use Federal funding for the
7 proposed activities;

8 “(II) whether the applicant has
9 demonstrated that a need exists to in-
10 crease the number or success of small
11 high-technology businesses in the
12 State or an area of the State, as
13 measured by the number of Phase I
14 and Phase II SBIR awards that have
15 historically been received by small
16 business concerns in the State or area
17 of the State;

18 “(III) whether the projected costs
19 of the proposed activities are reason-
20 able;

21 “(IV) whether the proposal inte-
22 grates and coordinates the proposed
23 activities with other State and local
24 programs assisting small high-tech-
25 nology firms in the State;

1 “(V) the manner in which the ap-
2 plicant will measure the results of the
3 activities to be conducted; and

4 “(VI) whether the proposal ad-
5 dresses the needs of small business
6 concerns—

7 “(aa) owned and controlled
8 by women;

9 “(bb) that are socially and
10 economically disadvantaged small
11 business concerns (as defined in
12 section 8(a)(4)(A));

13 “(cc) that are HUBZone
14 small business concerns;

15 “(dd) located in areas that
16 have historically not participated
17 in the SBIR and STTR pro-
18 grams;

19 “(ee) owned and controlled
20 by service-disabled veterans;

21 “(ff) owned and controlled
22 by Native Americans; and

23 “(gg) located in geographic
24 areas with an unemployment rate
25 that exceeds the national unem-

1 employment rate, based on the most
2 recently available monthly publi-
3 cations of the Bureau of Labor
4 Statistics of the Department of
5 Labor.

6 “(C) PROPOSAL LIMIT.—Not more than 1
7 proposal may be submitted for inclusion in the
8 FAST program under this subsection to provide
9 services in any one State in any 1 fiscal year.

10 “(D) PROCESS.—Proposals and applica-
11 tions for assistance under this subsection shall
12 be in such form and subject to such procedures
13 as the Administrator shall establish. The Ad-
14 ministrator shall promulgate regulations estab-
15 lishing standards for the consideration of pro-
16 posals under subparagraph (B), including
17 standards regarding each of the considerations
18 identified in subparagraph (B)(ii).

19 “(4) COOPERATION AND COORDINATION.—In
20 carrying out the FAST program, the Administrator
21 shall cooperate and coordinate with—

22 “(A) Federal agencies required by this sec-
23 tion to have an SBIR program; and

24 “(B) entities, organizations, and individ-
25 uals actively engaged in enhancing or devel-

1 oping the technological capabilities of small
2 business concerns, including—

3 “(i) State and local development agen-
4 cies and entities;

5 “(ii) State committees established
6 under the Experimental Program to Stim-
7 ulate Competitive Research of the National
8 Science Foundation (as established under
9 section 113 of the National Science Foun-
10 dation Authorization Act of 1988 (42
11 U.S.C. 1862g));

12 “(iii) State science and technology
13 councils; and

14 “(iv) representatives of technology-
15 based small business concerns.

16 “(5) ADMINISTRATIVE REQUIREMENTS.—

17 “(A) COMPETITIVE BASIS.—Awards and
18 cooperative agreements under this subsection
19 shall be made or entered into, as applicable, on
20 a competitive basis.

21 “(B) MATCHING REQUIREMENTS.—

22 “(i) IN GENERAL.—The non-Federal
23 share of the cost of an activity (other than
24 a planning activity) carried out using an

1 award or under a cooperative agreement
2 under this subsection shall be—

3 “(I) except as provided in clause
4 (iii), 35 cents for each Federal dollar,
5 in the case of a recipient that will
6 serve small business concerns located
7 in 1 of the 18 States receiving the
8 fewest Phase I SBIR awards;

9 “(II) except as provided in clause
10 (ii) or (iii), 1 dollar for each Federal
11 dollar, in the case of a recipient that
12 will serve small business concerns lo-
13 cated in 1 of the 16 States receiving
14 the greatest number of Phase I SBIR
15 awards; and

16 “(III) except as provided in
17 clause (ii) or (iii), 50 cents for each
18 Federal dollar, in the case of a recipi-
19 ent that will serve small business con-
20 cerns located in a State that is not de-
21 scribed in subclause (I) or (II) that is
22 receiving Phase I SBIR awards.

23 “(ii) LOW-INCOME AREAS.—The non-
24 Federal share of the cost of the activity
25 carried out using an award or under a co-

1 operative agreement under this subsection
2 shall be 35 cents for each Federal dollar
3 that will be directly allocated by a recipient
4 described in clause (i) to serve small busi-
5 ness concerns located in a qualified census
6 tract, as that term is defined in section
7 42(d)(5)(B)(ii)(I) of the Internal Revenue
8 Code of 1986. Federal dollars not so allo-
9 cated by that recipient shall be subject to
10 the matching requirements of clause (i).

11 “(iii) RURAL AREAS.—

12 “(I) IN GENERAL.—Except as
13 provided in subclause (II), the non-
14 Federal share of the cost of the activ-
15 ity carried out using an award or
16 under a cooperative agreement under
17 this subsection shall be 35 cents for
18 each Federal dollar that will be di-
19 rectly allocated by a recipient de-
20 scribed in clause (i) to serve small
21 business concerns located in a rural
22 area.

23 “(II) ENHANCED RURAL
24 AWARDS.—For a recipient located in a
25 rural area that is located in a State

1 described in clause (i)(I), the non-
2 Federal share of the cost of the activ-
3 ity carried out using an award or
4 under a cooperative agreement under
5 this subsection shall be 15 cents for
6 each Federal dollar that will be di-
7 rectly allocated by a recipient de-
8 scribed in clause (i) to serve small
9 business concerns located in the rural
10 area.

11 “(III) DEFINITION OF RURAL
12 AREA.—In this clause, the term ‘rural
13 area’ has the meaning given that term
14 in section 1393(a)(2) of the Internal
15 Revenue Code of 1986.

16 “(iv) TYPES OF FUNDING.—The non-
17 Federal share of the cost of an activity
18 carried out by a recipient shall be com-
19 prised of not less than 50 percent cash and
20 not more than 50 percent of indirect costs
21 and in-kind contributions, except that no
22 such costs or contributions may be derived
23 from funds from any other Federal pro-
24 gram.

1 “(v) RANKINGS.—For the first full
2 fiscal year after the date of enactment of
3 the SBIR/STTR Reauthorization Act of
4 2011, and each fiscal year thereafter,
5 based on the statistics for the most recent
6 full fiscal year for which the Administrator
7 has compiled statistics, the Administrator
8 shall reevaluate the ranking of each State
9 for purposes of clause (i).

10 “(C) DURATION.—Awards may be made or
11 cooperative agreements entered into under this
12 subsection for multiple years, not to exceed 5
13 years in total.

14 “(6) ANNUAL REPORTS.—The Administrator
15 shall submit an annual report to the Committee on
16 Small Business of the Senate and the Committee on
17 Science and the Committee on Small Business of the
18 House of Representatives regarding—

19 “(A) the number and amount of awards
20 provided and cooperative agreements entered
21 into under the FAST program during the pre-
22 ceding year;

23 “(B) a list of recipients under this sub-
24 section, including their location and the activi-
25 ties being performed with the awards made or

1 under the cooperative agreements entered into;
2 and

3 “(C) the Mentoring Networks and the
4 mentoring database, as provided for under sec-
5 tion 34, including—

6 “(i) the status of the inclusion of
7 mentoring information in the database re-
8 quired by subsection (k); and

9 “(ii) the status of the implementation
10 and description of the usage of the Men-
11 toring Networks.

12 “(7) PROGRAM LEVELS.—

13 “(A) IN GENERAL.—There is authorized to
14 be appropriated to carry out the FAST pro-
15 gram, including Mentoring Networks, under
16 this subsection and section 34, \$15,000,000 for
17 each of fiscal years 2011 through 2016.

18 “(B) MENTORING DATABASE.—Of the
19 total amount made available under subpara-
20 graph (A) for fiscal years 2011 through 2016,
21 a reasonable amount, not to exceed a total of
22 \$500,000, may be used by the Administration
23 to carry out section 34(d).

1 “(8) TERMINATION.—The authority to carry
2 out the FAST program under this subsection shall
3 terminate on September 30, 2016.”.

4 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
5 The Small Business Act (15 U.S.C. 631 et seq.) is amend-
6 ed—

7 (1) by striking section 34 (15 U.S.C. 657d);

8 (2) by redesignating sections 35 through 43 as
9 sections 34 through 42, respectively;

10 (3) in section 9(k)(1)(D) (15 U.S.C.
11 638(k)(1)(D)), by striking “section 35(d)” and in-
12 serting “section 34(d)”;

13 (4) in section 34 (15 U.S.C. 657e), as so reded-
14 ignated—

15 (A) in subsection (c)(1), by striking “sec-
16 tion 34(c)(1)(E)(ii)” and inserting “section
17 9(s)(3)(A)(v)(II)”;

18 (B) by striking “section 34” each place it
19 appears and inserting “section 9(s)”;

20 (C) by adding at the end the following:

21 “(e) DEFINITIONS.—In this section, the following
22 definitions apply:

23 “(1) BUSINESS ADVICE AND COUNSELING.—

24 The term ‘business advice and counseling’ means
25 providing advice and assistance on matters described

1 in subsection (c)(2)(B) to small business concerns to
2 guide them through the SBIR and STTR program
3 process, from application to award and successful
4 completion of each phase of the program.

5 “(2) FAST PROGRAM.—The term ‘FAST pro-
6 gram’ means the Federal and State Technology
7 Partnership Program established under section 9(s).

8 “(3) MENTOR.—The term ‘mentor’ means an
9 individual described in subsection (c)(2).

10 “(4) MENTORING NETWORK.—The term ‘Men-
11 toring Network’ means an association, organization,
12 coalition, or other entity (including an individual)
13 that meets the requirements of subsection (c).

14 “(5) RECIPIENT.—The term ‘recipient’ means a
15 person that receives an award or becomes party to
16 a cooperative agreement under this section.

17 “(6) SBIR PROGRAM.—The term ‘SBIR pro-
18 gram’ has the same meaning as in section 9(e)(4).

19 “(7) STATE.—The term ‘State’ means each of
20 the several States, the District of Columbia, the
21 Commonwealth of Puerto Rico, the Virgin Islands,
22 Guam, and American Samoa.

23 “(8) STTR PROGRAM.—The term ‘STTR pro-
24 gram’ has the same meaning as in section 9(e)(6).”;

1 (5) in section 36(d) (15 U.S.C. 657i(d)), as so
2 redesignated, by striking “section 43” and inserting
3 “section 42”;

4 (6) in section 39(d) (15 U.S.C. 657l(d)), as so
5 redesignated, by striking “section 43” and inserting
6 “section 42”; and

7 (7) in section 40(b) (15 U.S.C. 657m(b)), as so
8 redesignated, by striking “section 43” and inserting
9 “section 42”.

10 **SEC. 5202. TECHNICAL ASSISTANCE FOR AWARDEES.**

11 Section 9(q) of the Small Business Act (15 U.S.C.
12 638(q)) is amended—

13 (1) in paragraph (1)—

14 (A) by inserting “or STTR program” after
15 “SBIR program”; and

16 (B) by striking “SBIR projects” and in-
17 serting “SBIR or STTR projects”;

18 (2) in paragraph (2), by striking “3 years” and
19 inserting “5 years”; and

20 (3) in paragraph (3)—

21 (A) in subparagraph (A)—

22 (i) by inserting “or STTR” after
23 “SBIR”; and

24 (ii) by striking “\$4,000” and insert-
25 ing “\$5,000”;

1 (B) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) PHASE II.—A Federal agency de-
4 scribed in paragraph (1) may—

5 “(i) provide to the recipient of a
6 Phase II SBIR or STTR award, through a
7 vendor selected under paragraph (2), the
8 services described in paragraph (1), in an
9 amount equal to not more than \$5,000 per
10 year; or

11 “(ii) authorize the recipient of a
12 Phase II SBIR or STTR award to pur-
13 chase the services described in paragraph
14 (1), in an amount equal to not more than
15 \$5,000 per year, which shall be in addition
16 to the amount of the recipient’s award.”;
17 and

18 (C) by adding at the end the following:

19 “(C) FLEXIBILITY.—In carrying out sub-
20 paragraphs (A) and (B), each Federal agency
21 shall provide the allowable amounts to a recipi-
22 ent that meets the eligibility requirements
23 under the applicable subparagraph, if the re-
24 cipient requests to seek technical assistance
25 from an individual or entity other than the ven-

1 dor selected under paragraph (2) by the Fed-
2 eral agency.

3 “(D) LIMITATION.—A Federal agency may
4 not—

5 “(i) use the amounts authorized under
6 subparagraph (A) or (B) unless the vendor
7 selected under paragraph (2) provides the
8 technical assistance to the recipient; or

9 “(ii) enter a contract with a vendor
10 under paragraph (2) under which the
11 amount provided for technical assistance is
12 based on total number of Phase I or Phase
13 II awards.”.

14 **SEC. 5203. COMMERCIALIZATION READINESS PROGRAM AT**
15 **DEPARTMENT OF DEFENSE.**

16 (a) IN GENERAL.—Section 9(y) of the Small Busi-
17 ness Act (15 U.S.C. 638(y)) is amended—

18 (1) in the subsection heading, by striking
19 “PILOT” and inserting “READINESS”;

20 (2) by striking “Pilot” each place that term ap-
21 pears and inserting “Readiness”;

22 (3) in paragraph (1)—

23 (A) by inserting “or Small Business Tech-
24 nology Transfer Program” after “Small Busi-
25 ness Innovation Research Program”; and

1 (B) by adding at the end the following:
2 “The authority to create and administer a Com-
3 mercialization Readiness Program under this
4 subsection may not be construed to eliminate or
5 replace any other SBIR program or STTR pro-
6 gram that enhances the insertion or transition
7 of SBIR or STTR technologies, including any
8 such program in effect on the date of enact-
9 ment of the National Defense Authorization Act
10 for Fiscal Year 2006 (Public Law 109–163;
11 119 Stat. 3136).”;

12 (4) in paragraph (2), by inserting “or Small
13 Business Technology Transfer Program” after
14 “Small Business Innovation Research Program”;

15 (5) by striking paragraphs (5) and (6); and

16 (6) by inserting after paragraph (4) the fol-
17 lowing:

18 “(5) INSERTION INCENTIVES.—For any con-
19 tract with a value of not less than \$100,000,000, the
20 Secretary of Defense is authorized to—

21 “(A) establish goals for the transition of
22 Phase III technologies in subcontracting plans;
23 and

24 “(B) require a prime contractor on such a
25 contract to report the number and dollar

1 amount of contracts entered into by that prime
2 contractor for Phase III SBIR or STTR
3 projects.

4 “(6) GOAL FOR SBIR AND STTR TECHNOLOGY
5 INSERTION.—The Secretary of Defense shall—

6 “(A) set a goal to increase the number of
7 Phase II SBIR contracts and the number of
8 Phase II STTR contracts awarded by that Sec-
9 retary that lead to technology transition into
10 programs of record or fielded systems;

11 “(B) use incentives in effect on the date of
12 enactment of the SBIR/STTR Reauthorization
13 Act of 2011, or create new incentives, to en-
14 courage agency program managers and prime
15 contractors to meet the goal under subpara-
16 graph (A); and

17 “(C) include in the annual report to Con-
18 gress the percentage of contracts described in
19 subparagraph (A) awarded by that Secretary,
20 and information on the ongoing status of
21 projects funded through the Commercialization
22 Readiness Program and efforts to transition
23 these technologies into programs of record or
24 fielded systems.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 2 Section 9(i)(1) of the Small Business Act (15 U.S.C.
 3 638(i)(1)) is amended by inserting “(including awards
 4 under subsection (y))” after “the number of awards”.

5 **SEC. 5204. COMMERCIALIZATION READINESS PILOT PRO-**
 6 **GRAM FOR CIVILIAN AGENCIES.**

7 Section 9 of the Small Business Act (15 U.S.C. 638),
 8 as amended by this Act, is amended by adding at the end
 9 the following:

10 “(ff) PILOT PROGRAM.—

11 “(1) AUTHORIZATION.—The head of each cov-
 12 ered Federal agency may allocate not more than 10
 13 percent of the funds allocated to the SBIR program
 14 and the STTR program of the covered Federal agen-
 15 cy—

16 “(A) for awards for technology develop-
 17 ment, testing, and evaluation of SBIR and
 18 STTR Phase II technologies; or

19 “(B) to support the progress of research or
 20 research and development conducted under the
 21 SBIR or STTR programs to Phase III.

22 “(2) APPLICATION BY FEDERAL AGENCY.—

23 “(A) IN GENERAL.—A covered Federal
 24 agency may not establish a pilot program unless
 25 the covered Federal agency makes a written ap-

1 plication to the Administrator, not later than
2 90 days before to the first day of the fiscal year
3 in which the pilot program is to be established,
4 that describes a compelling reason that addi-
5 tional investment in SBIR or STTR tech-
6 nologies is necessary, including unusually high
7 regulatory, systems integration, or other costs
8 relating to development or manufacturing of
9 identifiable, highly promising small business
10 technologies or a class of such technologies ex-
11 pected to substantially advance the mission of
12 the agency.

13 “(B) DETERMINATION.—The Adminis-
14 trator shall—

15 “(i) make a determination regarding
16 an application submitted under subpara-
17 graph (A) not later than 30 days before
18 the first day of the fiscal year for which
19 the application is submitted;

20 “(ii) publish the determination in the
21 Federal Register; and

22 “(iii) make a copy of the determina-
23 tion and any related materials available to
24 the Committee on Small Business and En-
25 trepreneurship of the Senate and the Com-

1 mittee on Small Business of the House of
2 Representatives.

3 “(3) MAXIMUM AMOUNT OF AWARD.—The head
4 of a covered Federal agency may not make an award
5 under a pilot program in excess of 3 times the dollar
6 amounts generally established for Phase II awards
7 under subsection (j)(2)(D) or (p)(2)(B)(ix).

8 “(4) REGISTRATION.—Any applicant that re-
9 ceives an award under a pilot program shall register
10 with the Administrator in a registry that is available
11 to the public.

12 “(5) REPORT.—The head of each covered Fed-
13 eral agency shall include in the annual report of the
14 covered Federal agency to the Administrator an
15 analysis of the various activities considered for inclu-
16 sion in the pilot program of the covered Federal
17 agency and a statement of the reasons why each ac-
18 tivity considered was included or not included, as the
19 case may be.

20 “(6) TERMINATION.—The authority to establish
21 a pilot program under this section expires at the end
22 of fiscal year 2014.

23 “(7) DEFINITIONS.—In this subsection—

24 “(A) the term ‘covered Federal agency’—

1 “(i) means a Federal agency partici-
2 pating in the SBIR program or the STTR
3 program; and

4 “(ii) does not include the Department
5 of Defense; and

6 “(B) the term ‘pilot program’ means the
7 program established under paragraph (1).”.

8 **SEC. 5205. ACCELERATING CURES.**

9 (a) IN GENERAL.—The Small Business Act (15
10 U.S.C. 631 et seq.) is amended by inserting after section
11 42, as redesignated by section 5201 of this Act, the fol-
12 lowing:

13 **“SEC. 43. SMALL BUSINESS INNOVATION RESEARCH PRO-**
14 **GRAM.**

15 “(a) NIH CURES PILOT.—

16 “(1) ESTABLISHMENT.—An independent advi-
17 sory board shall be established at the National Acad-
18 emy of Sciences (in this section referred to as the
19 ‘advisory board’) to conduct periodic evaluations of
20 the SBIR program (as that term is defined in sec-
21 tion 9) of each of the National Institutes of Health
22 (referred to in this section as the ‘NIH’) institutes
23 and centers for the purpose of improving the man-
24 agement of the SBIR program through data-driven
25 assessment.

1 “(2) MEMBERSHIP.—

2 “(A) IN GENERAL.—The advisory board
3 shall consist of—

4 “(i) the Director of the NIH;

5 “(ii) the Director of the SBIR pro-
6 gram of the NIH;

7 “(iii) senior NIH agency managers,
8 selected by the Director of NIH;

9 “(iv) industry experts, selected by the
10 Council of the National Academy of
11 Sciences in consultation with the Associate
12 Administrator for Technology of the Ad-
13 ministration and the Director of the Office
14 of Science and Technology Policy; and

15 “(v) owners or operators of small
16 business concerns that have received an
17 award under the SBIR program of the
18 NIH, selected by the Associate Adminis-
19 trator for Technology of the Administra-
20 tion.

21 “(B) NUMBER OF MEMBERS.—The total
22 number of members selected under clauses (iii),
23 (iv), and (v) of subparagraph (A) shall not ex-
24 ceed 10.

1 “(C) EQUAL REPRESENTATION.—The total
2 number of members of the advisory board se-
3 lected under clauses (i), (ii), (iii), and (iv) of
4 subparagraph (A) shall be equal to the number
5 of members of the advisory board selected
6 under subparagraph (A)(v).

7 “(b) ADDRESSING DATA GAPS.—In order to enhance
8 the evidence-base guiding SBIR program decisions and
9 changes, the Director of the SBIR program of the NIH
10 shall address the gaps and deficiencies in the data collec-
11 tion concerns identified in the 2007 report of the National
12 Academy of Science entitled ‘An Assessment of the Small
13 Business Innovation Research Program at the NIH’.

14 “(c) PILOT PROGRAM.—

15 “(1) IN GENERAL.—The Director of the SBIR
16 program of the NIH may initiate a pilot program,
17 under a formal mechanism for designing, imple-
18 menting, and evaluating pilot programs, to spur in-
19 novation and to test new strategies that may en-
20 hance the development of cures and therapies.

21 “(2) CONSIDERATIONS.—The Director of the
22 SBIR program of the NIH may consider conducting
23 a pilot program to include individuals with success-
24 ful SBIR program experience in study sections, hir-
25 ing individuals with small business development ex-

1 perience for staff positions, separating the commer-
2 cial and scientific review processes, and examining
3 the impact of the trend toward larger awards on the
4 overall program.

5 “(d) REPORT TO CONGRESS.—The Director of the
6 NIH shall submit an annual report to Congress and the
7 advisory board on the activities of the SBIR program of
8 the NIH under this section.

9 “(e) SBIR GRANTS AND CONTRACTS.—

10 “(1) IN GENERAL.—In awarding grants and
11 contracts under the SBIR program of the NIH each
12 SBIR program manager shall emphasize applica-
13 tions that identify products, processes, technologies,
14 and services that may enhance the development of
15 cures and therapies.

16 “(2) EXAMINATION OF COMMERCIALIZATION
17 AND OTHER METRICS.—The advisory board shall
18 evaluate the implementation of the requirement
19 under paragraph (1) by examining increased com-
20 mercialization and other metrics, to be determined
21 and collected by the SBIR program of the NIH.

22 “(3) PHASE I AND II.—To the greatest extent
23 practicable, the Director of the SBIR program of
24 the NIH shall reduce the time period between Phase

1 I and Phase II funding of grants and contracts
2 under the SBIR program of the NIH to 90 days.

3 “(f) LIMIT.—Not more than a total of 1 percent of
4 the extramural budget (as defined in section 9 of the
5 Small Business Act (15 U.S.C. 638)) of the NIH for re-
6 search or research and development may be used for the
7 pilot program under subsection (c) and to carry out sub-
8 section (e).”.

9 (b) PROSPECTIVE REPEAL.—Effective 5 years after
10 the date of enactment of this Act, the Small Business Act
11 (15 U.S.C. 631 et seq.) is amended—

12 (1) by striking section 43, as added by sub-
13 section (a); and

14 (2) by redesignating sections 44 and 45 as sec-
15 tions 43 and 44, respectively.

16 **SEC. 5206. FEDERAL AGENCY ENGAGEMENT WITH SBIR**
17 **AND STTR AWARDEES THAT HAVE BEEN**
18 **AWARDED MULTIPLE PHASE I AWARDS BUT**
19 **HAVE NOT BEEN AWARDED PHASE II**
20 **AWARDS.**

21 Section 9 of the Small Business Act (15 U.S.C. 638),
22 as amended by this Act, is amended by adding at the end
23 the following:

1 “(gg) REQUIREMENTS RELATING TO FEDERAL
2 AGENCY ENGAGEMENT WITH CERTAIN PHASE I SBIR
3 AND STTR AWARDEES.—

4 “(1) DEFINITION.—In this subsection, the term
5 ‘covered awardee’ means a small business concern
6 that—

7 “(A) has received multiple Phase I awards
8 over multiple years, as determined by the head
9 of a Federal agency, under the SBIR program
10 or the STTR program of the Federal agency;
11 and

12 “(B) has not received a Phase II award—
13 “(i) under the SBIR program or
14 STTR program, as the case may be, of the
15 Federal agency described in subparagraph
16 (A); or

17 “(ii) relating to a Phase I award de-
18 scribed in subparagraph (A) under the
19 SBIR program or the STTR program of
20 another Federal agency.

21 “(2) PERFORMANCE MEASURES.—The head of
22 each Federal agency that participates in the SBIR
23 program or the STTR program shall develop per-
24 formance measures for any covered awardee relating
25 to commercializing research or research and develop-

1 ment activities under the SBIR program or the
2 STTR program of the Federal agency.”.

3 **SEC. 5207. CLARIFYING THE DEFINITION OF “PHASE III”.**

4 (a) PHASE III AWARDS.—Section 9(e) of the Small
5 Business Act (15 U.S.C. 638(e)) is amended—

6 (1) in paragraph (4)(C), in the matter pre-
7 ceding clause (i), by inserting “for work that derives
8 from, extends, or completes efforts made under prior
9 funding agreements under the SBIR program” after
10 “phase”;

11 (2) in paragraph (6)(C), in the matter pre-
12 ceding clause (i), by inserting “for work that derives
13 from, extends, or completes efforts made under prior
14 funding agreements under the STTR program” after
15 “phase”;

16 (3) in paragraph (8), by striking “and” at the
17 end;

18 (4) in paragraph (9), by striking the period at
19 the end and inserting a semicolon; and

20 (5) by adding at the end the following:

21 “(10) the term ‘commercialization’ means—

22 “(A) the process of developing products,
23 processes, technologies, or services; and

24 “(B) the production and delivery of prod-
25 ucts, processes, technologies, or services for sale

1 (whether by the originating party or by others)
2 to or use by the Federal Government or com-
3 mercial markets;”.

4 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
5 The Small Business Act (15 U.S.C. 631 et seq.) is amend-
6 ed—

7 (1) in section 9 (15 U.S.C. 638)—

8 (A) in subsection (e)—

9 (i) in paragraph (4)(C)(ii), by striking
10 “scientific review criteria” and inserting
11 “merit-based selection procedures”;

12 (ii) in paragraph (9), by striking “the
13 second or the third phase” and inserting
14 “Phase II or Phase III”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(11) the term ‘Phase I’ means—

18 “(A) with respect to the SBIR program,
19 the first phase described in paragraph (4)(A);
20 and

21 “(B) with respect to the STTR program,
22 the first phase described in paragraph (6)(A);

23 “(12) the term ‘Phase II’ means—

1 “(A) with respect to the SBIR program,
2 the second phase described in paragraph
3 (4)(B); and

4 “(B) with respect to the STTR program,
5 the second phase described in paragraph
6 (6)(B); and

7 “(13) the term ‘Phase III’ means—

8 “(A) with respect to the SBIR program,
9 the third phase described in paragraph (4)(C);
10 and

11 “(B) with respect to the STTR program,
12 the third phase described in paragraph
13 (6)(C).”;

14 (B) in subsection (j)—

15 (i) in paragraph (1)(B), by striking
16 “phase two” and inserting “Phase II”;

17 (ii) in paragraph (2)—

18 (I) in subparagraph (B)—

19 (aa) by striking “the third
20 phase” each place it appears and
21 inserting “Phase III”; and

22 (bb) by striking “the second
23 phase” and inserting “Phase II”;

24 (II) in subparagraph (D)—

1 (aa) by striking “the first
2 phase” and inserting “Phase I”;
3 and

4 (bb) by striking “the second
5 phase” and inserting “Phase II”;

6 (III) in subparagraph (F), by
7 striking “the third phase” and insert-
8 ing “Phase III”;

9 (IV) in subparagraph (G)—

10 (aa) by striking “the first
11 phase” and inserting “Phase I”;
12 and

13 (bb) by striking “the second
14 phase” and inserting “Phase II”;
15 and

16 (V) in subparagraph (H)—

17 (aa) by striking “the first
18 phase” and inserting “Phase I”;

19 (bb) by striking “second
20 phase” each place it appears and
21 inserting “Phase II”; and

22 (cc) by striking “third
23 phase” and inserting “Phase
24 III”; and

25 (iii) in paragraph (3)—

1 (I) in subparagraph (A)—

2 (aa) by striking “the first
3 phase (as described in subsection
4 (e)(4)(A))” and inserting “Phase
5 I”;

6 (bb) by striking “the second
7 phase (as described in subsection
8 (e)(4)(B))” and inserting “Phase
9 II”; and

10 (cc) by striking “the third
11 phase (as described in subsection
12 (e)(4)(C))” and inserting “Phase
13 III”; and

14 (II) in subparagraph (B), by
15 striking “second phase” and inserting
16 “Phase II”;

17 (C) in subsection (k)—

18 (i) by striking “first phase” each
19 place it appears and inserting “Phase I”;
20 and

21 (ii) by striking “second phase” each
22 place it appears and inserting “Phase II”;

23 (D) in subsection (l)(2)—

24 (i) by striking “the first phase” and
25 inserting “Phase I”; and

- 1 (ii) by striking “the second phase”
2 and inserting “Phase II”;
3 (E) in subsection (o)(13)—
4 (i) in subparagraph (B), by striking
5 “second phase” and inserting “Phase II”;
6 and
7 (ii) in subparagraph (C), by striking
8 “third phase” and inserting “Phase III”;
9 (F) in subsection (p)—
10 (i) in paragraph (2)(B)—
11 (I) in clause (vi)—
12 (aa) by striking “the second
13 phase” and inserting “Phase II”;
14 and
15 (bb) by striking “the third
16 phase” and inserting “Phase
17 III”; and
18 (II) in clause (ix)—
19 (aa) by striking “the first
20 phase” and inserting “Phase I”;
21 and
22 (bb) by striking “the second
23 phase” and inserting “Phase II”;
24 and
25 (ii) in paragraph (3)—

1 (I) by striking “the first phase
2 (as described in subsection
3 (e)(6)(A))” and inserting “Phase I”;

4 (II) by striking “the second
5 phase (as described in subsection
6 (e)(6)(B))” and inserting “Phase II”;
7 and

8 (III) by striking “the third phase
9 (as described in subsection
10 (e)(6)(A))” and inserting “Phase III”;

11 (G) in subsection (q)(3)—

12 (i) in subparagraph (A)—

13 (I) in the subparagraph heading,
14 by striking “FIRST PHASE” and in-
15 serting “PHASE I”; and

16 (II) by striking “first phase” and
17 inserting “Phase I”; and

18 (ii) in subparagraph (B)—

19 (I) in the subparagraph heading,
20 by striking “SECOND PHASE” and in-
21 serting “PHASE II”; and

22 (II) by striking “second phase”
23 and inserting “Phase II”;

24 (H) in subsection (r)—

1 (i) in the subsection heading, by strik-
2 ing “THIRD PHASE” and inserting
3 “PHASE III”;

4 (ii) in paragraph (1)—

5 (I) in the first sentence—

6 (aa) by striking “for the sec-
7 ond phase” and inserting “for
8 Phase II”;

9 (bb) by striking “third
10 phase” and inserting “Phase
11 III”; and

12 (cc) by striking “second
13 phase period” and inserting
14 “Phase II period”; and

15 (II) in the second sentence—

16 (aa) by striking “second
17 phase” and inserting “Phase II”;
18 and

19 (bb) by striking “third
20 phase” and inserting “Phase
21 III”; and

22 (iii) in paragraph (2), by striking
23 “third phase” and inserting “Phase III”;
24 and

1 (I) in subsection (u)(2)(B), by striking
 2 “the first phase” and inserting “Phase I”; and
 3 (2) in section 34(c)(2)(B)(vii) (15 U.S.C.
 4 657e(c)(2)(B)(vii)), as redesignated by section 5201
 5 of this Act, by striking “third phase” and inserting
 6 “Phase III”.

7 **SEC. 5208. SHORTENED PERIOD FOR FINAL DECISIONS ON**
 8 **PROPOSALS AND APPLICATIONS.**

9 (a) IN GENERAL.—Section 9 of the Small Business
 10 Act (15 U.S.C. 638) is amended—

11 (1) in subsection (g)(4)—

12 (A) by inserting “(A)” after “(4)”;

13 (B) by adding “and” after the semicolon
 14 at the end; and

15 (C) by adding at the end the following:

16 “(B) make a final decision on each proposal
 17 submitted under the SBIR program—

18 “(i) not later than 90 days after the date
 19 on which the solicitation closes; or

20 “(ii) if the Administrator authorizes an ex-
 21 tension for a solicitation, not later than 180
 22 days after the date on which the solicitation
 23 closes;” and

24 (2) in subsection (o)(4)—

25 (A) by inserting “(A)” after “(4)”;

1 (B) by adding “and” after the semicolon
2 at the end; and

3 (C) by adding at the end the following:

4 “(B) make a final decision on each proposal
5 submitted under the STTR program—

6 “(i) not later than 90 days after the date
7 on which the solicitation closes; or

8 “(ii) if the Administrator authorizes an ex-
9 tension for a solicitation, not later than 180
10 days after the date on which the solicitation
11 closes;”.

12 (b) NIH PEER REVIEW PROCESS.—

13 (1) IN GENERAL.—Section 9 of the Small Busi-
14 ness Act (15 U.S.C. 638), as amended by this Act,
15 is amended by adding at the end the following:

16 “(hh) NIH PEER REVIEW PROCESS.—The Director
17 of the National Institutes of Health may make an award
18 under the SBIR program or the STTR program of the
19 National Institutes of Health if the application for the
20 award has undergone technical and scientific peer review
21 under section 492 of the Public Health Service Act (42
22 U.S.C. 289a).”.

23 (2) TECHNICAL AND CONFORMING AMEND-
24 MENTS.—Section 105 of the National Institutes of

1 Health Reform Act of 2006 (42 U.S.C. 284n) is
2 amended—

3 (A) in subsection (a)(3)—

4 (i) by striking “A grant” and insert-
5 ing “Except as provided in section 9(hh) of
6 the Small Business Act (15 U.S.C.
7 638(hh)), a grant”; and

8 (ii) by striking “section 402(k)” and
9 all that follows through “Act)” and insert-
10 ing “section 402(l) of such Act”; and

11 (B) in subsection (b)(5)—

12 (i) by striking “A grant” and insert-
13 ing “Except as provided in section 9(hh) of
14 the Small Business Act (15 U.S.C.
15 638(hh)), a grant”; and

16 (ii) by striking “section 402(k)” and
17 all that follows through “Act)” and insert-
18 ing “section 402(l) of such Act”.

19 **TITLE LIII—OVERSIGHT AND** 20 **EVALUATION**

21 **SEC. 5301. STREAMLINING ANNUAL EVALUATION REQUIRE-** 22 **MENTS.**

23 Section 9(b) of the Small Business Act (15 U.S.C.
24 638(b)), as amended by section 5102 of this Act, is
25 amended—

1 (1) in paragraph (7)—

2 (A) by striking “STTR programs, includ-
3 ing the data” and inserting the following:

4 “STTR programs, including—

5 “(A) the data”;

6 (B) by striking “(g)(10), (o)(9), and
7 (o)(15), the number” and all that follows
8 through “under each of the SBIR and STTR
9 programs, and a description” and inserting the
10 following: “(g)(8) and (o)(9); and

11 “(B) the number of proposals received
12 from, and the number and total amount of
13 awards to, HUBZone small business concerns
14 and firms with venture capital investment (in-
15 cluding those majority-owned by multiple ven-
16 ture capital operating companies) under each of
17 the SBIR and STTR programs;

18 “(C) a description of the extent to which
19 each Federal agency is increasing outreach and
20 awards to firms owned and controlled by women
21 and social or economically disadvantaged indi-
22 viduals under each of the SBIR and STTR pro-
23 grams;

24 “(D) general information about the imple-
25 mentation of, and compliance with the alloca-

1 tion of funds required under, subsection (cc) for
2 firms owned in majority part by venture capital
3 operating companies and participating in the
4 SBIR program;

5 “(E) a detailed description of appeals of
6 Phase III awards and notices of noncompliance
7 with the SBIR Policy Directive and the STTR
8 Policy Directive filed by the Administrator with
9 Federal agencies; and

10 “(F) a description”; and

11 (2) by inserting after paragraph (7) the fol-
12 lowing:

13 “(8) to coordinate the implementation of elec-
14 tronic databases at each of the Federal agencies par-
15 ticipating in the SBIR program or the STTR pro-
16 gram, including the technical ability of the partici-
17 pating agencies to electronically share data;”.

18 **SEC. 5302. DATA COLLECTION FROM AGENCIES FOR SBIR.**

19 Section 9(g) of the Small Business Act (15 U.S.C.
20 638(g)) is amended—

21 (1) by striking paragraph (10);

22 (2) by redesignating paragraphs (8) and (9) as
23 paragraphs (9) and (10), respectively; and

24 (3) by inserting after paragraph (7) the fol-
25 lowing:

1 “(8) collect annually, and maintain in a com-
2 mon format in accordance with the simplified report-
3 ing requirements under subsection (v), such informa-
4 tion from awardees as is necessary to assess the
5 SBIR program, including information necessary to
6 maintain the database described in subsection (k),
7 including—

8 “(A) whether an awardee—

9 “(i) has venture capital or is majority-
10 owned by multiple venture capital oper-
11 ating companies, and, if so—

12 “(I) the amount of venture cap-
13 ital that the awardee has received as
14 of the date of the award; and

15 “(II) the amount of additional
16 capital that the awardee has invested
17 in the SBIR technology;

18 “(ii) has an investor that—

19 “(I) is an individual who is not a
20 citizen of the United States or a law-
21 ful permanent resident of the United
22 States, and if so, the name of any
23 such individual; or

24 “(II) is a person that is not an
25 individual and is not organized under

1 the laws of a State or the United
2 States, and if so the name of any such
3 person;

4 “(iii) is owned by a woman or has a
5 woman as a principal investigator;

6 “(iv) is owned by a socially or eco-
7 nomically disadvantaged individual or has
8 a socially or economically disadvantaged
9 individual as a principal investigator;

10 “(v) received assistance under the
11 FAST program under section 34, as in ef-
12 fect on the day before the date of enact-
13 ment of the SBIR/STTR Reauthorization
14 Act of 2011, or the outreach program
15 under subsection (s);

16 “(vi) is a faculty member or a student
17 of an institution of higher education, as
18 that term is defined in section 101 of the
19 Higher Education Act of 1965 (20 U.S.C.
20 1001); or

21 “(vii) is located in a State described
22 in subsection (u)(3); and

23 “(B) a justification statement from the
24 agency, if an awardee receives an award in an

1 amount that is more than the award guidelines
2 under this section;”.

3 **SEC. 5303. DATA COLLECTION FROM AGENCIES FOR STTR.**

4 Section 9(o) of the Small Business Act (15 U.S.C.
5 638(o)) is amended by striking paragraph (9) and insert-
6 ing the following:

7 “(9) collect annually, and maintain in a com-
8 mon format in accordance with the simplified report-
9 ing requirements under subsection (v), such informa-
10 tion from applicants and awardees as is necessary to
11 assess the STTR program outputs and outcomes, in-
12 cluding information necessary to maintain the data-
13 base described in subsection (k), including—

14 “(A) whether an applicant or awardee—

15 “(i) has venture capital or is majority-
16 owned by multiple venture capital oper-
17 ating companies, and, if so—

18 “(I) the amount of venture cap-
19 ital that the applicant or awardee has
20 received as of the date of the applica-
21 tion or award, as applicable; and

22 “(II) the amount of additional
23 capital that the applicant or awardee
24 has invested in the SBIR technology;

25 “(ii) has an investor that—

1 “(I) is an individual who is not a
2 citizen of the United States or a law-
3 ful permanent resident of the United
4 States, and if so, the name of any
5 such individual; or

6 “(II) is a person that is not an
7 individual and is not organized under
8 the laws of a State or the United
9 States, and if so the name of any such
10 person;

11 “(iii) is owned by a woman or has a
12 woman as a principal investigator;

13 “(iv) is owned by a socially or eco-
14 nomically disadvantaged individual or has
15 a socially or economically disadvantaged
16 individual as a principal investigator;

17 “(v) received assistance under the
18 FAST program under section 34 or the
19 outreach program under subsection (s);

20 “(vi) is a faculty member or a student
21 of an institution of higher education, as
22 that term is defined in section 101 of the
23 Higher Education Act of 1965 (20 U.S.C.
24 1001); or

1 “(vii) is located in a State in which
2 the total value of contracts awarded to
3 small business concerns under all STTR
4 programs is less than the total value of
5 contracts awarded to small business con-
6 cerns in a majority of other States, as de-
7 termined by the Administrator in biennial
8 fiscal years, beginning with fiscal year
9 2008, based on the most recent statistics
10 compiled by the Administrator; and

11 “(B) if an awardee receives an award in an
12 amount that is more than the award guidelines
13 under this section, a statement from the agency
14 that justifies the award amount;”.

15 **SEC. 5304. PUBLIC DATABASE.**

16 Section 9(k)(1) of the Small Business Act (15 U.S.C.
17 638(k)(1)) is amended—

18 (1) in subparagraph (D), by striking “and” at
19 the end;

20 (2) in subparagraph (E), by striking the period
21 at the end and inserting “; and”; and

22 (3) by adding at the end the following:

23 “(F) for each small business concern that
24 has received a Phase I or Phase II SBIR or

1 STTR award from a Federal agency, whether
2 the small business concern—

3 “(i) has venture capital and, if so,
4 whether the small business concern is reg-
5 istered as majority-owned by multiple ven-
6 ture capital operating companies as re-
7 quired under subsection (cc)(4);

8 “(ii) is owned by a woman or has a
9 woman as a principal investigator;

10 “(iii) is owned by a socially or eco-
11 nomically disadvantaged individual or has
12 a socially or economically disadvantaged
13 individual as a principal investigator;

14 “(iv) received assistance under the
15 FAST program under section 34, as in ef-
16 fect on the day before the date of enact-
17 ment of the SBIR/STTR Reauthorization
18 Act of 2011, or the outreach program
19 under subsection (s); or

20 “(v) is owned by a faculty member or
21 a student of an institution of higher edu-
22 cation, as that term is defined in section
23 101 of the Higher Education Act of 1965
24 (20 U.S.C. 1001).”.

1 **SEC. 5305. GOVERNMENT DATABASE.**

2 Section 9(k) of the Small Business Act (15 U.S.C.
3 638(k)) is amended—

4 (1) in paragraph (2)—

5 (A) in the matter preceding subparagraph
6 (A), by striking “Not later” and all that follows
7 through “Act of 2000” and inserting “Not later
8 than 90 days after the date of enactment of the
9 SBIR/STTR Reauthorization Act of 2011”;

10 (B) by striking subparagraph (C);

11 (C) by redesignating subparagraphs (A)
12 and (B) as subparagraphs (B) and (C), respec-
13 tively;

14 (D) by inserting before subparagraph (B),
15 as so redesignated, the following:

16 “(A) contains, for each small business con-
17 cern that applies for, submits a proposal for, or
18 receives an award under Phase I or Phase II of
19 the SBIR program or the STTR program—

20 “(i) the name, size, and location, and
21 an identifying number assigned by the Ad-
22 ministration of the small business concern;

23 “(ii) an abstract of the project;

24 “(iii) the specific aims of the project;

25 “(iv) the number of employees of the
26 small business concern;

1 “(v) the names of key individuals that
2 will carry out the project;

3 “(vi) the percentage of effort each in-
4 dividual described in clause (iv) will con-
5 tribute to the project;

6 “(vii) whether the small business con-
7 cern is majority-owned by multiple venture
8 capital operating companies; and

9 “(viii) the Federal agency to which
10 the application is made, and contact infor-
11 mation for the person or office within the
12 Federal agency that is responsible for re-
13 viewing applications and making awards
14 under the SBIR program or the STTR
15 program;”;

16 (E) by redesignating subparagraphs (D),
17 and (E) as subparagraphs (E) and (F), respec-
18 tively;

19 (F) by inserting after subparagraph (C),
20 as so redesignated, the following:

21 “(D) includes, for each awardee—

22 “(i) the name, size, location, and any
23 identifying number assigned to the award-
24 ee by the Administrator;

1 “(ii) whether the awardee has venture
2 capital, and, if so—

3 “(I) the amount of venture cap-
4 ital as of the date of the award;

5 “(II) the percentage of ownership
6 of the awardee held by a venture cap-
7 ital operating company, including
8 whether the awardee is majority-
9 owned by multiple venture capital op-
10 erating companies; and

11 “(III) the amount of additional
12 capital that the awardee has invested
13 in the SBIR technology, which infor-
14 mation shall be collected on an annual
15 basis;

16 “(iii) the names and locations of any
17 affiliates of the awardee;

18 “(iv) the number of employees of the
19 awardee;

20 “(v) the number of employees of the
21 affiliates of the awardee; and

22 “(vi) the names of, and the percent-
23 age of ownership of the awardee held by—

24 “(I) any individual who is not a
25 citizen of the United States or a law-

1 ful permanent resident of the United
2 States; or

3 “(II) any person that is not an
4 individual and is not organized under
5 the laws of a State or the United
6 States;”;

7 (G) in subparagraph (E), as so redesign-
8 nated, by striking “and” at the end;

9 (H) in subparagraph (F), as so redesign-
10 nated, by striking the period at the end and in-
11 serting “; and”; and

12 (I) by adding at the end the following:

13 “(G) includes a timely and accurate list of
14 any individual or small business concern that
15 has participated in the SBIR program or STTR
16 program that has committed fraud, waste, or
17 abuse relating to the SBIR program or STTR
18 program.”; and

19 (2) in paragraph (3), by adding at the end the
20 following:

21 “(C) GOVERNMENT DATABASE.—Not later
22 than 60 days after the date established by a
23 Federal agency for submitting applications or
24 proposals for a Phase I or Phase II award
25 under the SBIR program or STTR program,

1 the head of the Federal agency shall submit to
2 the Administrator the data required under
3 paragraph (2) with respect to each small busi-
4 ness concern that applies or submits a proposal
5 for the Phase I or Phase II award.”.

6 **SEC. 5306. ACCURACY IN FUNDING BASE CALCULATIONS.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of enactment of this Act, and every year thereafter
9 until the date that is 5 years after the date of enactment
10 of this Act, the Comptroller General of the United States
11 shall—

12 (1) conduct a fiscal and management audit of
13 the SBIR program and the STTR program for the
14 applicable period to—

15 (A) determine whether Federal agencies
16 comply with the expenditure amount require-
17 ments under subsections (f)(1) and (n)(1) of
18 section 9 of the Small Business Act (15 U.S.C.
19 638), as amended by this Act;

20 (B) assess the extent of compliance with
21 the requirements of section 9(i)(2) of the Small
22 Business Act (15 U.S.C. 638(i)(2)) by Federal
23 agencies participating in the SBIR program or
24 the STTR program and the Administration;

1 (C) assess whether it would be more con-
2 sistent and effective to base the amount of the
3 allocations under the SBIR program and the
4 STTR program on a percentage of the research
5 and development budget of a Federal agency,
6 rather than the extramural budget of the Fed-
7 eral agency; and

8 (D) determine the portion of the extra-
9 mural research or research and development
10 budget of a Federal agency that each Federal
11 agency spends for administrative purposes re-
12 lating to the SBIR program or STTR program,
13 and for what specific purposes, including the
14 portion, if any, of such budget the Federal
15 agency spends for salaries and expenses, travel
16 to visit applicants, outreach events, marketing,
17 and technical assistance; and

18 (2) submit a report to the Committee on Small
19 Business and Entrepreneurship of the Senate and
20 the Committee on Small Business of the House of
21 Representatives regarding the audit conducted under
22 paragraph (1), including the assessments required
23 under subparagraphs (B) and (C), and the deter-
24 mination made under subparagraph (D) of para-
25 graph (1).

1 (b) DEFINITION OF APPLICABLE PERIOD.—In this
2 section, the term “applicable period” means—

3 (1) for the first report submitted under this
4 section, the period beginning on October 1, 2005,
5 and ending on September 30 of the last full fiscal
6 year before the date of enactment of this Act for
7 which information is available; and

8 (2) for the second and each subsequent report
9 submitted under this section, the period—

10 (A) beginning on October 1 of the first fis-
11 cal year after the end of the most recent full
12 fiscal year relating to which a report under this
13 section was submitted; and

14 (B) ending on September 30 of the last
15 full fiscal year before the date of the report.

16 **SEC. 5307. CONTINUED EVALUATION BY THE NATIONAL**
17 **ACADEMY OF SCIENCES.**

18 Section 108 of the Small Business Reauthorization
19 Act of 2000 (15 U.S.C. 638 note) is amended by adding
20 at the end the following:

21 “(e) EXTENSIONS AND ENHANCEMENTS OF AUTHOR-
22 ITY.—

23 “(1) IN GENERAL.—Not later than 6 months
24 after the date of enactment of the SBIR/STTR Re-
25 authorization Act of 2011, the head of each agency

1 described in subsection (a), in consultation with the
2 Small Business Administration, shall cooperatively
3 enter into an agreement with the National Academy
4 of Sciences for the National Research Council to,
5 not later than 4 years after the date of enactment
6 of the SBIR/STTR Reauthorization Act of 2011,
7 and every 4 years thereafter—

8 “(A) continue the most recent study under
9 this section relating to—

10 “(i) the issues described in subpara-
11 graphs (A), (B), (C), and (E) of subsection
12 (a)(1); and

13 “(ii) the effectiveness of the govern-
14 ment and public databases described in
15 section 9(k) of the Small Business Act (15
16 U.S.C. 638(k)) in reducing vulnerabilities
17 of the SBIR program and the STTR pro-
18 gram to fraud, waste, and abuse, particu-
19 larly with respect to Federal agencies
20 funding duplicative proposals and business
21 concerns falsifying information in pro-
22 posals;

23 “(B) make recommendations with respect
24 to the issues described in subparagraph (A)(ii)

1 and subparagraphs (A), (D), and (E) of sub-
2 section (a)(2); and

3 “(C) estimate, to the extent practicable,
4 the number of jobs created by the SBIR pro-
5 gram or STTR program of the agency.

6 “(2) CONSULTATION.—An agreement under
7 paragraph (1) shall require the National Research
8 Council to ensure there is participation by and con-
9 sultation with the small business community, the
10 Administration, and other interested parties as de-
11 scribed in subsection (b).

12 “(3) REPORTING.—An agreement under para-
13 graph (1) shall require that not later than 4 years
14 after the date of enactment of the SBIR/STTR Re-
15 authorization Act of 2011, and every 4 years there-
16 after, the National Research Council shall submit to
17 the head of the agency entering into the agreement,
18 the Committee on Small Business and Entrepre-
19 neurship of the Senate, and the Committee on Small
20 Business of the House of Representatives a report
21 regarding the study conducted under paragraph (1)
22 and containing the recommendations described in
23 paragraph (1).”.

1 **SEC. 5308. TECHNOLOGY INSERTION REPORTING REQUIRE-**
2 **MENTS.**

3 Section 9 of the Small Business Act (15 U.S.C. 638),
4 as amended by this Act, is amended by adding at the end
5 the following:

6 “(ii) PHASE III REPORTING.—The annual SBIR or
7 STTR report to Congress by the Administration under
8 subsection (b)(7) shall include, for each Phase III award
9 made by the Federal agency—

10 “(1) the name of the agency or component of
11 the agency or the non-Federal source of capital mak-
12 ing the Phase III award;

13 “(2) the name of the small business concern or
14 individual receiving the Phase III award; and

15 “(3) the dollar amount of the Phase III
16 award.”.

17 **SEC. 5309. INTELLECTUAL PROPERTY PROTECTIONS.**

18 (a) IN GENERAL.—The Comptroller General of the
19 United States shall conduct a study of the SBIR program
20 to assess whether—

21 (1) Federal agencies comply with the data
22 rights protections for SBIR awardees and the tech-
23 nologies of SBIR awardees under section 9 of the
24 Small Business Act (15 U.S.C. 638);

25 (2) the laws and policy directives intended to
26 clarify the scope of data rights, including in proto-

1 types and mentor-protégé relationships and agree-
2 ments with Federal laboratories, are sufficient to
3 protect SBIR awardees; and

4 (3) there is an effective grievance tracking proc-
5 ess for SBIR awardees who have grievances against
6 a Federal agency regarding data rights and a proc-
7 ess for resolving those grievances.

8 (b) REPORT.—Not later than 18 months after the
9 date of enactment of this Act, the Comptroller General
10 shall submit to the Committee on Small Business and En-
11 trepreneurship of the Senate and the Committee on Small
12 Business of the House of Representatives a report regard-
13 ing the study conducted under subsection (a).

14 **SEC. 5310. OBTAINING CONSENT FROM SBIR AND STTR AP-**
15 **PLICANTS TO RELEASE CONTACT INFORMA-**
16 **TION TO ECONOMIC DEVELOPMENT ORGANI-**
17 **ZATIONS.**

18 Section 9 of the Small Business Act (15 U.S.C. 638),
19 as amended by this Act, is amended by adding at the end
20 the following:

21 “(jj) CONSENT TO RELEASE CONTACT INFORMATION
22 TO ORGANIZATIONS.—

23 “(1) ENABLING CONCERN TO GIVE CONSENT.—

24 Each Federal agency required by this section to con-
25 duct an SBIR program or an STTR program shall

1 enable a small business concern that is an SBIR ap-
 2 plicant or an STTR applicant to indicate to the Fed-
 3 eral agency whether the Federal agency has the con-
 4 sent of the concern to—

5 “(A) identify the concern to appropriate
 6 local and State-level economic development or-
 7 ganizations as an SBIR applicant or an STTR
 8 applicant; and

9 “(B) release the contact information of the
 10 concern to such organizations.

11 “(2) RULES.—The Administrator shall estab-
 12 lish rules to implement this subsection. The rules
 13 shall include a requirement that a Federal agency
 14 include in the SBIR and STTR application a provi-
 15 sion through which the applicant can indicate con-
 16 sent for purposes of paragraph (1).”.

17 **SEC. 5311. PILOT TO ALLOW FUNDING FOR ADMINISTRA-**
 18 **TIVE, OVERSIGHT, AND CONTRACT PROC-**
 19 **ESSING COSTS.**

20 (a) IN GENERAL.—Section 9 of the Small Business
 21 Act (15 U.S.C. 638), as amended by this Act, is amended
 22 by adding at the end the following:

23 “(kk) ASSISTANCE FOR ADMINISTRATIVE, OVER-
 24 SIGHT, AND CONTRACT PROCESSING COSTS.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 for the 3 full fiscal years beginning after the date
3 of enactment of this subsection, the Administrator
4 shall allow each Federal agency required to conduct
5 an SBIR program to use not more than 3 percent
6 of the funds allocated to the SBIR program of the
7 Federal agency for—

8 “(A) the administration of the SBIR pro-
9 gram or the STTR program of the Federal
10 agency;

11 “(B) the provision of outreach and tech-
12 nical assistance relating to the SBIR program
13 or STTR program of the Federal agency, in-
14 cluding technical assistance site visits and per-
15 sonnel interviews;

16 “(C) the implementation of commercializa-
17 tion and outreach initiatives that were not in ef-
18 fect on the date of enactment of this subsection;

19 “(D) carrying out the program under sub-
20 section (y);

21 “(E) activities relating to oversight and
22 congressional reporting, including the waste,
23 fraud, and abuse prevention activities described
24 in section 313(a)(1)(B)(ii) of the SBIR/STTR
25 Reauthorization Act of 2011;

1 “(F) targeted reviews of recipients of
2 awards under the SBIR program or STTR pro-
3 gram of the Federal agency that the head of
4 the Federal agency determines are at high risk
5 for fraud, waste, or abuse, to ensure compliance
6 with requirements of the SBIR program or
7 STTR program, respectively;

8 “(G) the implementation of oversight and
9 quality control measures, including verification
10 of reports and invoices and cost reviews;

11 “(H) carrying out subsection (cc);

12 “(I) carrying out subsection (ff);

13 “(J) contract processing costs relating to
14 the SBIR program or STTR program of the
15 Federal agency; and

16 “(K) funding for additional personnel and
17 assistance with application reviews.

18 “(2) PERFORMANCE CRITERIA.—A Federal
19 agency may not use funds as authorized under para-
20 graph (1) until after the effective date of perform-
21 ance criteria, which the Administrator shall estab-
22 lish, to measure any benefits of using funds as au-
23 thorized under paragraph (1) and to assess continu-
24 ation of the authority under paragraph (1).

1 “(3) RULES.—Not later than 180 days after
2 the date of enactment of this subsection, the Admin-
3 istrator shall issue rules to carry out this sub-
4 section.”.

5 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

6 (1) IN GENERAL.—Section 9 of the Small Busi-
7 ness Act (15 U.S.C. 638) is amended—

8 (A) in subsection (f)(2)(A), as so des-
9 igned by section 5103(2) of this Act, by strik-
10 ing “shall not” and all that follows through
11 “make available for the purpose” and inserting
12 “shall not make available for the purpose”; and

13 (B) in subsection (y), as amended by sec-
14 tion 203—

15 (i) by striking paragraph (4);

16 (ii) by redesignating paragraphs (5)
17 and (6) as paragraphs (4) and (5), respec-
18 tively.

19 (2) TRANSITIONAL RULE.—Notwithstanding the
20 amendments made by paragraph (1), subsection
21 (f)(2)(A) and (y)(4) of section 9 of the Small Busi-
22 ness Act (15 U.S.C. 638), as in effect on the day
23 before the date of enactment of this Act, shall con-
24 tinue to apply to each Federal agency until the ef-
25 fective date of the performance criteria established

1 by the Administrator under subsection (kk)(2) of
2 section 9 of the Small Business Act, as added by
3 subsection (a).

4 (3) PROSPECTIVE REPEAL.—Effective on the
5 first day of the fourth full fiscal year following the
6 date of enactment of this Act, section 9 of the Small
7 Business Act (15 U.S.C. 638), as amended by para-
8 graph (1) of this section, is amended—

9 (A) in subsection (f)(2)(A), by striking
10 “shall not make available for the purpose” and
11 inserting the following: “shall not—

12 “(i) use any of its SBIR budget estab-
13 lished pursuant to paragraph (1) for the
14 purpose of funding administrative costs of
15 the program, including costs associated
16 with salaries and expenses; or

17 “(ii) make available for the purpose”;
18 and

19 (B) in subsection (y)—

20 (i) by redesignating paragraphs (4)
21 and (5) as paragraphs (5) and (6), respec-
22 tively; and

23 (ii) by inserting after paragraph (3)
24 the following:

25 “(4) FUNDING.—

1 “(A) IN GENERAL.—The Secretary of De-
2 fense and each Secretary of a military depart-
3 ment may use not more than an amount equal
4 to 1 percent of the funds available to the De-
5 partment of Defense or the military department
6 pursuant to the Small Business Innovation Re-
7 search Program for payment of expenses in-
8 curred to administer the Commercialization
9 Pilot Program under this subsection.

10 “(B) LIMITATIONS.—The funds described
11 in subparagraph (A)—

12 “(i) shall not be subject to the limita-
13 tions on the use of funds in subsection
14 (f)(2); and

15 “(ii) shall not be used to make Phase
16 III awards.”.

17 **SEC. 5312. GAO STUDY WITH RESPECT TO VENTURE CAP-**
18 **ITAL OPERATING COMPANY INVOLVEMENT.**

19 Not later than 3 years after the date of enactment
20 of this Act, and every 3 years thereafter, the Comptroller
21 General of the United States shall—

22 (1) conduct a study of the impact of require-
23 ments relating to venture capital operating company
24 involvement under section 9(cc) of the Small Busi-
25 ness Act, as added by section 5108 of this Act; and

1 (2) submit to Congress a report regarding the
2 study conducted under paragraph (1).

3 **SEC. 5313. REDUCING VULNERABILITY OF SBIR AND STTR**
4 **PROGRAMS TO FRAUD, WASTE, AND ABUSE.**

5 (a) FRAUD, WASTE, AND ABUSE PREVENTION.—

6 (1) GUIDELINES FOR FRAUD, WASTE, AND
7 ABUSE PREVENTION.—

8 (A) AMENDMENTS REQUIRED.—Not later
9 than 90 days after the date of enactment of
10 this Act, the Administrator shall amend the
11 SBIR Policy Directive and the STTR Policy
12 Directive to include measures to prevent fraud,
13 waste, and abuse in the SBIR program and the
14 STTR program.

15 (B) CONTENT OF AMENDMENTS.—The
16 amendments required under subparagraph (A)
17 shall include—

18 (i) definitions or descriptions of fraud,
19 waste, and abuse;

20 (ii) a requirement that the Inspectors
21 General of each Federal agency that par-
22 ticipates in the SBIR program or the
23 STTR program cooperate to—

24 (I) establish fraud detection indi-
25 cators;

1 (II) review regulations and oper-
2 ating procedures of the Federal agen-
3 cies;

4 (III) coordinate information
5 sharing between the Federal agencies;
6 and

7 (IV) improve the education and
8 training of, and outreach to—

9 (aa) administrators of the
10 SBIR program and the STTR
11 program of each Federal agency;

12 (bb) applicants to the SBIR
13 program or the STTR program;
14 and

15 (cc) recipients of awards
16 under the SBIR program or the
17 STTR program;

18 (iii) guidelines for the monitoring and
19 oversight of applicants to and recipients of
20 awards under the SBIR program or the
21 STTR program; and

22 (iv) a requirement that each Federal
23 agency that participates in the SBIR pro-
24 gram or STTR program include the tele-

1 phone number of the hotline established
2 under paragraph (2)—

3 (I) on the Web site of the Fed-
4 eral agency; and

5 (II) in any solicitation or notice
6 of funding opportunity issued by the
7 Federal agency for the SBIR program
8 or the STTR program.

9 (2) FRAUD, WASTE, AND ABUSE PREVENTION
10 HOTLINE.—

11 (A) HOTLINE ESTABLISHED.—The Admin-
12 istrator shall establish a telephone hotline that
13 allows individuals to report fraud, waste, and
14 abuse in the SBIR program or STTR program.

15 (B) PUBLICATION.—The Administrator
16 shall include the telephone number for the hot-
17 line established under subparagraph (A) on the
18 Web site of the Administration.

19 (b) STUDY AND REPORT.—

20 (1) STUDY.—Not later than 1 year after the
21 date of enactment of this Act, and every 3 years
22 thereafter, the Comptroller General of the United
23 States shall—

24 (A) conduct a study that evaluates—

1 (i) the implementation by each Fed-
2 eral agency that participates in the SBIR
3 program or the STTR program of the
4 amendments to the SBIR Policy Directive
5 and the STTR Policy Directive made pur-
6 suant to subsection (a);

7 (ii) the effectiveness of the manage-
8 ment information system of each Federal
9 agency that participates in the SBIR pro-
10 gram or STTR program in identifying du-
11 plicative SBIR and STTR projects;

12 (iii) the effectiveness of the risk man-
13 agement strategies of each Federal agency
14 that participates in the SBIR program or
15 STTR program in identifying areas of the
16 SBIR program or the STTR program that
17 are at high risk for fraud;

18 (iv) technological tools that may be
19 used to detect patterns of behavior that
20 may indicate fraud by applicants to the
21 SBIR program or the STTR program;

22 (v) the success of each Federal agency
23 that participates in the SBIR program or
24 STTR program in reducing fraud, waste,

1 and abuse in the SBIR program or the
2 STTR program of the Federal agency; and
3 (vi) the extent to which the Inspector
4 General of each Federal agency that par-
5 ticipates in the SBIR program or STTR
6 program effectively conducts investigations
7 of individuals alleged to have submitted
8 false claims or violated Federal law relat-
9 ing to fraud, conflicts of interest, bribery,
10 gratuity, or other misconduct; and
11 (B) submit to the Committee on Small
12 Business and Entrepreneurship of the Senate,
13 the Committee on Small Business of the House
14 of Representatives, and the head of each Fed-
15 eral agency that participates in the SBIR pro-
16 gram or STTR program a report on the results
17 of the study conducted under subparagraph
18 (A).

19 **SEC. 5314. INTERAGENCY POLICY COMMITTEE.**

20 (a) ESTABLISHMENT.—The Director of the Office of
21 Science and Technology Policy (in this section referred to
22 as the “Director”), in conjunction with the Administrator,
23 shall establish an Interagency SBIR/STTR Policy Com-
24 mittee (in this section referred to as the “Committee”)
25 comprised of 1 representative from each Federal agency

1 with an SBIR program or an STTR program and 1 rep-
2 resentative of the Office of Management and Budget.

3 (b) COCHAIRPERSONS.—The Director and the Ad-
4 ministrator shall serve as cochairpersons of the Com-
5 mittee.

6 (c) DUTIES.—The Committee shall review, and make
7 policy recommendations on ways to improve the effective-
8 ness and efficiency of, the SBIR program and the STTR
9 program, including—

10 (1) reviewing the effectiveness of the public and
11 government databases described in section 9(k) of
12 the Small Business Act (15 U.S.C. 638(k));

13 (2) identifying—

14 (A) best practices for commercialization
15 assistance by Federal agencies that have signifi-
16 cant potential to be employed by other Federal
17 agencies; and

18 (B) proposals by Federal agencies for ini-
19 tiatives to address challenges for small business
20 concerns in obtaining funding after a Phase II
21 award ends and before commercialization; and

22 (3) developing and incorporating a standard
23 evaluation framework to enable systematic assess-
24 ment of the SBIR program and STTR program, in-
25 cluding through improved tracking of awards and

1 outcomes and development of performance measures
2 for the SBIR program and STTR program of each
3 Federal agency.

4 (d) REPORTS.—The Committee shall submit to the
5 Committee on Small Business and Entrepreneurship of
6 the Senate and the Committee on Science and Technology
7 and the Committee on Small Business of the House of
8 Representatives—

9 (1) a report on the review by and recommenda-
10 tions of the Committee under subsection (c)(1) not
11 later than 1 year after the date of enactment of this
12 Act;

13 (2) a report on the review by and recommenda-
14 tions of the Committee under subsection (c)(2) not
15 later than 18 months after the date of enactment of
16 this Act; and

17 (3) a report on the review by and recommenda-
18 tions of the Committee under subsection (c)(3) not
19 later than 2 years after the date of enactment of
20 this Act.

21 **SEC. 5315. SIMPLIFIED PAPERWORK REQUIREMENTS.**

22 Section 9(v) of the Small Business Act (15 U.S.C.
23 638(v)) is amended—

24 (1) in the subsection heading, by striking “SIM-
25 PLIFIED REPORTING REQUIREMENTS” and inserting

1 “REDUCING PAPERWORK AND COMPLIANCE BUR-
2 DEN”;

3 (2) by striking “The Administrator” and insert-
4 ing the following:

5 “(1) STANDARDIZATION OF REPORTING RE-
6 QUIREMENTS.—The Administrator”; and

7 (3) by adding at the end the following:

8 “(2) SIMPLIFICATION OF APPLICATION AND
9 AWARD PROCESS.—Not later than one year after the
10 date of enactment of this paragraph, and after a pe-
11 riod of public comment, the Administrator shall
12 issue regulations or guidelines, taking into consider-
13 ation the unique needs of each Federal agency, to
14 ensure that each Federal agency required to carry
15 out an SBIR program or STTR program simplifies
16 and standardizes the program proposal, selection,
17 contracting, compliance, and audit procedures for
18 the SBIR program or STTR program of the Federal
19 agency (including procedures relating to overhead
20 rates for applicants and documentation require-
21 ments) to reduce the paperwork and regulatory com-
22 pliance burden on small business concerns applying
23 to and participating in the SBIR program or STTR
24 program.”.

1 TITLE LIV—POLICY DIRECTIVES**2 SEC. 5401. CONFORMING AMENDMENTS TO THE SBIR AND
3 THE STTR POLICY DIRECTIVES.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of enactment of this Act, the Administrator shall pro-
6 mulgate amendments to the SBIR Policy Directive and
7 the STTR Policy Directive to conform such directives to
8 this Act and the amendments made by this Act.

9 (b) PUBLISHING SBIR POLICY DIRECTIVE AND THE
10 STTR POLICY DIRECTIVE IN THE FEDERAL REGISTER.—
11 Not later than 180 days after the date of enactment of
12 this Act, the Administrator shall publish the amended
13 SBIR Policy Directive and the amended STTR Policy Di-
14 rective in the Federal Register.

15 TITLE LV—OTHER PROVISIONS**16 SEC. 5501. RESEARCH TOPICS AND PROGRAM DIVERSIFICA-
17 TION.**

18 (a) SBIR PROGRAM.—Section 9(g) of the Small
19 Business Act (15 U.S.C. 638(g)) is amended—

20 (1) in paragraph (3)—

21 (A) in the matter preceding subparagraph
22 (A), by striking “broad research topics and to
23 topics that further 1 or more critical tech-
24 nologies” and inserting “applications to the
25 Federal agency for support of projects relating

1 to nanotechnology, rare diseases, security, en-
2 ergy, transportation, or improving the security
3 and quality of the water supply of the United
4 States, and the efficiency of water delivery sys-
5 tems and usage patterns in the United States
6 (including the territories of the United States)
7 through the use of technology (to the extent
8 that the projects relate to the mission of the
9 Federal agency), broad research topics, and
10 topics that further 1 or more critical tech-
11 nologies or research priorities”;

12 (B) in subparagraph (A), by striking “or”
13 at the end; and

14 (C) by adding at the end the following:

15 “(C) the National Academy of Sciences, in
16 the final report issued by the ‘America’s Energy
17 Future: Technology Opportunities, Risks, and
18 Tradeoffs’ project, and in any subsequent re-
19 port by the National Academy of Sciences on
20 sustainability, energy, or alternative fuels;

21 “(D) the National Institutes of Health, in
22 the annual report on the rare diseases research
23 activities of the National Institutes of Health
24 for fiscal year 2005, and in any subsequent re-

1 port by the National Institutes of Health on
2 rare diseases research activities;

3 “(E) the National Academy of Sciences, in
4 the final report issued by the ‘Transit Research
5 and Development: Federal Role in the National
6 Program’ project and the report entitled
7 ‘Transportation Research, Development and
8 Technology Strategic Plan (2006–2010)’ issued
9 by the Research and Innovative Technology Ad-
10 ministration of the Department of Transpor-
11 tation, and in any subsequent report issued by
12 the National Academy of Sciences or the De-
13 partment of Transportation on transportation
14 and infrastructure; or

15 “(F) the national nanotechnology strategic
16 plan required under section 2(c)(4) of the 21st
17 Century Nanotechnology Research and Develop-
18 ment Act (15 U.S.C. 7501(c)(4)) and in any re-
19 port issued by the National Science and Tech-
20 nology Council Committee on Technology that
21 focuses on areas of nanotechnology identified in
22 such plan;” and

23 (2) by adding after paragraph (12), as added
24 by section 5111(a) of this Act, the following:

1 “(13) encourage applications under the SBIR
2 program (to the extent that the projects relate to the
3 mission of the Federal agency)—

4 “(A) from small business concerns in geo-
5 graphic areas underrepresented in the SBIR
6 program or located in rural areas (as defined in
7 section 1393(a)(2) of the Internal Revenue
8 Code of 1986);

9 “(B) small business concerns owned and
10 controlled by women;

11 “(C) small business concerns owned and
12 controlled by veterans;

13 “(D) small business concerns owned and
14 controlled by Native Americans; and

15 “(E) small business concerns located in a
16 geographic area with an unemployment rates
17 that exceed the national unemployment rate,
18 based on the most recently available monthly
19 publications of the Bureau of Labor Statistics
20 of the Department of Labor.”.

21 (b) STTR PROGRAM.—Section 9(o) of the Small
22 Business Act (15 U.S.C. 638(o)), as amended by section
23 5111(b) of this Act, is amended—

24 (1) in paragraph (3)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “broad research topics and to
3 topics that further 1 or more critical tech-
4 nologies” and inserting “applications to the
5 Federal agency for support of projects relating
6 to nanotechnology, security, energy, rare dis-
7 eases, transportation, or improving the security
8 and quality of the water supply of the United
9 States (to the extent that the projects relate to
10 the mission of the Federal agency), broad re-
11 search topics, and topics that further 1 or more
12 critical technologies or research priorities”;

13 (B) in subparagraph (A), by striking “or”
14 at the end; and

15 (C) by adding at the end the following:

16 “(C) the National Academy of Sciences, in
17 the final report issued by the ‘America’s Energy
18 Future: Technology Opportunities, Risks, and
19 Tradeoffs’ project, and in any subsequent re-
20 port by the National Academy of Sciences on
21 sustainability, energy, or alternative fuels;

22 “(D) the National Institutes of Health, in
23 the annual report on the rare diseases research
24 activities of the National Institutes of Health
25 for fiscal year 2005, and in any subsequent re-

1 port by the National Institutes of Health on
2 rare diseases research activities;

3 “(E) the National Academy of Sciences, in
4 the final report issued by the ‘Transit Research
5 and Development: Federal Role in the National
6 Program’ project and the report entitled
7 ‘Transportation Research, Development and
8 Technology Strategic Plan (2006–2010)’ issued
9 by the Research and Innovative Technology Ad-
10 ministration of the Department of Transpor-
11 tation, and in any subsequent report issued by
12 the National Academy of Sciences or the De-
13 partment of Transportation on transportation
14 and infrastructure; or

15 “(F) the national nanotechnology strategic
16 plan required under section 2(c)(4) of the 21st
17 Century Nanotechnology Research and Develop-
18 ment Act (15 U.S.C. 7501(c)(4)) and in any re-
19 port issued by the National Science and Tech-
20 nology Council Committee on Technology that
21 focuses on areas of nanotechnology identified in
22 such plan;”;

23 (2) in paragraph (15), by striking “and” at the
24 end;

1 (3) in paragraph (16), by striking the period at
2 the end and inserting “; and”; and

3 (4) by adding at the end the following:

4 “(17) encourage applications under the STTR
5 program (to the extent that the projects relate to the
6 mission of the Federal agency)—

7 “(A) from small business concerns in geo-
8 graphic areas underrepresented in the STTR
9 program or located in rural areas (as defined in
10 section 1393(a)(2) of the Internal Revenue
11 Code of 1986);

12 “(B) small business concerns owned and
13 controlled by women;

14 “(C) small business concerns owned and
15 controlled by veterans;

16 “(D) small business concerns owned and
17 controlled by Native Americans; and

18 “(E) small business concerns located in a
19 geographic area with an unemployment rates
20 that exceed the national unemployment rate,
21 based on the most recently available monthly
22 publications of the Bureau of Labor Statistics
23 of the Department of Labor.”.

1 (c) RESEARCH AND DEVELOPMENT FOCUS.—Section
2 9(x) of the Small Business Act (15 U.S.C. 638(x)) is
3 amended—

4 (1) by striking paragraph (2); and

5 (2) by redesignating paragraph (3) as para-
6 graph (2).

7 **SEC. 5502. REPORT ON SBIR AND STTR PROGRAM GOALS.**

8 Section 9 of the Small Business Act (15 U.S.C. 638),
9 as amended by this Act, is amended by adding at the end
10 the following:

11 “(ll) ANNUAL REPORT ON SBIR AND STTR PRO-
12 GRAM GOALS.—

13 “(1) DEVELOPMENT OF METRICS.—The head of
14 each Federal agency required to participate in the
15 SBIR program or the STTR program shall develop
16 metrics to evaluate the effectiveness, and the benefit
17 to the people of the United States, of the SBIR pro-
18 gram and the STTR program of the Federal agency
19 that—

20 “(A) are science-based and statistically
21 driven;

22 “(B) reflect the mission of the Federal
23 agency; and

24 “(C) include factors relating to the eco-
25 nomic impact of the programs.

1 “(2) EVALUATION.—The head of each Federal
2 agency described in paragraph (1) shall conduct an
3 annual evaluation using the metrics developed under
4 paragraph (1) of—

5 “(A) the SBIR program and the STTR
6 program of the Federal agency; and

7 “(B) the benefits to the people of the
8 United States of the SBIR program and the
9 STTR program of the Federal agency.

10 “(3) REPORT.—

11 “(A) IN GENERAL.—The head of each
12 Federal agency described in paragraph (1) shall
13 submit to the appropriate committees of Con-
14 gress and the Administrator an annual report
15 describing in detail the results of an evaluation
16 conducted under paragraph (2).

17 “(B) PUBLIC AVAILABILITY OF REPORT.—
18 The head of each Federal agency described in
19 paragraph (1) shall make each report submitted
20 under subparagraph (A) available to the public
21 online.

22 “(C) DEFINITION.—In this paragraph, the
23 term ‘appropriate committees of Congress’
24 means—

1 “(i) the Committee on Small Business
2 and Entrepreneurship of the Senate; and
3 “(ii) the Committee on Small Busi-
4 ness and the Committee on Science and
5 Technology of the House of Representa-
6 tives.”.

7 **SEC. 5503. COMPETITIVE SELECTION PROCEDURES FOR**
8 **SBIR AND STTR PROGRAMS.**

9 Section 9 of the Small Business Act (15 U.S.C. 638),
10 as amended by this Act, is amended by adding at the end
11 the following:

12 “(mm) COMPETITIVE SELECTION PROCEDURES FOR
13 SBIR AND STTR PROGRAMS.—All funds awarded, appro-
14 priated, or otherwise made available in accordance with
15 subsection (f) or (n) must be awarded pursuant to com-
16 petitive and merit-based selection procedures.”.

Passed the Senate December 1, 2011.

Attest:

Secretary.

112TH CONGRESS
1ST SESSION

S. 1867

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.