Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walberg
Walden
Walz (MN)
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—18

Amash
Broun (GA)
Duncan (TN)
Flake
Franks (AZ)
Graves (GA)
Mack
McClintock
Miller (MI)
Paul
Petri
Quayle
Reed
Rohrabacher
Ross (FL)
Sensenbrenner
Visclosky
Walsh (IL)

NOT VOTING—11

Amodei
Costello
Filner
Hastings (WA)
Holden
Miller, George
Pascrell
Sanchez, Loretta
Schock
Slaughter
Wasserman Schultz

□ 1452

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 262, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

□ 1500

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4310.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 661 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 4310.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1508

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2013, and for other purposes, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, May 16, 2012, all time for general debate pursuant to House Resolution 656 had expired.

Pursuant to House Resolution 661, no further general debate shall be in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 112–22. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 4310

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

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

*This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2013''.*

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

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

*(1) Division A—Department of Defense Authorizations.*

*(2) Division B—Military Construction Authorizations.*

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

*(4) Division D—Funding Tables.*

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

*Sec. 1. Short title.*
*Sec. 2. Organization of Act into divisions; table of contents.*
*Sec. 3. Congressional defense committees.*

*DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS*

*TITLE I—PROCUREMENT*

*Subtitle A—Authorization of Appropriations*

*Sec. 101. Authorization of appropriations.*

*Subtitle B—Army Programs*

*Sec. 111. Multiyear procurement authority for Army CH–47 helicopters.*
*Sec. 112. Reports on airlift requirements of the Army.*

*Subtitle C—Navy Programs*

*Sec. 121. Retirement of nuclear-powered ballistic submarines.*
*Sec. 122. Extension of Ford-class aircraft carrier construction authority.*
*Sec. 123. Extension of multiyear procurement authority for F/A–18E, F/A–18F, and EA–18G aircraft.*
*Sec. 124. Multiyear procurement authority for V–22 joint aircraft program.*
*Sec. 125. Multiyear procurement authority for Arleigh Burke-class destroyers and associated systems.*
*Sec. 126. Multiyear procurement authority for Virginia-class submarine program.*
*Sec. 127. Refueling and complex overhaul of the U.S.S. Abraham Lincoln.*
*Sec. 128. Report on Littoral Combat Ship designs.*
*Sec. 129. Comptroller General reviews of Littoral Combat Ship program.*
*Sec. 130. Sense of Congress on importance of engineering in early stages of shipbuilding.*
*Sec. 131. Sense of Congress on Marine Corps Amphibious Lift and Presence Requirements.*

*Subtitle D—Air Force Programs*

*Sec. 141. Retirement of B–1 bomber aircraft.*
*Sec. 142. Maintenance of strategic airlift aircraft.*

*Sec. 143. Limitation on availability of funds for divestment or retirement of C–27J aircraft.*
*Sec. 144. Limitation on availability of funds for termination of C–130 avionics modernization program.*
*Sec. 145. Review of C–130 force structure.*
*Sec. 146. Limitation on availability of funds for evolved expendable launch vehicle program.*
*Sec. 147. Procurement of space-based infrared systems.*

*Subtitle E—Joint and Multiservice Matters*

*Sec. 151. Requirement to set F–35 aircraft initial operational capability dates.*
*Sec. 152. Limitation on availability of funds for retirement of RQ–4 Global Hawk unmanned aircraft systems.*
*Sec. 153. Common data link for manned and unmanned intelligence, surveillance, and reconnaissance systems.*

*TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*

*Subtitle A—Authorization of Appropriations*

*Sec. 201. Authorization of appropriations.*

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

*Sec. 211. Next-generation long-range strike bomber aircraft nuclear certification requirement.*
*Sec. 212. Unmanned combat air system.*
*Sec. 213. Extension of limitation on availability of funds for Unmanned Carrier-launched Surveillance and Strike system program.*
*Sec. 214. Limitation on availability of funds for future manned ground moving target indicator capability of the Air Force.*
*Sec. 215. Limitation on availability of funds for milestone A activities for the MQ–18 unmanned aircraft system.*
*Sec. 216. Vertical lift platform technology demonstrations.*

*Subtitle C—Missile Defense Programs*

*Sec. 221. Procurement of AN/TPY–2 radars.*
*Sec. 222. Development of advanced kill vehicle.*
*Sec. 223. Missile defense site on the East Coast.*
*Sec. 224. Ground-based midcourse defense system.*
*Sec. 225. Ground-based midcourse defense interceptor test.*
*Sec. 226. Deployment of SM–3 IIB interceptors on land and sea.*
*Sec. 227. Iron Dome short-range rocket defense program.*
*Sec. 228. Sea-based X-band radar.*
*Sec. 229. Prohibition on the use of funds for the MEADS program.*
*Sec. 230. Limitation on availability of funds for phased, adaptive approach to missile defense in Europe.*
*Sec. 231. Limitation on availability of funds for the precision tracking space system.*
*Sec. 232. Plan to improve discrimination and kill assessment capability of ballistic missile defense systems.*
*Sec. 233. Plan to increase rate of flight tests of ground-based midcourse defense system.*
*Sec. 234. Report on regional missile defense architectures.*
*Sec. 235. Use of funds for conventional prompt global strike program.*
*Sec. 236. Transfer of Aegis weapon system equipment to Missile Defense Agency.*

*Subtitle D—Reports*

*Sec. 241. Study on electronic warfare capabilities of the Marine Corps.*
*Sec. 242. National Research Council review of defense science and technical graduate education needs.*
*Sec. 243. Report on three-dimensional integrated circuit manufacturing capabilities.*
*Sec. 244. Report on efforts to field new directed energy weapons.*

*Subtitle E—Other Matters*

*Sec. 251. Eligibility for Department of Defense laboratories to enter into educational partnerships with educational institutions in territories and possessions of the United States.*
*Sec. 252. Regional advanced technology clusters.*
*Sec. 253. Briefing on power and energy research conducted at University Affiliated Research Center.*

*TITLE III—OPERATION AND MAINTENANCE*

*Subtitle A—Authorization of Appropriations*

*Sec. 301. Operation and maintenance funding.*
*Sec. 302. Authorization of appropriations of funds for inactivation execution of U.S.S. Enterprise.*

*Subtitle B—Energy and Environmental Provisions*

*Sec. 311. Training range sustainment plan and training range inventory.*
*Sec. 312. Modification of definition of chemical substance.*
*Sec. 313. Exemption of Department of Defense from alternative fuel procurement requirement.*
*Sec. 314. Limitation on availability of funds for procurement of alternative fuel.*
*Sec. 315. Plan on environmental exposures to members of the Armed Forces.*

*Subtitle C—Logistics and Sustainment*

*Sec. 321. Expansion and reauthorization of multi-trades demonstration project.*
*Sec. 322. Depot-level maintenance and repair.*

*Subtitle D—Readiness*

*Sec. 331. Intergovernmental support agreements with State and local governments.*
*Sec. 332. Extension and expansion of authority to provide assured business guarantees to carriers participating in Civil Reserve Air Fleet.*
*Sec. 333. Expansion and reauthorization of pilot program for availability of working-capital funds for product improvements.*
*Sec. 334. Center of Excellence for the National Guard State Partnership Program.*

*Subtitle E—Reports*

*Sec. 341. Report on joint strategy for readiness and training in a C4ISR-denied environment.*
*Sec. 342. Comptroller General review of annual Department of Defense report on prepositioned materiel and equipment.*
*Sec. 343. Modification of report on maintenance and repair of vessels in foreign shipyards.*
*Sec. 344. Extension of deadline for Comptroller General report on Department of Defense service contract inventory.*
*Sec. 345. GAO report reviewing methodology of Department of Defense relating to costs of performance by civilian employees, military personnel, and contractors.*
*Sec. 346. Report on medical evacuation policies.*

*Subtitle F—Limitations and Extensions of Authority*

*Sec. 351. Repeal of authority to provide certain military equipment and facilities to support civilian law enforcement and emergency response.*
*Sec. 352. Limitation on availability of funds for the disestablishment of aerospace control alert locations.*
*Sec. 353. Limitation on authorization of appropriations for the National Museum of the United States Army.*
*Sec. 354. Limitation on availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships.*
*Sec. 355. Renewal of expired prohibition on return of veterans memorial objects without specific authorization in law.*

*Subtitle G—Other Matters*

*Sec. 361. Retirement, adoption, care, and recognition of military working dogs.*

*TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS*

*Subtitle A—Active Forces*

*Sec. 401. End strengths for active forces.*
*Sec. 402. Revision in permanent active duty end strength minimum levels.*
*Sec. 403. Limitations on end strength reductions for regular component of the Army and Marine Corps.*
*Sec. 404. Exclusion of members within the Integrated Disability Evaluation System from end strength levels for active forces.*

*Subtitle B—Reserve Forces*

*Sec. 411. End strengths for Selected Reserve.*
*Sec. 412. End strengths for Reserves on active duty in support of the reserves.*
*Sec. 413. End strengths for military technicians (dual status).*
*Sec. 414. Fiscal year 2013 limitation on number of non-dual status technicians.*
*Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.*

*Subtitle C—Authorization of Appropriations*

*Sec. 421. Military personnel.*

*TITLE V—MILITARY PERSONNEL POLICY*

*Subtitle A—Officer Personnel Policy Generally*

*Sec. 501. Limitation on number of Navy flag officers on active duty.*
*Sec. 502. Exception to required retirement after 30 years of service for Regular Navy warrant officers in the grade of Chief Warrant Officer, W–5.*
*Sec. 503. Air Force Chief and Deputy Chief of Chaplains.*
*Sec. 504. Extension of temporary authority to reduce minimum length of active service as a commissioned officer required for voluntary retirement as an officer.*
*Sec. 505. Temporary increase in the time-in-grade retirement waiver limitation for lieutenant colonels and colonels in the Army, Air Force, and Marine Corps and commanders and captains in the Navy.*
*Sec. 506. Modification to limitations on number of officers for whom service-in-grade requirements may be reduced for retirement in grade upon voluntary retirement.*
*Sec. 507. Diversity in military leadership and related reporting requirements.*

*Subtitle B—Reserve Component Management*

*Sec. 511. Codification of staff assistant positions for Joint Staff related to National Guard and Reserve matters.*
*Sec. 512. Automatic Federal recognition of promotion of certain National Guard warrant officers.*

*Subtitle C—General Service Authorities*

*Sec. 521. Modifications to career intermission pilot program.*
*Sec. 522. Authority for additional behavioral health professionals to conduct pre-separation medical exams for post-traumatic stress disorder.*

*Sec. 523. Authority to accept voluntary services to assist Department of Defense efforts to account for missing persons.*
*Sec. 524. Authorized leave available for members of the Armed Forces upon birth or adoption of a child.*
*Sec. 525. Command responsibility and accountability for remains of members of the Army, Navy, Air Force, and Marine Corps who die outside the United States.*
*Sec. 526. Report on feasibility of developing gender-neutral occupational standards for military occupational specialties currently closed to women.*
*Sec. 527. Compliance with medical profiles issued for members of the Armed Forces.*

*Subtitle D—Military Justice and Legal Matters*

*Sec. 531. Clarification and enhancement of the role of Staff Judge Advocate to the Commandant of the Marine Corps.*
*Sec. 532. Persons who may exercise disposition authority regarding charges involving certain sexual misconduct offenses under the Uniform Code of Military Justice.*
*Sec. 533. Independent review and assessment of Uniform Code of Military Justice and judicial proceedings of sexual assault cases.*
*Sec. 534. Collection and retention of records on disposition of reports of sexual assault.*
*Sec. 535. Briefing, plan, and recommendations regarding efforts to prevent and respond to hazing incidents involving members of the Armed Forces.*
*Sec. 536. Protection of rights of conscience of members of the Armed Forces and chaplains of such members.*
*Sec. 537. Use of military installations as sites for marriage ceremonies or marriage-like ceremonies.*

*Subtitle E—Member Education and Training Opportunities and Administration*

*Sec. 541. Transfer of Troops-to-Teachers program from Department of Education to Department of Defense and enhancements to the program.*
*Sec. 542. Support of Naval Academy athletic and physical fitness programs.*
*Sec. 543. Department of Defense Inspector General review of access to military installations by representatives of for-profit educational institutions.*

*Subtitle F—Decorations and Awards*

*Sec. 551. Issuance of prisoner-of-war medal.*
*Sec. 552. Award of Purple Heart to members of the Armed Forces who were victims of the attacks at recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas.*

*Subtitle G—Defense Dependents' Education and Military Family Readiness Matters*

*Sec. 561. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*
*Sec. 562. Transitional compensation for dependent children who were carried during pregnancy at the time of dependent-abuse offense committed by an individual while a member of the Armed Forces.*
*Sec. 563. Modification of authority to allow Department of Defense domestic dependent elementary and secondary schools to enroll certain students.*
*Sec. 564. Protection of child custody arrangements for parents who are members of the Armed Forces.*
*Sec. 565. Treatment of relocation of members of the Armed Forces for active duty for purposes of mortgage refinancing.*
*Sec. 566. Sense of Congress regarding support for Yellow Ribbon Day.*

*Subtitle H—Improved Sexual Assault Prevention and Response in the Armed Forces*

*Sec. 571. Establishment of special victim teams to respond to allegations of child abuse, serious domestic violence, or sexual offenses.*
*Sec. 572. Enhancement to training and education for sexual assault prevention and response.*
*Sec. 573. Enhancement to requirements for availability of information on sexual assault prevention and response resources.*
*Sec. 574. Modification of annual Department of Defense reporting requirements regarding sexual assaults.*
*Sec. 575. Inclusion of sexual harassment incidents in annual Department of Defense reports on sexual assaults.*
*Sec. 576. Continued submission of progress reports regarding certain incident information management tools.*
*Sec. 577. Briefings on Department of Defense actions regarding sexual assault prevention and response in the Armed Forces.*
*Sec. 578. Armed Forces Workplace and Gender Relations Surveys.*
*Sec. 579. Requirement for commanders to conduct annual organizational climate assessments.*
*Sec. 580. Additional requirements for organizational climate assessments.*
*Sec. 581. Review of unrestricted reports of sexual assault and subsequent separation of members making such reports.*
*Sec. 582. Limitation on release from active duty or recall to active duty of reserve component members who are victims of sexual assault while on active duty.*
*Sec. 583. Inclusion of information on substantiated reports of sexual harassment in member's official service record.*

*Subtitle I—Other Matters*

*Sec. 590. Inclusion of Freely Associated States within scope of Junior Reserve Officers' Training Corps program.*
*Sec. 591. Preservation of editorial independence of Stars and Stripes.*
*Sec. 592. Sense of Congress regarding designation of bugle call commonly known as ''Taps'' as National Song of Remembrance.*
*Sec. 593. Recommended conduct during sounding of bugle call commonly known as ''Taps''.*
*Sec. 594. Inspection of military cemeteries under the jurisdiction of Department of Defense.*
*Sec. 595. Pilot program to provide transitional assistance to members of the Armed Forces with a focus on science, technology, engineering, and mathematics.*

*TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS*

*Subtitle A—Pay and Allowances*

*Sec. 601. Fiscal year 2013 increase in military basic pay.*
*Sec. 602. Basic allowance for housing for two-member couples when one member is on sea duty.*
*Sec. 603. No reduction in basic allowance for housing for Army National Guard and Air National Guard members who transition between active duty and full-time National Guard duty without a break in active service.*
*Sec. 604. Modification of Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components under DOD Instruction 1327.06.*

*Subtitle B—Bonuses and Special and Incentive Pays*

*Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.*
*Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.*
*Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.*
*Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.*
*Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.*
*Sec. 616. Increase in maximum amount of officer affiliation bonus for officers in the Selected Reserve.*
*Sec. 617. Increase in maximum amount of incentive bonus for reserve component members who convert military occupational specialty to ease personnel shortages.*

*Subtitle C—Travel and Transportation Allowances Generally*

*Sec. 621. Travel and transportation allowances for non-medical attendants for members receiving care in a residential treatment program.*

*Subtitle D—Benefits and Services for Members Being Separated or Recently Separated*

*Sec. 631. Extension of authority to provide two years of commissary and exchange benefits after separation.*
*Sec. 632. Transitional use of military family housing.*

*Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations*

*Sec. 641. Charitable organizations eligible for donations of unusable commissary store food and other food prepared for the Armed Forces.*
*Sec. 642. Repeal of certain recordkeeping and reporting requirements applicable to commissary and exchange stores overseas.*
*Sec. 643. Treatment of Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, as a Fisher House.*
*Sec. 644. Purchase of sustainable products, local food products, and recyclable materials for resale in commissary and exchange store systems.*

*Subtitle F—Disability, Retired Pay, and Survivor Benefits*

*Sec. 651. Repeal of requirement for payment of Survivor Benefit Plan premiums when participant waives retired pay to provide a survivor annuity under Federal Employees Retirement System and terminating payment of the Survivor Benefit Plan annuity.*

*Subtitle G—Other Matters*

*Sec. 661. Consistent definition of dependent for purposes of applying limitations on terms of consumer credit extended to certain members of the Armed Forces and their dependents.*

*Sec. 662. Limitation on reduction in number of military and civilian personnel assigned to duty with service review agencies.*

*Sec. 663. Equal treatment for members of Coast Guard Reserve called to active duty under title 14, United States Code.*

*TITLE VII—HEALTH CARE PROVISIONS*

*Subtitle A—Improvements to Health Benefits*

*Sec. 701. Sense of Congress on nonmonetary contributions to health care benefits made by career members of the Armed Forces and their families.*

*Sec. 702. Extension of TRICARE Standard coverage and TRICARE dental program for members of the Selected Reserve who are involuntarily separated.*

*Sec. 703. Medical and dental care contracts for certain members of the National Guard.*

*Subtitle B—Health Care Administration*

*Sec. 711. Unified medical command.*

*Sec. 712. Authority for automatic enrollment in TRICARE Prime of dependents of members in pay grades above pay grade E-4.*

*Sec. 713. Cooperative health care agreements between the military departments and non-military health care entities.*

*Sec. 714. Requirement to ensure the effectiveness and efficiency of health engagements.*

*Sec. 715. Clarification of applicability of Federal Tort Claims Act to subcontractors employed to provide health care services to the Department of Defense.*

*Sec. 716. Pilot program on increased third-party collection reimbursements in military medical treatment facilities.*

*Sec. 717. Pilot program for refills of maintenance medications for TRICARE for Life beneficiaries through the TRICARE mail-order pharmacy program.*

*Sec. 718. Cost-sharing rates for pharmacy benefits program of the TRICARE program.*

*Sec. 719. Review of the administration of the military health system.*

*Subtitle C—Reports and Other Matters*

*Sec. 721. Extension of Comptroller General report on contract health care staffing for military medical treatment facilities.*

*Sec. 722. Extension of Comptroller General report on women-specific health services and treatment for female members of the Armed Forces.*

*Sec. 723. Establishment of TRICARE working group.*

*Sec. 724. Report on strategy to transition to use of human-based methods for certain medical training.*

*TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS*

*Subtitle A—Acquisition Policy and Management*

*Sec. 801. Pilot exemption regarding treatment of procurements on behalf of the Department of Defense in accordance with the Department of Energy's Work for Others Program.*

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

*Sec. 811. Modification of time period for congressional notification of the lease of certain vessels by the Department of Defense.*

*Sec. 812. Extension of authority for use of simplified acquisition procedures for certain commercial items.*

*Sec. 813. Codification and amendment relating to life-cycle management and product support requirements.*

*Sec. 814. Codification of requirement relating to Government performance of critical acquisition functions.*

*Sec. 815. Limitation on funding pending certification of implementation of requirements for competition.*

*Sec. 816. Contractor responsibilities in regulations relating to detection and avoidance of counterfeit electronic parts.*

*Sec. 817. Additional definition relating to production of specialty metals within the United States.*

*Sec. 818. Requirement for procurement of infrared technologies from national technology and industrial base.*

*Sec. 819. Compliance with Berry Amendment required for uniform components supplied to Afghan military or Afghan National Police.*

*Subtitle C—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan*

*Sec. 821. Extension and expansion of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.*

*Sec. 822. Limitation on authority to acquire products and services produced in Afghanistan.*

*Subtitle D—Other Matters*

*Sec. 831. Enhancement of review of acquisition process for rapid fielding of capabilities in response to urgent operational needs.*

*Sec. 832. Location of contractor-operated call centers in the United States.*

*TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT*

*Subtitle A—Department of Defense Management*

*Sec. 901. Additional duties of Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy and amendments to Strategic Materials Protection Board.*

*Sec. 902. Requirement for focus on urgent operational needs and rapid acquisition.*

*Sec. 903. Designation of Department of Defense senior official for enterprise resource planning system data conversion.*

*Sec. 904. Additional responsibilities and resources for Deputy Assistant Secretary of Defense for Developmental Test and Evaluation.*

*Sec. 905. Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps.*

*Subtitle B—Space Activities*

*Sec. 911. Annual assessment of the synchronization of segments in space programs that are major defense acquisition programs.*

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

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

## *DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS*

## *TITLE I—PROCUREMENT*

### *Subtitle A—Authorization of Appropriations*

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

*Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.*

### *Subtitle B—Army Programs*

***SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR ARMY CH–47 HELICOPTERS.***

*(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Army may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of airframes for CH–47F helicopters.*

*(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.*

***SEC. 112. REPORTS ON AIRLIFT REQUIREMENTS OF THE ARMY.***

*(a) REPORTS.—Not later than October 31, 2012, and each year thereafter through 2017, the Secretary of the Army shall submit to the congressional defense committees a report on the time-sensitive or mission-critical airlift requirements of the Army.*

*(b) MATTERS INCLUDED.—The reports under subsection (a) shall include, with respect to the fiscal year before the fiscal year in which the report is submitted, the following information:*

*(1) The total number of time-sensitive or mission-critical airlift movements required for training, steady-state, and contingency operations.*

*(2) The total number of time-sensitive or mission-critical airlift sorties executed for training, steady-state, and contingency operations.*

*(3) Of the total number of sorties listed under paragraph (2), the number of such sorties that were operated using each of—*

*(A) aircraft of the Army;*

*(B) aircraft of the Air Force; and*

*(C) aircraft of contractors.*

*(4) For each sortie described under subparagraph (A) or (C) of paragraph (3), an explanation for why the Secretary did not use aircraft of the Air Force to support the mission.*

### *Subtitle C—Navy Programs*

***SEC. 121. RETIREMENT OF NUCLEAR-POWERED BALLISTIC SUBMARINES.***

*Section 5062 of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(e)(1) Beginning October 1, 2012, the Secretary of the Navy may not retire or decommission a nuclear-powered ballistic missile submarine if such retirement or decommissioning would result in the active or commissioned fleet of such submarines consisting of less than 12 submarines.*

*''(2) The limitation in paragraph (1) shall not apply to a nuclear-powered ballistic submarine that has been converted to carry exclusively non-nuclear payloads as of October 1, 2012.''.*

***SEC. 122. EXTENSION OF FORD-CLASS AIRCRAFT CARRIER CONSTRUCTION AUTHORITY.***

*Section 121(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as amended by section 124 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1320), is amended by striking ''four fiscal years'' and inserting ''five fiscal years''.*

***SEC. 123. EXTENSION OF MULTIYEAR PROCUREMENT AUTHORITY FOR F/A–18E, F/A–18F, AND EA–18G AIRCRAFT.***

*Section 128 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2217), as amended by Public Law 111–238 (124 Stat. 2500), is amended by adding at the end the following new subsection:*

*''(f) EXTENSION OF MULTIYEAR AUTHORITY.—Notwithstanding section 2306b of title 10, United States Code, the Secretary of the Navy may modify a multiyear contract entered into under subsection (a) to add a fifth production year to such contract.''.*

***SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR V–22 JOINT AIRCRAFT PROGRAM.***

*(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of V–22 aircraft for the Department of the Navy, the Department of the Air Force, and the United States Special Operations Command.*

*(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for such later fiscal year.*

***SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE-CLASS DESTROYERS AND ASSOCIATED SYSTEMS.***

*(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2013 program year, for the procurement of not more than 10 Arleigh Burke-class guided missile destroyers, including the Aegis weapon systems, MK 41 vertical launching systems, and commercial broadband satellite systems associated with such vessels.*

*(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into a contract, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a).*

*(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.*

***SEC. 126. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA-CLASS SUBMARINE PROGRAM.***

*(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*

*(1) IN GENERAL.—In accordance with section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract, beginning with the fiscal year 2014 program year, for the procurement of not more than 10 Virginia-class submarines and Government-furnished equipment associated with the Virginia-class submarine program.*

*(2) USE OF INCREMENTAL FUNDING.—The Secretary may use incremental funding with respect to a contract entered into under paragraph (1).*

*(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into a contract, beginning in fiscal year 2013, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a)(1).*

*(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a)(1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.*

***SEC. 127. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. ABRAHAM LINCOLN.***

*(a) REFUELING AND COMPLEX OVERHAUL.—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2013 for shipbuilding and conversion, Navy, not more than $1,613,392,000 may be obligated or expended for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln (CVN–72) during such fiscal year. Such amount shall be the first increment in the two-year sequence of incremental funding planned for such nuclear refueling and complex overhaul.*

*(b) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into a contract during fiscal year 2013 for the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln.*

*(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for that later fiscal year.*

***SEC. 128. REPORT ON LITTORAL COMBAT SHIP DESIGNS.***

*Not later than December 31, 2013, the Secretary of the Navy shall submit to the congressional defense committees a report on the designs of the Littoral Combat Ship, including comparative cost and performance information for both designs of such ship.*

***SEC. 129. COMPTROLLER GENERAL REVIEWS OF LITTORAL COMBAT SHIP PROGRAM.***

*(a) ACCEPTANCE OF LCS.—*

*(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the compliance of the Secretary of the Navy with part 246 of title 48 of the Code of Federal Regulations and subpart 46.5 of the Federal Acquisition Regulation in accepting the LCS.*

*(2) MATTERS INCLUDED.—The review under paragraph (1) shall include a discussion of the knowledge of, and determinations by, the LCS program office and contractors with respect to the following:*

*(A) Potential for cracks in the LCS hull and deckhouse and any corresponding potential design risks.*

*(B) Chargeable equipment failures.*

*(C) Potential for engine failures or breakdowns.*

*(D) Meeting key performance parameters, including speed.*

*(E) Review of the quality of seals and welds.*

*(F) Review of water jet corrosion.*

*(G) Completeness of records to support acceptance of the LCS.*

*(H) How the LCS risk and problems compare to lead ships in comparable programs.*

*(I) Security of the ship and systems, including any known lapses.*

*(J) Manning analysis, including how it would affect key performance parameters.*

*(K) Strategies for balancing cost, schedule, and performance trade-offs as required by section 201 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1719).*

*(b) OPERATIONAL SUPPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the operational support and sustainment strategy for the Littoral Combat Ship program, including modernization and logistics support.*

*(c) COOPERATION.—For purposes of conducting the review under subsection (a)(1) and (b), the Secretary of Defense shall ensure that the Comptroller General has access to—*

*(1) all relevant records of the Department; and*

*(2) all relevant communications between Department officials, whether such communications occurred inside or outside the Federal Government.*

***SEC. 130. SENSE OF CONGRESS ON IMPORTANCE OF ENGINEERING IN EARLY STAGES OF SHIPBUILDING.***

*It is the sense of Congress that—*

*(1) placing a priority on engineering dollars in the early stages of shipbuilding programs is a vital component of keeping cost down; and*

*(2) therefore, the Secretary of the Navy should take appropriate steps to prioritize early engineering in large ship construction including amphibious class ships beginning with the LHA–8.*

***SEC. 131. SENSE OF CONGRESS ON MARINE CORPS AMPHIBIOUS LIFT AND PRESENCE REQUIREMENTS.***

*(a) IN GENERAL.—It is the sense of Congress that—*

*(1) the United States Marine Corps is a combat force which leverages maneuver from the sea as a force multiplier allowing for a variety of operational tasks ranging from major combat operations to humanitarian assistance;*

*(2) the United States Marine Corps is unique in that, while embarked upon Naval vessels, they bring all the logistic support necessary for the full range of military operations, operating ''from the sea'' they require no third party host nation permission to conduct military operations;*

*(3) the Department of the Navy has a requirement for 38 amphibious assault ships to meet this full range of military operations;*

*(4) for budgetary reasons only that requirement of 38 vessels was reduced to 33 vessels, which adds military risk to future operations;*

*(5) the Department of the Navy has been unable to meet even the minimal requirement of 33 operationally available vessels and has submitted a shipbuilding and ship retirement plan to the Congress which will reduce the force to 28 vessels; and*

*(6) experience has shown that early engineering and design of naval vessels has significantly reduced the acquisition costs and life-cycle costs of those vessels.*

*(b) NEXT GENERATION OF AMPHIBIOUS SHIPS.—In light of subsection (a), it is the sense of Congress that—*

*(1) the Navy should consider prioritization of investment in and procurement of the next generation of amphibious assault ships;*

*(2) the next generation amphibious assault ships should maintain survivability protection level II in accordance with current Navy ship requirements;*

*(3) commonality in hull form design could be a desirable element to reduce acquisition and life cycle cost; and*

*(4) maintaining a robust amphibious shipbuilding industrial base is vital for future national security.*

***Subtitle D—Air Force Programs***

***SEC. 141. RETIREMENT OF B–1 BOMBER AIRCRAFT.***

*(a) IN GENERAL.—Section 8062 of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(h)(1) Beginning October 1, 2011, the Secretary of the Air Force may not retire more than six B–1 aircraft.*

*''(2) The Secretary shall maintain in a common capability configuration not less than 36 B–1 aircraft as combat-coded aircraft.*

*''(3) In this subsection, the term 'combat-coded aircraft' means aircraft assigned to meet the primary aircraft authorization to a unit for the performance of its wartime mission.''.*

*(b) CONFORMING AMENDMENT.—Section 132 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1320) is amended by striking subsection (c).*

***SEC. 142. MAINTENANCE OF STRATEGIC AIRLIFT AIRCRAFT.***

*(a) MODIFICATION TO LIMITATION ON RETIREMENT OF C–5 AIRCRAFT.—Section 137(d)(3)(B) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2222) is amended by striking ''316'' and inserting ''301''.*

*(b) REPORT.—*

*(1) IN GENERAL.—Not later than February 1, 2013, the Commander of the United States Transportation Command shall submit to the congressional defense committees a report assessing the operational risk of meeting the steady-state and warfighting requirements of the commanders of the geographical combatant commands with respect to the Secretary of the Air Force maintaining an inventory of strategic airlift aircraft of less than 301 aircraft.*

*(2) MATTERS INCLUDED.—The report under paragraph (1) shall include a description and analysis of the assumptions made by the Commander with respect to—*

*(A) aircraft usage rates;*

*(B) aircraft mission availability rates;*

*(C) aircraft mission capability rates;*

*(D) aircrew ratios;*

*(E) aircrew production;*

*(F) aircrew readiness rates; and*

*(G) any other assumption the Commander uses to develop such report.*

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

***SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR DIVESTMENT OR RETIREMENT OF C–27J AIRCRAFT.***

*(a) IN GENERAL.—After fiscal year 2013, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to divest, retire, or transfer, or prepare to divest, retire, or transfer, a C–27J aircraft until a period of 180 days has elapsed following the date on which—*

*(1) the Director of the Congressional Budget Office submits to the congressional defense committees the analysis conducted under subsection (b)(1); and*

*(2) the reports under subsections (d)(2) and (e)(2) of section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1318) are submitted to the congressional defense committees.*

*(b) LIFE-CYCLE COST ANALYSIS.—*

*(1) CBO.—The Director of the Congressional Budget Office shall submit to the congressional defense committees a 40-year life-cycle cost analysis of C–27J aircraft, C–130H aircraft, and C–130J aircraft.*

*(2) MATTERS INCLUDED.—The life-cycle cost analysis conducted under paragraph (1) shall—*

*(A) take into account all upgrades and modifications required to sustain the aircraft specified in paragraph (1) during a 40-year service-life;*

*(B) assess the most cost-effective and mission-effective manner for which C–27J aircraft could be affordably fielded by the Air National Guard, including by determining—*

*(i) the number of basing locations required;*

*(ii) the number of authorized personnel associated with a unit's manning document; and*

*(iii) the maintenance and sustainment strategy required; and*

*(C) outline any limiting factors regarding the analysis of C–27J aircraft with respect to cost assumptions used by the Director in such analysis and the actual costs incurred for aircraft fielded by the Air Force as of the date of the analysis.*

*(3) COOPERATION.—The Secretary of Defense shall provide the Director with any information, including original source documentation, the Director determines is required to promptly conduct the analysis under paragraph (1).*

***SEC. 144. LIMITATION ON AVAILABILITY OF FUNDS FOR TERMINATION OF C–130 AVIONICS MODERNIZATION PROGRAM.***

*(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force may be used to terminate the C–130 avionics modernization program until a period of 180 days has elapsed after the date on which the Secretary of the Air Force submits to the congressional defense committees the cost-benefit analysis conducted under subsection (b)(1).*

*(b) COST-BENEFIT ANALYSIS.—*

*(1) FFRDC.—The Secretary shall seek to enter into an agreement with the Institute for Defense Analyses to conduct an independent cost-benefit analysis that compares the following alternatives:*

*(A) Upgrading and modernizing the legacy C–130 airlift fleet using the C–130 avionics modernization program.*

*(B) Upgrading and modernizing the legacy C-130 airlift fleet using a reduced scope program for avionics and mission planning systems.*

*(2) MATTERS INCLUDED.—The cost-benefit analysis conducted under paragraph (1) shall take into account—*

*(A) the effect of life-cycle costs for—*

*(i) each of the alternatives described in subparagraphs (A) and (B); and*

*(ii) C–130 aircraft that are not upgraded or modernized; and*

*(B) the future costs associated with the potential upgrades to avionics and mission systems that may be required in the future for legacy C–130 aircraft to remain relevant and mission effective.*

***SEC. 145. REVIEW OF C–130 FORCE STRUCTURE.***

*(a) REVIEW.—The Secretary of the Air Force shall conduct a review of the C–130 force structure.*

*(b) REPORT.—Not later than the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2014, the Secretary of the Air Force shall submit to the congressional defense committees a report of the review under subsection (a), including—*

*(1) how the Secretary will determine which C–130 aircraft will be retired or relocated during fiscal years 2014 through 2018;*

*(2) a description of the methodologies underlying such determinations, including the factors and assumptions that shaped the specific determinations;*

*(3) the rationale for selecting C–130 aircraft to be retired or relocated with respect to such aircraft of the regular components and such aircraft of the reserve components; and*

*(4) details of the costs incurred, avoided, or saved with respect to retiring or relocating C–130 aircraft.*

*(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the date on which the report is submitted under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report, including the costs and benefits of the planned retirements and relocations described in such report.*

**SEC. 146. LIMITATION ON AVAILABILITY OF FUNDS FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) assured access to space remains critical to national security; and

(2) the plan by the Air Force to commit, beginning in fiscal year 2013, to an annual production rate of launch vehicle booster cores should maintain mission assurance, stabilize the industrial base, reduce costs, and provide opportunities for competition.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Air Force for the evolved expendable launch vehicle program, 10 percent may not be obligated or expended until the date on which the Secretary of the Air Force submits to the appropriate congressional committees—

(1) a report describing the acquisition strategy for such program; and

(2) written certification that such strategy—

(A) maintains assured access to space;

(B) achieves substantial cost savings; and

(C) provides opportunities for competition.

(c) MATTERS INCLUDED.—The report under subsection (b)(1) shall include the following information:

(1) The anticipated savings to be realized under the acquisition strategy for the evolved expendable launch vehicle program.

(2) The number of launch vehicle booster cores covered by the planned contract for such program.

(3) The number of years covered by such contract.

(4) An assessment of when new entrants that have submitted a statement of intent will be certified to compete for evolved expendable launch vehicle-class launches.

(5) The projected launch manifest, including possible opportunities for certified new entrants to compete for evolved expendable launch vehicle-class launches.

(6) Any other relevant analysis used to inform the acquisition strategy for such program.

(d) COMPTROLLER GENERAL.—

(1) REVIEW.—The Comptroller General of the United States shall review the report under subsection (b)(1).

(2) SUBMITTAL.—Not later than 30 days after the date on which the report under subsection (b)(1) is submitted to the appropriate congressional committees, the Comptroller General shall—

(A) submit to such committees a report on the review under paragraph (1); or

(B) provide to such committees a briefing on such review.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

**SEC. 147. PROCUREMENT OF SPACE-BASED INFRARED SYSTEMS.**

(a) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Air Force may procure two space-based infrared systems by entering into a fixed-price contract. Such procurement may also include—

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

(B) cost reduction initiatives.

(2) USE OF INCREMENTAL FUNDING.—With respect to a contract entered into under paragraph (1) for the procurement of space-based infrared systems, the Secretary may use incremental funding for a period not to exceed six fiscal years.

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

(b) LIMITATION OF COSTS.—

(1) LIMITATION.—Except as provided by subsection (c), and excluding amounts described in paragraph (2), the total amount obligated or expended for the procurement of two space-based infrared systems authorized by subsection (a) may not exceed $3,900,000,000.

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

(A) Plans.

(B) Technical data packages.

(C) Post-delivery and program support costs.

(D) Technical support for obsolescence studies.

(c) WAIVER AND ADJUSTMENT TO LIMITATION AMOUNT.—

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

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

(A) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2012.

(B) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2012.

(C) The amounts of increases or decreases in costs of the satellites that are attributable to insertion of new technology into a space-based infrared system, as compared to the technology built into such a system procured prior to fiscal year 2013, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is—

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

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

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

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

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

(3) The total contract value.

(4) The funding profile by year.

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

(6) A plan for using cost savings described in paragraph (1) to improve the capability of overhead persistent infrared, including a description of—

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

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

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

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

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

### Subtitle E—Joint and Multiservice Matters

**SEC. 151. REQUIREMENT TO SET F–35 AIRCRAFT INITIAL OPERATIONAL CAPABILITY DATES.**

(a) F–35A.—Not later than December 31, 2012, the Secretary of the Air Force shall—

(1) establish the initial operational capability date for the F–35A aircraft; and

(2) submit to the congressional defense committees a report on the details of such initial operational capability.

(b) F–35B AND F–35C.—Not later than December 31, 2012, the Secretary of the Navy shall—

(1) establish the initial operational capability dates for the F–35B and F–35C aircraft; and

(2) submit to the congressional defense committees a report on the details of such initial operational capabilities for both variants.

**SEC. 152. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RQ–4 GLOBAL HAWK UNMANNED AIRCRAFT SYSTEMS.**

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to retire, prepare to retire, or place in storage an RQ–4 Block 30 Global Hawk unmanned aircraft system.

(b) MAINTAINED LEVELS.—During the period preceding December 31, 2014, in supporting the operational requirements of the combatant commands, the Secretary of the Air Force shall maintain the operational capability of each RQ–4 Block 30 Global Hawk unmanned aircraft system belonging to the Air Force or delivered to the Air Force during such period.

**SEC. 153. COMMON DATA LINK FOR MANNED AND UNMANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE SYSTEMS.**

Section 141 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3164), as amended by section 143 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2223), is amended by adding at the end the following new subsection:

''(e) STANDARDS IN SOLICITATIONS.—The Secretary of Defense shall ensure that a solicitation for a common data link described in subsection (a)—

''(1) complies with the most recently issued common data link specification standard of the Department of Defense as of the date of the solicitation; and

''(2) does not include any proprietary or undocumented interface or waveform as a requirement or criterion for evaluation.''.

## TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### Subtitle A—Authorization of Appropriations

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

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

### Subtitle B—Program Requirements, Restrictions, and Limitations

**SEC. 211. NEXT-GENERATION LONG-RANGE STRIKE BOMBER AIRCRAFT NUCLEAR CERTIFICATION REQUIREMENT.**

The Secretary of the Air Force shall ensure that the next-generation long-range strike bomber is—

(1) capable of carrying strategic nuclear weapons as of the date on which such aircraft achieves initial operating capability; and

(2) certified to use such weapons by not later than two years after such date.

**SEC. 212. UNMANNED COMBAT AIR SYSTEM.**

The Secretary of the Navy shall—

*(1) conduct additional technology development risk reduction activities using the unmanned combat air system; and*

*(2) preserve a competitive acquisition environment for the Unmanned Carrier-launched Surveillance and Strike system program.*

**SEC. 213. EXTENSION OF LIMITATION ON AVAILABILITY OF FUNDS FOR UNMANNED CARRIER-LAUNCHED SURVEILLANCE AND STRIKE SYSTEM PROGRAM.**

*(a) EXTENSION OF LIMITATION.—Subsection (a) of section 213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1330) is amended by inserting ''or fiscal year 2013'' after ''fiscal year 2012''.*

*(b) TECHNOLOGY DEVELOPMENT PHASE.—Such section is further amended by adding at the end the following new subsection:*

*''(d) TECHNOLOGY DEVELOPMENT AND CRITICAL DESIGN PHASES.—*

*''(1) CONTRACTORS.—The Secretary of the Navy may not reduce the number of prime contractors working on the Unmanned Carrier-launched Surveillance and Strike system program to one prime contractor for the technology development phase of such program prior to the program achieving the critical design review milestone.*

*''(2) CRITICAL DESIGN REVIEW.—The Unmanned Carrier-launched Surveillance and Strike system program may not achieve the critical design review milestone until on or after October 1, 2016.''.*

*(c) TECHNICAL AMENDMENT.—Such section is further amended by striking ''Future Unmanned Carrier-based Strike System'' each place it appears and inserting ''Unmanned Carrier-launched Surveillance and Strike system''.*

**SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR FUTURE MANNED GROUND MOVING TARGET INDICATOR CAPABILITY OF THE AIR FORCE.**

*(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for research, development, test, and evaluation, Air Force, may be obligated or expended for any activity, including pre-Milestone A activities, to initiate a new start acquisition program to provide the Air Force with a manned ground moving target indicator capability or manned dismount moving target indicator capability until a period of 90 days has elapsed following the date on which the Secretary of the Air Force submits the report under subsection (b)(1).*

*(b) REPORT.—*

*(1) IN GENERAL.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the plan of the future manned ground moving target and manned dismount moving target indicator capabilities of the Air Force.*

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

*(A) The plan to maintain onboard command and control capability that is equal to or better than such capability provided by the E–8C joint surveillance target attack radar program.*

*(B) Each analysis of alternatives completed during fiscal year 2012 regarding future manned ground moving target indicator capability or manned dismount moving target indicator capability.*

*(C) With respect to each new program analyzed in an analysis of alternatives described in subparagraph (B)—*

*(i) the development, procurement, and sustainment cost estimates for such program; and*

*(ii) a description of how such program will affect the potential growth of future manned ground moving target indicator capability or manned dismount moving target indicator capability.*

*(D) A description of potential operational and sustainment cost savings realized by the Air Force using a platform that is—*

*(i) derived from commercial aircraft; and*

*(ii) in operation by the Department of Defense as of the date of the report.*

*(E) The plan by the Secretary of Defense to retire or replace E–8C joint surveillance target attack radar aircraft.*

*(F) Any other matter the Secretary considers appropriate.*

*(c) WAIVER.—The Secretary may waive the limitation in subsection (a) if the Secretary—*

*(1) determines that such waiver is required to meet an urgent operational need or other emergency contingency requirement directly related to ongoing combat operations; and*

*(2) notifies the congressional defense committees of such determination.*

**SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR MILESTONE A ACTIVITIES FOR THE MQ–18 UNMANNED AIRCRAFT SYSTEM.**

*(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for research, development, test, and evaluation, Army, may be obligated or expended for Milestone A activities with respect to the MQ–18 medium-range multi-purpose vertical take-off and landing unmanned aircraft system until—*

*(1) the Chairman of the Joint Requirements Oversight Council certifies in writing to the appropriate congressional committees that—*

*(A) such system is required to meet a capability in the manned and unmanned medium-altitude intelligence, surveillance, and reconnaissance force structure of the Department of Defense; and*

*(B) an existing unmanned aircraft system cannot meet such capability or be modified to meet such capability; and*

*(2) a period of 30 days has elapsed following the date on which the Chairman submits the certification under paragraph (1).*

*(b) DEFINITIONS.—In this section:*

*(1) The term ''appropriate congressional committees'' means—*

*(A) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(B) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.*

*(2) The term ''Milestone A activities'' means, with respect to an acquisition program of the Department of Defense—*

*(A) the distribution of request for proposals;*

*(B) the selection of technology demonstration contractors; and*

*(C) technology development.*

**SEC. 216. VERTICAL LIFT PLATFORM TECHNOLOGY DEMONSTRATIONS.**

*(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for joint capability technology demonstrations, the Under Secretary of Defense for Acquisition, Technology, and Logistics may obligate or expend not more than $5,000,000 to carry out a program to develop and flight-demonstrate vertical lift platform technologies that address the capability gaps described in the Future Vertical Lift Strategic Plan of the Department of Defense submitted to Congress in August 2010.*

*(b) GOALS AND OBJECTIVES.—The Under Secretary shall ensure that the program under subsection (a) has the following goals and objectives:*

*(1) To develop innovative vertical lift platform technologies that address capability gaps in speed, range, ceiling, survivability, reliability, and affordability applicable to both current and future rotorcraft of the Department of Defense.*

*(2) To flight-demonstrate such vertical lift technologies no later than 2016.*

*(3) To accelerate the development and transition of innovative vertical lift technologies by promoting the formation of competitive teams of small business working in collaboration with large contractors and academia.*

***Subtitle C—Missile Defense Programs***

**SEC. 221. PROCUREMENT OF AN/TPY–2 RADARS.**

*(a) PROCUREMENT.—The Secretary of Defense shall procure two AN/TPY–2 radars.*

*(b) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of developing an AN/TPY–2 radar on a rotational table to allow the radar to quickly change directions.*

**SEC. 222. DEVELOPMENT OF ADVANCED KILL VEHICLE.**

*Not later than 180 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report that includes—*

*(1) a plan to provide that the new advanced kill vehicle on the standard missile–3 block IIB interceptor shall have the capability of being used for the ground-based midcourse defense program; and*

*(2) a description of the technology of and concept behind applying the former multiple kill vehicle concept to the new vehicle described in paragraph (1).*

**SEC. 223. MISSILE DEFENSE SITE ON THE EAST COAST.**

*(a) OPERATIONAL SITE.—The Secretary of Defense shall ensure that a covered missile defense site on the East Coast of the United States is operational by not later than December 31, 2015.*

*(b) CONSIDERATION OF LOCATION.—*

*(1) STUDY.—Not later than December 31, 2013, the Secretary of Defense shall conduct a study evaluating three possible locations selected by the Director of the Missile Defense Agency for a covered missile defense site on the East Coast of the United States.*

*(2) EIS.—The Secretary shall prepare an environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for each location evaluated under paragraph (1).*

*(3) LOCATION.—In selecting the three possible locations for a covered missile defense site under paragraph (1), the Secretary should—*

*(A) take into consideration—*

*(i) the strategic location of the proposed site; and*

*(ii) the proximity of the proposed site to major population centers; and*

*(B) give priority to a proposed site that—*

*(i) is operated or supported by the Department of Defense;*

*(ii) lacks encroachment issues; and*

*(iii) has a controlled airspace.*

*(c) PLAN.—*

*(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to deploy an appropriate missile defense interceptor for a missile defense site on the East Coast.*

*(2) MATTERS INCLUDED.—In developing the plan under paragraph (1), the Director shall evaluate the use of—*

*(A) two- or three-stage ground-based interceptors; and*

*(B) standard missile–3 interceptors, including block IA, block IB, and for a later deployment, block IIA or block IIB interceptors.*

*(3) SUBMISSION.—The Director shall submit to the President the plan under paragraph (1) for inclusion with the budget materials submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2014.*

*(4) FUNDING.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Missile Defense Agency, $100,000,000 may be obligated or expended to carry out the plan developed under paragraph (1) after a period of 30 days has elapsed following the date on which the congressional defense committees receive the plan pursuant to paragraph (3).*

*(d) COVERED MISSILE DEFENSE SITE.—In this section, the term ''covered missile defense site'' means a missile defense site that uses—*

*(1) ground-based interceptors; or*

*(2) standard missile–3 interceptors.*

**SEC. 224. GROUND-BASED MIDCOURSE DEFENSE SYSTEM.**

*(a) GMD SYSTEM.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense, not less than $1,261,000,000 shall be made available for the ground-based midcourse defense system, as specified in the funding table in section 4201.*

*(b) CERTAIN PROGRAMS OF THE GMD SYSTEM.—*

*(1) EKV.—The Secretary of Defense shall complete the refurbishment of the CE1 exoatmospheric kill vehicle-equipped ground-based interceptors.*

*(2) MF-1.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the ground-based midcourse defense system, not less than $205,000,000 shall be obligated or expended to upgrade Missile Field 1 at Fort Greely, Alaska.*

**SEC. 225. GROUND-BASED MIDCOURSE DEFENSE INTERCEPTOR TEST.**

*Not later than December 31, 2013, the Secretary of Defense shall conduct an intercontinental ballistic missile test of the ground-based midcourse defense program using a ground-based interceptor equipped with a CE1 exoatmospheric kill vehicle.*

**SEC. 226. DEPLOYMENT OF SM–3 IIB INTERCEPTORS ON LAND AND SEA.**

*(a) SENSE OF CONGRESS.—It is the sense of Congress that standard missile–3 block IIB interceptors should be deployable in both land-based and sea-based modes by the date on which such interceptors achieve initial operating capability.*

*(b) LAND AND SEA MODES.—The Secretary of Defense shall ensure that standard missile–3 block IIB interceptors are deployable using both land-based and sea-based systems by the date on which such interceptors achieve initial operating capability.*

*(c) REPORT.—*

*(1) FORCE STRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on how the deployment of standard missile–3 block IIB interceptors affects the force structure of the Navy.*

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

*(A) The implications for the force structure of the Navy if standard missile–3 block IIB interceptors cannot fit in the standard vertical launching system configuration for the Aegis ballistic missile defense system, including the implications regarding—*

*(i) ship deployments;*

*(ii) cost; and*

*(iii) ability to respond to raids.*

*(B) An explanation for how standard missile–3 block IIB interceptors would be used, at initial operating capability, for the defense of the United States from threats originating in the Pacific region if such interceptors are not deployable in a sea-based mode, including an explanation of cost and force structure requirements.*

**SEC. 227. IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.**

*(a) AVAILABILITY OF FUNDS.—*

*(1) IN GENERAL.—Of the funds authorized to be appropriated by section 201 for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201, or otherwise made available for the Department of Defense for fiscal years 2012 through 2015, the Secretary of Defense may provide up to $680,000,000 to the Government of Israel for the procurement of additional batteries and interceptors under the Iron Dome short-range rocket defense system and for related operations and sustainment expenses.*

*(2) AVAILABILITY.—Funds made available for fiscal year 2012 or 2013 to carry out paragraph (1) are authorized to remain available until September 30, 2014.*

*(b) OFFICE.—The Secretary of Defense shall establish within the Missile Defense Agency of the Department of Defense an office to carry out subsection (a) and other matters relating to assistance for Israel's Iron Dome short-range rocket defense system.*

**SEC. 228. SEA-BASED X-BAND RADAR.**

*The Director of the Missile Defense Agency shall ensure that the sea-based X-band radar is maintained in a status such that the radar may be deployed in less than 14 days and for at least 60 days each year.*

**SEC. 229. PROHIBITION ON THE USE OF FUNDS FOR THE MEADS PROGRAM.**

*None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended for the medium extended air defense system.*

**SEC. 230. LIMITATION ON AVAILABILITY OF FUNDS FOR PHASED, ADAPTIVE APPROACH TO MISSILE DEFENSE IN EUROPE.**

*(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for covered missile defense activities, not more than 75 percent may be obligated or expended until—*

*(1) the Secretary of Defense and the Secretary of State jointly submit to the appropriate congressional committees—*

*(A) a report on the cost-sharing arrangements for the phased, adaptive approach to missile defense in Europe; and*

*(B) written certification that a proportional share, as determined by the Secretaries, of the costs for such approach to missile defense will be provided by members of the North Atlantic Treaty Organization other than the United States; and*

*(2) the Secretary of Defense—*

*(A) submits a NATO prefinancing request for consideration of expenses regarding such approach to missile defense (excluding such expenses related to military construction described in section 2403(b)); and*

*(B) submits to the appropriate congressional committees the response by the NATO Secretary General or the North Atlantic Council to such request.*

*(b) WAIVER.—The President may waive the limitation in subsection (a) with respect to a specific project of a covered missile defense activity if the President submits to the appropriate congressional committees and the written certification that the waiver for such project is vital to the national security interests of the United States.*

*(c) DEFINITIONS.—In this section:*

*(1) The term ''appropriate congressional committees'' means the following:*

*(A) The congressional defense committees.*

*(B) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.*

*(2) The term ''covered missile defense activities'' means, with respect to the phased, adaptive approach to missile defense in Europe, activities regarding—*

*(A) Aegis ashore sites; or*

*(B) an AN/TPY–2 radar located in Turkey.*

**SEC. 231. LIMITATION ON AVAILABILITY OF FUNDS FOR THE PRECISION TRACKING SPACE SYSTEM.**

*(a) INITIAL LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the precision tracking space system may be obligated or expended until the date on which—*

*(1) a federally funded research and development center begins the analysis under subsection (b)(1); and*

*(2) the terms of reference for the analysis are submitted to the congressional defense committees.*

*(b) ANALYSIS OF ALTERNATIVES.—*

*(1) FFRDC.—The Director of the Missile Defense Agency shall enter into an agreement with a federally funded research and development center that has not previously been involved with the precision tracking space system to conduct an analysis of alternatives of such program.*

*(2) BASIS OF ANALYSIS.—The analysis under paragraph (1) shall be based on a clear articulation by the Director of—*

*(A) the ground-based sensors that will be required to be maintained to aid the precision tracking space system constellation;*

*(B) the number of satellites to be procured for a first constellation, including the projected lifetime of such satellites in the first constellation, and the number projected to be procured for a first and, if applicable, second replenishment;*

*(C) the technological and acquisition risks of such system;*

*(D) an evaluation of the technological capability differences between the precision tracking space system sensor and the space tracking and surveillance system sensor; and*

*(E) the cost differences, as confirmed by the Director of Cost Assessment and Program Evaluation, between such systems, including costs relating to launch services.*

*(3) ANALYSIS.—In conducting the analysis under paragraph (1), the federally funded research and development center shall—*

*(A) appoint a panel of independent study leaders for such analysis;*

*(B) evaluate whether the precision tracking space system, as planned by the Director in the budget submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2013, is the lowest cost sensor option with respect to land-, air-, or space-based sensors, or a combination thereof, to improve the homeland missile defense of the United States, including by adding discrimination capability to the ground-based midcourse defense system;*

*(C) examine the overhead persistent infrared data or other data that is available as of the date of the analysis that is not being used;*

*(D) determine how using the data described in subparagraph (C) could improve sensor coverage for the homeland missile defense of the United States and regional missile defense capabilities;*

*(E) study the plans of the Director to integrate the precision tracking space system concept into the ballistic missile defense system and evaluate the concept or operations of such use; and*

*(F) consider the agreement entered into under subsection (d)(1).*

*(4) COST DETERMINATION.—In determining costs under the analysis under paragraph (1), the federally funded research and development center shall take into account acquisition costs and operation and sustainment costs during the initial ten-year and twenty-year periods.*

*(c) FURTHER LIMITATION.—*

*(1) SUBMITTAL AND WAIT.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the precision tracking space system may obligated or expended until—*

*(A) the Director submits to the congressional defense committees the analysis under subsection (b)(1); and*

*(B) a period of 60 days has elapsed following the date of such submittal.*

*(2) EXCEPTION.—The limitation in paragraph (1) shall not apply to funds described in such paragraph that are obligated or expended for technology development activities.*

*(d) MEMORANDUM OF AGREEMENT.—*

*(1) IN GENERAL.—The Director shall enter into a memorandum of agreement with the Commander of the Air Force Space Command with respect to the space situational awareness capabilities, requirements, design, and cost-sharing of the precision tracking space system.*

*(2) SUBMITTAL.—The Director shall submit to the congressional defense committees the agreement entered into under paragraph (1).*

**SEC. 232. PLAN TO IMPROVE DISCRIMINATION AND KILL ASSESSMENT CAPABILITY OF BALLISTIC MISSILE DEFENSE SYSTEMS.**

*(a) PLAN.—The Director of the Missile Defense Agency shall develop a plan to improve the discrimination and kill assessment capability of ballistic missile defense systems, particularly with respect to the ground-based midcourse defense system.*

*(b) SUBMISSION.—Not later than December 31, 2012, the Director shall—*

*(1) transmit to the Secretary of Defense the plan under subsection (a) to be used in the budget materials submitted to the President by the Secretary in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2014; and*

*(2) submit to the congressional defense committees such plan.*

**SEC. 233. PLAN TO INCREASE RATE OF FLIGHT TESTS OF GROUND-BASED MIDCOURSE DEFENSE SYSTEM.**

*(a) PLAN.—*

*(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to increase the rate of flight tests and ground tests of the ground-based midcourse defense system.*

*(2) RATE OF PLANNED FLIGHT TESTS.—The plan under paragraph (1) shall ensure that there are at least three flight tests conducted during every two-year period unless the Director submits to the congressional defense committees—*

*(A) written certification that such rate of tests is not feasible or cost-effective; and*

*(B) an analysis explaining the reasoning of such certification.*

*(b) SUBMISSION.—Not later than December 31, 2012, the Director shall—*

*(1) transmit to the Secretary of Defense the plan under subsection (a)(1) to be used in the budget materials submitted to the President by the Secretary in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2014; and*

*(2) submit to the congressional defense committees such plan.*

**SEC. 234. REPORT ON REGIONAL MISSILE DEFENSE ARCHITECTURES.**

*Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall submit to the congressional defense committees a report on—*

*(1) the regional missile defense architectures, including the force structure and inventory requirements derived from such architectures; and*

*(2) the comprehensive force management process to evaluate such requirements, including the capability, deployment, and resource outcomes that such process has determined.*

**SEC. 235. USE OF FUNDS FOR CONVENTIONAL PROMPT GLOBAL STRIKE PROGRAM.**

*The Secretary of Defense shall ensure that any funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for ground-testing activities of the conventional prompt global strike program are obligated or expended using competitive solicitation procedures to involve industry as well as government partners.*

**SEC. 236. TRANSFER OF AEGIS WEAPON SYSTEM EQUIPMENT TO MISSILE DEFENSE AGENCY.**

*(a) TRANSFER BY NAVY.—In accordance with section 230, the Secretary of the Navy may—*

*(1) transfer to the Director of the Missile Defense Agency Aegis weapon system equipment with ballistic missile defense capability for use by the Director in the Aegis ashore site in the country the Director has designated as ''Host Nation 1'';*

*(2) in ensuring the shipbuilding schedules of ships affected by this section—*

*(A) obligate or expend unobligated funds made available for fiscal year 2012 for shipbuilding and conversion, Navy, for the DDG–51 Destroyer to deliver complete, mission-ready Aegis weapon system equipment with ballistic missile defense capability to a DDG–51 Destroyer for which funds were made available for fiscal year 2012 under shipbuilding and conversion, Navy; or*

*(B) use any Aegis weapon system equipment acquired using such funds to deliver complete, mission-ready Aegis weapon system equipment with ballistic missile defense capability to a DDG–51 Destroyer for which funds were made available for fiscal year 2012 under shipbuilding and conversion, Navy; and*

*(3) treat equipment transferred to the Secretary under subsection (b) as equipment acquired using funds made available under shipbuilding and conversion, Navy, for purposes of completing the construction and outfitting of such equipment.*

*(b) TRANSFER BY MDA.—In accordance with section 230, upon the receipt of any equipment under subsection (a), the Director of the Missile Defense Agency shall transfer to the Secretary of the Navy Aegis weapon system equipment with ballistic missile defense capability procured by the Director for installation in a shore-based Aegis weapon system for use by the Secretary in the DDG–51 Destroyer program.*

***Subtitle D—Reports***

**SEC. 241. STUDY ON ELECTRONIC WARFARE CAPABILITIES OF THE MARINE CORPS.**

*(a) STUDY.—The Commandant of the Marine Corps shall conduct a study on the future capabilities of the Marine Corps with respect to electronic warfare.*

*(b) REPORT.—*

*(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall submit to the congressional defense committees a report on the study conducted under subsection (a).*

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

*(A) A detailed plan for EA–6B Prowler aircraft squadrons.*

*(B) A solution for the replacement of such aircraft.*

*(C) Concepts of operation for future air-ground task force electronic warfare capabilities of the Marine Corps.*

*(D) Any other issues that the Commandant determines appropriate.*

**SEC. 242. NATIONAL RESEARCH COUNCIL REVIEW OF DEFENSE SCIENCE AND TECHNICAL GRADUATE EDUCATION NEEDS.**

*(a) REVIEW.—The Secretary of Defense shall enter into an agreement with the National Research Council to conduct a review of specialized degree-granting graduate programs of the Department of Defense in engineering, applied sciences, and management.*

*(b) MATTERS INCLUDED.—At a minimum, the review under subsection (a) shall address—*

*(1) the need by the Department of Defense and the military departments for military and civilian personnel with advanced degrees in engineering, applied sciences, and management, including a list of the numbers of such personnel needed by discipline;*

*(2) an analysis of the sources by which the Department of Defense and the military departments obtain military and civilian personnel with such advanced degrees;*

*(3) the need for educational institutions under the Department of Defense to meet the needs identified in paragraph (1);*

*(4) the costs and benefits of maintaining such educational institutions, including costs relating to directed research;*

*(5) the ability of private institutions or distance-learning programs to meet the needs identified in paragraph (1);*

*(6) existing organizational structures, including reporting chains, within the military departments to manage the graduate education needs of the Department of Defense and the military departments; and*

*(7) recommendations for improving the ability of the Department of Defense to identify, manage, and source the graduate education needs of the Department.*

*(c) REPORT.—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary shall submit to the congressional defense committees a report on the results of such review.*

**SEC. 243. REPORT ON THREE-DIMENSIONAL INTEGRATED CIRCUIT MANUFACTURING CAPABILITIES.**

*(a) ASSESSMENT.—The Secretary of Defense shall conduct a comprehensive assessment regarding the manufacturing capability of the United States to produce three-dimensional integrated circuits to serve the national defense interests of the United States.*

*(b) ELEMENTS.—The assessment under subsection (a) shall include—*

*(1) an assessment of the military requirements for using three-dimensional integrated circuits in future microelectronic systems;*

*(2) an assessment of the current domestic commercial capability to develop and manufacture three-dimensional integrated circuits for use in military systems, including a plan for alternative sources to supply such circuits in case of shortages in the domestic supply; and*

*(3) an assessment of the feasibility, as well as planning and design requirements, for the development of a domestic manufacturing capability for three-dimensional integrated circuits.*

*(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the assessment under subsection (a).*

*(d) FORM.—The report under subsection (c) shall be submitted in unclassified form, but may include a classified annex.*

**SEC. 244. REPORT ON EFFORTS TO FIELD NEW DIRECTED ENERGY WEAPONS.**

*(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report summarizing efforts within the Department of Defense to transition mature and maturing directed energy technologies to new operational weapon systems during the five- to- ten-year period beginning on the date of the report.*

*(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:*

*(1) Thorough assessments of—*

*(A) the maturity of high-energy laser, high-power microwave, and millimeter wave non-lethal technologies, both domestically and foreign;*

*(B) missions for which directed energy weapons could be used to substantially enhance the current and planned military capabilities of the United States;*

*(C) the potential for new directed energy systems to reduce requirements for expendable air and missile defense weapons;*

*(D) the status of and prognosis for foreign directed energy programs;*

*(E) the potential vulnerabilities of military systems of the United States to foreign directed energy weapons and efforts by the Secretary to mitigate such vulnerabilities; and*

*(F) a summary of actions the Secretary is taking to ensure that the military will be the global leader in directed energy capabilities.*

*(2) In light of the suitability of surface ships to support a solid-state laser weapon based on mature and maturing technologies, whether—*

*(A) the Department of the Navy should be designated as lead service for fielding a 100 to 200 kilowatt-class laser to defend surface ships against unmanned aircraft, cruise missile, and fast attack craft threats; and*

*(B) the Secretary of the Navy should initiate a program of record to begin fielding a ship-based solid-state laser weapon system.*

*(3) In light of the potential effectiveness of high-power microwave weapons against sensors,*

*battle management, and integrated air defense networks, whether—*

*(A) the Department of the Navy and the Department of the Air Force should be designated as lead services for integrating high-power microwave weapons on small air vehicles, including cruise missiles and unmanned aircraft; and*

*(B) the Secretary of the Air Force should initiate a program of record to field a cruise missile- or unmanned air vehicle-based high-power microwave weapon.*

*(4) In light of the potential of mature chemical laser technologies to counter air and ballistic missile threats from relocatable fixed sites, whether the Secretary of the Army should initiate a program of record to develop and field a multi-megawatt class chemical laser weapon system to defend forward airfields, ports, and other theater bases critical to future operations.*

*(5) Whether the investments by the Secretary of Defense in high-energy laser weapons research, development, test, and evaluation are appropriately prioritized across each military department and defense-wide accounts to support the weaponization of mature and maturing directed energy technologies during the five- to-ten-year period beginning on the date of the report, including whether sufficient funds are allocated within budget area 4 and higher accounts to prepare for near term weaponization opportunities.*

*(c) FORM.—The report under subsection (a) shall be unclassified, but may include a classified annex.*

### *Subtitle E—Other Matters*

**SEC. 251. ELIGIBILITY FOR DEPARTMENT OF DEFENSE LABORATORIES TO ENTER INTO EDUCATIONAL PARTNERSHIPS WITH EDUCATIONAL INSTITUTIONS IN TERRITORIES AND POSSESSIONS OF THE UNITED STATES.**

*(a) ELIGIBILITY OF INSTITUTIONS IN TERRITORIES AND POSSESSIONS.—Section 2194(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:*

*''(3) The term 'United States' includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.''.*

*(b) TECHNICAL AMENDMENT.—Paragraph (2) of such section is amended by inserting ''(20 U.S.C. 7801)'' before the period.*

**SEC. 252. REGIONAL ADVANCED TECHNOLOGY CLUSTERS.**

*(a) DEVELOPMENT OF INNOVATIVE ADVANCED TECHNOLOGIES.—The Secretary of Defense may use the research and engineering network of the Department of Defense, including the organic industrial base, to support regional advanced technology clusters established by the Secretary of Commerce to encourage the development of innovative advanced technologies, including advanced robotics, advanced defense systems, power and energy innovations, systems to mitigate manmade and naturally occurring electromagnetic pulse or high-powered microwaves, cybersecurity and applied lightweight materials, to address national security and homeland defense challenges.*

*(b) DESIGNATION OF LEAD OFFICE.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—*

*(1) designate an office within the Department of Defense with the lead responsibility for enhancing the use of regional advanced technology clusters by the Department; and*

*(2) notify the appropriate congressional committees of such designation.*

*(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate congressional committees a report describing—*

*(1) the participation of the Department of Defense in regional advanced technology clusters;*

*(2) implementation by the Department of processes and tools to facilitate collaboration with the clusters; and*

*(3) agreements established by the Department with the Department of Commerce to jointly support the continued growth of the clusters.*

*(d) COLLABORATION.—The Secretary of Defense may meet, collaborate, and share resources with other Federal agencies for purposes of assisting in the expansion of regional advanced technology clusters under this section.*

*(e) DEFINITIONS.—In this section:*

*(1) The term ''appropriate congressional committees'' means—*

*(A) the congressional defense committees;*

*(B) the Committee on Commerce, Science, and Transportation of the Senate; and*

*(C) the Committee on Energy and Commerce of the House of Representatives.*

*(2) The term ''regional advanced technology clusters'' means geographic centers focused on building science and technology-based innovation capacity in areas of local and regional strength to foster economic growth and improve quality of life.*

**SEC. 253. BRIEFING ON POWER AND ENERGY RESEARCH CONDUCTED AT UNIVERSITY AFFILIATED RESEARCH CENTER.**

*Not later than February 28, 2013, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and House of Representatives on power and energy research conducted at the University Affiliated Research Centers. The briefing shall include—*

*(1) a description of research conducted with other university based energy centers; and*

*(2) a description of collaboration efforts with university-based research centers on energy research and development activities, particularly with centers that have an expertise in energy efficiency and renewable energy, including—*

*(A) lighting;*

*(B) heating;*

*(C) ventilation and air-conditioning systems; and*

*(D) renewable energy integration.*

## *TITLE III—OPERATION AND MAINTENANCE*

### *Subtitle A—Authorization of Appropriations*

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

*Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.*

**SEC. 302. AUTHORIZATION OF APPROPRIATIONS OF FUNDS FOR INACTIVATION EXECUTION OF U.S.S. ENTERPRISE.**

*(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Secretary of the Navy for fiscal year 2013 for inactivation execution of the U.S.S. Enterprise (CVN 65) as specified in the funding table in section 4301.*

*(b) LIMITATION.—The total amount obligated and expended by the Secretary of the Navy for the inactivation execution of the U.S.S. Enterprise may not exceed $708,000,000.*

*(c) CONTRACT AUTHORITY.—*

*(1) IN GENERAL.—Subject to the availability of funds under subsection (a) and the condition in paragraph (2), the Secretary of the Navy may enter into a contract during fiscal year 2013 for the inactivation execution of the U.S.S. Enterprise.*

*(2) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2013 is subject to the availability of appropriations for that purpose for that fiscal year.*

### *Subtitle B—Energy and Environmental Provisions*

**SEC. 311. TRAINING RANGE SUSTAINMENT PLAN AND TRAINING RANGE INVENTORY.**

*Section 366 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2522; 10 U.S.C. 113 note), as most recently amended by section 348 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2159) is amended in subsections (a)(5) and (c)(2), by striking ''fiscal years 2005 through 2013'' and inserting ''fiscal years 2005 through 2018''.*

**SEC. 312. MODIFICATION OF DEFINITION OF CHEMICAL SUBSTANCE.**

*Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by inserting '', or any component of any such article including, without limitation, shot, bullets and other projectiles, propellants, and primers'' before '', and''.*

**SEC. 313. EXEMPTION OF DEPARTMENT OF DEFENSE FROM ALTERNATIVE FUEL PROCUREMENT REQUIREMENT.**

*Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is amended by adding at the end the following: ''This section shall not apply to the Department of Defense.''.*

**SEC. 314. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ALTERNATIVE FUEL.**

*(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available during fiscal year 2013 for the Department of Defense may be obligated or expended for the production or purchase of any alternative fuel if the cost of producing or purchasing the alternative fuel exceeds the cost of producing or purchasing a traditional fossil fuel that would be used for the same purpose as the alternative fuel.*

*(b) EXCEPTION.—Notwithstanding subsection (a), the Secretary of Defense may purchase such limited quantities of alternative fuels as are necessary to complete fleet certification for 50/50 blends. In such instances, the Secretary shall purchase such alternative fuel using competitive procedures and ensure the best purchase price for the fuel.*

**SEC. 315. PLAN ON ENVIRONMENTAL EXPOSURES TO MEMBERS OF THE ARMED FORCES.**

*(a) PLAN.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan on the time line of the Secretary to develop a material solution to measure environmental exposures to members of the Armed Forces in the continental United States and outside the continental United States.*

*(b) MATTERS INCLUDED.—The plan under subsection (a) shall include the following:*

*(1) A time line for identifying relevant materiel solutions that would facilitate the Secretary identifying members of the Armed Forces who have individual exposures to environmental hazards.*

*(2) A time line, and estimated cost, of developing and deploying the material solution described in paragraph (1).*

*(3) A system for collecting and maintaining exposure data and a description of the content required.*

*(4) An identification of the categories of environmental exposures that will be tracked, including burn pits, dust or sand, water contamination, hazardous materials, and waste.*

*(5) A summary of ongoing research into health consequences of military environmental exposures and areas where additional research is needed.*

*(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense*

*committees a briefing on the plan developed under subsection (a).*

***Subtitle C—Logistics and Sustainment***

***SEC. 321. EXPANSION AND REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.***

*(a) EXPANSION.—Section 338 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 5013 note), as most recently amended by section 329 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 67), is amended—*

*(1) by striking subsection (a) and inserting the following new subsection:*

*''(a) DEMONSTRATION PROJECT AUTHORIZED.—In accordance with subsection 4703 of title 5, United States Code, the Secretary of a military department may carry out a demonstration project at facilities described in subsection (b) under which workers who are certified at the journey level as able to perform multiple trades shall be promoted by one grade level.''; and*

*(2) in subsection (b), by striking ''Logistics Center, Navy Fleet Readiness Center,'' and inserting ''Logistics Complex, Navy Fleet Readiness Center, Navy shipyard, Marine Corps Logistics Base,''.*

*(b) REAUTHORIZATION.—Such section is further amended—*

*(1) in subsection (d), by striking ''2013'' and inserting ''2018''; and*

*(2) in subsection (e), by striking ''2014'' and inserting ''2019''.*

***SEC. 322. DEPOT-LEVEL MAINTENANCE AND REPAIR.***

*(a) AMENDMENTS TO DEFINITION OF DEPOT-LEVEL MAINTENANCE AND REPAIR.—Section 2460 of title 10, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) by inserting after ''software'' the following: ''during the course of a customary depot-level maintenance action''; and*

*(B) by striking ''or the modification or rebuild of end-items,'' and inserting ''retrofit, modification, upgrade, or rebuild of end items, components,'';*

*(2) in paragraph (1)(B), by striking ''and'' at the end;*

*(3) in paragraph (2)(B), by striking ''change events made to operational software, integration and testing'' and inserting ''and change events (including integration and testing) made to operational software'';*

*(4) in paragraph (2)(C), by striking the period and inserting ''if the modifications or upgrades are being applied during a customary depot-level maintenance action; and''; and*

*(5) by adding at the end the following new paragraph:*

*''(3) excludes—*

*''(A) the nuclear refueling or defueling of an aircraft carrier and any concurrent complex overhaul; and*

*''(B) the procurement of major modifications or upgrades designed to significantly improve the performance or safety of a weapon system or major end item.''.*

*(b) AMENDMENTS RELATING TO CORE DEPOT-LEVEL MAINTENANCE AND REPAIR CAPABILITIES.—*

*(1) ASSOCIATED CAPACITY.—Section 2464(a)(3)(A) of title 10, United States Code, is amended by striking ''and capacity required in paragraph (1)'' and inserting ''required in paragraph (1) and the associated capacity to maintain those capabilities in accordance with paragraph (2)''.*

*(2) DIRECT SUPPORT OF ASSOCIATED LOGISTICS CAPABILITIES.—Section 2464(a)(3)(B) of such title is amended by inserting ''in direct support of depot-level maintenance and repair'' after ''associated logistics capabilities''.*

*(3) TIME OF FIELDING.—Section 2464(a)(3) of such title is further amended by adding at the end the following new sentence: ''If a weapon system or item of military equipment does not have an officially scheduled initial operational capability, the weapon system or item is considered fielded at the time when, as part of combined or individual operation, it provides a warfighting capability, unless the Secretary waives this paragraph under subsection (b)(1)(A) based on a determination that the system or item is not an enduring element of the national defense strategy.''.*

*(3) REQUIREMENT TO NOTIFY CONGRESS BEFORE ISSUANCE OF WAIVER.—Section 2464(b)(3) of such title is amended by striking ''within 30 days of issuance'' and inserting ''at least 30 days before issuance of the waiver''.*

*(4) PROHIBITION ON DELEGATION OF CERTAIN WAIVER AUTHORITY.—Section 2464(b) of such title is amended by adding at the end the following new paragraph:*

*''(4) The authority of the Secretary of Defense to waive the requirement in subsection (a)(3) on the basis of a determination under paragraph (1)(A) or (1)(B) may not be delegated.''.*

*(5) EXCLUSION OF NUCLEAR AIRCRAFT CARRIERS AND SPECIAL ACCESS PROGRAMS.—Section 2464 of such title is further amended—*

*(A) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and*

*(B) by inserting after subsection (c) the following new subsection (d):*

*''(d) EXCLUSION OF NUCLEAR AIRCRAFT CARRIERS AND SPECIAL ACCESS PROGRAMS.—(1) The requirement in subsection (a)(3) shall not apply to nuclear aircraft carriers.*

*''(2) The requirement in subsection (a)(3) shall not apply to special access programs.''.*

*(6) ANNUAL SPECIAL ACCESS PROGRAM CORE CAPABILITY REVIEW.—Section 2464 of such title is further amended by adding at the end the following new subsection:*

*''(i) BIENNIAL SPECIAL ACCESS PROGRAM CORE CAPABILITY REVIEW.—Notwithstanding the inapplicability of subsection (a)(3) to special access programs (as provided in subsection (d)), the Secretary of Defense shall, not later than April 1 on each even-numbered year, conduct a review of each special access program in existence during the two fiscal years preceding the fiscal year during which the review is conducted to determine the core depot maintenance and repair capabilities required to provide a ready and controlled source of technical competence, and the resources that would be required to establish a core capability if it becomes necessary. The Secretary of Defense shall include the results of such review in the form of a classified annex to the biennial core report required under subsection (f).''.*

*(7) AMENDMENTS FOR CONSISTENCY IN USE OF TERMS.—Section 2464 of such title is further amended—*

*(A) in subsection (a)(1), by striking ''a core depot-level maintenance and repair capability'' and inserting ''core depot-level maintenance and repair capabilities'';*

*(B) in subsection (a)(2), by striking ''This core depot-level maintenance and repair capability'' and inserting ''The core depot-level maintenance and repair capabilities required in paragraph (1)''; and*

*(C) in subsection (e)(1), as redesignated by paragraph (5), by striking ''a core depot-level maintenance and repair capability'' and inserting ''core depot-level maintenance and repair capabilities''.*

*(8) CONFORMING AMENDMENTS.—Section 2464(b) of such title is further amended—*

*(A) in paragraph (1)—*

*(i) by striking subparagraph (B);*

*(ii) by inserting ''or'' at the end of subparagraph (A); and*

*(iii) by redesignating subparagraph (C) as subparagraph (B);*

*(B) by striking paragraph (2); and*

*(C) by redesignating paragraph (3) as paragraph (2) and in that paragraph by striking ''or (2)''.*

***Subtitle D—Readiness***

***SEC. 331. INTERGOVERNMENTAL SUPPORT AGREEMENTS WITH STATE AND LOCAL GOVERNMENTS.***

*(a) AGREEMENTS AUTHORIZED.—Section 2391 of title 10, United States Code, is amended—*

*(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and*

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

*''(c) INTERGOVERNMENTAL SUPPORT AGREEMENTS WITH STATE AND LOCAL GOVERNMENTS.—(1) The Secretary of the military department concerned may enter into an intergovernmental support agreement with a State or local government to provide, receive, or share installation-support services when such an agreement—*

*''(A) serves the best interests of the military department by enhancing mission effectiveness or creating efficiencies or economies of scale, including by reducing costs;*

*''(B) serves the best interest of State or local government party to the agreement, as determined by the community's particular circumstances; and*

*''(C) otherwise provides a mutual benefit to the military department and the State or local government.*

*''(2) The authority provided by this subsection and limitations on its use are not intended to revoke, preclude, or otherwise interfere with existing or proposed mutual-aid agreements relating to police or fire protection services or other similar first responder agreements or arrangements.*

*''(3) Funds available to the Secretary of the military department concerned for installation support may be used to reimburse a State or local government for providing installation-support services pursuant to an agreement under this subsection. Funds received by the Secretary as reimbursement for providing installation-support services pursuant to the agreement shall be credited to the appropriation or account charged with providing installation support.''.*

*(b) INSTALLATION-SUPPORT SERVICES DEFINED.—Subsection (e) of section 2391 of title 10, United States Code, as redesignated by subsection (a)(1) of this section, is amended by adding at the end the following new paragraph:*

*''(4) The term 'installation-support services' means those services, supplies, resources, and support provided typically by a local government, except that the term does not include or authorize police or fire protection services.''.*

***SEC. 332. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ASSURED BUSINESS GUARANTEES TO CARRIERS PARTICIPATING IN CIVIL RESERVE AIR FLEET.***

*(a) EXTENSION.—Subsection (k) of section 9515 of title 10, United States Code, is amended by striking ''December 31, 2015'' and inserting ''December 31, 2020''.*

*(b) APPLICATION TO ALL SEGMENTS OF CRAF.—Such section is further amended—*

*(1) in subsection (a)(3), by striking ''passenger''; and*

*(2) in subsection (j), by striking '', except that it only means such transportation for which the Secretary of Defense has entered into a contract for the purpose of passenger travel''.*

***SEC. 333. EXPANSION AND REAUTHORIZATION OF PILOT PROGRAM FOR AVAILABILITY OF WORKING-CAPITAL FUNDS FOR PRODUCT IMPROVEMENTS.***

*(a) EXPANSION.—Section 330 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 68) is amended—*

*(1) in subsection (a), by inserting '', the Secretary of the Navy, and the Secretary of the Air Force (in this section referred to as the 'Secretary concerned')'' after ''the Secretary of the Army'';*

*(2) in subsection (d)—*

*(A) by inserting ''by the Secretary concerned'' after ''submitted''; and*

*(B) by inserting ''by the Secretary concerned'' after ''used''; and*

*(3) in subsection (e)—*

*(A) in paragraph (1), by striking ''the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, in consultation with the Assistant Secretary of the Army for Financial Management and Comptroller,'' and inserting ''the Secretary concerned''; and*

*(B) in paragraph (2), by striking ''the Assistant Secretary of the Army for Acquisition, Logistics, and Technology'' and inserting ''the Secretary concerned''.*

*(b) COVERED PRODUCT IMPROVEMENTS.—Subsection (b) of such section is amended—*

*(1) by inserting ''retrofit, modernization, upgrade, or rebuild of a'' before ''component''; and*

*(2) by striking ''reliability and maintainability'' and inserting ''reliability, availability, and maintainability''.*

*(c) LIMITATION ON CERTAIN PROJECTS.—Subsection (c)(1) of such section is amended by striking ''performance envelope'' and inserting ''capability''.*

*(d) REPORTING REQUIREMENT.—Subsection (e) of such section is amended—*

*(1) in paragraph (2), by striking ''2012'' and inserting ''2017''; and*

*(2) in paragraph (3), by striking ''60 days'' and inserting ''45 days''.*

*(e) EXTENSION.—Subsection (f) of such section, as amended by section 354 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1377), is further amended by striking ''2014'' and inserting ''2018''.*

*(f) CLERICAL AMENDMENT.—The heading of such section is amended by striking ''**TO ARMY**''.*

***SEC. 334. CENTER OF EXCELLENCE FOR THE NATIONAL GUARD STATE PARTNERSHIP PROGRAM.***

*(a) IN GENERAL.—Chapter 5 of title 32, United States Code, is amended by adding at the end the following new section:*

***''§ 510. Center of Excellence for the National Guard State Partnership Program***

*''(a) CENTER AUTHORIZED.—The National Guard Bureau may maintain a Center of Excellence for the National Guard State Partnership Program (in this section referred to as the 'Center').*

*''(b) CENTER AUTHORITY AND PURPOSE.—If the Center is established, the Chief of the National Guard Bureau shall administer the Center to provide training opportunities for units and members of the regular and reserve components for the purpose of improving the skills for such units and members when deployed to complete the mission of the State Partnership Program. The Center will provide accredited instruction in partnership with a university program and other internationally recognized institutions.*

*''(c) CONDUCT OF CENTER.—The Chief of the National Guard Bureau may provide for the conduct of the Center in such State as the Chief considers appropriate.*

*''(d) PERSONS ELIGIBLE TO PARTICIPATE IN CENTER TRAINING.—(1) The Chief of the National Guard Bureau may recommend units and members of the National Guard to attend training at the Center under section 502(f) of this title for not longer than the duration of the training.*

*''(2) The Secretaries of the Army, Navy, Air Force, and Marine Corps may detail units or members of their respective regular or reserve components to attend training at the Center. The Secretary of Homeland Security may detail members of the Coast Guard to attend training and provide subject matter expertise as requested.*

*''(e) AUTHORIZED TRAINING.—The training authorized to be provided by the Center involves such matters within the core competencies of the National Guard and suitable for contacts under the State Partnership Program as the Chief of the National Guard Bureau specifies consistent with regulations issued by the Secretary of Defense.*

*''(f) CENTER PERSONNEL.—(1) The Chief of the National Guard Bureau shall appoint an active member of the National Guard to be the Commandant of the Center to administer and lead the center.*

*''(2) The Center shall contain personnel authorizations under a table of distribution and allowance that ensures sufficient cadre and support to the Center and will be assigned to the host State.*

*''(3) Personnel of the National Guard of any State may serve on full-time National Guard duty for the purpose of providing command, administrative, training, or supporting services for the Center. For the performance of those services, any personnel may be ordered to duty under section 502(f) of this title.*

*''(4) Employees of the Departments of Defense may be detailed to the Center for the purpose of providing additional training.*

*''(5) The National Guard Bureau may procure, by contract, the temporary full time services of such civilian personnel as may be necessary in carrying out the training provided by the Center.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:*

*''510. Center for Excellence for the National Guard State Partnership Program.''.*

***Subtitle E—Reports***

***SEC. 341. REPORT ON JOINT STRATEGY FOR READINESS AND TRAINING IN A C4ISR-DENIED ENVIRONMENT.***

*(a) REPORT REQUIRED.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall submit to Congress a report on the readiness of the joint force to conduct operations in environments where there is no access to Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (in this section referred to as ''C4ISR'') systems, including satellite communications, classified Internet protocol-based networks, and the Global Positioning System (in this section referred to as ''GPS'').*

*(b) CONTENTS OF REPORT.—The report required by subsection (a) shall include a description of the steps taken and planned to be taken—*

*(1) to identify likely threats to the C4ISR systems of the United States, including both weapons and those states with such capabilities; as well as the most likely areas in which C4ISR systems could be at risk;*

*(2) to identify vulnerabilities to the C4ISR systems of the United States that could result in a C4ISR-denied environment;*

*(3) to determine how the Armed Forces should respond in order to reconstitute C4ISR systems, prevent further denial of C4ISR systems; and develop counter-attack capabilities;*

*(4) to determine which types of joint operations could be feasible in an environment in which access to C4ISR systems is restricted or denied;*

*(5) to conduct training and exercises for sustaining combat and logistics operations in C4ISR-denied environments; and*

*(6) to propose changes to current tactics, techniques, and procedures to prepare to operate in an environment in which C4ISR systems are degraded or denied for 48-hour, 7 day, 30-day, or 60-day periods.*

*(c) JOINT EXERCISE PLAN REQUIRED.—Based on the findings of the report required by subsection (a), the Chairman of the Joint Chiefs of Staff shall develop a roadmap and joint exercise plan for the joint force to operate in an environment where access to C4ISR systems, including satellite communications, classified Internet protocol-based networks, and the GPS network, is denied. The plan and joint exercise program shall include—*

*(1) the development of alternatives to satellite communications, classified Internet protocol-based networks, and GPS for logistics, intelligence, surveillance, and reconnaissance, and combat operations; and*

*(2) methods to mitigate dependency on satellite communications, classified Internet protocol-based networks, and GPS;*

*(3) methods to protect vulnerable satellite communications, classified Internet protocol-based networks, and GPS; and*

*(4) a joint exercise and training plan to include fleet battle experiments, to enable the force to operate in a satellite communications, Internet protocol-based network, and GPS-denied environment.*

*(d) FORM OF REPORT.—The report required to be submitted by subsection (a) shall be submitted in unclassified form, but may include a classified annex.*

***SEC. 342. COMPTROLLER GENERAL REVIEW OF ANNUAL DEPARTMENT OF DEFENSE REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.***

*Section 2229a(b)(1) of title 10, United States Code, is amended—*

*(1) by striking ''By not later than 120 days after the date on which a report is submitted under subsection (a), the'' and inserting ''The''; and*

*(2) by striking ''the report'' and inserting ''each report submitted under subsection (a)''.*

***SEC. 343. MODIFICATION OF REPORT ON MAINTENANCE AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.***

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

*(1) in paragraph (3)(A), by inserting after ''justification under law'' the following: ''and operational justification''; and*

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

*''(C) A vessel not described in subparagraph (A) or (B) that is operated pursuant to a contract entered into by the Military Sealift Command, the Maritime Administration, or the United States Transportation Command.''.*

***SEC. 344. EXTENSION OF DEADLINE FOR COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE SERVICE CONTRACT INVENTORY.***

*Section 803(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2402) is amended by striking ''180 days'' and inserting ''270 days''.*

***SEC. 345. GAO REPORT REVIEWING METHODOLOGY OF DEPARTMENT OF DEFENSE RELATING TO COSTS OF PERFORMANCE BY CIVILIAN EMPLOYEES, MILITARY PERSONNEL, AND CONTRACTORS.***

*(a) REVIEW REQUIREMENT.—The Comptroller General of the United States shall conduct a review of Department of Defense Directive-Type Memorandum 09-007 entitled ''Estimating and Comparing the Full Costs of Civilian and Military Manpower and Contractor Support'' to determine whether the methodology used in the memorandum reflects the actual, relevant, and quantifiable costs to taxpayers of performance by Federal civilian employees, military personnel, and contractors.*

*(b) CONSULTATION.—In conducting the review required by subsection (a), the Comptroller General shall consult with the Under Secretary of Defense for Personnel and Readiness, the Director of Cost Assessment and Program Evaluation, the Director of the Office of Management and Budget, and private sector stakeholders.*

*(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit a report on the review required by subsection (a) to the Committees on Armed Services of the Senate and the House of Representatives. The report shall contain the results of the review and make recommendations for any statutory changes that the Comptroller General determines are necessary to ensure that the memorandum reviewed includes the actual, relevant, and quantifiable*

*costs to taxpayers for Federal civilian employees, military personnel, and contractors.*

**SEC. 346. REPORT ON MEDICAL EVACUATION POLICIES.**

*(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees and the Comptroller General of the United States a report on the policies, procedures, and guidelines of the Department of Defense for helicopter evacuation of injured members of the Armed Forces performed by—*

*(1) unarmed Army helicopters (in this section referred to as ''MEDEVAC''); and*

*(2) armed Air Force helicopters (in this section referred to as ''CASEVAC'').*

*(b) CONTENTS.—The report submitted under subsection (a) shall contain the following:*

*(1) The differences between armed escort helicopters that accompany MEDEVAC helicopters and CASEVAC helicopters.*

*(2) The differences between Army and Air Force training of MEDEVAC and CASEVAC air crews.*

*(3) The differences between the capacity of the Army and the Air Force to care for wounded members of the Armed Forces.*

*(4) The potential costs associated with—*

*(A) arming MEDEVAC helicopters;*

*(B) increasing the training of MEDEVAC air crews to be comparable to the training of CASEVAC air crews; and*

*(C) increasing the quality of the avionics used in MEDEVAC helicopters to be comparable to the quality of the avionics used in CASEVAC helicopters.*

*(5) An analysis of the Army rescue goal, commonly known as the ''golden hour'', which specifies a goal of transporting an injured member of the Armed Forces to a military medical treatment facility not later than 60 minutes after the MEDEVAC unit receives notification of the injury, including an analysis on—*

*(A) whether the 60-minute time period should begin at the time of injury instead of at the time of notification;*

*(B) the usefulness of gathering information about survival rates using additional different time periods; and*

*(C) the validity of the survival rate associated with the ''golden hour''.*

*(6) A comparison of the helicopter evacuation capabilities in combat zones of—*

*(A) the Army;*

*(B) the Air Force;*

*(C) Special Operations Command; and*

*(D) armed forces of other countries that perform helicopter evacuations in combat zones.*

*(7) An analysis of—*

*(A) the requirements under the Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field, done at Geneva, August 12, 1949 (6 UST 3114) and the related protocols with regard to the weapons an aircraft may carry and still be considered a medical aircraft (which, for purposes of such Convention and protocols, means an aircraft exclusively employed for the removal of wounded and sick and for the transport of medical personnel and equipment) protected under such Convention, and of the interpretations of and policies under such requirements by the Department of Defense;*

*(B) the threats to MEDEVAC and CASEVAC air crews and assets posed by unconventional forces that do not abide by international law, military tradition, or custom, such as insurgent or criminal organizations; and*

*(C) any strategies to respond to the threats identified in subparagraph (B), as well as any legal or policy restrictions to such responses based on the requirements, policies, and interpretations identified in subparagraph (A).*

*(8) An explanation of how the survival rate of injured members of the Armed Forces rescued by helicopter evacuation is calculated.*

*(9) Information on the average number of injured members of the Armed Forces that are evacuated during each MEDEVAC and CASEVAC mission.*

*(c) REVIEW BY COMPTROLLER GENERAL.—Not later than 120 days after the date on which the Comptroller General receives the report submitted by the Secretary of Defense under subsection (a), the Comptroller General shall submit to the congressional defense committees an analysis of such report.*

## *Subtitle F—Limitations and Extensions of Authority*

**SEC. 351. REPEAL OF AUTHORITY TO PROVIDE CERTAIN MILITARY EQUIPMENT AND FACILITIES TO SUPPORT CIVILIAN LAW ENFORCEMENT AND EMERGENCY RESPONSE.**

*Section 372 of title 10, United States Code, is amended—*

*(1) in subsection (a), by striking ''(a) IN GENERAL.—The Secretary'' and inserting ''The Secretary''; and*

*(2) by striking subsection (b).*

**SEC. 352. LIMITATION ON AVAILABILITY OF FUNDS FOR THE DISESTABLISHMENT OF AEROSPACE CONTROL ALERT LOCATIONS.**

*(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to disestablish or downgrade any of the 18 level 5 aerospace control alert defense locations in existence as of the date of the enactment of this Act.*

*(b) MAINTAINED LEVELS.—The Secretary of the Air Force shall maintain the operational capabilities provided by the 18 level 5 aerospace control alert defense capabilities until the later of the following dates:*

*(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.*

*(2) September 30, 2013.*

*(c) CONSOLIDATED BUDGET EXHIBIT.—The Secretary of Defense shall establish a consolidated budget justification display that fully identifies the baseline aerospace control alert budget for each of the military services and encompasses all programs and activities of the aerospace control alert mission for each of the following functions:*

*(1) Procurement.*

*(2) Operation and maintenance.*

*(3) Research, development, testing, and evaluation.*

*(4) Military construction.*

*(d) REPORT.—*

*(1) REPORT TO CONGRESS.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report that provides a cost-benefit analysis and risk-based assessment of the aerospace control alert mission as it relates to expected future changes to the budget and force structure of such mission.*

*(2) COMPTROLLER GENERAL REVIEW.—Not later than 120 days after the date on which the Secretary submits the report required by paragraph (1), the Comptroller General of the United States shall—*

*(A) conduct a review of the force structure plan of the Department of Defense and the cost-benefit analysis and risk-based assessment contained in the report; and*

*(B) submit to the congressional defense committees a report on the findings of such review.*

**SEC. 353. LIMITATION ON AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL MUSEUM OF THE UNITED STATES ARMY.**

*Of the amounts authorized to be appropriated for Operation and Maintenance for fiscal year 2013, not more than $5,000,000 shall be made available for the National Museum of the United States Army until the Secretary of the Army submits to the congressional defense committees certification in writing that sufficient private funding has been raised to fund the construction of the portion of the museum known as the ''Baseline Museum'' and that at least 50 percent of the Baseline Museum has been completed.*

**SEC. 354. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.**

*(a) LIMITATION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.*

*(b) EXCEPTION.—Notwithstanding subsection (a), the U.S.S. Port Royal, CG 73, is authorized for retirement.*

*(c) MAINTAINED LEVELS.—The Secretary of the Navy, in supporting the operational requirements of the combatant commands, shall maintain the operational capability and perform the necessary maintenance of each cruiser and dock landing ship belonging to the Navy until the later of the following dates:*

*(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.*

*(2) September 30, 2013.*

**SEC. 355. RENEWAL OF EXPIRED PROHIBITION ON RETURN OF VETERANS MEMORIAL OBJECTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.**

*(a) CODIFICATION OF PROHIBITION.—Section 2572 of title 10, United States Code, is amended by adding at the end the following new subsection:*

*''(e)(1) Except as provided in paragraph (3), and notwithstanding this section or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or an entity controlled by a foreign government, or otherwise transfer or convey such an object to any person or entity for purposes of the ultimate transfer or conveyance of the object to a foreign country or entity controlled by a foreign government.*

*''(2) In this subsection:*

*''(A) The term 'entity controlled by a foreign government' has the meaning given that term in section 2536(c)(1) of this title.*

*''(B) The term 'veterans memorial object' means any object, including a physical structure or portion thereof, that—*

*''(i) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;*

*''(ii) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the armed forces; and*

*''(iii) was brought to the United States from abroad as a memorial of combat abroad.*

*''(3) The prohibition imposed by paragraph (1) does not apply to a transfer of a veterans memorial object if—*

*''(A) the transfer of that veterans memorial object is specifically authorized by law; or*

*''(B) the transfer is made after September 30, 2017.''.*

*(b) REPEAL OF OBSOLETE SOURCE LAW.—Section 1051 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 2572 note) is repealed.*

## *Subtitle G—Other Matters*

**SEC. 361. RETIREMENT, ADOPTION, CARE, AND RECOGNITION OF MILITARY WORKING DOGS.**

*(a) RETIREMENT AND ADOPTION OF MILITARY WORKING DOGS.—*

*(1) RETIREMENT AND RECLASSIFICATION OF MILITARY WORKING DOGS.—Section 2583 of title 10, United States Code, is amended—*

*(A) by redesignating subsections (f) and (g) as subsections (h) and (i), respectively; and*

*(B) by inserting after subsection (e) the following new subsections:*

*''(f) CLASSIFICATION OF MILITARY WORKING DOGS.—The Secretary of Defense shall classify military working dogs as canine members of the armed forces. Such dogs shall not be classified as equipment.*

''(g) TRANSFER OF RETIRED MILITARY WORKING DOGS.—If the Secretary of the military department concerned determines that a military working dog should be retired, and no suitable adoption is available at the military facility where the dog is located, the Secretary may transfer the dog—

''(1) to the 341st Training Squadron; or

''(2) to another location for adoption under this section.''.

(2) ACCEPTANCE OF FREQUENT TRAVELER MILES TO FACILITATE ADOPTION.—Section 2613(d) of such title is amended—

(A) in paragraph (1)(B), by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new paragraph:

''(3) facilitating the adoption of a military working dog under section 2583 of this title.''.

(b) VETERINARY CARE FOR RETIRED MILITARY WORKING DOGS.—

(1) VETERINARY CARE.—

(A) IN GENERAL.—Chapter 50 of such title is amended by adding at the end the following new section:

**''§ 993. Military working dogs: veterinary care for retired military working dogs**

''(a) IN GENERAL.—The Secretary of Defense shall establish and maintain a system to provide for the veterinary care of retired military working dogs.

''(b) ELIGIBLE DOGS.—(1) A retired military working dog eligible for veterinary care under this section is any military working dog adopted under section 2583 of this title.

''(2) The veterinary care provided a military working dog under this section shall be provided during the life of the dog beginning on the date on which the dog is adopted under such section 2583.

''(c) ADMINISTRATION.—(1) The Secretary shall administer the system required by this section under a contract awarded by the Secretary for that purpose.

''(2)(A) The contract under this subsection shall be awarded to a private non-profit entity selected by the Secretary from among such entities submitting an application therefor that have such experience and expertise as the Secretary considers appropriate for purposes of this subsection.

''(B) An entity seeking the award of a contract under this subsection shall submit to the Secretary an application therefor in such form, and containing such information, as the Secretary shall require.

''(3) The term of any contract under this subsection shall be such duration as the Secretary shall specify.

''(d) STANDARDS OF CARE.—(1) The veterinary care provided under the system required by this section shall meet such standards as the Secretary shall establish and from time to time update.

''(2) The standards required by this subsection shall include the following:

''(A) Provisions regarding the types of care to be provided to retired military working dogs.

''(B) Provisions regarding the entities (including private veterinarians and entities) qualified to provide the care.

''(C) Provisions regarding the facilities, including military installations, government facilities, and private facilities, in which the care may be provided.

''(D) A requirement that complete histories be maintained on the health and use in research of retired military working dogs.

''(E) Such other matters as the Secretary considers appropriate.

''(3) The Secretary shall consult with the board of directors of the non-profit private entity awarded the contract under subsection (c) in establishing and updating standards of care under this subsection.

''(e) COVERAGE OF COSTS.—(1) Except as provided in paragraph (2), any costs of operation and administration of the system required by this section, and of any veterinary care provided under the system, shall be covered by such combination of the following as the Secretary and the non-profit entity awarded the contract under subsection (c) jointly consider appropriate:

''(A) Contributions from the non-profit entity.

''(B) Payments for such care by owners or guardians of the retired military working dogs receiving such care.

''(C) Other appropriate non-Federal sources of funds.

''(2) Funds provided by the Federal Government—

''(A) may not be used—

''(i) to provide veterinary care under the system required by this section; or

''(ii) to pay for the normal operation of the non-profit entity awarded the contract under subsection (c); and

''(B) may be used to carry out the duties of the Secretary under subsections (a), (c), (d), and (f).

''(f) REGULATIONS.—The Secretary shall prescribe regulations for the discharge of the requirements and authorities in this section, including regulations on the standards of care required by subsection (d).''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''993. Military working dogs: veterinary care for retired military working dogs.''.

(2) REGULATIONS.—The Secretary of Defense shall prescribe the regulations required by subsection (f) of section 993 of title 10, United States Code (as added by paragraph (1)), not later than 180 days after the date of the enactment of this Act.

(c) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—Section 1125 of such title is amended—

(1) by inserting ''(a) GENERAL AUTHORITY.—'' before ''The Secretary of Defense''; and

(2) by adding at the end the following new subsection:

''(b) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—The Secretary of Defense shall create a decoration or other appropriate recognition to recognize military working dogs under the jurisdiction of the Secretary that are killed in action or perform an exceptionally meritorious or courageous act in service to the United States.''.

## TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

### Subtitle A—Active Forces

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

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2013, as follows:

(1) The Army, 552,100.

(2) The Navy, 322,700.

(3) The Marine Corps, 197,300.

(4) The Air Force, 330,383.

**SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.**

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 552,100.

''(2) For the Navy, 322,700.

''(3) For the Marine Corps, 197,300.

''(4) For the Air Force, 330,383.''.

**SEC. 403. LIMITATIONS ON END STRENGTH REDUCTIONS FOR REGULAR COMPONENT OF THE ARMY AND MARINE CORPS.**

(a) ANNUAL CERTIFICATION.—Subject to subsections (b) and (c), if the President determines that a reduction in end strength of the regular component of the Army or Marine Corps (or both) is necessary for any of fiscal years 2014 through 2017, the President shall submit to Congress, with the budget request for that fiscal year, a certification that the reduction in end strength, should the assumptions of the National Security Strategy prescribed by the President in the most recent annual national security strategy report under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) prove to be incorrect, will not—

(1) undermine the ability of the Armed Forces to meet the requirements of the National Security Strategy;

(2) increase security risks for the United States; or

(3) compel members of the Armed Forces to endure diminished dwell time and repeated deployments.

(b) ANNUAL LIMITATION ON REDUCTIONS.—

(1) ARMY.—The end strength of the regular component of the Army shall not be reduced by more than 15,000 members during each of fiscal years 2014 through 2017 from the end strength of the regular component of the Army at the end of the preceding fiscal year.

(2) MARINE CORPS.—The end strength of the regular component of the Marine Corps shall not be reduced by more than 5,000 members during each of fiscal years 2014 through 2017 from the end strength of the regular component of the Marine Corps at the end of the preceding fiscal year.

(c) BUDGETING REQUIREMENT.—The budget for the Department of Defense for each of fiscal years 2014 through 2017 as submitted to Congress—

(1) shall include amounts for maintaining an end strength of the regular component of the Army and the Marine Corps sufficient to comply with the active duty end strengths prescribed in section 691(b) of title 10, United States Code; and

(2) shall not rely on any emergency, supplemental, or overseas contingency operations funding.

**SEC. 404. EXCLUSION OF MEMBERS WITHIN THE INTEGRATED DISABILITY EVALUATION SYSTEM FROM END STRENGTH LEVELS FOR ACTIVE FORCES.**

(a) EXCLUSION.—A member of the Armed Forces who is within the Integrated Disability Evaluation System as of the last day of any of fiscal years 2013 through 2018 shall not be counted toward the end strength levels for active duty members of the Armed Forces prescribed for that fiscal year.

(b) FUNDING SOURCE.—The Secretary of Defense shall use funds authorized to be appropriated for overseas contingency operations being carried out by the Armed Forces to cover any military personnel expenses incurred as a result of the exclusion under subsection (a) of members of the Armed Forces from the end strengths levels for active forces.

### Subtitle B—Reserve Forces

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

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2013, as follows:

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

(2) The Army Reserve, 205,000.

(3) The Navy Reserve, 62,500.

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

(5) The Air National Guard of the United States, 106,005.

(6) The Air Force Reserve, 72,428.

(7) The Coast Guard Reserve, 9,000.

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

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

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

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

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

*Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2013, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:*

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

*(2) The Army Reserve, 16,277.*

*(3) The Navy Reserve, 10,114.*

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

*(5) The Air National Guard of the United States, 14,952.*

*(6) The Air Force Reserve, 2,888.*

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

*The minimum number of military technicians (dual status) as of the last day of fiscal year 2013 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:*

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

*(2) For the Army Reserve, 8,395.*

*(3) For the Air National Guard of the United States, 22,272.*

*(4) For the Air Force Reserve, 10,946.*

***SEC. 414. FISCAL YEAR 2013 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.***

*(a) LIMITATIONS.—*

*(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2013, may not exceed the following:*

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

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

*(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2013, may not exceed 595.*

*(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2013, may not exceed 90.*

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

***SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.***

*During fiscal year 2013, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:*

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

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

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

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

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

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

***Subtitle C—Authorization of Appropriations***

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

*(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.*

*(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2013.*

***TITLE V—MILITARY PERSONNEL POLICY***

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

***SEC. 501. LIMITATION ON NUMBER OF NAVY FLAG OFFICERS ON ACTIVE DUTY.***

*(a) ADDITIONAL FLAG OFFICER AUTHORIZED.—Section 526(a)(2) of title 10, United States Code, is amended by striking ''160'' and inserting ''161''.*

*(b) CORRESPONDING CHANGE IN COMPUTING NUMBER OF FLAG OFFICERS IN STAFF CORPS OF THE NAVY.—Section 5150(c) of such title is amended by striking the last sentence.*

***SEC. 502. EXCEPTION TO REQUIRED RETIREMENT AFTER 30 YEARS OF SERVICE FOR REGULAR NAVY WARRANT OFFICERS IN THE GRADE OF CHIEF WARRANT OFFICER, W–5.***

*Section 1305(a) of title 10, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) by striking ''A regular warrant officer (other than a regular Army warrant officer)'' and inserting ''Subject to paragraphs (2) and (3), a regular warrant officer''; and*

*(B) by striking ''he'' and inserting ''the officer''; and*

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

*''(3) In the case of a regular Navy warrant officer in the grade of chief warrant officer, W–5, the officer shall be retired 60 days after the date on which the officer completes 33 years of total active service.''.*

***SEC. 503. AIR FORCE CHIEF AND DEPUTY CHIEF OF CHAPLAINS.***

*(a) ESTABLISHMENT OF POSITIONS; APPOINTMENT.—Chapter 805 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 8039. Chief and Deputy Chief of Chaplains: appointment; duties***

*''(a) CHIEF OF CHAPLAINS.—(1) There is a Chief of Chaplains in the Air Force, appointed by the President, by and with the advice and consent of the Senate, from officers of the Air Force designated under section 8067(h) of this title as chaplains who—*

*''(A) are serving in the grade of colonel or above;*

*''(B) are serving on active duty; and*

*''(C) have served on active duty as a chaplain for at least eight years.*

*''(2) An officer appointed as the Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.*

*''(3) The Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and by law.*

*''(b) DEPUTY CHIEF OF CHAPLAINS.—(1) There is a Deputy Chief of Chaplains in the Air Force, appointed by the President, by and with the advice and consent of the Senate, from officers of the Air Force designated under section 8067(h) of this title as chaplains who—*

*''(A) are serving in the grade of colonel;*

*''(B) are serving on active duty; and*

*''(C) have served on active duty as a chaplain for at least eight years.*

*''(2) An officer appointed as the Deputy Chief of Chaplains shall be appointed for a term of three years. However, the President may terminate or extend the appointment at any time.*

*''(3) The Deputy Chief of Chaplains shall perform such duties as may be prescribed by the Secretary of the Air Force and the Chief of Chaplains and by law.*

*''(c) SELECTION BOARD.—Under regulations approved by the Secretary of Defense, the Secretary of the Air Force, in selecting an officer for recommendation to the President for appointment as the Chief of Chaplains or the Deputy Chief of Chaplains, shall ensure that the officer selected is recommended by a board of officers that, insofar as practicable, is subject to the procedures applicable to the selection boards convened under chapter 36 of this title.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: ''8039. Chief and Deputy Chief of Chaplains: appointment; duties.''.*

***SEC. 504. EXTENSION OF TEMPORARY AUTHORITY TO REDUCE MINIMUM LENGTH OF ACTIVE SERVICE AS A COMMISSIONED OFFICER REQUIRED FOR VOLUNTARY RETIREMENT AS AN OFFICER.***

*(a) ARMY.—Section 3911(b)(2) of title 10, United States Code, is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.*

*(b) NAVY AND MARINE CORPS.—Section 6323(a)(2)(B) of such title is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.*

*(c) AIR FORCE.—Section 8911(b)(2) of such title is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.*

***SEC. 505. TEMPORARY INCREASE IN THE TIME-IN-GRADE RETIREMENT WAIVER LIMITATION FOR LIEUTENANT COLONELS AND COLONELS IN THE ARMY, AIR FORCE, AND MARINE CORPS AND COMMANDERS AND CAPTAINS IN THE NAVY.***

*Section 1370(a)(2)(F) of title 10, United States Code, is amended—*

*(1) by striking ''the period ending on December 31, 2007'' and inserting ''fiscal years 2013 through 2018'';*

*(2) by striking ''Air Force'' and inserting ''Army, Air Force, and Marine Corps''; and*

*(3) by striking ''in the period''.*

***SEC. 506. MODIFICATION TO LIMITATIONS ON NUMBER OF OFFICERS FOR WHOM SERVICE-IN-GRADE REQUIREMENTS MAY BE REDUCED FOR RETIREMENT IN GRADE UPON VOLUNTARY RETIREMENT.***

*Section 1370(a)(2) of title 10, United States Code, is amended—*

*(1) in subparagraph (E)—*

*(A) by inserting ''(i)'' after ''exceed''; and*

*(B) by inserting before the period at the end the following: ''or (ii) in the case of officers of that armed forces in a grade specified in subparagraph (G), two officers, whichever number is greater''; and*

*(2) by adding at the end the following new subparagraph:*

*''(G) Notwithstanding subparagraph (E), during fiscal years 2013 through 2017, the total number of brigadier generals and major generals of the Army, Air Force, and Marine Corps, and the total number of rear admirals (lower half) and rear admirals of the Navy, for whom a reduction is made under this section during any fiscal year of service-in-grade otherwise required under this paragraph—*

*''(i) for officers of the Army, Navy, and Air Force, may not exceed five percent of the authorized active-duty strength for that fiscal year for officers of that armed force in those grades; and*

*''(ii) for officers of the Marine Corps, may not exceed 10 percent of the authorized active-duty*

*strength for that fiscal year for officers in those grades.''.*

**SEC. 507. DIVERSITY IN MILITARY LEADERSHIP AND RELATED REPORTING REQUIREMENTS.**

*(a) PLAN TO ACHIEVE MILITARY LEADERSHIP REFLECTING DIVERSITY OF UNITED STATES POPULATION.—*

*(1) IN GENERAL.—Chapter 37 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 656. Diversity in military leadership: plan***

*''(a) PLAN.—The Secretary of Defense shall develop and implement a plan to accurately measure the efforts of the Department of Defense to achieve a dynamic, sustainable level of members of the armed forces (including reserve components) that, among both commissioned officers and senior enlisted personnel of each armed force, will reflect the diverse population of the United States eligible to serve in the armed forces, including gender specific, racial, and ethnic populations. Any metric established pursuant to this subsection may not be used in a manner that undermines the merit-based processes of the Department of Defense, including such processes for accession, retention, and promotion. Such metrics may not be combined with the identification of specific quotas based upon diversity characteristics. The Secretary shall continue to account for diversified language and cultural skills among the total force of the military.*

*''(b) METRICS TO MEASURE PROGRESS IN DEVELOPING AND IMPLEMENTING PLAN.—In developing and implementing the plan under subsection (a), the Secretary of Defense shall develop a standard set of metrics and collection procedures that are uniform across the armed forces. The metrics required by this subsection shall be designed—*

*''(1) to accurately capture the inclusion and capability aspects of the armed forces broader diversity plans, including race, ethnic, and gender specific groups, functional expertise, and diversified cultural and language skills as to leverage and improve readiness; and*

*''(2) to be verifiable and systematically linked to strategic plans that will drive improvements.*

*''(c) DEFINITION OF DIVERSITY.—In developing and implementing the plan under subsection (a), the Secretary of Defense shall develop a uniform definition of diversity.*

*''(d) CONSULTATION.—Not less than annually, the Secretary of Defense shall meet with the Secretaries of the military departments, the Joint Chiefs of Staff, and senior enlisted members of the armed forces to discuss the progress being made toward developing and implementing the plan established under subsection (a).*

*''(e) COOPERATION WITH STATES.—The Secretary of Defense shall coordinate with the National Guard Bureau and States in tracking the progress of the National Guard toward developing and implementing the plan established under subsection (a).''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: ''656. Diversity in military leadership: plan.''.*

*(b) INCLUSION IN DOD MANPOWER REQUIREMENTS REPORT.—Section 115a(c) of such title is amended by adding at the end the following new paragraphs:*

*''(4) The progress made in implementing the plan required by section 656 of this title to accurately measure the efforts of the Department to reflect the diverse population of the United States eligible to serve in the armed forces.*

*''(5) The number of members of the armed forces, including reserve components, listed by sex and race or ethnicity for each rank under each military department.*

*''(6) The number of members of the armed forces, including reserve components, who were promoted during the year covered by the report, listed by sex and race or ethnicity for each rank under each military department.*

*''(7) The number of members of the armed forces, including reserve components, who reenlisted or otherwise extended the commitment to military service during the year covered by the report, listed by sex and race or ethnicity for each rank under each military department.*

*''(8) The available pool of qualified candidates for the general officer grades of general and lieutenant general and the flag officer grades of admiral and vice admiral.''.*

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

**SEC. 511. CODIFICATION OF STAFF ASSISTANT POSITIONS FOR JOINT STAFF RELATED TO NATIONAL GUARD AND RESERVE MATTERS.**

*(a) CODIFICATION OF EXISTING POSITIONS.—Chapter 5 of title 10, United States Code, is amended by inserting after section 155 the following new section:*

***''§ 155a. Assistants to the Chairman of the Joint Chiefs of Staff for National Guard matters and for Reserve matters***

*''(a) ESTABLISHMENT OF POSITIONS.—The Secretary of Defense shall establish the following positions within the Joint Staff:*

*''(1) Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters.*

*''(2) Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters.*

*''(b) SELECTION.—(1) The Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters shall be selected by the Chairman from officers of the Army National Guard of the United States or the Air Guard of the United States who—*

*''(A) are recommended for such selection by their respective Governors or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard;*

*''(B) have had at least 10 years of federally recognized commissioned service in the National Guard and significant joint duty experience, as determined by the Chairman of the Joint Chiefs of Staff; and*

*''(C) are in a grade above the grade of colonel.*

*''(2) The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters shall be selected by the Chairman from officers of the Army Reserve, the Navy Reserve, the Marine Corps Reserve, or the Air Force Reserve who—*

*''(A) are recommended for such selection by the Secretary of the military department concerned;*

*''(B) have had at least 10 years of commissioned service in their reserve component and significant joint duty experience, as determined by the Chairman of the Joint Chiefs of Staff; and*

*''(C) are in a grade above the grade of colonel or, in the case of the Navy Reserve, captain.*

*''(c) TERM OF OFFICE.—Each Assistant to the Chairman of the Joint Chiefs of Staff under subsection (a) serves at the pleasure of the Chairman for a term of two years and may be continued in that assignment in the same manner for one additional term. However, in time of war there is no limit on the number of terms.*

*''(d) GRADE.—Each Assistant to the Chairman of the Joint Chiefs of Staff under subsection (a), while so serving, holds the grade of major general or, in the case of the Navy Reserve, rear admiral. Each such officer shall be considered to be serving in a position covered by the limited exclusion from the authorized strength of general officers and flag officers on active duty provided by section 526(b) of this title.*

*''(e) DUTIES.—(1) The Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters is an adviser to the Chairman on matters relating to the National Guard and performs the duties prescribed for that position by the Chairman.*

*''(2) The Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Matters is an adviser to the Chairman on matters relating to the reserves and performs the duties prescribed for that position by the Chairman.*

*''(f) OTHER RESERVE COMPONENT REPRESENTATION ON JOINT STAFF.—The Secretary of Defense, in consultation with the Chairman of the Joint Chiefs, shall develop appropriate policy guidance to ensure that, to the maximum extent practicable, the level of representation of reserve component officers on the Joint Staff is commensurate with the significant role of the reserve components within the armed forces.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 155 the following new item:*

*''155a. Assistants to the Chairman of the Joint Chiefs of Staff for National Guard matters and for Reserve matters.''.*

*(c) REPEAL OF SUPERSEDED LAW.—Section 901 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 10 U.S.C. 155 note) is repealed.*

**SEC. 512. AUTOMATIC FEDERAL RECOGNITION OF PROMOTION OF CERTAIN NATIONAL GUARD WARRANT OFFICERS.**

*Section 310(a) of title 32, United States Code, is amended—*

*(1) by inserting ''(1)'' before ''Notwithstanding''; and*

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

*''(2) Notwithstanding sections 307 and 309 of this title, if a warrant officer, W–1, of the National Guard is promoted to the grade of chief warrant officer, W–2, to fill a vacancy in a federally recognized unit in the National Guard, Federal recognition is automatically extended to that officer in the grade of chief warrant officer, W–2, effective as of the date on which that officer has completed the service in the grade prescribe by the Secretary concerned under section 12242 of title 10, if the warrant officer has remained in an active status since the warrant officer was so recommended.''.*

***Subtitle C—General Service Authorities***

**SEC. 521. MODIFICATIONS TO CAREER INTERMISSION PILOT PROGRAM.**

*(a) EXTENSION OF PROGRAMS TO INCLUDE ACTIVE GUARD AND RESERVE PERSONNEL.—Subsection (a)(1) of section 533 of Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4449; 10 U.S.C. 701 prec.) is amended by inserting after ''officers and enlisted members of the regular components'' the following: '', and members of the Active Guard and Reserve (as defined in section 101(b)(16) of title 10, United States Code),''.*

*(b) AUTHORITY TO CARRY FORWARD UNUSED ACCRUED LEAVE.—Subsection (h) of such section is amended by adding at the end the following new paragraph:*

*''(5) LEAVE.—A member who participates in a pilot program is entitled to carry forward the leave balance, existing as of the day on which the member begins participation and accumulated in accordance with section 701 of title 10, United States Code, but not to exceed 60 days.''.*

*(c) AUTHORITY FOR DISABILITY PROCESSING.—Subsection (j) of such section is amended—*

*(1) by striking ''for purposes of the entitlement'' and inserting ''for purposes of—*

*''(1) the entitlement'';*

*(2) by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following new paragraph:*

*''(2) retirement or separation for physical disability under the provisions of chapters 55 and 61 of title 10, United States Code.''.*

**SEC. 522. AUTHORITY FOR ADDITIONAL BEHAVIORAL HEALTH PROFESSIONALS TO CONDUCT PRE-SEPARATION MEDICAL EXAMS FOR POST-TRAUMATIC STRESS DISORDER.**

*Section 1177(a) of title 10, United States Code, is amended—*

*(1) in paragraph (1), by striking ''or psychiatrist'' and inserting ''psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner''; and*

*(2) in paragraph (3), by striking ''or psychiatrist'' and inserting '', psychiatrist, licensed clinical social worker, or psychiatric nurse practitioner''.*

**SEC. 523. AUTHORITY TO ACCEPT VOLUNTARY SERVICES TO ASSIST DEPARTMENT OF DEFENSE EFFORTS TO ACCOUNT FOR MISSING PERSONS.**

*Section 1501(a)(6) of title 10, United States Code, is amended by adding at the end the following new subparagraph:*

*''(D) Notwithstanding section 1342 of title 31, the Secretary of Defense may accept voluntary services provided by individuals or non–Federal entities to further the purposes of this chapter.''.*

**SEC. 524. AUTHORIZED LEAVE AVAILABLE FOR MEMBERS OF THE ARMED FORCES UPON BIRTH OR ADOPTION OF A CHILD.**

*Section 701 of title 10, United States Code, is amended—*

*(1) by striking subsections (i) and (j) and inserting the following new subsection:*

*''(i)(1) A member of the armed forces who gives birth to a child or who adopts a child in a qualifying child adoption and will be primary caregiver for the adopted child shall receive 42 days of leave after the birth or adoption to be used in connection with the birth or adoption of the child.*

*''(2) A married member of the armed forces on active duty whose wife gives birth to a child or who adopts a child in a qualifying child adoption, but will not be primary caregiver for the adopted child, shall receive 10 days of leave to be used in connection with the birth or adoption of the child.*

*''(3) If two members of the armed forces who are married to each other adopt a child in a qualifying child adoption, only one of the members may be designated as primary caregiver for purposes of paragraph (1). In the case of a dual-military couple, the member authorized leave under paragraph (1) and the member authorized leave under paragraph (2) may utilize the leave at the same time.*

*''(4) For the purpose of this subsection, an adoption of a child by a member is a qualifying child adoption if the member is eligible for reimbursement of qualified adoption expenses for such adoption under section 1052 of this title.*

*''(5) Leave authorized under this subsection is in addition to other leave provided under other provisions of this section.*

*''(6) The Secretary of Defense may prescribe such regulations as may be necessary to carry out this subsection.''; and*

*(2) by redesignating subsection (k) as subsection (j).*

**SEC. 525. COMMAND RESPONSIBILITY AND ACCOUNTABILITY FOR REMAINS OF MEMBERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS WHO DIE OUTSIDE THE UNITED STATES.**

*Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall take such steps as may be necessary to ensure that there is continuous, designated military command responsibility and accountability for the care, handling, and transportation of the remains of each deceased member of the Army, Navy, Air Force, or Marine Corps who died outside the United States, beginning with the initial recovery of the remains, through the defense mortuary system, until the interment of the remains or the remains are otherwise accepted by the person designated as provided by section 1482(c) of title 10, United States Code, to direct disposition of the remains.*

**SEC. 526. REPORT ON FEASIBILITY OF DEVELOPING GENDER-NEUTRAL OCCUPATIONAL STANDARDS FOR MILITARY OCCUPATIONAL SPECIALTIES CURRENTLY CLOSED TO WOMEN.**

*Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report evaluating the feasibility of incorporating gender-neutral occupational standards for military occupational specialties closed, as of the date of the enactment of this Act, to female members of the Armed Forces.*

**SEC. 527. COMPLIANCE WITH MEDICAL PROFILES ISSUED FOR MEMBERS OF THE ARMED FORCES.**

*(a) COMPLIANCE REQUIREMENT.—The Secretary of a military department shall ensure that commanding officers—*

*(1) do not prohibit or otherwise restrict the ability of physicians and other licensed health-care providers to issue a medical profile for a member of the Armed Forces; and*

*(2) comply with the terms of a medical profile issued to a member of the Armed Forces is assigning duties to the member.*

*(b) LIMITED WAIVER AUTHORITY.—The first general officer or flag officer in the chain of command of a member of the Armed Forces covered by a medical profile may authorize, on a case-by-case basis, a temporary waiver of the compliance requirement imposed by subsection (a)(2) if the officer determines that the assignment of duties to the member in violation of the terms of the medical profile is vital to ensuring the readiness of the member and the unit.*

*(c) MEDICAL PROFILE DEFINED.—In this section, the term ''medical profile'', with respect to a member of the Armed Forces, means a limitation imposed by a physician or other licensed health-care provider on the physical activity of the member on account of an illness or injury to facilitate the member's recovery or reduce the seriousness of the illness or injury.*

## *Subtitle D—Military Justice and Legal Matters*

**SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE ROLE OF STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS.**

*(a) APPOINTMENT BY THE PRESIDENT AND PERMANENT APPOINTMENT TO GRADE OF MAJOR GENERAL.—Subsection (a) of section 5046 of title 10, United States Code, is amended—*

*(1) in the first sentence, by striking ''detailed'' and inserting ''appointed by the President, by and with the advice and consent of the Senate,''; and*

*(2) by striking the second sentence and inserting the following: ''If the officer to be appointed as the Staff Judge Advocate to the Commandant of the Marine Corps holds a grade lower than the grade of major general immediately before the appointment, the officer shall be appointed in the grade of major general.''.*

*(b) DUTIES, AUTHORITY, AND ACCOUNTABILITY.—Such section is further amended—*

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

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

*''(c) The Staff Judge Advocate to the Commandant of the Marine Corps, under the direction of the Commandant of the Marine Corps and the Secretary of the Navy, shall—*

*''(1) perform such duties relating to legal matters arising in the Marine Corps as may be assigned to the Staff Judge Advocate;*

*''(2) perform the functions and duties, and exercise the powers, prescribed for the Staff Judge Advocate to the Commandant of the Marine Corps in chapters 47 (the Uniform Code of Military Justice) and 53 of this title; and*

*''(3) perform such other duties as may be assigned to the Staff Judge Advocate.''.*

*(c) COMPOSITION OF HEADQUARTERS, MARINE CORPS.—Section 5041(b) of such title is amended—*

*(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and*

*(2) by inserting after paragraph (3) the following new paragraph (4):*

*''(4) The Staff Judge Advocate to the Commandant of the Marine Corps.''.*

*(d) SUPERVISION OF CERTAIN LEGAL SERVICES.—*

*(1) ADMINISTRATION OF MILITARY JUSTICE.—Section 806(a) of such title (article 6(a) of the Uniform Code of Military Justice) is amended in the third sentence by striking ''or senior members of his staff'' and inserting '', the Staff Judge Advocate to the Commandant of the Marine Corps, or senior members of their staffs''.*

*(2) DELIVERY OF LEGAL ASSISTANCE.—Section 1044(b) of such title is amended by inserting ''and, within the Marine Corps, the Staff Judge Advocate to the Commandant of the Marine Corps'' after ''jurisdiction of the Secretary''.*

**SEC. 532. PERSONS WHO MAY EXERCISE DISPOSITION AUTHORITY REGARDING CHARGES INVOLVING CERTAIN SEXUAL MISCONDUCT OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.**

*(a) PERSONS WHO MAY EXERCISE DISPOSITION AUTHORITY.—*

*(1) DISPOSITION AUTHORITY.—With respect to any charge under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) that alleges an offense specified in paragraph (2), the Secretary of Defense shall require the Secretaries of the military departments to restrict disposition authority under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) to officers of the Armed Forces who have the authority to convene special courts-martial under section 823 of such chapter (article 23 of the Uniform Code of Military Justice), but no lower than the first colonel, or in the case of the Navy, the first captain, with a legal advisor (or access to a legal advisor) in the chain of command of the person accused of committing the offense.*

*(2) COVERED OFFENSES.—Paragraph (1) applies with respect to a charge that alleges any of the following offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):*

*(A) Rape or sexual assault under subsection (a) or (b) of section 920 of such chapter (article 120).*

*(B) Forcible sodomy under section 925 of such chapter (article 125).*

*(C) An attempt to commit an offense specified in paragraph (1) or (2), as punishable under section 880 of such chapter (article 80).*

*(b) IMPLEMENTATION.—*

*(1) SERVICE SECRETARIES.—The Secretaries of the military departments shall revise policies and procedures as necessary to comply with subsection (a).*

*(2) SECRETARY OF DEFENSE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with subsection (a).*

*(c) RECOMMENDATION OF ADDITIONAL CHANGES TO MANUAL FOR COURTS-MARTIAL OR UCMJ POLICY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall make recommendations for additional changes to the Manual for Courts-Martial or to Department of Defense policies that would—*

*(1) ensure the consideration of the material facts regarding an alleged offense specified in subsection (a)(2) or other sexual offense under sections 920 through 920c of title 10, United States Code (articles 120 through 120c of the Uniform Code of Military Justice) is given precedence over the consideration of the character of the military service of the person accused of the sexual offense; and*

*(2) require all commanders who receive a report or complaint alleging an offense specified in subsection (a)(2) to refer the report or complaint to the Defense Criminal Investigative Service, Army Criminal Investigative Command, Naval Criminal Investigative Service, or Air Force Office of Special Investigations, as the case may be.*

**SEC. 533. INDEPENDENT REVIEW AND ASSESSMENT OF UNIFORM CODE OF MILITARY JUSTICE AND JUDICIAL PROCEEDINGS OF SEXUAL ASSAULT CASES.**

*(a) INDEPENDENT REVIEW AND ASSESSMENT.—The Secretary of Defense shall establish an independent panel to conduct an independent review and assessment of judicial proceedings under the Uniform Code of Military Justice involving sexual assault and related offenses for the purpose of developing potential improvements to such proceedings.*

*(b) INDEPENDENT PANEL FOR REVIEW.—*

*(1) COMPOSITION.—The panel shall be composed of five members, appointed by the Secretary of Defense from among private United States citizens who have expertise in military law, civilian law, prosecution of sexual assaults in Federal criminal court, military justice policies, the missions of the Armed Forces, or offenses relating to rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice.*

*(2) CHAIR.—The chair of the panel shall be appointed by the Secretary from among the members of the panel appointed under paragraph (1).*

*(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the panel. Any vacancy in the panel shall be filled in the same manner as the original appointment.*

*(4) DEADLINE FOR APPOINTMENTS.—All original appointments to the panel shall be made not later than 120 days after the date of the enactment of this Act.*

*(5) MEETINGS.—The panel shall meet at the call of the chair.*

*(6) FIRST MEETING.—The chair shall call the first meeting of the panel not later than 60 days after the date of the appointment of all the members of the panel.*

*(7) DURATION.—The panel shall expire on September 30, 2017.*

*(c) DUTIES.—*

*(1) ANNUAL REPORT ON IMPLEMENTATION OF UCMJ AMENDMENTS.—The panel shall prepare annual reports regarding the implementation of the reforms to the offenses relating to rape, sexual assault, and other sexual misconduct under the Uniform Code of Military Justice enacted by section 541 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1404).*

*(2) REVIEW AND CONSULTATION.—In preparing the reports, the panel shall review, evaluate, and assess the following:*

*(A) The advisory sentencing guidelines given by judges in Federal courts and how those guidelines compare to advisory sentencing guidance provided to panels rendering punishments in court-martial proceedings, including whether it would be more beneficial for advisory sentencing guidelines to be provided to panels or for discretion to be given to judges regarding whether to issue advisory sentencing guidelines.*

*(B) The punishments or administrative actions taken in response to sexual assault court-martial proceedings, including the number of punishments or administrative actions taken as rendered by a panel and the number of punishments or administrative actions rendered by a judge and the consistency and proportionality of the decisions, punishments, and administrative actions to the facts of each case compared with Federal and State criminal courts.*

*(C) The court-martial convictions of sexual assaults in the year covered by the report and the number and description of instances when punishments were reduced upon appeal and the instances in which the defendant appealed following a plea agreement, if such information is available.*

*(D) The number of instances in which the previous sexual conduct of the alleged victim was considered in Article 32 proceedings and any instances where previous sexual conduct was deemed to be inadmissible.*

*(E) The number of instances in which evidence of the previous sexual conduct of the alleged victim was introduced by the defense in a court-martial what impact that evidence had on the case.*

*(F) The training level of defense and prosecution trial counsel, including an inventory of the experience of JAG lead trial counsel in each instance and any existing standards or requirements for lead counsel, including their experience in defending or prosecuting sexual assault and related offenses.*

*(G) Such other matters and materials as the panel considers appropriate for purposes of the reports.*

*(3) UTILIZATION OF OTHER STUDIES.—In preparing the reports, the panel may review, and incorporate as appropriate, the findings of applicable ongoing and completed studies.*

*(4) FIRST REPORT.—Not later than 180 days after its first meeting, the panel shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives its first report under this subsection. The panel shall include proposals for such legislative or administrative action as the panel considers appropriate in light of its review.*

*(d) POWERS OF PANEL.—*

*(1) HEARINGS.—The panel may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the panel considers appropriate to carry out its duties under this section.*

*(2) INFORMATION FROM FEDERAL AGENCIES.—Upon request by the chair of the panel, any department or agency of the Federal Government may provide information that the panel considers necessary to carry out its duties under this section.*

*(e) PERSONNEL MATTERS.—*

*(1) PAY OF MEMBERS.—Members of the panel shall serve without pay by reason of their work on the panel.*

*(2) TRAVEL EXPENSES.—The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance or services for the panel.*

**SEC. 534. COLLECTION AND RETENTION OF RECORDS ON DISPOSITION OF REPORTS OF SEXUAL ASSAULT.**

*(a) COLLECTION.—The Secretary of Defense shall require that the Secretary of each military department establish a record on the disposition of any report of sexual assault, whether such disposition is court martial, nonjudicial punishment, or other administrative action. The record of any such disposition shall include the following, as appropriate:*

*(1) Documentary information collected about the incident reported, other than investigator case notes.*

*(2) Punishment imposed, including the sentencing by judicial or non-judicial means including incarceration, fines, restriction, and extra duty as a result of military court-martial, Federal and local court and other sentencing, or any other punishment imposed.*

*(3) Administrative actions taken, if any.*

*(4) Any pertinent referrals offered as a result of the incident (such as drug and alcohol counseling and other types of counseling or intervention).*

*(b) RETENTION.—The Secretary of Defense shall require that—*

*(1) the records established pursuant to subsection (a) be retained by the Department of Defense for a period of not less than 20 years; and*

*(2) a copy of such records be maintained at a centralized location for the same period as applies to retention of the records under paragraph (1).*

**SEC. 535. BRIEFING, PLAN, AND RECOMMENDATIONS REGARDING EFFORTS TO PREVENT AND RESPOND TO HAZING INCIDENTS INVOLVING MEMBERS OF THE ARMED FORCES.**

*(a) BRIEFING AND PLAN REQUIRED.—Not later than May 1, 2013, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing and plan that outlines efforts by the Department of Defense—*

*(1) to prevent the hazing of members of the Armed Forces by other members of the Armed Forces; and*

*(2) to respond to and resolve alleged hazing incidents involving members of the Armed Forces, including the prosecution of offenders through the use of punitive articles under subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).*

*(b) DATABASE.—The plan required by subsection (a) shall include the establishment of a database for the purpose of improving the ability of the Department of Defense—*

*(1) to determine the extent to which hazing incidents involving members of the Armed Forces are occurring and the nature of such hazing incidents; and*

*(2) to track, respond to, and resolve hazing incidents involving members of the Armed Forces.*

*(c) RECOMMENDATIONS.—As part of the briefing required by subsection (a), the Secretary of Defense shall submit such recommendations for changes to the Uniform Code of Military Justice and the Manual for Courts-Martial as the Secretary of Defense considers necessary to improve the prosecution of hazing incidents.*

*(d) CONSULTATION.—The Secretary of Defense shall prepare the plan, database, and recommendations required by this section in consultation with the Secretaries of the military departments.*

*(e) HAZING DESCRIBED.—For purposes of carrying out this section, the Secretary of Defense shall use the definition of hazing contained in the August 28, 1997, Secretary of Defense Policy Memorandum, which defined hazing as any conduct whereby a member of the Armed Forces, regardless of branch or rank, without proper authority causes another member to suffer, or be exposed to, any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another person to perpetrate any such activity is also considered hazing. Hazing need not involve physical contact among or between members of the Armed Forces. Hazing can be verbal or psychological in nature. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator.*

**SEC. 536. PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND CHAPLAINS OF SUCH MEMBERS.**

*(a) PROTECTION.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1034 the following new section:*

***"§ 1034a. Protection of rights of conscience of members of the Armed Forces and chaplains of such members***

*''(a) PROTECTION OF RIGHTS OF CONSCIENCE.—The Armed Forces shall accommodate the conscience and sincerely held moral principles and religious beliefs of the members of the Armed Forces concerning the appropriate and inappropriate expression of human sexuality and may not use such conscience, principles, or beliefs as the basis of any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment. Nothing in this subsection precludes disciplinary action for conduct that is proscribed by chapter 47 of this title (the Uniform Code of Military Justice).*

*''(b) PROTECTION OF CHAPLAINS.—(1) For purposes of this title, a military chaplain is—*

*''(A) a certified religious leader or clergy of a faith community who, after satisfying the professional and educational requirements of the*

*commissioning service, is commissioned as an officer in the Chaplains Corps of one of the branches of the Armed Forces; and*

*''(B) a representative of the faith group of the chaplain, who remains accountable to the endorsing faith group for the religious ministry involved to members of the Armed Forces, to—*

*''(i) provide for the religious and spiritual needs of members of the Armed Forces of that faith group; and*

*''(ii) facilitate the religious needs of members of the Armed Forces of other faith groups.*

*''(2) No member of the Armed Forces may—*

*''(A) direct, order, or require a chaplain to perform any duty, rite, ritual, ceremony, service, or function that is contrary to the conscience, moral principles, or religious beliefs of the chaplain, or contrary to the moral principles and religious beliefs of the endorsing faith group of the chaplain; or*

*''(B) discriminate or take any adverse personnel action against a chaplain, including denial of promotion, schooling, training, or assignment, on the basis of the refusal by the chaplain to comply with a direction, order, or requirement prohibited by subparagraph (A).*

*''(c) REGULATIONS.—The Secretary of Defense shall issue regulations implementing the protections afforded by this section.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of title 10, United States Code, is amended by inserting after the item relating to section 1034 the following new item:*

*1034a. Protection of rights of conscience of members of the Armed Forces and chaplains of such members.*

***SEC. 537. USE OF MILITARY INSTALLATIONS AS SITES FOR MARRIAGE CEREMONIES OR MARRIAGE-LIKE CEREMONIES.***

*A military installation or other property owned or rented by, or otherwise under the jurisdiction or control of, the Department of Defense may not be used to officiate, solemnize, or perform a marriage or marriage-like ceremony involving anything other than the union of one man with one woman.*

***Subtitle E—Member Education and Training Opportunities and Administration***

***SEC. 541. TRANSFER OF TROOPS-TO-TEACHERS PROGRAM FROM DEPARTMENT OF EDUCATION TO DEPARTMENT OF DEFENSE AND ENHANCEMENTS TO THE PROGRAM.***

*(a) TRANSFER OF FUNCTIONS.—*

*(1) TRANSFER.—The responsibility and authority for operation and administration of the Troops-to-Teachers Program in chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is transferred from the Secretary of Education to the Secretary of Defense.*

*(2) EFFECTIVE DATE.—The transfer under paragraph (1) shall take effect on the first day of the first month beginning more than 90 days after the date of the enactment of this Act, or on such earlier date as the Secretary of Education and the Secretary of Defense may jointly provide.*

*(b) ENACTMENT OF PROGRAM AUTHORITY IN TITLE 10, UNITED STATES CODE.—*

*(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 1154. Assistance to eligible members and former members to obtain employment as teachers: troops-to-teachers program***

*''(a) DEFINITIONS.—In this section:*

*''(1) CHARTER SCHOOL.—The term 'charter school' has the meaning given that term in section 5210(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i(1)).*

*''(2) ELIGIBLE SCHOOL.—The term 'eligible school' means—*

*''(A) a public school, including a charter school, at which—*

*''(i) at least 30 percent of the students enrolled in the school are from families with incomes below 185 percent of poverty level (as defined by the Office of Management and Budget and revised at least annually in accordance with section 9(b)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(1)) applicable to a family of the size involved; or*

*''(ii) at least 13 percent of the students enrolled in the school qualify for assistance under part B of the Individuals with Disabilities Education Act; or*

*''(B) a Bureau-funded school as defined in section 1141(3) of the Education Amendments of 1978 (25 U.S.C. 2021(3)).*

*''(3) HIGH-NEED SCHOOL.—The term 'high-need school' means—*

*''(A) an elementary or middle school in which at least 50 percent of the enrolled students are children from low-income families, based on the number of children eligible to for free and reduced priced lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the number of children eligible to receive medical assistance under the Medicaid program, or a composite of these indicators;*

*''(B) a high school in which at least 40 percent of enrolled students are children from low-income families, which may be calculated using comparable data from feeder schools; or*

*''(C) a school that is in a local educational agency that is eligible under section 6211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7345(b)).*

*''(4) MEMBER OF THE ARMED FORCES.—The term 'member of the armed forces' includes a retired or former member of the armed forces.*

*''(5) PARTICIPANT.—The term 'participant' means an eligible member of the armed forces selected to participate in the Program.*

*''(6) PROGRAM.—The term 'Program' means the Troops-to-Teachers Program authorized by this section.*

*''(7) SECRETARY.—The term 'Secretary' means the Secretary of Defense.*

*''(8) ADDITIONAL TERMS.—The terms 'elementary school', 'local educational agency', 'secondary school', and 'State' have the meanings given those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).*

*''(b) PROGRAM AUTHORIZATION.—The Secretary of Defense may carry out a Troops-to-Teachers Program—*

*''(1) to assist eligible members of the armed forces described in subsection (d) to obtain certification or licensing as elementary school teachers, secondary school teachers, or career or technical teachers; and*

*''(2) to facilitate the employment of such members—*

*''(A) by local educational agencies or charter schools that the Secretary of Education identifies as—*

*''(i) receiving grants under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et. seq.) as a result of having within their jurisdictions concentrations of children from low-income families; or*

*''(ii) experiencing a shortage of teachers, in particular a shortage of science, mathematics, special education, foreign language, or career or technical teachers; and*

*''(B) in elementary schools or secondary schools, or as career or technical teachers.*

*''(c) COUNSELING AND REFERRAL SERVICES.—The Secretary may provide counseling and referral services to members of the armed forces who do not meet the eligibility criteria described in subsection (d), including the education qualification requirements under paragraph (3)(B) of such subsection.*

*''(d) ELIGIBILITY AND APPLICATION PROCESS.—*

*''(1) ELIGIBLE MEMBERS.—The following members of the armed forces are eligible for selection to participate in the Program:*

*''(A) Any member who—*

*''(i) on or after October 1, 1999, becomes entitled to retired or retainer pay under this title or title 14;*

*''(ii) has an approved date of retirement that is within one year after the date on which the member submits an application to participate in the Program; or*

*''(iii) has been transferred to the Retired Reserve.*

*''(B) Any member who, on or after January 8, 2002—*

*''(i)(I) is separated or released from active duty after four or more years of continuous active duty immediately before the separation or release; or*

*''(II) has completed a total of at least six years of active duty service, six years of service computed under section 12732 of this title, or six years of any combination of such service; and*

*''(ii) executes a reserve commitment agreement for a period of not less than three years under paragraph (5)(B).*

*''(C) Any member who, on or after January 8, 2002, is retired or separated for physical disability under chapter 61 of this title.*

*''(2) SUBMISSION OF APPLICATIONS.—(A) Selection of eligible members of the armed forces to participate in the Program shall be made on the basis of applications submitted to the Secretary within the time periods specified in subparagraph (B). An application shall be in such form and contain such information as the Secretary may require.*

*''(B) In the case of an eligible member of the armed forces described in subparagraph (A)(i), (B), or (C) of paragraph (1), an application shall be considered to be submitted on a timely basis under if the application is submitted not later than three years after the date on which the member is retired, separated, or released from active duty, whichever applies to the member.*

*''(3) SELECTION CRITERIA; EDUCATIONAL BACKGROUND REQUIREMENTS; HONORABLE SERVICE REQUIREMENT.—(A) The Secretary shall prescribe the criteria to be used to select eligible members of the armed forces to participate in the Program.*

*''(B) If a member of the armed forces is applying for the Program to receive assistance for placement as an elementary school or secondary school teacher, the Secretary shall require the member to have received a baccalaureate or advanced degree from an accredited institution of higher education.*

*''(C) If a member of the armed forces is applying for the Program to receive assistance for placement as a career or technical teacher, the Secretary shall require the member—*

*''(i) to have received the equivalent of one year of college from an accredited institution of higher education or the equivalent in military education and training as certified by the Department of Defense; or*

*''(ii) to otherwise meet the certification or licensing requirements for a career or technical teacher in the State in which the member seeks assistance for placement under the Program.*

*''(D) A member of the armed forces is eligible to participate in the Program only if the member's last period of service in the armed forces was honorable, as characterized by the Secretary concerned. A member selected to participate in the Program before the retirement of the member or the separation or release of the member from active duty may continue to participate in the Program after the retirement, separation, or release only if the member's last period of service is characterized as honorable by the Secretary concerned.*

*''(4) SELECTION PRIORITIES.—In selecting eligible members of the armed forces to receive assistance under the Program, the Secretary—*

*''(A) shall give priority to members who—*

*''(i) have educational or military experience in science, mathematics, special education, foreign language, or career or technical subjects; and*

''(ii) agree to seek employment as science, mathematics, foreign language, or special education teachers in elementary schools or secondary schools or in other schools under the jurisdiction of a local educational agency; and

''(B) may give priority to members who agree to seek employment in a high-need school.

''(5) OTHER CONDITIONS ON SELECTION.—(A) Subject to subsection (i), the Secretary may not select an eligible member of the armed forces to participate in the Program and receive financial assistance unless the Secretary has sufficient appropriations for the Program available at the time of the selection to satisfy the obligations to be incurred by the United States under subsection (e) with respect to the member.

''(B) The Secretary may not select an eligible member of the armed forces described in paragraph (1)(B)(i) to participate in the Program and receive financial assistance under subsection (e) unless the member executes a written agreement to serve as a member of the Selected Reserve of a reserve component of the armed forces for a period of not less than three years.

''(e) PARTICIPATION AGREEMENT AND FINANCIAL ASSISTANCE.—

''(1) PARTICIPATION AGREEMENT.—(A) An eligible member of the armed forces selected to participate in the Program under subsection (b) and to receive financial assistance under this subsection shall be required to enter into an agreement with the Secretary in which the member agrees—

''(i) within such time as the Secretary may require, to obtain certification or licensing as an elementary school teacher, secondary school teacher, or career or technical teacher; and

''(ii) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or career or technical teacher for not less than three school years in an eligible school to begin the school year after obtaining that certification or licensing.

''(B) The Secretary may waive the three-year commitment described in subparagraph (A)(ii) for a participant if the Secretary determines such waiver to be appropriate. If the Secretary provides the waiver, the participant shall not be considered to be in violation of the agreement and shall not be required to provide reimbursement under subsection (f), for failure to meet the three-year commitment.

''(2) VIOLATION OF PARTICIPATION AGREEMENT; EXCEPTIONS.—A participant shall not be considered to be in violation of the participation agreement entered into under paragraph (1) during any period in which the participant—

''(A) is pursuing a full-time course of study related to the field of teaching at an institution of higher education;

''(B) is serving on active duty as a member of the armed forces;

''(C) is temporarily totally disabled for a period of time not to exceed three years as established by sworn affidavit of a qualified physician;

''(D) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

''(E) is unable to find full-time employment as a teacher in an elementary school or secondary school or as a career or technical teacher for a single period not to exceed 27 months; or

''(F) satisfies the provisions of additional reimbursement exceptions that may be prescribed by the Secretary.

''(3) STIPEND AND BONUS FOR PARTICIPANTS.—(A) Subject to subparagraph (C), the Secretary may pay to a participant a stipend to cover expenses incurred by the participant to obtain the required educational level, certification or licensing. Such stipend may not exceed $5,000 and may vary by participant.

''(B)(i) Subject to subparagraph (C), the Secretary may pay a bonus to a participant who agrees in the participation agreement under paragraph (1) to accept full-time employment as an elementary school teacher, secondary school teacher, or career or technical teacher for not less than three school years in an eligible school.

''(ii) The amount of the bonus may not exceed $5,000, unless the eligible school is a high-need school, in which case the amount of the bonus may not exceed $10,000. Within such limits, the bonus may vary by participant and may take into account the priority placements as determined by the Secretary.

''(C)(i) The total number of stipends that may be paid under subparagraph (A) in any fiscal year may not exceed 5,000.

''(ii) The total number of bonuses that may be paid under subparagraph (B) in any fiscal year may not exceed 3,000.

''(iii) A participant may not receive a stipend under subparagraph (A) if the participant is eligible for benefits under chapter 33 of title 38.

''(iv) The combination of a stipend under subparagraph (A) and a bonus under subparagraph (B) for any one participant may not exceed $10,000.

''(4) TREATMENT OF STIPEND AND BONUS.—A stipend or bonus paid under this subsection to a participant shall be taken into account in determining the eligibility of the participant for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(f) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—

''(1) REIMBURSEMENT REQUIRED.—A participant who is paid a stipend or bonus under this subsection shall be subject to the repayment provisions of section 373 of title 37 under the following circumstances:

''(A) The participant fails to obtain teacher certification or licensing or to obtain employment as an elementary school teacher, secondary school teacher, or career or technical teacher as required by the participation agreement under subsection (e)(1).

''(B) The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or career or technical teacher during the three years of required service in violation of the participation agreement.

''(C) The participant executed a written agreement with the Secretary concerned under subsection (d)(5)(B) to serve as a member of a reserve component of the armed forces for a period of three years and fails to complete the required term of service.

''(2) AMOUNT OF REIMBURSEMENT.—A participant required to reimburse the Secretary for a stipend or bonus paid to the participant under subsection (e) shall pay an amount that bears the same ratio to the amount of the stipend or bonus as the unserved portion of required service bears to the three years of required service.

''(3) INTEREST.—Any amount owed by a participant under this subsection shall bear interest at the rate equal to the highest rate being paid by the United States on the day on which the reimbursement is determined to be due for securities having maturities of 90 days or less and shall accrue from the day on which the participant is first notified of the amount due.

''(4) EXCEPTIONS TO REIMBURSEMENT REQUIREMENT.—A participant shall be excused from reimbursement under this subsection if the participant becomes permanently totally disabled as established by sworn affidavit of a qualified physician. The Secretary may also waive the reimbursement in cases of extreme hardship to the participant, as determined by the Secretary.

''(g) RELATIONSHIP TO EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—Except as provided in subsection (e)(3)(C)(iii), the receipt by a participant of a stipend or bonus under subsection (e) shall not reduce or otherwise affect the entitlement of the participant to any benefits under chapter 30 or 33 of title 38 or chapter 1606 of this title.

''(h) PARTICIPATION BY STATES.—

''(1) DISCHARGE OF STATE ACTIVITIES THROUGH CONSORTIA OF STATES.—The Secretary may permit States participating in the Program to carry out activities authorized for such States under the Program through one or more consortia of such States.

''(2) ASSISTANCE TO STATES.—(A) Subject to subparagraph (B), the Secretary may make grants to States participating in the Program, or to consortia of such States, in order to permit such States or consortia of States to operate offices for purposes of recruiting eligible members of the armed forces for participation in the Program and facilitating the employment of participants as elementary school teachers, secondary school teachers, and career or technical teachers.

''(B) The total amount of grants made under subparagraph (A) in any fiscal year may not exceed $5,000,000.

''(i) LIMITATION ON TOTAL FISCAL-YEAR OBLIGATIONS.—The total amount obligated by the Secretary under the Program for any fiscal year may not exceed $15,000,000.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1154. Assistance to eligible members and former members to obtain employment as teachers: Troops-to-Teachers Program.''.

(c) CONFORMING AMENDMENT.—Subparagraph (C) of section 1142(b)(4) of such title is amended by striking ''section 2302'' and all that follows through the end of the subparagraph and inserting ''under section 1154 of this title.''.

(d) TERMINATION OF DEPARTMENT OF EDUCATION TROOPS-TO-TEACHERS PROGRAM.—

(1) TERMINATION.—Chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents in section 2 of the Elementary and Secondary Education Act 1965 is amended by striking the items relating to chapter A of subpart 1 of part C of title II of such Act.

(3) EXISTING AGREEMENTS.—The repeal of chapter A of subpart 1 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671 et seq.) by paragraph (1) shall not affect—

(A) the validity or terms of any agreement entered into under such chapter, as in effect immediately before such repeal, before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a); or

(B) the authority to pay assistance, make grants, or obtain reimbursement in connection with such an agreement as in effect before the effective date of the transfer of the Troops-to-Teachers Program under subsection (a).

**SEC. 542. SUPPORT OF NAVAL ACADEMY ATHLETIC AND PHYSICAL FITNESS PROGRAMS.**

(a) AUTHORITY TO SUPPORT PROGRAMS.—Chapter 603 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 6981. Support of athletic and physical fitness programs**

''(a) AUTHORITY.—The Secretary of the Navy may enter into agreements, including cooperative agreements (as described in section 6305 of title 31), with the Naval Academy Athletic Association and its successors and assigns (in this section referred to as the 'association') to manage any aspect of the athletic and physical fitness programs of the Naval Academy.

''(b) AUTHORITY TO PROVIDE SUPPORT TO ASSOCIATION.—(1) The Secretary of the Navy may to transfer funds to the association to pay expenses incurred by the association in managing the athletic and physical fitness programs of the Naval Academy.

''(2) The Secretary may provide personal property and the services of members of the naval service and civilian personnel of the Department of the Navy to assist the association in managing the athletic and physical fitness programs of the Naval Academy.

''(c) ACCEPTANCE OF GIFTS FROM THE ASSOCIATION.—The Secretary of the Navy may accept from the association funds, supplies, and services for the support of the athletic and physical fitness programs of the Naval Academy.

''(d) RECEIPT AND RETENTION OF FUNDS FROM ASSOCIATION AND OTHER SOURCES.—(1) The Secretary of the Navy may receive from the association funds generated by the athletic and physical fitness programs of the Naval Academy and any other activity of the association and to retain and use such funds to further the mission of the Naval Academy. Receipt and retention of such funds shall be subject to oversight by the Secretary.

''(2) The Secretary may accept, use, and retain funds from the National Collegiate Athletic Association and to transfer all or part of those funds to the association for the support of the athletic and physical fitness programs of the Naval Academy.

''(e) USER FEES.—The Secretary of the Navy may charge user fees to the association for the association's use of Naval Academy facilities for the conduct of summer athletic camps. Fees collected under this subsection may be retained for use in support of the Naval Academy athletic program and shall remain available until expended.

''(f) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—(1) The Secretary of the Navy may enter into an agreement with the association authorizing the association to represent the Department of the Navy in connection with licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Naval Academy, to the extent authorized by the Chief of Naval Research and in accordance with sections 2260 and 5022 of this title.

''(2) Notwithstanding section 2260(d)(2) of this title, any funds generated by the licensing, marketing, and sponsorship under a agreement entered into under paragraph (1) may be accepted, used, and retained by the Secretary, or transferred by the Secretary to the association, for—

''(A) payment of the costs of securing trademark registrations and operating of licensing programs; or

''(B) supporting the athletic and physical fitness programs of the Naval Academy.

''(g) AUTHORIZED SERVICE ON BOARD OF DIRECTORS.—The Secretary may authorize members of the naval service and civilian personnel of the Department of the Navy to serve in accordance with sections 1033 and 1589 of this title as members of the governing board of the association.

''(h) CONDITIONS.—The authority provided in this section with respect to the association is available only so long as the association continues—

''(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986

''(2) to operate in accordance with this section, the laws of the State of Maryland, and the constitution and bylaws of the association; and

''(3) to operate exclusively to support the athletic and physical fitness programs of the Naval Academy.

''(i) CONGRESSIONAL NOTIFICATION.—Not later than 60 days after the date on which the Secretary of the Navy enters into an agreement under the authority of this section, the Secretary shall provide a copy of the agreement to the congressional defense committees.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''6981. Support of athletic and physical fitness programs.''.

**SEC. 543. DEPARTMENT OF DEFENSE INSPECTOR GENERAL REVIEW OF ACCESS TO MILITARY INSTALLATIONS BY REPRESENTATIVES OF FOR-PROFIT EDUCATIONAL INSTITUTIONS.**

(a) REVIEW REQUIRED.—The Inspector General of the Department of Defense shall conduct a review to determine the extent of the access that representatives of for-profit educational institutions have to military installations and whether there are adequate safeguards in place to regulate such access.

(b) ELEMENTS OF REVIEW.—The review shall determine at a minimum the following:

(1) The extent to which representatives of for-profit educational institutions are accessing military installations for marketing and recruitment purposes.

(2) Whether there uniform and robust enforcement of DOD Directive 1344.07.

(3) Whether additional Department rules, policies, or oversight mechanisms should be put in place to regulate such practices.

(c) INSPECTOR GENERAL ACCESS.—The Secretary of Defense shall ensure that the Inspector General has access to all Department of Defense records and military installations for the purpose of conducting the review.

## Subtitle F—Decorations and Awards

**SEC. 551. ISSUANCE OF PRISONER-OF-WAR MEDAL.**

Section 1128(a)(4) of title 10, United States Code, is amended by striking ''that are hostile to the United States,''.

**SEC. 552. AWARD OF PURPLE HEART TO MEMBERS OF THE ARMED FORCES WHO WERE VICTIMS OF THE ATTACKS AT RECRUITING STATION IN LITTLE ROCK, ARKANSAS, AND AT FORT HOOD, TEXAS.**

(a) AWARD REQUIRED.—The Secretary of the military department concerned shall award the Purple Heart to the members of the Armed Forces who were killed or wounded in the attacks that occurred at the recruiting station in Little Rock, Arkansas, on June 1, 2009, and at Fort Hood, Texas, on November 5, 2009.

(b) EXCEPTION.—Subsection (a) shall not apply to a member of the Armed Forces whose wound was the result of the willful misconduct of the member.

## Subtitle G—Defense Dependents' Education and Military Family Readiness Matters

**SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.**

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.—Of the amount authorized to be appropriated for fiscal year 2013 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $5,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

**SEC. 562. TRANSITIONAL COMPENSATION FOR DEPENDENT CHILDREN WHO WERE CARRIED DURING PREGNANCY AT THE TIME OF DEPENDENT-ABUSE OFFENSE COMMITTED BY AN INDIVIDUAL WHILE A MEMBER OF THE ARMED FORCES.**

(a) DEFINITION OF DEPENDENT CHILD.—Subsection (l) of section 1059 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking ''at the time of the dependent-abuse offense resulting in the separation of the former member'' and inserting ''or eligible spouse or former spouse at the time of the dependent-abuse offense resulting in the separation of the former member or who was carried during pregnancy at the time of the dependent-abuse offense resulting in the separation of the former member and was subsequently born alive to the eligible spouse or former spouse''.

(b) DETERMINATION OF PAYMENT AMOUNT.—Subsection (f) of such section is amended by adding at the end the following new paragraph:

''(4) A payment to a child under this section shall not cover any period during which the child was in utero.''.

(c) PROSPECTIVE APPLICABILITY.—No benefits shall accrue by reason of the amendments made by this section for any month that begins before the date of the enactment of this Act.

**SEC. 563. MODIFICATION OF AUTHORITY TO ALLOW DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS TO ENROLL CERTAIN STUDENTS.**

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsections:

''(k) ENROLLMENT OF RELOCATED DEFENSE DEPENDENTS' EDUCATION SYSTEM STUDENTS.—(1) The Secretary of Defense may authorize the enrollment in a Department of Defense education program provided by the Secretary pursuant to subsection (a) of a dependent of a member of the armed forces or a dependent of a Federal employee who is enrolled in the defense dependents' education system established under section 1402 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 921) if—

''(A) the dependents departed the overseas location as a result of a evacuation order;

''(B) the designated safe haven of the dependent is located within reasonable commuting distance of a school operated by the Department of Defense education program; and

''(C) the school possesses the capacity and resources necessary to enable the student to attend the school.

''(2) A dependent described in paragraph (1) who is enrolled in a school operated by the Department of Defense education program pursuant to such paragraph may attend the school only through the end of the school year.

''(l) ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary may authorize the enrollment in the virtual elementary and secondary education program established as a component of the Department of Defense education program of a dependent of a member of the armed forces on active duty who—

''(A) is enrolled in an elementary or secondary school operated by a local educational agency or another accredited educational program in the United States (other than a school operated by the Department of Defense education program); and

''(B) immediately before such enrollment, was enrolled in the defense dependents' education system established under section 1402 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 921).

''(2) Enrollment of a dependent described in paragraph (1) pursuant to such paragraph shall be on a tuition basis.''.

**SEC. 564. PROTECTION OF CHILD CUSTODY ARRANGEMENTS FOR PARENTS WHO ARE MEMBERS OF THE ARMED FORCES.**

(a) CHILD CUSTODY PROTECTION.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended by adding at the end the following new section:

**"SEC. 208. CHILD CUSTODY PROTECTION.**

''(a) RESTRICTION ON TEMPORARY CUSTODY ORDER.—If a court renders a temporary order for custodial responsibility for a child based solely on a deployment or anticipated deployment of a parent who is a servicemember, then the court shall require that, upon the return of the servicemember from deployment, the custody order that was in effect immediately preceding the temporary order shall be reinstated, unless the court finds that such a reinstatement is not in the best interest of the child, except that any such finding shall be subject to subsection (b).

''(b) EXCLUSION OF MILITARY SERVICE FROM DETERMINATION OF CHILD'S BEST INTEREST.—If a motion or a petition is filed seeking a permanent order to modify the custody of the child of a servicemember, no court may consider the absence of the servicemember by reason of deployment, or the possibility of deployment, in determining the best interest of the child.

''(c) NO FEDERAL JURISDICTION OR RIGHT OF ACTION OR REMOVAL.—Nothing in this section shall create a Federal right of action or otherwise give rise to Federal jurisdiction or create a right of removal.

''(d) PREEMPTION.—In any case where State law applicable to a child custody proceeding involving a temporary order as contemplated in this section provides a higher standard of protection to the rights of the parent who is a deploying servicemember than the rights provided under this section with respect to such temporary order, the appropriate court shall apply the higher State standard.

''(e) DEPLOYMENT DEFINED.—In this section, the term 'deployment' means the movement or mobilization of a servicemember to a location for a period of longer than 60 days and not longer than 18 months pursuant to temporary or permanent official orders—

''(1) that are designated as unaccompanied;

''(2) for which dependent travel is not authorized; or

''(3) that otherwise do not permit the movement of family members to that location.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item:

''208. Child custody protection.''.

**SEC. 565. TREATMENT OF RELOCATION OF MEMBERS OF THE ARMED FORCES FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.**

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act is amended by inserting after section 303 (50 U.S.C. App. 533) the following new section:

**"SEC. 303A. TREATMENT OF RELOCATION OF SERVICEMEMBERS FOR ACTIVE DUTY FOR PURPOSES OF MORTGAGE REFINANCING.**

''(a) TREATMENT OF ABSENCE FROM RESIDENCE DUE TO ACTIVE DUTY.—While a servicemember who is the mortgagor under an existing mortgage does not reside in the residence that secures the existing mortgage because of a relocation described in subsection (c)(1)(B), if the servicemember inquires about or applies for a covered refinancing mortgage, the servicemember shall be considered, for all purposes relating to the covered refinancing mortgage (including such inquiry or application and eligibility for, and compliance with, any underwriting criteria and standards regarding such covered refinancing mortgage) to occupy the residence that secures the existing mortgage to be paid or prepaid by such covered refinancing mortgage as the principal residence of the servicemember during the period of such relocation.

''(b) LIMITATION.—Subsection (a) shall not apply with respect to a servicemember who inquires about or applies for a covered refinancing mortgage if, during the 5-year period preceding the date of such inquiry or application, the servicemember entered into a covered refinancing mortgage pursuant to this section.

''(c) DEFINITIONS.—In this section:

''(1) EXISTING MORTGAGE.—The term 'existing mortgage' means a mortgage that is secured by a 1- to 4-family residence, including a condominium or a share in a cooperative ownership housing association, that was the principal residence of a servicemember for a period that—

''(A) had a duration of 13 consecutive months or longer; and

''(B) ended upon the relocation of the servicemember caused by the servicemember receiving military orders for a permanent change of station or to deploy with a military unit, or as an individual in support of a military operation, for a period of not less than 18 months that did not allow the servicemember to continue to occupy such residence as a principal residence.

''(2) COVERED REFINANCING MORTGAGE.—The term 'covered refinancing mortgage' means any mortgage that—

''(A) is made for the purpose of paying or prepaying, and extinguishing, the outstanding obligations under an existing mortgage or mortgages; and

''(B) is secured by the same residence that secured such existing mortgage or mortgages.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 303 the following new item:

''303A. Treatment of relocation of servicemembers for active duty for purposes of mortgage refinancing.''.

**SEC. 566. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.**

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

(1) The hopes and prayers of the American people for the safe return of members of the Armed Forces serving overseas are demonstrated through the proud display of yellow ribbons.

(2) The designation of a ''Yellow Ribbon Day'' would serve as an additional reminder for all Americans of the continued sacrifice of members of the Armed Forces.

(3) Yellow Ribbon Day would also recognize the history and meaning of the Yellow Ribbon as the symbol of support for members of the Armed Forces and American civilians serving in combat or crisis situations overseas.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day, observed on April 9th each year, in honor of members of the Armed Forces and American civilians who are serving overseas in defense of the United States apart from their families and loved ones.

## Subtitle H—Improved Sexual Assault Prevention and Response in the Armed Forces

**SEC. 571. ESTABLISHMENT OF SPECIAL VICTIM TEAMS TO RESPOND TO ALLEGATIONS OF CHILD ABUSE, SERIOUS DOMESTIC VIOLENCE, OR SEXUAL OFFENSES.**

(a) ESTABLISHMENT REQUIRED.—The Secretary of each military department shall establish special victim teams for the purpose of—

(1) investigating and prosecuting allegations of child abuse, serious domestic violence, or sexual offenses; and

(2) providing support for the victims of such offenses.

(b) PERSONNEL.—A special victim team shall be comprised of specially trained and selected—

(1) investigators from the Defense Criminal Investigative Service, Army Criminal Investigative Command, Naval Criminal Investigative Service, or Air Force Office of Special Investigations;

(2) judge advocates;

(3) victim witness assistance personnel; and

(4) administrative paralegal support personnel.

(c) TRAINING, SELECTION, AND CERTIFICATION STANDARDS.—The Secretary of each military department shall prescribe standards for the training, selection, and certification of personnel for special victim teams established by that Secretary.

(d) TIME FOR ESTABLISHMENT.—

(1) DISCRETION REGARDING NUMBER OF TEAMS NEEDED.—The Secretary of a military department shall determine the total number of special victim teams to be established, and prescribe regulations for their management and use, in order to provide effective, timely, and responsive world-wide support for the purposes described in subsection (a). Not later than 270 days after the date of the enactment of this Act, each Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan and time line for the establishment of the special victim teams that the Secretary has determined are needed.

(2) INITIAL TEAM.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall have available for use at least one special victim team.

(e) EVALUATION OF EFFECTIVENESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe the common criteria to be used by the Secretaries of the military departments to measure the effectiveness and impact of the special victim teams from the investigative, prosecutorial, and victim's perspectives, and require the Secretaries of the military departments to collect and report the data required by the Secretary of Defense.

(f) SPECIAL VICTIM TEAM DEFINED.—In this section, the term ''special victim team'' means a distinct, recognizable group of appropriately skilled professionals who work collaboratively to achieve the purposes described in subsection (a). This section does not require that a special victim team be created as separate military unit or have a separate chain of command.

**SEC. 572. ENHANCEMENT TO TRAINING AND EDUCATION FOR SEXUAL ASSAULT PREVENTION AND RESPONSE.**

Section 585 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1434) is amended by adding at the end the following new subsections:

''(d) COMMANDERS' TRAINING.—The Secretary of Defense shall provide for the inclusion of a sexual assault prevention and response training module in the training for new or prospective commanders at all levels of command. The training shall be tailored to the responsibilities and leadership requirements of members of the Armed Forces as they are assigned to command positions. Such training shall include the following:

''(1) Fostering a command climate that does not tolerate sexual assault.

''(2) Fostering a command climate in which persons assigned to the command are encouraged to intervene to prevent potential incidents of sexual assault.

''(3) Fostering a command climate that encourages victims of sexual assault to report any incident of sexual assault.

''(4) Understanding the needs of, and the resources available to, the victim after an incident of sexual assault.

''(5) Use of military criminal investigative organizations for the investigation of alleged incidents of sexual assault.

''(6) Available disciplinary options, including court-martial, non-judicial punishment, administrative action, and deferral of discipline for collateral misconduct, as appropriate.

''(e) EXPLANATION TO BE INCLUDED IN INITIAL ENTRY AND ACCESSION TRAINING.—

''(1) REQUIREMENT.—The Secretary of Defense shall require that the matters specified in paragraph (2) be carefully explained to each member

*of the Army, Navy, Air Force, and Marine Corps at the time of (or within fourteen duty days after)—*

*''(A) the member's initial entrance on active duty; or*

*''(B) the member's initial entrance into a duty status with a reserve component.*

*''(2) MATTERS TO BE EXPLAINED.—This subsection applies with respect to the following:*

*''(A) Department of Defense policy with respect to sexual assault.*

*''(B) The resources available with respect to sexual assault reporting and prevention and the procedures to be followed by a member seeking to access those resources.''.*

***SEC. 573. ENHANCEMENT TO REQUIREMENTS FOR AVAILABILITY OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.***

*(a) REQUIRED POSTING OF INFORMATION ON SEXUAL ASSAULT PREVENTION AND RESPONSE RESOURCES.—*

*(1) POSTING.—The Secretary of Defense shall require that there be prominently posted, in accordance with paragraph (2), notice of the following information relating to sexual assault prevention and response, in a form designed to ensure visibility and understanding:*

*(A) Resource information for members of the Armed Forces, military dependents, and civilian personnel of the Department of Defense with respect to prevention of sexual assault and reporting of incidents of sexual assault.*

*(B) Contact information for personnel who are designated as Sexual Assault Response Coordinators and Sexual Assault Victim Advocates.*

*(C) The Department of Defense ''hotline'' telephone number, referred to as the Safe Helpline, for reporting incidents of sexual assault, or any successor operation.*

*(2) POSTING PLACEMENT.—Posting under subsection (a) shall be at the following locations, to the extent practicable:*

*(A) Any Department of Defense duty facility.*

*(B) Any Department of Defense dining facility.*

*(C) Any Department of Defense multi-unit residential facility.*

*(D) Any Department of Defense health care facility.*

*(E) Any Department of Defense commissary or exchange.*

*(F) Any Department of Defense Community Service Agency.*

*(b) NOTICE TO VICTIMS OF AVAILABLE ASSISTANCE.—The Secretary of Defense shall require that procedures in the Department of Defense for responding to a complaint or allegation of sexual assault submitted by or against a member of the Armed Forces include prompt notice to the person making the complaint or allegation of the forms of assistance available to that person from the Department of Defense and, to the extent known to the Secretary, through other departments and agencies, including State and local agencies, and other sources.*

***SEC. 574. MODIFICATION OF ANNUAL DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS REGARDING SEXUAL ASSAULTS.***

*(a) GREATER DETAIL IN CASE SYNOPSES PORTION OF REPORT.—Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:*

*''(f) ADDITIONAL DETAILS FOR CASE SYNOPSES PORTION OF REPORT.—The Secretary of each military department shall include in the case synopses portion of each report described in subsection (b)(3) the following additional information:*

*''(1) If an Article 32 Investigating Officer recommends dismissal of the charges against a member of the Armed Forces accused of committing a sexual assault, the case synopsis shall explicitly state the reasons for that recommendation.*

*''(2) If the case synopsis states that a member of the Armed Forces accused of committing a sexual assault was administratively separated or, in the case of an officer, allowed to resign in lieu of facing a court martial, the case synopsis shall include the characterization (honorable, general, or other than honorable) given the service of the member upon separation.*

*''(3) The case synopsis shall indicate whether a member of the Armed Forces accused of committing a sexual assault was ever previously accused of a substantiated sexual assault.*

*''(4) The case synopsis shall indicate the branch of the Armed Forces of each member accused of committing a sexual assault and the branch of the Armed Forces of each member who is a victim of a sexual assault.*

*''(5) If the case disposition includes non-judicial punishment, the case synopsis shall explicitly state the nature of the punishment.*

*''(6) If alcohol was involved in any way in a substantiated sexual assault incident, the case synopsis shall specify whether the member of the Armed Forces accused of committing the sexual assault had previously been ordered to attend substance abuse counseling.''.*

*(b) APPLICATIONS FOR CERTAIN TRANSFERS BY SEXUAL ASSAULT VICTIMS.—Subsection (b) of such section is amended by adding at the end the following new paragraph:*

*''(7) The number of applications submitted under section 673 of title 10, United States Code, during the year covered by the report for a permanent change of station or unit transfer for members of the Armed Forces on active duty who are the victim of a sexual assault or related offense, the number of applications denied, and, for each application denied, a description of the reasons why the application was denied.''.*

*(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply beginning with the report regarding sexual assaults involving members of the Armed Forces required to be submitted by March 1, 2013, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.*

***SEC. 575. INCLUSION OF SEXUAL HARASSMENT INCIDENTS IN ANNUAL DEPARTMENT OF DEFENSE REPORTS ON SEXUAL ASSAULTS.***

*Effective with the report required to be submitted by March 1, 2013, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note), the Secretary of each military department shall include in each annual report required by that section information on sexual harassment involving members of the Armed Forces under the jurisdiction of that Secretary during the preceding year. For purposes of complying with this section, the Secretary of the military department concerned shall apply subsection (b) of such section 1631 by substituting the term ''sexual harassment'' for ''sexual assault'' each place it appears in paragraphs (1) through (4) of such subsection.*

***SEC. 576. CONTINUED SUBMISSION OF PROGRESS REPORTS REGARDING CERTAIN INCIDENT INFORMATION MANAGEMENT TOOLS.***

*(a) REPORTS REQUIRED.—Not later than August 28, 2012, and every six months thereafter until the date determined under subsection (b), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the progress made during the previous six months to ensure that both of the following are fully functional and operational:*

*(1) The Defense Incident-Based Reporting System.*

*(2) The Defense Sexual Assault Incident Database.*

*(b) DURATION OF REPORTING REQUIREMENT.—The reporting requirement imposed by subsection (a) shall continue until the date on which the Secretary of Defense certifies, in a report submitted under such subsection, that—*

*(1) the Defense Incident-Based Reporting System and the Defense Sexual Assault Incident Database are fully functional and operational throughout the Department of Defense; and*

*(2) each of the military departments is using the Defense Incident-Based Reporting System or providing data for inclusion in the Defense Sexual Assault Incident Database.*

*(c) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Section 598 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2345; 10 U.S.C. 113 note) is repealed.*

***SEC. 577. BRIEFINGS ON DEPARTMENT OF DEFENSE ACTIONS REGARDING SEXUAL ASSAULT PREVENTION AND RESPONSE IN THE ARMED FORCES.***

*Not later than October 31, 2012, and April 30, 2013, the Secretary of Defense (or the designee of the Secretary of Defense) shall provide to the Committees on Armed Services of the Senate and House of Representatives a briefing that outlines efforts by the Department of Defense to implement—*

*(1) subtitle H of title V of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1430) and the amendments made by that subtitle;*

*(2) the additional initiatives announced by the Secretary of Defense on April 17, 2012, to address sexual assault involving members of the Armed Forces; and*

*(3) any other initiatives, policies, or programs being undertaken by the Secretary of Defense and the Secretaries of the military departments to address sexual assault involving members of the Armed Forces.*

***SEC. 578. ARMED FORCES WORKPLACE AND GENDER RELATIONS SURVEYS.***

*(a) ADDITIONAL CONTENT OF SURVEYS.—Subsection (c) of section 481 of title 10, United States Code, is amended—*

*(1) by striking ''harassment and discrimination'' and inserting ''harassment, assault, and discrimination'';*

*(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); respectively;*

*(3) by inserting after paragraph (1) the following new paragraph (2):*

*''(2) The specific types of assault that have occurred, and the number of times each respondent has been assaulted during the preceding year.'';*

*(4) in paragraph (4), as so redesignated, by striking ''discrimination'' and inserting ''discrimination, harassment, and assault''; and*

*(5) by adding at the end the following new paragraph*

*''(5) Any other issues relating to discrimination, harassment, or assault as the Secretary of Defense considers appropriate.''.*

*(b) TIME FOR CONDUCTING OF SURVEYS.—Such section is further amended—*

*(1) in subsection (a)(1), by striking ''four quadrennial surveys (each in a separate year)'' and inserting ''four surveys''; and*

*(2) by striking subsection (d) and inserting the following new subsection:*

*''(d) WHEN SURVEYS REQUIRED.—(1) One of the two Armed Forces Workplace and Gender Relations Surveys shall be conducted in 2014 and then every second year thereafter and the other Armed Forces Workplace and Gender Relations Survey shall be conducted in 2015 and then every second year thereafter, so that one of the two surveys is being conducted each year.*

*''(2) The two Armed Forces Workplace and Equal Opportunity Surveys shall be conducted at least once every four years. The two surveys may not be conducted in the same year.''.*

***SEC. 579. REQUIREMENT FOR COMMANDERS TO CONDUCT ANNUAL ORGANIZATIONAL CLIMATE ASSESSMENTS.***

*(a) REQUIREMENT.—The Secretary of Defense shall require the commander of each covered unit to conduct an organizational climate assessment within 120 days after the commander assumes command and annually thereafter.*

*(b) DEFINITIONS.—In this section:*

*(1) COVERED UNIT.—The term ''covered unit'' means any organizational element of the Armed Forces (other than the Coast Guard) with more than 50 members assigned, including any such element of a reserve component.*

*(2) ORGANIZATIONAL CLIMATE ASSESSMENT.—The term ''organizational climate assessment'' means an assessment intended to obtain information about the positive and negative factors that may have an impact on unit effectiveness and readiness by measuring matters relating to human relations climate such as prevention and response to sexual assault and equal opportunity.*

***SEC. 580. ADDITIONAL REQUIREMENTS FOR ORGANIZATIONAL CLIMATE ASSESSMENTS.***

*(a) ELEMENTS OF ASSESSMENTS.—An organizational climate assessment shall include avenues for members of the Armed Forces to express their views on how their leaders, including commanders, are responding to allegations of sexual assault and complaints of sexual harassment. The Secretary of Defense shall require the Office of Diversity Management and Equal Opportunity and the Sexual Assault Prevention and Response Office to ensure equal opportunity advisors and officers of the Sexual Assault Prevention and Response Office are available to conduct these assessments.*

*(b) ENSURING COMPLIANCE.—*

*(1) IN GENERAL.—The Secretary of Defense shall direct the Secretaries of the military departments to verify and track the compliance of commanding officers in conducting organizational climate assessments.*

*(2) IMPLEMENTATION.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing—*

*(A) a description of the progress of the development of the system that will verify and track the compliance of commanding officers in conducting organizational climate assessments; and*

*(B) an estimate of when the system will be completed and implemented.*

*(c) CONSULTATION.—In developing the sexual harassment and sexual assault portion of an organizational climate assessment, the Secretary of Defense shall consult with representatives of the following:*

*(1) The Sexual Assault Prevention and Response Office.*

*(2) The Office of Diversity Management.*

*(3) Appropriate non-Governmental organizations that have expertise in areas related to sexual harassment and sexual assault in the Armed Forces.*

*(d) RELATION TO OTHER REPORTING REQUIREMENTS.—The reporting requirements of this section are in addition to, and an expansion of, the Armed Forces Workplace and Gender Relations Surveys required by section 481 of title 10, United States Code.*

***SEC. 581. REVIEW OF UNRESTRICTED REPORTS OF SEXUAL ASSAULT AND SUBSEQUENT SEPARATION OF MEMBERS MAKING SUCH REPORTS.***

*(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of all unrestricted reports of sexual assault made by members of the Armed Forces since October 1, 2000, to determine the number of members who were subsequently separated from the Armed Forces and the circumstances of and grounds for such separation.*

*(b) ELEMENTS OF REVIEW.—The review shall determine at a minimum the following:*

*(1) For each member who made an unrestricted report of sexual assault and was subsequently separated, the reason provided for the separation and whether the member requested an appeal.*

*(2) For each member separated on the grounds of having a personality disorder, whether the separation was carried out in compliance with Department of Defense Instruction 1332.14.*

*(3) For each member who requested an appeal, the basis and results of the appeal.*

*(c) SUBMISSION OF RESULTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the results of the review.*

***SEC. 582. LIMITATION ON RELEASE FROM ACTIVE DUTY OR RECALL TO ACTIVE DUTY OF RESERVE COMPONENT MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT WHILE ON ACTIVE DUTY.***

*(a) IN GENERAL.—Chapter 1209 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 12323. Active duty for response to sexual assault***

*''(a) CONTINUATION ON ACTIVE DUTY.—In the case of a member of a reserve component who is the alleged victim of sexual assault committed while on active duty and who is expected to be released from active duty before the determination of whether the member was assaulted while in the line of duty, the Secretary concerned may, upon the request of the member, order the member to be retained on active duty until the line of duty determination, but not to exceed 180 days beyond the original expiration of active duty date. A member eligible for continuation on active duty under this subsection shall be informed as soon as practicable after the alleged assault of the option to request continuation on active duty under this subsection.*

*''(b) RETURN TO ACTIVE DUTY.—In the case of a member of a reserve component not on active duty who is the alleged victim of a sexual assault that occurred while the member was on active duty and when the determination whether the member was in the line of duty is not completed, the Secretary concerned may, upon the request of the member, order the member to active duty for such time as necessary to complete the line of duty determination, but not to exceed 180 days.*

*''(c) REGULATIONS.—The Secretaries of the military departments shall prescribe regulations to carry out this section, subject to guidelines prescribed by the Secretary of Defense. The guidelines of the Secretary of Defense shall provide that—*

*''(1) a request submitted by a member described in subsection (a) or (b) to continue on active duty, or to be ordered to active duty, respectively, must be decided within 30 days from the date of the request; and*

*''(2) if the request is denied, the member may appeal to the first general officer or flag officer in the chain of command of the member, and in the case of such an appeal a decision on the appeal must be made within 15 days from the date of the appeal.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended adding at the end the following new item:*

*''12323. Active duty for response to sexual assault.''.*

***SEC. 583. INCLUSION OF INFORMATION ON SUBSTANTIATED REPORTS OF SEXUAL HARASSMENT IN MEMBER'S OFFICIAL SERVICE RECORD.***

*(a) INCLUSION.—If a complaint of sexual harassment is made against a member of the Army, Navy, Air Force, or Marine Corps and the complaint is substantiated, a notation to that effect shall be placed in the service record of the member, regardless of the member's rank, for the purpose of—*

*(1) reducing the likelihood that a member who has committed sexual harassment can commit the same offense multiple times without suffering the appropriate consequences; and*

*(2) alerting commanders of the background of the members of their command, so the commanders have better awareness of its members, especially as members are transferred.*

*(b) DEFINITION OF SUBSTANTIATED.—For purposes of implementing this section, the Secretary of Defense shall use the definition of substantiated developed for the annual report on sexual assaults involving members of the Armed Forces prepared under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4433; 10 U.S.C. 1561 note).*

***Subtitle I—Other Matters***

***SEC. 590. INCLUSION OF FREELY ASSOCIATED STATES WITHIN SCOPE OF JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.***

*Section 2031(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:*

*''(3) If a secondary educational institution in the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau otherwise meets the conditions imposed by subsection (b) on the establishment and maintenance of units of the Junior Reserve Officers' Training Corps, the Secretary of a military department may establish and maintain a unit of the Junior Reserve Officers' Training Corps at the secondary educational institution even though the secondary educational institution is not a United States secondary educational institution.''.*

***SEC. 591. PRESERVATION OF EDITORIAL INDEPENDENCE OF STARS AND STRIPES.***

*To preserve the actual and perceived editorial and management independence of the Stars and Stripes newspaper, the Secretary of Defense shall extend the lease for the commercial office space in the District of Columbia currently occupied by the editorial and management operations of the Stars and Stripes newspaper until such time as the Secretary provides space and information technology and other support for such operations in a Government-owned facility in the National Capital Region geographically remote from facilities of the Defense Media Activity at Fort Meade, Maryland.*

***SEC. 592. SENSE OF CONGRESS REGARDING DESIGNATION OF BUGLE CALL COMMONLY KNOWN AS "TAPS" AS NATIONAL SONG OF REMEMBRANCE.***

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

*(1) The bugle call commonly known as ''Taps'' is known throughout the United States.*

*(2) In July 1862, following the Seven Days Battles, Union General Daniel Butterfield and bugler Oliver Willcox Norton created ''Taps'' at Berkley Plantation, Virginia, as a way to signal the end of daily military activities.*

*(3) ''Taps'' is now established by the uniformed services as the last call of the day and is sounded at the completion of a military funeral.*

*(4) ''Taps'' has become the signature, solemn musical farewell for members of the uniformed services and veterans who have faithfully served the United States during times of war and peace.*

*(5) Over its 150 years of use, ''Taps'' has been woven into the historical fabric of the United States.*

*(6) When sounded, ''Taps'' summons emotions of loss, pride, honor, and respect and encourages Americans to remember patriots who served the United States with honor and valor.*

*(7) The 150th anniversary of the writing of ''Taps'' will be observed with events culminating in June 2012 with a rededication of the Taps Monument at Berkley Plantation, Virginia.*

*(b) SENSE OF CONGRESS.—It is the sense of Congress that the bugle call commonly known as ''Taps'' should be designated as the National Song of Remembrance.*

***SEC. 593. RECOMMENDED CONDUCT DURING SOUNDING OF BUGLE CALL COMMONLY KNOWN AS "TAPS".***

*(a) CONDUCT DURING SOUNDING OF ''TAPS''.—Chapter 3 of title 36, United States Code, is amended by adding at the end the following new section:*

***"§ 306. Conduct during sounding of 'Taps'***

*''(a) DEFINITION.—In this section, the term 'Taps' refers to the bugle call consisting of 24 notes normally sounded on a bugle or trumpet without accompaniment or embellishment as the last call of the day on a military base, at the completion of a military funeral, or on other occasions as the solemn musical farewell to members of the uniform services and veterans.*

*''(b) CONDUCT DURING SOUNDING.—*

*''(1) IN GENERAL.—During a performance of Taps—*

*''(A) all present, except persons in uniform, should stand at attention with the right hand over the heart;*

*''(B) men not in uniform should remove their headdress with their right hand and hold the headdress at the left shoulder, the hand being over the heart; and*

*''(C) persons in uniform should stand at attention and give the military salute at the first note of Taps and maintain that position until the last note.*

*''(2) EXCEPTION.—Paragraph (1) shall not apply when Taps is sounded as the final bugle call of the day at a military base.*

*''(c) DEFINITION OF MILITARY BASE.—In this section, the term 'military base' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam.''.*

*(b) CONFORMING AND CLERICAL AMENDMENTS.—*

*(1) CHAPTER HEADING.—The heading of chapter 3 of title 36, United States Code, is amended to read as follows:*

***"CHAPTER 3—NATIONAL ANTHEM, MOTTO, AND OTHER NATIONAL DESIGNATIONS".***

*(2) TABLE OF CHAPTERS.—The item relating to chapter 3 in the table of chapters for such title is amended to read as follows:*

*''3. National Anthem, Motto, and Other National Designations ..... 301''.*

*(3) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:*

*''306. Conduct during sounding of 'Taps'.''.*

***SEC. 594. INSPECTION OF MILITARY CEMETERIES UNDER THE JURISDICTION OF DEPARTMENT OF DEFENSE.***

*(a) DOD INSPECTOR GENERAL INSPECTION OF ARLINGTON NATIONAL CEMETERY AND UNITED STATES SOLDIERS' AND AIRMEN'S HOME NATIONAL CEMETERY.—Section 1(d) of Public Law 111–339; 124 Stat. 3592) is amended—*

*(1) in paragraph (1), by striking ''The Secretary'' in the first sentence and inserting ''Subject to paragraph (2), the Secretary''; and*

*(2) in paragraph (2), by adding at the end the following new sentence: ''However, in the case of the report required to be submitted during 2013, the assessment described in paragraph (1) shall be conducted, and the report shall be prepared and submitted, by the Inspector General of the Department of Defense instead of the Secretary of the Army.''.*

*(b) TIME FOR SUBMISSION OF REPORT AND PLAN OF ACTION REGARDING INSPECTION OF CEMETERIES AT MILITARY INSTALLATIONS.—Section 592(d)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1443) is amended—*

*(1) by striking ''December 31, 2012'' and inserting ''June 29, 2013''; and*

*(2) by striking ''April 1, 2013'' and inserting ''October 1, 2013''.*

***SEC. 595. PILOT PROGRAM TO PROVIDE TRANSITIONAL ASSISTANCE TO MEMBERS OF THE ARMED FORCES WITH A FOCUS ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.***

*(a) PROGRAM AUTHORITY.—The Secretary of Defense may conduct one or more pilot programs to provide transitional assistance for members of the Armed Forces leaving active duty that focuses on assisting the members to transition into the fields of science, technology, engineering, and mathematics to address the shortage of expertise within the Department of Defense in those fields.*

*(b) COOPERATION WITH EDUCATIONAL INSTITUTIONS.—The Secretary of Defense may enter into an agreement with an institution of higher education to provide for the management and execution of a pilot program under this section. The institution of higher education must agree to allow the translation of military experience and training into course credit and provide for the transfer of previously received credit through local community colleges and other accredited institutions of higher education.*

*(c) DURATION.—Any pilot program established under the authority of this section may not operate for more than three academic years.*

*(d) REPORTING REQUIREMENT.—At the conclusion of a pilot program under this section, the Secretary of Defense shall submit to the congressional defense committee a report on the results of the pilot program, including the cost incurred to conduct the program, the number of participants of the program, and the outcomes for the participants of the program.*

## *TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS*

### *Subtitle A—Pay and Allowances*

***SEC. 601. FISCAL YEAR 2013 INCREASE IN MILITARY BASIC PAY.***

*(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2013 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.*

*(b) INCREASE IN BASIC PAY.—Effective on January 1, 2013, the rates of monthly basic pay for members of the uniformed services are increased by 1.7 percent.*

***SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR TWO-MEMBER COUPLES WHEN ONE MEMBER IS ON SEA DUTY.***

*(a) IN GENERAL.—Subparagraph (C) of section 403(f)(2) of title 37, United States Code, is amended to read as follows:*

*''(C) Notwithstanding section 421 of this title, a member of a uniformed service in a pay grade below pay grade E–6 who is assigned to sea duty and is married to another member of a uniformed service is entitled to a basic allowance for housing subject to the limitations of subsection (e).''.*

*(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2013.*

***SEC. 603. NO REDUCTION IN BASIC ALLOWANCE FOR HOUSING FOR ARMY NATIONAL GUARD AND AIR NATIONAL GUARD MEMBERS WHO TRANSITION BETWEEN ACTIVE DUTY AND FULL-TIME NATIONAL GUARD DUTY WITHOUT A BREAK IN ACTIVE SERVICE.***

*Section 403(g) of title 37, United States Code, is amended by adding at the end the following new paragraph:*

*''(6)(A) The rate of basic allowance for housing to be paid to a member of the Army National Guard of the United States or the Air National Guard of the United States shall not be reduced upon the transition of the member from active duty to full-time National Guard duty, or from full-time National Guard duty to active duty, when the transition occurs without a break in active service.*

*''(B) For the purposes of this paragraph, a break in active service occurs when one or more calendar days between active service periods do not qualify as active service.''.*

***SEC. 604. MODIFICATION OF PROGRAM GUIDANCE RELATING TO THE AWARD OF POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE ADMINISTRATIVE ABSENCE DAYS TO MEMBERS OF THE RESERVE COMPONENTS UNDER DOD INSTRUCTION 1327.06.***

*Effective as of October 1, 2011, the changes made by the Secretary of Defense to the Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components under DOD Instruction 1327.06 shall not apply to a member of a reserve component whose qualified mobilization (as described in such program guidance) commenced before October 1, 2011, and continued on or after that date until the date the mobilization is terminated.*

### *Subtitle B—Bonuses and Special and Incentive Pays*

***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.***

*The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':*

*(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.*

*(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.*

*(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.*

*(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.*

*(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.*

*(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.*

*(7) Section 408a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.*

*(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.*

***SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.***

*(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':*

*(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.*

*(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.*

*(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':*

*(1) Section 302c–1(f), relating to accession and retention bonuses for psychologists.*

*(2) Section 302d(a)(1), relating to accession bonus for registered nurses.*

*(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.*

*(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.*

*(5) Section 302h(a)(1), relating to accession bonus for dental officers.*

*(6) Section 302j(a), relating to accession bonus for pharmacy officers.*

*(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.*

*(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.*

**SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.**

*The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':*

*(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.*

*(2) Section 312b(c), relating to nuclear career accession bonus.*

*(3) Section 312c(d), relating to nuclear career annual incentive bonus.*

**SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.**

*The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':*

*(1) Section 331(h), relating to general bonus authority for enlisted members.*

*(2) Section 332(g), relating to general bonus authority for officers.*

*(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.*

*(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.*

*(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.*

*(6) Section 351(h), relating to hazardous duty pay.*

*(7) Section 352(g), relating to assignment pay or special duty pay.*

*(8) Section 353(i), relating to skill incentive pay or proficiency bonus.*

*(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.*

**SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.**

*The following sections of title 37, United States Code, are amended by striking ''December 31, 2012'' and inserting ''December 31, 2013'':*

*(1) Section 301b(a), relating to aviation officer retention bonus.*

*(2) Section 307a(g), relating to assignment incentive pay.*

*(3) Section 308(g), relating to reenlistment bonus for active members.*

*(4) Section 309(e), relating to enlistment bonus.*

*(5) Section 324(g), relating to accession bonus for new officers in critical skills.*

*(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.*

*(7) Section 327(h), relating to incentive bonus for transfer between armed forces.*

*(8) Section 330(f), relating to accession bonus for officer candidates.*

**SEC. 616. INCREASE IN MAXIMUM AMOUNT OF OFFICER AFFILIATION BONUS FOR OFFICERS IN THE SELECTED RESERVE.**

*Section 308j(d) of title 37, United States Code, is amended by striking ''$10,000'' and inserting ''$20,000''.*

**SEC. 617. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE BONUS FOR RESERVE COMPONENT MEMBERS WHO CONVERT MILITARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL SHORTAGES.**

*Section 326(c)(1) of title 37, United States Code, is amended by striking ''$4,000, in the case of a member of a regular component of the armed forces, and $2,000, in the case of a member of a reserve component of the armed forces.'' and inserting ''$4,000.''.*

## Subtitle C—Travel and Transportation Allowances Generally

**SEC. 621. TRAVEL AND TRANSPORTATION ALLOWANCES FOR NON-MEDICAL ATTENDANTS FOR MEMBERS RECEIVING CARE IN A RESIDENTIAL TREATMENT PROGRAM.**

*(a) AUTHORIZED TRAVEL AND TRANSPORTATION.—Subsection (a) of section 481k of title 37, United States Code, is amended—*

*(1) by inserting ''(1)'' before ''Under uniform regulations''; and*

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

*''(2) Travel and transportation described in subsection (d) also may be provided for a qualified non-medical attendant for a member of the uniformed services who is receiving care in a residential treatment program if the attending physician or other mental health professional and the commander or head of the military medical facility exercising control over the member determine that the presence and participation of such an attendant is essential to the treatment of the member.''.*

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

*(1) in subsection (b)—*

*(A) by striking ''covered member'' in the matter preceding paragraph (1) and inserting ''member''; and*

*(B) in paragraph (2), by striking ''surgeon and the commander or head of the military medical facility'' and inserting ''surgeon (or mental health professional in the case of a member described in subsection (a)(2)) and the commander or head of the military medical facility exercising control over the member''; and*

*(2) in subsection (c), by striking ''this section'' in the matter preceding paragraph (1) and inserting ''subsection (a)(1)''.*

## Subtitle D—Benefits and Services for Members Being Separated or Recently Separated

**SEC. 631. EXTENSION OF AUTHORITY TO PROVIDE TWO YEARS OF COMMISSARY AND EXCHANGE BENEFITS AFTER SEPARATION.**

*(a) EXTENSION OF AUTHORITY.—Section 1146 of title 10, United States Code, is amended—*

*(1) in subsection (a), by striking ''2012'' and inserting ''2018''; and*

*(2) in subsection (b), by striking ''2012'' and inserting ''2018''.*

*(b) CORRECTION OF REFERENCE TO ADMINISTERING SECRETARY.—Such section is further amended—*

*(1) in subsection (a), by striking ''The Secretary of Transportation'' and inserting ''The Secretary concerned''; and*

*(2) in subsection (b), by striking ''The Secretary of Homeland Security'' and inserting ''The Secretary concerned''.*

**SEC. 632. TRANSITIONAL USE OF MILITARY FAMILY HOUSING.**

*(a) RESUMPTION OF AUTHORITY TO AUTHORIZE TRANSITIONAL USE.—Subsection (a) of section 1147 of title 10, United States Code, is amended—*

*(1) in paragraph (1), by striking ''October 1, 1990, and ending on December 31, 2001'' and inserting ''October 1, 2012, and ending on December 31, 2018''; and*

*(2) in paragraph (2), by striking ''October 1, 1994, and ending on December 31, 2001'' and inserting ''October 1, 2012, and ending on December 31, 2018''.*

*(b) PROHIBITION ON PROVISION OF TRANSITIONAL BASIC ALLOWANCE FOR HOUSING.—Such section is further amended by adding at the end the following new subsection:*

*''(c) NO TRANSITIONAL BASIC ALLOWANCE FOR HOUSING.—Nothing in this section shall be construed to authorize the Secretary concerned to continue to provide for any period of time to an individual who is involuntary separated all or any portion of a basic allowance for housing to which the individual was entitled under section 403 of title 37 immediately before being involuntarily separated, even in cases in which the individual or members of the individual's household continue to reside after the separation in a housing unit acquired or constructed under the alternative authority of subchapter IV of chapter 169 of this title that is not owned or leased by the United States.''.*

*(c) CORRECTION OF REFERENCE TO ADMINISTERING SECRETARY.—Subsection (a)(2) of such section is further amended by striking ''The Secretary of Transportation'' and inserting ''The Secretary concerned''.*

## Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations

**SEC. 641. CHARITABLE ORGANIZATIONS ELIGIBLE FOR DONATIONS OF UNUSABLE COMMISSARY STORE FOOD AND OTHER FOOD PREPARED FOR THE ARMED FORCES.**

*Subparagraph (A) of section 2485(f) of title 10, United States Code, is amended to read as follows:*

*''(A) A food bank, food pantry, or soup kitchen (as those terms are defined in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501)).''.*

**SEC. 642. REPEAL OF CERTAIN RECORDKEEPING AND REPORTING REQUIREMENTS APPLICABLE TO COMMISSARY AND EXCHANGE STORES OVERSEAS.**

*(a) REPEAL.—Section 2489 of title 10, United States Code, is amended by striking subsections (b) and (c).*

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

*(1) by striking ''GENERAL AUTHORITY.—(1)'' and inserting ''AUTHORITY TO ESTABLISH RESTRICTIONS.—'';*

*(2) by striking ''(2)'' and inserting ''(b) LIMITATIONS ON USE OF AUTHORITY.—''; and*

*(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.*

**SEC. 643. TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE, AS A FISHER HOUSE.**

*(a) FISHER HOUSES AND AUTHORIZED FISHER HOUSE RESIDENTS.—Subsection (a) of section 2493 of title 10, United States Code, is amended—*

*(1) in paragraph (1)(B), by striking ''by patients'' and all that follows through ''such patients;'' and inserting ''by authorized Fisher House residents;'';*

*(2) by redesignating paragraph (2) as paragraph (3);*

*(3) by inserting after paragraph (1) the following new paragraph:*

*''(2) The term 'Fisher House' includes the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, so long as such facility is available for residential use on a temporary basis by authorized Fisher House residents.''; and*

*(4) by adding at the end the following new paragraph:*

*''(4) The term 'authorized Fisher House residents' means the following:*

*''(A) With respect to a Fisher House described in paragraph (1) that is located in proximity to a health care facility of the Army, the Air Force, or the Navy, the following persons:*

*''(i) Patients of that health care facility.*

*''(ii) Members of the families of such patients.*

*''(iii) Other persons providing the equivalent of familial support for such patients.*

*''(B) With respect to the Fisher House described in paragraph (2), the following persons:*

*''(i) The primary next of kin of a member of the armed forces who dies while located or serving overseas.*

*''(ii) Other family members of the deceased member who are eligible for transportation under section 411f(e) of title 37.*

*''(iii) An escort of a family member described in clause (i) or (ii).''.*

*(b) CONFORMING AMENDMENTS.—Subsections (b), (e), (f), and (g) of such section are amended by striking ''health care'' each place it appears.*

*(c) REPEAL OF FISCAL YEAR 2012 FREE-STANDING DESIGNATION.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1466) is repealed.*

**SEC. 644. PURCHASE OF SUSTAINABLE PRODUCTS, LOCAL FOOD PRODUCTS, AND RECYCLABLE MATERIALS FOR RESALE IN COMMISSARY AND EXCHANGE STORE SYSTEMS.**

*(a) IMPROVED PURCHASING EFFORTS.—Section 2481(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:*

*''(3)(A) The governing body established pursuant to paragraph (2) shall endeavor to increase the purchase for resale at commissary stores and exchange stores of sustainable products, local food products, and recyclable materials.*

*''(B) As part of its efforts under subparagraph (A), the governing body shall develop—*

*''(i) guidelines for the identification of fresh meat, poultry, seafood, and fish, fresh produce, and other products raised or produced through sustainable methods; and*

*''(ii) goals, applicable to all commissary stores and exchange stores world-wide, to maximize, to the maximum extent practical, the purchase of sustainable products, local food products, and recyclable materials by September 30, 2017.''.*

*(b) DEADLINE FOR ESTABLISHMENT AND GUIDELINES.—The initial guidelines required by paragraph (3)(B)(i) of section 2481(c) of title 10, United States Code, as added by subsection (a), shall be issued not later than two years after the date of the enactment of this Act.*

### Subtitle F—Disability, Retired Pay, and Survivor Benefits

**SEC. 651. REPEAL OF REQUIREMENT FOR PAYMENT OF SURVIVOR BENEFIT PLAN PREMIUMS WHEN PARTICIPANT WAIVES RETIRED PAY TO PROVIDE A SURVIVOR ANNUITY UNDER FEDERAL EMPLOYEES RETIREMENT SYSTEM AND TERMINATING PAYMENT OF THE SURVIVOR BENEFIT PLAN ANNUITY.**

*(a) DEPOSITS NOT REQUIRED.—Section 1452(e) of title 10, United States Code, is amended—*

*(1) in the subsection heading, by inserting ''AND FERS'' after ''CSRS'';*

*(2) by inserting ''or chapter 84 of such title,'' after ''chapter 83 of title 5'';*

*(3) by inserting ''or 8416(a)'' after ''8339(j)''; and*

*(4) by inserting ''or 8442(a)'' after ''8341(b)''.*

*(b) CONFORMING AMENDMENTS.—Section 1450(d) of such title is amended—*

*(1) by inserting ''or chapter 84 of such title'' after ''chapter 83 of title 5'';*

*(2) by inserting ''or 8416(a)'' after ''8339(j)''; and*

*(3) by inserting ''or 8442(a)'' after ''8341(b)''.*

*(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply with respect to any participant electing a annuity for survivors under chapter 84 of title 5, United States Code, on or after the date of the enactment of this Act.*

### Subtitle G—Other Matters

**SEC. 661. CONSISTENT DEFINITION OF DEPENDENT FOR PURPOSES OF APPLYING LIMITATIONS ON TERMS OF CONSUMER CREDIT EXTENDED TO CERTAIN MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.**

*Paragraph (2) of section 987(i) of title 10, United States Code, is amended to read as follows:*

*''(2) DEPENDENT.—The term 'dependent', with respect to a covered member, means a person described in subparagraph (A), (D), (E), or (I) of section 1072(2) of this title.''.*

**SEC. 662. LIMITATION ON REDUCTION IN NUMBER OF MILITARY AND CIVILIAN PERSONNEL ASSIGNED TO DUTY WITH SERVICE REVIEW AGENCIES.**

*Section 1559(a) of title 10, United States Code, is amended by striking ''December 31, 2013'' and inserting ''December 31, 2016''.*

**SEC. 663. EQUAL TREATMENT FOR MEMBERS OF COAST GUARD RESERVE CALLED TO ACTIVE DUTY UNDER TITLE 14, UNITED STATES CODE.**

*(a) INCLUSION IN DEFINITION OF CONTINGENCY OPERATION.—Section 101(a)(13)(B) of title 10, United States Code, is amended by inserting ''section 712 of title 14,'' after ''chapter 15 of this title,''.*

*(b) CREDIT OF SERVICE TOWARDS REDUCTION OF ELIGIBILITY AGE FOR RECEIPT OF RETIRED PAY FOR NON-REGULAR SERVICE.—Section 12731(f)(2)(B) of title 10, United States Code, is amended by adding at the end the following new clause:*

*''(iv) Service on active duty described in this subparagraph is also service on active duty pursuant to a call or order to active duty authorized by the Secretary of Homeland Security under section 712 of title 14 for purposes of emergency augmentation of the Regular Coast Guard forces.''.*

*(c) POST 9/11 EDUCATIONAL ASSISTANCE.—Section 3301(1)(B) of title 38, United States Code, is amended by inserting ''or section 712 of title 14'' after ''title 10''.*

*(d) RETROACTIVE APPLICATION OF AMENDMENTS.—*

*(1) INCLUSION OF PRIOR ORDERS.—The amendments made by this section shall apply to any call or order to active duty authorized by the Secretary of Homeland Security under section 712 of title 14, United States Code, on or after April 19, 2010.*

*(2) CREDIT FOR PRIOR SERVICE.—The amendments made by this section shall be deemed to have been enacted on April 19, 2010, for purposes of applying the amendments to the following provisions of law:*

*(A) Section 5538 of title 5, United States Code, relating to nonreduction in pay.*

*(B) Section 701 of title 10, United States Code, relating to the accumulation and retention of leave.*

*(C) Section 12731 of title 10, United States Code, relating to age and service requirements for receipt of retired pay for non-regular service.*

## TITLE VII—HEALTH CARE PROVISIONS

### Subtitle A—Improvements to Health Benefits

**SEC. 701. SENSE OF CONGRESS ON NONMONETARY CONTRIBUTIONS TO HEALTH CARE BENEFITS MADE BY CAREER MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.**

*It is the sense of Congress that—*

*(1) career members of the uniformed services and their families endure unique and extraordinary demands and make extraordinary sacrifices over the course of a 20- to 30-year career in protecting freedom for all Americans; and*

*(2) those decades of sacrifice constitute a significant pre-paid premium for health care during a career member's retirement that is over and above what the member pays with money.*

**SEC. 702. EXTENSION OF TRICARE STANDARD COVERAGE AND TRICARE DENTAL PROGRAM FOR MEMBERS OF THE SELECTED RESERVE WHO ARE INVOLUNTARILY SEPARATED.**

*(a) TRICARE STANDARD COVERAGE.—Section 1076d(b) of title 10, United States Code, is amended—*

*(1) by striking ''Eligibility'' and inserting ''(1) Except as provided in paragraph (2), eligibility''; and*

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

*''(2) During the period beginning on the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013 or October 1, 2012, and ending December 31, 2018, eligibility for a member under this section who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall terminate 180 days after the date on which the member is separated.''.*

*(b) TRICARE DENTAL COVERAGE.—Section 1076a(a)(1) of such title is amended by adding at the end the following new sentence: ''During the period beginning on the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013 or October 1, 2012, and ending December 31, 2018, such plan shall provide that coverage for a member of the Selected Reserve who is involuntarily separated from the Selected Reserve under other than adverse conditions, as characterized by the Secretary concerned, shall not terminate earlier than 180 days after the date on which the member is separated.''.*

**SEC. 703. MEDICAL AND DENTAL CARE CONTRACTS FOR CERTAIN MEMBERS OF THE NATIONAL GUARD.**

*(a) STANDARDS.—The Secretary of Defense shall ensure that each individual who receives medical or dental care under a covered contract meets the standards of medical and dental readiness of the Secretary upon the mobilization of the individual.*

*(b) COVERED CONTRACT DEFINED.—In this section, the term ''covered contract'' means a contract entered into by the National Guard of a State to provide medical or dental care to the members of such National Guard to ensure that the members meet applicable standards of medical and dental readiness.*

### Subtitle B—Health Care Administration

**SEC. 711. UNIFIED MEDICAL COMMAND.**

*(a) UNIFIED COMBATANT COMMAND.—*

*(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by inserting after section 167a the following new section:*

***''§ 167b. Unified combatant command for medical operations***

*''(a) ESTABLISHMENT.—With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall establish under section 161 of this title a unified command for medical operations (in this section referred to as the 'unified medical command'). The principal function of the command is to provide medical services to the armed forces and other health care beneficiaries of the Department of Defense as defined in chapter 55 of this title.*

*''(b) ASSIGNMENT OF FORCES.—In establishing the unified medical command under subsection (a), all active military medical treatment facilities, training organizations, and research entities of the armed forces shall be assigned to such unified command, unless otherwise directed by the Secretary of Defense.*

*''(c) GRADE OF COMMANDER.—The commander of the unified medical command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating his permanent grade. The commander of such command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such command shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37. During the five-year period beginning on the date on which the Secretary establishes the command under subsection (a), the commander of such command shall be exempt from the requirements of section 164(a)(1) of this title.*

*''(d) SUBORDINATE COMMANDS.—(1) The unified medical command shall have the following subordinate commands:*

*''(A) A command that includes all fixed military medical treatment facilities, including elements of the Department of Defense that are combined, operated jointly, or otherwise operated in such a manner that a medical facility of*

*the Department of Defense is operating in or with a medical facility of another department or agency of the United States.*

*''(B) A command that includes all medical training, education, and research and development activities that have previously been unified or combined, including organizations that have been designated as a Department of Defense executive agent.*

*''(C) The Defense Health Agency established under subsection (f).*

*''(2) The commander of a subordinate command of the unified medical command shall hold the grade of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The commander of such a subordinate command shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The commander of such a subordinate command shall also be required to be a surgeon general of one of the military departments.*

*''(e) AUTHORITY OF COMBATANT COMMANDER.—(1) In addition to the authority prescribed in section 164(c) of this title, the commander of the unified medical command shall be responsible for, and shall have the authority to conduct, all affairs of such command relating to medical operations activities.*

*''(2) The commander of such command shall be responsible for, and shall have the authority to conduct, the following functions relating to medical operations activities (whether or not relating to the unified medical command):*

*''(A) Developing programs and doctrine.*

*''(B) Preparing and submitting to the Secretary of Defense program recommendations and budget proposals for the forces described in subsection (b) and for other forces assigned to the unified medical command.*

*''(C) Exercising authority, direction, and control over the expenditure of funds—*

*''(i) for forces assigned to the unified medical command;*

*''(ii) for the forces described in subsection (b) assigned to unified combatant commands other than the unified medical command to the extent directed by the Secretary of Defense; and*

*''(iii) for military construction funds of the Defense Health Program.*

*''(D) Training assigned forces.*

*''(E) Conducting specialized courses of instruction for commissioned and noncommissioned officers.*

*''(F) Validating requirements.*

*''(G) Establishing priorities for requirements.*

*''(H) Ensuring the interoperability of equipment and forces.*

*''(I) Monitoring the promotions, assignments, retention, training, and professional military education of medical officers described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.*

*''(3) The commander of such command shall be responsible for the Defense Health Program, including the Defense Health Program Account established under section 1100 of this title.*

*''(f) DEFENSE HEALTH AGENCY.—(1) In establishing the unified medical command under subsection (a), the Secretary shall also establish under section 191 of this title a defense agency for health care (in this section referred to as the 'Defense Health Agency'), and shall transfer to such agency the organization of the Department of Defense referred to as the TRICARE Management Activity and all functions of the TRICARE Program (as defined in section 1072(7)).*

*''(2) The director of the Defense Health Agency shall hold the rank of lieutenant general or, in the case of an officer of the Navy, vice admiral while serving in that position, without vacating his permanent grade. The director of such agency shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position. The director of such agency shall be a member of a health profession described in paragraph (1), (2), (3), (4), (5), or (6) of section 335(j) of title 37.*

*''(g) REGULATIONS.—In establishing the unified medical command under subsection (a), the Secretary of Defense shall prescribe regulations for the activities of the unified medical command.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 167a the following new item:*

*''167b. Unified combatant command for medical operations.''.*

*(b) PLAN, NOTIFICATION, AND REPORT.—*

*(1) PLAN.—Not later than July 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan to establish the unified medical command authorized under section 167b of title 10, United States Code, as added by subsection (a), including any legislative actions the Secretary considers necessary to implement the plan.*

*(2) NOTIFICATION.—The Secretary shall submit to the congressional defense committees written notification of the time line of the Secretary to establish the unified medical command under such section 167b by not later than the date that is 30 days before establishing such command.*

*(3) REPORT.—Not later than 180 days after submitting the notification under paragraph (2), the Secretary shall submit to the congressional defense committees a report on—*

*(A) the establishment of the unified medical command; and*

*(B) the establishment of the Defense Health Agency under subsection (f) of such section 167b.*

***SEC. 712. AUTHORITY FOR AUTOMATIC ENROLLMENT IN TRICARE PRIME OF DEPENDENTS OF MEMBERS IN PAY GRADES ABOVE PAY GRADE E-4.***

*Subsection (a) of section 1097a of title 10, United States Code, is amended to read as follows:*

*''(a) AUTOMATIC ENROLLMENT OF CERTAIN DEPENDENTS.—(1) In the case of a dependent of a member of the uniformed services who is entitled to medical and dental care under section 1076(a)(2)(A) of this title and resides in an area in which TRICARE Prime is offered, the Secretary—*

*''(A) shall automatically enroll the dependent in TRICARE Prime if the member is in pay grade E-4 or below; and*

*''(B) may automatically enroll the dependent in TRICARE Prime if the member is in pay grade E-5 or higher.*

*''(2) Whenever a dependent of a member is enrolled in TRICARE Prime under paragraph (1), the Secretary concerned shall provide written notice of the enrollment to the member.*

*''(3) The enrollment of a dependent of the member may be terminated by the member or the dependent at any time.''.*

***SEC. 713. COOPERATIVE HEALTH CARE AGREEMENTS BETWEEN THE MILITARY DEPARTMENTS AND NON-MILITARY HEALTH CARE ENTITIES.***

*(a) AUTHORITY.—In addition to the authority of the Secretary of Defense under section 713 of the National Defense Authorization Act of 2010 (10 U.S.C. 1073 note), the Secretary of each military department may establish cooperative health care agreements between military installations and local or regional health care entities.*

*(b) REQUIREMENTS.—In establishing an agreement under subsection (a), the Secretary concerned shall—*

*(1) consult with—*

*(A) representatives from the military installation selected for the agreement, including the TRICARE managed care support contractor with responsibility for such installation; and*

*(B) Federal, State, and local government officials;*

*(2) identify and analyze health care services available in the area in which the military installation is located, including such services available at a military medical treatment facility or in the private sector (or a combination thereof);*

*(3) determine the cost avoidance or savings resulting from innovative partnerships between the military department concerned and the private sector; and*

*(4) determine the opportunities for and barriers to coordinating and leveraging the use of existing health care resources, including such resources of Federal, State, local, and private entities.*

*(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing the provision of health care services at military medical treatment facilities or other facilities of the Department of Defense to individuals who are not otherwise entitled or eligible for such services under chapter 55 of title 10, United States Code.*

*(d) SECRETARY CONCERNED DEFINED.—In this section, the term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.*

***SEC. 714. REQUIREMENT TO ENSURE THE EFFECTIVENESS AND EFFICIENCY OF HEALTH ENGAGEMENTS.***

*(a) IN GENERAL.—The Secretary of Defense, in coordination with the Assistant Secretary of Defense for Health Affairs and the Uniformed Services University of the Health Sciences, shall develop a process to ensure that health engagements conducted by the Department of Defense are effective and efficient in meeting the national security goals of the United States.*

*(b) PROCESS GOALS.—The Assistant Secretary of Defense for Health Affairs and the Uniformed Services University of the Health Sciences shall ensure that each process developed under subsection (a)—*

*(1) assesses the operational mission capabilities of the health engagement;*

*(2) uses the collective expertise of the Federal Government and non-governmental organizations to ensure collaboration and partnering activities; and*

*(3) assesses the stability and resiliency of the host nation of such engagement.*

*(c) PILOT PROGRAMS.—The Secretary of Defense, in coordination with the Uniformed Services University of Health Sciences, may conduct pilot programs to assess the effectiveness of any process developed under subsection (a) to ensure the applicability of the process to health engagements conducted by the Department of Defense.*

***SEC. 715. CLARIFICATION OF APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO SUBCONTRACTORS EMPLOYED TO PROVIDE HEALTH CARE SERVICES TO THE DEPARTMENT OF DEFENSE.***

*Section 1089(a) of title 10, United States Code, is amended in the last sentence—*

*(1) by striking ''if the physician, dentist, nurse, pharmacist, or paramedical'' and inserting ''to such a physician, dentist, nurse, pharmacist, or paramedical'';*

*(2) by striking ''involved is''; and*

*(3) by inserting before the period at the end the following: ''or a subcontract at any tier under such a contract''.*

***SEC. 716. PILOT PROGRAM ON INCREASED THIRD-PARTY COLLECTION REIMBURSEMENTS IN MILITARY MEDICAL TREATMENT FACILITIES.***

*(a) PILOT PROGRAM.—*

*(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to assess the feasibility of using processes described in paragraph (2) to increase the amounts collected under section 1095 of title 10, United States Code, from a third-party payer for charges for health care services incurred by the United States at a military medical treatment facility.*

(2) PROCESSES DESCRIBED.—The processes described in this paragraph are revenue-cycle improvement processes, including cash-flow management and accounts-receivable processes.

(b) REQUIREMENTS.—In carrying out the pilot program under subsection (a)(1), the Secretary shall—

(1) identify and analyze the best practice options with respect to the processes described in subsection (a)(2) that are used in nonmilitary health care facilities; and

(2) conduct a cost-benefit analysis to assess the pilot program, including an analysis of—

(A) the different processes used in the pilot program;

(B) the amount of third-party collections that resulted from such processes;

(C) the cost to implement and sustain such processes; and

(D) any other factors the Secretary determines appropriate to assess the pilot program.

(c) LOCATIONS.—The Secretary shall carry out the pilot program under subsection (a)(1) at not less than two military installations of different military departments that meet the following criteria:

(1) There is a military medical treatment facility that has inpatient and outpatient capabilities at the installation.

(2) At least 40 percent of the military beneficiary population residing in the catchment area surrounding the installation is potentially covered by a third-party payer (as defined in section 1095(h)(1) of title 10, United States Code).

(d) DURATION.—The Secretary shall commence the pilot program under subsection (a)(1) by not later than 270 days after the date of the enactment of this Act and shall carry out such program for three years.

(e) REPORT.—Not later than 180 days after completing the pilot program under subsection (a)(1), the Secretary shall submit to the congressional defense committees a report describing the results of the program, including—

(1) a comparison of—

(A) the processes described in subsection (a)(2) that were used in the military medical treatment facilities participating in the program; and

(B) the third-party collection processes used by military medical treatment facilities not included in the program;

(2) a cost analysis of implementing the processes described in subsection (a)(2) for third-party collections at military medical treatment facilities; and

(3) an assessment of the program, including any recommendations to improve third-party collections.

**SEC. 717. PILOT PROGRAM FOR REFILLS OF MAINTENANCE MEDICATIONS FOR TRICARE FOR LIFE BENEFICIARIES THROUGH THE TRICARE MAIL-ORDER PHARMACY PROGRAM.**

(a) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to refill prescription maintenance medications for each TRICARE for Life beneficiary through the national mail-order pharmacy program under section 1074g(a)(2)(E)(iii) of title 10, United States Code.

(b) MEDICATIONS COVERED.—

(1) DETERMINATION.—The Secretary shall determine the prescription maintenance medications included in the pilot program under subsection (a).

(2) SUPPLY.—In carrying out the pilot program under subsection (a), the Secretary shall ensure that the medications included in the program are—

(A) generally available to the TRICARE for Life beneficiary through retail pharmacies only for an initial filling of a 30-day or less supply; and

(B) any refills of such medications are obtained through the national mail-order pharmacy program.

(3) EXEMPTION.— The Secretary may exempt the following prescription maintenance medications from the requirements in paragraph (2):

(A) Such medications that are for acute care needs.

(B) Such other medications as the Secretary determines appropriate.

(c) NONPARTICIPATION.—

(1) OPT OUT.—The Secretary shall give TRICARE for Life beneficiaries who have been covered by the pilot program under subsection (a) for a period of one year an opportunity to opt out of continuing to participate in the program.

(2) WAIVER.—The Secretary may waive the requirement of a TRICARE for Life beneficiary to participate in the pilot program under subsection (a) if the Secretary determines, on an individual basis, that such waiver is appropriate.

(d) TRICARE FOR LIFE BENEFICIARY DEFINED.—In this section, the term ''TRICARE for Life beneficiary'' means a TRICARE beneficiary enrolled in the Medicare wraparound coverage option of the TRICARE program made available to the beneficiary by reason of section 1086(d) of title 10, United States Code.

(e) REPORTS.—Not later than March 31 of each year beginning in 2014 and ending in 2018, the Secretary shall submit to the congressional defense committees a report on the pilot program under subsection (a), including the effects of offering incentives for the use of mail order pharmacies by TRICARE beneficiaries and the effect on retail pharmacies.

(f) SUNSET.—The Secretary may not carry out the pilot program under subsection (a) after December 31, 2017.

**SEC. 718. COST-SHARING RATES FOR PHARMACY BENEFITS PROGRAM OF THE TRICARE PROGRAM.**

(a) IN GENERAL.—Section 1074g(a)(6) of title 10, United States Code, is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) The Secretary, in the regulations prescribed under subsection (h), shall establish cost-sharing requirements under the pharmacy benefits program. In accordance with subparagraph (C), such cost-sharing requirements shall consist of the following:

''(i) With respect to each supply of a prescription covering not more than 30 days that is obtained by a covered beneficiary under the TRICARE retail pharmacy program—

''(I) in the case of generic agents, $5;

''(II) in the case of formulary agents, $17; and

''(III) in the case of nonformulary agents, $44.

''(ii) With respect to each supply of a prescription covering not more than 90 days that is obtained by a covered beneficiary under the national mail-order pharmacy program—

''(I) in the case of generic agents, $0;

''(II) in the case of formulary agents, $13; and

''(III) in the case of nonformulary agents, $43.''; and

(2) by adding at the end the following new subparagraph:

''(C) Beginning October 1, 2013, the Secretary may only increase in any year the cost-sharing amount established under subparagraph (A) by an amount equal to the percentage by which retired pay is increased under section 1401a of this title.''.

(b) EFFECTIVE DATE.—The cost-sharing requirements under section 1074g(a)(6)(A) of title 10, United States Code, as amended by subsection (a)(1), shall apply with respect to prescriptions obtained under the TRICARE pharmacy benefits program on or after October 1, 2012.

**SEC. 719. REVIEW OF THE ADMINISTRATION OF THE MILITARY HEALTH SYSTEM.**

Section 716(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1477) is amended by striking ''until a 120-day period'' and all that follows through the period and inserting the following: ''until the Secretary implements and completes any recommendations included in the report submitted by the Comptroller General of the United States under subsection (b)(3) and notifies the congressional defense committees of such implementation and completion.''.

**Subtitle C—Reports and Other Matters**

**SEC. 721. EXTENSION OF COMPTROLLER GENERAL REPORT ON CONTRACT HEALTH CARE STAFFING FOR MILITARY MEDICAL TREATMENT FACILITIES.**

Section 726(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1480) is amended by striking ''March 31, 2012'' and inserting ''March 31, 2013''.

**SEC. 722. EXTENSION OF COMPTROLLER GENERAL REPORT ON WOMEN-SPECIFIC HEALTH SERVICES AND TREATMENT FOR FEMALE MEMBERS OF THE ARMED FORCES.**

Section 725(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1480) is amended by striking ''December 31, 2012'' and inserting ''March 31, 2013''.

**SEC. 723. ESTABLISHMENT OF TRICARE WORKING GROUP.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) children of members of the Armed Forces deserve health-care practices and policies that—

(A) are designed to meet their pediatric-specific needs;

(B) are developed and determined proactively and comprehensively; and

(C) ensure and maintain their access to pediatric-specific treatments, providers, and facilities.

(2) children's health-care needs and standards of care are different and distinct from those of adults, therefore the TRICARE program should undertake a proactive, comprehensive approach to review and analyze its policies and practices to meet the needs of children to ensure that children and their families receive appropriate care in proper settings and avoid unnecessary challenges in seeking or obtaining proper health care;

(3) a proactive and comprehensive review is necessary because the reimbursement structure of the TRICARE program is patterned upon Medicare and the resulting policies and practices of the TRICARE program do not always properly reflect appropriate standards for pediatric care;

(4) one distinct aspect of children's health care is the need for specialty care and services for children with special-health-care needs and chronic-health conditions;

(5) the requirement for specialized health care and developmental support is an ongoing and serious matter of day-to-day life for families with children with special or chronic-health-care needs;

(6) the Department of Defense and the TRICARE program, recognizing the special needs of certain children, have instituted special-needs programs, including the ECHO program, but there are collateral needs that are not being met, generally because the services are provided in the local community rather than by the Department of Defense, who may not always have the best tools or knowledge to access these State and local resources;

(7) despite wholehearted efforts by the Department of Defense, a gap exists between linking military families with children with special-health-care needs and chronic conditions with the resources and services available from local or regional highly specialized providers and the communities and States in which they reside;

(8) the gap is especially exacerbated by the mobility of military families, who often move from State to State, because special-needs health care, educational, and social services are very specific to each local community and State and such services often have lengthy waiting lists; and

(9) the Department of Defense will be better able to assist military families with children

*with special-health-care needs fill the gap by collaborating with special-health-care needs providers and those knowledgeable about the opportunities for such children that are provided by States and local communities.*

*(b) ESTABLISHMENT.—*

*(1) IN GENERAL.—The Secretary of Defense shall establish a working group to carry out a review of the TRICARE program with respect to—*

*(A) pediatric health care needs under paragraph (2); and*

*(B) pediatric special and chronic health care needs under paragraph (3).*

*(2) PEDIATRIC HEALTH CARE NEEDS.—*

*(A) DUTIES.—The working group shall—*

*(i) comprehensively review the policy and practices of the TRICARE program with respect to providing pediatric health care;*

*(ii) recommend changes to such policies and practices to ensure that—*

*(I) children receive appropriate care in an appropriate manner, at the appropriate time, and in an appropriate setting; and*

*(II) access to care and treatment provided by pediatric providers and children's hospitals remains available for families with children; and*

*(iii) develop a plan to implement such changes.*

*(B) REVIEW.—In carrying out the duties under subparagraph (A), the working group shall—*

*(i) identify improvements in policies, practices, and administration of the TRICARE program with respect to pediatric-specific health care and pediatric-specific healthcare settings;*

*(ii) analyze the direct and indirect effects of the reimbursement policies and practices of the TRICARE program with respect to pediatric care and care provided in pediatric settings;*

*(iii) consider case management programs with respect to pediatric complex and chronic care, including whether pediatric specific programs are necessary;*

*(iv) develop a plan to ensure that the TRICARE program addresses pediatric-specific health care needs on an on-going basis beyond the life of the working group;*

*(v) consider how the TRICARE program can work with the pediatric provider community to ensure access, promote communication and collaboration, and optimize experiences of military families seeking and receiving health care services for children; and*

*(vi) review matters that further the mission of the working group.*

*(3) PEDIATRIC SPECIAL AND CHRONIC HEALTH CARE NEEDS.—*

*(A) DUTIES.—The working group shall—*

*(i) review the methods in which families in the TRICARE program who have children with special-health-care needs access community resources and health-care resources;*

*(ii) review how having access to, and a better understanding of, community resources may improve access to health care and support services;*

*(iii) recommend methods to accomplish improved access by such children and families to community resources and health-care resources, including through collaboration with children's hospitals and other providers of pediatric specialty care, local agencies, local communities, and States;*

*(iv) consider approaches and make recommendations for the improved integration of individualized or compartmentalized medical and family support resources for military families;*

*(v) work closely with the Office of Community Support for Military Families with Special Needs of the Department of Defense and other relevant offices to avoid redundancies and target shared areas of concern for children with special or chronic-health-care needs; and*

*(vi) review any relevant information learned and findings made by the working group under this paragraph that may be considered or adopted in a consistent manner with respect to improving access, resources, and services for adults with special needs.*

*(B) REVIEW.—In carrying out the duties under subparagraph (A), the working group shall—*

*(i) discuss improvements to special needs health care policies and practices;*

*(ii) determine how to support and protect families of members of the National Guard or Reserve Components as the members transition into and out of the relevant Exceptional Family Member Program or the ECHO program;*

*(iii) analyze case management services to improve consistency, communication, knowledge, and understanding of resources and community contacts;*

*(iv) identify areas in which a State may offer services that are not covered by the TRICARE program or the ECHO program and how to coordinate such services;*

*(v) identify steps that States and communities can take to improve support for military families of children with special health care needs;*

*(vi) consider how the TRICARE program and other programs of the Department of Defense can work with specialty pediatric providers and resource communities to ensure access, promote communication and collaboration, and optimize experiences of military families seeking and receiving health care services for their children with special or chronic health care needs;*

*(vii) consider special and chronic health care in a comprehensive manner without focus on one or more conditions or diagnoses to the exclusion of others;*

*(viii) focus on ways to create innovative partnerships, linkages, and access to information and resources for military families across the spectrum of the special-needs community and between the medical community and the family support community; and*

*(ix) review matters that further the mission of the working group.*

*(c) MEMBERSHIP.—*

*(1) APPOINTMENTS.—The working group shall be composed of not less than 14 members as follows:*

*(A) The Chief Medical Officer of the TRICARE program, who shall serve as chairperson.*

*(B) The Chief Medical Officers of the North, South, and West regional offices of the TRICARE program.*

*(C) One individual representing the Army appointed by the Surgeon General of the Army.*

*(D) One individual representing the Navy appointed by the Surgeon General of the Navy.*

*(E) One individual representing the Air Force appointed by the Surgeon General of the Air Force.*

*(F) One individual representing the regional managed care support contractor of the North region of the TRICARE program appointed by such contractor.*

*(G) One individual representing the regional managed care support contractor of the South region of the TRICARE program appointed by such contractor.*

*(H) One individual representing the regional managed care support contractor of the West region of the TRICARE program appointed by such contractor.*

*(I) Not more than three individuals representing the non-profit organization the Military Coalition appointed by such organization.*

*(J) One individual representing the American Academy of Pediatrics appointed by such organization.*

*(K) One individual representing the National Association of Children's Hospitals appointed by such organization.*

*(L) One individual representing military families who is not an employee of an organization representing such families.*

*(M) Any other individual as determined by the Chief Medical Officer of the TRICARE program.*

*(2) TERMS.—Each member shall be appointed for the life of the working group. A vacancy in the working group shall be filled in the manner in which the original appointment was made.*

*(3) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.*

*(4) STAFF.—The Secretary of Defense shall ensure that employees of the TRICARE program provide the working group with the necessary support to carry out this section.*

*(d) MEETINGS.—*

*(1) SCHEDULE.—The working group shall—*

*(A) convene its first meeting not later than 60 days after the date of the enactment of this Act; and*

*(B) convene not less than four other times.*

*(2) FORM.—Any meeting of the working group may be conducted in-person or through the use of video conferencing.*

*(3) QUORUM.—Seven members of the working group shall constitute a quorum but a lesser number may hold hearings.*

*(e) ADVICE.—With respect to carrying out the review of the TRICARE program and pediatric special and chronic health care needs under subsection (b)(3), the working group shall seek counsel from the following individuals acting as an expert advisory group:*

*(1) One individual representing the Exceptional Family Member Program of the Army.*

*(2) One individual representing the Exceptional Family Member Program of the Navy.*

*(3) One individual representing the Exceptional Family Member Program of the Air Force.*

*(4) One individual representing the Exceptional Family Member Program of the Marine Corps.*

*(5) One individual representing the Office of Community Support for Military Families with Special Needs.*

*(6) One individual who is not an employee of an organization representing military families shall represent a military family with a child with special health care needs.*

*(7) Not more than three individuals representing organizations that—*

*(A) are not otherwise represented in this paragraph or in the working group; and*

*(B) possess expertise needed to carry out the goals of the working group.*

*(f) REPORTS REQUIRED.—*

*(1) REPORT.—Not later than 12 months after the date on which the working group convenes its first meeting, the working group shall submit to the congressional defense committees a report including—*

*(A) any changes described in subsection (b)(2)(A)(ii) identified by the working group that—*

*(i) require legislation to carry out, including proposed legislative language for such changes;*

*(ii) require regulations to carry out, including proposed regulatory language for such changes; and*

*(iii) may be carried out without legislation or regulations, including a time line for such changes; and*

*(B) steps that States and local communities may take to improve the experiences of military families with special-needs children in interacting with and accessing State and local community resources.*

*(2) FINAL REPORT.—Not later than 18 months after the date on which the report is submitted under paragraph (1), the working group shall submit to the congressional defense committees a final report including—*

*(A) any additional information and updates to the report submitted under paragraph (1);*

*(B) information with respect to how the Secretary of Defense is implementing the changes identified in the report submitted under paragraph (1); and*

*(C) information with respect to any steps described in subparagraph (B) of such paragraph that were taken by States and local communities after the date on which such report was submitted.*

*(g) TERMINATION.—The working group shall terminate on the date that is 30 days after the*

*date on which the working group submits the final report pursuant to subsection (f)(2).*

*(h) DEFINITIONS.—In this Act:*

*(1) The term ''children'' means dependents of a member of the Armed Forces who are—*

*(A) individuals who have not yet attained the age of 21; or*

*(B) individuals who have not yet attained the age of 27 if the inclusion of such dependents is applicable and relevant to a program or policy being reviewed under this Act.*

*(2) The term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.*

*(3) The term ''ECHO program'' means the program established pursuant to subsections (d) through (e) of section 1079 of title 10, United States Code (commonly referred to as the ''Extended Care Health Option program'').*

*(4) The term ''TRICARE program'' means the managed health care program that is established by the Department of Defense under chapter 55 of title 10, United States Code.*

***SEC. 724. REPORT ON STRATEGY TO TRANSITION TO USE OF HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.***

*(a) REPORT.—*

*(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report that outlines a strategy to refine, reduce, and, when appropriate, transition to using human-based training methods for the purpose of training members of the Armed Forces in the treatment of combat trauma injuries by October 1, 2017.*

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

*(A) Required research, development, testing, and evaluation investments to validate human-based training methods to refine, reduce, and, when appropriate, transition to the use of live animals in medical education and training by October 1, 2015.*

*(B) Phased sustainment and readiness costs to refine, reduce, and, when appropriate, replace the use of live animals in medical education and training by October 1, 2017.*

*(C) Any risks associated with transitioning to human-based training methods, including resource availability, anticipated technological development time lines, and potential impact on the present combat trauma training curricula.*

*(D) An assessment of the potential affect of transitioning to human based-training methods on the quality of medical care delivered on the battlefield including any reduction in the competency of combat medical personnel.*

*(E) An assessment of risks to maintaining the level of combat life-saver techniques performed by all members of the Armed Forces.*

*(b) UPDATED ANNUAL REPORTS.—Not later than March 1, 2014, and each year thereafter, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purposes of training members of the Armed Forces in the treatment of combat trauma injuries under this section.*

*(c) DEFINITIONS.—In this section:*

*(1) The term ''combat trauma injuries'' means severe injuries likely to occur during combat, including—*

*(A) extremity hemorrhage;*

*(B) tension pneumothorax;*

*(C) amputation resulting from blast injury;*

*(D) compromises to the airway; and*

*(E) other injuries.*

*(2) The term ''human-based training methods'' means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—*

*(A) simulators;*

*(B) partial task trainers;*

*(C) moulage;*

*(D) simulated combat environments; and*

*(E) human cadavers.*

*(3) The term ''partial task trainers'' means training aids that allow individuals to learn or practice specific medical procedures.*

## *TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS*

### *Subtitle A—Acquisition Policy and Management*

***SEC. 801. PILOT EXEMPTION REGARDING TREATMENT OF PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE IN ACCORDANCE WITH THE DEPARTMENT OF ENERGY'S WORK FOR OTHERS PROGRAM.***

*(a) EXEMPTION FROM INSPECTOR GENERAL REVIEWS AND DETERMINATIONS.—Subsection (a) of section 801 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2304 note) is amended by adding at the end the following new paragraph:*

*''(7) TREATMENT OF PROCUREMENTS THROUGH DEPARTMENT OF ENERGY.—For purposes of this subsection, effective during the 24-month period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the procurement of property or services on behalf of the Department of Defense pursuant to an interagency agreement between the Department of Defense and the Department of Energy in accordance with the Department of Energy's Work For Others Program, under which the property or services are provided by a management and operating contractor of the Department of Energy and are procured on behalf of the Department of Defense, shall not be considered a procurement of property or services on behalf of the Department of Defense by a covered non-defense agency.''.*

*(b) EXEMPTION FROM CERTAIN CERTIFICATION REQUIREMENTS.—Subsection (b) of such section is amended—*

*(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (4)''; and*

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

*''(4) EXCEPTION FOR PROCUREMENTS IN ACCORDANCE WITH THE DEPARTMENT OF ENERGY'S WORK FOR OTHERS PROGRAM.—Effective during the 24-month period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the limitation in paragraph (1) shall not apply to the procurement of property or services on behalf of the Department of Defense pursuant to an interagency agreement between the Department of Defense and the Department of Energy in accordance with the Department of Energy's Work for Others Program, under which the property or services are provided by a management and operating contractor of the Department of Energy and procured on behalf of the Department of Defense.''.*

*(c) CERTIFICATION.—Not later than 20 months after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees the following:*

*(1) A statement certifying whether the procurement policies, procedures, and internal controls of the Department of Energy provide sufficient protection and oversight for Department of Defense funds expended through the Department of Energy Work for Others Program.*

*(2) A recommendation regarding whether the pilot exemption granted by the amendments made by this section should be extended.*

### *Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations*

***SEC. 811. MODIFICATION OF TIME PERIOD FOR CONGRESSIONAL NOTIFICATION OF THE LEASE OF CERTAIN VESSELS BY THE DEPARTMENT OF DEFENSE.***

*Section 2401(h)(2) of title 10, United States Code, is amended by striking ''30 days of continuous session of Congress'' and inserting ''60 days''.*

***SEC. 812. EXTENSION OF AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.***

*(a) EXTENSION.—Effective as of January 1, 2012, section 4202 of the Clinger–Cohen Act of 1996 (division D of Public Law 104–106; 110 Stat. 652; 10 U.S.C. 2304 note) is amended in subsection (e) by striking ''2012'' and inserting ''2015''.*

*(b) TECHNICAL AMENDMENT TO CROSS REFERENCES.—Subsection (e) of such Act is further amended by striking ''section 303(g)(1) of the Federal Property and Administrative Services Act of 1949, and section 31(a) of the Office of Federal Procurement Policy Act, as amended by this section,'' and inserting ''section 3305(a) of title 41, United States Code, and section 1901(a) of title 41, United States Code,''.*

***SEC. 813. CODIFICATION AND AMENDMENT RELATING TO LIFE-CYCLE MANAGEMENT AND PRODUCT SUPPORT REQUIREMENTS.***

*(a) CODIFICATION AND AMENDMENT.—*

*(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 2335. Life-cycle management and product support***

*''(a) GUIDANCE ON LIFE-CYCLE MANAGEMENT.—The Secretary of Defense shall issue and maintain comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems. The guidance issued pursuant to this subsection shall—*

*''(1) maximize competition and make the best possible use of available Department of Defense and industry resources at the system, subsystem, and component levels; and*

*''(2) maximize value to the Department of Defense by providing the best possible product support outcomes at the lowest operations and support cost.*

*''(b) PRODUCT SUPPORT MANAGERS.—*

*''(1) REQUIREMENT.—The Secretary of Defense shall require that each major weapon system be supported by a product support manager in accordance with this subsection.*

*''(2) RESPONSIBILITIES.—A product support manager for a major weapon system shall—*

*''(A) develop and implement a comprehensive product support strategy for the weapon system;*

*''(B) use advanced predictive analysis to the extent practicable to improve material availability and reliability, increase operational availability rates, and reduce operation and sustainment costs;*

*''(C) conduct appropriate cost analyses to validate the product support strategy, including cost-benefit analyses as outlined in Office of Management and Budget Circular A-94;*

*''(D) ensure achievement of desired product support outcomes through development and implementation of appropriate product support arrangements;*

*''(E) adjust performance requirements and resource allocations across product support integrators and product support providers as necessary to optimize implementation of the product support strategy;*

*''(F) periodically review product support arrangements between the product support integrators and product support providers to ensure the arrangements are consistent with the overall product support strategy;*

*''(G) prior to each change in the product support strategy or every five years, whichever occurs first, revalidate any business-case analysis performed in support of the product support strategy; and*

*''(H) ensure that the product support strategy maximizes small business participation at the appropriate tiers and apply the requirements of section 15(g) of the Small Business Act (15 U.S.C. 644(g)) in a manner that ensures that small business concerns are not inappropriately selected for performance as a prime contractor.*

*''(c) DEFINITIONS.—In this section:*

*''(1) PRODUCT SUPPORT.—The term 'product support' means the package of support functions required to field and maintain the readiness and operational capability of major weapon systems, subsystems, and components, including all functions related to weapon system readiness.*

*''(2) PRODUCT SUPPORT ARRANGEMENT.— The term 'product support arrangement' means a contract, task order, or any type of other contractual arrangement, or any type of agreement or non-contractual arrangement within the Federal Government, for the performance of sustainment or logistics support required for major weapon systems, subsystems, or components. The term includes arrangements for any of the following:*

*''(A) Performance-based logistics.*

*''(B) Sustainment support.*

*''(C) Contractor logistics support.*

*''(D) Life-cycle product support.*

*''(E) Weapon systems product support.*

*''(3) PRODUCT SUPPORT INTEGRATOR.—The term 'product support integrator' means an entity within the Federal Government or outside the Federal Government charged with integrating all sources of product support, both private and public, defined within the scope of a product support arrangement.*

*''(4) PRODUCT SUPPORT PROVIDER.—The term 'product support provider' means an entity that provides product support functions. The term includes an entity within the Department of Defense, an entity within the private sector, or a partnership between such entities.*

*''(5) MAJOR WEAPON SYSTEM.—The term 'major weapon system' has the meaning given that term in section 2302d of this title.*

*''(6) ADVANCED PREDICTIVE ANALYSIS.—The term 'advanced predictive analysis' means a type of analysis that applies advanced predictive modeling methodology to life-cycle management and product support by using event simulation to account for variations in asset demand over time, including events such as current equipment condition, planned usage, aging of parts, maintenance capacity and quality, and logistics response.''.*

*(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by adding at the end the following new item:*

''2335. Life-cycle management and product support.''.

(b) REPEAL OF SUPERSEDED SECTION.—Section 805 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2302) is repealed.

**SEC. 814. CODIFICATION OF REQUIREMENT RELATING TO GOVERNMENT PERFORMANCE OF CRITICAL ACQUISITION FUNCTIONS.**

(a) CODIFICATION.—

(1) IN GENERAL.—Subchapter I of chapter 87 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 1706. Government performance of certain acquisition functions**

''(a) GOAL.—It shall be the goal of the Department of Defense and each of the military departments to ensure that, for each major defense acquisition program and each major automated information system program, each of the following positions is performed by a properly qualified member of the armed forces or full-time employee of the Department of Defense:

''(1) Program manager.

''(2) Deputy program manager.

''(3) Product support manager.

''(4) Chief engineer.

''(5) Systems engineer.

''(6) Chief developmental tester.

''(7) Cost estimator.

''(b) PLAN OF ACTION.—The Secretary of Defense shall develop and implement a plan of action for recruiting, training, and ensuring appropriate career development of military and civilian personnel to achieve the objective established in subsection (a).

''(c) DEFINITIONS.—In this section:

''(1) The term 'major defense acquisition program' has the meaning given such term in section 2430(a) of this title.

''(2) The term 'major automated information system program' has the meaning given such term in section 2445a(a) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''1706. Government performance of certain acquisition functions.''.

(b) REPEAL OF SUPERSEDED SECTION.—Section 820 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 1701 note) is repealed.

**SEC. 815. LIMITATION ON FUNDING PENDING CERTIFICATION OF IMPLEMENTATION OF REQUIREMENTS FOR COMPETITION.**

(a) LIMITATION ON FUNDING FOR CERTAIN OFFICES.—Of the funds authorized to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Secretary of Defense may be obligated or expended until the certification described in subsection (b) is submitted.

(b) CERTIFICATION REQUIRED.—The Secretary of Defense shall certify to the congressional defense committees that the Department of Defense is implementing the requirements of section 202(d) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23; 10 U.S.C. 2430 note). Such a certification shall be accompanied by—

(1) a briefing to the congressional defense committees on processes and procedures that have been implemented across the military departments and Defense Agencies to maximize competition throughout the life-cycle of major defense acquisition programs, including actions to award contracts for performance of maintenance and sustainment of major weapon systems or subsystems and components of such systems; and

(2) a representative sample of solicitations issued since May 22, 2009, intended to fulfill the objectives of such section 202(d).

**SEC. 816. CONTRACTOR RESPONSIBILITIES IN REGULATIONS RELATING TO DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.**

Section 818(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1493; 10 U.S.C. 2302 note) is amended to read as follows:

''(B) the cost of counterfeit electronic parts and suspect counterfeit electronic parts and the cost of rework or corrective action that may be required to remedy the use or inclusion of such parts are not allowable costs under Department contracts, unless—

''(i) the covered contractor has an operational system to detect and avoid counterfeit parts and suspect counterfeit electronic parts that has been reviewed and approved by the Department of Defense pursuant to subsection (e)(2)(B);

''(ii) the counterfeit electronic parts or suspect counterfeit electronic parts were—

''(I) procured from a trusted supplier in accordance with regulations described in paragraph (3); or

''(II) provided to the contractor as Government property in accordance with part 45 of the Federal Acquisition Regulation; and

''(iii) the covered contractor provides timely notice to the Government pursuant to paragraph (4).''.

**SEC. 817. ADDITIONAL DEFINITION RELATING TO PRODUCTION OF SPECIALTY METALS WITHIN THE UNITED STATES.**

Section 2533b(m) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11) The term 'produced', as used in subsections (a) and (b), means melted, or processed in a manner that results in physical or chemical property changes that are the equivalent of melting. The term does not include finishing processes such as rolling, heat treatment, quenching, tempering, grinding, or shaving.''.

**SEC. 818. REQUIREMENT FOR PROCUREMENT OF INFRARED TECHNOLOGIES FROM NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.**

Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) INFRARED TECHNOLOGIES.—Infrared technologies, including focal plane arrays sensitive to infrared wavelengths, read-out integrated circuits, cryogenic coolers, Dewar technology, infrared sensor engine assemblies, and infrared imaging systems.''.

**SEC. 819. COMPLIANCE WITH BERRY AMENDMENT REQUIRED FOR UNIFORM COMPONENTS SUPPLIED TO AFGHAN MILITARY OR AFGHAN NATIONAL POLICE.**

(a) REQUIREMENT.—In the case of any textile components supplied by the Department of Defense to the Afghan National Army or the Afghan National Police for purposes of production of uniforms, section 2533a of title 10, United States Code, shall apply, and no exceptions or exemptions under that section shall apply.

(b) EFFECTIVE DATE.—This section shall apply to solicitations issued and contracts awarded for the procurement of such components after the date of the enactment of this Act.

**Subtitle C—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan**

**SEC. 821. EXTENSION AND EXPANSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.**

(a) EXTENSION OF TERMINATION DATE.—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399) is amended by striking ''on or after the date occurring three years after the date of the enactment of this Act'' and inserting ''after December 31, 2014''.

(b) EXPANSION OF AUTHORITY TO COVER FORCES OF THE UNITED STATES AND COALITION FORCES.—Subsection (b)(1) of such section is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C), by adding ''or'' at the end; and

(3) by adding at the end the following:

''(D) by the United States or coalition forces in Afghanistan if the product or service is from a country that has agreed to allow the transport of coalition personnel, equipment, and supplies;''.

(c) LIMITATION.—Such section is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following:

''(d) LIMITATION.—The Secretary may not use the authority provided in subsection (a) to procure goods or services from Pakistan until such time as the Government of Pakistan agrees to re-open the Ground Lines of Communication for the movement of United States equipment and supplies through Pakistan.''.

(d) REPEAL OF EXPIRED REPORT REQUIREMENT.—Subsection (h) of such section, as redesignated by subsection (c) of this section, is repealed.

(e) CLERICAL AMENDMENT.—The heading of such section is amended by striking ''; **REPORT''**.

**SEC. 822. LIMITATION ON AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN AFGHANISTAN.**

Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 266; 10 U.S.C. 2302 note) is amended—

(1) in the section heading, by striking ''**IRAQ AND''**;

(2) by striking ''Iraq or'' each place it appears; and

(3) in subsection (b)—

(A) by inserting ''(A)'' after ''(1)'';

(B) in paragraph (2)—

(i) by redesignating clauses (i) and (ii) of subparagraph (B) as subclauses (I) and (II), respectively, and in subclause (II), as so redesignated, by striking the period at the end and inserting ''; and'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(iii) by striking ''(2)'' and inserting ''(B)''; and

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

''(2) the Government of Afghanistan is not taxing assistance provided by the United States to Afghanistan in violation of any bilateral or other agreement with the United States.''.

**Subtitle D—Other Matters**

**SEC. 831. ENHANCEMENT OF REVIEW OF ACQUISITION PROCESS FOR RAPID FIELDING OF CAPABILITIES IN RESPONSE TO URGENT OPERATIONAL NEEDS.**

Section 804(b)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4256; 10 U.S.C. 2302 note) is amended—

(1) by inserting ''and'' at the end of subparagraph (B);

(2) by striking ''; and'' at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

**SEC. 832. LOCATION OF CONTRACTOR-OPERATED CALL CENTERS IN THE UNITED STATES.**

The Secretary of Defense shall ensure that any call center operated pursuant to a contract entered into by the Secretary or by the head of any of the military departments is located in the United States.

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**

**Subtitle A—Department of Defense Management**

**SEC. 901. ADDITIONAL DUTIES OF DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR MANUFACTURING AND INDUSTRIAL BASE POLICY AND AMENDMENTS TO STRATEGIC MATERIALS PROTECTION BOARD.**

(a) FINDINGS.—Congress finds the following:

(1) The Defense Logistics Agency has made little progress in addressing the findings and recommendations from the April 2009 report of the Department of Defense report titled ''Reconfiguration of the National Defense Stockpile Report to Congress''.

(2) The office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy has historically analyzed the United States defense industrial base from the point of view of prime contractors and original equipment manufacturers and has provided insufficient attention to producers of materials critical to national security, including raw materials producers.

(3) Responsibility for the secure supply of materials critical to national security, which supports the defense industrial base, is decentralized throughout the Department of Defense.

(4) The office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy should expand its focus to consider both a top-down view of the supply chain, beginning with prime contractors, and a bottom-up view that begins with raw materials suppliers.

(5) To enable this focus and support a more coherent, comprehensive strategy as it pertains to materials critical to national security, the office of the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy should develop policy, conduct oversight, and monitor resource allocation for agencies of the Department of Defense, including the Defense Logistics Agency, for all activities that pertain to ensuring a secure supply of materials critical to national security.

(6) The Strategic Materials Protection Board should be reconfigured so as to be chaired by the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy and should fully execute its duties and responsibilities.

(b) APPOINTMENT OF DEPUTY ASSISTANT SECRETARY.—Section 139c(a) of title 10, United States Code, is amended by striking ''appointed by'' and all that follows through the end of the subsection and inserting ''appointed by the Secretary of Defense.''.

(c) RESPONSIBILITIES OF DEPUTY ASSISTANT SECRETARY.—Section 139c(b) of such title is amended—

(1) by striking paragraphs (1) through (4) and inserting the following:

''(1) Providing input to strategy reviews, including quadrennial defense reviews conducted pursuant to section 118 of this title, on matters related to—

''(A) the defense industrial base; and

''(B) materials critical to national security.

''(2) Establishing policies of the Department of Defense for developing and maintaining the defense industrial base of the United States and ensuring a secure supply of materials critical to national security.

''(3) Providing recommendations to the Under Secretary on budget matters pertaining to the industrial base, the supply chain, and the development and retention of skills necessary to support the industrial base.

''(4) Providing recommendations and acquisition policy guidance to the Under Secretary on supply chain management and supply chain vulnerability throughout the entire supply chain, from suppliers of raw materials to producers of major end items.''.

(2) by striking paragraph (5) and redesignating paragraphs (6), (7), (8), (9), and (10) as paragraphs (5), (6), (7), (8), and (9), respectively;

(3) by inserting after paragraph (9), as so redesignated, the following new paragraph (10):

''(10) Providing policy and oversight of matters related to materials critical to national security to ensure a secure supply of such materials to the Department of Defense.''.

(4) by redesignating paragraph (15) as paragraph (18); and

(5) by inserting after paragraph (14) the following new paragraphs:

''(15) Coordinating with the Director of Small Business Programs on all matters related to industrial base policy of the Department of Defense.

''(16) Ensuring reliable sources of materials critical to national security, such as specialty metals, armor plate, and rare earth elements.

''(17) Establishing policies of the Department of Defense for continued reliable resource availability from domestic sources and allied nations for the industrial base of the United States.''.

(d) MATERIALS CRITICAL TO NATIONAL SECURITY DEFINED.—Section 139c of such title is further amended by adding at the end the following new subsection:

''(d) MATERIALS CRITICAL TO NATIONAL SECURITY DEFINED.—In this section, the term 'materials critical to national security' has the meaning given that term in section 187(e)(1) of this title.''.

(e) AMENDMENTS TO STRATEGIC MATERIALS PROTECTION BOARD.—

(1) MEMBERSHIP.—Paragraph (2) of section 187(a) of such title is amended to read as follows:

''(2) The Board shall be composed of the following:

''(A) The Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, who shall be the chairman of the Board.

''(B) The Administrator of the Defense Logistics Agency Strategic Materials, or any successor organization, who shall be the vice chairman of the Board.

''(C) A designee of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology.

''(D) A designee of the Assistant Secretary of the Navy for Research, Development, and Acquisition.

''(E) A designee of the Assistant Secretary of the Air Force for Acquisition.''.

(2) DUTIES.—Paragraphs (3) and (4) of section 187(b) of such title are each amended by striking ''President'' and inserting ''Secretary''.

(3) MEETINGS.—Section 187(c) of such title is amended by striking ''Secretary of Defense'' and inserting ''Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy''.

(4) REPORTS.—Section 187(d) of such title is amended to read as follows:

''(d) REPORTS.—(1) After each meeting of the Board, the Board shall prepare a report containing the results of the meeting and such recommendations as the Board determines appropriate. The Secretary of each military department shall review and comment on the report.

''(2) Each such report shall be published in the Federal Register and subsequently submitted to the congressional defense committees, together with public comments and comments and recommendations from the Secretary of Defense, not later than 90 days after the meeting covered by the report.''.

**SEC. 902. REQUIREMENT FOR FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID ACQUISITION.**

(a) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE FOR FOCUS ON URGENT OPERATIONAL NEEDS AND RAPID ACQUISITION.—

(1) IN GENERAL.—The Secretary of Defense, after consultation with the Secretaries of the military departments, shall designate a senior official in the Office of the Secretary of Defense as the principal official of the Department of Defense responsible for leading the Department's actions on urgent operational needs and rapid acquisition, in accordance with this section.

(2) STAFF AND RESOURCES.—The Secretary shall assign to the senior official designated under paragraph (1) appropriate staff and resources necessary to carry out the official's functions under this section.

(b) RESPONSIBILITIES.—The senior official designated under subsection (a) shall be responsible for the following:

(1) Acting as an advocate within the Department of Defense for issues related to the Department's ability to rapidly respond to

urgent operational needs, including programs funded and carried out by the military departments.

(2) Improving visibility of urgent operational needs throughout the Department, including across the military departments, the Defense Agencies, and all other entities and processes in the Department that address urgent operational needs.

(3) Ensuring that tools and mechanisms are used to track, monitor, and manage the status of urgent operational needs within the Department, from validation through procurement and fielding, including a formal feedback mechanism for the armed forces to provide information on how well fielded solutions are meeting urgent operational needs.

(c) URGENT OPERATIONAL NEEDS DEFINED.—In this section, the term ''urgent operational needs'' means capabilities that are determined by the Secretary of Defense, pursuant to the review process required by section 804(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2302 note), to be suitable for rapid fielding in response to urgent operational needs.

**SEC. 903. DESIGNATION OF DEPARTMENT OF DEFENSE SENIOR OFFICIAL FOR ENTERPRISE RESOURCE PLANNING SYSTEM DATA CONVERSION.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) designate a senior official of the Department of Defense as the official with principal responsibility for coordination and management oversight of data conversion for all enterprise resource planning systems of the Department; and

(2) set forth the responsibilities of that senior official with respect to such data conversion.

**SEC. 904. ADDITIONAL RESPONSIBILITIES AND RESOURCES FOR DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION.**

(a) SUPERVISION.—Section 139b(a)(3) of title 10, United States Code, is amended by striking ''to the Under Secretary'' before the period and inserting ''directly to the Under Secretary, without the interposition of any other supervising official''.

(b) CONCURRENT SERVICE.—Section 139b(a)(7) of such title is amended by striking ''may'' and inserting ''shall''.

(c) RESOURCES.—Section 139b(a) of such title is amended by adding at the end the following new paragraph:

''(8) RESOURCES.—

''(A) The President shall include in the budget transmitted to Congress, pursuant to section 1105 of title 31, for each fiscal year, a separate statement of estimated expenditures and proposed appropriations for the fiscal year for the activities of the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation in carrying out the duties and responsibilities of the Deputy Assistant Secretary under this section.

''(B) The Deputy Assistant Secretary of Defense for Developmental Test and Evaluation shall have sufficient professional staff of military and civilian personnel to enable the Deputy Assistant Secretary to carry out the duties and responsibilities prescribed by law. The resources for the Deputy Assistant Secretary shall be comparable to the resources, including Senior Executive Service positions, other civilian positions, and military positions, available to the Director of Operational Test and Evaluation.''.

(d) ANNUAL REPORT.—Section 139b(d) of such title is amended—

(1) in the subsection heading, by striking ''JOINT'';

(2) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively;

(3) by inserting ''(1)'' before ''Not later than March 31'';

(4) in the matter appearing before subparagraph (A), as so redesignated, by striking ''jointly'' and inserting ''each''; and

(5) by adding at the end the following new paragraph:

''(2) With respect to the report required under paragraph (1) by the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation—

''(A) the report shall include a separate section that covers the activities of the Department of Defense Test Resource Management Center (established under section 196 of this title) during the preceding year; and

''(B) the report shall be transmitted to the Under Secretary of Defense for Acquisition, Technology, and Logistics at the same time it is submitted to the congressional defense committees.''.

**SEC. 905. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.**

(a) REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.—

(1) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(2) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(A) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(B) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

(b) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—

(1) DEFINITION OF ''MILITARY DEPARTMENT''.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

''(8) The term 'military department' means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.''.

(2) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: ''The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.''.

(3) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking ''There is a Secretary of the Navy'' and inserting ''There is a Secretary of the Navy and Marine Corps''.

(4) CHAPTER HEADINGS.—

(A) The heading of chapter 503 of such title is amended to read as follows:

**''CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS''.**

(B) The heading of chapter 507 of such title is amended to read as follows:

**''CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS''.**

(5) OTHER AMENDMENTS.—

(A) Title 10, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking ''Assistant Secretaries of the Navy'' and inserting ''Assistant Secretaries of the Navy and Marine Corps''.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting ''and Marine Corps'' after ''of the Navy'', with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

(c) OTHER PROVISIONS OF LAW AND OTHER REFERENCES.—

(1) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively.

(2) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in subsection (a)(2) shall be considered to be a reference to that office as redesignated by that section.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

**Subtitle B—Space Activities**

**SEC. 911. ANNUAL ASSESSMENT OF THE SYNCHRONIZATION OF SEGMENTS IN SPACE PROGRAMS THAT ARE MAJOR DEFENSE ACQUISITION PROGRAMS.**

(a) ANNUAL ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for five years, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall annually submit to the congressional defense committees an assessment of the synchronization of the operability of the program segments of each space program that is a major defense acquisition program.

(b) CONTENTS.—Each assessment required under subsection (a) shall include—

(1) a description of the intended primary capabilities of each space program that is a major defense acquisition program and the level of operability of each program segment of such space program at the time of such assessment;

(2) a schedule for the deployment of such intended primary capabilities of such space program in each such program segment and in such space program as a whole;

(3) for each such space program for which a primary capability of such program will be operable by one program segment at least one year after the date on which such capability is operable by another program segment—

(A) an explanation of the reasons that such primary capability will be operable by one program segment at least one year after the date such capability is operable by another program segment; and

(B) an identification of the steps the Department is taking to improve the alignment of when the program segments become operable and the related challenges, costs, and risks; and

(4) a description of the impact on the mission of such space program caused by such primary capability being operable by one program segment at least one year after the date such capability is operable by another program segment.

(c) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—The term ''major defense acquisition program'' has the meaning given the term in section 2430 of title 10, United States Code.

(2) PROGRAM SEGMENT.—The term ''program segment'' means, with respect to a space program that is a major defense acquisition program, the following segments:

(A) The portion of such program that is satellite-based.

(B) The portion of such program that is ground-based.

(C) The portion of such program that is operated by the end-user.

**SEC. 912. REPORT ON OVERHEAD PERSISTENT INFRARED TECHNOLOGY.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there are significant investments in overhead persistent infrared technology that span multiple agencies and support a variety of missions, including missile warning, missile defense, battle space awareness, and technical intelligence; and

(2) further efforts should be made to fully exploit overhead persistent infrared sensor data.

(b) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report on overhead persistent infrared technology that includes—

(1) an assessment of whether there are further opportunities for the Department of Defense and the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) to capitalize on increased data sharing, fusion, interoperability, and exploitation; and

(2) recommendations on how to better coordinate the efforts by the Department and the intelligence community to exploit overhead persistent infrared sensor data.

(c) COMPTROLLER GENERAL ASSESSMENT.—Not later than 90 days after the date on which the Secretary of Defense submits the report required under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the report required under subsection (b), including—

(1) an assessment of whether such report is comprehensive, fully supported, and sufficiently detailed; and

(2) an identification of any shortcomings, limitations, or other reportable matters that affect the quality or findings of the report required under subsection (b).

**SEC. 913. PROHIBITION ON USE OF FUNDS TO IMPLEMENT INTERNATIONAL AGREEMENT ON SPACE ACTIVITIES THAT HAS NOT BEEN RATIFIED BY THE SENATE OR AUTHORIZED BY STATUTE.**

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or any other Act may be used by the Secretary of Defense or the Director of National Intelligence to limit the activities of the Department of Defense or the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) in outer space to implement or comply with an international agreement concerning outer space activities unless such agreement is ratified by the Senate or authorized by statute.

(b) REPORT ON INTERNATIONAL AGREEMENT NEGOTIATIONS.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Defense shall submit to the appropriate congressional committees a report on the progress of negotiations on an international agreement concerning outer space activities. Such report shall include a description of which foreign countries have agreed to sign such an international agreement and any implications that the draft of the agreement being negotiated may have on both classified and unclassified military and intelligence activities of the United States in outer space.

(2) FORM.—

(A) UNCLASSIFIED.—Except as provided in subparagraph (B), each report required under paragraph (1) shall be submitted in unclassified form.

(B) CLASSIFIED ANNEX.—The Secretary of Defense may submit to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate a classified annex to a report required under paragraph (1) containing any classified information required to be submitted for such report.

(3) TERMINATION DATE.—The requirement to submit a report under paragraph (1) shall cease to apply on the date on which the President submits to the appropriate congressional committees a certification that the United States is no longer involved in negotiations on an international agreement concerning outer space activities.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, and the Committee on Science, Space, and Technology of the House of Representatives; and

(B) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate.

(c) REPORT ON FOREIGN COUNTER-SPACE PROGRAMS.—

(1) REPORT REQUIRED.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 2275. Report on foreign counter-space programs**

''(a) REPORT REQUIRED.—Not later than January 1 of each year, the Secretary of Defense shall submit to Congress a report on the counter-space programs of foreign countries.

''(b) CONTENTS.—Each report required under subsection (a) shall include—

''(1) an explanation of whether any foreign country has a counter-space program that could be a threat to the national security or commercial space systems of the United States; and

''(2) the name of each country with a counter-space program described in paragraph (1).

''(c) FORM.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each report required under subsection (a) shall be submitted in unclassified form.

''(2) CLASSIFIED ANNEX.—The Secretary of Defense may submit to the covered congressional committees a classified annex to a report required under subsection (a) containing any classified information required to be submitted for such report.

''(3) FOREIGN COUNTRY NAMES.—

''(A) UNCLASSIFIED FORM.—Subject to subparagraph (B), each report required under subsection (a) shall include the information required under subsection (b)(2) in unclassified form.

''(B) NATIONAL SECURITY WAIVER.—The Secretary of Defense may waive the requirement under subparagraph (A) if the Secretary determines it is in the interests of national security to waive such requirement and submits to Congress an explanation of why the Secretary waived such requirement.

''(d) PROHIBITION ON USE OF FUNDS FOR NON-COMPLIANCE.—If in any fiscal year the Secretary of Defense does not submit a report required under subsection (a) on or before the date on which such report is required to be submitted, none of the funds authorized to be appropriated by any Act for such fiscal year for activities of the Department of Defense may be used for travel related to the negotiation of an international agreement concerning outer space activities until such report is submitted.

''(e) COVERED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'covered congressional committees' means the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services and the Select Committee on Intelligence of the Senate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of title 10, United States Code, is amended by adding at the end the following new item:

*''2275. Report on foreign counter-space programs.''.*

***SEC. 914. ASSESSMENT OF FOREIGN COMPONENTS AND THE SPACE LAUNCH CAPABILITY OF THE UNITED STATES.***

*(a) ASSESSMENT.—The Secretary of the Air Force shall enter into an agreement with a federally funded research and development center to conduct an independent assessment of the national security implications of continuing to use foreign component and propulsion systems for the launch vehicles under the evolved expendable launch vehicle program.*

*(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center shall submit to the congressional defense committees a report on the assessment conducted under subsection (a).*

***SEC. 915. REPORT ON COUNTER SPACE TECHNOLOGY.***

*(a) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter for two years, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report based on all available information describing key space technologies that could be used, or are being sought, by a foreign country with a counter space or ballistic missile program, and should be subject to export controls by the United States or an ally of the United States, as appropriate.*

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

***Subtitle C—Intelligence-Related Activities***

***SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTELLIGENCE SUPPORT TO CERTAIN SECURITY ALLIANCES AND REGIONAL ORGANIZATIONS.***

*(a) AUTHORIZATION.—Section 443(a) of title 10, United States Code, is amended—*

*(1) by striking ''The Director'' and inserting ''(1) Subject to paragraph (2), the Director'';*

*(2) by striking ''foreign countries'' and inserting ''foreign countries, regional organizations*

*with defense or security components, and security alliances of which the United States is a member''; and*

*(3) by adding at the end the following new paragraph:*

*''(2) In each case in which the Director of the National Geospatial-Intelligence Agency provides imagery intelligence or geospatial information support to a regional organization or security alliance under paragraph (1), the Director shall—*

*''(A) ensure that such intelligence and such support are not provided by such regional organization or such security alliance to any other person or entity;*

*''(B) notify the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate, that the Director has provided such intelligence or such support; and*

*''(C) coordinate the provision of such intelligence and such support with the commander of the appropriate combatant command.''.*

*(b) CLERICAL AMENDMENTS.—*

*(1) SECTION HEADING.—The heading of section 443 of title 10, United States Code, is amended by striking ''**foreign countries**'' and inserting ''**foreign countries, regional organizations, and security alliances**''.*

*(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 22 of title 10, United States Code, is amended by striking the item relating to section 443 and inserting the following new item:*

*''443. Imagery intelligence and geospatial information: support for foreign countries, regional organizations, and security alliances.''.*

***SEC. 922. TECHNICAL AMENDMENTS TO REFLECT CHANGE IN NAME OF NATIONAL DEFENSE INTELLIGENCE COLLEGE TO NATIONAL INTELLIGENCE UNIVERSITY.***

*(a) CONFORMING AMENDMENTS TO REFLECT NAME CHANGE.—Section 2161 of title 10, United States Code, is amended by striking ''National Defense Intelligence College'' each place it appears and inserting ''National Intelligence University''.*

*(b) CLERICAL AMENDMENTS.—*

*(1) SECTION HEADING.—The heading of such section is amended to read as follows:*

***''§2161. Degree granting authority for National Intelligence University''.***

*(2) TABLE OF SECTIONS.—The item related to such section in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:*

*''2161. Degree granting authority for National Intelligence University.''.*

***Subtitle D—Total Force Management***

***SEC. 931. LIMITATION ON CERTAIN FUNDING UNTIL CERTIFICATION THAT INVENTORY OF CONTRACTS FOR SERVICES HAS BEGUN.***

*(a) LIMITATION ON FUNDING FOR CERTAIN OFFICES.—Of the funds authorized to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics; the Office of the Assistant Secretary of the Navy for Research, Development, and Acquisition; and the Office of the Assistant Secretary of the Air Force for Acquisition may be obligated or expended until the certification described in subsection (c) is submitted.*

*(b) LIMITATION ON FUNDING FOR OTHER CONTRACTS.—Of the funds authorized for other contracts or other services to be appropriated for fiscal year 2013 as specified in the funding table in section 4301, not more than 80 percent of the funds authorized for the Office of the Secretary of Defense, the Department of the Navy, and the Department of the Air Force may be obligated or expended until the certification described in subsection (c) is submitted.*

*(c) CERTIFICATION.—The certification described in this subsection is a certification in writing submitted to the congressional defense committees and made by the Secretary of Defense that the collection of data for purposes of meeting the requirements of section 2330a of title 10, United States Code, has begun.*

*(d) DEFINITION.—In this section, the term ''other contracts or other services'' means funding described in line 0989 within Exhibit OP-32 of the justification materials accompanying the President's budget request for fiscal year 2013.*

***SEC. 932. REQUIREMENT TO ENSURE SUFFICIENT LEVELS OF GOVERNMENT MANAGEMENT, CONTROL, AND OVERSIGHT OF FUNCTIONS CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL FUNCTIONS.***

*Section 129a of title 10, United States Code, is amended—*

*(1) in subparagraph (B) of subsection (f)(3), by inserting after ''Government'' the following: ''management, control, and''; and*

*(2) by adding at the end the following new subsection:*

*''(g) REQUIREMENT FOR MANAGEMENT, CONTROL, AND OVERSIGHT OR APPROPRIATE CORRECTIVE ACTIONS.—For purposes of subsection (f)(3)(B), if insufficient levels of Government management, control, and oversight are found, the Secretary of the military department or head of the Defense agency responsible shall provide such management, control, and oversight or take appropriate corrective actions, including potential conversion to Government performance, consistent with this section and sections 129 and 2463 of this title.''.*

***SEC. 933. SPECIAL MANAGEMENT ATTENTION REQUIRED FOR CERTAIN FUNCTIONS IDENTIFIED IN INVENTORY OF CONTRACTS FOR SERVICES.***

*Subparagraph (C) of section 2330a(e)(2) of title 10, United States Code, is amended to read as follows:*

*''(C) special management attention is being given to functions identified in the inventory as being closely associated with inherently governmental functions; and''.*

***Subtitle E—Cyberspace-related Matters***

***SEC. 941. MILITARY ACTIVITIES IN CYBERSPACE.***

*Section 954 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1551) is amended to read as follows:*

***''SEC. 954. MILITARY ACTIVITIES IN CYBERSPACE.***

*''(a) AFFIRMATION.—Congress affirms that the Secretary of Defense is authorized to conduct military activities in cyberspace.*

*''(b) AUTHORITY DESCRIBED.—The authority referred to in subsection (a) includes the authority to carry out a clandestine operation in cyberspace—*

*''(1) in support of a military operation pursuant to the Authorization for Use of Military Force (50 U.S.C. 1541 note; Public Law 107-40) against a target located outside of the United States; or*

*''(2) to defend against a cyber attack against an asset of the Department of Defense.*

*''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary of Defense to conduct military activities in cyberspace.''.*

***SEC. 942. QUARTERLY CYBER OPERATIONS BRIEFINGS.***

*(a) BRIEFINGS.—Chapter 23 of title 10, United States Code, is amended by inserting after section 483 the following new section:*

***''§484. Quarterly cyber operations briefings***

*''The Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate quarterly briefings on all offensive and significant defensive military operations in cyberspace carried out by the Department of Defense during the immediately preceding quarter.''.*

*(b) INITIAL BRIEFING.—The first briefing required under section 484 of title 10, United States Code, as added by subsection (a), shall be provided not later than March 1, 2013.*

*(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of title 10, United States Code, is amended by inserting after the item relating to section 483 the following new item:*

*''484. Quarterly cyber operations briefings.''.*

***Subtitle F—Other Matters***

***SEC. 951. ADVICE ON MILITARY REQUIREMENTS BY CHAIRMAN OF JOINT CHIEFS OF STAFF AND JOINT REQUIREMENTS OVERSIGHT COUNCIL.***

*(a) AMENDMENTS RELATED TO CHAIRMAN OF JOINT CHIEFS OF STAFF.—Section 153(a)(4) of title 10, United States Code, is amended by striking subparagraph (F) and inserting the following new subparagraphs:*

*''(F) Identifying, assessing, and approving military requirements (including existing systems and equipment) to meet the national military strategy.*

*''(G) Recommending to the Secretary appropriate trade-offs among life-cycle cost, schedule, and performance objectives to ensure that such trade-offs are made in the acquisition of materiel and equipment to meet military requirements in a manner that best supports the strategic and contingency plans required by subsection (a).''.*

*(b) AMENDMENTS RELATED TO JROC.—Section 181(b) of such title is amended—*

*(1) in paragraph (1)(C), by striking ''in ensuring'' and all that follows through ''requirements'' and inserting the following: ''in ensuring that appropriate trade-offs are made among life-cycle cost, schedule, and performance objectives in the acquisition of materiel and equipment to meet military requirements''; and*

*(2) in paragraph (3), by striking ''such resource level'' and inserting ''the total cost of such resources''.*

*(c) AMENDMENTS RELATED CHIEFS OF ARMED FORCES.—Section 2547(a) of such title is amended—*

*(1) in paragraph (1), by striking ''of requirements relating to the defense acquisition system'' and inserting ''and certification of requirements for equipping the armed force concerned'';*

*(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and*

*(3) by inserting after paragraph (2) the following new paragraphs:*

*''(3) The recommendation of trade-offs among life-cycle cost, schedule, and performance objectives to ensure acquisition programs to equip the armed force concerned deliver best value.*

*''(4) Termination of development or procurement programs that fail to meet life-cycle cost, schedule, and performance objectives.''.*

***SEC. 952. EXPANSION OF PERSONS ELIGIBLE FOR EXPEDITED FEDERAL HIRING FOLLOWING COMPLETION OF NATIONAL SECURITY EDUCATION PROGRAM SCHOLARSHIP.***

*Section 802(k) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(k)) is amended to read as follows:*

*''(k) EMPLOYMENT OF PROGRAM PARTICIPANTS.—*

*''(1) APPOINTMENT AUTHORITY.—The Secretary of Defense, the Secretary of Homeland Security, the Secretary of State, or the head of a Federal agency or office identified by the Secretary of Defense under subsection (g) as having national security responsibilities—*

*''(A) may, without regard to any provision of title 5 governing appointments in the competitive service, appoint an eligible program participant—*

*''(i) to a position in the excepted service that is certified by the Secretary of Defense under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or*

*''(ii) subject to clause (ii) of such subsection, to a position in the excepted service in such*

*Federal agency or office identified by the Secretary; and*

*''(B) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of subparagraph (A), convert the appointment of such individual, without competition, to a career or career conditional appointment.*

*''(2) TREATMENT OF CERTAIN SERVICE.—In the case of an eligible program participant described in clause (ii) or (iii) of paragraph (3)(B) who receives an appointment under paragraph (1)(A), the head of a Department or Federal agency or office referred to in paragraph (1) may count any period that the individual served in a position with the Federal Government towards satisfaction of the service requirement under paragraph (1)(B) if that service—*

*''(A) in the case of an appointment under clause (i) of paragraph (1)(A), was in a position that is identified under clause (i) of subsection (b)(2)(A) as contributing to the national security of the United States; or*

*''(B) in the case of an appointment under clause (ii) of paragraph (1)(A), was in the Federal agency or office in which the appointment under that clause is made.*

*''(3) ELIGIBLE PROGRAM PARTICIPANT DEFINED.—In this subsection, the term 'eligible program participant' means an individual who—*

*''(A) has successfully completed an academic program for which a scholarship or fellowship under this section was awarded; and*

*''(B) at the time of the appointment of the individual to an excepted service position under paragraph (1)(A)—*

*''(i) under the terms of the agreement for such scholarship or fellowship, owes a service commitment to a Department or Federal agency or office referred to in paragraph (1);*

*''(ii) is employed by the Federal Government under a non-permanent appointment to a position in the excepted service that has national security responsibilities; or*

*''(iii) is a former civilian employee of the Federal Government who has less than a one-year break in service from the last period of Federal employment of such individual in a non-permanent appointment in the excepted service with national security responsibilities.''.*

***SEC. 953. ANNUAL BRIEFING TO CONGRESSIONAL DEFENSE COMMITTEES ON CERTAIN WRITTEN POLICY GUIDANCE.***

*Section 113(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:*

*''(3) The Secretary of Defense shall provide an annual briefing to the congressional defense committees on the written policy guidance provided under paragraphs (1) and (2).''.*

***SEC. 954. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NON-GOVERNMENTAL PERSONNEL AT DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.***

*(a) EXTENSION.—Paragraph (1) of section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 184 note), is amended by striking ''through 2012'' and inserting ''through 2013''.*

*(b) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess—*

*(1) the effectiveness of the Regional Centers for Security Studies in meeting the Centers' objectives and advancing the priorities of the Department of Defense;*

*(2) the extent to which the Centers perform a unique function within the interagency community or the extent to which there are similar or duplicative efforts within the Department of Defense or the Department of State;*

*(3) the measures of effectiveness and impact indicators each Regional Center uses to internally evaluate its programs;*

*(4) the oversight mechanisms within the Department of Defense with respect to the Regional Centers; and*

*(5) the costs and benefits to the Department of Defense of waiving reimbursement costs for personnel of nongovernmental organizations and international organizations to participate in activities of the Centers on an ongoing basis.*

*(c) REPORT.—Not later than March 1, 2013, the Comptroller General shall submit to the Committees on Armed Services and on Foreign Relations of the Senate and the Committees on Armed Services and on Foreign Affairs of the House of Representatives a report on the assessment required by subsection (b).*

## *TITLE X—GENERAL PROVISIONS*

### *Subtitle A—Financial Matters*

***SEC. 1001. GENERAL TRANSFER AUTHORITY.***

*(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

*(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.*

*(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $3,500,000,000.*

*(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).*

*(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—*

*(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and*

*(2) may not be used to provide authority for an item that has been denied authorization by Congress.*

*(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.*

*(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).*

***SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.***

*The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.*

***SEC. 1003. ANNUAL REPORT ON ARMED FORCES UNFUNDED PRIORITIES.***

*(a) REPORT REQUIRED.—Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, each member of the Joint Chiefs of Staff specified in subsection (b) and the Commander of the United States Special Operations Command shall submit to the congressional defense committees a report containing a list of the unfunded priorities for the Armed Force under the jurisdiction of that member or commander.*

*(b) COVERED MILITARY SERVICE CHIEFS.—The reports required by subsection (a) shall be submitted by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of the National Guard Bureau.*

*(c) UNFUNDED PRIORITIES DEFINED.—In this section, the term ''unfunded priorities'', with respect to a report required by subsection (a) for a fiscal year, means a program or mission requirement that—*

*(1) has not been selected for funding in the proposed budget for the fiscal year;*

*(2) is necessary to fulfill a requirement associated with a combatant commander operational or contingency plan or other validated global force requirement; and*

*(3) the officer submitting the report would have recommended for inclusion in the proposed budget for the fiscal year had additional resources been available or had the requirement emerged before the budget was submitted.*

### *Subtitle B—Counter-Drug Activities*

***SEC. 1011. EXTENSION OF THE AUTHORITY OF THE CHIEF OF THE NATIONAL GUARD BUREAU TO ESTABLISH AND OPERATE NATIONAL GUARD COUNTERDRUG SCHOOLS.***

*Section 901 of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469; 120 Stat. 3536; 32 U.S.C. 112 note) is amended—*

*(1) in subsection (c)—*

*(A) by striking paragraph (1) and redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively; and*

*(B) by adding at the end the following new paragraph:*

*''(5) The Western Regional Counterdrug Training Center, Camp Murray, Washington.'';*

*(2) by striking subsection (f) and redesignating subsection (g) as subsection (f); and*

*(3) in subsection (f)(1), as so redesignated, by striking ''fiscal years 2006 through 2010'' and inserting ''fiscal years 2013 through 2017''.*

***SEC. 1012. REPORTING REQUIREMENT ON EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.***

*Section 1022(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–255), as most recently amended by the section 1008 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1558), is further amended by striking ''February 15, 2012'' and inserting ''February 15, 2013''.*

***SEC. 1013. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.***

*Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042), as most recently amended by section 1007 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1558), is amended—*

*(1) in subsection (a), by striking ''2012'' and inserting ''2013''; and*

*(2) in subsection (c), by striking ''2012'' and inserting ''2013''.*

***SEC. 1014. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.***

*Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1594; 10 U.S.C. 371 note) is amended by striking ''2012'' and inserting ''2013''.*

### *Subtitle C—Naval Vessels and Shipyards*

***SEC. 1021. POLICY RELATING TO MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE UNITED STATES NAVY.***

*Section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 303), as most recently amended by section 1015 of the Duncan Hunter National*

*Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4586), is amended by striking ''Secretary of Defense'' and all that follows through the period and inserting the following: ''Secretary the Navy notifies the congressional defense committees that, as a result of a cost-benefit analysis, it would not be practical for the Navy to design the class of ships with an integrated nuclear power system.''.*

***SEC. 1022. LIMITATION ON AVAILABILITY OF FUNDS FOR DELAYED ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.***

*(a) IN GENERAL.—Section 231 of title 10, United States Code, is amended—*

*(1) by redesignating subsection (e) as subsection (f); and*

*(2) by inserting after subsection (d) the following new subsection (e):*

*''(e)(1) If the Secretary of Defense does not include with the defense budget materials for a fiscal year the plan and certification under subsection (a), the Secretary of the Navy may not use more than 50 percent of the funds described in paragraph (2) during the fiscal year in which such materials are submitted until the date on which such plan and certification are submitted to the congressional defense committees.*

*''(2) The funds described in this paragraph are funds made available to the Secretary of the Navy for operation and maintenance, Navy, for emergencies and extraordinary expenses.''.*

*(b) CONFORMING AMENDMENT.—Section 12304b(i) of title 10, United States Code, is amended by striking ''231(e)(2)'' and inserting ''section 231(f)(2)''.*

***Subtitle D—Counterterrorism***

***SEC. 1031. FINDINGS ON DETENTION PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE ENACTED IN 2001.***

*Congress finds the following:*

*(1) In 2001, Congress passed, and the President signed, the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) (hereinafter referred to as the ''AUMF''), which authorized the President to ''use all necessary and appropriate force'' against those responsible for the attacks of September 11, 2001, and those who harbored them ''in order to prevent any future acts of international terrorism against the United States''.*

*(2) In 2004, the Supreme Court held in Hamdi v. Rumsfeld that the AUMF authorized the President to detain individuals, including a United States citizen captured in Afghanistan and later detained in the United States, legitimately determined to be ''engaged in armed conflict against the United States'' until the end of hostilities, noting that ''[W]e understand Congress' grant of authority for the use of 'necessary and appropriate force' to include the authority to detain for the duration of the relevant conflict, and our understanding is based on longstanding law-of-war principles''.*

*(3) The Court reaffirmed the long-standing principle of American law that a United States citizen may not be detained in the United States pursuant to the AUMF without due process of law, stating the following:*

*(A) ''Striking the proper constitutional balance here is of great importance to the Nation during this period of ongoing combat. But it is equally vital that our calculus not give short shrift to the values that this country holds dear or to the privilege that is American citizenship.''.*

*(B) ''It is during our most challenging and uncertain moments that our Nation's commitment to due process is most severely tested; and it is in those times that we must preserve our commitment at home to the principles for which we fight abroad.''.*

*(C) ''[A] state of war is not a blank check for the President when it comes to the rights of the Nation's citizens.''.*

*(D) ''[A]bsent suspension, the writ of habeas corpus remains available to every individual detained within the United States.''.*

*(E) ''All agree suspension of the writ has not occurred here.''.*

*(F) ''[A]n enemy combatant must receive notice of the factual basis for his classification, and a fair opportunity to rebut the Government's factual assertions before a neutral decisionmaker.''.*

*(G) ''Whatever power the United States Constitution envisions for the Executive in its exchanges with other nations or with enemy organizations in times of conflict, it most assuredly envisions a role for all three branches when individual liberties are at stake.''.*

*(H) ''[U]nless Congress acts to suspend it, the Great Writ of habeas corpus allows the Judicial Branch to play a necessary role in maintaining this delicate balance of governance, serving as an important judicial check on the Executive's discretion in the realm of detentions.''.*

*(I) ''We reaffirm today the fundamental nature of a citizen's right to be free from involuntary confinement by his own government without due process of law, and we weigh the opposing governmental interests against the curtailment of liberty that such confinement entails.''.*

*(4) In 2008, in Boumediene v. Bush, the Supreme Court also extended the constitutional right to habeas corpus to the foreign detainees held pursuant to the AUMF at the United States Naval Station, Guantanamo Bay, Cuba.*

*(5) Chapter 47A of title 10, United States Code, as originally enacted by the Military Commissions Act of 2006 (Public Law 109–366), only allows for prosecution of foreign terrorists by military commission.*

*(6) In 2011, with the enactment of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81), Congress and the President affirmed the authority of the Armed Forces of the United States to detain pursuant to the AUMF a person who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored those responsible for those attacks, or a person who was a part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act or has directly supported such hostilities in aid of such enemy forces.*

*(7) The interpretation of the detention authority provided by the AUMF under the National Defense Authorization Act for Fiscal Year 2012 is the same as the interpretation used by the Obama administration in its legal filings in Federal court and is nearly identical to the interpretation used by the Bush administration. This interpretation has also been upheld by the United States Court of Appeals for the District of Columbia Circuit.*

*(8) Such Act also requires the Secretary of Defense to regularly brief Congress regarding the application of the detention authority provided by the AUMF.*

*(9) Section 1021 of such Act states that ''Nothing in this section shall be construed to affect existing law or authorities relating to the detention of United States citizens, lawful resident aliens of the United States, or any other persons who are captured or arrested in the United States.''.*

***SEC. 1032. FINDINGS REGARDING HABEAS CORPUS RIGHTS.***

*Congress finds the following:*

*(1) Article 1, section 9 of the Constitution states ''The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.''.*

*(2) Regarding the Great Writ, the Supreme Court has noted ''The writ of habeas corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action.''.*

***SEC. 1033. HABEAS CORPUS RIGHTS.***

*Nothing in the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) or the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) shall be construed to deny the availability of the writ of habeas corpus in a court ordained or established by or under Article III of the Constitution for any person who is detained in the United States pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).*

***SEC. 1034. EXTENSION OF AUTHORITY TO MAKE REWARDS FOR COMBATING TERRORISM.***

*(a) EXTENSION.—Section 127b(c)(3)(C) of title 10, United States Code, is amended by striking ''September 30, 2013'' and inserting ''September 30, 2014''.*

*(b) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that outlines the future requirements and authorities to make rewards for combating terrorism. The report shall include—*

*(1) an analysis of future requirements under section 127b of title 10, United States Code;*

*(2) a detailed description of requirements for rewards in support of operations with allied forces; and*

*(3) an overview of geographic combatant commander requirements through September 30, 2014.*

***SEC. 1035. PROHIBITION ON TRAVEL TO THE UNITED STATES FOR CERTAIN DETAINEES REPATRIATED TO THE FEDERATED STATES OF MICRONESIA, THE REPUBLIC OF PALAU, AND THE REPUBLIC OF THE MARSHALL ISLANDS.***

*(a) PROHIBITION ON TRAVEL TO THE UNITED STATES.—Notwithstanding any provision of the applicable Compact of Free Association described in subsection (c), an individual described in subsection (b) who has been repatriated to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau may not be afforded the rights and benefits put forth in section 141 of such applicable Compact of Free Association.*

*(b) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—*

*(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and*

*(2) is or was located at United States Naval Station, Guantanamo Bay, Cuba, on or after September 11, 2001, while—*

*(A) in the custody or under the effective control of the Department of Defense; or*

*(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.*

*(c) APPLICABLE COMPACT OF FREE ASSOCIATION.—The applicable Compact of Free Association described in this subsection is—*

*(1) with respect to an individual repatriated to the Federal States of Micronesia, the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia as set forth in section 201(a) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188; 48 U.S.C. 1921 note);*

*(2) with respect to an individual repatriated to the Republic of the Marshall Islands, the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands as set forth in section 201(b) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188; 48 U.S.C. 1921 note); and*

*(3) with respect to an individual repatriated to the Republic of Palau, the Compact of Free Association between the Government of the United States of America and the Government of Palau as set forth in section 201 of the joint resolution entitled ''A Joint Resolution to approve the 'Compact of Free Association' between the United States and the Government of Palau,*

*and for other purposes'', approved November 14, 1986 (Public Law 99–658; 48 U.S.C. 1931 note).*

**SEC. 1036. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

*None of the funds authorized to be appropriated by this Act for fiscal year 2013 may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—*

*(1) is not a United States citizen or a member of the Armed Forces of the United States; and*

*(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.*

**SEC. 1037. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.**

*(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—*

*(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense for fiscal year 2013 to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.*

*(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).*

*(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—*

*(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—*

*(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;*

*(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;*

*(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;*

*(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;*

*(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and*

*(F) has agreed to share with the United States any information that—*

*(i) is related to the individual or any associates of the individual; and*

*(ii) could affect the security of the United States, its citizens, or its allies; and*

*(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.*

*(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—*

*(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.*

*(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).*

*(d) NATIONAL SECURITY WAIVER.—*

*(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1) or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by subsection (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—*

*(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;*

*(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;*

*(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and*

*(D) the transfer is in the national security interests of the United States.*

*(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:*

*(A) A copy of the determination and the waiver concerned.*

*(B) A statement of the basis for the determination, including—*

*(i) an explanation why the transfer is in the national security interests of the United States; and*

*(ii) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the subparagraph to be waived have been completely eliminated.*

*(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the subparagraph or subsection to be waived.*

*(D) The assessment required by subsection (b)(2).*

*(e) DEFINITIONS.—In this section:*

*(1) The term ''appropriate committees of Congress'' means—*

*(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and*

*(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.*

*(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—*

*(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and*

*(B) is—*

*(i) in the custody or under the control of the Department of Defense; or*

*(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.*

*(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).*

**SEC. 1038. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

*(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2013 may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.*

*(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.*

*(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1037(e)(2).*

**SEC. 1039. REPORTS ON RECIDIVISM OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, THAT HAVE BEEN TRANSFERRED TO FOREIGN COUNTRIES.**

*(a) REPORT ON FACTORS CAUSING OR CONTRIBUTING TO RECIDIVISM.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter for five years, the Director of the Defense Intelligence Agency, in consultation with the head of each element of the intelligence community that the Director considers appropriate, shall submit to the covered congressional committees a report assessing the factors that cause or contribute to the recidivism of individuals detained at Guantanamo that are transferred or released to a foreign country, including a discussion of trends, by country and region, where recidivism has occurred.*

*(b) REPORT ON EFFECTIVENESS OF INTERNATIONAL AGREEMENTS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, with the concurrence of the Secretary of Defense, shall submit to the covered congressional committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report assessing the effectiveness of international agreements relating to the transfer or release of individuals detained at Guantanamo between the United States and each foreign country to which an individual detained at Guantanamo has been transferred or released.*

*(c) FORM.—The reports required under subsections (a) and (b) shall be submitted in unclassified form, but may include a classified annex.*

*(d) DEFINITIONS.—In this section:*

*(1) COVERED CONGRESSIONAL COMMITTEES.—The term ''covered congressional committees'' means—*

*(A) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives; and*

*(B) the Committee on Armed Services and the Select Committee on Intelligence of the Senate.*

*(2) INDIVIDUAL DETAINED AT GUANTANAMO.—The term ''individual detained at Guantanamo'' means any individual that is or was located at*

*United States Naval Station, Guantanamo Bay, Cuba, who—*

*(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and*

*(B) is or was—*

*(i) in the custody or under the control of the Department of Defense; or*

*(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.*

***SEC. 1040. NOTICE AND REPORT ON USE OF NAVAL VESSELS FOR DETENTION OF INDIVIDUALS CAPTURED OUTSIDE AFGHANISTAN PURSUANT TO THE AUTHORIZATION FOR USE OF MILITARY FORCE.***

*(a) NOTICE TO CONGRESS.—Not later than 5 days after first detaining an individual who is captured pursuant to the Authorization for Use of Military Force on a naval vessel outside the United States, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of the detention.*

*(b) REPORT.—*

*(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the use of naval vessels for the detention outside the United States of any individual who is captured pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note). Such report shall include—*

*(A) procedures and any limitations on detaining such individuals at sea on board United States naval vessels;*

*(B) an assessment of any force protection issues associated with detaining such individuals on such vessels;*

*(C) an assessment of the likely effect of such detentions on the original mission of the naval vessel; and*

*(D) any restrictions on long-term detention of individuals on United States naval vessels.*

*(2) FORM OF REPORT.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.*

***SEC. 1041. NOTICE REQUIRED PRIOR TO TRANSFER OF CERTAIN INDIVIDUALS DETAINED AT THE DETENTION FACILITY AT PARWAN, AFGHANISTAN.***

*(a) NOTICE REQUIRED.—The Secretary of Defense shall submit to the appropriate congressional committees notice in writing of the proposed transfer of any individual detained pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) who is a national of a country other than the United States or Afghanistan from detention at the Detention Facility at Parwan, Afghanistan, to the custody of the Government of Afghanistan or of any other country. Such notice shall be provided not later than 10 days before such a transfer may take place.*

*(b) ADDITIONAL ASSESSMENTS AND CERTIFICATIONS.—As part of the notice required under subsection (a), the Secretary shall include the following:*

*(1) In the case of the proposed transfer of such an individual by reason of the individual being released, an assessment of the threat posed by the individual and the security environment of the country to which the individual is to be transferred.*

*(2) In the case of the proposed transfer of such an individual to a country other than Afghanistan for the purpose of the prosecution of the individual, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of the country with respect to prosecuting similar cases, including a description of the evidence against the individual that is likely to be admissible as part of the prosecution.*

*(3) In the case of the proposed transfer of such an individual for reintegration or rehabilitation in a country other than Afghanistan, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track records of the country for reintegrating or rehabilitating similar individuals.*

*(4) In the case of the proposed transfer of such an individual to the custody of the government of Afghanistan for prosecution or detention, a certification that an assessment has been conducted regarding the capacity, willingness, and historical track record of Afghanistan to prosecute or detain long-term such individuals.*

*(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate.*

***SEC. 1042. REPORT ON RECIDIVISM OF INDIVIDUALS FORMERLY DETAINED AT THE DETENTION FACILITY AT PARWAN, AFGHANISTAN.***

*(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the relevant congressional committees a report that—*

*(1) assesses recidivism rates and the factors that cause or contribute to the recidivism of individuals formerly detained at the Detention Facility at Parwan, Afghanistan, who are transferred or released, with particular emphasis on individuals transferred or released in connection with reconciliation efforts or peace negotiations; and*

*(2) includes a general rationale of the Commander, International Security Assistance Force, as to why such individuals were released.*

*(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.*

*(c) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''relevant congressional committees'' means—*

*(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and*

*(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.*

***SEC. 1043. ADDITIONAL REQUIREMENTS RELATING TO THE TRANSFER OF INDIVIDUALS DETAINED AT GUANTANAMO TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.***

*Section 1028 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended—*

*(1) in subsection (a)(1)—*

*(A) by striking ''the certification described in subsection (b) not later than 30 days before the transfer of the individual'' and inserting ''by not later than 90 days before the transfer each of the following;''; and*

*(B) by adding at the end the following new subparagraphs:*

*''(A) The certification described in subsection (b).*

*''(B) An assessment of the likelihood that the individual to be transferred will engage in terrorist activity after the transfer takes place.*

*''(C) A detailed summary, in classified or unclassified form, of the individual's history of associations with foreign terrorist organizations and the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense.''; and*

*(2) in subsection (d)(2)—*

*(A) by striking ''30 days'' and inserting ''90 days''; and*

*(B) by adding at the end the following new subparagraphs:*

*''(E) An assessment of the likelihood that the individual to be transferred will engage in terrorist activity after the transfer takes place.*

*''(F) A detailed summary, in classified or unclassified form, of the individual's history of associations with foreign terrorist organizations and the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense.''.*

***Subtitle E—Nuclear Forces***

***SEC. 1051. NUCLEAR WEAPONS EMPLOYMENT STRATEGY OF THE UNITED STATES.***

*(a) SENSE OF CONGRESS.—Subsection (a) of section 1046 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1579) is amended to read as follows:*

*''(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*''(1) any future modification to the nuclear weapons employment strategy, plans, and options of the United States should maintain or enhance the ability of the nuclear forces of the United States to support the goals of the United States with respect to nuclear deterrence, extended deterrence, and assurances for allies, and the defense of the United States; and*

*''(2) the oversight responsibility of Congress includes oversight of the nuclear weapons employment strategy, plans, and options of the United States and that therefore the Chairmen and Ranking Members of the Committees on Armed Services of the Senate and House of Representatives, and such professional staff as they designate, should have access to the nuclear weapons employment strategy, plans, and options of the United States.''.*

*(b) REPORTS ON STRATEGY.—Section 491 of title 10, United States Code, is—*

*(1) transferred to chapter 24 of such title, as added by subsection (c)(1); and*

*(2) amended—*

*(A) in the heading, by inserting ''**weapons**'' after ''**Nuclear**'';*

*(B) by striking ''nuclear employment strategy'' each place it appears and inserting ''nuclear weapons employment strategy'';*

*(C) in paragraph (1)—*

*(i) by inserting ''the'' after ''modifications to''; and*

*(ii) by inserting '', plans, and options'' after ''employment strategy'';*

*(D) by inserting after paragraph (3) the following new paragraph:*

*''(4) the extent to which such modifications include an increased reliance on conventional or non-nuclear global strike capabilities or missile defenses of the United States.'';*

*(E) by striking ''On the date'' and inserting ''(a) REPORTS.—On the date''; and*

*(F) by adding at the end the following new subsection:*

*''(b) ANNUAL BRIEFINGS.—Not later than March 15 of each year, the Secretary of Defense shall provide to the congressional defense committees a briefing regarding the nuclear weapons employment strategy, plans, and options of the United States.''.*

*(c) CLERICAL AND CONFORMING AMENDMENTS.—*

*(1) CHAPTER 24.—Part I of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:*

***''CHAPTER 24—NUCLEAR POSTURE***

*''Sec.*

*''491. Nuclear weapons employment strategy of the United States: modification of strategy.''.*

*(2) TABLE OF CHAPTERS.—The table of chapters at the beginning of subtitle A of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 23 the following new item:*

***''24. Nuclear posture ..... 491''.***

*(3) TRANSFER OF PROVISIONS.—*

*(A) CHAPTER 23.—Chapter 23 of title 10, United States Code, is amended as follows:*

*(i) Section 490a is—*

*(I) transferred to chapter 24 of such title, as added by paragraph (1);*

*(II) inserted after section 491 of such title, as added to such chapter 24 by subsection (b)(1); and*

*(III) redesignated as section 492.*

*(ii) The table of sections at the beginning of such chapter 23 is amended by striking the items relating to sections 490a and 491.*

*(B) FY12 NDAA.—Section 1077 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 50 U.S.C. 2514) is—*

*(i) transferred to chapter 24 of title 10, United States Code, as added by paragraph (1);*

*(ii) inserted after section 492 of such title, as added by subparagraph (A)(i);*

*(iii) redesignated as section 493; and*

*(iv) amended by striking ''the date of the enactment of this Act'' and inserting ''December 31, 2011,''.*

*(C) CHAPTER 24.—The table of sections at the beginning of chapter 24 of title 10, United States Code, as added by paragraph (1), is amended by inserting after the item relating to section 491 the following new items:*

*''492. Biennial assessment and report on the delivery platforms for nuclear weapons and the nuclear command and control system.*

*''493. Reports to Congress on the modification of the force structure for the strategic nuclear weapons delivery systems of the United States.''.*

*(4) CONFORMING AMENDMENT.—Section 1041(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1574) is amended by striking ''section 490a of title 10, United States Code, as added by subsection (a),'' and inserting ''section 492 of title 10, United States Code,''.*

***SEC. 1052. COMMITMENTS FOR NUCLEAR WEAPONS STOCKPILE MODERNIZATION.***

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

*(1) In 2008, then Secretary of Defense Robert Gates warned that ''to be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.''.*

*(2) Secretary Gates also warned in September 2009 that modernization is a prerequisite to nuclear force reductions, stating that modernizing the nuclear capability of the United States is an ''enabler of arms control and our ability to reduce the size of our nuclear stockpile. When we have more confidence in the long-term viability of our weapons systems, then our ability to reduce the number of weapons we must keep in the stockpile is enhanced.''.*

*(3) President Obama's 2010 Nuclear Posture Review stated that—*

*(A) ''In order to sustain a safe, secure, and effective U.S. nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure—comprised of the national security laboratories and a complex of supporting facilities.''; and*

*(B) ''[I]mplementation of the Stockpile Stewardship Program and the nuclear infrastructure investments recommended in the NPR will allow the United States to shift away from retaining large numbers of non-deployed warheads as a hedge against technical or geopolitical surprise, allowing major reductions in the nuclear stockpile. These investments are essential to facilitating reductions while sustaining deterrence under New START and beyond.''.*

*(4) Section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) required the President to submit a report to Congress on the plan for the nuclear weapons stockpile, nuclear weapons complex, and delivery platforms at the time a follow-on treaty to the Strategic Arms Reduction Treaty was submitted by the President to the Senate. The President submitted such report in May 2010 and submitted updates in November 2010 and February 2011.*

*(5) Such section 1251 also contained a sense of Congress that ''the enhanced safety, security, and reliability of the nuclear weapons stockpile, modernization of the nuclear weapons complex, and maintenance of nuclear delivery systems are key to enabling further reductions in the nuclear forces of the United States.''.*

*(6) Forty-one Senators wrote to President Obama on December 15, 2009, stating, ''we don't believe further reductions can be in the national security interest of the U.S. in the absence of a significant program to modernize our nuclear deterrent.''.*

*(7) Former Secretary of Defense and Secretary of Energy James Schlesinger stated, while testifying before the Committee on Foreign Relations of the Senate in April 2010, ''I believe that it is immensely important for the Senate to ensure, what the Administration has stated as its intent, i.e., that there be a robust plan with a continuation of its support over the full 10 years, before it proceeds to ratify this START follow-on treaty.''.*

*(8) Former Secretary of State James Baker stated in testimony before the Committee on Foreign Relations of the Senate in May 2010 that ''because our security is based upon the safety and reliability of our nuclear weapons, it is important that our Government budget enough money to guarantee that those weapons can carry out their mission.''.*

*(9) Former Secretary of State Henry Kissinger also stated in May 2010 while testifying before the Committee on Foreign Relations of the Senate that ''as part of a number of recommendations, my colleagues, Bill Perry, George Shultz, Sam Nunn, and I have called for significant investments in a repaired and modernized nuclear weapons infrastructure and added resources for the three national laboratories.''.*

*(10) Then Secretary of Defense Robert Gates, while testifying before the Committee on Armed Services of the Senate in June 2010, stated, ''I see this treaty as a vehicle to finally be able to get what we need in the way of modernization that we have been unable to get otherwise. . . . We are essentially the only nuclear power in the world that is not carrying out these kinds of modernization programs.''.*

*(11) Secretary Gates further stated that ''I've been up here for the last four springs trying to get money for this and this is the first time I think I've got a fair shot of actually getting money for our nuclear arsenal.''.*

*(12) The Directors of the national nuclear weapons laboratories wrote to the chairman and ranking member of the Committee on Foreign Relations of the Senate in December 2010 that ''We are very pleased by the update to the Section 1251 Report, as it would enable the laboratories to execute our requirements for ensuring a safe, secure, reliable and effective stockpile under the Stockpile Stewardship and Management Plan. In particular, we are pleased because it clearly responds to many of the concerns that we and others have voiced in the past about potential future-year funding shortfalls, and it substantially reduces risks to the overall program. In summary, we believe that the proposed budgets provide adequate support to sustain the safety, security, reliability and effectiveness of America's nuclear deterrent within the limit of 1,550 deployed strategic warheads established by the New START Treaty with adequate confidence and acceptable risk.''.*

*(13) President Obama pledged, in a December 2010 letter to several Senators, ''I recognize that nuclear modernization requires investment for the long-term. . . . That is my commitment to the Congress—that my Administration will pursue these programs and capabilities for as long as I am President.''.*

*(14) Secretary Gates added in May 2011 that, ''this modernization program was very carefully worked out between ourselves and the Department of Energy; and, frankly, where we came out on that played a fairly significant role in the willingness of the Senate to ratify the New START agreement.''.*

*(15) The Administrator for Nuclear Security, Thomas D'Agostino, testified before Congress in November 2011 that, ''it is critical to accept the linkage between modernizing our current stockpile in order to achieve the policy objective of decreasing the number of weapons we have in our stockpile, while still ensuring that the deterrent is safe, secure, and effective.''.*

*(b) NEW START TREATY DEFINED.—In this subtitle, the term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.*

***SEC. 1053. LIMITATION AND REPORT IN THE EVENT OF INSUFFICIENT FUNDING FOR MODERNIZATION OF NUCLEAR WEAPONS STOCKPILE.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) consistent with Condition 9 of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, agreed to on December 22, 2011, the United States is committed to ensuring the safety, security, reliability, and credibility of its nuclear forces; and*

*(2) the United States is committed to—*

*(A) proceeding with a robust stockpile stewardship program and maintaining and modernizing nuclear weapons production capabilities and capacities of the United States to ensure the safety, security, reliability, and credibility of the nuclear arsenal of the United States at the New START Treaty levels and meeting requirements for hedging against possible international developments or technical problems;*

*(B) reinvigorating and sustaining the nuclear security laboratories of the United States and preserving the core nuclear weapons competencies therein; and*

*(C) providing the resources needed to achieve these objectives, at a minimum at the levels set forth in the President's 10-year plan provided to Congress in November 2010 pursuant to section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549).*

*(b) INSUFFICIENT FUNDING REPORT AND LIMITATION.—*

*(1) IN GENERAL.—Paragraph (2) of section 1045(a) of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b) is amended to read as follows:*

*''(2) INSUFFICIENT FUNDING.—*

*''(A) REPORT.—During each year in which the New START Treaty is in force, if the President determines that an appropriations Act is enacted that fails to meet the resource levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) or if at any time determines that more resources are required to carry out such plan than were estimated, the President shall submit to the appropriate congressional committees, within 60 days of making such a determination, a report detailing—*

*''(i) a plan to remedy the resource shortfall;*

*''(ii) if more resources are required to carry out the plan than were estimated—*

*''(I) the proposed level of funding required; and*

*''(II) an identification of the stockpile work, campaign, facility, site, asset, program, operation, activity, construction, or project for which additional funds are required;*

*''(iii) any effects caused by the shortfall on the safety, security, reliability, or credibility of the nuclear forces of the United States; and*

*''(iv) whether and why, in light of the shortfall, remaining a party to the New START Treaty is in the national interest of the United States.*

*''(B) LIMITATION.—If the President submits a report under subparagraph (A), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used to reduce the number of deployed nuclear warheads until—*

''(i) after the date on which such report is submitted, the President certifies in writing to the appropriate congressional committees that the resource shortfall identified in such report has been addressed; and

''(ii) a period of 120 days has elapsed following the date on which such certification is made.

''(C) EXCEPTION.—The limitation in subparagraph (B) shall not apply to—

''(i) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

''(ii) nuclear warheads that are retired or awaiting dismantlement on the date of the report under subparagraph (A).

''(D) DEFINITIONS.—In this paragraph:

''(i) The term 'appropriate congressional committees' means—

''(I) the congressional defense committees; and

''(II) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

''(ii) The term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2012.

**SEC. 1054. PROGRESS OF MODERNIZATION.**

(a) FINDINGS.—Congress finds the following:

(1) In 2008, then Secretary of Defense Robert Gates warned that ''to be blunt, there is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.''.

(2) The 2010 Nuclear Posture Review stated that ''the President has directed a review of post-New START arms control objectives, to consider future reductions in nuclear weapons. Several factors will influence the magnitude and pace of future reductions in U.S. nuclear forces below New START levels'', including—

(A) ''First, any future nuclear reductions must continue to strengthen deterrence of potential regional adversaries, strategic stability vis-à-vis Russia and China, and assurance of our allies and partners. This will require an updated assessment of deterrence requirements; further improvements in U.S., allied, and partner nonnuclear capabilities; focused reductions in strategic and non-strategic weapons; and close consultations with allies and partners. The United States will continue to ensure that, in the calculations of any potential opponent, the perceived gains of attacking the United States or its allies and partners would be far outweighed by the unacceptable costs of the response.'';

(B) ''Second, implementation of the Stockpile Stewardship Program and the nuclear infrastructure investments recommended in the NPR will allow the United States to shift away from retaining large numbers of non-deployed warheads as a hedge against technical or geopolitical surprise, allowing major reductions in the nuclear stockpile. These investments are essential to facilitating reductions while sustaining deterrence under New START and beyond.''; and

(C) ''Third, Russia's nuclear force will remain a significant factor in determining how much and how fast we are prepared to reduce U.S. forces. Because of our improved relations, the need for strict numerical parity between the two countries is no longer as compelling as it was during the Cold War. But large disparities in nuclear capabilities could raise concerns on both sides and among U.S. allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced. Therefore, we will place importance on Russia joining us as we move to lower levels.''.

(3) The 2010 Nuclear Posture Review also stated that the Administration would ''conduct follow-on analysis to set goals for future nuclear reductions below the levels expected in New START, while strengthening deterrence of potential regional adversaries, strategic stability vis-à-vis Russia and China, and assurance of our allies and partners.''.

(4) The Secretary of Defense has warned in testimony before the Committee on Armed Services of the House of Representatives regarding the sequestration mechanism under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 that ''if this sequester goes into effect and it doubles the number of cuts, then it'll truly devastate our national defense, because it will then require that we have to go at our force structure. We will have to hollow it out . . . [i]t will badly damage our capabilities for the future. . . . And if you have a smaller force, you're not going to be able to be out there responding in as many areas as we do now.''.

(5) The 2010 Nuclear Posture Review also stated that ''by modernizing our aging nuclear facilities and investing in human capital, we can substantially reduce the number of nuclear weapons we retain as a hedge.''.

(6) The President requested the promised $7,600,000,000 for weapons activities of the National Nuclear Security Administration in fiscal year 2012 but signed an appropriations Act for fiscal year 2012 that provided only $7,233,997,000, a substantial reduction to only the second year of the ten-year plan under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549).

(7) The President requested only $7,577,341,000 for weapons activities of the National Nuclear Security Administration in fiscal year 2013 while the President's section 1251 plan promised $7,900,000,000.

(8) The President's section 1251 plan further promised to request $8,400,000,000 in fiscal year 2014, $8,700,000,000 in fiscal year 2015, $8,900,000,000 in fiscal year 2016, at least $8,900,000,000 in fiscal year 2017, at least $9,200,000,000 in fiscal year 2018, at least $9,400,000,000 in fiscal year 2019, at least $9,400,000,000 in fiscal year 2020, and at least $9,500,000,000 in fiscal year 2021.

(9) While the administration has not yet shared with Congress the terms of reference of the so-called Nuclear Posture Review Implementation Study, or the Department of Defense's instructions for that review, the only publicly available statements by the administration, including language from the Nuclear Posture Review, suggest the review was specifically instructed by the President and his senior political appointees to only consider reductions to the nuclear forces of the United States.

(10) When asked at a hearing if the New START Treaty allowed the United States ''to maintain a nuclear arsenal that is more than is needed to guarantee an adequate deterrent,'' then Commander of the United States Strategic Command, General Kevin P. Chilton said, ''I do not agree that it is more than is needed. I think the arsenal that we have is exactly what is needed today to provide the deterrent.''.

(b) NUCLEAR EMPLOYMENT STRATEGY.—Section 491 of title 10, United States Code, as amended by section 1051, is amended by adding after subsection (b) the following:

''(c) LIMITATION.—With respect to a new nuclear weapons employment strategy described in a report submitted to Congress under subsection (a), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to implement such strategy until a period of one year has elapsed following the date on which such report is submitted to Congress.''.

(c) LIMITATION.—During each of fiscal years 2012 through 2021, none of the funds made available for each such fiscal year for the Department of Defense may be used to carry out the results of the decisions made pursuant to the 2010 Nuclear Posture Review Implementation Study that would alter the nuclear weapons employment strategy, guidance, plans, or options of the United States until the date on which the President certifies to the congressional defense committees that—

(1) the President has included the resources necessary to carry out the February 2011 update to the report required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) in the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for such fiscal year;

(2) the resources described in paragraph (1) have been provided to the President in an appropriations Act; and

(3) the sequestration mechanism under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 has been repealed or the sequestration mechanism under such section for the security category has otherwise been terminated.

**SEC. 1055. LIMITATION ON STRATEGIC DELIVERY SYSTEM REDUCTIONS.**

(a) FINDINGS.—Congress finds the following:

(1) The Nuclear Posture Review of 2010 said, with respect to modernizing the triad, ''for planned reductions under New START, the United States should retain a smaller Triad of SLBMs, ICBMs, and heavy bombers. Retaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities.''.

(2) The Senate stated in Declaration 13 of the Resolution of Advice and Consent to Ratification of the New START Treaty that ''In accordance with paragraph 1 of Article V of the New START Treaty, which states that, 'Subject to the provisions of this Treaty, modernization and replacement of strategic offensive arms may be carried out,' it is the sense of the Senate that United States deterrence and flexibility is assured by a robust triad of strategic delivery vehicles. To this end, the United States is committed to accomplishing the modernization and replacement of its strategic nuclear delivery vehicles, and to ensuring the continued flexibility of United States conventional and nuclear delivery systems.''.

(3) The Senate required the President, prior to the entry into force of the New START Treaty, to certify to the Senate that the President intended to modernize or replace the triad of strategic nuclear delivery systems.

(4) The President made this certification in a message to the Senate on February 2, 2011, in which the President stated, ''I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b) maintain the United States rocket motor industrial base.''.

(b) LIMITATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

**''§ 494. Strategic delivery system reductions**

''(a) ANNUAL CERTIFICATION.—Beginning fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether plans to modernize or replace strategic delivery systems are fully resourced and being executed at a level equal to or more than the levels set forth in the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549), including plans regarding—

''(1) a heavy bomber and air-launched cruise missile;

''(2) an intercontinental ballistic missile;

''(3) a submarine-launched ballistic missile;

''(4) a ballistic missile submarine; and

''(5) maintaining—

''(A) the nuclear command and control system; and

''(B) the rocket motor industrial base of the United States.

''(b) LIMITATION.—If the President certifies under subsection (a) that plans to modernize or replace strategic delivery systems are not fully resourced or being executed, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to reduce, convert, or eliminate strategic delivery systems, whether deployed or nondeployed, pursuant to the New START Treaty or otherwise until a period of 120 days has elapsed following the date on which such certification is made.

''(c) EXCEPTION.—The limitation in subsection (b) shall not apply to—

''(1) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and delivery systems; or

''(2) strategic delivery systems that are retired or awaiting dismantlement on the date of the certification under subsection (a).

''(d) DEFINITIONS.—In this section:

''(1) The term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

''(2) The term 'strategic delivery system' means a delivery platform for nuclear weapons.''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''494. Strategic delivery system reductions.''.

**SEC. 1056. PREVENTION OF ASYMMETRY OF NUCLEAR WEAPON STOCKPILE REDUCTIONS.**

(a) FINDINGS.—Congress finds the following:

(1) Then Secretary of Defense Robert Gates warned in 2008 that, ''There is no way to ignore efforts by rogue states such as North Korea and Iran to develop and deploy nuclear weapons or Russian or Chinese strategic modernization programs. To be sure, we do not consider Russia or China as adversaries, but we cannot ignore these developments and the implications they have for our national security.''.

(2) The 2010 Nuclear Posture Review stated that, ''large disparities in nuclear capabilities could raise concerns on both sides and among U.S. allies and partners, and may not be conducive to maintaining a stable, long-term strategic relationship, especially as nuclear forces are significantly reduced.''.

(3) The Senate stated in the Resolution of Advice and Consent to Ratification of the New START Treaty that, ''It is the sense of the Senate that, in conducting the reductions mandated by the New START Treaty, the President should regulate reductions in United States strategic offensive arms so that the number of accountable strategic offensive arms under the New START Treaty possessed by the Russian Federation in no case exceeds the comparable number of accountable strategic offensive arms possessed by the United States to such an extent that a strategic imbalance endangers the national security interests of the United States.''.

(4) At a hearing before the Committee on Armed Services of the House of Representatives in 2011, Secretary of Defense Leon Panetta said, with respect to unilateral nuclear reductions by the United States, ''I don't think we ought to do that unilaterally—we ought to do that on the basis of negotiations with the Russians and others to make sure we are all walking the same path.''.

(b) CERTIFICATION.—Section 1045 of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b) is amended by adding at the end the following new subsection:

''(d) PREVENTION OF ASYMMETRY IN REDUCTIONS.—

''(1) CERTIFICATION.—During any year in which the President recommends to reduce the number of nuclear weapons in the active and inactive stockpiles of the United States by a number that is greater than one percent of the number of nuclear weapons in such stockpiles, the President shall certify in writing to the congressional defense committees whether such reductions will cause the number of nuclear weapons in such stockpiles to be fewer than the number of nuclear weapons in the active and inactive stockpiles of the Russian Federation.

''(2) LIMITATION.—If the President certifies under paragraph (1) that the recommended number of nuclear weapons in the active and inactive stockpiles of the United States is fewer than the number of nuclear weapons in the active and inactive stockpiles of the Russian Federation, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used to carry out any reduction to such stockpiles of the United States until—

''(A) after the date on which such certification is made, the President transmits to the congressional defense committees a report by the Commander of the United States Strategic Command, without change, detailing whether the recommended reduction would create a strategic imbalance between the total nuclear forces of the United States and the total nuclear forces of the Russian Federation; and

''(B) a period of 180 days has elapsed following the date on which such report is transmitted.

''(3) EXCEPTION.—The limitation in paragraph (2) shall not apply to—

''(A) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and strategic delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or

''(B) nuclear warheads that are retired or awaiting dismantlement on the date of the certification under paragraph (1).''.

**SEC. 1057. CONSIDERATION OF EXPANSION OF NUCLEAR FORCES OF OTHER COUNTRIES.**

(a) FINDINGS.—Congress finds the following:

(1) The Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate said, ''It is the sense of the Senate that if, during the time the New START Treaty remains in force, the President determines that there has been an expansion of the strategic arsenal of any country not party to the New START Treaty so as to jeopardize the supreme interests of the United States, then the President should consult on an urgent basis with the Senate to determine whether adherence to the New START Treaty remains in the national interest of the United States.''.

(2) In 2011, experts testified before the Committee on Armed Services of the House of Representatives that—

(A) ''Russia is modernizing every leg of its nuclear triad with new, more advanced systems'', including new ballistic missile submarines, new heavy intercontinental ballistic missiles carrying up to 15 warheads each, new shorter range ballistic missiles, and new low-yield warheads; and

(B) ''China is steadily increasing the numbers and capabilities of the ballistic missiles it deploys and is upgrading older ICBMs to newer, more advanced systems. China also appears to be actively working to develop a submarine-based nuclear deterrent force, something it has never had. . . . A recent unclassified Department of Defense report says that this network of tunnels could be in excess of 5,000 kilometers and is used to transport nuclear weapons and forces.''.

(b) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:

**''§495. Consideration of expansion of nuclear forces of other countries**

''(a) REPORT AND CERTIFICATION.—During any year in which the President recommends any reductions in the nuclear forces of the United States, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used for such recommended reduction until the date on which—

''(1) the President transmits to the appropriate congressional committees a report detailing, for each country with nuclear weapons—

''(A) the number of each type of nuclear weapons possessed by such country;

''(B) the modernization plans for such weapons of such country;

''(C) the production capacity of nuclear warheads and strategic delivery systems (as defined in section 491(c) of this title) of such country; and

''(D) the nuclear doctrine of such country; and

''(2) the Commander of the United States Strategic Command certifies to the appropriate congressional committees whether such recommended reductions in the nuclear forces of the United States will—

''(A) impair the ability of the United States to address—

''(i) unplanned strategic or geopolitical events; or

''(ii) technical challenge; or

''(B) degrade the deterrence or assurance provided by the United States to friends and allies of the United States.

''(b) FORM.—The reports required by subsection (a)(1) shall be submitted in unclassified form, but may include a classified annex.

''(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means the following:

''(1) The congressional defense committees.

''(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.''.

(2) The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 494 the following new item:

''495. Consideration of expansion of nuclear forces of other countries.''.

**SEC. 1058. CHEMISTRY AND METALLURGY RESEARCH REPLACEMENT NUCLEAR FACILITY AND URANIUM PROCESSING FACILITY.**

(a) FINDINGS.—Congress finds the following:

(1) Administrator for Nuclear Security Thomas D'Agostino testified before the Committee on Armed Services of the House of Representatives in February 2008 that ''Infrastructure improvements are a major part of the complex transformation plan that we have, and we've made important progress, but we have a lot more to do. Some major facilities that we have date back to World War II and cannot readily meet today's safety and security requirements. Let me give you just two quick examples, if I could. A sufficient capability to work with plutonium is an essential part of a national security enterprise and is required for as long as we retain a nuclear deterrent, and most likely even longer. Currently, we have a very small production capacity at Los Alamos, about 10 pits per year, at our TA–55 area. Our building at Los Alamos,

*the Chemistry and Metallurgy Research Facility, is well over 50 years old and is insufficient to support the national security requirements for the stockpile and for future national security mission areas. So, whether we continue on our existing path or move towards a replacement modern warhead-type stockpile, we still need the capacity to produce about 50 to 80 pits per year, which is less than one-tenth of our Cold War level, as well as the ability to carry out pit surveillance, which is an essential part of maintaining our stockpile.''.*

*(2) Then Commander of the United States Strategic Command General Kevin P. Chilton also testified in February 2008 that ''When you have a responsive complex that has the capacity to flex to production as you may need it or adjust your deployed force posture in the future, should you need it—in other words, if we go to a lower number, you need to be certain that you can come back up, should the strategic environment change, and you can't necessarily without that flexible or responsive infrastructure behind it, and that's probably one of my great concerns. And then how you posture both the portion of your stockpile that you hold in reserve and your confidence in the weapons that you have deployed is very much a function of modernizing, in my view, the weapons systems that we have available today, which are, as the secretary described, of Cold War legacy design, and the associated issues with them.''.*

*(3) The Congressional Commission on the Strategic Posture of the United States reported in May 2009, with respect to the timing of the replacement of the nuclear weapons infrastructure of the United States, that ''This raises an obvious question about whether these two replacement programs might proceed in sequence rather than concurrently. There are strong arguments for moving forward concurrently. Existing facilities are genuinely decrepit and are maintained in a safe and secure manner only at high cost. Moreover, the improved production capabilities they promise are integral to the program of refurbishment and modernization described in the preceding chapter. If funding can be found for both, this would best serve the national interest in maintaining a safe, secure, and reliable stockpile of weapons in the most effective and efficient manner.''.*

*(4) The 2010 Nuclear Posture Review states—*

*(A) ''The National Nuclear Security Administration (NNSA), in close coordination with DoD, will provide a new stockpile stewardship and management plan to Congress within 90 days, consistent with the increases in infrastructure investment requested in the President's FY 2011 budget. As critical infrastructure is restored and modernized, it will allow the United States to begin to shift away from retaining large numbers of non-deployed warheads as a technical hedge, allowing additional reductions in the U.S. stockpile of non-deployed nuclear weapons over time.'';*

*(B) ''In order to sustain a safe, secure, and effective U.S. nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure—comprised of the national security laboratories and a complex of supporting facilities.'';*

*(C) ''Funding the Chemistry and Metallurgy Research Replacement Project at Los Alamos National Laboratory to replace the existing 50-year old Chemistry and Metallurgy Research facility in 2021.'';*

*(D) ''Developing a new Uranium Processing Facility at the Y–12 Plant in Oak Ridge, Tennessee to come on line for production operations in 2021.'';*

*(E) ''Without an ability to produce uranium components, any plan to sustain the stockpile, as well as support for our Navy nuclear propulsion, will come to a halt. This would have a significant impact, not just on the weapons program, but in dealing with nuclear dangers of many kinds.''; and*

*(F) ''The non-deployed stockpile currently includes more warheads than required for the above purposes, due to the limited capacity of the National Nuclear Security Administration (NNSA) complex to conduct LEPs for deployed weapons in a timely manner. Progress in restoring NNSA's production infrastructure will allow these excess warheads to be retired along with other stockpile reductions planned over the next decade.''.*

*(5) In the memorandum of agreement between the Department of Defense and the Department of Energy concerning the modernization of the nuclear weapon stockpile of the United States dated May 3, 2010, then Secretary of Defense Robert Gates and Secretary of Energy Steven Chu agreed that ''DOE Agrees to . . . increase pit production capacity . . . plan and program to ramp up to a minimum of 50–80 PPY in 2022.''.*

*(6) The plan required under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549) submitted by the President states that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will complete construction by 2021 and will achieve full operational functionality by 2024.*

*(7) The Senate required that, prior to the entry into force of the New START Treaty, the President certifies to the Senate that the President intends to—*

*(A) accelerate to the extent possible the design and engineering phase of the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility; and*

*(B) request full funding, including on a multiyear basis as appropriate, for the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility upon completion of the design and engineering phase for such facilities.*

*(8) The President did request full funding for such facilities on February 2, 2011, when the President stated, ''I intend to (a) accelerate, to the extent possible, the design and engineering phase of the Chemistry and Metallurgy Research Replacement (CMRR) building and the Uranium Processing Facility (UPF); and (b) request full funding, including on a multi-year basis as appropriate, for the CMRR building and the UPF upon completion of the design and engineering phase for such facilities.''.*

*(b) LIMITATION.—Section 1045 of the National Defense Authorization Act for Fiscal Year 2012 (50 U.S.C. 2523b), as amended by section 1056(b), is amended by adding at the end the following new subsection:*

*''(e) CMRR AND UPF.—*

*''(1) ANNUAL CERTIFICATION.—Beginning fiscal year 2013, the President shall annually certify in writing to the congressional defense committees whether—*

*''(A) the construction of both the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will be completed by not later than 2021; and*

*''(B) both facilities will be fully operational by not later than 2024.*

*''(2) LIMITATION.—If the President certifies under paragraph (1) that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility will be completed by later than 2021 or be fully operational by later than 2024, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the National Nuclear Security Administration may be used to reduce the non-deployed nuclear warheads in the nuclear weapons stockpile of the United States until a period of 120 days has elapsed following the date of such certification.*

*''(3) EXCEPTION.—The limitation in paragraph (2) shall not apply to—*

*''(A) reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems; or*

*''(B) nuclear warheads that are retired or awaiting dismantlement on the date of the certification under paragraph (1).*

*''(4) TERMINATION.—The requirement in paragraph (1) shall terminate on the date on which the President certifies in writing to the congressional defense committees that the Chemistry and Metallurgy Research Replacement building and the Uranium Processing Facility are both fully operational.''.*

***SEC. 1059. NUCLEAR WARHEADS ON INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that reducing the number of nuclear warheads contained on each intercontinental ballistic missile of the United States does not promote strategic stability if at the same time other nuclear weapons states, including the Russian Federation and the People's Republic of China, are rapidly increasing the warhead-loading of their land-based missile forces.*

*(b) LIMITATION.—*

*(1) IN GENERAL.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:*

***''§ 496. Nuclear warheads on intercontinental ballistic missiles of the United States***

*''(a) IN GENERAL.—During any year in which the President proposes to reduce the number of nuclear warheads contained on an intercontinental ballistic missile of the United States, none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense or the National Nuclear Security Administration may be used for such proposed reduction if the reduction results in such missile having only a single nuclear warhead unless the President certifies in writing to the congressional defense committees that the Russian Federation and the People's Republic of China are both also carrying out a similar reduction.*

*''(b) EXCEPTION.—The limitation in subsection (a) shall not apply to reductions made to ensure the safety, security, reliability, and credibility of the nuclear weapons stockpile and delivery systems, including activities related to surveillance, assessment, certification, testing, and maintenance of nuclear warheads and strategic delivery systems.''.*

*(2) The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 495 the following:*

*''496. Nuclear warheads on intercontinental ballistic missiles of the United States.''.*

***SEC. 1060. NONSTRATEGIC NUCLEAR WEAPON REDUCTIONS AND EXTENDED DETERRENCE POLICY.***

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

*(1) The NATO Strategic Concept of 2010 endorsed the continued role of nuclear weapons in the security of the NATO alliance, stating—*

*(A) ''The supreme guarantee of the security of the Allies is provided by the strategic nuclear forces of the Alliance, particularly those of the United States; the independent strategic nuclear forces of the United Kingdom and France, which have a deterrent role of their own, contribute to the overall deterrence and security of the Allies.'';*

*(B) ''We will ensure that NATO has the full range of capabilities necessary to deter and defend against any threat to the safety and security of our populations. Therefore, we will . . . maintain an appropriate mix of nuclear and conventional forces''; and*

*(C) ''[NATO will] ensure the broadest possible participation of Allies in collective defence planning on nuclear roles, in peacetime basing of nuclear forces, and in command, control and consultation arrangements.''.*

*(2) However, the 2010 Strategic Concept also walked away from the decades-long policy encapsulated by the 1999 Strategic Concept that*

*said, ''The presence of United States conventional and nuclear forces in Europe remains vital to the security of Europe, which is inseparably linked to that of North America.''.*

*(3) Former Secretary of Defense William Perry said in March 2011 testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives that ''the reason we have nuclear weapons in Europe in the first place, is not because the rest of our weapons are not capable of deterrence, but because, during the Cold War at least, our allies in Europe felt more assured when we had nuclear weapons in Europe. That is why they were deployed there in the first place. Today the issue is a little different. The issue is the Russians in the meantime have built a large number of nuclear weapons, and we keep our nuclear weapons there as somewhat of a political leverage for dealing with an ultimate treaty in which we may get Russia and the United States to eliminate tactical nuclear weapons. My own view is it would be desirable if both the United States and Russia would eliminate tactical nuclear weapons, but I see it as very difficult to arrive at that conclusion if we were to simply eliminate all of our tactical nuclear weapons unilaterally.''.*

*(4) During testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives in July 2011—*

*(A) former Department of Defense official Frank Miller stated, ''as long as U.S. allies believe that those weapons need to be there, we need to make sure that we provide that security.''; and*

*(B) former Department of Defense official Mort Halperin stated, ''I do not think we should be willing to trade our withdrawal of our nuclear weapons from Europe for some reduction, even a substantial reduction, in Russian tactical nuclear weapons because if it is . . . that the credibility of the American nuclear deterrent for our NATO allies depends on the presence of nuclear weapons in Europe, that will not change if the Russians cut their tactical nuclear arsenal by two thirds, or even eliminate it because they will still have their strategic weapons, which, while they can't have intermediate range missiles, they can find a way to target them on the NATO countries.''.*

*(5) Section 1237(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) expressed the sense of Congress that—*

*(A) the commitment of the United States to extended deterrence in Europe and the nuclear alliance of NATO is an important component of ensuring and linking the national security of the United States and its European allies;*

*(B) the nuclear forces of the United States are a key component of the NATO nuclear alliance; and*

*(C) the presence of the nuclear weapons of the United States in Europe—combined with NATO's unique nuclear sharing arrangements under which non-nuclear members participate in nuclear planning and possess specially configured aircraft capable of delivering nuclear weapons—provides reassurance to NATO allies who feel exposed to regional threats.*

*(b) LIMITATION.—Chapter 24 of title 10, United States Code, as added by section 1051, is amended by adding at the end the following new section:*

***''§ 497. Limitation on reduction, consolidation, or withdrawal of nuclear forces based in Europe***

*''(a) POLICY ON NONSTRATEGIC NUCLEAR WEAPONS.—It is the policy of the United States—*

*''(1) to pursue negotiations with the Russian Federation aimed at the reduction of Russian deployed and nondeployed, nonstrategic nuclear forces;*

*''(2) that nonstrategic nuclear weapons should be considered when weighing the balance of the nuclear forces of the United States and the Russian Federation;*

*''(3) that any geographical relocation or storage of nonstrategic nuclear weapons by the Russian Federation does not constitute a reduction or elimination of such weapons;*

*''(4) the vast advantage of the Russian Federation in nonstrategic nuclear weapons constitutes a threat to the United States and its allies and a growing asymmetry in Western Europe; and*

*''(5) the forward-deployed nuclear forces of the United States are an important contributor to the assurance of the allies of the United States and constitute a check on proliferation and a tool in dealing with neighboring states hostile to NATO.*

*''(b) POLICY ON EXTENDED DETERRENCE COMMITMENT TO EUROPE.—It is the policy of the United States that—*

*''(1) it maintain its commitment to extended deterrence, specifically the nuclear alliance of the North Atlantic Treaty Organization, as an important component of ensuring and linking the national security interests of the United States and the security of its European allies;*

*''(2) forward-deployed nuclear forces of the United States shall remain based in Europe in support of the nuclear policy and posture of NATO;*

*''(3) the presence of nuclear weapons of the United States in Europe—combined with NATO's unique nuclear sharing arrangements under which non-nuclear members participate in nuclear planning and possess specially configured aircraft capable of delivering nuclear weapons—contributes to the cohesion of NATO and provides reassurance to allies and partners who feel exposed to regional threats; and*

*''(4) only the President and Congress can articulate when and how the United States will employ the nuclear forces of the United States and no multilateral organization, not even NATO, can articulate a declaratory policy concerning the use of nuclear weapons that binds the United States.*

*''(c) LIMITATION ON REDUCTION, CONSOLIDATION, OR WITHDRAWAL OF NUCLEAR FORCES BASED IN EUROPE.—In light of the policy expressed in subsections (a) and (b), none of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to effect or implement the reduction, consolidation, or withdrawal of nuclear forces of the United States that are based in Europe unless—*

*''(1) the reduction, consolidation, or withdrawal of such nuclear forces is requested by the government of the host nation in the manner provided in the agreement between the United States and the host nation regarding the forces;*

*''(2) the President certifies that—*

*''(A) NATO member states have considered the reduction, consolidation, or withdrawal in the High Level Group;*

*''(B) NATO has decided to support such reduction, consolidation, or withdrawal;*

*''(C) the remaining nuclear forces of the United States that are based in Europe after such reduction, consolidation, or withdrawal would provide a commensurate or better level of assurance and credibility as before such reduction, consolidation, or withdrawal; and*

*''(D) there has been reciprocal action by the Russian Federation, not including the Russian Federation relocating nuclear forces from one location to another; or*

*''(3) the reduction, consolidation, or withdrawal of such nuclear forces is specifically authorized by an Act of Congress.*

*''(d) NOTIFICATION.—Upon any decision to reduce, consolidate, or withdraw the nuclear forces of the United States that are based in Europe, the President shall submit to the appropriate congressional committees a notification containing—*

*''(1) the certification required by paragraph (2) of subsection (c) if such reduction, consolidation, or withdrawal is based upon such paragraph;*

*''(2) justification for such reduction, consolidation, or withdrawal; and*

*''(3) an assessment of how NATO member states, in light of such reduction, consolidation, or withdrawal, assess the credibility of the deterrence capability of the United States in support of its commitments undertaken pursuant to article 5 of the North Atlantic Treaty, signed at Washington, District of Columbia, on April 4, 1949, and entered into force on August 24, 1949 (63 Stat. 2241; TIAS 1964).*

*''(e) NOTICE AND WAIT REQUIREMENT.—The President may not commence a reduction, consolidation, or withdrawal of the nuclear forces of the United States that are based in Europe for which the certification required by subsection (c)(2) is made until the expiration of a 180-day period beginning on the date on which the President submits the notification under subsection (d) containing the certification.*

*''(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term 'appropriate congressional committees' means—*

*''(1) the Committees on Armed Services of the House of Representatives and the Senate; and*

*''(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.''.*

*(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 24 of title 10, United States Code, is amended by inserting after the item relating to section 496 the following:*

*''497. Limitation on reduction, consolidation, or withdrawal of nuclear forces based in Europe.''.*

***SEC. 1061. IMPROVEMENTS TO NUCLEAR WEAPONS COUNCIL.***

*Section 179 of title 10, United States Code, is amended—*

*(1) in subsection (b)(3), by adding at the end the following: ''Not later than seven days before a meeting, the Chairman shall disseminate to each member of the Council the agenda and documents for such meeting.''; and*

*(2) in subsection (d)—*

*(A) in paragraph (2), by inserting ''and alternatives'' before the period;*

*(B) in paragraph (3), by inserting ''and approving'' after ''Coordinating'';*

*(C) in paragraph (7)—*

*(i) by striking ''broad'' and inserting ''specific''; and*

*(ii) by inserting before the period the following: ''and priorities among activities, including production, surveillance, research, construction, and any other programs within the National Nuclear Security Administration''; and*

*(D) by adding at the end the following new paragraph:*

*''(11) Coordinating and approving the annual budget proposals of the National Nuclear Security Administration, including before such proposals are submitted to—*

*''(A) the Director of the Office of Management and Budget;*

*''(B) the President; and*

*''(C) Congress under section 1105 of title 31.''.*

***SEC. 1062. INTERAGENCY COUNCIL ON THE STRATEGIC CAPABILITY OF THE NATIONAL LABORATORIES.***

*(a) ESTABLISHMENT.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 188. Interagency Council on the Strategic Capability of the National Laboratories***

*''(a) ESTABLISHMENT.—There is an Interagency Council on the Strategic Capability of the National Laboratories (in this section referred to as the 'Council').*

*''(b) MEMBERSHIP.—The membership of the Council is comprised of the following:*

*''(1) The Secretary of Defense.*

*''(2) The Secretary of Energy.*

*''(3) The Secretary of Homeland Security.*

''(4) The Director of National Intelligence.

''(5) The Administrator for Nuclear Security.

''(6) Such other officials as the President considers appropriate.

''(c) STRUCTURE AND PROCEDURES.—The President may determine the chair, structure, staff, and procedures of the Council.

''(d) RESPONSIBILITIES.—The Council shall be responsible for the following matters:

''(1) Identifying and considering the science, technology, and engineering capabilities of the national laboratories that could be leveraged by each participating agency to support national security missions.

''(2) Reviewing and assessing the adequacy of the national security science, technology, and engineering capabilities of the national laboratories for supporting national security missions throughout the Federal Government.

''(3) Establishing and overseeing means of ensuring that—

''(A) capabilities identified by the Council under paragraph (1) are sustained to an appropriate level; and

''(B) each participating agency provides the appropriate level of institutional support to sustain such capabilities.

''(4) In accordance with acquisition rules regarding federally funded research and development centers, establishing criteria for when each participating agency should seek to use the services of the national laboratories, including the identification of appropriate mission areas and capabilities.

''(5) Making recommendations to the President and Congress regarding regulatory or statutory changes needed to better support—

''(A) the strategic capabilities of the national laboratories; and

''(B) the use of such laboratories by each participating agency.

''(6) Other actions the Council considers appropriate with respect to—

''(A) the sustainment of the national laboratories; and

''(B) the use of the strategic capabilities of such laboratories.

''(e) STREAMLINED PROCESS.—With respect to the participating agency for which a member of the Council is the head of, each member of the Council shall—

''(1) establish processes to streamline the consideration and approval of procuring the services of the national laboratories on appropriate matters; and

''(2) ensure that such processes are used in accordance with the criteria established under subsection (d)(4).

''(f) DEFINITIONS.—In this section:

''(1) The term 'participating agency' means a department or agency of the Federal Government that is represented on the Council by a member under subsection (b).

''(2) The term 'national laboratories' means—

''(A) each national security laboratory (as defined in section 3281(1) of the National Nuclear Security Administration Act (50 U.S.C. 2471(1))); and

''(B) each national laboratory of the Department of Energy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 187 the following new item:

''188. Interagency Council on the Strategic Capability of the National Laboratories.''.

(c) REPORT.—

(1) IN GENERAL.—Not later than July 1, 2013, the Interagency Council on the Strategic Capability of the National Laboratories under section 188 of title 10, United States Code, as added by subsection (a), shall submit to the appropriate congressional committees a report describing and assessing the following:

(A) The actions taken to implement the requirements of such section 188 and the charter titled ''Governance Charter for an Interagency Council on the Strategic Capability of DOE National Laboratories as National Security Assets'' signed by the Secretary of Defense, the Secretary of Energy, the Secretary of Homeland Security, and the Director of National Intelligence in July 2010.

(B) The effectiveness of the Council in accomplishing the purpose and objectives of such section and such Charter.

(C) Efforts to strengthen work-for-others programs at the national laboratories.

(D) Efforts to make work-for-others opportunities more cost-effective.

(E) Ongoing and planned measures for increasing cost-sharing and institutional support investments from other agencies.

(F) Any regulatory or statutory changes recommended to improve the ability of such other agencies to leverage expertise and capabilities at such laboratories.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(C) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(D) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(E) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) CONSTRUCTION.—Nothing in section 188 of title 10, United States Code, as added by subsection (a), shall be construed to limit section 309 of the Homeland Security Act of 2002 (6 U.S.C. 189).

**SEC. 1063. REPORT ON CAPABILITY OF CONVENTIONAL AND NUCLEAR FORCES AGAINST CERTAIN TUNNEL SITES.**

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Commander of the United States Strategic Command shall submit to the appropriate congressional committees a report on the underground tunnel network used by the People's Republic of China with respect to the capability of the United States to use conventional and nuclear forces to neutralize such tunnels and what is stored within such tunnels.

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

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 1064. REPORT ON CONVENTIONAL AND NUCLEAR FORCES IN THE WESTERN PACIFIC REGION.**

(a) SENSE OF CONGRESS.—Congress—

(1) supports steps taken by the President to—

(A) reinforce the security of the allies of the United States; and

(B) strengthen the deterrent capability of the United States against the illegal and increasingly belligerent actions of North Korea; and

(2) encourages further steps, including such steps to deploy additional conventional forces of the United States and redeploy tactical nuclear weapons to the Western Pacific region.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report on deploying additional conventional and nuclear forces to the Western Pacific region to ensure the presence of a robust conventional and nuclear capability, including a forward-deployed nuclear capability, of the United States in response to the ballistic missile and nuclear weapons developments of North Korea and the other belligerent actions North Korea has made against allies of the United States. The report shall include an evaluation of any bilateral agreements, basing arrangements, and costs that would be involved with such additional deployments.

**SEC. 1065. SENSE OF CONGRESS ON NUCLEAR ARSENAL.**

It is the sense of Congress that the nuclear force structure of the United States should be periodically reexamined, through nuclear posture reviews, to assess assumptions that shape the structure, size, and targeting of the nuclear forces of the United States and to ensure that such forces are structured, sized, and targeted—

(1) to be capable of holding at risk the assets that potential adversaries value; and

(2) to provide robust extended deterrence and assurance to allies of the United States.

**Subtitle F—Studies and Reports**

**SEC. 1066. ASSESSMENT OF DEPARTMENT OF DEFENSE USE OF ELECTROMAGNETIC SPECTRUM.**

(a) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report assessing the use of electromagnetic spectrum by the Department of Defense, including—

(1) a comparison of the actual and projected cost impact, time required to plan and implement, and policy implications of electromagnetic spectrum reallocations made since the enactment of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66, 107 Stat. 312);

(2) an identification of critical electromagnetic spectrum assignments where there is use by the Department of Defense that—

(A) cannot be eliminated, relocated, consolidated in other electromagnetic spectrum bands, or for which there is no commercial or non-spectrum alternative, including a detailed explanation of why that is the case; and

(B) can be eliminated, relocated, consolidated in other electromagnetic spectrum bands, or for which there is a commercial or non-spectrum alternative, including frequency of use, time necessary to relocate or consolidate to another electromagnetic spectrum band, and operational and cost impacts; and

(3) an analysis of the research being conducted by the Department of Defense in electromagnetic spectrum-sharing and other dynamic electromagnetic spectrum access technologies, including maturity level, applicability for spectrum relocation or consolidation, and potential costs for continued development or implementation.

(b) INTERIM UPDATE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing to update such committees on the status of the report required under subsection (b).

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1067. ELECTRONIC WARFARE STRATEGY OF THE DEPARTMENT OF DEFENSE.**

(a) GUIDANCE REQUIRED.—Not later than January 1, 2013, the Secretary of Defense shall review and update Department of Defense guidance related to electronic warfare to ensure that oversight roles and responsibilities within the Department related to electronic warfare policy and programs are clearly defined. Such guidance shall clarify, as appropriate, the roles and responsibilities related to the integration of electronic warfare matters and cyberspace operations.

*(b) PLAN REQUIRED.—Not later than January 1, 2013, the Commander of the United States Strategic Command shall update and issue guidance regarding the responsibilities of the Command with regard to joint electronic warfare capabilities. Such guidance shall—*

*(1) define the role and objectives of the Joint Electromagnetic Spectrum Control Center or any other center established in the Command to provide governance and oversight of electronic warfare matters; and*

*(2) include an implementation plan outlining tasks, metrics, and timelines to establish such a center.*

*(c) ADDITIONAL REPORTING REQUIREMENTS.—Section 1053(b)(1) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2459) is amended—*

*(1) in subparagraph (B), by striking ''; and'' and inserting a semicolon;*

*(2) in subparagraph (C), by striking the period and inserting a semicolon; and*

*(3) by adding at the end the following new subparagraphs:*

*''(D) performance measures to guide the implementation of such strategy;*

*''(E) an identification of resources and investments necessary to implement such strategy; and*

*''(F) an identification of the roles and responsibilities within the Department to implement such strategy.''.*

***SEC. 1068. REPORT ON COUNTERPROLIFERATION CAPABILITIES AND LIMITATIONS.***

*(a) REPORT REQUIRED.—Not later than March 1, 2013, the Secretary of Defense shall provide to the congressional defense committees a report outlining operational capabilities, limitations, and shortfalls within the Department of Defense with respect to counterproliferation and combating weapons of mass destruction involving special operations forces and key enabling forces.*

*(b) ELEMENTS.—The report required under subsection (a) shall include each of the following elements:*

*(1) An overview of current capabilities and limitations.*

*(2) An overview and assessment of current and future training requirements and gaps.*

*(3) An assessment of technical capability gaps.*

*(4) An assessment of interagency coordination capabilities and gaps.*

*(5) An outline of current and future proliferation and weapons of mass destruction threats, including critical intelligence gaps.*

*(6) An assessment of current international bilateral and multilateral partnerships and the limitations of such partnerships, including an assessment of existing authorities to build partnership capacity in this area.*

*(7) A description of efforts to address the limitations and gaps referred to in paragraphs (1) through (6), including timelines and requirements to address such limitations and such gaps.*

*(8) Any other matters the Secretary considered appropriate.*

***Subtitle G—Miscellaneous Authorities and Limitations***

***SEC. 1071. RULE OF CONSTRUCTION RELATING TO PROHIBITION ON INFRINGING ON THE INDIVIDUAL RIGHT TO LAWFULLY ACQUIRE, POSSESS, OWN, CARRY, AND OTHERWISE USE PRIVATELY OWNED FIREARMS, AMMUNITION, AND OTHER WEAPONS.***

*Section 1062(c) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4363) is amended—*

*(1) in paragraph (1)(B), by striking ''; or'' and inserting a semicolon;*

*(2) in paragraph (2), by striking ''others.'' and inserting ''others; or''; and*

*(3) by adding at the end the following new paragraph:*

*''(3) authorize a mental health professional that is a member of the Armed Forces or a civilian employee of the Department of Defense or a commanding officer to inquire if a member of the Armed Forces plans to acquire, or already possesses or owns, a privately-owned firearm, ammunition, or other weapon, if such mental health professional or such commanding officer has reasonable grounds to believe such member is at high risk for suicide or causing harm to others.''.*

***SEC. 1072. EXPANSION OF AUTHORITY OF THE SECRETARY OF THE ARMY TO LOAN OR DONATE EXCESS SMALL ARMS FOR FUNERAL AND OTHER CEREMONIAL PURPOSES.***

*Section 4683(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:*

*''(3)(A) In order to meet the needs of an eligible organization with respect to performing funeral and other ceremonies, if the Secretary determines appropriate, the Secretary may—*

*''(i) loan or donate excess small arms to an eligible organization;*

*''(ii) authorize an eligible organization to retain small arms other than M–1 rifles; or*

*''(iii) if excess small arms stock is insufficient to meet organizational requirements, prescribe policies and procedures to establish a rotational loan program based on the needs of eligible organizations.*

*''(B) Nothing in this paragraph shall be construed to supersede any Federal law or regulation governing the use or ownership of firearms.*

*''(C) The Secretary may not delegate the authority under this paragraph.''.*

***SEC. 1073. PROHIBITION ON THE USE OF FUNDS FOR MANUFACTURING BEYOND LOW-RATE INITIAL PRODUCTION AT CERTAIN PROTOTYPE INTEGRATION FACILITIES.***

*(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be used for manufacturing production beyond the greater of low-rate initial production or 1000 units at a prototype integration facility of any of the following components of the Army Research, Development, and Engineering Command:*

*(1) The Armament Research, Development, and Engineering Center.*

*(2) The Aviation and Missile Research, Development, and Engineering Center.*

*(3) The Communications-Electronics Research, Development, and Engineering Center.*

*(4) The Tank Automotive Research, Development, and Engineering Center.*

*(b) WAIVER.—The Assistant Secretary of the Army for Acquisition, Logistics, and Technology may waive the prohibition under subsection (a) for a fiscal year if—*

*(1) the Assistant Secretary determines that the waiver is necessary—*

*(A) for reasons of national security; or*

*(B) to rapidly acquire equipment to respond to combat emergencies; and*

*(2) the Assistant Secretary submits to Congress a notification of the waiver together with the reasons for the waiver.*

*(c) LOW-RATE INITIAL PRODUCTION.—For purposes of this section, the term ''low-rate initial production'' shall be determined in accordance with section 2400 of title 10, United States Code.*

***SEC. 1074. INTERAGENCY COLLABORATION ON UNMANNED AIRCRAFT SYSTEMS.***

*(a) FINDINGS ON JOINT DEPARTMENT OF DEFENSE-FEDERAL AVIATION ADMINISTRATION EXECUTIVE COMMITTEE ON CONFLICT AND DISPUTE RESOLUTION.—Section 1036(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) is amended by adding at the end the following new paragraph:*

*''(9) Collaboration of scientific and technical personnel and sharing resources from the Department of Defense, Federal Aviation Administration, and National Aeronautics and Space Administration can advance an enduring relationship of research capability to advance the access of unmanned aircraft systems of the Department of Defense to the National Airspace System.''.*

*(b) INTERAGENCY COLLABORATION.—*

*(1) IN GENERAL.—The Secretary of Defense shall collaborate with the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration to conduct research and seek solutions to challenges associated with the safe integration of unmanned aircraft systems into the National Airspace System in accordance with subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 126 Stat. 72).*

*(2) ACTIVITIES IN SUPPORT OF PLAN ON ACCESS TO NATIONAL AIRSPACE FOR UNMANNED AIRCRAFT SYSTEMS.—Collaboration under paragraph (1) may include research and development of scientific and technical issues, equipment, and technology in support of the plan to safely accelerate the integration of unmanned aircraft systems as required by subtitle B of title III of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 126 Stat. 72).*

*(3) NONDUPLICATIVE EFFORTS.—If the Secretary of Defense determines it is in the interest of the Department of Defense, the Secretary may use existing aerospace-related laboratories, personnel, equipment research radars, and ground facilities of the Department of Defense to avoid the duplication of efforts in carrying out collaboration under paragraph (1).*

*(4) REPORTS.—*

*(A) REQUIREMENT.—The Secretary of Defense, on behalf of the UAS Executive Committee, shall annually submit to the congressional defense committees, the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on the progress of collaborative research activity, including—*

*(i) the progress on accomplishing the goals of the unmanned aircraft systems research, development, and demonstration roadmap of the Next Generation Air Transportation System Joint Planning and Development Office of the Federal Aviation Administration; and*

*(ii) estimates of long-term funding needs.*

*(B) TERMINATION.—The requirement to submit a report under subparagraph (A) shall terminate on the date that is five years after the date of the enactment of this Act.*

*(c) UAS EXECUTIVE COMMITTEE DEFINED.—In this section, the term ''UAS Executive Committee'' means the Department of Defense–Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.*

***SEC. 1075. AUTHORITY TO TRANSFER SURPLUS MINE-RESISTANT AMBUSH-PROTECTED VEHICLES AND SPARE PARTS.***

*(a) AUTHORITY.—The Secretary of Defense is authorized to transfer surplus Mine-Resistant Ambush-Protected vehicles, including spare parts for such vehicles, to non-profit United States humanitarian demining organizations for purposes of demining activities and training of such organizations.*

*(b) TERMS AND CONDITIONS.—Any transfer of vehicles or spare parts under subsection (a) shall be subject to the following terms and conditions:*

*(1) The transfer shall be made on a loan basis.*

*(2) The costs of operation and maintenance of the vehicles shall be borne by the recipient organization.*

*(3) Any other terms and conditions as the Secretary of Defense determines to be appropriate.*

*(c) NOTIFICATION.—The Secretary of Defense shall notify the congressional defense committees in writing not less than 60 days before making any transfer of vehicles or spare parts under*

*subsection (a). Such notification shall include the name of the organization, the number and model of the vehicle to be transferred, a listing of any spare parts to be transferred, and any other information the Secretary considers appropriate.*

***SEC. 1076. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF AIRCRAFT.***

*(a) IN GENERAL.—Except as provided by section 135, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the Army or the Air Force may be used during fiscal year 2013 to divest, retire, or transfer, or prepare to divest, retire, or transfer, any—*

*(1) C–23 aircraft of the Army assigned to the Army as of May 31, 2012; or*

*(2) aircraft of the Air Force assigned to the Air Force as of May 31, 2012.*

*(b) WAIVER.—The Secretary of Defense may waive the limitation in subsection (a) if—*

*(1) the Secretary submits to the congressional defense committees written certification that such a waiver is necessary to meet an emergency national security requirement; and*

*(2) a period of 15 days has elapsed following the date on which such certification is submitted.*

*(c) REPORT.—*

*(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report by the Chief of the National Guard Bureau, the Chief of Staff of the Air Force, and the Chief of Staff of the Army and approved by the Secretary of Defense that specifies, with respect to all aircraft proposed to be retired during fiscal years 2013 through 2017—*

*(A) the economic analysis used to make each realignment decision with respect to such aircraft of the National Guard and Air Force Reserve;*

*(B) alternative options considered for each such realignment decision, including an analysis of such options;*

*(C) the effect of each such realignment decision on—*

*(i) the current personnel at the location; and*

*(ii) the missions and capabilities of the Army; and*

*(D) the plans for each location that is being realigned, including the analysis used for such plans.*

*(2) GAO ANALYSIS.—The Comptroller General of the United States shall carry out the following:*

*(A) An economic analysis of the realignment decisions made by the Secretary of Defense with respect to the aircraft of the National Guard and Air Force Reserve described in paragraph (1)(A).*

*(B) An analysis of the alternative options considered for each such realignment decision.*

*(C) An analysis of the effect of each such realignment decision on—*

*(i) the current personnel at the location; and*

*(ii) the missions and capabilities of the Army; and*

*(D) An analysis of the plans described in paragraph (1)(D).*

*(3) COOPERATION.—The Secretary of Defense shall provide the Comptroller General with relevant data and cooperation to carry out the analyses under paragraph (2).*

*(4) SUBMITTAL.—Not later than 90 days after the date on which the Secretary submits the report under paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing the analyses conducted under paragraph (2).*

***SEC. 1077. PROHIBITION ON DEPARTMENT OF DEFENSE USE OF NONDISCLOSURE AGREEMENTS TO PREVENT MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT FROM COMMUNICATING WITH MEMBERS OF CONGRESS.***

*(a) INCLUSION OF CIVILIAN EMPLOYEES IN CURRENT PROHIBITION ON RESTRICTING COMMUNICATION.—Paragraph (1) of subsection (a) of section 1034 of title 10, United States Code, is amended by inserting ''or civilian employee of the Department of Defense'' after ''member of the armed forces''.*

*(b) PROHIBITION ON USING NONDISCLOSURE AGREEMENTS TO RESTRICT COMMUNICATION.—Such subsection is further amended—*

*(1) by redesignating paragraph (2) as paragraph (3); and*

*(2) by inserting after paragraph (1) the following new paragraph:*

*''(2)(A) The prohibition imposed by paragraph (1) precludes the use of a nondisclosure agreement with a member of the armed forces or a civilian employee of the Department of Defense to restrict the member or employee in communicating with a Member of Congress or an Inspector General.*

*''(B) Subparagraph (A) does not prevent the use of nondisclosure agreements to prevent the disclosure of—*

*''(i) deliberations regarding the closure or realignment of a military installation under a base closure law;*

*''(ii) commercial proprietary information; and*

*''(iii) classified information the level of which exceeds the clearance held by the requestor.''.*

***Subtitle H—Other Matters***

***SEC. 1081. BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.***

*(a) BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—*

*(1) ESTABLISHMENT.—Chapter 2 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 119b. Bipartisan independent strategic review panel***

*''(a) ESTABLISHMENT.—There is established a bipartisan independent strategic review panel (in this section referred to as the 'Panel') to conduct a regular review of the national defense strategic environment of the United States and to conduct an independent assessment of the quadrennial defense review required under section 118.*

*''(b) MEMBERSHIP.—*

*''(1) APPOINTMENT.—The Panel shall be composed of 12 members from civilian life with a recognized expertise in national security matters who shall be appointed as follows:*

*''(A) Four members shall be appointed by the Secretary of Defense, of whom not more than three members shall be of the same political party.*

*''(B) Two members shall be appointed by the chair of the Committee on Armed Services of the House of Representatives.*

*''(C) Two members shall be appointed by the chair of the Committee on Armed Services of the Senate.*

*''(D) Two members shall be appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.*

*''(E) Two members shall be appointed by the ranking minority member of the Committee on Armed Services of the Senate.*

*''(2) INITIAL MEMBERS: APPOINTMENT DATE AND TERM OF SERVICE.—*

*''(A) APPOINTMENT DATE.—The initial members of the Panel shall be appointed under paragraph (1) not later than January 30, 2013.*

*''(B) TERMS.—*

*''(i) The Secretary of Defense shall designate two initial members of the Panel appointed under paragraph (1)(A) to serve terms that expire on December 31, 2013, and two such initial members to serve terms that expire on December 31, 2014.*

*''(ii) The chair of the Committee on Armed Services of the House of Representatives shall designate one initial member of the Panel appointed under paragraph (1)(B) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.*

*''(iii) The chair of the Committee on Armed Services of the Senate shall designate one initial member of the Panel appointed under paragraph (1)(C) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.*

*''(iv) The ranking minority member of the Committee on Armed Services of the House of Representatives shall designate one initial member of the Panel appointed under paragraph (1)(D) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.*

*''(v) The ranking minority member of the Committee on Armed Services of the Senate shall designate one initial member of the Panel appointed under paragraph (1)(E) to serve a term that expires on December 31, 2013, and one such initial member to serve a term that expires on December 31, 2014.*

*''(3) CHAIRS.—The Secretary of Defense shall designate two members appointed pursuant to paragraph (1)(A) that are not of the same political party to serve as the Chairs of the Panel.*

*''(4) VACANCIES.—*

*''(A) A vacancy in the Panel shall be filled in the same manner as the original appointment and not later than 30 days after the date on which the vacancy begins.*

*''(B) A member of the Panel appointed to fill a vacancy shall be appointed for a term that expires—*

*''(i) in the case of an appointment to fill a vacancy resulting from a person not serving the entire term for which such person was appointed, at the end of the remainder of such term; and*

*''(ii) in the case of an appointment to fill a vacancy resulting from the expiration of the term of a member of the panel, two years after the date on which the term of such member expired.*

*''(5) REAPPOINTMENT.—Members of the Panel may be reappointed to the Panel for additional terms of service.*

*''(6) PAY.—The members of the Panel shall serve without pay.*

*''(7) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.*

*''(c) DUTIES.—*

*''(1) REVIEW OF NATIONAL DEFENSE STRATEGIC ENVIRONMENT.—The Panel shall every four years, during a year following a year evenly divisible by four, review the national defense strategic environment of the United States. Such review shall include a review and assessment of—*

*''(A) the national defense environment, including challenges and opportunities;*

*''(B) the national defense strategy and policy;*

*''(C) the national defense roles, missions, and organizations;*

*''(D) the risks to the national defense of the United States and how such risks affect challenges and opportunities to national defense; and*

*''(2) ADDITIONAL REVIEWS.—The Panel may conduct additional reviews under paragraph (1) as requested by Congress or the Secretary of Defense, or when the Panel determines a significant change in the national defense environment has occurred that would warrant new recommendations from the Panel.*

*''(3) ASSESSMENT OF QUADRENNIAL DEFENSE REVIEW.—The Panel shall conduct an assessment of each quadrennial defense review required to be conducted under section 118. Each assessment shall include—*

*''(A) a review of the Secretary of Defense's terms of reference, and any other materials providing the basis for, or substantial inputs to, the work of the Department of Defense on such quadrennial defense review;*

*''(B) an assessment of the assumptions, strategy, findings, and risks in the report of the Secretary of Defense on such quadrennial defense review required under section 118(d), with particular attention paid to the risks described in such a report;*

''(C) an independent assessment of a variety of possible force structures for the armed forces, including the force structure identified in the report required under section 118(d); and

''(D) a review of the resource requirements identified in such quadrennial defense review pursuant to section 118(b)(3) and, to the extent practicable, a general comparison of such resource requirements with the resource requirements to support the forces contemplated under the force structures assessed under subparagraph (C).

''(d) ADMINISTRATIVE PROVISIONS.—

''(1) STAFF.—

''(A) IN GENERAL.—The Chairs of the Panel may, without regard to the civil service laws and regulations, appoint and terminate an executive director and not more than 11 additional personnel, as may be necessary to enable the Panel to perform the duties of the Panel.

''(B) COMPENSATION.—The Chairs of the Panel may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to the classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

''(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Panel without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

''(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairs of the Panel may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title.

''(4) PROVISION OF INFORMATION.—The Panel may request directly from the Department of Defense and any of its components such information as the Panel considers necessary to carry out its duties under this section. The head of the department or agency concerned shall cooperate with the Panel to ensure that information requested by the Panel under this paragraph is promptly provided to the maximum extent practical.

''(5) USE OF CERTAIN DEPARTMENT OF DEFENSE RESOURCES.—Upon the request of the Chairs of the Panel, the Secretary of Defense shall make available to the Panel the services of any federally-funded research and development center that is covered by a sponsoring agreement of the Department of Defense.

''(6) FUNDING.—Funds for activities of the Panel shall be provided from amounts available to the Department of Defense.

''(e) REPORTS.—

''(1) REVIEW OF NATIONAL DEFENSE STRATEGIC ENVIRONMENT.—Not later than June 30 of a year following a year evenly divisible by four, the Panel shall submit to the congressional defense committees, the Secretary of Defense, and the National Security Council a report containing the results of the review conducted under subsection (c)(1) and any recommendations or other matters that the Panel considers appropriate.

''(2) ASSESSMENT OF QUADRENNIAL DEFENSE REVIEW.—Not later than 90 days after the date on which a report on a quadrennial defense review is submitted to Congress under section 118(d), the Panel shall submit to the congressional defense committees and the Secretary of Defense a report containing the results of the assessment conducted under subsection (c)(3) and any recommendations or other matters that the Panel considers appropriate.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 10, United States Code, is amended by adding at the end the following new item:

''119b. Bipartisan independent strategic review panel.''.

(b) UPDATES FROM SECRETARY OF DEFENSE ON PROGRESS OF QUADRENNIAL DEFENSE REVIEW.—Section 118(f) of title 10, United States Code, is amended to read as follows:

''(f) UPDATES TO BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—The Secretary of Defense shall ensure that periodically, but not less often than every 60 days, or at the request of the Chairs of the bipartisan independent strategic review panel established under section 119b(a), the Department of Defense briefs such panel on the progress of the conduct of a quadrennial defense review under subsection (a).''.

(c) BIPARTISAN INDEPENDENT STRATEGIC REVIEW OF THE UNITED STATES ARMY.—

(1) REVIEW REQUIRED.—Not later than 30 days after the date on which all initial members of the bipartisan independent strategic review panel are appointed under section 119b(b) of title 10, United States Code, as added by subsection (a)(1) of this section, the Panel shall begin a review of the future of the Army.

(2) ELEMENTS OF REVIEW.—The review required under paragraph (1) shall include a review and assessment of—

(A) the validity and utility of the scenarios and planning assumptions the Army used to develop the current force structure of the Army;

(B) such force structure and an evaluation of the adequacy of such force structure for meeting the goals of the national military strategy of the United States;

(C) the size and structure of elements of the Army, in particular United States Army Training and Doctrine Command, United States Army Materiel Command, and corps and higher headquarters elements;

(D) potential alternative force structures of the Army; and

(E) the resource requirements of each of the alternative force structures analyzed by the Panel.

(3) REPORT.—

(A) PANEL REPORT.—Not later than one year after the date on which the Panel begins the review required under paragraph (1), the Panel shall submit to the congressional defense committees and the Secretary of Defense a report containing the findings and recommendations of the Panel, including any recommendations concerning changes to the planned size and composition of the Army.

(B) ADDITIONAL VIEWS.—The report required under subparagraph (A) shall include any additional or dissenting views of a member of the Panel that such member considers appropriate to include in such report.

(4) DEFINITIONS.—In this section:

(A) ARMY.—The term ''Army'' includes the reserve components of the Army.

(B) BIPARTISAN INDEPENDENT STRATEGIC REVIEW PANEL.—The terms ''bipartisan independent strategic review panel'' and ''Panel'' mean the bipartisan independent strategic review panel established under section 119b(a) of title 10, United States Code, as added by subsection (a)(1) of this section.

**SEC. 1082. NOTIFICATION OF DELAYED REPORTS.**

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 122a the following new section:

**''§ 122b. Notification of delayed reports**

''If the Secretary of Defense determines that a report required by law to be submitted by any official of the Department of Defense to Congress will not be submitted by the date required under law, the Secretary shall submit to the congressional defense committees a notification, by not later than such date, of the following:

''(1) An explanation of why such report will not be submitted by such date.

''(2) The date on which such report will be submitted.

''(3) The status of such report as of the date of the notification.

''(4) The office of the Department carrying out such report and the individual acting as the head of such office.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 122a the following new item:

''122b. Notification of delayed reports.''.

**SEC. 1083. TECHNICAL AND CLERICAL AMENDMENTS.**

(a) AMENDMENTS TO NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Effective as of December 31, 2011, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

(1) Section 243(d) (125 Stat. 1344) is amended by striking ''paragraph'' and inserting ''subsection''.

(2) Section 541(b) (125 Stat. 1407) is amended by striking '', as amended by subsection (a),''.

(3) Section 589(b) (125 Stat. 1438) is amended by striking ''section 717'' and inserting ''section 2564''.

(4) Section 602(a)(2) (125 Stat. 1447) is amended by striking ''repairs,'' and inserting ''repairs''.

(5) Section 631(e)(28)(A) (125 Stat. 1464) is amended by striking ''In addition'' in the matter proposed to be inserted and inserting ''Under regulations''.

(6) Section 631(f)(2) (125 Stat. 1464) is amended by striking ''table of chapter'' and inserting ''table of chapters''.

(7) Section 631(f)(3)(B) (125 Stat. 1465) is amended by striking ''chapter 9'' and inserting ''chapter 10''.

(8) Section 631(f)(4) (125 Stat. 1465) is amended by striking ''subsection (c)'' both places it appears and inserting ''subsection (d)''.

(9) Section 801 (125 Stat. 1482) is amended—

(A) in subsection (a)(1)(B), by striking ''paragraphs (6) and (7)'' and inserting ''paragraphs (5) and (6)'';

(B) in subsection (a)(2), in the matter proposed to be inserted as a new paragraph, by striking the double closing quotation marks after ''capabilities'' and inserting a single closing quotation mark; and

(C) in subsection (e)(1)(A), by striking ''**Point**'' in the matter proposed to be struck and inserting ''**Point A**''.

(10) Section 832(b)(1) (125 Stat. 1504) is amended by striking ''Defenese'' and inserting ''Defense''.

(11) Section 855 (125 Stat. 1521) is amended by striking ''Section 139e(b)(12)'' and inserting ''Section 139c(b)(12)''.

(12) Section 864(a)(2) (125 Stat. 1522) is amended by striking ''for Acquisition Workforce Programs'' in the matter proposed to be struck.

(13) Section 864(d)(2) (125 Stat. 1525) is amended to read as follows:

''(2) in paragraph (6), by striking 'ensure that amounts collected' and all that follows through the end of the paragraph (as amended by section 526 of division C of Public Law 112-74 (125 Stat. 914)) and inserting 'ensure that amounts collected under this section are not used for a purpose other than the activities set forth in section 1201(a) of this title.'.''.

(14) Section 866(a) (125 Stat. 1526) is amended by striking ''September 30'' in the matter proposed to be struck and inserting ''December 31''.

(15) Section 867 (125 Stat. 1526) is amended—

(A) in paragraph (1), by striking ''2010'' in the matter proposed to be struck and inserting ''2011''; and

(B) in paragraph (2), by striking ''2013'' in the matter proposed to be struck and inserting ''2014''.

(16) Section 1045(c)(1) (125 Stat. 1577) is amended by striking ''described in subsection (b)'' and inserting ''described in paragraph (2)''.

(17) Section 1067 (125 Stat. 1589) is amended—

(A) by striking subsection (a); and

(B) by striking the subsection designation and the subsection heading of subsection (b).

*(18) Section 2702 (125 Stat. 1681) is amended—*

*(A) in the section heading, by striking "**AUTHORIZED**" and inserting "**AUTHORIZATION OF APPROPRIATIONS FOR**"; and*

*(B) by striking "Using amounts" and all that follows through "may carry out" and inserting "Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2011, for".*

*(19) Section 2815(c) (125 Stat. 1689) is amended by inserting "subchapter III of" before "chapter 169".*

*(b) AMENDMENTS TO IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Effective as of January 7, 2011, and as if included therein as enacted, the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:*

*(1) Section 533(b) (124 Stat. 4216) is amended by inserting "Section" before "1559(a)".*

*(2) Section 863(d)(9) (124 Stat. 4293; 10 U.S.C. 2330 note) is amended by striking "this title" and inserting "title 10, United States Code".*

*(3) Section 896(a) (124 Stat. 4314) is amended by striking "Chapter 7" and inserting "Chapter 4".*

*(c) AMENDMENTS TO REFLECT REDESIGNATION OF CERTAIN POSITIONS IN OFFICE OF SECRETARY OF DEFENSE.—*

*(1) ASSISTANT SECRETARY OF DEFENSE FOR NUCLEAR, CHEMICAL, AND BIOLOGICAL DEFENSE PROGRAMS.— Section 1605(a)(5) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note) is amended by striking "The Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs" each place it appears and inserting "The Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs".*

*(2) ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.—*

*(A) The following provisions are amended by striking "Director of Defense Research and Engineering" and inserting "Assistant Secretary of Defense for Research and Engineering":*

*(i) Sections 2362(a)(1) and 2521(e)(5) of title 10, United States Code.*

*(ii) Section 241(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 2521 note).*

*(iii) Section 212(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 10 U.S.C. 2358 note).*

*(iv) Section 246(d)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2358 note).*

*(v) Section 257(a) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 2358 note).*

*(vi) Section 1101(b)(1)(D) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).*

*(vii) Section 802(g)(1)(B)(ii) of the Higher Education Opportunity Act (20 U.S.C. 9631(g)(1)(B)(ii)).*

*(B) Section 2365 of title 10, United States Code, is amended—*

*(i) in subsection (a), by inserting "of Defense for Research and Engineering" after "Assistant Secretary"; and*

*(ii) in subsection (d)(3)(A), by striking "Director" and inserting "Assistant Secretary".*

*(C) Section 256 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 10 U.S.C. 1071 note) is amended in subsections (b)(4) and (d) by striking "Director, Defense" and inserting "Assistant Secretary of Defense for".*

*(D) Section 1504 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2358 note) is amended—*

*(i) in subsection (a), by striking "Director of Defense" and inserting "Assistant Secretary of Defense for"; and*

*(ii) in subsection (b)(9), by striking "the Director of the" and all that follows through "Engineering" and inserting "the Director and the Assistant Secretary".*

*(E) Section 802 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2358 note) is amended—*

*(i) in subsection (a), by striking "Director of Defense" and inserting "Assistant Secretary of Defense for";*

*(ii) in subsections (b), (d), and (e), by striking "Director" and inserting "Assistant Secretary"; and*

*(iii) in subsection (f), by striking "Not later than" and all that follows through "the Director" and inserting "The Assistant Secretary".*

*(F) Section 214 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2521 note) is amended by striking "unless the" and all that follows through "ensures" and inserting "unless the Assistant Secretary of Defense for Research and Engineering ensures".*

*(d) CROSS-REFERENCE AMENDMENTS RELATING TO ENACTMENT OF TITLE 41.—Title 10, United States Code, is amended as follows:*

*(1) Section 2302 is amended—*

*(A) in paragraph (7), by striking "section 4 of such Act" and inserting "such section"; and*

*(B) in paragraph (9)(A)—*

*(i) by striking "section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)" and inserting "chapter 15 of title 41"; and*

*(ii) by striking "such section" and inserting "such chapter".*

*(2) Section 2306a(b)(3)(B) is amended by striking "section 4(12)(C)(i) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(C)(i))" and inserting "section 103(3)(A) of title 41".*

*(3) Section 2321(f)(2) is amended by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41".*

*(4) Section 2359a(h) is amended by striking "section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))" and inserting "section 1702(c) of title 41".*

*(5) Section 2359b(k)(4) is amended—*

*(A) in subparagraph (A), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and inserting "section 110 of title 41"; and*

*(B) in subparagraph (B), by adding a period at the end.*

*(6) Section 2379 is amended—*

*(A) in subsections (a)(1)(A), (b)(2)(A), and (c)(1)(B)(i), by striking "section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))" and inserting "section 103 of title 41"; and*

*(B) in subsections (b) and (c)(1), by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41".*

*(7) Section 2382(c) is amended—*

*(A) in paragraph (2)(B), by striking "sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)" and inserting "sections 4101, 4103, 4105, and 4106 of title 41"; and*

*(B) in paragraph (3)(A), by striking "section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))" and inserting "section 1702(c) of title 41".*

*(8) Section 2410m(b)(1) is amended—*

*(A) in subparagraph (A)(i), by striking "section 7 of such Act" and inserting "section 7104(a) of such title"; and*

*(B) in subparagraph (B)(ii), by striking "section 7 of the Contract Disputes Act of 1978" and inserting "section 7104(a) of title 41".*

*(9) Section 2533b is amended—*

*(A) in subsection (h)—*

*(i) in paragraph (1), by striking "sections 34 and 35 of the Office of Federal Procurement Policy Act (41 U.S.C. 430 and 431)" and inserting "sections 1906 and 1907 of title 41"; and*

*(ii) in paragraph (2), by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41"; and*

*(B) in subsection (m)—*

*(i) in paragraph (2), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and inserting "section 105 of title 41";*

*(ii) in paragraph (3), by striking "section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)" and inserting "section 131 of title 41"; and*

*(iii) in paragraph (5), by striking "section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))" and inserting "section 104 of title 41".*

*(e) OTHER CROSS-REFERENCE AMENDMENTS IN TITLE 10.—Title 10, United States Code, is amended as follows:*

*(1) Section 1722b(c) is amended—*

*(A) in paragraph (3), by striking "subsections (b)(2)(A) and (b)(2)(B)" and inserting "subsections (b)(1)(A) and (b)(1)(B)"; and*

*(B) in paragraph (4), by striking "1734(d), or 1736(c)" and inserting "or 1734(d)".*

*(2) Section 2382(b)(1) is amended by inserting "of the Small Business Act (15 U.S.C. 657q(c)(4))" after "section 44(c)(4)";*

*(3) Section 2548(e)(2) is amended by striking "section 103(f) of the Weapon Systems Acquisition Reform Act of 2009 (10 U.S.C. 2430 note)," and inserting "section 2438(f) of this title".*

*(4) Section 2925 is amended—*

*(A) in subsection (a)(1), by striking "section 533" and inserting "section 553"; and*

*(B) in subsection (b)(1), by striking "section 139b" and inserting "section 138c".*

*(f) DATE OF ENACTMENT REFERENCES.—Title 10, United States Code, is amended as follows:*

*(1) Section 1564(a)(2)(B) is amended by striking "the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011" in clauses (ii) and (iii) and inserting "January 7, 2011".*

*(2) Section 2359b(k)(5) is amended by striking "the date that is five years after the date of the enactment of this Act" and inserting "January 7, 2016".*

*(3) Section 2649(c) is amended by striking "During the 5-year period beginning on the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011" and inserting "Until January 6, 2016".*

*(4) Section 2790(g)(1) is amended by striking "on or after the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011" and inserting "after January 6, 2011,".*

*(5) Sections 3911(b)(2), 6323(a)(2)(B), and 8911(b)(2) are amended by striking "the date of the enactment of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011" and inserting "January 7, 2011,".*

*(6) Section 10217(d)(3) is amended by striking "after the end of the 2-year period beginning on the date of the enactment of this subsection" and inserting "after January 6, 2013".*

*(g) OTHER MISCELLANEOUS AMENDMENTS TO TITLE 10.—Title 10, United States Code, is amended as follows:*

*(1) Section 113(c)(2) is amended by striking "on" after "Board on".*

*(2) The table of sections at the beginning of chapter 4 is amended by striking the item relating to section 133b.*

*(3) Paragraph (3) of section 138(c), as added by section 314(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1357), is transferred to appear at the end of section 138c(c).*

*(4) Section 139a(d)(4) is amended by adding a period at the end.*

*(5) Section 139b(a)(6) is amended by striking "propriety" and inserting "proprietary".*

*(6) The item relating to section 225 at the end of the table of sections at the beginning of chapter 9 is transferred to appear after the item relating to section 224.*

*(7) Section 843(b)(2)(B)(v) (article 43 of the Uniform Code of Military Justice) is amended by striking ''Kidnaping,,'' and inserting ''Kidnaping,''*

*(8) Section 920(g)(7) (article 120 of the Uniform Code of Military Justice) is amended by striking the second period at the end.*

*(9) Section 1086(b)(1) is amended by striking ''clause (2)'' and inserting ''paragraph (2)''.*

*(10) Section 1142(b)(10) is amended by striking ''training,,'' and inserting ''training,''.*

*(11) Section 1401(a) is amended by striking ''columns 1, 2, 3, and 4,'' in the matter preceding the table and inserting ''columns 1, 2, and 3,''.*

*(12) Section 1781(a) is amended—*

*(A) in the first sentence, by striking ''Director'' and inserting ''Office'';*

*(B) in the first sentence, by striking ''hereinafter''; and*

*(C) in the second sentence, by striking ''office'' both places it appears and inserting ''Office''.*

*(13) Section 1790 is amended—*

*(A) by striking the section heading and inserting the following:*

***''§ 1790. Military personnel citizenship processing'';***

*(B) by striking ''AUTHORIZATION OF PAYMENTS.—'';*

*(C) by striking ''title 10, United States Code'' and inserting ''this title'';*

*(D) by striking ''Secs.''; and*

*(E) by striking ''sections 286(m) and (n) of such Act (8 U.S.C. Sec. 1356(m))'' and inserting ''subsections m and (n) of section 286 of such Act (8 U.S.C. 1356).''.*

*(14) Section 2006(b)(2) is amended by redesignating the second subparagraph (E) (as added by section 109(b)(2)(B) of Public Law 111–377 (124 Stat. 4120), effective August 1, 2011) as subparagraph (F).*

*(15) Section 2350m(e) is amended by striking ''Not later than October 31, 2009, and annually thereafter'' and inserting ''Not later than October 31 each year''.*

*(16) Section 2401 is amended by striking ''the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives'' in subsections (b)(1)(B) and (h)(1) and inserting ''the congressional defense committees''.*

*(17) Section 2438(a)(3) is amended by inserting ''the senior'' before ''official's''.*

*(18) Section 2548 is amended—*

*(A) in subsection (a)—*

*(i) by striking ''Not later than'' and all that follows through ''the Secretary'' and inserting ''The Secretary''; and*

*(ii) by adding a period at the end of paragraph (3);*

*(B) in subsection (d), by striking ''Beginning with fiscal year 2012, the'' and inserting ''The''; and*

*(C) in subsection (e)(1), by striking '', United States Code,''.*

*(19) Section 2561(f)(2) is amended by striking ''Committee on International Relations'' and inserting ''Committee on Foreign Affairs''.*

*(20) Section 2687a is amended—*

*(A) in subsection (a), by striking ''Foreign relations'' and inserting ''Foreign Relations''; and*

*(B) in subsection (b)(1)—*

*(i) by striking the comma after ''including''; and*

*(ii) by striking ''The Treaty'' and inserting ''the Treaty''.*

*(21) Section 4342 is amended—*

*(A) in subsection (b)—*

*(i) in paragraph (1), by striking ''clause'' both places it appears and inserting ''paragraph''; and*

*(ii) in paragraph (5), by striking ''clauses'' and inserting ''paragraphs'';*

*(B) in subsection (d), by striking ''clauses'' and inserting ''paragraphs''; and*

*(C) in subsection (f), by striking ''clauses'' and inserting ''paragraphs''.*

*(22) Section 4343 is amended by striking ''clauses'' and inserting ''paragraphs''.*

*(23) Section 6954 is amended—*

*(A) in subsection (b)—*

*(i) in paragraph (1), by striking ''clause'' both places it appears and inserting ''paragraph''; and*

*(ii) in paragraph (5), by striking ''clauses'' and inserting ''paragraphs''; and*

*(B) in subsection (d), by striking ''clauses'' and inserting ''paragraphs''.*

*(24) Section 6956(b) is amended by striking ''clauses'' and inserting ''paragraphs''.*

*(25) Section 9342 is amended—*

*(A) in subsection (b)—*

*(i) in paragraph (1), by striking ''clause'' both places it appears and inserting ''paragraph''; and*

*(ii) in paragraph (5), by striking ''clauses'' and inserting ''paragraphs'';*

*(B) in subsection (d), by striking ''clauses'' and inserting ''paragraphs''; and*

*(C) in subsection (f), by striking ''clauses'' and inserting ''paragraphs''.*

*(26) Section 9343 is amended by striking ''clauses'' and inserting ''paragraphs''.*

*(27) Section 10217(c)(3) is amended by striking ''consider'' and inserting ''considered''.*

*(h) REPEAL OF EXPIRED PROVISIONS.—Title 10, United States Code, is amended as follows:*

*(1) Section 1108 is amended—*

*(A) by striking subsections (j) and (k); and*

*(B) by redesignating subsection (l) as subsection (j).*

*(2) Section 2325 is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).*

*(3) Section 2349a is repealed, and the table of sections at the beginning of subchapter I of chapter 138 is amended by striking the item relating to that section.*

*(4) Section 2374b is repealed, and the table of sections at the beginning of chapter 139 is amended by striking the item relating to that section.*

*(i) AMENDMENTS TO TITLE 37.— Title 37, United States Code, is amended as follows:*

*(1) Section 310(c)(1) is amended by striking ''section for for'' and inserting ''section for''.*

*(2) Section 431, as transferred to chapter 9 of such title by section 631(d)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1460), is redesignated as section 491.*

*(j) AMENDMENTS TO TITLE 41.— Title 41, United States Code, is amended as follows:*

*(1) Section 1122(a)(5) is amended by striking the period at the end and inserting a semicolon.*

*(2) Section 1703(i)(6) is amended by striking ''Procurememt'' and inserting ''Procurement''.*

*(k) AMENDMENT TO TITLE 46.— Subsection (a) of section 51301 of title 46, United States Code, is amended in the heading by striking ''IN GENERAL'' and inserting ''IN GENERAL''.*

*(l) DUPLICATIVE PROVISION IN ARMED FORCES RETIREMENT HOME ACT OF 1991.— Section 1511(d) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(d)) is amended by striking the first paragraph (3), leaving the second paragraph (3) added by section 561 of Public Law 112–81 (125 Stat. 1420).*

*(m) CROSS REFERENCES AND DATE OF ENACTMENT REFERENCES IN REINSTATEMENT OF TEMPORARY EARLY RETIREMENT AUTHORITY.— Section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 1293 note), as amended by section 504(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1391), is amended—*

*(1) in subsection (c)(2)—*

*(A) in subparagraph (A), by striking ''1995 ('' and inserting ''1995 (Public Law 103–337;''; and*

*(B) in subparagraph (B), by striking ''1995'' and inserting ''1996'';*

*(2) in subsection (h), by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012'' and inserting ''December 31, 2011,''; and*

*(3) in subsection (i)(2), by striking ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012'' and inserting ''December 31, 2011,''.*

*(n) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any amendment made by other provisions of this Act.*

## *TITLE XI—CIVILIAN PERSONNEL MATTERS*

### *Subtitle A—General Provisions*

***SEC. 1101. EXPANSION OF PERSONNEL MANAGEMENT AUTHORITY UNDER EXPERIMENTAL PROGRAM WITH RESPECT TO CERTAIN SCIENTIFIC AND TECHNICAL POSITIONS.***

*Subparagraph (A) of section 1101(b)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note), as most recently amended by section 1110 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1615), is further amended by striking ''40'' and inserting ''60''.*

***SEC. 1102. AUTHORITY TO PAY FOR THE TRANSPORT OF FAMILY HOUSEHOLD PETS FOR FEDERAL EMPLOYEES DURING CERTAIN EVACUATION OPERATIONS.***

*Section 5725 of title 5, United States Code, is amended—*

*(1) in subsection (a), in the matter following paragraph (2), by striking ''and personal effects,'' and inserting '', personal effects, and family household pets,''; and*

*(2) by adding at the end the following:*

*''(c)(1) The expenses authorized under subsection (a) shall, with respect to the transport of family household pets, include the expenses for the shipment of and the payment of any quarantine costs for such pets.*

*''(2) Any payment or reimbursement under this section in connection with the transport of family household pets shall be subject to terms and conditions which—*

*''(A) the head of the agency shall by regulation prescribe; and*

*''(B) shall, to the extent practicable, be the same as would apply under regulations prescribed under section 476(b)(1)(H)(iii) of title 37 in connection with the transport of family household pets of members of the uniformed services, including regulations relating to the types, size, and number of pets for which such payment or reimbursement may be provided.''.*

***SEC. 1103. EXTENSION OF AUTHORITY TO FILL SHORTAGE CATEGORY POSITIONS FOR CERTAIN FEDERAL ACQUISITION POSITIONS FOR CIVILIAN AGENCIES.***

*Section 1703(j) of title 41, United States Code, is amended—*

*(1) in paragraph (1)—*

*(A) by striking ''sections 3304, 5333, and 5753'' and inserting ''section 3304''; and*

*(B) by striking ''use the authorities in those sections to recruit and''; and*

*(2) in paragraph (2), by striking ''September 30, 2012'' and inserting ''September 30, 2017''.*

***SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.***

***SEC. 1105. POLICY ON SENIOR MENTORS.***

*(a) IN GENERAL.—The Secretary of Defense shall provide written notice to the congressional defense committees at least 60 days before implementing any change in the policy regarding senior mentors issued on or about April 1, 2010.*

*(b) APPLICABILITY.—Changes implemented before the date of the enactment of this Act shall not be affected by this section.*

***Subtitle B—Interagency Personnel Rotations***

***SEC. 1111. INTERAGENCY PERSONNEL ROTATIONS.***

*(a) SHORT TITLE.—This subtitle may be cited as the ''Interagency Personnel Rotation Act of 2012''.*

*(b) DEFINITIONS.—In this subtitle:*

*(1) AGENCY.—The term ''agency'' has the meaning given the term ''Executive agency'' under section 105 of title 5, United States Code.*

*(2) COMMITTEE.—The term ''Committee'' means the Committee on National Security Personnel established under subsection (c)(1).*

*(3) COVERED AGENCY.—The term ''covered agency'' means an agency that is part of an ICI.*

*(4) ICI.—The term ''ICI'' means a National Security Interagency Community of Interest identified by the Committee under subsection (d)(1).*

*(5) ICI POSITION.—The term ''ICI position''—*

*(A) means—*

*(i) a position that—*

*(I) is identified by the head of a covered agency as a position within the covered agency that has significant responsibility for the subject area of the ICI in which the position is located and for activities that involve more than 1 agency;*

*(II) is in the civil service (as defined in section 2101(1) of title 5, United States Code) in the executive branch of the Government (including a position in the Foreign Service) at or above GS–11 of the General Schedule or at a level of responsibility comparable to a position at or above GS–11 of the General Schedule; and*

*(III) is within an ICI; or*

*(ii) a position in an interagency body identified as an ICI position under subsection (d)(3)(B)(i); and*

*(B) shall not include—*

*(i) any position described under paragraph (10)(A) or (C); or*

*(ii) any position filled by an employee described under paragraph (10)(B).*

*(6) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).*

*(7) INTERAGENCY BODY.—The term ''interagency body'' means an entity or component identified under subsection (d)(3)(A).*

*(8) INTERAGENCY ROTATIONAL SERVICE.—The term ''interagency rotational service'' means service by an employee in—*

*(A) an ICI position that is—*

*(i) in—*

*(I) a covered agency other than the covered agency employing the employee; or*

*(II) an interagency body, without regard to whether the employee is employed by the agency in which the interagency body is located; and*

*(ii) the same ICI as the position in which the employee serves or has served before serving in that ICI position; or*

*(B) a position in an interagency body identified under subsection (d)(3)(B)(ii).*

*(9) NATIONAL SECURITY INTERAGENCY COMMUNITY OF INTEREST.—The term ''National Security Interagency Community of Interest'' means the positions in the executive branch of the Government that—*

*(A) as a group are positions within multiple agencies of the executive branch of the Government; and*

*(B) have significant responsibility for the same substantive, functional, or regional subject area related to national security or homeland security that requires integration of the positions and activities in that area across multiple agencies to ensure that the executive branch of the Government operates as a single, cohesive enterprise to maximize mission success and minimize cost.*

*(10) POLITICAL APPOINTEE.—The term ''political appointee'' means an individual who—*

*(A) is employed in a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);*

*(B) is a noncareer appointee in the Senior Executive Service, as defined under section 3132(a)(7) of title 5, United States Code; or*

*(C) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.*

*(11) SENIOR POSITION.—The term ''senior position'' means—*

*(A) a Senior Executive Service position, as defined in section 3132(a)(2) of title 5, United States Code;*

*(B) a position in the Senior Foreign Service established under the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);*

*(C) a position in the Federal Bureau of Investigation and Drug Enforcement Administration Senior Executive Service established under section 3151 of title 5, United States Code;*

*(D) a position filled by a limited term appointee or limited emergency appointee in the Senior Executive Service, as defined under paragraphs (5) and (6), respectively, of section 3132(a) of title 5, United States Code; and*

*(E) any other equivalent position identified by the Committee.*

*(c) COMMITTEE ON NATIONAL SECURITY PERSONNEL.—*

*(1) ESTABLISHMENT.—There is established the Committee on National Security Personnel within the Executive Office of the President.*

*(2) MEMBERSHIP.—The members of the Committee shall be the Director of the Office of Management and Budget, the Director of the Office of Personnel Management, and the Assistant to the President for National Security Affairs.*

*(3) CHAIRPERSON.—The Director of the Office of Management and Budget shall be the Chairperson of the Committee.*

*(4) FUNCTIONS.—*

*(A) IN GENERAL.—The Committee shall perform the functions as provided under this subtitle to implement this subtitle and shall validate the actions taken by the heads of covered agencies to implement the directives issued and meet the standards established under subparagraph (B).*

*(B) DIRECTIVES AND STANDARDS.—*

*(i) IN GENERAL.—In consultation with the Director of the Office of Personnel Management and the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget shall issue directives and establish standards relating to the implementation of this subtitle.*

*(ii) USE BY COVERED AGENCIES.—The head of each covered agency shall carry out the responsibilities under this subtitle in accordance with the directives issued and standards established by the Director of the Office of Management and Budget.*

*(5) SUPPORT AND IMPLEMENTATION.—*

*(A) BOARD.—There is established to assist the Committee a board, the members of which shall be appointed—*

*(i) in accordance with subparagraph (B); and*

*(ii) from among individuals holding an office or position in level III of the Executive Schedule.*

*(B) APPOINTMENTS.—Members of the board shall be appointed as follows:*

*(i) One by the Secretary of State.*

*(ii) One by the Secretary of Defense.*

*(iii) One by the Secretary of Homeland Security.*

*(iv) One by the Attorney General.*

*(v) One by the Secretary of the Treasury.*

*(vi) One by the Secretary of Energy.*

*(vii) One by the Secretary of Health and Human Services.*

*(viii) One by the Secretary of Commerce.*

*(ix) One by the head of any other agency (or, if more than 1, by each of the respective heads of any other agencies) determined appropriate by the Committee.*

*As used in clause (ix), the term ''agency'' does not include any element of the intelligence community.*

*(C) CHIEF HUMAN CAPITAL OFFICERS COUNCIL.—The Chief Human Capital Officers Council shall provide advice to the Committee regarding technical human capital issues.*

*(D) COVERED AGENCY OFFICIALS.—*

*(i) IN GENERAL.—The head of each covered agency shall designate an officer and office within that covered agency with responsibility for the implementation of this subtitle.*

*(ii) EXISTING OFFICES.—If an officer or office of a covered agency is designated as the officer or office within the covered agency with responsibility for the implementation of Executive Order 13434 for the covered agency on the date of enactment of this Act, the head of the covered agency shall designate the officer or office as the officer or office within the covered agency with responsibility for the implementation of this subtitle.*

*(E) STAFF.—*

*(i) IN GENERAL.—Not more than 3 full-time employees (or the equivalent) may be hired to assist the Committee in the implementation of this subtitle. Each employee so hired shall be selected from among individuals serving in the Office of Management and Budget, the Office of Personnel Management, or any other agency.*

*(ii) FUNDING.—*

*(I) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2013 through 2017 to carry out clause (i) an amount equal to the amount expended for salaries and expenses of the National Security Professional Development Integration Office during fiscal year 2012.*

*(II) OFFSET.—*

*(aa) IN GENERAL.—Except as provided in subparagraph (D)(ii), effective on the date of enactment of this Act, the National Security Professional Development Integration Office of the Department of Defense is terminated and, on and after the date of enactment of this Act, the Secretary of Defense may not establish a comparable office to implement Executive Order 13434 or to design, administer, or report on the creation of a national security professional development system, cadre of national security professionals, or any personnel rotations, education, or training for individuals involved in interagency activities or who are national security professionals who are not employed by the Department of Defense. Nothing in this item shall be construed to prohibit the Secretary of Defense from establishing or designating an office to administer interagency rotations by, or the interagency activities of, employees of the Department of Defense.*

*(bb) TRANSFER OF FUNCTIONS.—Effective on the date of enactment of this Act, there are transferred to the Office of Management and Budget or the Office of Personnel Management, as determined appropriate by the Committee, the functions of the National Security Professional Development Integration Office of the Department of Defense.*

*(cc) FUNDS.—Effective on the date of enactment of this Act, all unobligated balances made available for the activities of the National Security Professional Development Integration Office of the Department of Defense are rescinded.*

*(d) NATIONAL SECURITY INTERAGENCY COMMUNITIES OF INTEREST.—*

*(1) IDENTIFICATION OF ICIS.—Subject to subsection (g), the Committee—*

*(A) shall identify ICIs on an ongoing basis for purposes of carrying out this subtitle; and*

*(B) may alter or discontinue an ICI identified under subparagraph (A).*

*(2) IDENTIFICATION OF ICI POSITIONS.—The head of each covered agency shall identify ICI positions within the covered agency.*

*(3) INTERAGENCY BODIES.—*

*(A) IDENTIFICATION.—*

*(i) IN GENERAL.—The Committee shall identify—*

*(I) entities in the executive branch of the Government that are primarily involved in interagency activities relating to national security or homeland security; and*

*(II) components of agencies that are primarily involved in interagency activities relating to national security or homeland security and have a mission distinct from the agency within which the component is located.*

*(ii) CERTAIN BODIES.—*

*(I) IN GENERAL.—The Committee shall identify the National Security Council as an interagency body under this subparagraph.*

*(II) FBI ROTATIONS.—Joint Terrorism Task Forces shall not be considered interagency bodies for purposes of service by employees of the Federal Bureau of Investigation.*

*(iii) DUTIES OF HEAD OF COVERED AGENCY.—The Committee shall designate the Federal officer who shall perform the duties of the head of a covered agency relating to ICI positions within an interagency body.*

*(B) POSITIONS IN INTERAGENCY BODIES.—The officials designated under subparagraph (A)(iii) shall identify—*

*(i) positions within their respective interagency bodies that are ICI positions; and*

*(ii) positions within their respective interagency bodies—*

*(I) that are not a position described under subsection (b)(10)(A) or (C) or a position filled by an employee described under subsection (b)(10)(B); and*

*(II) for which service in the position shall constitute interagency rotational service.*

*(e) INTERAGENCY COMMUNITY OF INTEREST ROTATIONAL SERVICE.—*

*(1) EXCLUSION OF SENIOR POSITIONS.—For purposes of this subsection, the term ''ICI position'' does not include a senior position.*

*(2) ROTATIONS.—*

*(A) IN GENERAL.—The Committee shall provide for employees serving in an ICI position to be assigned on a rotational basis to another ICI position that is—*

*(i) within another covered agency or within an interagency body; and*

*(ii) within the same ICI.*

*(B) EXCEPTION.—An employee may be assigned to an ICI position in another covered agency or in an interagency body that is not in the ICI applicable to an ICI position in which the employee serves or has served if—*

*(i) the employee has particular nongovernmental or other expertise or skills that are relevant to the assigned ICI position; and*

*(ii) the head of the covered agency employing the employee, the head of the covered agency to which the assignment is made, and the Committee approve the assignment.*

*(C) NONREIMBURSABLE BASIS.—Service by an employee in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee shall be performed without reimbursement.*

*(D) RETURN TO PRIOR POSITION.—Except as otherwise provided by the Committee, an employee performing service in an ICI position in another covered agency or interagency body or in a position designated under subsection (d)(3)(B)(ii) shall be entitled to return, within a reasonable period of time after the end of the period of service, to the position held by the employee, or a corresponding or higher position (or, in the case of an employee in the Foreign Service, as defined in section 102(11) of the Foreign Service Act of 1980 (22 U.S.C. 3902(11)), a position in the same or a higher personnel category), in the covered agency employing the employee.*

*(3) SELECTION OF ICI POSITIONS OPEN FOR ROTATIONAL SERVICE.—*

*(A) IN GENERAL.—The head of each covered agency shall determine which ICI positions in the covered agency shall be available for service by employees from another covered agency and may modify a determination under this subparagraph.*

*(B) LIST.—The Committee shall maintain a single, integrated list of ICI positions and of positions available for service by employees from another covered agency under this subsection and shall make the list available to Federal employees on an ongoing basis in order to facilitate applications for the positions and long-term career planning by employees of the executive branch of the Government, except to the extent that the Committee determines that the identity of certain positions should not be distributed in order to protect national security or homeland security.*

*(4) MINIMUM PERIOD OF SERVICE.—With respect to the period of service in an ICI position in another covered agency or interagency body, the Committee—*

*(A) shall, notwithstanding any other provision of law, ensure that the period of service is sufficient to gain an adequately detailed understanding and perspective of the covered agency or interagency body at which the employee is assigned;*

*(B) may provide for different periods of service, depending upon the nature of the position, including whether the position is in an area that is a combat zone for purposes of section 112 of the Internal Revenue Code of 1986; and*

*(C) shall require that an employee performing service in an ICI position in another covered agency or interagency body is informed of the period of service for the position before beginning such service.*

*(5) VOLUNTARY NATURE OF ROTATIONAL SERVICE.—*

*(A) IN GENERAL.—Except as provided in subparagraph (B), service in an ICI position in another covered agency or interagency body shall be voluntary on the part of the employee.*

*(B) AUTHORITY TO ASSIGN INVOLUNTARILY.—If the head of a covered agency has the authority under another provision of law to assign an employee involuntarily to a position and the employee is serving in an ICI position, the head of the covered agency may assign the employee involuntarily to serve in an ICI position in another covered agency or interagency body.*

*(6) TRAINING AND EDUCATION OF PERSONNEL PERFORMING INTERAGENCY ROTATIONAL SERVICE.—Each employee performing interagency rotational service shall participate in the training and education, if any, that is regularly provided to new employees by the covered agency or interagency body in which the employee is serving in order to learn how the covered agency or interagency body functions.*

*(7) PREVENTION OF NEED FOR INCREASED PERSONNEL LEVELS.—The Committee shall ensure that employees are rotated across covered agencies and interagency bodies within an ICI in a manner that ensures that, for the original ICI positions of all employees performing service in an ICI position in another covered agency or interagency body—*

*(A) employees from another covered agency or interagency body who are performing service in an ICI position in another covered agency or interagency body, or other available employees, begin service in such original positions within a reasonable period, at no additional cost to the covered agency or the interagency body in which such original positions are located; or*

*(B) other employees do not need to serve in the positions in order to maintain the effectiveness of or to prevent any costs being accrued by the covered agency or interagency body in which such original positions are located.*

*(8) OPEN AND FAIR COMPETITION.—Each covered agency or interagency body that has an ICI position available for service by an employee from another covered agency shall coordinate with the Office of Personnel Management to ensure that employees of covered agencies selected to perform interagency rotational service shall be selected in a fully open and competitive manner that is consistent with the merit system principles set forth in paragraphs (1) and (2) of section 2301(b) of title 5, United States Code, unless the ICI position is otherwise exempt under another provision of law.*

*(9) PERSONNEL LAW MATTERS.—*

*(A) NATIONAL SECURITY EXCLUSION.—The identification of a position as available for service by an employee of another covered agency or as being within an ICI shall not be a basis for an order under section 7103(b) of title 5, United States Code, excluding the covered agency, or a subdivision thereof, in which the position is located from the applicability of chapter 71 of such title.*

*(B) ON ROTATION.—An employee performing interagency rotational service shall have all the rights that would be available to the employee if the employee were detailed or assigned under a provision of law other than this subtitle from the agency employing the employee to the agency in which the ICI position in which the employee is serving is located.*

*(10) CONSULTATION.—The Committee shall consult with relevant associations, unions, and other groups involved in collective bargaining or encouraging public service, organizational reform of the Government, or interagency activities (such as the Simons Center for the Study of Interagency Cooperation of the Command and General Staff College Foundation) in formulating and implementing policies under this subtitle.*

*(11) OFFICERS OF THE ARMED FORCES.—The policies, procedures, and practices for the management of officers of the Armed Forces may provide for the assignment of officers of the Armed Forces to ICI positions or positions designated under subsection (d)(3)(B)(ii).*

*(12) PERFORMANCE APPRAISALS.—The Committee shall—*

*(A) ensure that an employee receives performance evaluations that are based primarily on the contribution of the employee to the work of the covered agency in which the employee is performing service in an ICI position in another covered agency or interagency body and the functioning of the applicable ICI; and*

*(B) require that—*

*(i) officials at the covered agency employing the employee conduct the evaluations based on input from the supervisors of the employee during service in an ICI position in another covered agency or interagency body; and*

*(ii) the evaluations shall be provided the same weight in the receipt of promotions and other rewards by the employee from the covered agency employing the employee as performance evaluations receive for other employees of the covered agency.*

*(f) SELECTION OF SENIOR POSITIONS IN AN INTERAGENCY COMMUNITY OF INTEREST.—*

*(1) SELECTION OF INDIVIDUALS TO FILL SENIOR POSITIONS WITHIN AN ICI.—In selecting individuals to fill senior positions within an ICI, the head of a covered agency shall ensure that a strong preference is given to personnel who have performed interagency rotational service.*

*(2) ESTABLISHMENT BY HEADS OF COVERED AGENCIES OF MINIMUM THRESHOLDS.—*

*(A) IN GENERAL.—On October 1 of the 2nd fiscal year after the fiscal year in which the Committee identifies an ICI, and October 1 of each fiscal year thereafter, the head of each covered agency within which 1 or more positions within that ICI are located shall establish the minimum number of that agency's senior positions that are within that ICI that shall be filled by personnel who have performed interagency rotational service.*

*(B) REPORTING REQUIREMENTS.—*

*(i) MINIMUM NUMBER OF POSITIONS.—Not later than 30 days after the date on which all heads of covered agencies have established the minimum number required under subparagraph (A) for a fiscal year, the Committee shall submit to Congress a consolidated list of the minimum numbers of senior positions that shall be filled by personnel who have performed interagency rotational service.*

*(ii) FAILURE TO MEET MINIMUM NUMBER.—Not later than 30 days after the end of any fiscal year in which a covered agency fails to meet the minimum number of senior positions to be filled by individuals who have performed interagency rotational service established by the head of the*

*covered agency under subparagraph (A), the head of the covered agency shall submit to the Committee and Congress a report identifying the failure and indicating what actions the head of the covered agency has taken or plans to take in response to the failure.*

*(3) OTHER ROTATIONAL REQUIREMENTS.—*

*(A) CREDIT FOR SERVICE IN ANOTHER COMPONENT WITHIN AN AGENCY.—Service performed during the first 3 fiscal years after the fiscal year in which an ICI is identified by the Committee by an employee in a rotation to an ICI position in another component of the covered agency that employs the employee that is identified under subparagraph (B) shall constitute interagency rotational service for purposes of this section.*

*(B) IDENTIFICATION OF COMPONENTS.—Subject to approval by the Committee, the head of a covered agency may identify the components of the covered agency that are sufficiently independent in functionality for service in a rotation in the component to qualify as service in another component of the covered agency for purposes of subparagraph (A).*

*(g) IMPLEMENTATION.—*

*(1) ICIS AND ICI POSITIONS.—*

*(A) IN GENERAL.—During each of the first 4 fiscal years after the fiscal year in which this Act is enacted—*

*(i) there shall be 2 ICIs, which shall be an ICI for emergency management and an ICI for stabilization and reconstruction; and*

*(ii) not less than 20 employees and not more than 25 employees in the executive branch of the Government shall perform service in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee under this subtitle.*

*(B) LOCATION.—*

*(i) IN GENERAL.—The Committee shall designate a metropolitan area in which the ICI for emergency management will be located and a metropolitan area in which the ICI for stabilization and reconstruction will be located.*

*(ii) SERVICE.—During the first 4 fiscal years after the fiscal year in which this Act is enacted, any service in an ICI position in another covered agency or in an interagency body that is not within the agency employing the employee shall be performed—*

*(I) by an employee who is located in a metropolitan area for the ICI designated under clause (i) before beginning service in the ICI position; and*

*(II) at a location in a metropolitan area for the ICI designated under clause (i).*

*(2) PRIORITY FOR DETAILS.—During the first 4 fiscal years after the fiscal year in which this Act is enacted, a covered agency shall give priority in using amounts available to the covered agency for details to assigning employees on a rotational basis under this subtitle.*

*(h) STRATEGY AND PERFORMANCE EVALUATION.—*

*(1) ISSUING OF STRATEGY.—*

*(A) IN GENERAL.—Not later than October 1 of the 3rd fiscal year after the fiscal year in which this Act is enacted, and every 4 fiscal years thereafter through the 11th fiscal year after the fiscal year in which this Act is enacted, the Committee shall issue a National Security Human Capital Strategy to develop the national security and homeland security personnel necessary for accomplishing national security and homeland security objectives that require integration of personnel and activities from multiple agencies of the executive branch of the Government.*

*(B) CONSULTATIONS WITH CONGRESS.—In developing or making adjustments to the National Security Human Capital Strategy issued under subparagraph (A), the Committee—*

*(i) shall consult at least annually with Congress, including majority and minority views from all appropriate authorizing, appropriations, and oversight committees; and*

*(ii) as the Committee determines appropriate, shall solicit and consider the views and suggestions of entities potentially affected by or interested in the strategy.*

*(C) CONTENTS OF STRATEGY.—Each National Security Human Capital Strategy issued under subparagraph (A) shall—*

*(i) provide for the implementation of this subtitle;*

*(ii) identify best practices from ICIs already in operation;*

*(iii) identify any additional ICIs to be identified by the Committee;*

*(iv) include a schedule for the issuance of directives and establishment of standards relating to the requirements under this subtitle by the Committee;*

*(v) include a description of how the strategy incorporates views and suggestions obtained through the consultations with Congress required under subparagraph (B);*

*(vi) include an assessment of performance measures over a multi-year period, such as—*

*(I) the percentage of ICI positions available for service by employees from another covered agency for which such employees performed such service;*

*(II) the number of personnel participating in interagency rotational service in each covered agency and interagency body;*

*(III) the length of interagency rotational service under this subtitle;*

*(IV) reports by the heads of covered agencies submitted under subsection (f)(2)(B)(ii);*

*(V) the training and education of personnel who perform interagency rotational service, and the evaluation by the Committee of the training and education;*

*(VI) the positions (including grade level) held by employees who perform interagency rotational service during the period beginning on the date on which the interagency rotational service terminates and ending on the date of the assessment; and*

*(VII) to the extent possible, the evaluation of the Committee of the utility of interagency rotational service in improving interagency integration.*

*(2) REPORTS.—Not later than October 1 of the 2nd fiscal year after a fiscal year in which the Committee issues a National Security Human Capital Strategy under paragraph (1), the Committee shall assess the performance measures described in paragraph (1)(C)(vi).*

*(3) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Committee issues a National Security Human Capital Strategy under paragraph (1) or assesses performance measures under paragraph (2), the Committee shall submit the strategy or assessment to Congress.*

*(i) GAO STUDY OF INTERAGENCY ROTATIONAL SERVICE.—Not later than the end of the 2nd fiscal year after the fiscal year in which this Act is enacted, the Comptroller General of the United States shall submit to Congress a report regarding—*

*(1) the extent to which performing service in an ICI position in another covered agency or an interagency body under this subtitle enabled the employees performing the service to gain an adequately detailed understanding of and perspective on the covered agency or interagency body, including an assessment of the effect of—*

*(A) the period of service; and*

*(B) the duties performed by the employees during the service;*

*(2) the effectiveness of the Committee and the staff of the Committee funded under subsection (c)(5)(E)(ii) in overseeing and managing interagency rotational service under this subtitle, including an evaluation of any directives or standards issued by the Committee;*

*(3) the participation of covered agencies in interagency rotational service under this subtitle, including whether each covered agency that performs a mission relating to an ICI in effect—*

*(A) identified positions within the covered agency as ICI positions;*

*(B) had 1 or more employees from another covered agency perform service in an ICI position in the covered agency; or*

*(C) had 1 or more employees of the covered agency perform service in an ICI position in another covered agency;*

*(4) the positions (including grade level) held by employees after completing interagency rotational service under this subtitle, and the extent to which the employees were rewarded for the service; and*

*(5) the extent to which or likelihood that interagency rotational service under this subtitle has improved or is expected to improve interagency integration.*

*(j) PROHIBITION OF PRINTED REPORTS.—Each strategy, plan, report, or other submission required under this subtitle—*

*(1) shall be made available by the agency issuing the strategy, plan, report, or other submission only in electronic form; and*

*(2) shall not be made available by the agency in printed form.*

*(k) EXCLUSION.—This subtitle shall not apply to any element of the intelligence community.*

## *TITLE XII—MATTERS RELATING TO FOREIGN NATIONS*

### *Subtitle A—Assistance and Training*

#### *SEC. 1201. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.*

*(a) AUTHORITY FOR FISCAL YEAR 2013.—Subsection (a) of section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619) is amended—*

*(1) in the heading, by striking ''FISCAL YEAR 2012'' and inserting ''FISCAL YEAR 2013''; and*

*(2) by striking ''fiscal year 2012'' and inserting ''fiscal year 2013''.*

*(b) QUARTERLY REPORTS.—Subsection (b)(1) of such section is amended by striking ''fiscal year 2012'' and inserting ''fiscal year 2013''.*

*(c) EXTENSION OF AUTHORITY TO ACCEPT CONTRIBUTIONS.—Subsection (f) of such section is amended by striking ''in fiscal year 2012'' and inserting ''during any period during which the authority of subsection (a) is in effect''.*

#### *SEC. 1202. MODIFICATION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.*

*(a) AUTHORIZED ELEMENTS.—Section 1206(b)(1) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3457), as amended by the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2418), is further amended by striking ''equipment, supplies and training'' and inserting ''equipment, supplies, training, and small-scale military construction activities''.*

*(b) USE OF FUNDS FOR FISCAL YEAR 2013.—Subsection (c) of such section, as most recently amended by section 1204(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1621), is further amended by adding at the end the following:*

*''(6) USE OF FUNDS FOR FISCAL YEAR 2013.—*

*''(A) LIMITATION ON SMALL-SCALE MILITARY CONSTRUCTION ACTIVITIES.—Of amounts available under this subsection for the authority in subsection (a) for fiscal year 2013—*

*''(i) not more than $750,000 may be obligated or expended for small-scale military construction activities (as described in subsection (b)(1)) under a program authorized under subsection (a); and*

*''(ii) not more than $25,000,000 may be obligated or expended for small-scale military construction activities (as described in subsection (b)(1)) under all programs authorized under subsection (a).*

*''(B) AVAILABILITY OF FUNDS FOR PROGRAMS DURING FISCAL YEAR 2014.—*

*''(i) IN GENERAL.—Subject to clause (ii), not more than 20 percent of amounts available under this subsection for the authority in subsection (a) for fiscal year 2013 may be obligated*

*and expended to conduct or support a program authorized under subsection (a) during fiscal year 2014.*

*''(ii) NOTIFICATION.—Whenever the Secretary of Defense decides, with the concurrence of the Secretary of State, to conduct or support a program authorized under subsection (a) during fiscal year 2014 using amounts described in clause (i), the Secretary of Defense shall submit to the congressional committees specified in paragraph (3) of subsection (e) a notification in writing of that decision in accordance with such subsection by not later than September 30, 2013.''.*

***SEC. 1203. THREE-YEAR EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.***

*Section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2514; 10 U.S.C. 168 note) is amended by striking ''September 30, 2012'' and inserting ''September 30, 2015''.*

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

***SEC. 1211. ONE-YEAR EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.***

*(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1630), is further amended—*

*(1) by striking ''fiscal year 2012'' and inserting ''fiscal year 2013''; and*

*(2) by striking ''Operation Iraqi Freedom or''.*

*(b) LIMITATION ON AMOUNT AVAILABLE.—Subsection (d)(1) of such section, as so amended, is further amended—*

*(1) by striking ''fiscal year 2012'' and inserting ''fiscal year 2013'';*

*(2) by striking ''$1,690,000,000'' and inserting ''$1,650,000,000''; and*

*(3) by adding at the end the following: ''Of the aggregate amount specified in the preceding sentence, the total amount of reimbursements made under subsection (a) and support provided under subsection (b) to Pakistan during fiscal year 2013 may not exceed $650,000,000.''.*

*(c) ADDITIONAL LIMITATION ON REIMBURSEMENT OF THE GOVERNMENT OF PAKISTAN.—Such section, as so amended, is further amended—*

*(1) by redesignating subsection (f) as subsection (g); and*

*(2) by inserting after subsection (e) the following:*

*''(f) ADDITIONAL LIMITATION ON REIMBURSEMENT OF THE GOVERNMENT OF PAKISTAN.—In addition to the other requirements of this section, reimbursements authorized by subsection (a) and the support authorized by subsection (b) may be made to the Government of Pakistan for support of United States military operations for fiscal year 2013 only if the Secretary of Defense submits to the congressional defense committees the following:*

*''(1) A report that contains a description of—*

*''(A) a model for reimbursement, including how claims are proposed and adjudicated;*

*''(B) new conditions or caveats that the Government of Pakistan places on the use of its supply routes; and*

*''(C) the estimated differences in costs associated with transit through supply routes in Pakistan for fiscal year 2011 as compared to fiscal year 2013.*

*''(2) A certification of the Secretary of Defense that the Government of Pakistan is committed to—*

*''(A) supporting counterterrorism operations against Al Qaeda, its associated movements, the Haqqani Network, and other domestic and foreign terrorist organizations;*

*''(B) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;*

*''(C) preventing the proliferation of nuclear-related material and expertise; and*

*''(D) issuing visas in a timely manner for United States Government personnel supporting counterterrorism efforts and assistance programs in Pakistan.''.*

***SEC. 1212. AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.***

*(a) TYPES OF SUPPORT.—Subsection (b) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631) is amended—*

*(1) by striking ''The operations'' and inserting the following:*

*''(1) IN GENERAL.—The operations''; and*

*(2) by adding at the end the following:*

*''(2) TRAIN AND ASSIST.—The operations and activities that may be carried out by the Office of Security Cooperation in Iraq using funds provided under subsection (a) may, with the concurrence of the Secretary of State, include training and assisting Iraqi Ministry of Defense personnel.''.*

*(b) LIMITATION ON AMOUNT.—Subsection (c) of such section is amended by inserting at the end before the period the following: ''and in fiscal year 2013 may not exceed $508,000,000''.*

*(c) SOURCE OF FUNDS.—Subsection (d) of such section is amended—*

*(1) by inserting ''or fiscal year 2013'' after ''fiscal year 2012''; and*

*(2) by striking ''that fiscal year'' and inserting ''fiscal year 2012 or 2013, as the case may be,''.*

*(d) REPORT.—*

*(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the Office of Security Cooperation in Iraq.*

*(2) MATTERS TO BE INCLUDED.—The report shall include the following:*

*(A) The plan to consolidate Office sites.*

*(B) The status of any pending requests for additional United States military forces for the Office.*

*(C) The legal status and legal protections provided to Office personnel, the operational impact of such status and protections, and the associated constraints on the operational capacity of such personnel by reason of their legal status.*

*(D) The operational and functional limitations and authorities of Office personnel.*

*(E) A description of potential direct threats to Office personnel and their capacity to provide adequate force protection to thwart those threats.*

*(3) FORM.—The report shall be submitted in unclassified form, but may contain a classified annex if necessary.*

*(4) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—*

*(A) the congressional defense committees; and*

*(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.*

***SEC. 1213. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.***

*Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4392), as amended by section 1216 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1632), is further amended—*

*(1) in subsection (a)—*

*(A) by striking ''$50,000,000'' and inserting ''$35,000,000''; and*

*(B) by striking ''in each of fiscal years 2011 and 2012'' and inserting ''for fiscal year 2013''; and*

*(2) in subsection (e)—*

*(A) by striking ''utilize funds'' and inserting ''obligate funds''; and*

*(B) by striking ''December 31, 2012'' and inserting ''December 31, 2013''.*

***SEC. 1214. PROHIBITION ON USE OF PRIVATE SECURITY CONTRACTORS AND MEMBERS OF THE AFGHAN PUBLIC PROTECTION FORCE TO PROVIDE SECURITY FOR MEMBERS OF THE ARMED FORCES AND MILITARY INSTALLATIONS AND FACILITIES IN AFGHANISTAN.***

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

*(1) According to the Department of Defense, as of February 1, 2012, there had been 42 insider attacks on coalition forces since 2007 by the Afghan National Army, Afghan National Police, or Afghan nationals hired by private security contractors to guard United States bases and facilities in Afghanistan.*

*(2) The Department of Defense data shows that the trend of insider attacks is increasing.*

*(3) Members of the Armed Forces of the United States continue to be garrisoned and housed in facilities and installations in Afghanistan that are guarded by private security contractors and not by United States or coalition forces.*

*(4) President Karzai has prohibited the use of private security contractors in Afghanistan and determined that beginning in March, 2012, the Afghan Ministry of Interior will provide Afghan Public Protection Forces on a reimbursable basis to those desiring to contract for additional security.*

*(5) The Afghan Ministry of Interior will have the primary responsibility for screening and vetting the Afghan nationals who will comprise the Afghan Public Protection Force.*

*(6) The current force levels in Afghanistan are necessary to accomplish the International Security Assistance Force mission and force protection for members of the Armed Forces garrisoned and housed in Afghanistan should not come at the expense of mission success.*

*(7) The President of the United States has begun to draw down United States military forces in Afghanistan and has committed to continue this drawdown through 2014.*

*(8) The redeployment phase of any military operation brings increasing vulnerabilities to members of the Armed Forces.*

*(9) It is the responsibility of the Commander in Chief to provide for the security for members of the Armed Forces deployed to Afghanistan and to mitigate internal threats to such forces to the greatest extent possible, while continuing to meet the objectives of the International Security Assistance Force mission in Afghanistan, including the training and equipping of the Afghan National Security Forces in order that they may provide for their own security.*

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

*(1) the best security and force protection for members of the Armed Forces garrisoned and housed in Afghanistan should be provided;*

*(2) better security and force protection for members of the Armed Forces garrisoned and housed in Afghanistan can be provided by United States military personnel than private security contractors or members of the Afghan Public Protection Force;*

*(3) the President should take action in light of the increased risk to members of the Armed Forces during this transitional period in Afghanistan and the increasing number of insider attacks; and*

*(4) the United States remains committed to mission success in Afghanistan in light of the national security interests in the region and the sacrifice and commitment of the United States Armed Forces over the last ten years.*

*(c) PROHIBITION.—Notwithstanding section 2465 of title 10, United States Code, funds appropriated to the Department of Defense may not be obligated or expended for the purpose of—*

*(1) entering into a contract for the performance of security-guard functions at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;*

*(2) otherwise employing private security contractors to provide security for members of the Armed Forces deployed to Afghanistan; or*

*(3) employing the Afghan Public Protection Force to provide security for such members or to perform such security-guard functions at such a military installation or facility.*

*(d) REQUIREMENT.—*

*(1) IN GENERAL.—The President shall ensure that as many appropriately trained members of the Armed Forces of the United States as are necessary are available to—*

*(A) perform security-guard functions at all military installations and facilities in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;*

*(B) provide security for members of the Armed Forces deployed to Afghanistan; and*

*(C) provide adequate counterintelligence support for such members.*

*(2) RELATIONSHIP TO OTHER REQUIREMENTS AND LIMITATIONS.—The members of the Armed Forces required to be made available under paragraph (1) shall be in addition to—*

*(A) the number of such members who are deployed to Afghanistan to support the requirements of the North Atlantic Treaty Organization mission in Afghanistan and the military campaign plan of the Commander of the International Security and Assistance Force; and*

*(B) any limitation on force levels that may be in effect.*

*(e) WAIVER.—The President may waive the prohibition under subsection (c) and the requirement under subsection (d) if the President submits to Congress a certification in writing that—*

*(1) the use of private security contractors or the Afghan Public Protection Force can provide a level of security and force protection for members of the Armed Forces deployed to Afghanistan that is at least equal to the security and force protection that can be provided by members of the Armed Forces; and*

*(2) the Secretary of Defense has ensured that all employees of private security contractors and members of the Afghan Public Protection Force providing security or force protection for members of the Armed Forces deployed to Afghanistan are independently screened and vetted by members of the Armed Forces of the United States.*

*(f) REPORT.—*

*(1) IN GENERAL.—Not later than 30 days after the end of each quarter of fiscal years 2013 and 2014, the Secretary of Defense shall submit to the congressional defense committees a report on the following:*

*(A) Data on attempted and successful attacks by the Afghan National Security Forces, the Afghan Public Protection Force, and private security contractors on United States Armed Forces and civilian personnel of the Department of Defense.*

*(B) The number of members of the United States Armed Forces and civilian personnel of the Department of Defense wounded or killed due to such attacks.*

*(C) A description of tactical or covert methods used in such attacks and a description of motivations for such attacks.*

*(2) ADDITIONAL INFORMATION.—The first report submitted following the date of the enactment of this Act and the report submitted for the first quarter of fiscal year 2014 shall also include the following:*

*(A) Actions the Department of Defense is taking to monitor indicators and early warning signs of infiltration or co-option of the Afghan National Security Forces, the Afghan Public Protection Force, and private security contractors.*

*(B) The methodology and systematic approach to resolving disputes between the Afghan National Security Forces and United States Armed Forces and civilian personnel of the Department of Defense when such disputes arise.*

*(g) DEFINITION.—In this section, the term ''members of the Armed Forces deployed to Afghanistan'' means members of the Armed Forces deployed to Afghanistan in support of the International Security Assistance Force in Afghanistan and members of the Armed Forces of the United States deployed to Afghanistan in support of Operation Enduring Freedom.*

***SEC. 1215. REPORT ON UPDATES AND MODIFICATIONS TO CAMPAIGN PLAN FOR AFGHANISTAN.***

*(a) REPORT REQUIRED.—Not later than 180 days after the date on which any substantial update or modification is made to the campaign plan for Afghanistan (including the supporting and implementing documents for such plan), the Comptroller General of the United States shall submit to the congressional defense committees a report on the updated or modified plan, including an assessment of the updated or modified plan.*

*(b) EXCEPTION.—The requirement to submit a report under subsection (a) on any substantial update or modification to the campaign plan for Afghanistan shall not apply if the Comptroller General—*

*(1) determines that a report submitted to Congress by the Comptroller General before the date of the enactment of this Act substantially meets the requirement to submit the report under subsection (a); and*

*(2) notifies the congressional defense committees in writing of the determination under paragraph (1).*

*(c) TERMINATION.—The requirement to submit a report under subsection (a) on any substantial update or modification to the campaign plan for Afghanistan shall terminate on September 30, 2014.*

*(d) REPEAL.—Section 1226 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2525) is repealed.*

***SEC. 1216. UNITED STATES MILITARY SUPPORT IN AFGHANISTAN.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) following Al Qaeda's attacks on the United States on September 11, 2001, United States and coalition forces have achieved significant progress toward security and stability in Afghanistan;*

*(2) as the United States completes transfer of the lead for security to the Afghan National Security Forces by the end of 2014, the United States should ensure that the gains in security are maintained;*

*(3) the United States mission in Afghanistan continues to be to disrupt, dismantle, and defeat al Qaeda, as well as to prevent its return to either Afghanistan or Pakistan;*

*(4) the specific objectives in Afghanistan are to deny safe haven to Al Qaeda and to deny the Taliban the ability to overthrow the Afghan Government;*

*(5) the Taliban, Haqqanis, and associated insurgents continue to enjoy safe havens in Pakistan, but are unlikely to be capable of overthrowing the Afghan Government unless the United States withdraws forces precipitously from Afghanistan;*

*(6) the Haqqani Network provides unique capabilities and capacity to the Afghan Taliban, and additionally, serves as a combat multiplier to the Afghan insurgency due to its geographic primacy over the key terrain of the Paktika, Paktia, and Khost provinces, as well as North and South Waziristan, and willingness to introduce international weaponry and technology into the battle space and serve as the reception point and integrator of international foreign fighters into the Afghan insurgency;*

*(7) the Haqqani Network has been the most important Afghan-based protector of Al Qaeda;*

*(8) the unique capabilities and effects brought to the battle space by the Haqqani Network necessitate that the Government of Afghanistan should have superior operational capacity in order to maintain the security of Afghanistan over time;*

*(9) the United States military should not maintain an indefinite combat mission in Afghanistan and should transition to a counterterrorism and advise and assist mission at the earliest practicable date, consistent with conditions on the ground;*

*(10) significant uncertainty exists within Afghanistan regarding the level of future United States military support; and*

*(11) in order to reduce this uncertainty, and to promote further stability and security in Afghanistan, the President should—*

*(A) fully consider the International Security Assistance Force Commander's assessment regarding the need for the United States to maintain a ''significant combat presence through 2013'';*

*(B) maintain a force of at least 68,000 troops through December 31, 2014, unless fewer forces can achieve United States objectives;*

*(C) maintain a credible troop presence after December 31, 2014, sufficient to conduct counterterrorism and train and advise the Afghan National Security Forces, consistent with the Strategic Partnership Agreement (signed on May 2, 2012); and*

*(D) maintain sufficient funding for the Afghan National Security Forces to accomplish the objectives described in paragraphs (3), (4), and (8).*

*(b) NOTIFICATION.—The President shall notify the congressional defense committees of any decision to reduce the number of United States Armed Forces deployed in Afghanistan below the number of such Armed Forces deployed in Afghanistan on—*

*(1) December 31, 2012,*

*(2) December 31, 2013, and*

*(3) December 31, 2014,*

*prior to any public announcement of any such decision to reduce the number of United States Armed Forces deployed in Afghanistan.*

*(c) MATTERS TO INCLUDE IN NOTIFICATION.—As part of a notification required by subsection (b), the President shall—*

*(1) provide an assessment of the relevant security risk metrics associated with the marginal reduction in force levels; and*

*(2) provide a by-unit assessment of the operational capability of the Afghan National Security Forces to independently conduct the required operations to maintain security in Afghanistan.*

***SEC. 1217. EXTENSION AND MODIFICATION OF PAKISTAN COUNTERINSURGENCY FUND.***

*(a) IN GENERAL.—Section 1224(h) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2521), as most recently amended by section 1220 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1633), is further amended by striking ''September 30, 2012'' both places it appears and inserting ''September 30, 2013''.*

*(b) LIMITATION ON FUNDS SUBJECT TO REPORT AND UPDATES.—Section 1220(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1633) is amended—*

*(1) in the heading of paragraph (1), by inserting ''FOR FISCAL YEAR 2012'' after ''FUNDS'';*

*(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;*

*(3) by inserting after paragraph (1) the following:*

*''(2) LIMITATION ON FUNDS FOR FISCAL YEAR 2013; REPORT REQUIRED.—Of the amounts appropriated or transferred to the Fund for fiscal year 2013, not more than 10 percent of such amounts may be obligated or expended until such time as the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate congressional committees an update of the report required under paragraph (1).'';*

*(4) in paragraph (3) (as redesignated)—*

*(A) by inserting ''after fiscal year 2013'' after ''any fiscal year'';*

*(B) by striking ''requested to be''; and*

*(C) by striking ''at the same time that the President's budget is submitted pursuant to section 1105(a) of title 31, United States Code'' and*

*inserting ''not later than 45 days before amounts in the Fund are made available to the Secretary of Defense''; and*

*(5) in paragraph (4) (as redesignated), by striking ''the update required under paragraph (2)'' and inserting ''the updates required under paragraphs (2) and (3)''.*

***Subtitle C—Matters Relating to Iran***

***SEC. 1221. DECLARATION OF POLICY.***

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

*(1) Iran, which has long sought to foment instability and promote extremism in the Middle East, is now seeking to exploit the dramatic political transition underway in the region to undermine governments traditionally aligned with the United States and support extremist political movements in these countries.*

*(2) At the same time, Iran may soon attain a nuclear weapons capability, a development that would threaten United States interests, destabilize the region, encourage regional nuclear proliferation, further empower and embolden Iran, the world's leading state sponsor of terrorism, and provide it the tools to threaten its neighbors, including Israel.*

*(3) With the assistance of Iran over the past several years, Syria, Hezbollah, and Hamas have increased their stockpiles of rockets, with more than 60,000 rockets now ready to be fired at Israel. Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran's neighbors, Israel, and United States Armed Forces in the region.*

*(4) Preventing Iran from acquiring a nuclear weapon is among the most urgent national security challenges facing the United States.*

*(5) Successive United States administrations have stated that an Iran armed with a nuclear weapon is unacceptable.*

*(6) President Obama stated on January 24, 2012, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.''.*

*(7) In order to prevent Iran from developing nuclear weapons, the United States, in cooperation with its allies, must utilize all elements of national power including diplomacy, robust economic sanctions, and credible, visible preparations for a military option.*

*(8) Nevertheless, to date, diplomatic overtures, sanctions, and other non-kinetic actions toward Iran have not caused the Government of Iran to abandon its nuclear weapons program.*

*(9) With the impact of additional sanctions uncertain, additional pressure on the Government of Iran could come from the credible threat of military action against Iran's nuclear program.*

*(b) DECLARATION OF POLICY.—It shall be the policy of the United States to take all necessary measures, including military action if required, to prevent Iran from threatening the United States, its allies, or Iran's neighbors with a nuclear weapon.*

***SEC. 1222. UNITED STATES MILITARY PREPAREDNESS IN THE MIDDLE EAST.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) military exercises conducted in the Persian Gulf and Gulf of Oman emphasize the United States resolve and the policy of the United States described in section 1221(b) by enhancing the readiness of the United States military and allied forces, as well as signaling to the Government of Iran the commitment of the United States to defend its vital national security interests; and*

*(2) the President, as Commander in Chief, should augment the presence of the United States Fifth Fleet in the Middle East and to conduct military deployments, exercises, or other visible, concrete military readiness activities to underscore the policy of the United States described in section 1221(b).*

*(b) PLAN.—*

*(1) IN GENERAL.—The Secretary of Defense shall prepare a plan to augment the presence of the United States Fifth Fleet in the Middle East and to conduct military deployments, exercises, or other visible, concrete military readiness activities to underscore the policy of the United States described in section 1221(b).*

*(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include, at a minimum, steps necessary for the Armed Forces to support the policy of the United States described in section 1221(b), including—*

*(A) pre-positioning sufficient supplies of aircraft, munitions, fuel, and other materials for both air- and sea-based missions at key forward locations in the Middle East and Indian Ocean;*

*(B) maintaining sufficient naval assets in the region necessary to signal United States resolve and to bolster United States capabilities to launch a sustained sea and air campaign against a range of Iranian nuclear and military targets, to protect seaborne shipping, and to deny Iranian retaliation against United States interests in the region;*

*(C) discussing the viability of deploying at least two United States aircraft carriers, an additional large deck amphibious ship, and a Mine Countermeasures Squadron in the region on a continual basis, in support of the actions described in subparagraph (B); and*

*(D) conducting naval fleet exercises similar to the United States Fifth Fleet's major exercise in the region in March 2007 to demonstrate ability to keep the Strait of Hormuz open and to counter the use of anti-ship missiles and swarming high-speed boats.*

*(3) SUBMISSION TO CONGRESS.—The plan required under paragraph (1) shall be submitted to the congressional defense committees not later than 120 days after the date of enactment of this Act.*

***SEC. 1223. ANNUAL REPORT ON MILITARY POWER OF IRAN.***

*(a) IN GENERAL.—Section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2542) is amended—*

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

*(2) by inserting after subsection (b) the following:*

*''(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Central Command on the following:*

*''(1) Any critical gaps in intelligence that limit the ability of the Commander to counter threats emanating from Iran.*

*''(2) Any gaps in the capabilities, capacity, and authorities of the Commander to counter Iranian threats to United States Armed Forces and United States interests in the region.*

*''(3) Any gaps in the capabilities and capacity of the Commander to take military action against Iran to prevent Iran from developing a nuclear weapon.*

*''(4) Any other matters the Commander considers to be relevant.''.*

*(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to each report required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010 on or after such date of enactment.*

***Subtitle D—Reports and Other Matters***

***SEC. 1231. ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.***

*(a) IN GENERAL.—Subsection (b) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note), as most recently amended by section 1238 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1642), is further amended—*

*(1) by redesignating paragraphs (10), (11), and (12) as paragraphs (12), (13), and (14), respectively; and*

*(2) by inserting after paragraph (9) the following:*

*''(10) The strategy, goals, and capabilities of Chinese space programs, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities, and efforts to develop, acquire, or gain access to advanced technologies that would enhance Chinese military capabilities.*

*''(11) The strategy, goals, and capabilities of Chinese cyber activities, including trends, global and regional activities, the involvement of military and civilian organizations, including state-owned enterprises, academic institutions, and commercial entities. Relevant analyses and forecasts shall consider—*

*''(A) Chinese cyber activities directed against the Department of Defense;*

*''(B) potential harms that may affect Department of Defense communications, computers, networks, systems, or other military assets as a result of a cyber attack; and*

*''(C) any other developments regarding Chinese cyber activities that the Secretary of Defense determines are relevant to the national security of the United States.''.*

*(b) COMBATANT COMMANDER ASSESSMENT.—Such section is further amended—*

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

*(2) by inserting after subsection (b) the following:*

*''(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Pacific Command on the following:*

*''(1) Any gaps in intelligence that limit the ability of the Commander to address challenges posed by the People's Republic of China.*

*''(2) Any gaps in the capabilities, capacity, and authorities of the Commander to address challenges posed by the People's Republic of China to United States Armed Forces and United States interests in the region.*

*''(3) Any other matters the Commander considers to be relevant.''.*

*(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on the date of the enactment of this Act and apply with respect to each report required to be submitted under section 1202 of the National Defense Authorization Act for Fiscal Year 2000 on or after such date of enactment.*

***SEC. 1232. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.***

*(a) ADDITIONAL REPORT.—Subsection (a) of section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1641) is amended by inserting after ''November 1, 2012,'' the following: ''and November 1, 2013,''.*

*(b) COMBATANT COMMANDER ASSESSMENT.—Such section is further amended—*

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

*(2) by inserting after subsection (b) the following:*

*''(c) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an identification and assessment of the Commander of the United States Pacific Command on the following:*

*''(1) Any gaps in intelligence that limit the ability of the Commander to counter threats emanating from North Korea.*

*''(2) Any gaps in the capabilities, capacity, and authorities of the Commander to counter*

*North Korean threats to United States Armed Forces and United States interests in the region.*

*''(3) Any other matters the Commander considers to be relevant.''.*

***SEC. 1233. REPORT ON HOST NATION SUPPORT FOR OVERSEAS UNITED STATES MILITARY INSTALLATIONS AND UNITED STATES ARMED FORCES DEPLOYED IN COUNTRY.***

*(a) REPORT REQUIRED.—*

*(1) IN GENERAL.—Not later than March 1 of each year from 2013 through 2015, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the direct, indirect, and burden-sharing contributions made by host nations to support United States Armed Forces deployed in country.*

*(2) ELEMENTS.—The report required by paragraph (1) shall include at least the following:*

*(A) The methodology and accounting procedures used to measure and track direct, indirect, and burden-sharing contributions made by host nations.*

*(B) The stationing costs, paid by the host nation, associated with United States Armed Forces stationed outside the territory of the United States in that nation.*

*(C) A description of direct, indirect, and burden-sharing contributions by host nation, including the following:*

*(i) Contributions accepted for the following costs:*

*(I) Compensation for local national employees of the Department of Defense.*

*(II) Military construction projects of the Department of Defense, including design, procurement, construction management costs, rents on privately-owned land, facilities, labor, utilities and vicinity improvements.*

*(III) Other costs such as loan guarantees on public-private venture housing and payment-in-kind for facilities returned to the host nation.*

*(ii) Contributions accepted for any other purpose.*

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

*(c) DEFINITIONS.—In this section:*

*(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—*

*(A) the congressional defense committees; and*

*(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.*

*(2) HOST NATION.—The term ''host nation'' means any country that hosts a permanent or temporary United States military installation or a permanent or rotational deployment of United State Armed Forces located outside of the borders of the United States.*

*(3) CONTRIBUTIONS.—The term ''contributions'' means cash and in-kind contributions made by a host nation that replace expenditures that would otherwise be made by the Secretary of Defense using funds appropriated or otherwise made available in defense appropriations Acts.*

***SEC. 1234. NATO SPECIAL OPERATIONS HEADQUARTERS.***

*(a) IN GENERAL.—Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2541), as amended by section 1242 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4405), is further amended by striking ''fiscal year 2011'' and inserting ''fiscal year 2013''.*

*(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the NATO Special Operations Headquarters, not more than 50 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of Defense finalizes and formalizes U.S. Special Operations Command as the executive agent and lead component for the NATO Special Operations Headquarters.*

***SEC. 1235. REPORTS ON EXPORTS OF MISSILE DEFENSE TECHNOLOGY TO CERTAIN COUNTRIES.***

*(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and each year thereafter through 2015, the Secretary of Defense shall submit to the appropriate congressional committees a report on the following:*

*(1) A description of the types of assistance, including assistance relating to missile defense, provided by the Department of Defense to foreign countries that export space, counter-space, and ballistic missile equipment, material, and technologies that could be used in other countries' space, counter-space, and ballistic missile programs.*

*(2) A description of such exports to countries with space, counter-space, and ballistic missile programs, including a description of specific technologies that are exported to such countries.*

*(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the congressional defense committees; and*

*(2) the Committee of Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.*

***SEC. 1236. LIMITATION ON FUNDS TO PROVIDE THE RUSSIAN FEDERATION WITH ACCESS TO MISSILE DEFENSE TECHNOLOGY.***

*(a) LIMITATION ON FUNDS FOR CLASSIFIED TECHNOLOGY AND DATA.—*

*(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to provide the Russian Federation with access to information that is classified or was classified as of January 2, 2012, regarding—*

*(A) missile defense technology of the United States, including hit-to-kill technology; or*

*(B) data, including sensitive technical data, warning, detection, tracking, targeting, telemetry, command and control, and battle management data, that support the missile defense capabilities of the United States.*

*(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.*

*(b) LIMITATION ON FUNDS FOR OTHER TECHNOLOGY AND DATA.—*

*(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to provide the Russian Federation with access to missile defense technology or technical data not described in subsection (a) unless—*

*(A) the President submits to the appropriate congressional committees—*

*(i) a report that contains a description of—*

*(I) the specific missile defense technology or technical data to be provided to the Russian Federation, the reasons for providing such technology or data, and how the technology or technical data is intended to be used;*

*(II) the measures necessary to protect the technology or technical data;*

*(III) the specific missile defense technology or technical data of the Russian Federation that the Russian Federation is providing the United States with access to; and*

*(IV) the status and substance of discussions between the United States and the Russian Federation on missile defense matters; and*

*(ii) written certification by the President that providing the Russian Federation with access to such missile defense technology or technical data—*

*(I) includes an agreement on prohibiting access to such technology or data by any other country or entity;*

*(II) will not enable the development of countermeasures to any missile defense system of the United States or otherwise undermine the effectiveness of any such missile defense system; and*

*(III) will correspond to equitable access by the United States to missile defense technology or technical data of the Russian Federation; and*

*(B) a period of 30 days has elapsed following the date on which the President submits to the appropriate congressional committees the report and written certification under subparagraph (A).*

*(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.*

*(c) FORM.—The report described in clause (i) of subsection (b)(1)(A) and the certification described in clause (ii) of such subsection shall be submitted in unclassified form, but may contain a classified annex, if necessary.*

*(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and*

*(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.*

***SEC. 1237. INTERNATIONAL AGREEMENTS RELATING TO MISSILE DEFENSE.***

*(a) SENSE OF CONGRESS.—It is the sense of Congress that an agreement regarding missile defense cooperation between the United States and the Russian Federation that is negotiated with the Russian Federation through the North Atlantic Treaty Organization (''NATO'') or a provision to amend the charter of the NATO–Russia Council, should not be considered legally or politically binding unless the agreement is—*

*(1) specifically approved with the advice and consent of the Senate pursuant to article II, section 2, clause 2 of the Constitution; or*

*(2) specifically authorized by an Act of Congress.*

*(b) MISSILE DEFENSE AGREEMENTS.—*

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

***''§ 130f. International agreements relating to missile defense***

*''(a) IN GENERAL.—In accordance with the understanding under subsection (b)(1)(B) of the Resolution of Advice and Consent to Ratification of the New START Treaty of the Senate, any agreement with a country or international organization or amendment to the New START Treaty (including an agreement made by the Bilateral Consultative Commission established by the New START Treaty) concerning the limitation of the missile defense capabilities of the United States shall not be binding on the United States, and shall not enter into force with respect to the United States, unless after the date of the enactment of this section, such agreement or amendment is—*

*''(1) specifically approved with the advice and consent of the Senate pursuant to article II, section 2, clause 2 of the Constitution; or*

*''(2) specifically authorized by an Act of Congress.*

*''(b) ANNUAL NOTIFICATION.—Not later than January 31 of each year, beginning in 2013, the President shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a notification of—*

*''(1) whether the Russian Federation has recognized during the previous year the sovereign right of the United States to pursue quantitative and qualitative improvements in missile defense capabilities; and*

*''(2) whether during any treaty negotiations or other Government-to-Government contacts between the United States and the Russian Federation (including under the auspices of the Bilateral Consultative Commission established by the New START Treaty) during the previous year a representative of the Russian Federation suggested that a treaty or other international agreement include, with respect to the United States—*

''(A) restricting missile defense capabilities, military capabilities in space, or conventional prompt global strike capabilities; or

''(B) reducing the number of non-strategic nuclear weapons deployed in Europe.

''(c) NEW START TREATY DEFINED.—In this section, the term 'New START Treaty' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130e the following new item:

''130f. International agreements relating to missile defense.''.

(c) DEFENSE TECHNOLOGY COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2350n. Defense technology cooperation agreements between the United States and the Russian Federation

''(a) IN GENERAL.—None of the funds made available for fiscal year 2012 or any fiscal year thereafter for the Department of Defense may be used to implement a defense technology cooperation agreement entered into between the United States and the Russian Federation until a period of 60 days has elapsed following the date on which the President transmits such agreement to the congressional defense committees.

''(b) DEFENSE TECHNOLOGY COOPERATION AGREEMENT DEFINED.—In this section, the term 'defense technology cooperation agreement' means a cooperative agreement related to research and development entered into under section 2358 of this title or any other provision of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2350m the following new item:

''2350n. Defense technology cooperation agreement between the United States and the Russian Federation.''.

(d) LIMITATION ON MISSILE DEFENSE NEGOTIATION.—

(1) IN GENERAL.—None of the funds made available for fiscal years 2012 or 2013 for the Department of Defense may be used to implement an agreement regarding missile defense entered into with the Russian Federation until the date that is 30 days after the date on which the President transmits to the appropriate congressional committees the draft agreement discussed between the United States and the Russian Federation at Deauville, France, in May 2011.

(2) APPLICABILITY.—The limitation in paragraph (1) shall apply with respect to the use of funds on or after the date of the enactment of this Act.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

## TITLE XIII—COOPERATIVE THREAT REDUCTION

### SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) FISCAL YEAR 2013 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2013 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2013, 2014, and 2015.

### SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $519,111,000 authorized to be appropriated to the Department of Defense for fiscal year 2013 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $68,271,000.

(2) For chemical weapons destruction, $14,630,000.

(3) For global nuclear security, $99,789,000.

(4) For cooperative biological engagement, $276,399,000.

(5) For proliferation prevention, $32,402,000.

(6) For threat reduction engagement, $2,375,000.

(7) For activities designated as Other Assessments/Administrative Costs, $25,245,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2013 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2013 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2013 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

## TITLE XIV—OTHER AUTHORIZATIONS

### Subtitle A—Military Programs

### SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

### SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for the fiscal year 2013 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

### SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

### SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

### SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

### SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2013 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

### SEC. 1407. CEMETERIAL EXPENSES.

Funds are hereby authorized to be appropriated for the Department of the Army for fiscal year 2013 for cemeterial expenses, not otherwise provided for, as specified in the funding table in section 4501.

### Subtitle B—National Defense Stockpile

### SEC. 1411. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2013, the National Defense Stockpile Manager may obligate up to $44,899,227 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

### SEC. 1412. ADDITIONAL SECURITY OF STRATEGIC MATERIALS SUPPLY CHAINS.

Section 2(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a) is amended by inserting ''or a single point of failure'' after ''foreign sources''.

### Subtitle C—Other Matters

**SEC. 1421. REDUCTION OF UNOBLIGATED BALANCES WITHIN THE PENTAGON RESERVATION MAINTENANCE REVOLVING FUND.**

*Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall transfer $26,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.*

**SEC. 1422. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.**

*(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated for section 1406 and available for the Defense Health Program for operation and maintenance, $139,204,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.*

*(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).*

**SEC. 1423. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.**

*There is hereby authorized to be appropriated for fiscal year 2013 from the Armed Forces Retirement Home Trust Fund the sum of $67,590,000 for the operation of the Armed Forces Retirement Home.*

## TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

### Subtitle A—Authorization of Additional Appropriations

**SEC. 1501. PURPOSE.**

*The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2013 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.*

**SEC. 1502. PROCUREMENT.**

*Funds are hereby authorized to be appropriated for fiscal year 2013 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.*

**SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.**

*Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.*

**SEC. 1504. OPERATION AND MAINTENANCE.**

*Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.*

**SEC. 1505. MILITARY PERSONNEL.**

*Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.*

**SEC. 1506. WORKING CAPITAL FUNDS.**

*Funds are hereby authorized to be appropriated for fiscal year 2013 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.*

**SEC. 1507. DEFENSE HEALTH PROGRAM.**

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.*

**SEC. 1508. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.*

**SEC. 1509. DEFENSE INSPECTOR GENERAL.**

*Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2013 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.*

### Subtitle B—Financial Matters

**SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

*The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.*

**SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

*(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

*(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2013 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.*

*(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $3,000,000,000.*

*(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.*

*(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.*

### Subtitle C—Limitations and Other Matters

**SEC. 1531. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.**

*(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013. In providing prior notice to the congressional defense committees of the obligation of funds from the Joint Improvised Explosive Device Defeat Fund for such fiscal year, as required by paragraph (4) of such subsection (c), the Secretary of Defense shall include the market research or associated analysis of alternatives conducted in the process of taking action to initiate any project for which the total obligation of funds from the Fund will exceed $10,000,000.*

*(b) MONTHLY OBLIGATIONS AND EXPENDITURE REPORTS.—Not later than 15 days after the end of each month of fiscal year 2013, the Secretary of Defense shall provide to the congressional defense committees a report on the Joint Improvised Explosive Device Defeat Fund explaining monthly commitments, obligations, and expenditures by line of action.*

**SEC. 1532. ONE-YEAR EXTENSION OF PROJECT AUTHORITY AND RELATED REQUIREMENTS OF TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.**

*(a) EXTENSION.—Subsection (a) of section 1535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4426), as amended by section 1534 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1658), is further amended—*

*(1) in paragraph (6), by striking ''October 31, 2011, and October 31, 2012'' and inserting ''October 31, 2011, October 31, 2012, and October 31, 2013''; and*

*(2) in paragraph (7), by striking ''September 30, 2012'' and inserting ''September 30, 2013''.*

*(b) SCOPE OF PROJECTS.—Paragraph (3) of such subsection, as so amended, is further amended—*

*(1) by striking ''private investment, mining sector development, industrial development, and other projects'' and inserting ''mining and natural resource industry development''; and*

*(2) by striking ''focus on improving the commercial viability of'' and inserting ''complement''.*

*(c) FUNDING.—Paragraph (4) of such subsection, as so amended, is further amended—*

*(1) by striking ''The Secretary'' and inserting the following:*

*''(A) IN GENERAL.—The Secretary''.*

*(2) by striking ''The amount'' and all that follows through ''appropriate congressional committees.'' and inserting the following:*

*''(B) LIMITATION.—The amount of funds used under authority of subparagraph (A)—*

*''(i) may not exceed $150,000,000 for fiscal year 2012, except that not more than 50 percent of such amount may be obligated until the plan required by subsection (b) is submitted to the appropriate congressional committees; and*

*''(ii) may not exceed $50,000,000 for fiscal year 2013, except that no such funds may be obligated until the Secretary notifies the appropriate congressional committees that the activities of the Task Force for Business and Stability Operations in Afghanistan will be transitioned to the Department of State by September 30, 2013.''; and*

*(3) by striking ''The funds'' and inserting the following:*

*''(C) AVAILABILITY.—The funds''.*

**SEC. 1533. LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.**

*(a) CONTINUATION OF EXISTING LIMITATIONS ON AVAILABILITY OF FUNDS IN AFGHANISTAN SECURITY FORCES FUND.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2013 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).*

*(b) AFGHAN PUBLIC PROTECTION FORCE.—*

*(1) LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2013 for the Afghanistan Security Forces Fund may*

*be obligated or expended for the Afghan Public Protection Force (in this subsection referred to as the ''APPF'') until the Secretary of Defense certifies in writing to the congressional defense committees the following:*

*(A) Each subcontract, task order, or delivery order entered into with the APPF under a contract of the Department of Defense, or any agreement between the United States and Afghanistan for services of the APPF for the Department of Defense, will include—*

*(i) standard format, content, and liability clauses to ensure consistent levels of security and dispute resolution mechanisms;*

*(ii) a requirement for members of the APPF to adhere to the APPF Code of Conduct, including principles of conduct for such personnel, minimum vetting requirements, and management and oversight commitments;*

*(iii) authority for the prime contractor or, in the case of an agreement, the United States, to independently conduct biometric screening;*

*(iv) authority for the prime contractor or, in the case of an agreement, the United States—*

*(I) to direct the APPF, at its own expense, to remove or replace any personnel performing on a subcontract or such agreement who fail to meet the APPF Code of Conduct or terms of such subcontract or agreement; and*

*(II) to terminate the subcontract or such agreement, if the failure to comply is a gross violation or is repeated; and*

*(v) authority for the Commander, International Security Assistance Force (or his designee)—*

*(I) to provide an arming authorization for APPF personnel authorized to perform activities at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed;*

*(II) to account for and keep appropriate records of APPF personnel authorized to perform activities at a military installation or facility in Afghanistan at which members of the Armed Forces deployed to Afghanistan are garrisoned or housed, including on a database referred to as the Synchronized Predeployment and Operational Tracker; and*

*(III) to consult with the Minister of Interior of Afghanistan regarding rules on the use of force for APPF personnel.*

*(B) The Minister of Interior of Afghanistan is committed to ensuring that sufficient numbers of APPF personnel are trained to match demand and attrition.*

*(C) Sufficient clarity exists with regard to command and control of APPF personnel and the role of risk management consultants.*

*(D) The program established pursuant to section 1225 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 22 U.S.C. 2785 note) is sufficient to—*

*(i) account for the transfer of any contractor-acquired, United States Government-owned defense articles to the APPF; and*

*(ii) conduct end-use monitoring, including an inventory of the existence and completeness of any such defense articles;*

*(E) Mechanisms are in place to ensure that there is no additional cost to the United States for—*

*(i) a weapon used in the performance of APPF services under a subcontract of a contract of the Department of Defense, or through an agreement between the United States and Afghanistan, if such a weapon is a United States Government-owned weapon; and*

*(ii) any assistance also provided through the Afghan Security Forces Fund for support to APPF.*

*(F) The Minister of Interior of Afghanistan has established the elements required by subparagraphs (A) through (F) of section 862(a)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181). For purposes of the preceding sentence, the terms ''personnel performing private security functions in an area of combat operations or other significant military operations'', ''contractor'', and ''contractor personnel'', as used in section 862 of such Act, mean members of the APPF.*

*(G) The Secretary is confident the security provided to supply convoys, to Department of Defense construction projects, and to Armed Forces deployed to Afghanistan will not be degraded.*

*(2) ADDITIONAL LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2013 for the Afghanistan Security Forces Fund may be obligated or expended for infrastructure improvements at a APPF training center.*

*(3) QUARTERLY REPORTS.—*

*(A) ASSESSMENT REQUIRED.—Each fiscal year quarter during fiscal years 2013 and 2014, the Secretary of Defense shall conduct an assessment of the APPF.*

*(B) REPORTS.—Thirty days following the end of each quarter of fiscal years 2013 and 2014, the Secretary shall submit a report to the congressional defense committees of each assessment conducted under subparagraph (A).*

*(C) MATTERS COVERED.—Each such report shall include—*

*(i) a detailed assessment of the ability of the APPF to perform the essential tasks identified by the assessment team;*

*(ii) an identification and evaluation of measures of effectiveness,*

*(iii) a description of the size of the APPF and an assessment of the sufficiency of its recruiting and training; and*

*(iv) a discussion of the issues the Secretary considers significant, and any recommendations to address those issues or other recommendations to improve future performance of the APPF, as the Secretary considers appropriate.*

*(D) FIRST REPORT.—The first quarterly report submitted after the date of the enactment of this Act shall include an estimate of the cost to the Department of Defense of the APPF, including funds within the Afghan Security Forces Fund and estimated contractual costs for fiscal years 2013 and 2014.*

*(E) A report submitted following the end of the second and fourth quarter of a fiscal year shall include a comparison of the cost to the Department of Defense (both direct and to contractors of the Department of Defense) for the preceding six months of—*

*(i) the use of the APPF; and*

*(ii) the historical use of private security contractors for a similar six-month period.*

*(4) AGREEMENTS.—The Secretary shall submit to the congressional defense committees a copy of each agreement signed by the United States and Afghanistan for services of the APPF for the Department of Defense during the first six months following the date of the enactment of this Act.*

## *TITLE XVI—INDUSTRIAL BASE MATTERS*

### *Subtitle A—Defense Industrial Base Matters*

#### *SEC. 1601. DISESTABLISHMENT OF DEFENSE MATERIEL READINESS BOARD.*

*(a) DISESTABLISHMENT OF BOARD.—The Defense Materiel Readiness Board established pursuant to section 871 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is hereby disestablished.*

*(b) TERMINATION OF DEFENSE STRATEGIC READINESS FUND.—The Defense Strategic Readiness Fund established by section 872(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is hereby closed.*

*(c) REPEAL.—Subtitle G of title VIII of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 117 note) is repealed.*

#### *SEC. 1602. ASSESSMENT OF EFFECTS OF FOREIGN BOYCOTTS.*

*Section 2505 of title 10, United States Code, is amended—*

*(1) by redesignating subsection (d) as subsection (e); and*

*(2) by inserting after subsection (c) the following new subsection (d):*

*''(d) ASSESSMENT OF EXTENT OF EFFECTS OF FOREIGN BOYCOTTS.—Each assessment under subsection (a) shall include a separate discussion and presentation regarding the extent to which the national technology and industrial base is affected by foreign boycotts. The discussion and presentation regarding foreign boycotts shall—*

*''(1) identify sectors of the national technology and industrial base being affected by foreign boycotts;*

*''(2) assess the harm to the national technology and industrial base as a result of such boycotts; and*

*''(3) identify actions necessary to minimize the effects of foreign boycotts on the national technology and industrial base.''.*

#### *SEC. 1603. ADVANCING INNOVATION PILOT PROGRAM.*

*(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, may establish and implement a pilot program, to be known as the ''Advancing Innovation Pilot Program'', in furtherance of the national security objectives in section 2501(a) of title 10, United States Code.*

*(b) PURPOSE.—The purpose of the pilot program is to accelerate development and fielding of research innovations from qualifying institutions.*

*(c) AVAILABILITY OF FUNDS.—Of the funds authorized and appropriated, or otherwise made available, for research, development, test and evaluation, the Secretary may allocate funding to qualifying institutions in accordance with this subsection. Such funding shall be used to evaluate the potential of fielding or commercialization of existing discoveries, including—*

*(1) proof of concept research or prototype development; and*

*(2) activities that contribute to determining a project's path to fielding or commercialization of dual-use technologies, including technical validations, market research, determination of intellectual property rights, and investigating military or commercial opportunities.*

*(d) IMPLEMENTATION.—Prior to obligation or execution of funding under the pilot program, the Secretary shall develop and issue guidance to implement the pilot program. Such guidance shall, at a minimum—*

*(1) require that funding allocated under the pilot program shall be done using a competitive, merit-based process;*

*(2) ensure that qualifying institutions establish a rigorous, diverse review board for program execution that shall be comprised of experts in translational and proof of concept research, including representatives that provide expertise in transitioning technology, financing mechanisms, intellectual property rights, and advancement of small business concerns;*

*(3) ensure that technology validation milestones are established; and*

*(4) enable the Assistant Secretary to reallocate funding with the pilot program from poor performing projects to those with more potential.*

*(e) LIMITATION.—Funding made available under the pilot program shall not be used for basic research, or to fund the acquisition of research equipment or supplies not directly related to fielding activities to meet military requirements or commercialization of dual-use technologies.*

*(f) REPORT.—Not later than 90 days after the completion of the pilot program, the Secretary shall submit to the congressional defense committees a report evaluating the effectiveness of the activities of the pilot program. The report shall include—*

*(1) a detailed description of the execution of the pilot program, including incentives and activities undertaken by review board experts;*

*(2) an accounting of the funds used in the pilot program;*

*(3) a detailed description of the institutional and proposal selection process;*

*(4) a detailed compilation of results achieved by the pilot program;*

*(5) an analysis of the program's effectiveness, with data supporting the analysis; and*

*(6) recommendations for advancing innovation and otherwise improving the transition of technology to meet Department of Defense requirements.*

*(g) DEFINITIONS.—In this section:*

*(1) QUALIFYING INSTITUTION.—The term ''qualifying institution'' means any entity at which research and development activities are conducted and that has past performance in technology transition or commercialization of third-party research, including—*

*(A) an institution of higher education or other nonprofit entity; and*

*(B) a for-profit entity.*

*(2) RESEARCHER.—The term ''researcher'' means a university or Federal laboratory that conducts basic research.*

*(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965.*

*(4) DUAL-USE.—The term ''dual-use'' has the meaning provided in section 2500(2) of title 10, United States Code.*

*(h) TERMINATION.—The pilot program conducted under this section shall terminate on September 30, 2017.*

***SEC. 1604. NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.***

*(a) REQUIREMENT FOR STRATEGY.—*

*(1) IN GENERAL.—Section 2501 of title 10, United States Code, is amended as follows:*

*(A) The section heading is amended by striking ''**objectives concerning**'' and inserting ''**strategy for**''.*

*(B) Subsection (a) is amended—*

*(i) in the subsection heading, by striking ''OBJECTIVES'' and inserting ''STRATEGY'';*

*(ii) by striking ''It is the policy of'' and all that follows through ''objectives:'' and inserting the following: ''The Secretary of Defense shall develop a national security strategy for the national technology and industrial base. Such strategy shall be based on a prioritized assessment of risks and challenges to the defense supply chain and shall ensure that the national technology and industrial base is capable of achieving the following national security objectives:''; and*

*(iii) by adding at the end the following new paragraph:*

*''(9) Ensuring reliable sources of materials that are critical to national security, such as specialty metals, armor plate and rare earth elements.*

*''(10) Reducing, to the maximum extent practicable, the presence of counterfeit parts in the supply chain and the risk associated with such parts.''.*

*(2) CLERICAL AMENDMENT.—The item relating to section 2501 in the table of sections at the beginning of subchapter II of chapter 148 of such title is amended to read as follows:*

*''2501. National security strategy for national technology and industrial base.''.*

*(b) AMENDMENT TO ANNUAL REPORT RELATING TO DEFENSE INDUSTRIAL BASE.—Section 2504 of such title is amended—*

*(1) by striking paragraph (2);*

*(2) by redesignating paragraph (3) as paragraph (2); and*

*(3) by inserting after paragraph (2) (as so redesignated) the following new paragraph (3):*

*''(3) Based on the assessments prepared pursuant to section 2505 of this title—*

*''(A) a description of any mitigation strategies necessary to address any gaps or vulnerabilities in the national technology and industrial base; and*

*''(B) any other steps necessary to foster and safeguard the national technology and industrial base.''.*

*(c) REQUIREMENT FOR CONSIDERATION OF STRATEGY IN ACQUISITION PLANS.—Section 2440 of such title is amended by inserting after ''base'' the following: '', in accordance with the strategy required by section 2501 of this title,''.*

*(d) CONFORMING AMENDMENTS.—Section 852 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1517; 10 U.S.C. 2504 note) is amended—*

*(1) by striking subsection (c); and*

*(2) by redesignating subsection (d) as subsection (c), and in that subsection by striking ''subsection (c).'' in the first sentence and inserting ''section 2501 of title 10, United States Code.''.*

***Subtitle B—Department of Defense Activities Related to Small Business Matters***

***SEC. 1611. PILOT PROGRAM TO ASSIST IN THE GROWTH AND DEVELOPMENT OF ADVANCED SMALL BUSINESS CONCERNS.***

*(a) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Defense shall establish a pilot program within the Department of Defense to assist in the growth and development of advanced small business concerns in accordance with this section.*

*(b) REQUIREMENTS OF PILOT PROGRAM.—*

*(1) RESTRICTED COMPETITION FOR CERTAIN CONTRACTS.—Under the pilot program and except as provided under paragraph (2)(B), competition for contract awards may be restricted to advanced small business concerns if—*

*(A) the anticipated award price of the contract (including options) is reasonably expected to exceed $25,000,000;*

*(B) the Procurement Center Representative of the Small Business Administration or the Director of Small Business Programs of the Department of Defense determines that, if the contract were not awarded under the pilot program, the contract would likely be awarded to an entity other than a small business concern;*

*(C) there is a reasonable expectation that at least two advanced small business concerns will submit offers with respect to the contract;*

*(D) such advanced small business concerns agree to the requirements specified in section 15(o) of the Small Business Act (15 U.S.C. 644(o)) (relating to percentage of work under the contract to be performed by the concern), except that work performed by other advanced small business concerns or by small business concerns shall be considered as work performed by the prime contractor for purposes of such requirements; and*

*(E) the contract award can be made at a fair market price.*

*(2) ELIGIBILITY.—*

*(A) ADVANCED SMALL BUSINESS CONCERN.—An entity shall be considered an advanced small business concern and eligible for participation in the pilot program if the entity—*

*(i) is independently owned and operated and is not dominant in its field of operation; and*

*(ii) has fewer than—*

*(I) twice the number of employees the Small Business Administration has assigned as a size standard to the North American Industrial Classification Standard code in which the entity is operating; or*

*(II) three times the average annual receipts the Small Business Administration has assigned as a size standard to the North American Industrial Classification Standard code in which the entity is operating.*

*(B) SMALL BUSINESS CONCERN.—Notwithstanding paragraph (1), a small business concern may submit an offer for any contract under the pilot program.*

*(3) CONSIDERATION AND NOTICE TO PUBLIC.—With respect to a contract opportunity determined to meet the criteria specified in paragraph (1), a contracting officer for the Department of Defense shall—*

*(A) consider awarding a contract under the pilot program before using full and open competition for such contract; and*

*(B) provide notice of the contract opportunity (including the eligibility requirements of the contract opportunity) in accordance with the Federal Acquisition Regulation and other applicable guidelines.*

*(4) RELATIONSHIP TO SMALL BUSINESS ACT PROGRAMS.—*

*(A) An advanced small business concern shall not be eligible for any assistance provided to small businesses by the Small Business Act (15 U.S.C. 637 et seq.) or the Small Business Investment Act of 1958 22 (15 U.S.C. 661 et seq.), unless eligibility is expressly provided through the pilot program established by this Act, and contracts awarded pursuant to the pilot program shall not be counted toward the achievement of the small business prime or subcontracting goals established by the Small Business Act (15 U.S.C. 644).*

*(B) An advanced small business concern shall enter into a subcontracting plan in accordance with section 8(d) of the Small Business Act (15 U.S.C. 637(d)).*

*(C) Nothing in this section authorizes a Procurement Center Representative or an employee of the Office of Small Business Programs to provide assistance to advanced small business concerns or to advocate for the restriction of competition to advanced small business concerns.*

*(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the Small Business Administration, shall develop and issue guidance to implement the pilot program. The guidance shall—*

*(1) identify criteria under which the pilot program is evaluated, including a methodology to collect data during the course of the pilot program to facilitate an assessment at the conclusion of the pilot program;*

*(2) permit a self-certification for eligibility for participation in the pilot program;*

*(3) ensure that any self-certification requires the concern involved to meet the requirements of the Small Business Administration regarding ownership, control, and affiliation (as set forth in section 121.103 of title 13 of the Code of Federal Regulations);*

*(4) establish an appeals process to handle challenges to self-certifications of advanced small business concerns, with the certification of eligibility residing with the Small Business Administration's Office of Hearings and Appeals;*

*(5) identify a method to reimburse the Small Business Administration for additional costs to the Administration relating to such self-certifications;*

*(6) establish a methodology for identifying and tracking program participants, including reporting on contracts awarded to program participants using the Federal Procurement Data System; and*

*(7) ensure that the pilot program does not supersede goals or programs authorized by the Small Business Act (15 U.S.C. 637 et seq.) or the Small Business Investment Act of 1958 22 (15 U.S.C. 661 et seq.) or count toward the achievement of the small business prime or subcontracting goals established by the Small Business Act (15 U.S.C. 644).*

*(d) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the duration of the pilot program, the Secretary of Defense shall submit to the appropriate congressional committees a report on the pilot program that includes each of the following:*

*(1) The number of contracts awarded in the prior year under the pilot program.*

*(2) The value of the contracts awarded under the pilot program and a description of the work carried out under such contracts.*

*(3) The number of program participants under the pilot program.*

*(4) An assessment of the success of the pilot program based on the criteria described in subsection (c)(1).*

*(5) Such recommendations as the Secretary considers appropriate, including a recommendation regarding whether to extend the pilot program or terminate it early.*

*(e) TERMINATION.—The pilot program shall terminate on the date that is three years after the date on which the guidance for the pilot program is issued pursuant to subsection (c).*

*(f) DEFINITIONS.—In this section:*

*(1) ADVANCED SMALL BUSINESS CONCERN.—The term ''advanced small business concern'' means an entity that meets the requirements specified in subsection (b)(2)(A).*

*(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means each of the following:*

*(A) The Committees on Armed Services and on Small Business and Entrepreneurship of the Senate.*

*(B) The Committees on Armed Services and on Small Business of the House of Representatives.*

*(3) OFFICE OF SMALL BUSINESS PROGRAMS.—The term ''Office of Small Business Programs'' means the Office of Small Business Programs described in section 144(b) of title 10, United States Code.*

*(4) PILOT PROGRAM.—The term ''pilot program'' means the program established by the Secretary of Defense under subsection (a).*

*(5) PROCUREMENT CENTER REPRESENTATIVE.—The term ''Procurement Center Representative'' has the meaning provided in section 15 of the Small Business Act (15 U.S.C. 644).*

*(6) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning provided under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).*

***SEC. 1612. ROLE OF THE DIRECTORS OF SMALL BUSINESS PROGRAMS IN REQUIREMENTS DEVELOPMENT AND ACQUISITION DECISION PROCESSES OF THE DEPARTMENT OF DEFENSE.***

*(a) GUIDANCE REQUIRED.—The Secretary of Defense shall develop and issue guidance to ensure that the head of each Office of Small Business Programs in the Department of Defense is a participant in requirements development and acquisition decision processes—*

*(1) of the Department, in the case of the Director of Small Business Programs in the Department of Defense; and*

*(2) of the military department concerned, in the case of the Director of Small Business Programs in the Department of the Army, in the Department of the Navy, and in the Department of the Air Force.*

*(b) MATTERS TO BE INCLUDED.—Such guidance shall, at a minimum—*

*(1) require the Director of Small Business Programs in the Department of Defense—*

*(A) to serve as an advisor to the Defense Acquisition Board; and*

*(B) to serve as an advisor to the Information Technology Acquisition Board; and*

*(2) require coordination between the chiefs of the Armed Forces and the service acquisition executives, as appropriate (or their designees), and the Director of Small Business Programs in each military department during the process for approval of—*

*(A) a requirements document, as defined in section 2547 of title 10, United States Code; and*

*(B) acquisition strategies or plans.*

***SEC. 1613. SMALL BUSINESS ADVOCATE FOR DEFENSE AUDIT AGENCIES.***

*(a) SMALL BUSINESS ADVOCATE.—Subchapter II of chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:*

***''§ 204. Small Business Advocate for defense audit agencies***

*''(a) SMALL BUSINESS ADVOCATE.—The Secretary of Defense shall designate within each defense audit agency an official as the Small Business Advocate to have the duties described in subsection (b) and such other responsibilities as may be determined by the Secretary.*

*''(b) DUTIES.—The Small Business Advocate at a defense audit agency shall—*

*''(1) advise the Director of the defense audit agency on all issues related to small business concerns;*

*''(2) serve as the defense audit agency's primary point of contact and source of information for small business concerns; and*

*''(3) collect relevant data and monitor the defense audit agency's conduct of audits of small business concerns, including—*

*''(A) monitoring the timeliness of audit closeouts for small business concerns; and*

*''(B) monitoring the responsiveness of the agency to issues or other matters raised by small business concerns; and*

*''(4) develop and implement processes and procedures to improve the performance of the defense audit agency related to the timeliness of audits of small business concerns and the responsiveness of the agency to issues or other matters raised by small business concerns.*

*''(c) DEFENSE AUDIT AGENCY DEFINED.—In this section, the term 'defense audit agency' means the Defense Contract Audit Agency and the Defense Contract Management Agency.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 8 of such title is amended by inserting after the item relating to section 203 the following new item:*

*''204. Small Business Advocate for defense audit agencies.''.*

***SEC. 1614. INDEPENDENT ASSESSMENT OF FEDERAL PROCUREMENT CONTRACTING PERFORMANCE OF THE DEPARTMENT OF DEFENSE.***

*(a) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct an independent assessment of the Department's procurement performance related to small business concerns.*

*(b) MATTERS COVERED.—The assessment under subsection (a) shall, at a minimum, include—*

*(1) a description of the industrial composition of companies receiving subcontracts pursuant to the test program for the negotiation of comprehensive small business subcontracting plans pursuant to section 834 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 15 U.S.C. 637 note);*

*(2) a comparison of the industrial composition of prime contractors participating in such test program and the industrial composition of all prime contractors of the Department of Defense;*

*(3) a determination of barriers to accurately capturing data on small business prime contracting and subcontracting, including an examination of the reliability of the information technology systems of the Department that are used to track such data;*

*(4) recommendations for improving the quality and availability of data regarding small business prime contracting and subcontracting performance;*

*(5) recommendations to improve and inform negotiations regarding small business contract goals for the Department;*

*(6) an examination of the execution of small business subcontracting plans, including an assessment of the degree to which initial teaming agreements are not maintained through the performance of contracts;*

*(7) an examination of the extent to which the Department adheres to current policies and guidelines relating to small business prime contracting and subcontracting goals;*

*(8) recommendations for increasing opportunities for small business concerns owned and controlled by service-disabled veterans (as defined by section 3(q) of the Small Business Act (15 U.S.C. 632(q)) to do business with the Department of Defense;*

*(9) an examination of the extent to which the Department bundles, consolidates, or otherwise groups requirements into contracts that are unsuitable for award to small businesses, and the effects that such practices have on small business participation;*

*(10) recommendations for increasing small business prime contracting and subcontracting opportunities with the Department; and*

*(11) recommendations for steps that can be taken to prevent abuses and ensuring that small business contracts are in fact going to small businesses.*

*(c) REPORT.—Not later than January 1, 2014, the Secretary shall submit to the congressional defense committees a report on the independent assessment conducted under this section.*

***SEC. 1615. ASSESSMENT OF SMALL BUSINESS PROGRAMS TRANSITION.***

*(a) INDEPENDENT REVIEW AND ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall select an appropriate entity outside the Department of Defense to conduct an independent review and assessment of the transition of technologies developed by small business, such as those developed under the Small Business Innovation Research Program, into major weapon systems and major automated information systems for the Department of Defense.*

*(b) ELEMENTS.—The review and assessment required by subsection (a) shall include the following:*

*(1) An analysis of a representative sample of major weapon systems and major automated information systems to determine the content of the systems from small businesses, including components transitioned from the Small Business Innovation Research Program.*

*(2) An analysis of established or ad hoc processes to allow program offices to monitor, evaluate, and transition small business-developed technologies into their program.*

*(3) Recommendations for developing a systematic and sustained process for monitoring, evaluating, and transitioning small business-developed technologies for use by the entire defense acquisition system of the Department of Defense, including data collection and measures of effectiveness and performance.*

*(c) REPORT.—*

*(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the entity conducting the review and assessment under subsection (a) shall submit to the Secretary and the congressional defense committees a report containing—*

*(A) the results of the review and assessment; and*

*(B) recommendations for improving the process for managing the transition and integration of technologies developed by small business (including under the Small Business Innovation Research Program) into major weapons systems and major automated information systems.*

*(2) ADDITIONAL EVALUATION REQUIRED.—Not later than 30 days after the date on which the congressional defense committees receive the report required by paragraph (1), the Secretary shall submit to such committees an evaluation by the Secretary of the results and recommendations contained in such report.*

*(d) SBIR PROGRAM DEFINED.—In this section, the term ''Small Business Innovation Research Program'' has the meaning provided such term by section 2500(11) of title 10, United States Code.*

***SEC. 1616. ADDITIONAL RESPONSIBILITIES OF INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.***

*(a) REQUIREMENT FOR PEER REVIEWS.—Section 8(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—*

*(1) by striking ''and'' at the end of paragraph (8);*

*(2) by striking the period and inserting ''; and'' at the end of paragraph (9); and*

*(3) by adding at the end the following new paragraph:*

*''(10) conduct peer reviews of Department of Defense audit agencies in accordance with and*

*in such frequency as provided by Government auditing standards as established by the Comptroller General of the United States.''.*

*(b) REQUIREMENT FOR ADDITIONAL INFORMATION IN SEMIANNUAL REPORTS.—Section 8(f) of such Act is amended by striking paragraph (1) and inserting the following:*

*''(1) Each semiannual report prepared by the Inspector General of the Department of Defense under section 5(a) shall be transmitted by the Secretary of Defense to the Committees on Armed Services and on Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and on Oversight and Government Reform of the House of Representatives and to other appropriate committees or subcommittees of Congress. Each such report shall include—*

*''(A) information concerning the numbers and types of contract audits conducted by the Department during the reporting period; and*

*''(B) information concerning any Department of Defense audit agency that, during the reporting period, has either failed an audit or is overdue for a peer review required to be conducted in accordance with subsection (c)(10).''.*

***SEC. 1617. RESTORATION OF 1 PERCENT FUNDING FOR ADMINISTRATIVE EXPENSES OF COMMERCIALIZATION READINESS PROGRAM OF DEPARTMENT OF DEFENSE.***

*(a) RESTORATION.—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)), as amended by section 5141(b)(1)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1853) is amended—*

*(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and*

*(2) by inserting after paragraph (3) the following new paragraph (4):*

*''(4) FUNDING.—For payment of expenses incurred to administer the Commercialization Readiness Program under this subsection, the Secretary of Defense and each Secretary of a military department is authorized to use not more than an amount equal to 1 percent of the funds available to the Department of Defense or the military department pursuant to the Small Business Innovation Research Program. Such funds shall not be used to make Phase III awards.''.*

*(b) TECHNICAL AMENDMENT.—Section 5141(b)(3)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1854) is amended—*

*(1) by striking ''subsection (y)—'' and all that follows through ''the following:'' and inserting ''subsection (y), by amending paragraph (4) to read as follows:''*

*(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of January 1, 2012.*

***Subtitle C—Matters Relating to Small Business Concerns***

***PART I —PROCUREMENT CENTER REPRESENTATIVES***

***SEC. 1621. PROCUREMENT CENTER REPRESENTATIVES.***

*(a) IN GENERAL.—Section 15(l) of the Small Business Act (15 U.S.C. 644(l)) is amended by striking the subsection enumerator and inserting the following:*

*''(l) PROCUREMENT CENTER REPRESENTATIVES.—''.*

*(b) ASSIGNMENT AND ROLE.—Paragraph (1) of section 15(l) of such Act (15 U.S.C. 644(l)) is amended to read as follows:*

*''(1) ASSIGNMENT AND ROLE.—The Administrator shall assign to each major procurement center a procurement center representative with such assistance as may be appropriate.''.*

*(c) ACTIVITIES.—Section 15(l)(2) of such Act (15 U.S.C. 644(l)(2)) is amended—*

*(1) in the matter preceding subparagraph (A) by striking ''(2) In addition to carrying out the responsibilities assigned by the Administration, a breakout'' and inserting the following:*

*''(2) ACTIVITIES.—A'';*

*(2) by striking subparagraph (A) and inserting the following:*

*''(A) attend any provisioning conference or similar evaluation session during which a determination may be made with respect to the procurement method to be used to satisfy a requirement, review any acquisition plan with respect to a requirement, and make recommendations regarding procurement method determinations and acquisition plans;'';*

*(3) in subparagraph (B)—*

*(A) by striking ''(B) review, at any time, restrictions on competition'' and inserting the following:*

*''(B) review, at any time, barriers to small business participation in Federal contracting'';*

*(B) by striking ''items'' and inserting ''goods and services''; and*

*(C) by striking ''limitations'' and inserting ''barriers'';*

*(4) in subparagraph (C) by striking ''(C) review restrictions on competition'' and inserting the following:*

*''(C) review barriers to small business participation in Federal contracting'';*

*(5) by striking subparagraph (D) and inserting the following:*

*''(D) review any bundled or consolidated solicitation or contract in accordance with this Act;'';*

*(6) by striking subparagraph (E) and inserting the following:*

*''(E) have electronic access to procurement records, acquisition plans developed or in development, and other data of the procurement center commensurate with the level of such representative's approve security clearance classification;''; and*

*(7) by striking subparagraphs (F) and (G) and inserting the following:*

*''(F) receive, from personnel responsible for reviewing unsolicited proposals, copies of unsolicited proposals from small business concerns and any information on outcomes relating to such proposals;*

*''(G) participate in any session or planning process and review any documents with respect to a decision to convert an activity performed by a small business concern to an activity performed by a Federal employee;*

*''(H) be an advocate for the maximum practicable utilization of small business concerns in Federal contracting, including by advocating against the bundling of contract requirements when not justified; and*

*''(I) carry out any other responsibility assigned by the Administrator.''.*

*(d) APPEALS.—Section 15(l)(3) of such Act (15 U.S.C. 644(l)(3)) is amended by striking ''(3) A breakout procurement center representative'' and inserting the following:*

*''(3) APPEALS.—A procurement center representative''.*

*(e) NOTIFICATION AND INCLUSION.—Paragraph (4) of section 15(l) of such Act (15 U.S.C. 644(l)) is amended to read as follows:*

*''(4) NOTIFICATION AND INCLUSION.—Agency heads shall ensure that procurement center representatives are included in applicable acquisition planning processes.''.*

*(f) POSITION REQUIREMENTS.—Section 15(l)(5) of such Act (15 U.S.C. 644(l)(5)) is amended—*

*(1) by striking the paragraph enumerator and inserting the following:*

*''(5) POSITION REQUIREMENTS.—'';*

*(2) by striking subparagraphs (A) and (B) and inserting the following:*

*''(A) IN GENERAL.—A procurement center representative assigned under this subsection shall—*

*''(i) be a full-time employee of the Administration;*

*''(ii) be fully qualified, technically trained, and familiar with the goods and services procured by the major procurement center to which that representative is assigned; and*

*''(iii) have a Level III Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that any person serving in such a position on the date of enactment of this clause may continue to serve in that position for a period of 5 years without the required certification.''; and*

*(3) in subparagraph (C) by striking ''(C) The Administration shall establish personnel positions for breakout procurement representatives and advisers assigned pursuant to'' and inserting the following:*

*''(B) COMPENSATION.—The Administrator shall establish personnel positions for procurement center representatives assigned under''.*

*(g) MAJOR PROCUREMENT CENTER DEFINED.—Section 15(l)(6) of such Act (15 U.S.C. 644(l)(6)) is amended—*

*(1) by striking ''(6) For purposes'' and inserting the following:*

*''(6) MAJOR PROCUREMENT CENTER DEFINED.—For purposes''; and*

*(2) by striking ''other than commercial items and which has the potential to incur significant savings as the result of the placement of a breakout procurement center representative'' and inserting ''goods or services, including goods or services that are commercially available''.*

*(h) TRAINING.—Section 15(l)(7) of such Act (15 U.S.C. 644(l)(7)) is amended—*

*(1) by striking the paragraph enumerator and inserting the following:*

*''(7) TRAINING.—'';*

*(2) by striking subparagraph (A) and inserting the following:*

*''(A) AUTHORIZATION.—At such times as the Administrator deems appropriate, a procurement center representative shall provide training for contracting officers, other appropriate personnel of the procurement center to which such representative is assigned, and small businesses groups seeking to do business with such procurement center. Such training shall acquaint the participants with the provisions of this subsection and shall instruct the participants in methods designed to further the purposes of this subsection.*

*''(B) LIMITATION.—A procurement center representative may provide training under subparagraph (A) only to the extent that the training does not interfere with the representative carrying out other activities under this subsection.''; and*

*(3) in subparagraph (B)—*

*(A) by striking ''(B) The breakout procurement center representative'' and inserting the following:*

*''(8) ANNUAL BRIEFING AND REPORT.—A procurement center representative''; and*

*(B) by striking ''sixty'' and inserting ''60''.*

***SEC. 1622. SMALL BUSINESS ACT CONTRACTING REQUIREMENTS TRAINING.***

*(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this part, the Defense Acquisition University and the Federal Acquisition Institute shall each provide a course on contracting requirements under the Small Business Act, including the requirements for small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.*

*(b) COURSE REQUIRED.—To have a Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification an individual shall be required to complete the course established under subsection (a).*

*(c) REQUIREMENT THAT BUSINESS OPPORTUNITY SPECIALISTS BE CERTIFIED.—Section 7(j)(10)(D)(i) of the Small Business Act (15 U.S.C. 636(j)(10)(D)(i)) is amended by inserting after ''to assist such Program Participant.'' the following: ''The Business Opportunity Specialist shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense*

*certification, except that a Business Opportunity Specialist serving at the time of the date of enactment of the Small Business Opportunity Act of 2012 may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on that date of enactment without such a certification.''.*

*(d) GAO REPORT.—Not later than 365 days after the date of enactment of this part, the Comptroller General of the United States shall conduct a study and submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the relationship between the size and quality of the acquisition workforce and the Federal government's ability to maximize the utilization of small businesses in Federal procurement. The report shall specifically address the following:*

*(1) The extent to which training on small business contracting laws affects a contracting officer's determination to use one of the contracting authorities provided in the Small Business Act.*

*(2) The relationship between a robust Federal acquisition workforce and small business success in obtaining Federal contracting opportunities.*

*(3) The effect on economic growth if small businesses experienced a significant reduction in small business procurement activities.*

*(4) The effect of the anticipated acceleration of retirements by the acquisition workforce on small business procurement opportunities.*

***SEC. 1623. ACQUISITION PLANNING.***

*Section 15(e)(1) of the Small Business Act (15 U.S.C. 644(e)(1)) is amended—*

*(1) by striking ''the various agencies'' and inserting ''a Federal department or agency''; and*

*(2) by striking the period and inserting ''and each such Federal department or agency shall—*

*''(A) enumerate opportunities for the participation of small business concerns during all acquisition planning processes and in all acquisition plans;*

*''(B) invite the participation of the appropriate Director of Small and Disadvantaged Business Utilization in all acquisition planning processes and provide that Director access to all acquisition plans in development; and*

*''(C) invite the participation of the appropriate procurement center representative in all acquisition planning processes and provide that representative access to all acquisition plans in development.''.*

***PART II—GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS***

***SEC. 1631. GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.***

*(a) IN GENERAL.—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by striking the subsection enumerator and inserting the following:*

*''(g) GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.—''.*

*(b) GOVERNMENTWIDE GOALS.—Paragraph (1) of section 15(g) of such Act (15 U.S.C. 644(g)) is amended to read as follows:*

*''(1) GOVERNMENTWIDE GOALS.—The President shall annually establish Governmentwide goals for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in accordance with the following:*

*''(A) The Governmentwide goal for participation by small business concerns shall be established at not less than 25 percent of the total value of all prime contract awards for each fiscal year and 40 percent of the total value of all subcontract awards for each fiscal year.*

*''(B) The Governmentwide goal for participation by small business concerns owned and controlled by service-disabled veterans shall be established at not less than 3 percent of the total value of all prime contract and at not less than 3 percent of the total value of all subcontract awards for each fiscal year.*

*''(C) The Governmentwide goal for participation by qualified HUBZone small business concerns shall be established at not less than 3 percent of the total value of all prime contract and at not less than 3 percent of the total value of all subcontract awards for each fiscal year.*

*''(D) The Governmentwide goal for participation by small business concerns owned and controlled by socially and economically disadvantaged individuals shall be established at not less than 5 percent of the total value of all prime contract and at not less than 5 percent of the total value of all subcontract awards for each fiscal year.*

*''(E) The Governmentwide goal for participation by small business concerns owned and controlled by women shall be established at not less than 5 percent of the total value of all prime contract and at not less than 5 percent of the total value of all subcontract awards for each fiscal year.''.*

*(c) AGENCY GOALS.—Paragraph (2) of section 15(g) of such Act (15 U.S.C. 644(g)) is amended to read as follows:*

*''(2) AGENCY GOALS.—*

*''(A) ESTABLISHMENT.—The head of each Federal agency shall annually establish, for the agency that individual heads, goals for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.*

*''(B) RELATIONSHIP TO GOVERNMENTWIDE GOALS.—*

*''(i) SCOPE.—The goals established by the head of a Federal agency under subparagraph (A) shall be in the same format as the goals established by the President under paragraph (1) and shall address both prime contract and subcontract awards.*

*''(ii) REQUIREMENT PERTAINING TO AGENCY GOALS.—With respect to each goal for a fiscal year established under subparagraph (A) for a category of small business concern, the participation percentage applicable to such goal may not be less than the participation percentage applicable to the Governmentwide goal for such fiscal year established under paragraph (1) for such category.*

*''(C) CONSULTATION REQUIRED.—*

*''(i) IN GENERAL.—.In establishing goals under subparagraph (A), the head of each Federal agency shall consult with the Administrator.*

*''(ii) DISAGREEMENTS.—Except as provided by clause (iii), if the Administrator and the head of a Federal agency fail to agree on a goal established under subparagraph (A), the disagreement shall be submitted to the Administrator for Federal Procurement Policy for final determination.*

*''(iii) AGENCY GOALS OF THE DEPARTMENT OF DEFENSE.—In the case of a goal proposed by the Secretary of Defense that is lower than a goal established during the preceding fiscal year for the Department of the Defense and for which the Administrator does not agree, the disagreement shall be submitted to the Administrator for Federal Procurement Policy for final determination.*

*''(D) PLAN FOR ACHIEVING GOALS.—After establishing goals under subparagraph (A) for a fiscal year, the head of each Federal agency shall develop a plan for achieving such goals, which shall apportion responsibilities among the agency's acquisition executives and officials.*

*''(E) EXPANDED PARTICIPATION.—In establishing goals under subparagraph (A), the head of each Federal agency shall make a consistent effort to annually expand participation by small business concerns from each industry category in procurement contracts of such agency, including participation by small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.*

*''(F) CONSIDERATION.—The head of each Federal agency, in attempting to attain expanded participation under subparagraph (E), shall consider—*

*''(i) contracts awarded as the result of unrestricted competition; and*

*''(ii) contracts awarded after competition restricted to eligible small business concerns under this section and under the program established under section 8(a).*

*''(G) COMMUNICATION REGARDING GOALS.—*

*''(i) IMPORTANCE OF ACHIEVING GOALS.—Each procurement employee or program manager described in clause (ii) shall communicate to the subordinates of the procurement employee or program manager the importance of achieving goals established under subparagraph (A).*

*''(ii) PROCUREMENT EMPLOYEES OR PROGRAM MANAGERS DESCRIBED.—A procurement employee or program manager described in this clause is a senior procurement executive, senior program manager, or Director of Small and Disadvantaged Business Utilization of a Federal agency having contracting authority.''.*

*(d) ENFORCEMENT; DETERMINATIONS OF THE TOTAL VALUE OF CONTRACT AWARDS.—Section 15(g) of the Small Business Act (15 U.S.C. 644(g)), as amended by this part, is further amended by adding at the end the following:*

*''(3) ENFORCEMENT.—If the Administrator does not issue the report required in subsection (h)(2) on or before the date that is 120 days after the end of the prior fiscal year, the Administrator may not carry out or establish any pilot program until the date on which the Administrator issues the report.*

*''(4) DETERMINATIONS OF THE TOTAL VALUE OF CONTRACT AWARDS.—For purposes of the goals established under paragraphs (1) and (2), the total value of contract awards for a fiscal year may not be determined in a manner that excludes the value of a contract based on—*

*''(A) where the contract is awarded;*

*''(B) where the contract is performed;*

*''(C) whether the contract is mandated by Federal law to be performed by an entity other than a small business concern;*

*''(D) whether funding for the contract is made available in an appropriations Act, if the contract is subject to competitive procedures under chapter 33 of title 41, United States Code; or*

*''(E) whether the contract is subject to the Federal Acquisition Regulation.''.*

***SEC. 1632. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.***

*Subsection (h) of section 15 of the Small Business Act (15 U.S.C. 644) is amended to read as follows:*

*''(h) REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.—*

*''(1) AGENCY REPORTS.—At the conclusion of each fiscal year, the head of each Federal agency shall submit to the Administrator a report describing—*

*''(A) the extent of the participation by small business concerns, small business concerns owned and controlled by veterans (including service-disabled veterans), qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in the procurement contracts of such agency during such fiscal year;*

*''(B) whether the agency achieved the goals established for the agency under subsection (g)(2)(A) with respect to such fiscal year; and*

''(C) any justifications for a failure to achieve such goals.

''(2) REPORTS BY ADMINISTRATOR.—Not later than 60 days after receiving a report from each Federal agency under paragraph (1) with respect to a fiscal year, the Administrator shall submit to the President and Congress, and to make available on a public website, a report that includes—

''(A) a copy of each report submitted to the Administrator under paragraph (1);

''(B) a determination of whether each goal established by the President under subsection (g)(1) for such fiscal year was achieved;

''(C) a determination of whether each goal established by the head of a Federal agency under subsection (g)(2)(A) for such fiscal year was achieved;

''(D) the reasons for any failure to achieve a goal established under paragraph (1) or (2)(A) of subsection (g) for such fiscal year and a description of actions planned by the applicable agency to address such failure, including the Administrator's comments and recommendations on the proposed remediation plan;

''(E) for the Federal Government and each Federal agency, an analysis of the number and dollar amount of prime contracts awarded during such fiscal year to—

''(i) small business concerns—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns; and

''(IV) through unrestricted competition;

''(ii) small business concerns owned and controlled by service-disabled veterans—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by service-disabled veterans; and

''(V) through unrestricted competition;

''(iii) qualified HUBZone small business concerns—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to qualified HUBZone small business concerns;

''(V) through unrestricted competition where a price evaluation preference was used; and

''(VI) through unrestricted competition where a price evaluation preference was not used;

''(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals;

''(V) through unrestricted competition; and

''(VI) by reason of that concern's certification as a small business owned and controlled by socially and economically disadvantaged individuals;

''(v) small business concerns owned by an Indian tribe other than an Alaska Native Corporation—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(V) through unrestricted competition; and

''(vi) small business concerns owned by Native Hawaiian Organization—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(V) through unrestricted competition; and

''(vii) small business concerns owned by an Alaska Native Corporation—

''(I) in the aggregate;

''(II) through sole source contracts;

''(III) through competitions restricted to small business concerns;

''(IV) through competitions restricted to small business concerns owned and controlled by socially and economically disadvantaged individuals; and

''(V) through unrestricted competition; and

''(viii) small business concerns owned and controlled by women—

''(I) in the aggregate;

''(II) through competitions restricted to small business concerns;

''(III) through competitions restricted using the authority under section 8(m)(2);

''(IV) through competitions restricted using the authority under section 8(m)(2) and in which the waiver authority under section 8(m)(3) was used; and

''(V) through unrestricted competition; and

''(F) for the Federal Government and each Federal agency, the number, dollar amount, and distribution with respect to the North American Industry Classification System of subcontracts awarded during such fiscal year to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.''.

**SEC. 1633. SENIOR EXECUTIVES.**

(a) TRAINING.—Programs established for the development of senior executives under section 3396(a) of title 5, United States Code, shall include training with respect to Federal procurement requirements, including contracting requirements under the Small Business Act (15 U.S.C. 631 et seq.).

(b) EVALUATION OF EXECUTIVES.—The head of an agency shall ensure that evaluations of members of the senior executive service, as defined under section 3396(a) of title 5, United States Code, responsible for acquisition, other senior officials responsible for acquisition, and other members of the senior executive service, as appropriate, include consideration of the agency's success in achieving small business contracting goals and percentages. Such evaluations shall, as a minimum, consider the extent to which the executive—

(1) promotes a climate or environment that is responsive to small business concerns;

(2) communicates the importance of achieving the agency's small business contracting goals; and

(3) encourages small business awareness, outreach, and support.

(c) DEFINITIONS.—In this section the term ''responsible for acquisition'', with respect to a member of the senior executive service or other senior official, means such a member or official who acquires services or supplies, directs agency organizations to acquire services or supplies, oversees acquisition officials, including program managers, contracting officers, and other acquisition workforce personnel responsible for formulating and approving acquisition strategies and plans.

**PART III —MENTOR-PROTEGE PROGRAM**

**SEC. 1641. MENTOR-PROTEGE PROGRAMS.**

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 45 as section 46; and

(2) by inserting after section 44 the following:

**''SEC. 45. MENTOR-PROTEGE PROGRAMS.**

''(a) ADMINISTRATION PROGRAM.—

''(1) AUTHORITY.—The Administrator is authorized to establish a mentor-protege program for all small business concerns.

''(2) MODEL FOR PROGRAM.—The mentor-protege program established under paragraph (1) shall be identical to the mentor-protege program of the Administration for small business concerns that participate in the program under section 8(a) of this Act (as in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2013), except that the Administrator may modify the program to the extent necessary given the types of small business concerns included as proteges.

''(b) PROGRAMS OF OTHER AGENCIES.—

''(1) APPROVAL REQUIRED.—Except as provided in paragraph (4), a Federal department or agency may not carry out a mentor-protege program for small business concerns unless—

''(A) the head of the department or agency submits a plan to the Administrator for the program; and

''(B) the Administrator approves such plan.

''(2) BASIS FOR APPROVAL.—The Administrator shall approve or disapprove a plan submitted under paragraph (1) based on whether the program proposed—

''(A) will assist proteges to compete for Federal prime contracts and subcontracts; and

''(B) complies with the regulations issued under paragraph (3).

''(3) REGULATIONS.—Not later than 270 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2013, the Administrator shall issue, subject to notice and comment, regulations with respect to mentor-protege programs, which shall ensure that such programs improve the ability of proteges to compete for Federal prime contracts and subcontracts and which shall address, at a minimum, the following:

''(A) Eligibility criteria for program participants, including any restrictions on the number of mentor-protege relationships permitted for each participant.

''(B) The types of developmental assistance to be provided by mentors, including how the assistance provided shall improve the competitive viability of the proteges.

''(C) Whether any developmental assistance provided by a mentor may affect the status of a program participant as a small business concern due to affiliation.

''(D) The length of mentor-protege relationships.

''(E) The effect of mentor-protege relationships on contracting.

''(F) Benefits that may accrue to a mentor as a result of program participation.

''(G) Reporting requirements during program participation.

''(H) Postparticipation reporting requirements.

''(I) The need for a mentor-protege pair, if accepted to participate as a pair in a mentor-protege program of any Federal department or agency, to be accepted to participate as a pair in all Federal mentor-protege programs.

''(J) Actions to be taken to ensure benefits for proteges and to protect proteges against actions by the mentor that—

''(i) may adversely affect the proteges status as a small business; or

''(ii) provide disproportionate economic benefits to the mentor relative to those provided the protege.

''(4) LIMITATION ON APPLICABILITY.—Paragraph (1) does not apply to the following:

''(A) Any mentor-protege program of the Department of Defense.

''(B) Any mentoring assistance provided under a Small Business Innovation Research Program or a Small Business Technology Transfer Program.

''(C) Until the date that is 1 year after the date on which the Administrator issues regulations under paragraph (3), any Federal department or agency operating a mentor-protege program in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2013.

''(c) REPORTING.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2013, and annually thereafter, the Administrator shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report that—

''(A) identifies each Federal mentor-protege program;

''(B) specifies the number of participants in each such program, including the number of participants that are—

''(i) small business concerns;

''(ii) small business concerns owned and controlled by service-disabled veterans;

''(iii) qualified HUBZone small business concerns;

''(iv) small business concerns owned and controlled by socially and economically disadvantaged individuals; or

''(v) small business concerns owned and controlled by women;

''(C) describes the type of assistance provided to proteges under each such program;

''(D) describes the benefits provided to mentors under each such program; and

''(E) describes the progress of proteges under each such program with respect to competing for Federal prime contracts and subcontracts.

''(2) PROVISION OF INFORMATION.—The head of each Federal department or agency carrying out a mentor-protege program shall provide to the Administrator, on an annual basis, the information necessary for the Administrator to submit a report required under paragraph (1).

''(d) DEFINITIONS.—In this section, the following definitions apply:

''(1) MENTOR.—The term 'mentor' means a for-profit business concern, of any size, that—

''(A) has the ability to assist and commits to assisting a protege to compete for Federal prime contracts and subcontracts; and

''(B) satisfies any other requirements imposed by the Administrator.

''(2) MENTOR-PROTEGE PROGRAM.—The term 'mentor-protege program' means a program that pairs a mentor with a protege for the purpose of assisting the protege to compete for Federal prime contracts and subcontracts.

''(3) PROTEGE.—The term 'protege' means a small business concern that—

''(A) is eligible to enter into Federal prime contracts and subcontracts; and

''(B) satisfies any other requirements imposed by the Administrator.

''(e) CURRENT MENTOR PROTEGE AGREEMENTS.—Mentors and proteges with approved agreement in a program operating pursuant to subsection (b)(4)(C) shall be permitted to continue their relationship according to the terms specified in their agreement until the expiration date specified in the agreement.

''(f) SUBMISSION OF AGENCY PLANS.—Agencies operating mentor protege programs pursuant to subsection (b)(4)(C) must submit the plans specified in subsection (b)(1)(A) to the Administrator within 6 months of the promulgation of rules required by subsection (b)(3). The Administrator shall provide initial comments on each plan within 60 days of receipt, and final approval or denial of each plan with 180 days of receipt.''.

**SEC. 1642. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.**

Not later than the date that is 2 years after the agencies operating subject to section 45(b)(4)(C) of the Small Business Act have their plans approved or denied by the Administrator, the Comptroller General of the United States shall conduct a study to—

(1) update the study required by section 1345 of the Small Business Jobs Act of 2010 (Pub. Law 111-240);

(2) examine whether potential affiliation issues between mentors and proteges under the prior programs have been resolved by enactment of this Act; and

(3) examine whether the regulations issued pursuant to section 45(b)(3)(I) of the Small Business Act have increased opportunities for mentor-protege pairs, and if they have decreased the paperwork required for such pairs participating in programs at multiple agencies.

**PART IV —TRANSPARENCY IN SUBCONTRACTING**

**Subpart A—Limitations on Subcontracting**

**SEC. 1651. LIMITATIONS ON SUBCONTRACTING.**

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 45 as section 47; and

(2) by inserting after section 44 the following:

**''SEC. 45. LIMITATIONS ON SUBCONTRACTING.**

''(a) IN GENERAL.—If awarded a contract under section 8(a), 8(m), 15(a), 31, or 36, a covered small business concern—

''(1) in the case of a contract for services, may not expend on subcontractors more than 50 percent of the amount paid to the concern under the contract;

''(2) in the case of a contract for supplies (other than from a regular dealer in such supplies), may not expend on subcontractors more than 50 percent of the amount, less the cost of materials, paid to the concern under the contract;

''(3) in the case of a contract described in more than 1 of paragraphs (1) through (2)—

''(A) shall determine for which category of services or supplies, described in 1 of paragraphs (1) through (4), the greatest percentage of the contract amount is awarded;

''(B) shall determine the amount awarded under the contract for that category of services or supplies; and

''(C) may not expend on subcontractors, with respect to the amount determined under subparagraph (B), more than—

''(i) 50 percent of that amount, if the category of services or supplies applicable under subparagraph (A) is described in paragraph (1); and

''(ii) 50 percent of that amount, if the category of services or supplies applicable under subparagraph (A) is described in paragraph (2); and

''(4) in the case of a contract for supplies from a regular dealer in such supplies, shall supply the product of a domestic small business manufacturer or processor, unless a waiver of such requirement is granted—

''(A) by the Administrator, after reviewing a determination by the applicable contracting officer that no small business manufacturer or processor can reasonably be expected to offer a product meeting the specifications (including period for performance) required by the contract; or

''(B) by the Administrator for a product (or class of products), after determining that no small business manufacturer or processor is available to participate in the Federal procurement market.

''(b) SIMILARLY SITUATED ENTITIES.—Contract amounts expended by a covered small business concern on a subcontractor that is a similarly situated entity shall not be considered subcontracted for purposes of determining whether the covered small business concern has violated a requirement established under subsection (a) or (d).

''(c) MODIFICATIONS OF PERCENTAGES.—

''(1) IN GENERAL.—The Administrator may change, by rule (after providing notice and an opportunity for public comment), a percentage specified in paragraphs (1) through (4) of subsection (a) if the Administrator determines that such change is necessary to reflect conventional industry practices among business concerns that are below the numerical size standard for businesses in that industry category.

''(2) UNIFORMITY.—A change to a percentage under paragraph (1) shall apply to all covered small business concerns.

''(d) OTHER CONTRACTS.—

''(1) IN GENERAL.—With respect to a category of contracts to which a requirement under subsection (a) does not apply, the Administrator is authorized to establish, by rule (after providing notice and an opportunity for public comment), a requirement that a covered small business concern may not expend on subcontractors more than a specified percentage of the amount paid to the concern under a contract in that category.

''(2) UNIFORMITY.—A requirement established under paragraph (1) shall apply to all covered small business concerns.

''(3) CONSTRUCTION PROJECTS.—The Administrator shall establish, through public rulemaking, requirements similar to those specified in paragraph (1) to be applicable to contracts for general and specialty construction and to contracts for any other industry category not otherwise subject to the requirements of such paragraph. The percentage applicable to any such requirement shall be determined in accordance with paragraph (2).

''(e) DEFINITIONS.—In this section, the following definitions apply:

''(1) COVERED SMALL BUSINESS CONCERN.—The term 'covered small business concern' means a business concern that—

''(A) with respect to a contract awarded under section 8(a), is a small business concern eligible to receive contracts under that section;

''(B) with respect to a contract awarded under section 8(m)—

''(i) is a small business concern owned and controlled by women (as defined in that section); or

''(ii) is a small business concern owned and controlled by women (as defined in that section) that is not less than 51 percent owned by 1 or more women who are economically disadvantaged (and such ownership is determined without regard to any community property law);

''(C) with respect to a contract awarded under section 15(a), is a small business concern;

''(D) with respect to a contract awarded under section 31, is a qualified HUBZone small business concern; or

''(E) with respect to a contract awarded under section 36, is a small business concern owned and controlled by service-disabled veterans.

''(2) SIMILARLY SITUATED ENTITY.—The term 'similarly situated entity' means a subcontractor that—

''(A) if a subcontractor for a small business concern, is a small business concern;

''(B) if a subcontractor for a small business concern eligible to receive contracts under section 8(a), is such a concern;

''(C) if a subcontractor for a small business concern owned and controlled by women (as defined in section 8(m)), is such a concern;

''(D) if a subcontractor for a small business concern owned and controlled by women (as defined in section 8(m)) that is not less than 51 percent owned by 1 or more women who are economically disadvantaged (and such ownership is determined without regard to any community property law), is such a concern;

''(E) if a subcontractor for a qualified HUBZone small business concern, is such a concern; or

''(F) if a subcontractor for a small business concern owned and controlled by service-disabled veterans, is such a concern.''.

**SEC. 1652. PENALTIES.**

Section 16 of the Small Business Act (15 U.S.C. 645) is amended by adding at the end the following:

''(g) SUBCONTRACTING LIMITATIONS.—

''(1) IN GENERAL.—Whoever violates a requirement established under section 45 shall be subject to the penalties prescribed in subsection (d), except that, for an entity that exceeded a limitation on subcontracting under such section, the

*fine described in subsection (d)(2)(A) shall be treated as the greater of—*

*''(A) $500,000; or*

*''(B) the dollar amount expended, in excess of permitted levels, by the entity on subcontractors.*

*''(2) MONITORING.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall take such actions as are necessary to ensure that an existing Federal subcontracting reporting system is modified to notify the Administrator, the appropriate Director of the Office of Small and Disadvantaged Business Utilization, and the appropriate contracting officer if a requirement established under section 45 is violated.''.*

***SEC. 1653. CONFORMING AMENDMENTS.***

*(a) HUBZONES.—Section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) is amended—*

*(1) in subparagraph (A)(i) by striking subclause (III) and inserting the following:*

*''(III) with respect to any subcontract entered into by the small business concern pursuant to a contract awarded to the small business concern under section 31, the small business concern will ensure that the requirements of section 45 are satisfied; and'';*

*(2) by striking subparagraphs (B) and (C); and*

*(3) by redesignating subparagraph (D) as subparagraph (B).*

*(b) ENTITIES ELIGIBLE FOR CONTRACTS UNDER SECTION 8(a).—Section 8(a) of such Act (15 U.S.C. 637(a)) is amended by striking paragraph (14) and inserting the following:*

*''(14) LIMITATIONS ON SUBCONTRACTING.—A concern may not be awarded a contract under this subsection as a small business concern unless the concern agrees to satisfy the requirements of section 45.''.*

*(c) SMALL BUSINESS CONCERNS.—Section 15 of such Act (15 U.S.C. 644) is amended by striking subsection (o) and inserting the following:*

*''(o) LIMITATIONS ON SUBCONTRACTING.—A concern may not be awarded a contract under subsection (a) as a small business concern unless the concern agrees to satisfy the requirements of section 45.''.*

***SEC. 1654. REGULATIONS.***

*Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidance with respect to compliance with the changes made to the Small Business Act by the amendments in this part, with opportunities for notice and comment.*

***Subpart B—Subcontracting Plans***

***SEC. 1655. SUBCONTRACTING PLANS.***

*(a) SUBCONTRACTING REPORTING REQUIREMENTS.—*

*(1) IN GENERAL.—Section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is amended—*

*(A) by striking ''(6) Each subcontracting plan'' and inserting the following:*

*''(6) SUBCONTRACTING PLAN REQUIREMENTS.—Each subcontracting plan'';*

*(B) by amending subparagraph (E) to read as follows:*

*''(E) assurances that the offeror or bidder will—*

*''(i) submit—*

*''(I) not later than 180 days after the date on which performance under the applicable contract begins, and every 180 days thereafter until contract performance ends, a report that describes all subcontracting activities under the contract during the preceding 180-day period;*

*''(II) not later than 1 year after the date on which performance under the applicable contract begins, and annually thereafter until contract performance ends, a report that describes all subcontracting activities under the contract that have occurred before the date on which the report is submitted; and*

*''(III) not later than 30 days after the date on which performance under the applicable contract ends, a report that describes all subcontracting activities under the contract; and*

*''(ii) cooperate with any study or survey required by the applicable Federal agency or the Administration to determine the extent of compliance by the offeror or bidder with the subcontracting plan;''; and*

*(C) by moving the margins for subparagraphs (A), (B), (C), (D), and (F) 2 ems to the right (so that the align with subparagraph (E), as amended by subparagraph (B) of this paragraph).*

*(2) REPORTING SYSTEM MODIFICATION.—*

*(A) IN GENERAL.—Not later than 1 year after the date of enactment of this part, the Administrator of the Small Business Administration shall take such actions as are necessary to ensure that the Federal subcontracting reporting system to which covered reports are submitted is modified to notify the Administrator, the appropriate contracting officer, and the appropriate Director of Small and Disadvantaged Business Utilization if an entity fails to submit a required covered report. If the Administrator does not modify the subcontracting reporting system on or before the date that is 1 year after the date of enactment of this part, the Administrator may not carry out or establish any pilot program until the date the Administrator modifies the reporting system.*

*(B) COVERED REPORT DEFINED.—In this paragraph, the term ''covered report'' means a report submitted in accordance with assurances provided under section 8(d)(6)(E) of the Small Business Act (15 U.S.C. 637(d)(6)(E)).*

*(b) FAILURE TO SUBMIT SUBCONTRACTING REPORTS AS BREACH OF CONTRACT.—Section 8(d)(8) of such Act (15 U.S.C. 637(d)(8)) is amended—*

*(1) by striking ''(8) The failure'' and inserting the following:*

*''(8) MATERIAL BREACH.—The failure'';*

*(2) in subparagraph (A) by striking ''subsection, or'' and inserting ''subsection,'';*

*(3) in subparagraph (B) by striking ''subcontract,'' and inserting ''subcontract, or'';*

*(4) by inserting after subparagraph (B) the following:*

*''(C) assurances provided under paragraph (6)(E),''; and*

*(5) by moving the margins of subparagraphs (A), (B), and the matter following subparagraph (B) 2 ems to the right.*

*(c) AUTHORITY OF SMALL BUSINESS ADMINISTRATION.—Section 8(d)(10) of such Act (15 U.S.C. 637(d)(10)) is amended—*

*(1) by striking ''(10) In the case of'' and inserting the following:*

*''(10) AUTHORITY OF ADMINISTRATION.—In the case of'';*

*(2) in subparagraph (B) by striking '', which shall be advisory in nature,'';*

*(3) in subparagraph (C) by striking '', either on a contract-by-contract basis, or in the case contractors'' and inserting ''as a supplement to evaluations performed by the contracting agency, either on a contract-by-contract basis or, in the case of contractors''; and*

*(4) by moving the margins of subparagraphs (A) through (C) 2 ems to the right.*

*(d) APPEALS.—Section 8(d) of such Act (15 U.S.C. 637(d)) is amended by adding at the end the following:*

*''(13) REVIEW AND ACCEPTANCE OF SUBCONTRACTING PLANS.—*

*''(A) IN GENERAL.—Except as provided in subparagraph (E), if a procurement center representative or commercial market representative determines that a subcontracting plan required under paragraph (4) or (5) fails to provide the maximum practicable opportunity for covered small business concerns to participate in the performance of the contract to which the plan applies, such representative may delay acceptance of the plan in accordance with subparagraph (B).*

*''(B) PROCESS.—*

*''(i) IN GENERAL.—Except as provided in clause (ii), a procurement center representative or commercial market representative who makes the determination under subparagraph (A) with respect to a subcontracting plan may delay acceptance of the plan for a 30-day period by providing written notice of such determination to head of the procuring activity of the contracting agency. Such notice shall include recommendations for altering the plan to provide the maximum practicable opportunity described in that subparagraph.*

*''(ii) EXCEPTION.—In the case of the Department of Defense, a procurement center representative or commercial market representative who makes the determination under subparagraph (A) with respect to a subcontracting plan may delay acceptance of the plan for a 15-day period by providing written notice of such determination to appropriate personnel of the Department of Defense. Such notice shall include recommendations for altering the plan to provide the maximum practicable opportunity described in that subparagraph. The authority of a procurement center representative or commercial market representative to delay acceptance of a subcontracting plan as provided in subparagraph (A), does not include the authority to delay the award or performance of the contract concerned.*

*''(C) DISAGREEMENTS.—If a procurement center representative or commercial market representative delays the acceptance of a subcontracting plan under subparagraph (B) and does not reach agreement with head of the procuring activity of the contracting agency to alter the plan to provide the maximum practicable opportunity described in subparagraph (A) not later than 30 days from the date written notice was provided, the disagreement shall be submitted to the head of the contracting agency by the Administrator for a final determination.*

*''(D) COVERED SMALL BUSINESS CONCERNS DEFINED.—In this paragraph, the term 'covered small business concerns' means small business concerns, qualified HUBZone small business concerns, small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.*

*''(E) EXCEPTION.—The procurement center representative or commercial market representative may not delay the acceptance of a subcontracting plan if the appropriate personnel of the contracting agency certify that the agency's need for the property or services is of such an unusual and compelling urgency that the United States would be seriously injured unless the agency is permitted to accept the subcontracting plan.''.*

***SEC. 1656. NOTICES OF SUBCONTRACTING OPPORTUNITIES.***

*Section 8(k)(1) of the Small Business Act (15 U.S.C. 637(k)(1)) is amended by striking ''in the Commerce Business Daily'' and inserting ''on the appropriate Federal Web site (as determined by the Administrator)''.*

***SEC. 1657. REGULATIONS.***

*Not later than 180 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidance with respect to the changes made to the Small Business Act, with opportunity for notice and comment.*

***Subpart C—Publication of Certain Documents***

***SEC. 1658. PUBLICATION OF CERTAIN DOCUMENTS.***

*The Small Business Act (15 U.S.C. 631 et seq.), as amended by this part, is further amended by inserting after section 45 the following:*

***''SEC. 46. PUBLICATION OF CERTAIN DOCUMENTS.***

*''A Federal agency, other than the Department of Defense, may only convert a function that is being performed by a small business concern to performance by a Federal employee if the agency has made publicly available the procedures and methodologies of the agency with respect to decisions to convert a function being*

*performed by a small business concern to performance by a Federal employee, including procedures and methodologies for determining which contracts will be studied for potential conversion; procedures and methodologies by which a contract is evaluated as inherently governmental or as a critical agency function; and procedures and methodologies for estimating and comparing costs.''.*

***PART V —SMALL BUSINESS CONCERN SIZE STANDARDS***

***SEC. 1661. SMALL BUSINESS CONCERN SIZE STANDARDS.***

*Section 3 of the Small Business Act (15 U.S.C. 632) is amended—*

*(1) by striking ''SEC. 3.'' and inserting the following:*

***''SEC. 3. DEFINITIONS.''; and***

*(2) in subsection (a)—*

*(A) by striking the subsection enumerator and inserting the following:*

*''(a) SMALL BUSINESS CONCERNS.—'';*

*(B) in paragraph (1) by striking ''(1) For the purposes'' and inserting the following:*

*''(1) IN GENERAL.—For the purposes'';*

*(C) in paragraph (3) by striking ''(3) When establishing'' and inserting the following:*

*''(3) VARIATION BY INDUSTRY AND CONSIDERATION OF OTHER FACTORS.—When establishing'';*

*(D) by moving paragraph (5), including each subparagraph and clause therein, 2 ems to the right; and*

*(E) by adding at the end the following:*

*''(6) PROPOSED RULE MAKING.—In conducting rulemaking to revise, modify or establish size standards pursuant to this section, the Administrator shall consider, and address, and make publicly available as part of the notice of proposed rule making and notice of final rule each of the following:*

*''(A) a detailed description of the industry for which the new size standard is proposed;*

*''(B) an analysis of the competitive environment for that industry;*

*''(C) the approach the Administrator used to develop the proposed standard including the source of all data used to develop the proposed rulemaking; and*

*''(D) the anticipated effect of the proposed rulemaking on the industry, including the number of concerns not currently considered small that would be considered small under the proposed rulemaking and the number of concerns currently considered small that would be deemed other than small under the proposed rulemaking.*

*''(7) COMMON SIZE STANDARDS.—In carrying out this subsection, the Administrator may establish or approve a single size standard for a grouping of four digit North American Industrial Classification codes only if the Administrator makes publicly available, not later than the date on which such size standard is established or approved, a justification demonstrating that such size standard is appropriate for each individual industry classification included in the grouping.*

*''(8) NUMBER OF SIZE STANDARDS.—The Administrator shall not limit the number of size standards it creates pursuant to paragraph (2), and shall assign the appropriate size standard to each North American Industrial Classification System Code''.*

***PART VI —CONTRACT BUNDLING***

***SEC. 1671. CONSOLIDATION OF PROVISIONS RELATING TO CONTRACT BUNDLING.***

*Section 44 of the Small Business Act (15 U.S.C. 657q) is amended to read as follows:*

***''SEC. 44. CONTRACT BUNDLING.***

*''(a) DEFINITIONS.—In this Act:*

*''(1) BUNDLED CONTRACT.—The term 'bundled contract'—*

*''(A) means a contract that is entered into to meet procurement requirements that are combined in a bundling of contract requirements, without regard to whether a study of the effects of the solicitation on Federal officers or employees has been made; and*

*''(B) does not include—*

*''(i) a contract with an aggregate dollar value below the dollar threshold; or*

*''(ii) a single award contract for the acquisition of a weapons system acquired through a major defense acquisition.*

*''(2) BUNDLING METHODOLOGY.—The term 'bundling methodology' means—*

*''(A) a solicitation to obtain offers for a single contract or a multiple award contract;*

*''(B) a solicitation of offers for the issuance of a task or a delivery order under an existing single or multiple award contract; or*

*''(C) the creation of any new procurement requirements that permits a combination of contract requirements, including any combination of contract requirements or order requirements.*

*''(3) BUNDLING OF CONTRACT REQUIREMENTS.—The term 'bundling of contract requirements', with respect to the contract requirements of a Federal agency—*

*''(A) means the use of any bundling methodology to satisfy 2 or more procurement requirements for new or existing goods or services provided to or performed for the Federal agency, including any construction services, that is likely to be unsuitable for award to a small-business concern due to—*

*''(i) the diversity, size, or specialized nature of the elements of the performance specified;*

*''(ii) the aggregate dollar value of the anticipated award;*

*''(iii) the geographical dispersion of the contract performance sites; or*

*''(iv) any combination of the factors described in clauses (i), (ii), and (iii); and*

*''(B) does not include the use of a bundling methodology for an anticipated award with an aggregate dollar value below the dollar threshold.*

*''(4) CHIEF ACQUISITION OFFICER.—The term 'Chief Acquisition Officer' means the employee of a Federal agency designated as the Chief Acquisition Officer for the Federal agency under section 1702(a) of title 41, United States Code.*

*''(5) CONTRACT.—The term 'contract' includes, for purposes of this section, any task order made pursuant to an indefinite quantity, indefinite delivery contract.*

*''(6) CONTRACT BUNDLING.—The term 'contract bundling' means the process by which a bundled contract is created.*

*''(7) DOLLAR THRESHOLD.—The term 'dollar threshold' means—*

*''(A) in the case of a contract for construction, $5,000,000; and*

*''(B) in any other case, $2,000,000.*

*''(8) MAJOR DEFENSE ACQUISITION PROGRAM.—The term 'major defense acquisition program' has the meaning given in section 2430(a) of title 10, United States Code.*

*''(9) PREVIOUSLY BUNDLED CONTRACT.—The term 'previously bundled contract' means a contract that is the successor to a contract that required a bundling analysis, contract for which any of the successor contract were designated as a consolidated contract or bundled contract in the Federal procurement database, or a contract for which the Administrator designated the prior contract as a bundled contract.*

*''(10) PROCUREMENT ACTIVITY.—The term 'procurement activity' means the Federal agency or office thereof acquiring goods or services.*

*''(11) PROCUREMENT REQUIREMENT.—The term 'procurement requirement' means a determination by an agency that the acquisition of a specified good or service is needed to satisfy the mission of the agency.*

*''(12) SENIOR PROCUREMENT EXECUTIVE.—The term 'senior procurement executive' means an official designated under section 1702(c) of title 41, United States Code, as the senior procurement executive for a Federal agency.*

*''(13) TRADE ASSOCIATION.—The term 'trade association' means any entity that is described in paragraph (3), (6), (12), or (19) of section 501(c) of the Internal Revenue Code of 1986 and which is exempt from tax under section 501(a) of such Code.*

*''(b) POLICY.—The head of each Federal agency shall ensure that the decisions made by the Federal agency regarding contract bundling are made with a view to providing small business concerns with the maximum practicable opportunities to participate as prime contractors and subcontractors in the procurements of the Federal agency.*

*''(c) CONTRACT BUNDLING.—*

*''(1) PROPOSED PROCUREMENTS.—Paragraphs (2) through (4) shall apply to a proposed procurement if the proposed procurement—*

*''(A) one or more small business concerns would suffer economic harm or disruption of its business operations, including the potential loss of an existing contract, as a direct or indirect result of the contract bundling;*

*''(B) includes, in its statement of work, goods or services—*

*''(i)(I) currently being performed by a small business; and*

*''(II) if the proposed procurement is in a quantity or estimated dollar value the magnitude of which renders small business prime contract participation unlikely; or*

*''(ii)(I) that are of a type that the Administrator through market research can demonstrate that two or more small businesses are capable of performing; and*

*''(II) if the statement of work proposes combining the goods or services identified in subclause (I) with other requirements for goods or services into the solicitation of offers;*

*''(C) is for construction and—*

*''(i) seeks to package or combine discrete construction projects; or*

*''(ii) the value of the goods or services subject to the contract exceeds the dollar threshold; or*

*''(D) is determined by the Administrator to have a solicitation that involves an unnecessary or unjustified bundling of contract requirements.*

*''(2) RESPONSIBILITY OF THE PROCUREMENT ACTIVITY.—At least 45 days prior to the issuance of a solicitation, the Procurement Activity shall notify and provide a copy of the proposed procurement to the procurement center representative assigned to the Procurement Activity. The 45-day notification process under this paragraph shall occur concurrently with other processing steps required prior to issuance of the solicitation. The notice shall include a statement as to why the agency has determined that contract bundling is necessary and justified and shall also describe why the proposed acquisition cannot be offered so as to make small business participation likely. Such statement shall address—*

*''(A) why the proposed acquisition cannot be further divided into reasonably small lots or discrete tasks in order to permit offers by small business concerns;*

*''(B) if applicable, a list of the incumbent contractors disaggregated by and including names, addresses, and whether or not the contractor is a small business concern;*

*''(C) a description of the industries that might be interested in bidding on the contract requirements;*

*''(D) an assessment of the impact on small businesses that had bid on previous procurement requirements that are included in the bundling of contract requirements;*

*''(E) delineating the number of existing small business concerns whose contracts will cease if the contract bundling proceeds;*

*''(F) if delivery schedule was a factor in the decision to bundle, an explanation as to why a schedule could not be developed that would encourage small business participation; and*

*''(G) in the case of a construction contract, why construction cannot be procured as separate discrete projects.*

*''(3) PUBLICATION OF NOTICE STATEMENT.—Concurrently, the statement required in paragraph (2) shall be published in the Federal contracting opportunities database.*

''(4) RECOMPETITION OF A PREVIOUSLY BUNDLED CONTRACT.—If the proposed procurement is a previously bundled contract, that is to be recompeted as a bundled contract, the Administrator shall determine, with the assistance of the agency proposing the procurement—

''(A) the amount of savings and benefits (in accordance with subsection (d)) achieved under the bundling of contract requirements;

''(B) whether such savings and benefits will continue to be realized if the contract remains bundled, and whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for award to small business concerns;

''(C) the dollar value of subcontracts awarded to small business concerns under the bundled contract, disaggregated by North American Industrial Classification System Code;

''(D) the percentage of subcontract dollars awarded to small businesses under the bundled contract, disaggregated by North American Industrial Classification System Code; and

''(E) the dollar amount and percentage of prime contract dollars awarded to small businesses in the primary North American Industrial Classification System Code for that bundled contract during each of the two fiscal years preceding the award of the bundled contract and during each fiscal year of the performance of the bundled contract.

''(5) FAILURE TO PROVIDE NOTICE.—

''(A) NO NOTIFICATION RECEIVED.—If no notification of the proposed procurement or accompanying statement is received, but the Administrator determines that the proposed procurement is a proposed procurement described in paragraph (1), then the Administrator shall require that such a statement of work be completed by the Procurement Activity and sent to the procurement center representative and postpone the solicitation process for at least 10 days but not more than 45 days to allow the Administrator to review the statement and make recommendations as described in this section before the procurement process is continued.

''(B) NO WORK CONTINUED.—If the Administrator requires a Procurement Activity to provide a statement of work pursuant to subparagraph (A), the Procurement Activity shall not be permitted to continue with the procurement until such time as the Procurement Activity complies with the requirements of subparagraph (A).

''(6) RESPONSIBILITY OF THE PROCUREMENT CENTER REPRESENTATIVE.—Within 15 days after receipt of the proposed procurement and accompanying statement, if the procurement center representative believes that the procurement as proposed will render small business prime contract participation unlikely, the representative shall recommend to the Procurement Activity alternative procurement methods which would increase small business prime contracting opportunities.

''(7) DISAGREEMENT BETWEEN THE ADMINISTRATOR AND THE PROCUREMENT ACTIVITY.—

''(A) IN GENERAL.—If the Administrator determines that a small business concern would be adversely affected, directly or indirectly, by the proposed procurement, or if a small business concern or a trade association of which that small business concern is a member so requests, the Administrator may take action under this paragraph to further the interests of small businesses.

''(B) APPEAL TO AGENCY HEAD.—The proposed procurement shall be submitted for determination to the head of the contracting agency by the Administrator.

''(C) APPEAL BY AFFECTED SMALL BUSINESS CONCERN TO GAO.—For purposes of subchapter V of chapter 35 of title 31, United States Code, if a protest is submitted to the Comptroller General under that subchapter alleging a violation of this section of the Small Business Act, a trade association representing small business concerns shall be considered an interested party.

''(d) MARKET RESEARCH.—

''(1) IN GENERAL.—Before proceeding with an acquisition strategy that could lead to bundled contracts, the head of an agency shall conduct market research to determine whether bundling of the requirements is necessary and justified.

''(2) FACTORS.—For purposes of subsection (c)(1), a bundled contract is necessary and justified if the bundling of contract requirements will result in substantial measurable benefits in excess of those benefits resulting from a procurement of the contract requirements that does not involve contract bundling.

''(3) BENEFITS.—For the purposes of bundling of contract requirements, benefits described in paragraph (2) may include the following:

''(A) Cost savings.

''(B) Quality improvements.

''(C) Reduction in acquisition cycle times.

''(D) Better terms and conditions.

''(E) Any other benefits.

''(4) REDUCTION OF COSTS NOT DETERMINATIVE.—For purposes of this subsection:

''(A) Cost savings shall not include any reduction in the use of military interdepartmental purchase requests or any similar transfer funds among Federal agencies for the use of a contract issued by another Federal agency.

''(B) The reduction of administrative or personnel costs alone shall not be a justification for bundling of contract requirements unless the cost savings are expected to be substantial in relation to the dollar value of the procurement requirements to be bundled.

''(5) LIMITATION ON ACQUISITION STRATEGY.—The head of a Federal agency may not carry out an acquisition strategy that includes bundled contracts valued in excess of the dollar threshold, unless the senior procurement executive or, if applicable, Chief Acquisition Officer, for the Federal agency, certifies to the head of the Federal agency that steps will be taken to include small business concerns in the acquisition strategy prior to the implementation of such acquisition strategy.

''(e) STRATEGY SPECIFICATIONS.—If the head of a contracting agency determines that an acquisition plan or proposed procurement strategy will result in a bundled contract, the proposed acquisition plan or procurement strategy shall—

''(1) identify specifically the benefits anticipated to be derived from the bundling of contract requirements;

''(2) set forth an assessment of the specific impediments to participation by small business concerns as prime contractors that result from the contract bundling and specify actions designed to maximize small business participation as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements; and

''(3) include a specific determination that the anticipated measurable benefits of the proposed bundled contract justify its use.

''(f) CONTRACT TEAMING.—In the case of a solicitation of offers for a bundled contract that is issued by the head of an agency, a small-business concern may submit an offer that provides for use of a particular team of subcontractors for the performance of the contract. The head of the agency shall evaluate the offer in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors. If a small business concern teams under this paragraph, it shall not affect its status as a small business concern for any other purpose.

''(g) DATABASE, ANALYSIS, AND ANNUAL REPORT REGARDING CONTRACT BUNDLING.—

''(1) DATABASE.—Not later than 180 days after the date of the enactment of this subsection, the Administrator shall develop and shall thereafter maintain a database containing data and information regarding—

''(A) each bundled contract awarded by a Federal agency; and

''(B) each small business concern that has been displaced as a prime contractor as a result of the award of such a contract.

''(2) ANALYSIS.—For each bundled contract that is to be recompeted, the Administrator shall determine—

''(A) the amount of savings and benefits realized, in comparison with the savings and benefits anticipated by the analysis required under subsection (d) prior to the contract award; and

''(B) whether such savings and benefits will continue to be realized if the contract remains bundled, and whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for award to small business concerns.

''(3) ANNUAL REPORT ON CONTRACT BUNDLING.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this paragraph, and annually in March thereafter, the Administrator shall transmit a report on contract bundling to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate.

''(B) CONTENTS.—Each report transmitted under subparagraph (A) shall include—

''(i) data on the number, arranged by industrial classification, of small business concerns displaced as prime contractors as a result of the award of bundled contracts by Federal agencies; and

''(ii) a description of the activities with respect to previously bundled contracts of each Federal agency during the preceding year, including—

''(I) data on the number and total dollar amount of all contract requirements that were bundled; and

''(II) with respect to each bundled contract, data or information on—

''(aa) the justification for the bundling of contract requirements;

''(bb) the cost savings realized by bundling the contract requirements over the life of the contract;

''(cc) the extent to which maintaining the bundled status of contract requirements is projected to result in continued cost savings;

''(dd) the extent to which the bundling of contract requirements complied with the contracting agency's small business subcontracting plan, including the total dollar value awarded to small business concerns as subcontractors and the total dollar value previously awarded to small business concerns as prime contractors; and

''(ee) the impact of the bundling of contract requirements on small business concerns unable to compete as prime contractors for the consolidated requirements and on the industries of such small business concerns, including a description of any changes to the proportion of any such industry that is composed of small business concerns.

''(h) BUNDLING ACCOUNTABILITY MEASURES.—

''(1) TEAMING REQUIREMENTS.—Each Federal agency shall include in each solicitation for any multiple award contract above the dollar threshold a provision soliciting bids from any responsible source, including responsible small business concerns and teams or joint ventures of small business concerns.

''(2) POLICIES ON REDUCTION OF CONTRACT BUNDLING.—

''(A) IN GENERAL.—Not later than 270 days after the date of enactment of this subparagraph, the Federal Acquisition Regulatory Council, established under section 1302(a) of title 41, United States Code, shall amend the Federal Acquisition Regulation issued under section 1303 of such title to—

''(i) establish a Government-wide policy regarding contract bundling, including regarding the solicitation of teaming and joint ventures; and

''(ii) require that the policy established under clause (i) be published on the website of each Federal agency.

''(B) RATIONALE FOR CONTRACT BUNDLING.—Not later than 30 days after the date on which

*the head of a Federal agency submits the report required under section 15(h), the head of the Federal agency shall publish on the website of the Federal agency a list and rationale for any bundled contract for which the Federal agency solicited bids or that was awarded by the Federal agency.''.*

***SEC. 1672. REPEAL OF REDUNDANT PROVISIONS.***

*(a) CERTAIN PROVISIONS REGARDING CONTRACT BUNDLING REPEALED.—*

*(1) Section 15(a) of the Small Business Act (15 U.S.C. 644(a)), is amended by striking ''If a proposed procurement includes'' and all that follows through ''the matter shall be submitted for determination to the Secretary or the head of the appropriate department or agency by the Administrator.''.*

*(2) All references in law to such sentences as they were in effect on the date that is one day prior to the effective date of this Act shall be deemed to be references to section 44(d), as added by this part.*

*(b) CERTAIN PROVISIONS REGARDING MARKET RESEARCH REPEALED.—*

*(1) Paragraphs (2) through (4) of section 15(e) of the Small Business Act (15 U.S.C. 644(e)) are repealed.*

*(2) All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to subsections (d) through (f), respectively, of section 44 of the Small Business Act, as added by this section.*

*(c) CERTAIN PROVISIONS REGARDING CONTRACT BUNDLING DATABASE REPEALED.—*

*(1) Paragraph (1) of section 15(p) of the Small Business Act (15 U.S.C. 644(p)) is repealed.*

*(2) Paragraphs (2) through (4) of section 15(p) of the Small Business Act (15 U.S.C. 644(p)) are repealed. All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to paragraphs (1) through (3), respectively, of section 44(h) of the Small Business Act, as added by this part.*

*(d) CERTAIN PROVISIONS REGARDING BUNDLING ACCOUNTABILITY MEASURES REPEALED.—*

*(1) Paragraphs (1) and (2) of section 15(q) of the Small Business Act (15 U.S.C. 644(q)) are repealed.*

*(2) All references in law to such paragraphs, as in effect on the date that is one day prior to the effective date of this Act, shall be deemed to be references to paragraphs (1) and (2), respectively, of section 44(i) of the Small Business Act, as added by this part.*

*(e) CERTAIN PROVISIONS REGARDING.—Subsection (o) of section 3 of the Small Business Act (15 U.S.C.) is repealed.*

***SEC. 1673. TECHNICAL AMENDMENTS.***

*Section 15 of the Small Business Act (15 U.S.C. 644) is amended—*

*(1) in the heading of subsection (p), to read as follows: ''ACCESS TO DATA.—''; and*

*(2) in the heading of subsection (q), to read as follows: ''REPORTS RELATED TO PROCUREMENT CENTER REPRESENTATIVES.—''.*

## *PART VII —INCREASED PENALTIES FOR FRAUD*

***SEC. 1681. SAFE HARBOR FOR GOOD FAITH COMPLIANCE EFFORTS.***

*(a) SMALL BUSINESS FRAUD.—Section 16(d) of the Small Business Act (15 U.S.C. 645(d)) is amended by inserting after paragraph (2) the following:*

*''(3) LIMITATION ON LIABILITY.—This subsection shall not apply to any conduct in violation of subsection (a) if the defendant acted in reliance on a written advisory opinion from a licensed attorney who is not an employee of the defendant.''.*

*(b) REGULATIONS.—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall issue rules defining what constitutes an adequate advisory opinion for purposes of section 16(d)(3) of the Small Business Act.*

*(c) SMALL BUSINESS COMPLIANCE GUIDE.—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall issue (pursuant to section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996) a compliance guide to assist business concerns in accurately determining their status as a small business concern.*

***SEC. 1682. OFFICE OF HEARINGS AND APPEALS.***

*(a) CHIEF HEARING OFFICER.—Section 4(b)(1) of the Small Business Act is amended by adding at the end the following: ''One shall be designated at the time of his or her appointment as the Chief Hearing Officer, who shall head and administer the Office of Hearings and Appeals within the Administration.''.*

*(b) OFFICE OF HEARINGS AND APPEALS ESTABLISHED IN ADMINISTRATION.—Section 5 of the Small Business Act (15 U.S.C. 634) is amended by adding at the end the following:*

*''(i) OFFICE OF HEARINGS AND APPEALS.—*

*''(1) IN GENERAL.—There is established in the Administration an Office of Hearings and Appeals—*

*''(A) to impartially decide such matters, where Congress designates that a hearing on the record is required or which the Administrator designates by regulation or otherwise; and*

*''(B) which shall contain the Administration's Freedom of Information/Privacy Acts Office.*

*''(2) CHIEF HEARING OFFICER.—The Chief Hearing Officer shall be a career member of the Senior Executive Service and an attorney duly licensed by any State, commonwealth, territory, or the District of Columbia.*

*''(A) DUTIES.—The Chief Hearing Officer shall—*

*''(i) serve as the Chief Administrative Law Judge; and*

*''(ii) be responsible for the operation and management of the Office of Hearings and Appeals, pursuant to the rules of practice established by the Administrator.*

*''(B) ALTERNATIVE DISPUTE RESOLUTION.—The Chief Hearing Officer may also assign a matter for mediation or other means of alternative dispute resolution.*

*''(3) ADMINISTRATIVE LAW JUDGES.—*

*''(A) IN GENERAL.—An administrative law judge shall be an attorney duly licensed by any State, commonwealth, territory, or the District of Columbia.*

*''(B) CONDITIONS OF EMPLOYMENT.—(i) An administrative law judge shall serve in the excepted service as an employee of the Administration under section 2103 of title 5, United States Code, and under the supervision of the Chief Hearing Officer.*

*''(ii) Administrative law judge positions shall be classified at Senior Level, as such term is defined in section 5376 of title 5, United States Code.*

*''(iii) Compensation for administrative law judge positions shall be set in accordance with the pay rates of section 5376 of title 5, United States Code.*

*''(C) TREATMENT OF CURRENT PERSONNEL.—An individual serving as a Judge in the Office of Hearings and Appeals (as that position and office are designated in section 134.101 of title 13, Code of Federal Regulations (as in effect on January 1, 2012)) on the effective date of this subsection shall be considered as qualified to be and redesignated as administrative law judges.*

*''(D) POWERS.—An administrative law judge shall have the authority to conduct hearings in accordance with sections 554, 556, and 557 of title 5, United States Code.''.*

***SEC. 1683. REQUIREMENT FRAUDULENT BUSINESSES BE SUSPENDED OR DEBARRED.***

*(a) IN GENERAL.—Section 16(d)(2)(C) of the Small Business Act (15 U.S.C. 645(d)(2)(C)) is amended by striking ''on the basis that such misrepresentation indicates a lack of business integrity that seriously and directly affects the present responsibility to perform any contract awarded by the Federal Government or a subcontract under such a contract''.*

*(b) REVISION TO FAR.—Not later than 270 days after the date of enactment of this part, the Federal Acquisition Regulation shall be revised to implement the amendment made by this section.*

*(c) DEVELOPMENT AND PROMULGATION OF GUIDANCE.—Not later than 270 days after the date of enactment of this part, the Administrator of the Small Business Administration shall develop and promulgate guidance implementing this section.*

*(d) PUBLICATION OF PROCEDURES REGARDING SUSPENSION AND DEBARMENT.—Not later than 270 days after the date of enactment of this part, the Administrator shall publish on the Administration's Web site the standard operating procedures for suspension and debarment in effect, and the name and contact information for the individual designated by the Administrator as the senior individual responsible for suspension and debarment proceedings.*

***SEC. 1684. ANNUAL REPORT ON SUSPENSIONS AND DEBARMENTS PROPOSED BY SMALL BUSINESS ADMINISTRATION.***

*(a) REPORT REQUIREMENT.—The Administrator of the Small Business Administration shall submit each year to the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report on the suspension and debarment actions taken by the Administrator during the year preceding the year of submission of the report.*

*(b) MATTERS COVERED.—The report required by subsection (a) shall include the following information for the year covered by the report:*

*(1) NUMBER.—The number of contractors proposed for suspension or debarment.*

*(2) SOURCE.—The office within a Federal agency that originated each proposal for suspension or debarment.*

*(3) REASONS.—The reason for each proposal for suspension or debarment.*

*(4) RESULTS.—The result of each proposal for suspension or debarment, and the reason for such result.*

*(5) REFERRALS.—The number of suspensions or debarments referred to the Inspector General of the Small Business Administration or another agency, or to the Attorney General (for purposes of this paragraph, the Administrator may redact identifying information on names of companies or other information in order to protect the integrity of any ongoing criminal or civil investigation).*

## *PART VIII —OFFICES OF SMALL AND DISADVANTAGED BUSINESS UNITS*

***SEC. 1691. OFFICES OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.***

*(a) APPOINTMENT AND POSITION OF DIRECTOR.—Section 15(k)(2) of the Small Business Act (15 U.S.C. 644(k)(2)) is amended by striking ''such agency,'' and inserting ''such agency to a position that is a Senior Executive Service position (as such term is defined under section 3132(a) of title 5, United States Code), except that, for any agency in which the positions of Chief Acquisition Officer and senior procurement executive (as such terms are defined under section 44(a) of this Act) are not Senior Executive Service positions, the Director of Small and Disadvantaged Business Utilization may be appointed to a position compensated at not less than the minimum rate of basic pay payable for grade GS–15 of the General Schedule under section 5332 of such title (including comparability payments under section 5304 of such title);''.*

*(b) PERFORMANCE APPRAISALS.—Section 15(k)(3) of such Act (15 U.S.C. 644(k)(3)) is amended—*

*(1) by striking ''be responsible only to, and report directly to, the head'' and inserting ''shall be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, the head''; and*

*(2) by striking ''be responsible only to, and report directly to, such Secretary'' and inserting ''be responsible only to (including with respect to performance appraisals), and report directly and exclusively to, such Secretary''.*

*(c) SMALL BUSINESS TECHNICAL ADVISERS.—Section 15(k)(8)(B) of such Act (15 U.S.C. 644(k)(8)(B)) is amended—*

*(1) by striking ''and 15 of this Act,'' and inserting '', 15, and 44 of this Act;''; and*

*(2) by inserting after ''of this Act'' the following: ''(giving priority in assigning to small business that are in metropolitan statistical areas for which the unemployment rate is higher than the national average unemployment rate for the United States)''.*

*(d) ADDITIONAL REQUIREMENTS.—Section 15(k) of such Act (15 U.S.C. 644(k)) is amended by inserting after paragraph (10) the following:*

*''(11) shall review and advise such agency on any decision to convert an activity performed by a small business concern to an activity performed by a Federal employee;*

*''(12) shall provide to the Chief Acquisition Officer and senior procurement executive of such agency advice and comments on acquisition strategies, market research, and justifications related to section 44 of this Act;*

*''(13) may provide training to small business concerns and contract specialists, except that such training may only be provided to the extent that the training does not interfere with the Director carrying out other responsibilities under this subsection;*

*''(14) shall receive unsolicited proposals and, when appropriate, forward such proposals to personnel of the activity responsible for reviewing such proposals*

*''(15) shall carry out exclusively the duties enumerated in this Act, and shall, while the Director, not hold any other title, position, or responsibility, except as necessary to carry out responsibilities under this subsection; and*

*''(16) shall submit, each fiscal year, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—*

*''(A) the training provided by the Director under paragraph (13) in the most recently completed fiscal year;*

*''(B) the percentage of the budget of the Director used for such training in the most recently completed fiscal year; and*

*''(C) the percentage of the budget of the Director used for travel in the most recently completed fiscal year.''.*

*(e) REQUIREMENT OF CONTRACTING EXPERIENCE FOR OSDBU DIRECTOR.—Section 15(k) of the Small Business Act (15 U.S.C. 644(k)), as amended by this part, is further amended, in the matter preceding paragraph (1), by striking ''who shall'' and insert the following: '', with experience serving in any combination of the following roles: federal contracting officer, small business technical advisor, contracts administrator for federal government contracts, attorney specializing in federal procurement law, small business liaison officer, officer or employee who managed federal government contracts for a small business, or individual whose primary responsibilities were for the functions and duties of section 8, 15 or 44 of this Act. Such officer or employee''.*

*(f) TECHNICAL AMENDMENTS.—Section 15(k) of such Act (15 U.S.C. 644(k)), as amended, is further amended—*

*(1) in paragraph (1)—*

*(A) by striking ''be known'' and inserting ''shall be known''; and*

*(B) by striking ''such agency,'' and inserting ''such agency;'';*

*(2) in paragraph (2) by striking ''be appointed by'' and inserting ''shall be appointed by'';*

*(3) in paragraph (3)—*

*(A) by striking ''director'' and inserting ''Director''; and*

*(B) by striking ''Secretary's designee,'' and inserting ''Secretary's designee;'';*

*(4) in paragraph (4)—*

*(A) by striking ''be responsible'' and inserting ''shall be responsible''; and*

*(B) by striking ''such agency,'' and inserting ''such agency;'';*

*(5) in paragraph (5) by striking ''identify proposed'' and inserting ''shall identify proposed'';*

*(6) in paragraph (6) by striking ''assist small'' and inserting ''shall assist small'';*

*(7) in paragraph (7)—*

*(A) by striking ''have supervisory'' and inserting ''shall have supervisory''; and*

*(B) by striking ''this Act,'' and inserting ''this Act;'';*

*(8) in paragraph (8)—*

*(A) by striking ''assign a'' and inserting ''shall assign a''; and*

*(B) in subparagraph (A), by striking ''the activity, and'' and inserting ''the activity; and'';*

*(9) in paragraph (9)—*

*(A) by striking ''cooperate, and'' and inserting ''shall cooperate, and''; and*

*(B) by striking ''subsection, and'' and inserting ''subsection;''; and*

*(10) in paragraph (10)—*

*(A) by striking ''make recommendations'' and inserting ''shall make recommendations'';*

*(B) by striking ''subsection (a), or section'' and inserting ''subsection (a), section'';*

*(C) by striking ''Act or section 2323'' and inserting ''Act, or section 2323'';*

*(D) by striking ''Code. Such recommendations shall'' and inserting ''Code, which shall''; and*

*(E) by striking ''contract file.'' and inserting ''contract file;''.*

***SEC. 1692. SMALL BUSINESS PROCUREMENT ADVISORY COUNCIL.***

*(a) DUTIES.—Section 7104(b) of the Federal Acquisition Streamlining Act of 1994 (15 U.S.C. 644 note) is amended—*

*(1) in paragraph (1) by striking ''and'' at the end;*

*(2) in paragraph (2) by striking ''authorities.'' and inserting ''authorities;''; and*

*(3) by adding at the end the following:*

*''(3) to conduct reviews of each Office of Small and Disadvantaged Business Utilization established under section 15(k) of the Small Business Act (15 U.S.C. 644(k)) to determine the compliance of each Office with requirements under such section;*

*''(4) to identify best practices for maximizing small business utilization in Federal contracting that may be implemented by Federal agencies having procurement powers; and*

*''(5) to submit, annually, to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report describing—*

*''(A) the comments submitted under paragraph (2) during the 1-year period ending on the date on which the report is submitted, including any outcomes related to the comments;*

*''(B) the results of reviews conducted under paragraph (3) during such 1-year period; and*

*''(C) best practices identified under paragraph (4) during such 1-year period.''.*

*(b) MEMBERSHIP.—Section 7104(c)(3) of such Act (15 U.S.C. 644 note) is amended by striking ''(established under section 15(k) of the Small Business Act (15 U.S.C. 644(k))''.*

*(c) CHAIRMAN.—Section 7104(d) of such Act (15 U.S.C. 644 note) is amended by inserting after ''Small Business Administration'' the following: ''(or the designee of the Administrator)''.*

## *PART IX—OTHER MATTERS*

***SEC. 1695. SURETY BONDS.***

*(a) MAXIMUM BOND AMOUNT.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended—*

*(1) by inserting ''(A)'' after ''(1)'';*

*(2) by striking ''$2,000,000'' and inserting ''$6,500,000, as adjusted for inflation in accordance with section 1908 of title 41, United States Code,''; and*

*(3) by adding at the end the following:*

*''(B) The Administrator may guarantee a surety under subparagraph (A) for a total work order or contract amount that does not exceed $10,000,000, if a contracting officer of a Federal agency certifies that such a guarantee is necessary.''.*

*(b) DENIAL OF LIABILITY.—Section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) is amended—*

*(1) by striking subsection (e) and inserting the following:*

*''(e) REIMBURSEMENT OF SURETY; CONDITIONS.—Pursuant to any such guarantee or agreement, the Administration shall reimburse the surety, as provided in subsection (c) of this section, except that the Administration shall be relieved of liability (in whole or in part within the discretion of the Administration) if—*

*''(1) the surety obtained such guarantee or agreement, or applied for such reimbursement, by fraud or material misrepresentation,*

*''(2) the total contract amount at the time of execution of the bond or bonds exceeds $6,500,000,*

*''(3) the surety has breached a material term or condition of such guarantee agreement, or*

*''(4) the surety has substantially violated the regulations promulgated by the Administration pursuant to subsection (d).''; and*

*(2) by adding at the end the following:*

*''(j) For bonds made or executed with the prior approval of the Administration, the Administration shall not deny liability to a surety based upon material information that was provided as part of the guaranty application.''.*

*(c) SIZE STANDARDS.—Section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a) is amended by adding at the end the following:*

*''(9) Notwithstanding any other provision of law or any rule, regulation, or order of the Administration, for purpose of sections 410, 411, and 412 the term 'small business concern' means a business concern that meets the size standard for the primary industry in which such business concern, and the affiliates of such business concern, is engaged, as determined by the Administrator in accordance with the North American Industry Classification System.''.*

## *DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS*

***SEC. 2001. SHORT TITLE.***

*This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2013''.*

***SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.***

*(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—*

*(1) October 1, 2015; or*

*(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016.*

*(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—*

*(1) October 1, 2015; or*

*(2) the date of the enactment of an Act authorizing funds for fiscal year 2016 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.*

***SEC. 2003. EFFECTIVE DATE.***

*Titles XXI through XXVII and title XXIX shall take effect on the later of—*

(1) October 1, 2012; or

(2) the date of the enactment of this Act.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

**SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Army: Inside the United States**

| State | Installation or Location | Amount |
|---|---|---|
| Alaska | Fort Wainwright | $10,400,000 |
| | Joint Base Elmendorf-Richardson | $7,900,000 |
| California | Concord | $8,900,000 |
| Colorado | Fort Carson | $52,000,000 |
| District of Columbia | Fort McNair | $7,200,000 |
| Georgia | Fort Benning | $16,000,000 |
| | Fort Gordon | $23,300,000 |
| | Fort Stewart | $49,650,000 |
| Hawaii | Pohakuloa Training Area | $29,000,000 |
| | Schofield Barracks | $96,000,000 |
| | Wheeler Army Air Field | $85,000,000 |
| Kansas | Fort Riley | $12,200,000 |
| Kentucky | Fort Campbell | $81,800,000 |
| | Fort Knox | $6,000,000 |
| Missouri | Fort Leonard Wood | $123,000,000 |
| New Jersey | Joint Base McGuire-Dix-Lakehurst | $47,000,000 |
| | Picatinny Arsenal | $10,200,000 |
| New York | Fort Drum | $95,000,000 |
| | U.S. Military Academy | $192,000,000 |
| North Carolina | Fort Bragg | $98,000,000 |
| Oklahoma | Fort Sill | $4,900,000 |
| South Carolina | Fort Jackson | $24,000,000 |
| Texas | Corpus Christi | $37,200,000 |
| | Fort Bliss | $7,200,000 |
| | Fort Hood | $51,200,000 |
| | Joint Base San Antonio | $21,000,000 |
| Virginia | Arlington | $84,000,000 |
| | Fort Belvoir | $94,000,000 |
| | Fort Lee | $81,000,000 |
| Washington | Joint Base Lewis-McChord | $164,000,000 |
| | Yakima | $5,100,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Army: Outside the United States**

| Country | Installation or Location | Amount |
|---|---|---|
| Italy | Camp Ederle | $36,000,000 |
| | Vicenza | $32,000,000 |
| Japan | Okinawa | $78,000,000 |
| | Sagami | $18,000,000 |
| Korea | Camp Humphreys | $45,000,000 |
| Kwajalein Atoll | Kwajalein Atoll | $62,000,000 |

**SEC. 2102. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601 the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,641,000.

**SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

**SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.**

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2628) for Fort Belvoir, Virginia, for construction of a Road and Access Control Point at the installation, the Secretary of the Army may construct a standard design Access Control Point consistent with the Army's construction guidelines for Access Control Points.

**SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (122 Stat. 4659), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds

*for military construction for fiscal year 2014, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

### *Army: Extension of 2009 Project Authorizations*

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| Alabama | Anniston Army Depot | Lake Yard Interchange | $1,400,000 |
| New Jersey | Picatinny Arsenal | Ballistic Evaluation Facility Phase I | $9,900,000 |

**SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

*(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (123 Stat. 2628), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

### *Army: Extension of 2010 Project Authorizations*

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| Louisiana | Fort Polk | Land Purchases and Condemnation | $17,000,000 |
| New Jersey | Picatinny Arsenal | Ballistic Evaluation Facility Phase 2 | $10,200,000 |
| Virginia | Fort Belvoir | Road and Access Control Point | $9,500,000 |
| Washington | Fort Lewis | Fort Lewis-McChord AFB Joint Access | $9,000,000 |
| Kuwait | Kuwait | APS Warehouses | $82,000,000 |

**SEC. 2107. EXTENSION OF LIMITATION ON OBLIGATION OR EXPENDITURE OF FUNDS FOR TOUR NORMALIZATION.**

*Section 2111 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1665) is amended in the matter preceding paragraph (1) by inserting after ''under this Act'' the following: ''or an Act authorizing funds for military construction for fiscal year 2013''.*

**TITLE XXII—NAVY MILITARY CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:*

### *Navy: Inside the United States*

| State | Installation or Location | Amount |
|---|---|---|
| Arizona | Yuma | $29,285,000 |
| California | Camp Pendleton | $88,110,000 |
| | Coronado | $78,541,000 |
| | Miramar | $27,897,000 |
| | Point Mugu | $12,790,000 |
| | San Diego | $71,188,000 |
| | Seal Beach | $30,594,000 |
| | Twentynine Palms | $47,270,000 |
| Florida | Jacksonville | $21.980,000 |
| Hawaii | Kaneohe Bay | $97,310,000 |
| Mississippi | Meridian | $10,926,000 |
| New Jersey | Earle | $33,498,000 |
| North Carolina | Camp Lejeune | $69,890,000 |
| | Cherry Point Marine Corps Air Station | $45,891,000 |
| | New River | $8,525,000 |
| South Carolina | Beaufort | $81,780,000 |
| | Parris Island | $10,135,000 |
| Virginia | Dahlgren | $28,228,000 |
| | Oceana Naval Air Station | $39,086,000 |
| | Portsmouth | $32,706,000 |
| | Quantico | $58,714,000 |
| | Yorktown | $48,823,000 |
| Washington | Whidbey Island | $6,272,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:*

## Navy: Outside the United States

| Country | Installation or Location | Amount |
|---|---|---|
| Diego Garcia | Diego Garcia | $1,691,000 |
| Greece | Souda Bay | $25,123,000 |
| Japan | Iwakuni | $13,138,000 |
| | Okinawa | $8,206,000 |
| Romania | Deveselu | $45,205,000 |
| Spain | Rota | $17,215,000 |
| Worldwide (Unspecified) | Unspecified Worldwide Locations | $34,048,000 |

**SEC. 2202. FAMILY HOUSING.**

*Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,527,000.*

**SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

*Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $97,655,000.*

**SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

*(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.*

*(b) LIMITATION.—The Secretary of the Navy shall not enter into an award for a military construction project in Romania until after the date on which the Secretary submits a NATO prefinancing request for consideration of the military construction project.*

**SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.**

*In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), for Kitsap (Bangor) Washington, for construction of Explosives Handling Wharf No. 2 at that location, the Secretary of the Navy may acquire fee or lesser real property interests to accomplish required environmental mitigation for the project using appropriations authorized for the project.*

**SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2009 PROJECTS.**

*(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (122 Stat 4670) and extended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1668), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

## Navy: Extension of 2009 Project Authorizations

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| California | Marine Corps Base, Camp Pendelton. | Operations Access Points, Red Beach | $11,970,000 |
| | Marine Corps Air Station, Miramar. | Emergency Response Station | $6,530,000 |
| District of Columbia | Washington Navy Yard | Child Development Center | $9,340,000 |

**SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

*(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2201 of that Act (123 Stat. 2632), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

## Navy: Extension of 2010 Project Authorization

| State/Country | Installation or Location | Project | Amount |
|---|---|---|---|
| California | Bridgeport | Mountain Warfare Training, Commissary | $6,830,000 |
| Maine | Portsmouth Naval Shipyard | Gate 2 Security Improvements | $7,090,000 |
| Djibouti | Camp Lemonier | Security Fencing | $8,109,000 |
| | | Ammo Supply Point | $21,689,000 |
| | | Interior Paved Roads | $7,275,000 |

### TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:*

### Air Force: Inside the United States

| State | Installation or Location | Amount |
|---|---|---|
| Arkansas | Little Rock Air Force Base | $30,178,000 |
| Florida | Tyndall Air Force Base | $14,750,000 |
| Georgia | Fort Stewart | $7,250,000 |
| | Moody Air Force Base | $8,500,000 |
| New Mexico | Holloman Air Force Base | $25,000,000 |
| North Dakota | Minot Air Force Base | $4,600,000 |
| Texas | Joint Base San Antonio | $18,000,000 |
| Utah | Hill Air Force Base | $13,530,000 |

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

### Air Force: Outside the United States

| Country | Installation or Location | Amount |
|---|---|---|
| Greenland | Thule Air Base | $63,500,000 |
| Guam | Andersen Air Force Base | $128,000,000 |
| Italy | Aviano Air Base | $9,400,000 |
| Worldwide, Unspecified | Unspecified Worldwide Locations | $34,657,000 |

**SEC. 2302. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,253,000.

**SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $79,571,000.

**SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

**SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (123 Stat. 2636), shall remain in effect until October 1, 2013, or the date of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

### Air Force: Extension of 2010 Project Authorization

| Location | Installation or Location | Project | Amount |
|---|---|---|---|
| Missouri | Whiteman Air Force Base | Land Acquisition North & South Boundary | $5,500,000 |
| Montana | Malmstrom Air Force Base | Weapons Storage Area (WSA), Phase 2 | $10,600,000 |

**TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

**Subtitle A—Defense Agency Authorizations**

**SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

### Defense Agencies: Inside the United States

| State | Installation or Location | Amount |
|---|---|---|
| Arizona | Yuma | $1,300,000 |
| California | Coronado | $55,259,000 |
| | DEF Fuel Support Point-San Diego | $91,563,000 |
| | Edwards Air Force Base | $27,500,000 |
| | Twentynine Palms | $27,400,000 |
| Colorado | Buckley Air Force Base | $30,000,000 |
| | Fort Carson | $56,673,000 |
| | Pikes Peak | $3,600,000 |
| CONUS Classified | Classified Location | $59,577,000 |
| Delaware | Dover Air Force Base | $2,000,000 |

**Defense Agencies: Inside the United States**—*Continued*

| State | Installation or Location | Amount |
|---|---|---|
| Florida | Eglin Air Force Base | $41,965,000 |
| | Hurlburt Field | $16,000,000 |
| | MacDill Air Force Base | $34,409,000 |
| Hawaii | Joint Base Pearl Harbor-Hickam | $24,289,000 |
| Illinois | Great Lakes | $28,700,000 |
| | Scott Air Force Base | $86,711,000 |
| Indiana | Grissom Army Reserve Base | $26,800,000 |
| Kentucky | Fort Campbell | $71,639,000 |
| Louisiana | Barksdale Air Force Base | $11,700,000 |
| Maryland | Annapolis | $66,500,000 |
| | Bethesda Naval Hospital | $69,200,000 |
| | Fort Meade | $128,600,000 |
| Missouri | Fort Leonard Wood | $18,100,000 |
| New Mexico | Cannon Air Force Base | $93,085,000 |
| New York | Fort Drum | $43,200,000 |
| North Carolina | Camp Lejeune | $80,064,000 |
| | Fort Bragg | $100,422,000 |
| | Seymour Johnson Air Force Base | $55,450,000 |
| Pennsylvania | DEF Distribution Depot New Cumberland | $17,400,000 |
| South Carolina | Shaw Air Force Base | $57,200,000 |
| Texas | Red River Army Depot | $16,715,000 |
| Virginia | Dam Neck | $11,000,000 |
| | Joint Expeditionary Base Little Creek - Story | $11,132,000 |
| | Norfolk | $8,500,000 |
| Washington | Fort Lewis | $50,520,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:*

**Defense Agencies: Outside the United States**

| Country | Installation or Location | Amount |
|---|---|---|
| Belgium | Brussels | $26,969,000 |
| Germany | Stuttgart-Patch Barracks | $2,413,000 |
| | Vogelweh | $61,415,000 |
| | Weisbaden | $52,178,000 |
| Guam | Andersen Air Force Base | $67,500,000 |
| Guantanamo Bay, Cuba | Guantanamo Bay | $40,200,000 |
| Japan | Camp Zama | $13,273,000 |
| | Kadena Air Base | $143,545,000 |
| | Sasebo | $35,733,000 |
| | Zukeran | $79,036,000 |
| Korea | Kunsan Air Base | $13,000,000 |
| | Osan Air Base | $77,292,000 |
| Romania | Deveselu | $157,900,000 |
| United Kingdom | Menwith Hill Station | $50,283,000 |
| | Royal Air Force Feltwell | $30,811,000 |
| | Royal Air Force Mildenhall | $6,490,000 |

***SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.***

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:*

**Energy Conservation Projects: Inside the United States**

| State | Installation or Location | Amount |
|---|---|---|
| Alaska | Clear | $15,337,000 |
| California | Fort Hunter Liggett | $9,600,000 |
| | Parks RFTA | $9,256,000 |
| Colorado | Aerospace Data Facility | $3,310,000 |
| | Fort Carson | $4,000,000 |

***Energy Conservation Projects: Inside the United States*—*Continued***

| State | Installation or Location | Amount |
|---|---|---|
| Hawaii | Joint Base Pearl Harbor Hickam | $6,610,000 |
| Missouri | Whiteman | $6,000,000 |
| North Carolina | Fort Bragg | $2,700,000 |
| | MCB Camp Lejeune | $5,701,000 |
| New Jersey | Sea Girt | $3,000,000 |
| Pennsylvania | NSA Mechanicsburg | $19,926,000 |
| | Susquehanna | $2,550,000 |
| | Tobyhanna Army Depot | $3,950,000 |
| Tennessee | Arnold | $3,606,000 |
| Texas | Fort Bliss | $5,700,000 |
| | Fort Bliss | $2,600,000 |
| | Laughlin | $4,800,000 |
| Virginia | MCB Quantico | $7,943,000 |
| | Pentagon Reservation | $2,360,000 |
| | Pentagon Reservation | $2,120,000 |
| Various Locations | Various Locations | $12,886,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:*

***Energy Conservation Projects: Outside the United States***

| Country | Installation or Location | Amount |
|---|---|---|
| Italy | Naval Air Station Sigonella | $6,121,000 |
| Spain | Naval Station Rota | $2,671,000 |
| Various Locations | Various Locations | $7,253,000 |

***SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.***

*(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.*

*(b) LIMITATION.—The Secretary of Defense shall not enter into an award for a military construction project in Romania until after the date on which the Secretary submits a NATO prefinancing request for consideration of the military construction project.*

***SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECTS.***

*(a) MARYLAND.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), is amended in the item relating to Fort Meade, Maryland, by striking ''$29,640,000'' in the amount column and inserting ''$792,200,000''.*

*(b) GERMANY.—The table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673), is amended in the item relating to Rhine Ordnance Barracks, Germany, by striking ''$750,000,000'' in the amount column and inserting ''$850,000,000''.*

***SEC. 2405. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECT.***

*(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorization set forth in the table in subsection (b), as provided in section 2401(a) of that Act (123 Stat. 2640), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later:*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

***Extension of 2010 Project Authorization***

| State/Country | Installation or Location | Project | Amount |
|---|---|---|---|
| Virginia | Pentagon Reservation | Pentagon electrical upgrade | $19,272,000 |

***Subtitle B—Chemical Demilitarization Authorizations***

***SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.***

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction and land acquisition for chemical demilitarization as specified in the funding table in section 4601.*

***SEC. 2412. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.***

*(a) MODIFICATIONS.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2699), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), is further amended—*

*(1) under the agency heading relating to Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colorado, by striking ''$484,000,000'' in the amount column and inserting ''$520,000,000''; and*

*(2) by striking the amount identified as the total in the amount column and inserting ''$866,454,000''.*

*(b) CONFORMING AMENDMENT.—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking ''$484,000,000'' and inserting ''$520,000,000''.*

***TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM***

***SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.***

*The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.*

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.*

## TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

### Subtitle A—Project Authorizations and Authorization of Appropriations

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:*

**Army National Guard: Inside the United States**

| State | Location | Amount |
|---|---|---|
| Alabama | Fort McClellan | $5,400,000 |
| Arkansas | Searcy | $6,800,000 |
| California | Fort Irwin | $25,000,000 |
| Connecticut | Camp Hartell | $32,000,000 |
| Delaware | Bethany Beach | $5,500,000 |
| Florida | Camp Blanding | $9,000,000 |
| | Miramar | $20,000,000 |
| Hawaii | Kapolei | $28,000,000 |
| Idaho | Orchard Training Area | $40,000,000 |
| Indiana | South Bend | $21,000,000 |
| | Terra Haute | $9,000,000 |
| Iowa | Camp Dodge | $3,000,000 |
| Kansas | Topeka | $9,500,000 |
| Kentucky | Frankfort | $32,000,000 |
| Massachusetts | Camp Edwards | $27,200,000 |
| Michigan | Camp Grayling | $17,000,000 |
| Minnesota | Camp Ripley | $17,000,000 |
| | St. Paul | $17,000,000 |
| Missouri | Fort Leonard Wood | $18,000,000 |
| | Kansas City | $1,900,000 |
| | Monett | $820,000 |
| | Perryville | $700,000 |
| Montana | Miles City | $11,000,000 |
| New Jersey | Sea Girt | $34,000,000 |
| New York | Stomville | $24,000,000 |
| Ohio | Chillcothe | $3,100,000 |
| | Delaware | $12,000,000 |
| Oklahoma | Camp Gruber | $25,000,000 |
| Utah | Camp Williams | $36,000,000 |
| Vermont | North Hyde Park | $4,397,000 |
| Washington | Fort Lewis | $35,000,000 |
| West Virginia | Logan | $14,200,000 |
| Wisconsin | Wausau | $10,000,000 |

*(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations outside the United States, and in the amounts, set forth in the following table:*

**Army National Guard: Outside the United States**

| Country | Location | Amount |
|---|---|---|
| Guam | Barrigada | $8,500,000 |
| Puerto Rico | Camp Santiago | $3,800,000 |
| | Ceiba | $2,200,000 |
| | Guaynabo | $15,000,000 |
| | Gurabo | $14,700,000 |

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:*

### Army Reserve

| Country | Location | Amount |
|---|---|---|
| California | Fort Hunter Liggett | $78,300,000 |
| | Tustin | $27,000,000 |
| Illinois | Fort Sheridan | $28,000,000 |
| Maryland | Aberdeen Proving Ground | $21,000,000 |
| | Baltimore | $10,000,000 |
| Massachusetts | Devens Reserve Forces Training Area | $8,500,000 |
| Nevada | Las Vegas | $21,000,000 |
| New Jersey | Joint Base McGuire-Dix-Lakehurst | $7,400,000 |
| Pennsylvania | Conneant Lake | $4,800,000 |
| Washington | Joint Base Lewis-McChord | $40,000,000 |
| Wisconsin | Fort McCoy | $47,800,000 |

**SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:*

### Navy Reserve and Marine Corps Reserve

| State | Location | Amount |
|---|---|---|
| Arizona | Yuma | $5,379,000 |
| Iowa | Fort Des Moines | $19,162,000 |
| Louisiana | New Orleans | $7,187,000 |
| New York | Brooklyn | $4,430,000 |
| Texas | Fort Worth | $11,256,000 |

**SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:*

### Air National Guard

| State | Location | Amount |
|---|---|---|
| California | Fresno Yosemite International Airport Air National Guard | $11,000,000 |
| Hawaii | Joint Base Pearl Harbor-Hickam | $6,500,000 |
| New Mexico | Kirtland Air Force Base | $8,500,000 |
| Tennessee | McGee-Tyson Airport | $18,000,000 |
| Wyoming | Cheyenne Municipal Airport | $6,486,000 |

**SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:*

### Air Force Reserve

| State | Location | Amount |
|---|---|---|
| California | March Air Reserve Base | $16,900,000 |
| New York | Niagara Falls International Airport | $6,100,000 |

**SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.**

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.*

**Subtitle B—Other Matters**

**SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECTS.**

*(a) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD READINESS CENTER PROJECT, NORTH LAS VEGAS, NEVADA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2648) for North Las Vegas, Nevada, for construction of a Readiness Center, the Secretary of the Army may construct up to 68,593 square feet of readiness center, 10,000 square feet of unheated equipment storage area, and 25,000 square feet of unheated vehicle storage, consistent with the Army's construction guidelines for readiness centers.*

*(b) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, MIRAMAR, CALIFORNIA.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2649) for Camp Pendleton, California, for construction of an Army Reserve Center, the Secretary of the*

*Army may instead construct an Army Reserve Center in the vicinity of the Marine Corps Air Station, Miramar, California.*

*(c) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, BRIDGEPORT, CONNECTICUT.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2649) for Bridgeport, Connecticut, for construction of an Army Reserve Center/Land, the Secretary of the Army may instead construct an Army Reserve Center and acquire land in the vicinity of Bridgeport, Connecticut.*

***SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECTS.***

*(a) AUTHORITY TO CARRY OUT ARMY RESERVE CENTER PROJECT, FORT STORY, VIRGINIA.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4453) for Fort Story, Virginia, for construction of an Army Reserve Center, the Secretary of the Army may instead construct an Army Reserve Center in the vicinity of Fort Story, Virginia.*

*(b) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, FORT CHAFFEE, ARKANSAS.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Fort Chaffee, Arkansas, for construction of a Live Fire Shoot House, the Secretary of the Army may construct up to 5,869 square feet of Live Fire Shoot House.*

*(c) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WINDSOR LOCKS, CONNECTICUT.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Windsor Locks, Connecticut, for construction of a Readiness Center, the Secretary of the Army may construct up to 119,510 square feet of a Readiness Center.*

*(d) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, KALAELOA, HAWAII.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Kalealoa, Hawaii, for construction of a Combined Support Maintenance Shop, the Secretary of the Army may construct up to 137,548 square feet of a Combined Support Maintenance Shop.*

*(e) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WICHITA, KANSAS.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Wichita, Kansas, for construction of a Field Maintenance Shop, the Secretary of the Army may construct up to 62,102 square feet of Field Maintenance Shop.*

*(f) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, MINDEN, LOUISIANA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Minden, Louisiana, for construction of a Readiness Center, the Secretary of the Army may construct up to 90,944 square feet of a Readiness Center.*

*(g) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, SAINT INIGOES, MARYLAND.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Saint Inigoes, Maryland, for construction of a Tactical Unmanned Aircraft System Facility, the Secretary of the Army may construct up to 10,298 square feet of a Tactical Unmanned Aircraft System Facility.*

*(h) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, CAMP GRAFTON, NORTH DAKOTA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Camp Grafton, North Dakota, for construction of a Readiness Center, the Secretary of the Army may construct up to 68,671 square feet of a Readiness Center.*

*(i) AUTHORITY TO CARRY OUT ARMY NATIONAL GUARD PROJECT, WATERTOWN, SOUTH DAKOTA.—In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4451) for Watertown, South Dakota, for construction of a Readiness Center, the Secretary of the Army may construct up to 97,865 square feet of a Readiness Center.*

***SEC. 2613. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2009 PROJECT.***

*(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4658), the authorization set forth in the table in subsection (b), as provided in section 2604 of that Act (122 Stat. 4706), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.*

*(b) TABLE.—The table referred to in subsection (a) is as follows:*

***Air National Guard: Extension of 2009 Project Authorization***

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| Mississippi | Gulfport-Biloxi Airport | Relocate Munitions Complex | $3,400,000 |

***SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2010 PROJECTS.***

*(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2627), the authorizations set forth in the tables in subsection (b), as provided in sections 2602 and 2604 of that Act (123 Stat. 2649, 2651), shall remain in effect until October 1, 2013, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014, whichever is later.*

*(b) TABLE.—The tables referred to in subsection (a) are as follows:*

***Army Reserve: Extension of 2010 Project Authorizations***

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| California | Camp Pendleton | Army Reserve Center | $19,500,000 |
| Connecticut | Bridgeport | Army Reserve Center/Land | $18,500,000 |

***Air National Guard: Extension of 2010 Project Authorization***

| State | Installation or Location | Project | Amount |
|---|---|---|---|
| Mississippi | Gulfport-Biloxi Airport | Relocate Base Entrance | $6,500,000 |

***TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES***

***Subtitle A—Authorization of Appropriations***

***SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.***

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act as specified in the funding table in section 4601.*

***SEC. 2702. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.***

*Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded*

*through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act as specified in the funding table in section 4601.*

***Subtitle B—Other Matters***

***SEC. 2711. CONSOLIDATION OF DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNTS AND AUTHORIZED USES OF BASE CLOSURE ACCOUNT FUNDS.***

*(a) ESTABLISHMENT OF SINGLE DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT; USE OF FUNDS.—The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking sections 2906 and 2906A and inserting the following new section 2906:*

***"SEC. 2906. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.***

*''(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the 'Department of Defense Base Closure Account' which shall be administered by the Secretary as a single account.*

*''(b) CREDITS TO ACCOUNT.—There shall be credited to the Account the following:*

*''(1) Funds authorized for and appropriated to the Account.*

*''(2) Funds transferred to the Account pursuant to section ____(b) of the National Defense Authorization Act for Fiscal Year 2013.*

*''(3) Funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that funds may be transferred under the authority of this paragraph only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees.*

*''(4) Proceeds received from the lease, transfer, or disposal of any property at a military installation closed or realigned under this part or the 1988 BRAC law.*

*''(c) USE OF ACCOUNT.—*

*''(1) AUTHORIZED PURPOSES.—The Secretary may use the funds in the Account only for the following purposes:*

*''(A) To carry out the Defense Environmental Restoration Program under section 2701 of title 10, United States Code, and other environmental restoration and mitigation activities at military installations closed or realigned under this part or the 1988 BRAC law.*

*''(B) To cover property management, disposal, and caretaker costs incurred at military installations closed or realigned under this part or the 1988 BRAC law.*

*''(C) To cover costs associated with supervision, inspection, overhead, engineering, and design of military construction projects undertaken under this part or the 1988 BRAC law before September 30, 2013, and subsequent claims, if any, related to such activities.*

*''(D) To record, adjust, and liquidate obligations properly chargeable to the following accounts:*

*''(i) The Department of Defense Base Closure Account 2005 established by section 2906A of this part, as in effect on September 30, 2013.*

*''(ii) The Department of Defense Base Closure Account 1990 established by this section, as in effect on September 30, 2013.*

*''(iii) The Department of Defense Base Closure Account established by section 207 of the 1988 BRAC law, as in effect on September 30, 2013.*

*''(2) SOLE SOURCE OF FUNDS.—The Account shall be the sole source of Federal funds for the activities specified in paragraph (1) at a military installation closed or realigned under this part or the 1988 BRAC law.*

*''(3) PROHIBITION ON USE OF ACCOUNT FOR NEW MILITARY CONSTRUCTION.—Except as provided in paragraph (1), funds in the Account may not be used, directly or by transfer to another appropriations account, to carry out a military construction project, including a minor military construction project, under section 2905(a) or any other provision of law at a military installation closed or realigned under this part or the 1988 BRAC law.*

*''(d) DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.—*

*''(1) DEPOSIT OF PROCEEDS IN RESERVE ACCOUNT.—If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this part, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the 1988 BRAC law.*

*''(2) The amount so deposited under paragraph (1) shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary of Defense.*

*''(3) USE OF RESERVE FUNDS.—Subject to the limitation contained in section 204(b)(7)(C)(iii) of the 1988 BRAC law, amounts in the reserve account are hereby made available to the Secretary, without appropriation and until expended, for the purpose of acquiring, constructing, and improving—*

*''(A) commissary stores; and*

*''(B) real property and facilities for nonappropriated fund instrumentalities.*

*''(e) ANNUAL REPORTS.—*

*''(1) ANNUAL ACCOUNTING.—No later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this part, the Secretary shall transmit a report to the congressional defense committees containing an accounting of—*

*''(A) the amount and nature of credits to, and expenditures from, the Account during such fiscal year; and*

*''(B) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report.*

*''(2) SPECIFIC ELEMENTS OF REPORT.—The report for a fiscal year shall include the following:*

*''(A) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.*

*''(B) The fiscal year in which appropriations or transfers for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.*

*''(C) An estimate of the net revenues to be received from property disposals under this part or the 1988 BRAC law to be completed during the first fiscal year commencing after the submission of the report.*

*''(f) CLOSURE OF ACCOUNT; TREATMENT OF REMAINING FUNDS.—*

*''(1) CLOSURE.—The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code, except that unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the final report transmitted under paragraph (2).*

*''(2) FINAL REPORT.—No later than 60 days after the closure of the Account under paragraph (1), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—*

*''(A) all the funds credited to and expended from the Account or otherwise expended under this part or the 1988 BRAC law; and*

*''(B) any funds remaining in the Account.*

*''(g) DEFINITIONS.—In this section:*

*''(1) The term 'commissary store funds' means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.*

*''(2) The term 'nonappropriated funds' means funds received from a nonappropriated fund instrumentality.*

*''(3) The term 'nonappropriated fund instrumentality' means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.*

*''(4) The term '1988 BRAC law' means title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).''.*

*(b) CLOSURE OF EXISTING CURRENT ACCOUNTS; TRANSFER OF FUNDS.—*

*(1) CLOSURE.—Subject to paragraph (2), the Secretary of the Treasury shall close, pursuant to section 1555 of title 31, United States Code, the following accounts on the books of the Treasury:*

*(A) The Department of Defense Base Closure Account 2005 established by section 2906A of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as in effect on the effective date of this section.*

*(B) The Department of Defense Base Closure Account 1990 established by section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as in effect on the effective date of this section.*

*(C) The Department of Defense Base Closure Account established by section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note), as in effect on the effective date of this section.*

*(2) TRANSFER OF FUNDS.—All amounts remaining in the three accounts specified in paragraph (1) as of the effective date of this section, shall be transferred, effective on that date, to the Department of Defense Base Closure Account established by section 2906 of the Defense Base Closure and Realignment Act of 1990, as added by subsection (a).*

*(3) CROSS REFERENCES.—Except as provided in this subsection or the context requires otherwise, any reference in a law, regulation, document, paper, or other record of the United States to an account specified in paragraph (1) shall be deemed to be a reference to the Department of Defense Base Closure Account established by section 2906 of the Defense Base Closure and Realignment Act of 1990, as added by subsection (a).*

*(c) CONFORMING AMENDMENTS.—*

*(1) REPEAL OF FORMER ACCOUNT.—Section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is repealed.*

*(2) DEFINITION.—*

*(A) 1990 LAW.—Section 2910(1) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking ''1990 established by section 2906(a)(1)'' and inserting ''established by section 2906(a)''.*

*(B) 1988 LAW.—The Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended—*

*(i) in section 204(b)(7)(A), by striking ''established by section 207(a)(1)''; and*

*(ii) in section 209(1), by striking ''established by section 207(a)(1)'' and inserting ''established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)''.*

*(3) ENVIRONMENTAL RESTORATION.—Chapter 160 of title 10, United States Code, is amended—*

*(A) in section 2701(d)(2), by striking ''Department of Defense Base Closure Account 1990 or the Department of Defense Base Closure Account 2005 established under sections 2906 and 2906A'' and inserting ''Department of Defense Base Closure Account established by section 2906'';*

*(B) in section 2703(h)—*

*(i) by striking ''the applicable Department of Defense base closure account'' and inserting ''the Department of Defense Base Closure Account established under section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)''; and*

*(ii) by striking ''the applicable base closure account'' and inserting ''such base closure account''; and*

*(C) in section 2905(g)(2), by striking ''Closure Account 1990'' and inserting ''Closure Account''.*

*(4) DEPARTMENT OF DEFENSE HOUSING FUNDS.—Section 2883 of such title is amended—*

*(A) in subsection (c)—*

*(i) by striking subparagraph (G) of paragraph (1); and*

*(ii) by striking subparagraph (G) of paragraph (2); and*

*(B) in subsection (f)—*

*(i) in the first sentence, by striking ''or (G)'' both places it appears; and*

*(ii) by striking the second sentence.*

*(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the later of—*

*(1) October 1, 2013; and*

*(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2014.*

***SEC. 2712. AIR ARMAMENT CENTER, EGLIN AIR FORCE BASE.***

*The Secretary of the Air Force shall retain an Air Armament Center at Eglin Air Force Base, Florida, in name and function, with the same integrated mission elements, responsibilities, and capabilities as existed upon the completion of implementation of the recommendations of the 2005 Base Closure and Realignment Commission regarding such military installation contained in the report transmitted by the President to Congress in accordance with section 2914(e) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.*

***SEC. 2713. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.***

*Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round, and none of the funds appropriated pursuant to the authorization of appropriations contained in this Act may be used to propose, plan for, or execute an additional BRAC round.*

## *TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS*

### *Subtitle A—Military Construction Program and Military Family Housing Changes*

***SEC. 2801. PREPARATION OF MILITARY INSTALLATION MASTER PLANS.***

*(a) MILITARY INSTALLATION MASTER PLANS.—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2863 the following new section:*

***''§ 2864. Military installation master plans***

*''(a) PLANS REQUIRED.—At a time interval prescribed by the Secretary concerned (but not less frequently than once every 10 years), the commander of each military installation under the jurisdiction of the Secretary shall ensure an installation master plan is developed to address environmental planning, sustainable design and development, sustainable range planning, real property master planning, and transportation planning.*

*''(b) TRANSPORTATION COMPONENT.—*

*''(1) COOPERATION WITH METROPOLITAN PLANNING ORGANIZATIONS.—The transportation component of an installation master plan shall be developed and updated in cooperation with the metropolitan planning organization designated for the metropolitan planning area in which the military installation is located.*

*''(2) DEFINITIONS.—In this subsection, the terms 'metropolitan planning area' and 'metropolitan planning organization' have the meanings given those terms in section 134(b) of title 23 and section 5303(b) of title 49.*

*''(3) TRANSIT SERVICES.—The installation master plan for a military installation shall also address operating costs for transit service and travel demand measures on the installation.''.*

***SEC. 2802. SUSTAINMENT OVERSIGHT AND ACCOUNTABILITY FOR MILITARY HOUSING PRIVATIZATION PROJECTS AND RELATED ANNUAL REPORTING REQUIREMENTS.***

*(a) SUSTAINMENT OVERSIGHT AND ACCOUNTABILITY FOR PRIVATIZATION PROJECTS.—*

*(1) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2885 the following new section:*

***''§ 2885a. Oversight and accountability for privatization projects: sustainment***

*''(a) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Each Secretary concerned shall prescribe regulations to effectively oversee and manage a military housing privatization project carried out under this subchapter during the sustainment phase of the project following completion of the construction or renovation of the housing units. The regulations shall include the following requirements for each privatization project:*

*''(1) The financial health and performance of the military housing privatization project, including the debt-coverage ratio of the project and occupancy rates for the constructed or renovated housing units.*

*''(2) A resident satisfaction assessment of the privatization project.*

*''(3) An assessment of the backlog of maintenance and repair.*

*''(b) REQUIRED QUALIFICATIONS.—The Secretary concerned or designated representative shall ensure that the project owner, developer, or general contractor that is selected for each military housing privatization initiative project has sustainment experience commensurate with that required to maintain the project.''.*

*(2) CONFORMING AMENDMENT.—Section 2885(a) of such title is amended in the matter preceding paragraph (1) by inserting before the period at the end of the first sentence the following: ''during the course of the construction or renovation of the housing units''.*

*(3) CLERICAL AMENDMENTS.—*

*(A) SECTION HEADING.—The heading of section 2885 of such title is amended to read as follows:*

***''§ 2885. Oversight and accountability for privatization projects: construction''.***

*(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter IV of chapter 169 of such title is amended by striking the item relating to section 2885 and inserting the following new items:*

*''2885. Oversight and accountability for privatization projects: construction.*

*''2885a. Oversight and accountability for privatization projects: sustainment.''.*

*(b) ANNUAL REPORTING REQUIREMENTS.—Section 2884(b) of such title is amended—*

*(1) by striking paragraphs (2), (3), (4), and (7);*

*(2) by redesignating paragraphs (5), (6), and (8) as paragraphs (2), (3), and (4), respectively; and*

*(3) by adding at the end the following new paragraphs:*

*''(5) A trend analysis of the backlog of maintenance and repair for each privatization project, including the total cost of the operation, maintenance, and repair costs associated with each project.*

*''(6) If the debt associated with a privatization project exceeds net operating income or the occupancy rates for the constructed or renovated housing units are below 75 percent for any sustained period of more than one year, a report regarding the plan to mitigate the financial risk of the project.''.*

***SEC. 2803. ONE-YEAR EXTENSION OF AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.***

*Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804(a)(2) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1685), is amended—*

*(1) in paragraph (1), by striking ''September 30, 2012'' and inserting ''September 30, 2013''; and*

*(2) in paragraph (2), by striking ''fiscal year 2013'' and inserting ''fiscal year 2014''.*

***SEC. 2804. TREATMENT OF CERTAIN DEFENSE NUCLEAR FACILITY CONSTRUCTION PROJECTS AS MILITARY CONSTRUCTION PROJECTS.***

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

*(1) According to a memorandum of agreement between the Secretary of Defense and the Secretary of Energy dated May 2010 and a subsequent addendum to such memorandum, the Secretary of Defense plans to transfer $8,300,000,000 of the budgetary authority of the Department of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration between fiscal years 2011 and 2016 to fund activities of the Administration that the Secretary determines to be high priorities.*

*(2) Such funding has directly supported defense activities at the National Nuclear Security Administration, including design and construction activities for the Chemistry and Metallurgy Research Building Replacement project and the Uranium Processing Facility project specified in paragraphs (2) and (3) of subsection (b).*

*(b) COVERED FACILITIES.—This section applies to the following construction projects of the National Nuclear Security Administration:*

*(1) Any project to build a nuclear facility, initiated on or after October 1, 2013, that is estimated to cost in excess of $1,000,000,000 and is intended to be primarily utilized to support the nuclear weapons activities of the National Nuclear Security Administration.*

*(2) The Chemistry and Metallurgy Research Building Replacement project, Los Alamos, New Mexico.*

*(3) The Uranium Processing Facility project, Oak Ridge, Tennessee.*

*(c) TREATMENT AS MILITARY CONSTRUCTION PROJECTS.—In the case of the construction projects of the National Nuclear Security Administration specified in subsection (b), the projects are deemed to be military construction projects to be carried out with respect to a military installation and therefore subject to the following:*

*(1) The advance-project authorization requirement of section 2802(a) of title 10, United States Code, and other requirements of chapter 169 of such title related to military construction projects carried out by the Secretary of Defense with respect to the Defense Agencies.*

*(2) Annual Acts authorizing military construction projects (and authorizing the appropriation of funds therefor) for a fiscal year.*

*(d) MILITARY CONSTRUCTION AUTHORIZATION FOR CERTAIN DEFENSE NUCLEAR FACILITY*

*PROJECTS.—The Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations, and in the amounts, set forth in the following table:*

**Defense Nuclear Facility Projects**

| State | Installation or Location | Amount |
|---|---|---|
| New Mexico | Los Alamos | $3,500,000,000 |
| Tennessee | Oak Ridge | $4,200,000,000 |

*(e) REGULATION, REQUIREMENTS, AND COORDINATION.—For each project specified in subsection (b)—*

*(1) the Administrator for Nuclear Security of the National Nuclear Security Administration and the Secretary of Energy shall retain authority to regulate design and construction activities pursuant to the Atomic Energy Act and other applicable laws;*

*(2) the Secretary of Defense shall coordinate with the Administrator for Nuclear Security regarding requirements for the facility; and*

*(3) the Administrator for Nuclear Security shall make available to the Secretary of Defense the expertise of the National Nuclear Security Administration to support design and construction activities.*

*(f) TRANSFER OF FACILITIES.—Upon completion of construction of a project specified in subsection (b), the Secretary of Defense shall negotiate with the Administrator for Nuclear Security of the National Nuclear Security Administration to transfer the constructed facility to the authority of the Administrator for operations.*

*(g) SENSE OF CONGRESS.—It is the sense of Congress that during fiscal year 2014 and thereafter, the budgetary authority provided by the Secretary of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration under the memorandum described in subsection (a)(1) should be reduced by the amount needed to fund the design and construction of the projects specified in paragraphs (2) and (3) of subsection (b).*

*(h) INFORMATION TRANSFER AND LEGAL EFFECT OF TRANSFER.—Not later than September 30, 2013, the Administrator for Nuclear Security of the National Nuclear Security Administration shall transfer to the Secretary of Defense all information in the possession of the Administrator related to architectural and engineering services and construction design for the construction projects specified in subsection (b). All environmental impact statements and legal rulings in effect before that date related to the projects shall be considered valid upon transfer of responsibility for the projects to the Secretary of Defense under subsection (c).*

*(i) EFFECTIVE DATE.—This section shall apply to the construction projects specified in subsection (b) effective for fiscal year 2014 and fiscal years thereafter.*

***SEC. 2805. EXECUTION OF CHEMISTRY AND METALLURGY RESEARCH BUILDING REPLACEMENT NUCLEAR FACILITY AND LIMITATION ON ALTERNATIVE PLUTONIUM STRATEGY.***

*(a) POLICY.—It is the policy of the United States to create and sustain the capability to produce plutonium pits for nuclear weapons, and to ensure sufficient plutonium pit production capacity, to respond to technical challenges in the existing nuclear weapons stockpile or geopolitical developments.*

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

*(1) successful and timely construction of the Chemistry and Metallurgy Research Building Replacement nuclear facility in Los Alamos, New Mexico, is critical to achieving the policy expressed in subsection (a) and that such facility should achieve full operational capability by fiscal year 2024;*

*(2) prior-year funds for the Chemistry and Metallurgy Research Building Replacement nuclear facility, up to $160,000,000 being available, should be applied to continue design and construction of this facility in fiscal year 2013; and*

*(3) during fiscal year 2014 and thereafter, the budgetary authority provided by the Secretary of Defense to the Administrator for Nuclear Security of the National Nuclear Security Administration under the memorandum of agreement between the Secretary of Defense and the Secretary of Energy dated May 2010 should be reduced by the amount needed to fund the design and construction of the Chemistry and Metallurgy Research Building Replacement nuclear facility under the military construction authorities provided in section 2804.*

*(c) FUTURE BUDGET REQUESTS.—The Secretary of Defense, in coordination with the Administrator for Nuclear Security of the National Nuclear Security Administration, shall request such funds in fiscal year 2014 and subsequent fiscal years under the military construction authorities of section 2804 to ensure the Chemistry and Metallurgy Research Building Replacement nuclear facility achieves full operational capability by fiscal year 2024.*

*(d) LIMITATION ON ALTERNATIVE PLUTONIUM STRATEGY.—No funds authorized to be appropriated by this Act or any other Act may be obligated or expended on any activities associated with a plutonium strategy for the National Nuclear Security Administration that does not include achieving full operational capability of the Chemistry and Metallurgy Research Building Replacement nuclear facility by fiscal year 2024.*

***Subtitle B—Real Property and Facilities Administration***

***SEC. 2811. AUTHORITY OF MILITARY MUSEUMS TO ACCEPT GIFTS AND SERVICES AND TO ENTER INTO LEASES AND COOPERATIVE AGREEMENTS.***

*(a) MUSEUM SUPPORT AUTHORITY.—Chapter 155 of title 10, United States Code, is amended by inserting after section 2608 the following new section:*

***"§ 2609. Military museum programs: acceptance of gifts and other support***

*''(a) ACCEPTANCE OF SERVICES.—Notwithstanding section 1342 of title 31, the Secretary concerned may accept services from a nonprofit entity to support a military museum program under the jurisdiction of the Secretary.*

*''(b) LIMITATION ON USE OF GIFT FUNDS.—A gift made for the purpose of assisting in the development, operation, maintenance, or management of, or for the acquisition of collections for, a military museum program and deposited into one of the general gift funds specified in section 2601(c) of this title shall be available only for the military museum program and the purpose for which the gift was made.*

*''(c) SOLICITATION OF GIFTS.—Under regulations prescribed under this section, the Secretary concerned may solicit from any person or public or private entity, for the use and benefit of a military museum program, a gift of books, manuscripts, works of art, historical artifacts, drawings, plans, models, condemned or obsolete combat materiel, or other personal property.*

*''(d) LEASING AUTHORITY.—(1) In accordance with section 2667 of this title, the Secretary concerned may lease real and personal property of a military museum program to a nonprofit entity for purposes related to the military museum program.*

*''(2) A lease under this subsection may not include any part of the collection of a military museum program.*

*''(e) COOPERATIVE AGREEMENTS.—The Secretary concerned may enter into a cooperative agreement with a nonprofit entity for purposes related to support of a military museum program.*

*''(f) EMPLOYEE STATUS.—For purposes of this section, employees or personnel of a nonprofit entity may not be considered to be employees of the United States.*

*''(g) REGULATIONS.—(1) The Secretary of Defense shall prescribe regulations to implement this section. The regulations shall apply uniformly throughout the Department of Defense.*

*''(2) The regulations shall provide that solicitation of a gift, acceptance of a gift (including a gift of services), or use of a gift under this section may not occur if the nature or circumstances of the solicitation, acceptance, or use would compromise the integrity or the appearance of integrity of any program of the Department of Defense or any individual involved in such program.*

*''(h) DEFINITIONS.—In this section:*

*''(1) The term 'military museum program' may include an individual museum.*

*''(2) The term 'nonprofit entity' means an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986 whose primary purpose is supporting a military museum program.*

*''(3) The term 'Secretary concerned' includes the Secretary of Defense with respect to matters concerning the Defense Agencies.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2608 the following new item:*

*''2609. Military museum programs: acceptance of gifts and other support.''.*

***SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DEPARTMENT OF DEFENSE MAY CONDUCT EXCHANGES OF REAL PROPERTY AT CERTAIN MILITARY INSTALLATIONS.***

*Section 2869(a)(1) of title 10, United States Code, is amended—*

*(1) by striking ''any eligible entity'' and inserting ''any person'';*

*(2) by striking ''the entity'' and inserting ''the person''; and*

*(3) by striking ''their control'' and inserting ''the person's control''.*

***SEC. 2813. INDEMNIFICATION OF TRANSFEREES OF PROPERTY AT ANY CLOSED MILITARY INSTALLATION.***

*Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2687 note) is amended—*

*(1) in subsection (a)(1), by striking ''pursuant to a base closure law'' and inserting ''after October 24, 1988, the date of the enactment of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note)''; and*

*(2) in subsection (f), by striking paragraph (3).*

***SEC. 2814. IDENTIFICATION REQUIREMENT FOR ENTRY ON MILITARY INSTALLATIONS.***

*(a) IDENTIFICATION REQUIREMENT FOR MILITARY INSTALLATIONS.—*

*(1) MINIMUM IDENTIFICATION REQUIRED.—*

*(A) IN GENERAL.—Beginning on the day that is 120 days after the date of the enactment of*

*this Act, the Secretary concerned may not permit a person who is 18 years old or older to enter a military installation in the United States unless such person presents, as determined by an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), at a minimum—*

*(i) a valid Federal or State government issued photo identification card;*

*(ii) a valid Common Access Card; or*

*(iii) a valid uniformed services identification card.*

*(B) EXCEPTION FOR CERTAIN FOREIGN PASSPORTS.—The Secretary concerned may permit a person to enter a military installation in the United States if such person presents a valid foreign passport, as determined by an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), if—*

*(i) such person is visiting such military installation on official business between the Armed Forces and the armed forces of a foreign country; or*

*(ii) such person is visiting a member of the uniformed services or a civilian employee of the Department of Defense on such military installation.*

*(2) EXPIRED OR FRAUDULENT IDENTIFICATION.—The Secretary concerned shall confiscate any form of identification that the Secretary determines, using an authentication procedure that meets the minimum procedural requirements identified by the Secretary of Defense in paragraph (4), to be expired or fraudulent.*

*(3) COORDINATION AMONG MILITARY INSTALLATIONS OF A STATE.—The Secretary concerned shall keep a list and shall inform the personnel at any other military installation in the State of such military installation of the name of any person—*

*(A) who attempts to help a person required to present a valid form of identification under paragraph (1) to enter a military installation in the United States without such required identification; or*

*(B) who attempts to enter a military installation military installation in the United States with a form of identification that the Secretary concerned determines to be expired or fraudulent under paragraph (2).*

*(4) PROCEDURAL REQUIREMENTS FOR IDENTIFICATION VERIFICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall identify the minimum procedural requirements for the Secretary concerned to authenticate the forms of identification in paragraph (1) for a person entering a military installation in the United States. In identifying such requirements, the Secretary of Defense shall identify minimum procedural requirements to ensure that individuals who need to enter a military installation in the United States to perform work under a contract awarded by the Department of Defense present a valid form of identification under paragraph (1).*

*(b) DEFINITIONS.—*

*(1) COMMON ACCESS CARD.—In this section, the term ''Common Access Card'' means the standard identification card issued by the Secretary of Defense to active-duty military personnel, Selected Reserve personnel, Department of Defense civilian employees, and certain persons awarded contracts by the Secretary of Defense.*

*(2) SECRETARY CONCERNED.—In this section, the term ''Secretary concerned'' has the meaning given the term in section 101(a) of title 10, United States Code.*

*(3) UNIFORMED SERVICES IDENTIFICATION CARD.—In this section, the term ''uniformed services identification card'' means the identification card issued by the Secretary of Defense to spouses and other eligible dependents of members of the uniformed services and other eligible persons, as determined by the Secretary of Defense.*

***SEC. 2815. PLAN TO PROTECT CRITICAL DEPARTMENT OF DEFENSE CRITICAL ASSETS FROM ELECTROMAGNETIC PULSE WEAPONS.***

*(a) PLAN REQUIRED.—Not later than September 1, 2013, the Secretary of the Defense shall submit to the congressional defense committees a plan to protect defense critical assets under the jurisdiction of the Department of Defense, and critical equipment at military installations, from the adverse effects of electromagnetic pulse and high-powered microwave weapons.*

*(b) PREPARATION AND ELEMENTS OF PLAN.—In preparing the plan required by subsection (a), the Secretary of Defense shall utilize the guidance and recommendations of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack established by section 1401 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114. Stat. 1654A–345). The plan shall include the following elements:*

*(1) An assessment of overall military installation protection from electromagnetic pulse and high-powered microwave weapons.*

*(2) A listing of defense critical assets.*

*(3) An assessment of the adequacy of each defense critical asset, to include the backup power capabilities of the defense critical asset, to withstand attack currently and a description and a cost estimate for each project to improve, repair, renovate, or modernize defense critical assets for which any deficiency is identified in the assessment.*

*(4) A list of projects, costs, and timelines through the future-years defense program to meet the requirements to overcome deficiencies identified under paragraph (3) for all defense critical assets.*

*(5) A list of civilian critical infrastructures upon which a defense critical asset depends (electricity, water, telecommunications, etc) that, if rendered inoperable by electromagnetic pulse or high-powered microwave weapons, would compromise the function of a defense critical asset.*

*(c) FORM OF SUBMISSION.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.*

*(d) DEFENSE CRITICAL ASSET.—In this section, the term ''defense critical asset'' means an asset of such extraordinary importance to operations in peace, crisis, and war that its incapacitation or destruction would have a very serious debilitating effect on the ability of the Department of Defense to fulfill its missions.*

***Subtitle C—Energy Security***

***SEC. 2821. CONGRESSIONAL NOTIFICATION FOR CONTRACTS FOR THE PROVISION AND OPERATION OF ENERGY PRODUCTION FACILITIES AUTHORIZED TO BE LOCATED ON REAL PROPERTY UNDER THE JURISDICTION OF A MILITARY DEPARTMENT.***

*Section 2662(a)(1) of title 10, Untied States Code, is amended by adding at the end the following new subparagraph:*

*''(H) Any transaction or contract action for the provision and operation of energy production facilities on real property under the jurisdiction of the Secretary of a military department, as authorized by section 2922a(a)(2) of this title, if the term of the transaction or contract exceeds 20 years.''.*

***SEC. 2822. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION AND EXPANSION TO INCLUDE IMPLEMENTATION OF ASHRAE BUILDING STANDARD 189.1.***

*Section 2830(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1695) is amended—*

*(1) in the subsection heading, by inserting after ''AND ASHRAE IMPLEMENTATION'' after ''CERTIFICATION''; and*

*(2) in paragraph (1)—*

*(A) by striking ''authorized to be'';*

*(B) by striking ''by this Act'';*

*(C) by inserting ''or 2013'' after ''fiscal year 2012''; and*

*(D) by inserting before the period at the end the following: ''and implementing ASHRAE building standard 189.1''.*

***SEC. 2823. AVAILABILITY AND USE OF DEPARTMENT OF DEFENSE ENERGY COST SAVINGS TO PROMOTE ENERGY SECURITY.***

*Section 2912(b)(1) of title 10, United States Code, is amended by inserting after ''additional energy conservation'' the following: ''and energy security''.*

***Subtitle D—Provisions Related to Guam Realignment***

***SEC. 2831. USE OF OPERATION AND MAINTENANCE FUNDING TO SUPPORT COMMUNITY ADJUSTMENTS RELATED TO REALIGNMENT OF MILITARY INSTALLATIONS AND RELOCATION OF MILITARY PERSONNEL ON GUAM.***

*(a) TEMPORARY ASSISTANCE AUTHORIZED.—*

*(1) ASSISTANCE TO GOVERNMENT OF GUAM.—Using funds made available under subsection (c), the Secretary of Defense may assist the Government of Guam in meeting the costs of providing increased municipal services and facilities required as a result of the realignment of military installations and the relocation of military personnel on Guam (in this section referred to as the ''Guam realignment'') if the Secretary determines that an unfair and excessive financial burden will be incurred by the Government of Guam to provide the services and facilities in the absence of the Department of Defense assistance.*

*(2) MITIGATION OF IDENTIFIED IMPACTS.—The Secretary of Defense may take such actions as the Secretary considers to be appropriate to mitigate the significant impacts identified in the Record of Decision of the ''Guam and CNMI Military Relocation Environmental Impact Statement'' by providing increased municipal services and facilities to activities that directly support the Guam realignment.*

*(b) METHODS OF PROVIDING ASSISTANCE.—*

*(1) USE OF EXISTING PROGRAMS.—The Secretary of Defense shall carry out subsection (a) through existing Federal programs supporting the Government of Guam and the Guam realignment, whether or not the programs are administered by the Department of Defense or another Federal agency.*

*(2) COST SHARE ASSISTANCE.—The Secretary may assist the Government of Guam to any cost-sharing obligation imposed on the Government of Guam under any Federal program utilized by the Secretary under paragraph (1).*

*(c) SOURCE OF FUNDS.—*

*(1) TRANSFER AUTHORITY.—To the extent necessary to carry out subsection (a), the Secretary may transfer appropriated funds available to the Department of Defense or a military department for operation and maintenance to a different account of the Department of Defense or another Federal agency in order to make funds available to the Government of Guam under a Federal program utilized by the Secretary under subsection (b)(1). Amounts so transferred shall be merged with the appropriation to which transferred and shall be available only for the purpose of assisting the Government of Guam as described in subsection (a).*

*(2) ADDITIONAL AUTHORITY.—The transfer authority provided by paragraph (1) is in addition to the transfer authority provided by section 1001.*

*(d) PROGRESS REPORTS REQUIRED.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives semiannual reports indicating the total amount expended under the authority of this section during the preceding six-month period, the specific projects for which assistance was provided during such period, and*

*the total amount provided for each project during such period.*

*(e) TERMINATION.—The authority to provide assistance under this section expires September 30, 2020. Amounts obligated on or before that date may be expended after that date.*

**SEC. 2832. CERTIFICATION OF MILITARY READINESS NEED FOR FIRING RANGE ON GUAM AS CONDITION ON ESTABLISHMENT OF RANGE.**

*A firing range on Guam may not be established (including any construction or lease of lands related to such establishment) until the Secretary of Defense certifies to the congressional defense committees that there is a national security need for the firing range related to readiness of the Armed Forces assigned to the United States Pacific Command.*

**SEC. 2833. REPEAL OF CONDITIONS ON USE OF FUNDS FOR GUAM REALIGNMENT.**

*Section 2207(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1668) is amended—*

*(1) in paragraph (2), by inserting ''and'' after the semicolon;*

*(2) by striking paragraphs (3) and (4); and*

*(3) by redesignating paragraph (5) as paragraph (3).*

***Subtitle E—Land Conveyances***

**SEC. 2841. MODIFICATION TO AUTHORIZED LAND CONVEYANCE AND EXCHANGE, JOINT BASE ELMENDORF RICHARDSON, ALASKA.**

*(a) CHANGE IN OFFICER AUTHORIZED TO CARRY OUT CONVEYANCES.—Subsection (a) of section 2851 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1697) is amended—*

*(1) in paragraph (1), by striking ''The Secretary of the Air Force may, in consultation with the Secretary of the Interior'' and inserting ''The Secretary of the Interior may, in consultation with the Secretary of the Air Force''; and*

*(2) in paragraph (2)—*

*(A) by striking ''The Secretary of the Air Force may, in consultation with the Secretary of the Interior, upon terms mutually agreeable to the Secretary of the Air Force'' and inserting ''The Secretary of the Interior may, in consultation with the Secretary of the Air Force, upon terms mutually agreeable to the Secretary of the Interior''; and*

*(B) by striking ''in consultation with the Secretary of the Interior'' the second place it appears and inserting ''in consultation with the Secretary of the Air Force''.*

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

*(1) in subsection (a)(3), by inserting ''of the Interior'' after ''Secretary'';*

*(2) in subsection (c)—*

*(A) in paragraph (1)—*

*(i) by striking ''The Secretary of the Air Force'' and inserting ''The Secretary of the Interior'';*

*(ii) by striking ''the Secretary'' the first place it appears and inserting ''the Secretary of the Interior and the Secretary of the Air Force''; and*

*(iii) by striking ''the Secretary'' in each other place it appears and inserting ''the Secretaries''; and*

*(B) in paragraph (2), by striking ''the Secretary'' and inserting ''the Secretaries''; and*

*(3) in subsections (e) and (f), by inserting ''of the Interior'' after ''Secretary''.*

*(c) TECHNICAL AMENDMENT.—Subsection (a)(1) of such section is further amended by striking ''JBER'' and inserting ''Joint Base Elmendorf Richardson, Alaska (in this section referred to as 'JBER'),''.*

**SEC. 2842. MODIFICATION OF FINANCING AUTHORITY, BROADWAY COMPLEX OF THE DEPARTMENT OF THE NAVY, SAN DIEGO, CALIFORNIA.**

*Subsection (a) of section 2732 of the Military Construction Authorization Act, 1987 (division B of Public 99–661; 100 Stat. 4046) is amended to read as follows:*

*''(a) IN GENERAL.—(1) Subject to subsections (b) through (g), the Secretary of the Navy may enter into long-term leases of real property located within the Broadway Complex of the Department of the Navy, San Diego, California.*

*''(2) Subject to subsections (b) through (g), the Secretary may assist any lessee of real property described in paragraph (1) in financing the construction by the lessee of any facility on such real property or otherwise within the boundaries of the metropolitan San Diego, California, area.''.*

**SEC. 2843. LAND CONVEYANCE, JOHN KUNKEL ARMY RESERVE CENTER, WARREN, OHIO.**

*(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Village of Lordstown, Ohio (in this section referred to as the ''Village''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 6.95 acres and containing the John Kunkel Army Reserve Center located at 4967 Tod Avenue in Warren, Ohio, for the purpose of permitting the Village to use the parcel for public purposes.*

*(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) is conveyed to the Village, the Secretary may lease the property to the Village.*

*(c) PAYMENT OF COSTS OF CONVEYANCE.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the Village to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Village in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Village.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(d) CONDITIONS OF CONVEYANCE.—The conveyance of the real property under subsection (a) shall be subject to the following conditions:*

*(1) That the Village not use any Federal funds to cover any portion of the conveyance costs required by subsection (c) to be paid by the Village or to cover the costs for the design or construction of any facility on the property.*

*(2) That the Village begin using the property for public purposes before the end of the five-year period beginning on the date of conveyance.*

*(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.*

*(f) ADDITIONAL TERMS.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.*

**SEC. 2844. LAND CONVEYANCE, CASTNER RANGE, FORT BLISS, TEXAS.**

*(a) CONVEYANCE AUTHORIZED.—*

*(1) CONVEYANCE AUTHORITY.—The Secretary of the Army may convey, without consideration, to the Parks and Wildlife Department of the State of Texas (in this section referred to as the ''Department'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 7,081 acres at Fort Bliss, Texas, for the purpose of permitting the Department to establish and operate a park as an element of the Franklin Mountains State Park.*

*(2) PIECEMEAL CONVEYANCES.—In anticipation of the conveyance of the entire parcel of real property described in paragraph (1), the Secretary may subdivide the parcel and convey to the Department portions of the real property as the Secretary determines that the condition of the real property is compatible with the Department's intended use of the property.*

*(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance, all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.*

*(c) PAYMENT OF COSTS OF CONVEYANCES.—*

*(1) PAYMENT REQUIRED.—The Secretary shall require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the land conveyance under this section, including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Department in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to Department. This paragraph does not apply to costs associated with the environmental remediation of the property to be conveyed.*

*(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursements under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.*

*(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal descriptions of the parcels of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.*

*(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.*

**SEC. 2845. MODIFICATION OF LAND CONVEYANCE, FORT HOOD, TEXAS.**

*Section 2848(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2140) is amended by striking ''for the sole purpose'' and all that follows through ''Central Texas.'' and inserting the following: ''for the purpose of permitting the University System to use the property—*

*''(1) for the establishment of a State-supported university, separate from other universities of the University System, designated as Texas A&M University, Central Texas; and*

*''(2) for such other educational and related purposes as the University System considers to be appropriate and the Secretary of the Army determines to be compatible with military activities in the vicinity of the property.''.*

**SEC. 2846. TRANSFER OF ADMINISTRATIVE JURISDICTION, FORT LEE MILITARY RESERVATION AND PETERSBURG NATIONAL BATTLEFIELD, VIRGINIA.**

*(a) TRANSFER OF ADMINISTRATIVE JURISDICTION FROM SECRETARY OF THE ARMY.—The Secretary of the Army shall transfer to the Secretary of the Interior, without reimbursement, administrative jurisdiction over a parcel of land at Fort Lee Military Reservation consisting of approximately 1.171 acres and depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map titled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/80,801A, and dated May 2011. The Secretary of the Interior shall include the land transferred under this subsection within the boundary of Petersburg National Battlefield and administer the land as part of the park in accordance with laws and regulations applicable to the park.*

*(b) TRANSFER OF ADMINISTRATIVE JURISDICTION TO SECRETARY OF THE ARMY.—The Secretary of the Interior shall transfer to the Secretary of the Army, without reimbursement, administrative jurisdiction over a parcel of land consisting of approximately 1.170 acres and depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map referred to in subsection (a).*

*(c) AVAILABILITY OF MAP.—The map referred to in subsection (a) shall be available for public inspection in the appropriate offices of the National Park Service.*

***Subtitle F—Other Matters***

**SEC. 2861. INCLUSION OF RELIGIOUS SYMBOLS AS PART OF MILITARY MEMORIALS.**

*(a) AUTHORITY.—Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:*

***''§2115. Inclusion of religious symbols as part of military memorials***

*''(a) INCLUSION OF RELIGIOUS SYMBOLS AUTHORIZED.—To recognize the religious background of members of the United States Armed Forces, religious symbols may be included as part of—*

*''(1) a military memorial that is established or acquired by the United States Government; or*

*''(2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.*

*''(b) MILITARY MEMORIAL DEFINED.—In this section, the term 'military memorial' means a memorial or monument commemorating the service of the United States Armed Forces. The term includes works of architecture and art described in section 2105(b) of this title.''.*

*(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:*

*''2115. Inclusion of religious symbols as part of military memorials.''.*

**SEC. 2862. REDESIGNATION OF THE CENTER FOR HEMISPHERIC DEFENSE STUDIES AS THE WILLIAM J. PERRY CENTER FOR HEMISPHERIC DEFENSE STUDIES.**

*(a) REDESIGNATION.—The Department of Defense regional center for security studies known as the Center for Hemispheric Defense Studies is hereby renamed the ''William J. Perry Center for Hemispheric Defense Studies''.*

*(b) CONFORMING AMENDMENTS.—(1) Section 184 of title 10, United States Code, is amended—*

*(A) in subsection (b)(2)(C), by striking ''The Center for Hemispheric Defense Studies'' and inserting ''The William J. Perry Center for Hemispheric Defense Studies''; and*

*(B) in subsection (f)(5), by striking ''the Center for Hemispheric Defense Studies'' and inserting ''the William J. Perry Center for Hemispheric Defense Studies''.*

*(2) Section 2611(a)(2)(C) of such title is amended by striking ''The Center for Hemispheric Defense Studies.'' and inserting ''The William J. Perry Center for Hemispheric Defense Studies.''.*

*(c) REFERENCES.—Any reference to the Department of Defense Center for Hemispheric Defense Studies in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the William J. Perry Center for Hemispheric Defense Studies.*

**SEC. 2863. SENSE OF CONGRESS REGARDING ESTABLISHMENT OF MILITARY DIVERS MEMORIAL AT WASHINGTON NAVY YARD.**

*It is the sense of Congress that the Secretary of the Navy should provide an appropriate site at the former Navy Dive School at the Washington Navy Yard for a memorial, to be paid for with private funds, to honor the members of the Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world, so long as the Secretary of the Navy has exclusive authority to approve the design and site of the memorial.*

**SEC. 2864. GOLD STAR MOTHERS NATIONAL MONUMENT, ARLINGTON NATIONAL CEMETERY.**

*(a) ESTABLISHMENT.—The Secretary of the Army shall permit the Gold Star Mothers National Monument Foundation (a nonprofit corporation established under the laws of the District of Columbia) to establish an appropriate monument in Arlington National Cemetery or on Federal land in its environs under the jurisdiction of the Department of the Army to commemorate the sacrifices made by mothers, and made by their sons and daughters who as members of the Armed Forces make the ultimate sacrifice, in defense of the United States. The monument shall be known as the ''Gold Star Mothers National Monument''.*

*(b) PAYMENT OF EXPENSES.—The Gold Star Mothers National Monument Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the monument, and no Federal funds may be used to pay such expenses.*

**SEC. 2865. NAMING OF TRAINING AND SUPPORT COMPLEX, FORT BRAGG, NORTH CAROLINA.**

*(a) NAMING.—The complex located on Fort Bragg, North Carolina, currently referred to as ''Patriot Point'', shall be known and designated as the ''Colonel Robert Howard Training and Support Complex''.*

*(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the complex referred to in subsection (a) shall be deemed to be a reference to the ''Colonel Robert Howard Training and Support Complex''.*

**SEC. 2866. NAMING OF ELECTROCHEMISTRY ENGINEERING FACILITY, NAVAL SUPPORT ACTIVITY CRANE, CRANE, INDIANA.**

*(a) NAMING.—The electrochemistry engineering facility on Naval Support Activity Crane, Crane, Indiana, shall be known and designated as the ''John Hostettler Electrochemistry Engineering Facility''.*

*(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''John Hostettler Electrochemistry Engineering Facility''.*

**SEC. 2867. RETENTION OF CORE FUNCTIONS OF THE ELECTRONIC SYSTEMS CENTER AT HANSCOM AIR FORCE BASE, MASSACHUSETTS.**

*The Secretary of the Air Force shall retain the core functions of the Electronic Systems Center at Hanscom Air Force Base, Massachusetts, with the same integrated mission elements, responsibilities, and capabilities as existed as of November 1, 2011, until such time as such integrated mission elements, responsibilities, and capabilities are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.*

**SEC. 2868. RETENTION OF CORE FUNCTIONS OF THE AIR FORCE MATERIEL COMMAND, WRIGHT-PATTERSON AIR FORCE BASE, OHIO.**

*The Secretary of the Air Force shall retain the core functions of the Air Force Materiel Command that exist at Wright-Patterson Air Force Base, Ohio, as of November 1, 2011, until such time as such core functions are modified pursuant to section 2687 of title 10, United States Code, or a subsequent law providing for the closure or realignment of military installations in the United States.*

***TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION***

**SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

*(a) OUTSIDE THE UNITED STATES.—The Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:*

## *Navy: Outside the United States*

| *Country* | *Installation or Location* | *Amount* |
|---|---|---|
| *SW Asia* | *SW Asia* | *$51,348,000* |
| *Djibouti* | *Camp Lemonier* | *$99,420,000* |

*(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2012, for military construction projects outside the United States authorized by subsection (a) as specified in the funding table in section 4602.*

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

## TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

### Subtitle A—National Security Programs Authorizations

**SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

*(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.*

*(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:*

*Project 13-D-301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory, Livermore, California, and Los Alamos National Laboratory, Los Alamos, New Mexico, $23,000,000.*

*Project 13-D-905, Remote-Handled Low-Level Waste Disposal Project, Idaho National Laboratory, $8,890,000.*

*Project 13-D-904, Kesselring Site Radiological Work and Storage Building, Kesselring Site, West Milton, New York, $2,000,000.*

*Project 13-D-903, Kesselring Site Prototype Staff Building, Kesselring Site, West Milton, New York, $14,000,000.*

**SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

*Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.*

**SEC. 3103. OTHER DEFENSE ACTIVITIES.**

*Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for other defense activities in carrying out programs as specified in the funding table in section 4701.*

**SEC. 3104. ENERGY SECURITY AND ASSURANCE.**

*Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2013 for energy security and assurance programs necessary for national security as specified in the funding table in section 4701.*

### Subtitle B—Program Authorizations, Restrictions, and Limitations

**SEC. 3111. AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR.**

*(a) CAP ON FULL-TIME EQUIVALENT POSITIONS.—*

*(1) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by inserting after section 3241 the following new section:*

**"SEC. 3241A. AUTHORIZED PERSONNEL LEVELS OF THE OFFICE OF THE ADMINISTRATOR.**

*''(a) FULL-TIME EQUIVALENT PERSONNEL LEVELS.—(1) Beginning 180 days after the date of the enactment of this section, the total number of employees of the Office of the Administrator of the Administration may not exceed 1,730.*

*''(2) Beginning October 1, 2014, the total number of employees of the Office of the Administrator may not exceed 1,630.*

*''(b) COUNTING RULE.—(1) A determination of the number of employees in the Office of the Administrator under subsection (a) shall be expressed on a full-time equivalent basis.*

*''(2) Except as provided by paragraph (3), in determining the total number of employees in the Office of the Administrator under subsection (a), the Administrator shall count each employee of the Office without regard to whether the employee is located at the headquarters of the Administration, a site office of the Administration, a service or support center of the Administration, or any other location.*

*''(3) The following employees may not be counted for purposes of determining the total number of employees in the Office of the Administrator under subsection (a):*

*''(A) Employees of the Office of Naval Reactors.*

*''(B) Employees of the Office of Secure Transportation.*

*''(C) Members of the Armed Forces detailed to the Administration.*

*''(c) VOLUNTARY EARLY RETIREMENT.—In accordance with section 3523 of title 5, United States Code, the Administrator may offer voluntary separation or retirement incentives to meet the total number of employees authorized under subsection (a).*

*''(d) WORK PLACEMENT PROGRAM.—The Administrator shall establish a work placement program to assist employees of the Administration who are separated from service pursuant to this section find new employment.''.*

*(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3241 the following new item:*

*''Sec. 3241A. Authorized personnel levels of the Office of the Administrator.''.*

*(b) INCREASE IN EXCEPTED POSITIONS.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking ''300'' and inserting ''450''.*

*(c) REPORTS.—*

*(1) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report—*

*(A) describing the criteria and processes used to implement the personnel levels required by section 3241A of the National Nuclear Security Administration Act, as added by subsection (a);*

*(B) detailing the realized and expected cost savings within the Office of the Administrator and the nuclear security enterprise resulting from such personnel reductions and the transition to performance-based governance, management, and oversight pursuant to section 3265 of such Act, as added by section 3113;*

*(C) describing any impacts such personnel reductions have had or will have on the ability of the Administration to perform the mission of the Administration safely, securely, effectively, and efficiently;*

*(D) assessing various levels of further personnel reductions, including reductions of 10 percent, 15 percent, and 50 percent, on the ability of the Administration to perform the mission of the Administration safely, securely, effectively, and efficiently;*

*(E) recommending any further efficiencies and personnel reductions that should be made as a result of such transition pursuant to such section 3265, including an implementation plan and schedule for achieving such efficiencies and reductions; and*

*(F) assessing the salary and wage structure of the Office of the Administrator and the management and operating contractors of the nuclear security enterprise, as well as the status and effectiveness of contractor assurance systems across the nuclear security enterprise.*

*(2) ASSESSMENT.—Not later than 180 days after the date on which the report under paragraph (1) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of such report.*

**SEC. 3112. BUDGET JUSTIFICATION MATERIALS.**

*Section 3251(b) of the National Nuclear Security Administration Act (50 U.S.C. 2451) is amended—*

*(1) by striking ''In the'' and inserting ''(1) In the''; and*

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

*''(2) In the budget justification materials submitted to Congress in support of each such budget, the Administrator shall include an assessment of how the budget maintains the core nuclear weapons skills of the Administration, including nuclear weapons design, engineering, production, testing, and prediction of stockpile aging.''.*

**SEC. 3113. CONTRACTOR GOVERNANCE, OVERSIGHT, AND ACCOUNTABILITY.**

*(a) OVERSIGHT OF CONTRACTORS.—*

*(1) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by adding after section 3264 the following new section:*

**"SEC. 3265. CONTRACTOR GOVERNANCE, OVERSIGHT, AND ACCOUNTABILITY.**

*''(a) PERFORMANCE-BASED CONTRACTOR GOVERNANCE, MANAGEMENT, AND OVERSIGHT.—(1) The Administrator shall establish a system of governance, management, and oversight of covered contractors.*

*''(2) The system established under paragraph (1) shall—*

*''(A) include clear, consistent, and auditable performance-based standards relating to the mission effectiveness and operations of a covered contractor;*

*''(B) ensure that the governance, management, and oversight of the mission effectiveness and operations of a covered contractor is conducted pursuant to national and international standards and best practices;*

*''(C) recognize the respective roles of—*

*''(i) the Federal Government in determining the performance-based standards with respect to high-level mission and operations performance objectives; and*

*''(ii) a covered contractor, particularly a contractor that is a federally funded research and development corporation, in determining how to accomplish such objectives;*

*''(D) conduct oversight based on outcomes and performance-based standards rather than detailed, transaction-based oversight; and*

*''(E) include appropriate measures to ensure that the Administrator has accurate and consistent data and information to manage and make decisions with respect to the nuclear security enterprise.*

*''(3)(A) The Administrator may exempt individual areas of governance, management, and oversight from the requirements of the system established under paragraph (1) and continue to conduct transaction-based oversight if the Administrator determines that such exemption is necessary to ensure the national security or the safety, security, or performance of the Administration.*

*''(B) If the Administrator makes an exemption under subparagraph (A), the Administrator shall annually submit to the congressional defense committees a certification for each such exemption, including a description of why such exemption is needed.*

*''(C) During the three-year period beginning on the date of the enactment of this section, the Administrator may temporarily exempt individual facilities or contractors from the system established under paragraph (1) and continue to conduct transaction-based oversight if the Administrator determines that such exemption is needed to ensure that robust contractor assurance, accountability, and performance-based oversight mechanisms are in place for such facility or contractor.*

*''(D) If the Administrator makes an exemption under subparagraph (C), the Administrator shall annually submit to the congressional defense committees a written justification for such exemption and a plan and schedule to transition the exempted facility or contractor to the system established under paragraph (1).*

''(b) CONTRACTOR ACCOUNTABILITY.—The Administrator shall—

''(1) ensure that each management and operating contract includes robust mechanisms to ensure the accountability of a covered contractor; and

''(2) exercise such mechanisms as the Administrator determines appropriate to ensure the performance of the covered contractor.

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered contractor' means a contractor who enters into a management and operating contract.

''(2) The term 'management and operating contract' means a contract entered into by the Administrator and a contractor to manage and operate a Government-owned, contractor-operated facility.

''(3) The term 'performance-based standards', with respect to a covered contract, means that the contract includes the use of performance work statements that set forth contract requirements in clear, specific, and objective terms with measurable outcomes.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3264 the following new item:

''Sec. 3265. Contractor governance, oversight, and accountability.''.

(b) REPORTS.—Not later than January 15, 2013, and each year thereafter through 2016, the Administrator shall submit to the congressional defense committees a report that includes—

(1) a description of each instance during the previous calendar year in which the Administrator, or any other head of an agency of the Federal Government, used a procedure, standard, or process for governance, management, and oversight of a covered contract (as defined in section 3265(d)(1) of the National Nuclear Security Administration Act, as added by subsection (a)(1)) that is not a procedure, standard, or process that conforms to national or international standards or industry best practices;

(2) an explanation of why such procedure, standard, or process was used during such year and any steps that will be taken by the Administrator or other head of an agency, as the case may be, in future years to instead use a procedure, standard, or process that conforms to national or international standards or industry best practices; and

(3) a description of any oversight activities by any agency of the Federal Government that occurred during the previous calendar year that the Administrator considers duplicative or unnecessary.

**SEC. 3114. NATIONAL NUCLEAR SECURITY ADMINISTRATION COUNCIL.**

(a) NNSA COUNCIL.—Section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) is amended to read as follows:

**''SEC. 4102. MANAGEMENT STRUCTURE FOR NUCLEAR SECURITY ENTERPRISE.**

''(a) IN GENERAL.—The Administrator shall establish a management structure for the nuclear security enterprise in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.).

''(b) NATIONAL NUCLEAR SECURITY ADMINISTRATION COUNCIL.—(1) The Administrator shall establish a council to be known as the 'National Nuclear Security Administration Council'. The Council may advise the Administrator on scientific and technical issues relating to policy matters, operational concerns, strategic planning, and the development of priorities relating to the mission and operations of the Administration and the nuclear security enterprise.

''(2) The Council shall be composed of the directors of the national security laboratories and the nuclear weapons production facilities.

''(3) The Council may provide the Administrator or the Secretary of Energy recommendations for improving the—

''(A) governance, management, effectiveness, and efficiency of the Administration; and

''(B) any other matter in accordance with paragraph (1).

''(4) Not later than 60 days after the date on which any recommendation under paragraph (3) is received, the Administrator or the Secretary, as the case may be, shall respond to the Council with respect to whether such recommendation will be implemented and the reasoning for implementing or not implementing such recommendation.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4102 and inserting the following new item:

''Sec. 4102. Management structure for nuclear security enterprise.''.

**SEC. 3115. SAFETY, HEALTH, AND SECURITY OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) SECURITY OF ASSETS AND INFORMATION.—

(1) IN GENERAL.—Section 3231 of the National Nuclear Security Administration Act (50 U.S.C. 2421) is amended to read as follows:

**''SEC. 3231. PROTECTION OF SPECIAL NUCLEAR MATERIAL AND NATIONAL SECURITY INFORMATION.**

''(a) POLICIES AND PROCEDURES REQUIRED.—The Administrator shall establish policies and procedures to ensure the protection of—

''(1) special nuclear material and other sensitive physical assets of the Administration; and

''(2) classified information in the possession of the Administration.

''(b) PROMPT REPORTING.—The Administrator shall establish procedures to ensure prompt reporting to the Administrator of any significant problem, abuse, violation of law or Executive order, or deficiency relating to the—

''(1) protection of the special nuclear material and other sensitive physical assets of the Administration; and

''(2) management of classified information by personnel of the Administration.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3231 and inserting the following new item:

''Sec. 3231. Protection of special nuclear material and national security information.''.

(b) HEALTH AND SAFETY.—

(1) IN GENERAL.—Section 3261 of the National Nuclear Security Administration Act (50 U.S.C. 2461) is amended—

(A) in subsection (a), by striking ''The Administrator'' and inserting ''In accordance with subsections (c) and (d), the Administrator'';

(B) by striking subsection (c);

(C) by adding at the end the following new subsection:

''(c) NON-NUCLEAR HEALTH AND SAFETY.—(1) In carrying out this section with respect to non-nuclear operations, the Administrator shall ensure that the Administration complies with all applicable occupational safety and health standards promulgated under the Occupational Safety and Health Act of 1970 (29 U.S.C. 655) that are administered by the Secretary of Labor.

''(2) With respect to complying with the occupational safety and health standards under paragraph (1), and conducting oversight of such occupational safety and health standards, the Administrator shall ensure that such complying and oversight by the Administration is conducted—

''(A) in accordance with best industry and Government practices for meeting such standards; and

''(B) in accordance with the performance-based system of governance, management, and oversight established under section 3265, notwithstanding the exemption authority under subsection (a)(3) of such section.

''(3) Except as provided by paragraph (4), the Administrator may not establish or prescribe any order, rule, or regulation regarding occupational safety and health unless such order, rule, or regulation is pursuant to an occupational safety and health standard described in paragraph (1).

''(4)(A) In carrying out paragraph (3)—

''(i) the Administrator may waive the requirement under such paragraph for any type of high hazard operations if the Administrator determines that such waiver is necessary to ensure safety; and

''(ii) the Administrator shall waive such requirements for operations involving beryllium.

''(B) The Administrator shall submit an annual certification to the congressional defense committees regarding why any such waivers made under subparagraph (A) are required to ensure safety.''; and

(D) by adding after subsection (c), as added by subparagraph (C), the following new subsection:

''(d) NUCLEAR HEALTH AND SAFETY.—(1) In carrying out this section with respect to nuclear operations, the Administrator shall prescribe appropriate policies and regulations to ensure that risks to the health and safety of the employees of the Administration, contractors of the Administration, and the general public from such nuclear operations are as low as reasonably practicable and that adequate protection is provided.

''(2) With respect to prescribing and complying with the policies and regulations under paragraph (1), and conducting oversight of such policies and regulations by the Administration, the Administrator shall ensure that such prescribing, complying, and oversight is conducted in accordance with the performance-based system of governance, management, and oversight established under section 3265, notwithstanding the exemption authority under subsection (a)(3) of such section.''.

(2) NUCLEAR HEALTH AND SAFETY EFFECTIVE DATE.—The amendment made by paragraph (1)(D) shall take effect October 1, 2013.

(c) REPORT ON AUTHORITY FOR NUCLEAR SAFETY.—Not later than March 1, 2013, the Administrator shall submit to the congressional defense committees a report that includes—

(1) an implementation plan describing the actions needed to fully transition the policy, regulatory, and oversight authority for the nuclear safety of the nuclear security enterprise from the Department of Energy to the Administration; and

(2) a description of the costs and benefits of such a transition.

**SEC. 3116. DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS.**

(a) PROTOTYPES.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4508 the following new section:

**''SEC. 4509. DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS FOR INTELLIGENCE PURPOSES.**

''(a) PROTOTYPES.—The Administrator shall develop and carry out a plan for the national security laboratories and nuclear weapons production plants to design and build prototypes of nuclear weapons to further intelligence estimates with respect to foreign nuclear weapons activities.

''(b) PROHIBITION ON PRODUCTION OF NUCLEAR YIELDS.—In carrying out subsection (a), the Administrator may not conduct any experiments that produce a nuclear yield.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4508 the following new item:

''Sec. 4509. Design and use of prototypes of nuclear weapons for intelligence purposes.''.

**SEC. 3117. IMPROVEMENT AND STREAMLINING OF THE MISSIONS AND OPERATIONS OF THE DEPARTMENT OF ENERGY AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

*(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security, in coordination with the Secretary of Defense and other officials, as the Secretary of Energy and the Administrator consider appropriate, shall revise the Department of Energy Acquisition Regulation and other regulations, rules, directives, orders, and policies that apply to the administration, execution, and oversight of the missions and operations of the Department of Energy and the National Nuclear Security Administration to improve and streamline such administration, execution, and oversight.*

*(b) IMPROVEMENT AND STREAMLINING.—In carrying out subsection (a), the Secretary of Energy and the Administrator for Nuclear Security shall—*

*(1) streamline business processes and structures to reduce unnecessary, burdensome, or duplicative approvals;*

*(2) delegate approval for work for others agreements and cooperative research and development agreements (except those that the Secretary or Administrator determine are high value or unique) to the management and operating contractors of a Government-owned, contractor-operated facility of the Department or Administration and hold such contractors accountable for maintaining appropriate portfolios with respect to such agreements;*

*(3) establish processes for ensuring routine or low-risk procurement and subcontracting decisions are made at the discretion of the management and operating contractors while ensuring that the Secretary or Administrator apply appropriate oversight;*

*(4) assess procurement thresholds as of the date of the enactment of this Act and take steps as appropriate to adjust such thresholds;*

*(5) eliminate duplicative or low-value reports and data calls and ensure consistency in management and cost accounting data; and*

*(6) otherwise streamline, clarify, and eliminate redundancy in the regulations, rules, directives, orders, and policies described by subsection (a).*

*(c) BRIEFING.—*

*(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Administrator shall provide to the appropriate congressional committees a briefing on the regulations, rules, directives, orders, and policies improved and streamlined pursuant to subsection (a).*

*(2) APPROPRIATE COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—*

*(A) the congressional defense committees; and*

*(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.*

**SEC. 3118. COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.**

*(a) LIMITATION.—The Administrator for Nuclear Security may not release a final request for proposal for competition of any contract to manage and operate a facility of the National Nuclear Security Administration until the date on which the Administrator submits to the congressional defense committees a report described in subsection (b).*

*(b) REPORT DESCRIBED.—A report described in this subsection is a report on a request for proposal for competition described in subsection (a) that includes—*

*(1) the expected cost savings resulting from the competition over the life of the contract;*

*(2) the costs of the competition, including immediate costs of conducting the competition and any increased costs over the life of the contract;*

*(3) a description of—*

*(A) any disruption or delay in mission activities or deliverables resulting from the competition; and*

*(B) any benefits of the proposed competition to mission performance or operations;*

*(4) how the competition complies with the Federal Acquisition Regulation regarding federally funded research and development centers, if applicable; and*

*(5) any other matters the Administrator considers appropriate.*

*(c) GAO REVIEW.—Not later than 90 days after each report is submitted to the congressional defense committees under subsection (a) or (d)(2), the Comptroller General of the United States shall submit to such committees a review of such report.*

*(d) APPLICABILITY.—*

*(1) IN GENERAL.—The limitation in subsection (a) shall apply with respect to a request for proposal described by such subsection that is released by the Administrator for Nuclear Security during fiscal years 2012 through 2017.*

*(2) FISCAL YEAR 2012 RFPS.—For each request for proposal described by subsection (a) that is released by the Administrator during fiscal year 2012 before the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report described in subsection (b) by not later than 90 days after the date of such enactment.*

**SEC. 3119. LIMITATION ON AVAILABILITY OF FUNDS FOR INERTIAL CONFINEMENT FUSION IGNITION AND HIGH YIELD CAMPAIGN.**

*(a) LIMITATION.—Except as provided in subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for fusion ignition under the Inertial Confinement Fusion Ignition and High Yield Campaign, not more than 50 percent may be obligated or expended until the date on which—*

*(1) the Administrator for Nuclear Security certifies to the congressional defense committees that fusion ignition has been achieved at the National Ignition Facility at Lawrence Livermore National Laboratory; or*

*(2) the Administrator submits to such committees a detailed report on fusion ignition, including—*

*(A) a thorough description of the remaining technical challenges and gaps in understanding with respect to such ignition;*

*(B) a plan and schedule for reevaluating the ignition program and incorporating experimental data into computer models;*

*(C) the best judgment of the Administrator with respect to whether ignition can be achieved at the National Ignition Facility, as designed on the date of the report; and*

*(D) if funding being spent on ignition research as of the date of the report were applied to life extension programs—*

*(i) a description of such programs that could be accelerated or otherwise improved; and*

*(ii) how such funding changes would affect the stockpile stewardship program.*

*(b) EXCEPTION.—The limitation in subsection (a) shall not apply to the Z machine at Sandia National Laboratories or the Omega laser system at the University of Rochester.*

**SEC. 3120. LIMITATION ON AVAILABILITY OF FUNDS FOR GLOBAL SECURITY THROUGH SCIENCE PARTNERSHIPS PROGRAM.**

*(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the National Nuclear Security Administration, not more than $8,000,000 may be obligated or expended for the Global Security through Science Partnerships Program, formerly known as the Global Initiatives for Proliferation Prevention Program, until the date on which the Secretary of Energy submits to the appropriate congressional committees the report under subsection (b).*

*(b) REPORT.—The Secretary of Energy shall submit to the appropriate congressional committees a report with a plan to complete the Global Security through Science Partnerships Program by the end of calendar year 2015.*

*(c) FORM.—The report under subsection (b) may be submitted in unclassified form and may include a classified annex.*

*(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and*

*(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.*

**SEC. 3121. LIMITATION ON AVAILABILITY OF FUNDS FOR CENTER OF EXCELLENCE ON NUCLEAR SECURITY.**

*(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for the National Nuclear Security Administration, not more than $7,000,000 may be obligated or expended for the United States-China Center of Excellence on Nuclear Security until the date on which the Secretary of Energy submits to the appropriate congressional committees the report under subsection (b)(2).*

*(b) NUCLEAR SECURITY.—*

*(1) REVIEW.—The Secretary of Energy, in coordination with the Secretary of Defense, shall conduct a review of the existing and planned non-proliferation activities with the People's Republic of China as of the date of the enactment of this Act to determine if the engagement is directly or indirectly supporting the proliferation of nuclear weapons development and technology to other nations.*

*(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the appropriate congressional committees a report certifying that the activities reviewed under paragraph (1) are not contributing to the proliferation of nuclear weapons development and technology to other nations.*

*(c) FORM.—The report under subsection (b)(2) may be submitted in unclassified form and may include a classified annex.*

*(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—*

*(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and*

*(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.*

**SEC. 3122. TWO-YEAR EXTENSION OF SCHEDULE FOR DISPOSITION OF WEAPONS-USABLE PLUTONIUM AT SAVANNAH RIVER SITE, AIKEN, SOUTH CAROLINA.**

*Section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) is amended—*

*(1) in subsection (a)(3)—*

*(A) in subparagraph (C), by striking ''2012'' and inserting ''2014''; and*

*(B) in subparagraph (D), by striking ''2017'' and inserting ''2019'';*

*(2) in subsection (b)—*

*(A) in paragraph (1), by striking ''by January 1, 2012'';*

*(B) in paragraph (4), by striking ''2012'' each place it appears and inserting ''2014''; and*

*(C) in paragraph (5), by striking ''2012'' and inserting ''2014'';*

*(3) in subsection (c)—*

*(A) in the matter preceding paragraph (1), by striking ''2012'' and inserting ''2014'';*

*(B) in paragraph (1), by striking ''2014'' and inserting ''2016''; and*

*(C) in paragraph (2), by striking ''2020'' each place it appears and inserting ''2022'';*

*(4) in subsection (d)—*

*(A) in paragraph (1)—*

*(i) by striking ''2014'' and inserting ''2016''; and*

(ii) by striking ''2019'' and inserting ''2021''; and

(B) in paragraph (2)(A), by striking ''2020'' each place it appears and inserting ''2022''; and

(5) in subsection (e), by striking ''2023'' and inserting ''2025''.

**Subtitle C—Improvements to National Security Energy Laws**

**SEC. 3131. IMPROVEMENTS TO THE ATOMIC ENERGY DEFENSE ACT.**

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) is amended to read as follows:

**''SEC. 4002. DEFINITIONS.**

''In this division:

''(1) The term 'Administration' means the National Nuclear Security Administration.

''(2) The term 'Administrator' means the Administrator for Nuclear Security.

''(3) The term 'classified information' means any information that has been determined pursuant to Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 401 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 435 note), or successor orders, to require protection against unauthorized disclosure and that is so designated.

''(4) The term 'congressional defense committees' means—

''(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

''(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(5) The term 'nuclear security enterprise' means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.

''(6) The term 'national security laboratory' means any of the following:

''(A) Los Alamos National Laboratory, Los Alamos, New Mexico.

''(B) Sandia National Laboratories, Albuquerque, New Mexico, and Livermore, California.

''(C) Lawrence Livermore National Laboratory, Livermore, California.

''(7) The term 'nuclear weapons production facility' means any of the following:

''(A) The Kansas City Plant, Kansas City, Missouri.

''(B) The Pantex Plant, Amarillo, Texas.

''(C) The Y–12 National Security Complex, Oak Ridge, Tennessee.

''(D) The Savannah River Site, Aiken, South Carolina.

''(E) The Nevada National Security Site, Nevada.

''(F) Any facility of the Department of Energy that the Secretary of Energy, in consultation with the Administrator and the Congress, determines to be consistent with the mission of the Administration.

''(8) The term 'Restricted Data' has the meaning given such term in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4002 and inserting the following new item:

''Sec. 4002. Definitions.''.

(b) STOCKPILE STEWARDSHIP.—Section 4201(b)(5)(E) of the Atomic Energy Defense Act (50 U.S.C. 2521(b)(5)(E)) is amended by striking ''(as defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471))''.

(c) ANNUAL ASSESSMENTS.—Section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) is amended by striking subsection (i).

(d) TESTING OF NUCLEAR WEAPONS.—

(1) IN GENERAL.—Section 4210 of the Atomic Energy Defense Act (50 U.S.C. 2530) is amended to read as follows:

**''SEC. 4210. TESTING OF NUCLEAR WEAPONS.**

''(a) UNDERGROUND TESTING.—No underground test of nuclear weapons may be conducted by the United States after September 30, 1996, unless a foreign state conducts a nuclear test after this date, at which time the prohibition on United States nuclear testing is lifted.

''(b) ATMOSPHERIC TESTING.—None of the funds appropriated pursuant to the National Defense Authorization Act for Fiscal Year 1994 or any other Act for any fiscal year may be available to maintain the capability of the United States to conduct atmospheric testing of a nuclear weapon.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the items relating to sections 4210 and 4211 and inserting the following new item:

''Sec. 4210. Testing of nuclear weapons.''.

(3) CONFORMING AMENDMENT.—Section 4211 of the Atomic Energy Defense Act (50 U.S.C. 2531) is repealed.

(e) MANUFACTURING INFRASTRUCTURE.—Section 4212 of the Atomic Energy Defense Act (50 U.S.C. 2532) is amended by striking subsections (d) and (e).

(f) CRITICAL DIFFICULTIES REPORT.—

(1) IN GENERAL.—Section 4213 of the Atomic Energy Defense Act (50 U.S.C. 2533) is amended—

(A) in the heading, by striking ''**nuclear weapons laboratories and nuclear weapons production plants**'' and inserting ''**national security laboratories and nuclear weapons production facilities**'';

(B) in subsection (a), by striking ''Assistant Secretary of Energy for Defense Programs'' and inserting ''Administrator'';

(C) by striking ''Assistant Secretary'' each place it appears and inserting ''Administrator'';

(D) by striking ''nuclear weapons laboratory'' each place it appears and inserting ''national security laboratory'';

(E) by striking ''production plant'' each place it appears and inserting ''production facility''; and

(F) by striking subsection (e).

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4213 and inserting the following new item:

''Sec. 4213. Reports on critical difficulties at national security laboratories and nuclear weapons production facilities.''.

(g) PLAN FOR TRANSFORMATION.—

(1) IN GENERAL.—Section 4214 of the Atomic Energy Defense Act (50 U.S.C. 2534) is amended—

(A) by striking subsections (b) and (d); and

(B) by redesignating subsection (c) as subsection (b).

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4213 the following new item:

''Sec. 4214. Plan for transformation of national nuclear security administration nuclear weapons complex.''.

(h) TRITIUM PRODUCTION PROGRAM.—Section 4231 of the Atomic Energy Defense Act (50 U.S.C. 2541) is amended to read as follows:

**''SEC. 4231. TRITIUM PRODUCTION PROGRAM.**

''(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a tritium production program that is capable of meeting the tritium requirements of the United States for nuclear weapons. In carrying out the tritium production program, the Secretary shall assess alternative means for tritium production, including production through—

''(1) types of new and existing reactors, including multipurpose reactors (such as advanced light water reactors and gas turbine gas-cooled reactors) capable of meeting both the tritium production requirements and the plutonium disposition requirements of the United States for nuclear weapons;

''(2) an accelerator; and

''(3) multipurpose reactor projects carried out by the private sector and the Government.

''(b) LOCATION OF TRITIUM PRODUCTION FACILITY.—The Secretary shall locate any new tritium production facility of the Department of Energy at the Savannah River Site, South Carolina.''.

(i) TRITIUM RECYCLING FACILITIES.—Section 4234 of the Atomic Energy Defense Act (50 U.S.C. 2544) is amended—

(1) by striking ''(a) IN GENERAL.—The Secretary of Energy'' and inserting ''The Secretary''; and

(2) by striking subsection (b).

(j) RESTRICTED DATA.—Section 4501 of the Atomic Energy Defense Act (50 U.S.C. 2651(a)) is amended by striking subsection (c).

(k) FOREIGN VISITORS.—Section 4502 of the Atomic Energy Defense Act (50 U.S.C. 2652) is amended—

(1) by striking ''national laboratory'' each place it appears and inserting ''national security laboratory''; and

(2) in subsection (g), by striking paragraphs (3) and (4).

(l) BACKGROUND INVESTIGATIONS.—Section 4503 of the Atomic Energy Defense Act (50 U.S.C. 2653) is amended—

(1) by striking ''(a) IN GENERAL.—'';

(2) by striking subsections (b) and (c); and

(3) by striking ''national laboratory'' and inserting ''national security laboratory''.

(m) SECURITY FUNCTIONS REPORT.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended—

(1) by striking ''(a) IN GENERAL.—''; and

(2) by striking subsection (b).

(n) COUNTERINTELLIGENCE REPORT.—Section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658) is amended—

(1) by striking ''national laboratories'' each place it appears and inserting ''national security laboratories''; and

(2) by striking subsection (c).

(o) COMPUTER SECURITY REPORT.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659)—

(1) in subsection (a), by striking ''national laboratories'' and inserting ''national security laboratories''; and

(2) by striking subsections (e) and (f).

(p) DOCUMENT REVIEW.—Section 4521 of the Atomic Energy Defense Act (50 U.S.C. 2671) is amended by striking subsection (c).

(q) REPORTS ON LOCAL IMPACT ASSISTANCE.—

(1) IN GENERAL.—Section 4604(f) of the Atomic Energy Defense Act (50 U.S.C. 2704(f)) is amended by adding at the end the following new paragraph:

''(3) In addition to the plans submitted under paragraph (1), the Secretary of Energy shall submit to Congress every six months a report setting forth a description of, and the amount or value of, all local impact assistance provided during the preceding six months under subsection (c)(6).''.

(2) CONFORMING AMENDMENT.—Section 4851 of the Atomic Energy Defense Act (50 U.S.C. 2821) is repealed.

(3) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4851.

(r) RECRUITMENT AND TRAINING.—Section 4622 of the Atomic Energy Defense Act (50 U.S.C. 2722) is amended—

(1) in subsection (b)—

(A) by striking ''(1) As part of'' and inserting ''As part of''; and

(B) by striking paragraph (2); and

(2) by striking subsection (d).

(s) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Section 4623 of the Atomic Energy Defense Act (50 U.S.C. 2723) is amended—

*(A) in the heading, by striking ''**department of energy nuclear weapons complex**'' and inserting ''**nuclear security enterprise**'';*

*(B) by striking ''Department of Energy nuclear weapons complex'' each place it appears and inserting ''nuclear security enterprise'';*

*(C) in subsection (c), by striking ''following'' and all that follows through the period at the end and inserting ''national security laboratories and nuclear weapon production facilities.''; and*

*(D) in subsection (f)(2), by striking ''the Department of Energy for'' and inserting ''the nuclear security enterprise for''.*

*(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4623 and inserting the following new item:*

*''Sec. 4623. Fellowship program for development of skills critical to the nuclear security enterprise.''.*

*(t) COST OVERRUNS.—Section 4713(a)(1)(A) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)(1)(A)) is amended—*

*(1) by striking ''for Nuclear Security''; and*

*(2) by striking ''National Nuclear Security''.*

*(u) BUDGET REQUEST.—*

*(1) IN GENERAL.—Section 4731 of the Atomic Energy Defense Act (50 U.S.C. 2771) is repealed.*

*(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4731.*

*(v) CONTRACTOR BONUSES.—Section 4802 of the Atomic Energy Defense Act (50 U.S.C. 2782) is amended—*

*(2) by striking subsection (b); and*

*(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.*

*(w) FUNDS FOR RESEARCH AND DEVELOPMENT.—Section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792) is amended—*

*(1) by striking subsections (b) through (d); and*

*(2) by redesignating subsection (e) as subsection (b).*

*(x) TECHNOLOGY PARTNERSHIPS.—Section 4813(c) of the Atomic Energy Defense Act (50 U.S.C. 2794(c)) is amended by striking paragraph (5).*

*(y) UNIVERSITY COLLABORATION.—Section 4814 of the Atomic Energy Defense Act (50 U.S.C. 2795) is amended by striking subsection (c).*

*(z) ENGINEERING AND MANUFACTURING RESEARCH.—Section 4832 of the Atomic Energy Defense Act (50 U.S.C. 2812) is amended by striking subsections (c) through (e).*

*(aa) PILOT PROGRAM REPORT.—Section 4833 of the Atomic Energy Defense Act (50 U.S.C. 2813) is amended by striking subsection (e).*

*(bb) TECHNICAL AMENDMENTS.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended as follows:*

*(1) By striking ''Nevada Test Site'' each place it appears and inserting ''Nevada National Security Site''.*

*(2) By striking ''Director of Central Intelligence'' each place it appears and inserting ''Director of National Intelligence''.*

***SEC. 3132. IMPROVEMENTS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.***

*(a) NUCLEAR SECURITY ENTERPRISE REFERENCE.—*

*(1) FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453) is amended by striking ''nuclear weapons complex'' each place it appears and inserting ''nuclear security enterprise''.*

*(2) GAO REPORTS.—Section 3255 of the National Nuclear Security Administration Act (50 U.S.C. 2455) is amended—*

*(A) by striking ''nuclear security complex'' each place it appears and inserting ''nuclear security enterprise''; and*

*(B) in subsection (b), by striking paragraph (3).*

*(3) DEFINITION.—Section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471) is amended by adding at the end the following new paragraph:*

*''(6) The term 'nuclear security enterprise' means the physical facilities, technology, and human capital of the national security laboratories and the nuclear weapons production facilities.''.*

*(b) TRANSFER OF FUNCTIONS.—*

*(1) NEW TRANSFERS.—*

*(A) IN GENERAL.—Section 3291 of the National Nuclear Security Administration Act (50 U.S.C. 2481) is amended to read as follows:*

***''SEC. 3291. TRANSFER OF FUNCTIONS.***

*''(a) AUTHORITY TO TRANSFER FUNCTIONS.—The Secretary of Energy may transfer to the Administrator any facility, mission, or function of the Department of Energy that the Secretary, in consultation with the Administrator and Congress, determines to be consistent with the mission of the Administration.*

*''(b) ENVIRONMENTAL REMEDIATION AND WASTE MANAGEMENT ACTIVITIES.—In the case of any environmental remediation and waste management activity of any element of the Administration, the Secretary of Energy may determine to transfer responsibility for that activity to another element of the Department of Energy.*

*''(c) TRANSFER OF FUNDS.—(1) Any balance of appropriations that the Secretary of Energy determines is available and needed to finance or discharge a function, power, or duty or an activity that is transferred to the Administration shall be transferred to the Administration and used for any purpose for which those appropriations were originally available. Balances of appropriations so transferred shall—*

*''(A) be credited to any applicable appropriation account of the Administration; or*

*''(B) be credited to a new account that may be established on the books of the Department of the Treasury;*

*and shall be merged with the funds already credited to that account and accounted for as one fund.*

*''(2) Balances of appropriations credited to an account under paragraph (1)(A) are subject only to such limitations as are specifically applicable to that account. Balances of appropriations credited to an account under paragraph (1)(B) are subject only to such limitations as are applicable to the appropriations from which they are transferred.*

*''(d) PERSONNEL.—(1) With respect to any function, power, or duty or activity of the Department of Energy that is transferred to the Administration, those employees of the element of the Department of Energy from which the transfer is made that the Secretary of Energy determines are needed to perform that function, power, or duty, or for that activity, as the case may be, shall be transferred to the Administration.*

*''(2) The authorized strength in civilian employees of any element of the Department of Energy from which employees are transferred under this section is reduced by the number of employees so transferred.''.*

*(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3291 and inserting the following new item:*

*''Sec. 3291. Transfer of Functions.''.*

*(2) APPLICABILITY OF EXISTING LAWS AND REGULATIONS.—Section 3296 of the National Nuclear Security Administration Act (50 U.S.C. 2484) is amended to read as follows:*

***''SEC. 3296. APPLICABILITY OF PREEXISTING LAWS AND REGULATIONS.***

*''With respect to any facility, mission, or function of the Department of Energy that the Secretary of Energy transfers to the Administrator under section 3291, unless otherwise provided in this title, all provisions of law and regulations in effect immediately before the date of the transfer that are applicable to such facility, mission, or functions shall continue to apply to the corresponding functions of the Administration.''.*

*(3) RULE OF CONSTRUCTION.—Nothing in section 3291 of the National Nuclear Security Administration Act (50 U.S.C. 2481), as amended by paragraph (1), may be construed to affect any function or activity transferred by the Secretary of Energy to the Administrator for Nuclear Security before the date of the enactment of this Act.*

*(c) REPEAL OF EXPIRED PROVISIONS.—*

*(1) IN GENERAL.—The following sections of the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) are repealed:*

*(A) Section 3242 (50 U.S.C. 2442).*

*(B) Section 3292 (50 U.S.C. 2482).*

*(C) Section 3295 (50 U.S.C. 2483).*

*(D) Section 3297 (50 U.S.C. 2401 note).*

*(2) CLERICAL AMENDMENTS.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to sections 3242, 3292, 3295, and 3297.*

*(d) TECHNICAL AMENDMENTS TO THE NNSA ACT.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended as follows:*

*(1) In section 3212(a)(2) (50 U.S.C. 2402), by striking ''as added by section 3202 of this Act,''.*

*(2) In section 3253(b)(3) (50 U.S.C. 2453(b)(3)), by striking ''section 3158 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (42 U.S.C. 2121 note)'' and inserting ''section 4202(a) of the Atomic Energy Defense Act (50 U.S.C. 2522(a))''.*

*(3) In section 3281(2) (50 U.S.C. 2471(2))—*

*(A) in subparagraph (C), by striking ''Y–12 Plant'' and inserting ''Y–12 National Security Complex''; and*

*(B) in subparagraph (D), by striking ''tritium operations facilities at the''.*

*(4) By striking ''Nevada Test Site'' each place it appears and inserting ''Nevada National Security Site''.*

*(e) TECHNICAL AMENDMENT TO THE DOE ORGANIZATION ACT.—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended by redesignating the second subsection (b) as subsection (c).*

***SEC. 3133. CLARIFICATION OF THE ROLE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.***

*(a) ROLE UNDER NNSA ACT.—*

*(1) FUNCTION.—Section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)) is amended—*

*(A) in subsection (b), by striking ''all programs and activities of the Administration'' and inserting ''all programs, policies, regulations, and rules of the Administration''; and*

*(B) in subsection (d), by striking '', unless disapproved by the Secretary of Energy.'' and inserting ''to carry out the mission and functions of the Administration, except as provided by section 3219.''.*

*(2) ROLE OF THE SECRETARY OF ENERGY.—*

*(A) IN GENERAL.—Section 3219 of the National Nuclear Security Administration Act (50 U.S.C. 2409) is amended to read as follows:*

***''SEC. 3219. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY REGARDING THE ADMINISTRATION.***

*''(a) IN GENERAL.—(1) The Secretary of Energy may disapprove any action, policy, regulation, or rule of the Administrator if—*

*''(A) the Secretary submits to the congressional defense committees justification for such disapproval; and*

*''(B) a period of 15 days has elapsed following the date on which such justification was submitted.*

*''(2) Nothing in this title may be construed to provide authority to the Secretary of Energy to administer, enforce, or oversee the activities under this title except—*

*''(A) as provided by paragraph (1); or*

''(B) to the extent otherwise specifically provided by law.

''(3) Except as provided by this section, the Administrator shall have complete authority to establish and conduct oversight of policies, activities, and procedures of the Administration without direction or oversight by the Secretary of Energy.

''(4) The authority of the Secretary under paragraph (1) may be delegated only to the Deputy Secretary of Energy, without further redelegation.

''(b) LIMITATION ON TRANSFER.—Notwithstanding the authority granted by section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) or any other provision of law, the Secretary of Energy may not establish, abolish, alter, consolidate, or discontinue any organizational unit or component, or transfer any function, of the Administration, except as authorized by section 3291.''.

(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3219 and inserting the following new item:

''Sec. 3219. Scope of Authority of Secretary of Energy regarding the Administration.''.

(C) DEPARTMENT OF ENERGY ORGANIZATION ACT.—Section 202(c)(3) of the Department of Energy Organization Act (42 U.S.C. 7132(c)(3)) is amended to read as follows:

''(3) The Under Secretary for Nuclear Security shall serve as the Administrator for Nuclear Security under section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402). In carrying out the functions of the Administrator, the Under Secretary shall be subject to the authority of the Secretary of Energy in accordance with section 3219 of such Act (50 U.S.C. 2409).''.

(3) STATUS OF ADMINISTRATION AND CONTRACTOR PERSONNEL.—Section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraph (B) and (C) as subparagraph (A) and (B), respectively;

(ii) in paragraph (2), by striking ''any other officer, employee, or agent of the Department of Energy'' and inserting ''any officer, employee, or agent of the Department of Energy, except as provided by section 3219''; and

(B) in subsection (b), by striking ''except for'' and all that follows through the period and inserting ''except as provided by section 3219.''.

(4) OFFICE OF DEFENSE NUCLEAR SECURITY.—Section 3232 of the National Nuclear Security Administration Act (50 U.S.C. 2422) is amended to read as follows:

**''SEC. 3232. OFFICE OF DEFENSE NUCLEAR SECURITY.**

''(a) ESTABLISHMENT.—There is within the Administration an Office of Defense Nuclear Security, headed by a Chief appointed by the Administrator.

''(b) CHIEF OF DEFENSE NUCLEAR SECURITY.—(1) The head of the Office of Defense Nuclear Security is the Chief of Defense Nuclear Security, who shall report to the Administrator and shall implement the security policies directed by the Administrator.

''(2) The Chief shall be responsible for the development and implementation of security programs and policies for the Administration, including the protection, control, and accounting of materials, and for the physical and cyber security for all facilities of the Administration.''.

(5) COUNTERINTELLIGENCE PROGRAMS.—Section 3233 of the National Nuclear Security Administration Act (50 U.S.C. 2423) is amended in each of subsections (a) and (b) by striking ''The Secretary of Energy shall'' and inserting ''The Secretary of Energy, in coordination with the Administrator, shall''.

(6) BUDGET TREATMENT.—Section 3251(a) of the National Nuclear Security Administration Act (50 U.S.C. 2451(a)) is amended by striking ''within the other amounts requested for the Department of Energy'' and inserting ''from the amounts requested for any other agency, including the Department of Energy''.

(7) FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253(b)(6) of the National Nuclear Security Administration Act (50 U.S.C. 2453(b)(6)) is amended by striking '', developed in consultation with the Director of the Office of Health, Safety, and Security of the Department of Energy,''.

(b) ROLE UNDER THE AEDA.—

(1) STOCKPILE STEWARDSHIP.—Section 4201(a) of the Atomic Energy Defense Act (50 U.S.C. 2521(a)) is amended by striking ''The Secretary of Energy, acting through the Administrator for Nuclear Security,'' and inserting ''The Administrator''.

(2) REPORT ON STOCKPILE STEWARDSHIP.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended—

(A) in subsection (a)—

(i) by striking ''The Secretary of Energy'' and inserting ''The Administrator''; and

(ii) by striking ''Department of Energy'' and inserting ''Administration''; and

(B) in subsection (b), by striking ''The Secretary of Energy'' and inserting ''The Administrator''.

(3) STOCKPILE MANAGEMENT.—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—

(A) in subsection (a), by striking ''The Secretary of Energy, acting through the Administrator for Nuclear Security and'' and inserting ''The Administrator,''; and

(B) in subsection (b), by striking ''Secretary of Energy'' and inserting ''Administrator''

(4) ANNUAL ASSESSMENTS.—Section 4205(h) of the Atomic Energy Defense Act (50 U.S.C. 2525(h)) is amended to read as follows:

''(h) SECRETARY CONCERNED DEFINED.—In this section, the term 'Secretary concerned' means—

''(1) the Secretary of Energy, with respect to matters concerning the Administration; and

''(2) the Secretary of Defense, with respect to matters concerning the Department of Defense.''.

(5) NUCLEAR TEST BAN READINESS PROGRAM.—Section 4207 of the Atomic Energy Defense Act (50 U.S.C. 2527) is amended—

(A) in subsection (b), by striking ''Secretary of Energy'' and inserting ''Administrator''; and

(B) in subsection (d), by striking ''Secretary of Energy'' and inserting ''Administrator''.

(6) SPECIFIC REQUEST REQUIREMENT.—Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(A) in subsection (a)(1)—

(i) by striking '' after fiscal year 2002 in which the Secretary of Energy'' and inserting ''in which the Administrator''; and

(ii) by striking ''the Secretary shall'' and inserting ''the Administrator shall''; and

(B) in subsection (b), by striking ''Secretary shall'' and inserting ''Administrator shall''.

(7) MANUFACTURING INFRASTRUCTURE.—Section 4212(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2532(a)(1)) is amended by striking ''Secretary of Energy'' and inserting ''Administrator''.

(8) PLAN FOR TRANSFORMATION.—Section 4214 of the Atomic Energy Defense Act (50 U.S.C. 2534), as amended by section 3131(g)(1), is amended by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator''.

(9) NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING.—Section 4303(a) of the Atomic Energy Defense Act (50 U.S.C. 2563(a)) is amended—

(A) by striking ''Secretary of Energy'' and inserting ''Administrator''; and

(B) by striking ''Department of Energy'' and inserting ''Administration''.

(10) TRITIUM PRODUCTION PROGRAM.—Section 4231 of the Atomic Energy Defense Act (50 U.S.C. 2541), as amended by section 3131(h), is amended—

(A) by striking ''Secretary'' each place it appears and inserting ''Administrator''; and

(B) in subsection (b), by striking ''Department of Energy'' and inserting ''Administration''.

(11) TRITIUM RECYCLING FACILITIES.—Section 4234 of the Atomic Energy Defense Act (50 U.S.C. 2544), as amended by section 3131(i), is amended by striking ''Secretary'' and inserting ''Administrator''.

(12) CERTAIN FISSILE MATERIALS PROGRAM.—Section 4305 of the Atomic Energy Defense Act (50 U.S.C. 2565) is amended by striking ''Secretary of Energy'' and inserting ''Administrator''.

(13) FISSILE MATERIALS MANAGEMENT PLAN.—Section 4403(a)(1) of the Atomic Energy Defense Act (50 U.S.C. 2583(a)(1)) is amended by striking ''the Office of Defense Programs'' and inserting ''the Administration''.

(14) RESTRICTED DATA.—Section 4501(a) of the Atomic Energy Defense Act (50 U.S.C. 2651(a)) is amended by striking ''The Secretary of Energy'' and inserting ''The Administrator''.

(16) BACKGROUND INVESTIGATIONS.—Section 4503 of the Atomic Energy Defense Act (50 U.S.C. 2653), as amended by section 3131(l), is amended by striking ''The Secretary of Energy'' and inserting ''The Administrator''.

(17) COUNTERINTELLIGENCE FAILURES.—Section 4505 of the Atomic Energy Defense Act (50 U.S.C. 2656) is amended—

(A) by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator'';

(B) by striking ''Secretary'' each place it appears and inserting ''Administrator'';

(C) by striking ''Department of Energy'' each place it appears and inserting ''Administration''; and

(D) by striking ''Department'' each place it appears and inserting ''Administration''.

(18) SECURITY FUNCTIONS REPORT.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657), as amended by section 3131(m), is amended by striking ''the Secretary of Energy'' and inserting ''the Administrator''.

(19) COUNTERINTELLIGENCE REPORT.—Section 4507(a) of the Atomic Energy Defense Act (50 U.S.C. 2658(a)) is amended by striking ''Secretary of Energy'' and inserting ''Administrator''.

(20) COMPUTER SECURITY REPORT.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659) is amended—

(A) in subsection (c), by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator''; and

(B) in subsection (d), by striking ''Secretary'' each place it appears and inserting ''Administrator''.

(21) DOCUMENT REVIEW.—Section 4521 of the Atomic Energy Defense Act (50 U.S.C. 2671) is amended—

(A) in subsection (a)—

(i) by striking ''Secretary of Energy'' and inserting ''Administrator'';

(ii) by striking ''Department of Energy'' and inserting ''Administration''; and

(B) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''Administrator''.

(22) MANAGEMENT TRAINING.—

(A) IN GENERAL.—Section 4621 of the Atomic Energy Defense Act (50 U.S.C. 2721) is amended—

(i) in the heading, by inserting ''**and national nuclear security administration**'' after ''**energy**'';

(ii) in subsection (a)—

(I) by striking ''Secretary of Energy'' and inserting ''Under Secretary of Energy for Nuclear Security''; and

(II) by inserting ''and the Administration'' after ''the Department of Energy''; and

(iii) in subsection (b)(1), by inserting ''and Administration'' after ''Department of Energy''.

*(B) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by striking the item relating to section 4621 and inserting the following new item:*

*''Sec. 4621. Executive management training in the Department of Energy and National Nuclear Security Administration.''.*

*(23) RECRUITMENT AND TRAINING.—Section 4622 of the Atomic Energy Defense Act (50 U.S.C. 2722) is amended—*

*(A) in subsection (a), by striking ''the Secretary of Energy'' and inserting ''the Administrator''; and*

*(B) in subsection (c), by striking ''Secretary'' and inserting ''Administrator''.*

*(24) FELLOWSHIP PROGRAM.—Section 4623 of the Atomic Energy Defense Act (50 U.S.C. 2723) is amended—*

*(A) by striking ''Secretary of Energy'' each place it appears and inserting ''Administrator'';*

*(B) by striking ''Secretary'' each place it appears and inserting ''Administrator;'';*

*(C) in subsection (b)(1), by striking ''Department of Energy'' and inserting ''Administration''; and*

*(D) in subsection (e), by striking '', in consultation with the Assistant Secretary of Energy for Defense Programs,''.*

*(25) TRANSFER OF WEAPONS FUNDS.—Section 4711 of the Atomic Energy Defense Act (50 U.S.C. 2751) is amended—*

*(A) in subsection (a), by striking ''Secretary of Energy'' and inserting ''Administrator'';*

*(B) in subsection (d), by striking ''Secretary, acting through the Administrator for Nuclear Security,'' and inserting ''Administrator''; and*

*(C) in subsection (e)—*

*(i) in paragraph (1)—*

*(I) by striking ''Department of Energy'' and inserting ''Administration''; and*

*(II) by striking ''Department'' and inserting ''Administration''; and*

*(ii) in paragraph (2), by inserting ''or the Administration'' after ''Department of Energy''.*

*(26) COST OVERRUNS.—Section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) is amended—*

*(A) in subsection (a)(2)—*

*(i) in subparagraph (A)—*

*(I) by striking ''Secretary of Energy'' and inserting ''Administrator''; and*

*(II) in clause (ii), by striking ''Department'' and inserting ''Administration''; and*

*(ii) in subparagraph (B), by striking ''Secretary'' and inserting ''Administrator''; and*

*(B) in subsection (c)(2)(B), by inserting ''or the Administration'' after ''Department of Energy''.*

*(27) PENALTIES.—Section 4721(a) of the Atomic Energy Defense Act (50 U.S.C. 2761(a)) is amended by striking ''the Department of Energy for the Naval Nuclear Propulsion Program'' and inserting ''the Administration for the Naval Nuclear Reactor Program''.*

*(28) RESEARCH AND DEVELOPMENT.—Section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791) is amended—*

*(A) in subsection (a), by inserting ''and the Administration'' after ''Department of Energy'';*

*(B) in subsection (b)—*

*(i) by striking ''The Secretary'' and inserting ''(1) Except as provided by paragraph (2), the Secretary''; and*

*(ii) by adding at the end the following new paragraph:*

*''(2) With respect to the conduct of laboratory-directed research and development at laboratories of the Administration, the Administrator shall prescribe regulations for such conduct and oversee such regulations.''; and*

*(C) in subsection (c), by inserting ''or the Administrator'' after ''the Secretary''.*

*(29) FUNDS FOR RESEARCH AND DEVELOPMENT.—Subsection (a)(1) of section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792(a)(1)) is amended—*

*(A) by striking ''the Department of Energy in'' and inserting ''the Administration in'';*

*(B) by striking ''under the Department of Energy''; and inserting ''under the'';*

*(C) by striking ''any Department of Energy'' and inserting ''any''; and*

*(D) by striking ''mission of the Department of Energy'' and inserting ''mission of the Administration''.*

***SEC. 3134. CONSOLIDATED REPORTING REQUIREMENTS RELATING TO NUCLEAR STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE.***

*(a) CONSOLIDATED PLAN FOR STEWARDSHIP, MANAGEMENT, AND CERTIFICATION OF WARHEADS IN THE NUCLEAR WEAPONS STOCKPILE.—*

*(1) IN GENERAL.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended to read as follows:*

***''SEC. 4203. NUCLEAR WEAPONS STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.***

*''(a) PLAN REQUIREMENT.—The Administrator, in consultation with the Secretary of Defense and other appropriate officials of the departments and agencies of the Federal Government, shall develop and annually update a plan for sustaining the nuclear weapons stockpile. The plan shall cover, at a minimum, stockpile stewardship, stockpile management, stockpile surveillance, program direction, infrastructure modernization, human capital, and nuclear test readiness. The plan shall be consistent with the programmatic and technical requirements of the most recent annual Nuclear Weapons Stockpile Memorandum.*

*''(b) SUBMISSIONS TO CONGRESS.—(1) In accordance with subsection (c), not later than March 15 of each even-numbered year, the Administrator shall submit to the congressional defense committees a summary of the plan developed under subsection (a).*

*''(2) In accordance with subsection (d), not later than March 15 of each odd-numbered year, the Administrator shall submit to the congressional defense committees a detailed report on the plan developed under subsection (a).*

*''(3) The summaries and reports required by this subsection shall be submitted in unclassified form, but may include a classified annex.*

*''(c) ELEMENTS OF BIENNIAL PLAN SUMMARY.—Each summary of the plan submitted under subsection (b)(1) shall include, at a minimum, the following:*

*''(1) A summary of the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type.*

*''(2) A summary of the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types.*

*''(3) A summary of the methods and information used to determine that the nuclear weapons stockpile is safe and reliable, as well as the relationship of science-based tools to the collection and interpretation of such information.*

*''(4) A summary of the status of the nuclear security enterprise, including programs and plans for infrastructure modernization and retention of human capital, as well as associated budgets and schedules.*

*''(5) A summary of the status of achieving the purposes of the program established under section 4207(b).*

*''(6) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).*

*''(7) Such other information as the Administrator considers appropriate.*

*''(d) ELEMENTS OF BIENNIAL DETAILED REPORT.—Each detailed report on the plan submitted under subsection (b)(2) shall include, at a minimum, the following:*

*''(1) With respect to stockpile stewardship and management—*

*''(A) the status of the nuclear weapons stockpile, including the number and age of warheads (including both active and inactive) for each warhead type;*

*''(B) for each five-year period occurring during the period beginning on the date of the report and ending on the date that is 20 years after the date of the report—*

*''(i) the planned number of nuclear warheads (including active and inactive) for each warhead type in the nuclear weapons stockpile; and*

*''(ii) the past and projected future total lifecycle cost of each type of nuclear weapon;*

*''(C) the status, plans, budgets, and schedules for warhead life extension programs and any other programs to modify, update, or replace warhead types;*

*''(D) a description of the process by which the Administrator assesses the lifetimes, and requirements for life extension or replacement, of the nuclear and non-nuclear components of the warheads (including active and inactive warheads) in the nuclear weapons stockpile;*

*''(E) a description of the process used in recertifying the safety, security, and reliability of each warhead type in the nuclear weapons stockpile;*

*''(F) any concerns of the Administrator which would affect the ability of the Administrator to recertify the safety, security, or reliability of warheads in the nuclear weapons stockpile (including active and inactive warheads);*

*''(G) mechanisms to provide for the manufacture, maintenance, and modernization of each warhead type in the nuclear weapons stockpile, as needed;*

*''(H) mechanisms to expedite the collection of information necessary for carrying out the stockpile management program required by section 4204, including information relating to the aging of materials and components, new manufacturing techniques, and the replacement or substitution of materials;*

*''(I) mechanisms to ensure the appropriate assignment of roles and missions for each national security laboratory and nuclear weapons production facility, including mechanisms for allocation of workload, mechanisms to ensure the carrying out of appropriate modernization activities, and mechanisms to ensure the retention of skilled personnel;*

*''(J) mechanisms to ensure that each national security laboratory has full and complete access to all weapons data to enable a rigorous peer-review process to support the annual assessment of the condition of the nuclear weapons stockpile required under section 4205;*

*''(K) mechanisms for allocating funds for activities under the stockpile management program required by section 4204, including allocations of funds by weapon type and facility; and*

*''(L) for each of the five fiscal years following the fiscal year in which the report is submitted, an identification of the funds needed to carry out the program required under section 4204.*

*''(2) With respect to science-based tools—*

*''(A) a description of the information needed to determine that the nuclear weapons stockpile is safe and reliable;*

*''(B) for each science-based tool used to collect information described in subparagraph (A), the relationship between such tool and such information and the effectiveness of such tool in providing such information based on the criteria developed pursuant to section 4202(a); and*

*''(C) the criteria developed under section 4202(a) (including any updates to such criteria).*

*''(3) An assessment of the stockpile stewardship program under section 4201 by the Administrator, in consultation with the directors of the national security laboratories, which shall set forth—*

*''(A) an identification and description of—*

*''(i) any key technical challenges to the stockpile stewardship program; and*

*''(ii) the strategies to address such challenges without the use of nuclear testing;*

*''(B) a strategy for using the science-based tools (including advanced simulation and computing capabilities) of each national security*

*laboratory to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of nuclear testing.*

*''(C) an assessment of the science-based tools (including advanced simulation and computing capabilities) of each national security laboratory that exist at the time of the assessment compared with the science-based tools expected to exist during the period covered by the future-years nuclear security program; and*

*''(D) an assessment of the core scientific and technical competencies required to achieve the objectives of the stockpile stewardship program and other weapons activities and weapons-related activities of the Administration, including—*

*''(i) the number of scientists, engineers, and technicians, by discipline, required to maintain such competencies; and*

*''(ii) a description of any shortage of such individuals that exists at the time of the assessment compared with any shortage expected to exist during the period covered by the future-years nuclear security program.*

*''(4) With respect to the nuclear security infrastructure—*

*''(A) a description of the modernization and refurbishment measures the Administrator determines necessary to meet the requirements prescribed in—*

*''(i) the national security strategy of the United States as set forth in the most recent national security strategy report of the President under section 108 of the National Security Act of 1947 (50 U.S.C. 404a) if such strategy has been submitted as of the date of the plan;*

*''(ii) the most recent quadrennial defense review if such strategy has not been submitted as of the date of the plan; and*

*''(iii) the most recent nuclear posture review as of the date of the plan;*

*''(B) a schedule for implementing the measures described under subparagraph (A) during the 10-year period following the date of the plan; and*

*''(C) the estimated levels of annual funds the Administrator determines necessary to carry out the measures described under subparagraph (A), including a discussion of the criteria, evidence, and strategies on which such estimated levels of annual funds are based.*

*''(5) With respect to the nuclear test readiness of the United States—*

*''(A) an estimate of the period of time that would be necessary for the Administrator to conduct an underground test of a nuclear weapon once directed by the President to conduct such a test;*

*''(B) a description of the level of test readiness that the Administrator, in consultation with the Secretary of Defense, determines to be appropriate;*

*''(C) a list and description of the workforce skills and capabilities that are essential to carrying out an underground nuclear test at the Nevada National Security Site;*

*''(D) a list and description of the infrastructure and physical plants that are essential to carrying out an underground nuclear test at the Nevada National Security Site; and*

*''(E) an assessment of the readiness status of the skills and capabilities described in subparagraph (C) and the infrastructure and physical plants described in subparagraph (D).*

*''(6) With respect to the program established under section 4207(b), a description of the progress made to the date of the report in achieving the purposes of such program.*

*''(7) Identification of any modifications or updates to the plan since the previous summary or detailed report was submitted under subsection (b).*

*''(e) NUCLEAR WEAPONS COUNCIL ASSESSMENT.—(1) For each detailed report on the plan submitted under subsection (b)(2), the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall conduct an assessment that includes the following:*

*''(A) An analysis of the plan, including—*

*''(i) whether the plan supports the requirements of the national security strategy of the United States or the most recent quadrennial defense review, as applicable under subsection (d)(4)(A), and the Nuclear Posture Review; and*

*''(ii) whether the modernization and refurbishment measures described under subparagraph (A) of paragraph (4) and the schedule described under subparagraph (B) of such paragraph are adequate to support such requirements.*

*''(B) An analysis of whether the plan adequately addresses the requirements for infrastructure recapitalization of the facilities of the nuclear security enterprise.*

*''(C) If the Nuclear Weapons Council determines that the plan does not adequately support modernization and refurbishment requirements under subparagraph (A) or the nuclear security enterprise facilities infrastructure recapitalization requirements under subparagraph (B), a risk assessment with respect to—*

*''(i) supporting the annual certification of the nuclear weapons stockpile; and*

*''(ii) maintaining the long-term safety, security, and reliability of the nuclear weapons stockpile.*

*''(2) Not later than 180 days after the date on which the Administrator submits the plan under subsection (b)(2), the Nuclear Weapons Council shall submit to the congressional defense committees a report detailing the assessment required under paragraph (1).*

*''(f) DEFINITIONS.—In this section:*

*''(1) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.*

*''(2) The term 'future-years nuclear security program' means the program required by section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).*

*''(3) The term 'nuclear security budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Administrator for the National Nuclear Security Administration in support of the budget for that fiscal year.*

*''(4) The term 'quadrennial defense review' means the review of the defense programs and policies of the United States that is carried out every four years under section 118 of title 10, United States Code.*

*''(5) The term 'weapons activities' means each activity within the budget category of weapons activities in the budget of the National Nuclear Security Administration.*

*''(6) The term 'weapons-related activities' means each activity under the Department of Energy that involves nuclear weapons, nuclear weapons technology, or fissile or radioactive materials, including activities related to—*

*''(A) nuclear nonproliferation;*

*''(B) nuclear forensics;*

*''(C) nuclear intelligence;*

*''(D) nuclear safety; and*

*''(E) nuclear incident response.''.*

*(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4203 and inserting the following new item:*

*''Sec. 4203. Nuclear weapons stockpile stewardship, management, and infrastructure plan.''.*

*(b) REPEAL OF REQUIREMENT FOR BIENNIAL REPORT ON STOCKPILE STEWARDSHIP CRITERIA.—*

*(1) IN GENERAL.—Section 4202 of the Atomic Energy Defense Act (50 U.S.C. 2522) is amended by striking subsections (c) and (d).*

*(2) TECHNICAL AMENDMENT.—The heading of such section is amended to read as follows: ''**stockpile stewardship criteria**''.*

*(3) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4202 and inserting the following new item:*

*''Sec. 4202. Stockpile stewardship criteria.''.*

*(c) REPEAL OF REQUIREMENT FOR BIENNIAL PLAN ON MODERNIZATION AND REFURBISHMENT OF THE NUCLEAR SECURITY COMPLEX.—Section 4203A of the Atomic Energy Defense Act (50 U.S.C. 2523A) is repealed.*

*(d) REPEAL OF REQUIREMENT FOR ANNUAL UPDATE TO STOCKPILE MANAGEMENT PROGRAM PLAN.—Section 4204 of the Atomic Energy Defense Act (50 U.S.C. 2524) is amended—*

*(1) by striking subsections (c) and (d); and*

*(2) by redesignating subsection (e) as subsection (c).*

*(e) NUCLEAR TEST BAN READINESS PROGRAM.—Section 4207 of the Atomic Energy Defense Act (50 U.S.C. 2527) is amended by striking subsection (e).*

*(f) REPEAL OF REQUIREMENT FOR REPORTS ON NUCLEAR TEST READINESS.—*

*(1) AEDA.—*

*(A) IN GENERAL.—Section 4208 of the Atomic Energy Defense Act (50 U.S.C. 2528) is repealed.*

*(B) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4208.*

*(2) NDAA FISCAL YEAR 1996.—Section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 623) is repealed.*

***SEC. 3135. REPEAL OF CERTAIN REPORTING REQUIREMENTS.***

*(a) GAO ENVIRONMENTAL MANAGEMENT REPORTS.—Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713) is amended—*

*(1) in subsection (c)—*

*(A) in paragraph (1), by striking ''The Comptroller'' and all that follows through ''(2),'' and inserting ''Beginning on the date on which the report under subsection (b)(2) is submitted, the Comptroller General shall conduct a review'';*

*(B) by striking paragraph (2);*

*(C) by redesignating paragraph (3) as paragraph (2); and*

*(D) in paragraph (2), as so redesignated, by striking ''the end of the period described in paragraph (2)'' and inserting ''August 30, 2012''; and*

*(2) in subsection (d)—*

*(A) in paragraph (1), by striking ''subsection (c)(3)'' and inserting ''subsection (c)(2)''; and*

*(B) in paragraph (2), by striking ''90 days'' and all that follows through ''(c)(3)'' and inserting ''April 30, 2016, or the date that is 210 days after the date on which all American Recovery and Reinvestment Act funds have been obligated or expended (or are no longer available to be obligated or expended), whichever is earlier''.*

*(b) WORKFORCE RESTRUCTURING PLAN UPDATES.—*

*(1) IN GENERAL.—Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704), as amended by section 3131(q)(1), is amended—*

*(A) in subsection (b)(1), by striking ''and any updates of the plan under subsection (e)'';*

*(B) by striking subsection (e);*

*(C) in subsection (f)—*

*(i) by striking paragraph (2); and*

*(ii) by redesignating paragraph (3), as added by such section 3131(q)(1), as paragraph (2); and*

*(D) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.*

*(2) CONFORMING AMENDMENT.—Section 4643(d)(1) of the Atomic Energy Defense Act (50 U.S.C. 2733(d)(1)) is amended by striking ''section 4604(g)'' and inserting ''section 4604(f)''.*

*(c) UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION QUARTERLY REPORT.—Section 148 of the Atomic Energy Act of 1954 (42 U.S.C. 2168) is amended by striking subsection e.*

***Subtitle D—Reports***

***SEC. 3141. NOTIFICATION OF NUCLEAR CRITICALITY AND NON-NUCLEAR INCIDENTS.***

*(a) NOTIFICATION.—*

*(1) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by adding after section 4645, as added by section 3151, the following new section:*

**"SEC. 4646. NOTIFICATION OF NUCLEAR CRITICALITY AND NON-NUCLEAR INCIDENTS.**

''(a) NOTIFICATION.—The Secretary of Energy and the Administrator, as the case may be, shall submit to the appropriate congressional committees a notification of a nuclear criticality incident resulting from a covered program that results in an injury or fatality or results in the shut-down, or partial shut-down, of a covered facility by not later than 15 days after the date of such incident.

''(b) ELEMENTS OF NOTIFICATION.—Each notification submitted under subsection (a) shall include the following:

''(1) A description of the incident, including the cause of the incident.

''(2) In the case of a criticality incident, whether the incident caused a facility, or part of a facility, to be shut-down.

''(3) The affect, if any, on the mission of the Administration or the Office of Environmental Management of the Department of Energy.

''(4) Any corrective action taken in response to the incident.

''(c) DATABASE.—(1) The Secretary and the Administrator shall each maintain a record of incidents described in paragraph (2).

''(2) An incident described in this paragraph is any of the following incidents resulting from a covered program:

''(A) A nuclear criticality incident that results in an injury or fatality or results in the shut-down, or partial shut-down, of a covered facility.

''(B) A non-nuclear incident that results in serious bodily injury or fatality at a covered facility.

''(d) COOPERATION.—In carrying out this section, the Secretary and the Administrator shall ensure that each management and operating contractor of a covered facility cooperates in a timely manner.

''(e) DEFINITIONS.—In this section:

''(1) The term 'appropriate congressional committees' means—

''(A) the congressional defense committees; and

''(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

''(2) The term 'covered facility' means—

''(A) a facility of the nuclear security enterprise; and

''(B) a facility conducting activities for the defense environmental cleanup program of the Office of Environmental Management of the Department of Energy.

''(3) The term 'covered program' means—

''(A) programs of the Administration; and

''(B) defense environmental cleanup programs of the Office of Environmental Management of the Department of Energy.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4645 the following new item:

''Sec. 4646. Notification of nuclear criticality and non-nuclear incidents.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security shall each submit to the appropriate congressional committees a report detailing any incidents described in paragraph (2) that occurred during the 10-year period before the date of the report.

(2) INCIDENTS DESCRIBED.—An incident described in this paragraph is any of the following incidents that occurred as a result of programs of the National Nuclear Security Administration or defense environmental cleanup programs of the Office of Environmental Management of the Department of Energy:

(A) A nuclear criticality incident that resulted in an injury or fatality or resulted in the shut-down, or partial shut-down, of a facility of the nuclear security enterprise or a facility conducting activities for such defense environmental cleanup programs.

(B) A non-nuclear incident that results in serious bodily injury or fatality at such a facility.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

**SEC. 3142. REPORTS ON LIFETIME EXTENSION PROGRAMS.**

(a) PROTOTYPES.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by inserting after section 4214 the following new section:

**"SEC. 4215. REPORTS ON LIFETIME EXTENSION PROGRAMS.**

''(a) REPORTS REQUIRED.—Before proceeding beyond phase 6.2 activities with respect to any lifetime extension program, the director of the national security laboratory responsible for such program shall submit to the congressional defense committees a report on the lifetime extension option selected for such program, including—

''(1) whether such option selected is refurbishment, reuse, or replacement; and

''(2) why such option was selected, including an assessment of the advantages and disadvantages of the two options not selected.

''(b) PHASE 6.2 ACTIVITIES DEFINED.—In this section, the term 'phase 6.2 activities' means, with respect to a lifetime extension program, the phase 6.2 feasibility study and option down-select.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4214 the following new item:

''Sec. 4215. Reports on lifetime extension programs.''.

**SEC. 3143. NATIONAL ACADEMY OF SCIENCES STUDY ON PEER REVIEW AND DESIGN COMPETITION RELATED TO NUCLEAR WEAPONS.**

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the National Academy of Sciences to conduct a study of peer review and design competition related to nuclear weapons.

(b) ELEMENTS.—The study required by subsection (a) shall include an assessment of—

(1) the quality and effectiveness of peer review of designs, development plans, engineering and scientific activities, and priorities related to both nuclear and non-nuclear aspects of nuclear weapons;

(2) incentives for effective peer review;

(3) the potential effectiveness, efficiency, and cost of alternative methods of conducting peer review and design competition related to both nuclear and non-nuclear aspects of nuclear weapons, as compared to current methods;

(4) the known instances where current peer review practices and design competition succeeded or failed to find problems or potential problems; and

(5) such other matters related to peer review and design competition related to nuclear weapons as the Administrator considers appropriate.

(c) COOPERATION AND ACCESS TO INFORMATION AND PERSONNEL.—The Administrator shall ensure that the National Academy of Sciences receives full and timely cooperation, including full access to information and personnel, from the National Nuclear Security Administration and the management and operating contractors of the Administration for the purposes of conducting the study under subsection (a).

(d) REPORT.—

(1) IN GENERAL.—The National Academy of Sciences shall submit to the Administrator a report containing the results of the study conducted under subsection (a) and any recommendations resulting from the study.

(2) SUBMITTAL TO CONGRESS.—Not later than December 15, 2014, the Administrator shall submit to the Committees on Armed Services of the House of Representatives and Senate the report submitted under paragraph (1) and any comments or recommendations of the Administrator with respect to the report.

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

**SEC. 3144. REPORT ON DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS.**

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1 of each year from 2013 through 2015, the Administrator for Nuclear Security shall submit to the appropriate congressional committees a report on the budget, objectives, and metrics of the defense nuclear nonproliferation programs of the National Nuclear Security Administration.

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

(A) An identification and explanation of uncommitted balances that are more than the acceptable carryover thresholds, as determined by the Secretary of Energy, on a program-by-program basis.

(B) An identification of foreign countries that are sharing the cost of implementing defense nuclear nonproliferation programs, including an explanation of such cost sharing.

(C) A description of objectives and measurements for each defense nuclear nonproliferation program.

(D) A description of the proliferation of nuclear weapons threat and how each defense nuclear nonproliferation program activity counters the threat.

(E) A description and assessment of nonproliferation activities coordinated with the Department of Defense to maximize efficiency and avoid redundancies.

(F) A description of how the defense nuclear nonproliferation programs are prioritized to meet the most urgent nonproliferation requirements.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(c) FORM.—The report required by subsection (a)(1) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 3145. STUDY ON REUSE OF PLUTONIUM PITS.**

(a) STUDY.—Not later than 120 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a study of plutonium pits, including—

(1) the availability of plutonium pits—

(A) as of the date of the report; and

(B) after such date as a result of the dismantlement of nuclear weapons; and

(2) an assessment of the potential for reusing plutonium pits in future life extension programs.

(b) MATTERS INCLUDED.—The study submitted under subsection (a) shall include the following:

(1) The feasibility and practicability of potential full or partial reuse options with respect to plutonium pits.

(2) The benefits and risks of reusing plutonium pits.

(3) The potential costs and cost savings of such reuse.

(4) The effects of such reuse on the requirements for plutonium pit manufacturing.

**Subtitle E—Other Matters**

**SEC. 3151. USE OF PROBABILISTIC RISK ASSESSMENT TO ENSURE NUCLEAR SAFETY.**

(a) IN GENERAL.—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended by adding after section 4644 the following new section:

**"SEC. 4645. USE OF PROBABILISTIC RISK ASSESSMENT TO ENSURE NUCLEAR SAFETY OF FACILITIES OF THE ADMINISTRATION AND THE OFFICE OF ENVIRONMENTAL MANAGEMENT.**

''(a) NUCLEAR SAFETY AT NNSA AND DOE FACILITIES.—The Administrator and the Secretary of Energy shall ensure that the methods for assessing, certifying, and overseeing nuclear safety at the facilities specified in subsection (b) use national and international standards and nuclear industry best practices, including probabilistic or quantitative risk assessment if sufficient data exists.

''(b) FACILITIES SPECIFIED.—Subsection (a) shall apply—

''(1) to the Administrator with respect to the national security laboratories and the nuclear weapons production facilities; and

''(2) to the Secretary of Energy with respect to defense nuclear facilities of the Office of Environmental Management of the Department of Energy.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4644 the following new item:

''Sec. 4645. Use of probabilistic risk assessment to ensure nuclear safety of facilities of the Administration and the Office of Environmental Management.''.

**SEC. 3152. ADVICE TO PRESIDENT AND CONGRESS REGARDING SAFETY, SECURITY, AND RELIABILITY OF UNITED STATES NUCLEAR WEAPONS STOCKPILE AND NUCLEAR FORCES.**

(a) IN GENERAL.—Section 1305 of the National Defense Authorization Act for Fiscal Year 1998 (42 U.S.C. 7274p) is—

(1) transferred to the Atomic Energy Defense Act (50 U.S.C. 2501 et seq.);

(2) inserted after section 4215 of such Act, as added by section 3142(a);

(3) redesignated as section 4216; and

(4) amended—

(A) by amending subsection (f) to read as follows:

''(f) EXPRESSION OF INDIVIDUAL VIEWS.—No individual, including representatives of the President, may take any action against, or otherwise constrain, a director of a national security laboratory or a nuclear weapons production facility, a member of the Joint Nuclear Weapons Council, or the Commander of United States Strategic Command from presenting the professional views of the individual to the President, the National Security Council, or Congress regarding—

''(1) the safety, security, reliability, or credibility of the nuclear weapons stockpile and nuclear forces; or

''(2) the status of, and plans for, the capabilities and infrastructure that support and sustain the nuclear weapons stockpile and nuclear forces.''; and

(B) by redesignating subsection (g) as subsection (h); and

(C) by inserting after subsection (f) the following new subsection (g):

''(g) DELIVERY OF CLASSIFIED INFORMATION TO CONGRESS.—(1) The directors of the national security laboratories, the directors of the nuclear weapons production facilities, the members of the Joint Nuclear Weapons Council, and the Commander of the United States Strategic Command are each authorized to provide directly to Congress classified information with respect to matters described by paragraphs (1) or (2) of subsection (f).

''(2) The Administrator and Secretary of Defense shall ensure that direct classified mail channels are established between the national security laboratories, nuclear weapons production facilities, members of the Joint Nuclear Weapons Council, the United States Strategic Command, and the congressional defense committees to carry out this subsection.''.

(b) CONFORMING AMENDMENT.—Section 4215 of the Atomic Energy Defense Act, as added by subsection (a), is amended—

(1) by striking ''nuclear weapons laboratories'' each place it appears and inserting ''national security laboratories'';

(2) by striking ''nuclear weapons laboratory'' each place it appears and inserting ''national security laboratory'';

(3) by striking ''nuclear weapons production plants'' each place it appears and inserting ''nuclear weapons production facilities'';

(4) by striking ''nuclear weapons production plant'' each place it appears and inserting ''nuclear weapons production facility''; and

(5) by amending subsection (h), as redesignated by subsection (a)(4)(B), to read as follows:

''(h) REPRESENTATIVE OF THE PRESIDENT DEFINED.—In this section, the term 'representative of the President' means the following:

''(1) Any official of the Department of Defense or the Department of Energy who is appointed by the President and confirmed by the Senate.

''(2) Any member or official of the National Security Council.

''(3) Any member or official of the Joint Chiefs of Staff.

''(4) Any official of the Office of Management and Budget.''.

(c) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4215 the following new item:

''Sec. 4216. Advice to President and Congress regarding safety, security, and reliability of United States nuclear weapons stockpile.''.

**SEC. 3153. CLASSIFICATION OF CERTAIN RESTRICTED DATA.**

Section 142 of the Atomic Energy Act of 1954 (42 U.S.C. 2162) is amended—

(1) in subsection d.—

(A) by inserting ''(1)'' before ''The Commission''; and

(B) by adding at the end the following:

''(2) The Commission may restore to the Restricted Data category information related to the design of nuclear weapons (in this subsection referred to as 'design information') removed under paragraph (1) if the Commission and the Department of Defense jointly determines that—

''(A) the programmatic requirements that caused the design information to be removed from the Restricted Data category are no longer applicable or have diminished;

''(B) the design information would be more appropriately protected as Restricted Data; and

''(C) restoring the design information to the Restricted Data category is in the interest of national security.

''(3) In carrying out paragraph (2), design information shall be restored to the Restricted Data category in accordance with regulations implemented pursuant to this section.''; and

(2) in subsection e.—

(A) by inserting ''(1)'' before ''The Commission'';

(B) by striking ''Central'' and inserting ''National''; and

(C) by adding at the end the following:

''(2) The Commission may restore to the Restricted Data category information related to foreign nuclear programs (in this subsection referred to as 'foreign nuclear information') removed under paragraph (1) if the Commission and the Director of National Intelligence jointly determine that—

''(A) the programmatic requirements that caused the foreign nuclear information to be removed from the Restricted Data category are no longer applicable or have diminished;

''(B) the foreign nuclear information would be more appropriately protected as Restricted Data; and

''(C) restoring the foreign nuclear information to the Restricted Data category is in the interest of national security.

''(3) In carrying out paragraph (2), foreign nuclear information shall be restored to the Restricted Data category in accordance with regulations implemented pursuant to this section.''.

**SEC. 3154. INDEPENDENT COST ASSESSMENTS FOR LIFE EXTENSION PROGRAMS, NEW NUCLEAR FACILITIES, AND OTHER MATTERS.**

(a) COST ASSESSMENT.—To inform the decisions made by the Nuclear Weapons Council established by section 179 of title 10, United States Code, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation and in coordination with the Administrator for Nuclear Security, shall assess the cost of options and alternatives for—

(1) new nuclear weapon life extension programs; and

(2) new nuclear facilities within the nuclear security enterprise that are estimated to cost more than $500,000,000.

(b) REPORT.—Not later than 30 days after the date on which each assessment conducted under subsection (a) is completed, the Administrator for Nuclear Security and the Secretary of Defense shall jointly submit to the congressional defense committees a report containing the results of such assessment.

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

(d) AUTHORITY FOR FURTHER ASSESSMENTS.—Upon the request of the Administrator for Nuclear Security, the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation and in consultation with the Administrator, may conduct a cost assessment of any initiative of the National Nuclear Security Administration that is estimated to cost more than $500,000,000.

**SEC. 3155. ASSESSMENT OF NUCLEAR WEAPON PIT PRODUCTION REQUIREMENT.**

(a) ASSESSMENT.—The Secretary of Defense and the Secretary of Energy, in coordination with the Commander of the United States Strategic Command, shall jointly assess the annual plutonium pit production requirement needed to sustain a safe, secure, and reliable nuclear weapon arsenal.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to the congressional defense committees a report regarding the assessment conducted under section (a), including—

(A) an explanation of the rationale and assumptions that led to the current 50 to 80 plutonium pit production requirement, including the factors considered in determining such requirement;

(B) an analysis of whether there are any changes to the current 50 to 80 plutonium pit production requirement, including the reasons for any such changes;

(C) the implications for national security, for maintaining the nuclear weapons stockpile (including the impact on options available for life extension programs), and for costs of having pit production capacity at—

(i) 10 to 20 pits per year;

(ii) 20 to 30 pits per year;

(iii) 30 to 50 pits per year; and

(iv) 50 to 80 pits per year; and

(D) the implications of various pit production capacities on the requirements for the nuclear weapon hedge or reserve forces of the United States.

(2) UPDATE.—If the report under paragraph (1) does not incorporate the results of the Nuclear Posture Review Implementation Study, the Secretary of Defense and the Secretary of Energy, in coordination with the Commander of the United States Strategic Command, shall jointly submit to the congressional defense committees an update to the report under paragraph (1) that incorporates the results of such study by not later than 90 days after the date on which such committees receive such study.

(c) FORM.—The reports under paragraphs (1) and (2) of subsection (b) shall be submitted in unclassified form, but may include a classified annex.

***SEC. 3156. INTELLECTUAL PROPERTY RELATED TO URANIUM ENRICHMENT.***

*(a) IN GENERAL.—Subject to subsection (b), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 for defense nuclear nonproliferation, the Secretary of Energy may make available not more than $150,000,000 for the development and demonstration of domestic national-security-related enrichment technologies as provided in subsection (c).*

*(b) CERTIFICATION.—Not later than 30 days before the date on which the Secretary makes an amount available under subsection (a), the Secretary shall submit to the congressional defense committees—*

*(1) written certification that such amount is needed for national security purposes; and*

*(2) a description of such purposes.*

*(c) ADMINISTRATION.—An amount made available by the Secretary under subsection (a) shall be used to provide, directly or indirectly, Federal funds, resources, or other assistance for the research, development, or deployment of domestic national-security-related enrichment technology, subject to the following requirements:*

*(1) The Secretary shall provide such assistance using merit selection procedures.*

*(2) The Secretary may provide such assistance only if the Secretary executes an agreement with the recipient (or any affiliate, successor, or assignee) of such funds, resources, or other assistance (in this section referred to as the ''recipient'') that requires—*

*(A) the achievement of specific technical criteria by the recipient by specific dates not later than June 30, 2014;*

*(B) that the recipient—*

*(i) immediately upon execution of the agreement, grant to the United States for use by or on behalf of the United States, through the Secretary, a royalty-free, non-exclusive license in all enrichment-related intellectual property and associated technical data owned, licensed, or otherwise controlled by the recipient as of the date of the enactment of this Act, or thereafter developed or acquired to meet the requirements of the agreement;*

*(ii) amend any existing agreement between the Secretary and the recipient to permit the Secretary to use or permit third parties on behalf of the Secretary to use intellectual property and associated technical data related to the award of funds, resources, or other assistance royalty-free for Government purposes, including completing or operating enrichment technologies and using them for national defense purposes, including providing nuclear material to operate commercial nuclear power reactors for tritium production; and*

*(iii) as soon as practicable, deliver to the Secretary all technical information and other documentation in its possession or control necessary to permit the Secretary to use all intellectual property related to domestic enrichment technologies described in this subparagraph; and*

*(C) any other condition or restriction the Secretary determines necessary to protect the interests of the United States.*

*(d) CONTROL OF PROPERTY.—If the Secretary determines that a recipient has not achieved the technical criteria required under an agreement under subsection (c)(2) by the date specified pursuant to subparagraph (A) of such subsection, the recipient shall, as soon as practicable, surrender custody, possession, and control, or return, as appropriate, any real or personal property owned or leased by the recipient, to the Secretary in connection with the deployment of enrichment technology, along with all capital improvements, equipment, fixtures, appurtenances, and other improvements thereto, and any further obligation by the Secretary under any such lease shall terminate.*

*(e) APPLICATION OF REQUIREMENTS.—The limitations and requirements in this section shall apply to funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any fiscal year thereafter for the development and demonstration of domestic national security-related enrichment technology.*

*(f) EXCEPTION.—Subsections (c) and (d) shall not apply with respect to the issuance of any loan guarantee pursuant to section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513).*

***SEC. 3157. SENSE OF CONGRESS ON COMPETITION AND FEES RELATED TO THE MANAGEMENT AND OPERATING CONTRACTS OF THE NUCLEAR SECURITY ENTERPRISE.***

*It is the sense of Congress that—*

*(1) in the past decade, competition of the management and operating contracts for the national security laboratories has resulted in significant increases in fees paid to the contractors—funding that otherwise could be used to support program and mission activities of the National Nuclear Security Administration;*

*(2) competition of the management and operating contracts of the nuclear security enterprise is an important mechanism to help realize cost savings, seek efficiencies, improve performance, and hold contractors accountable;*

*(3) when the Administrator for Nuclear Security considers it appropriate to achieve these goals, the Administrator should conduct competition of these contracts while recognizing the unique nature of federally funded research and development centers; and*

*(4) the Administrator should ensure that fixed fees and performance-based fees contained in management and operating contracts are as low as possible to maintain a focus on national service while attracting high-quality contractors and achieving the goals of the competition.*

## *TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

***SEC. 3201. AUTHORIZATION.***

*There is authorized to be appropriated for fiscal year 2013 $31,415,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).*

***SEC. 3202. IMPROVEMENTS TO THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD.***

*(a) ESTABLISHMENT.—Section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended—*

*(1) in subsection (b)—*

*(A) in paragraph (3), by striking ''Energy or any contractor of the Department of Energy'' and inserting ''Energy, the National Nuclear Security Administration, or any contractor of the Department or Administration''; and*

*(B) by striking paragraph (4);*

*(2) in subsection (c)—*

*(A) in the heading, by striking ''AND VICE CHAIRMAN'' and inserting '', VICE CHAIRMAN, AND MEMBERS'';*

*(B) in paragraph (2), by striking ''The Chairman'' and inserting ''In accordance with paragraphs (5) and (6), the Chairman''; and*

*(C) by adding at the end the following new paragraphs:*

*''(5) Each member of the Board, including the Chairman and Vice Chairman, shall—*

*''(A) have equal responsibility and authority in establishing decisions and determining actions of the Board regarding recommendations, budgets, senior staff, hearings and witnesses, investigations, subpoenas, and setting policies and regulations governing operations of the Board;*

*''(B) have full, simultaneous access to all information relating to the performance of the Board's functions, powers, and mission; and*

*''(C) have one vote.*

*''(6) Any member of the Board may propose an individual to be appointed to a senior staff position of the Board and require a determination by the Board under paragraph (5)(A) on whether such individual shall be appointed.'';*

*(3) in subsection (d)—*

*(A) in paragraph (1), by striking ''Except as provided under paragraph (2), the'' and inserting ''The'';*

*(B) by striking paragraph (2); and*

*(C) by redesignating paragraph (3) as paragraph (2); and*

*(4) by amending subsection (e) to read as follows:*

*''(e) QUORUM.—(1) Three members of the Board shall constitute a quorum.*

*''(2) A quorum shall be required to take the actions of the Board described in subsection (c)(5)(A).''.*

*(b) MISSION AND FUNCTIONS.—*

*(1) IN GENERAL.—Section 312 of the Atomic Energy Act of 1954 (42 U.S.C. 2286a) is amended—*

*(A) in the heading, by inserting ''mission and'' before ''functions'';*

*(B) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively;*

*(C) by inserting before subsection (b), as so redesignated, the following new subsection (a):*

*''(a) MISSION.—The mission of the Board shall be to provide independent analysis, advice, and recommendations to the Secretary of Energy to ensure that—*

*''(1) risks to public health and safety at the defense nuclear facilities of the Department of Energy are as low as reasonably practicable; and*

*''(2) public health and safety are adequately protected.'';*

*(D) in subsection (b), as so redesignated—*

*(i) in the heading, by striking ''IN GENERAL'' and inserting ''FUNCTIONS'';*

*(ii) in paragraph (1), by inserting ''risks to public health and safety are as low as reasonably practicable and'' after ''to ensure that'';*

*(iii) in paragraph (4), by striking ''to ensure adequate protection of public health and safety'' each place it appears and inserting ''to ensure that risks to public health and safety are as low as reasonably practicable and public health and safety are adequately protected''; and*

*(iv) in paragraph (5)—*

*(I) by striking ''to ensure adequate protection of public health and safety'' and inserting ''to ensure that risks to public health and safety are as low as reasonably practicable and public health and safety are adequately protected'';*

*(II) by inserting '', and specifically assess,'' after ''shall consider''; and*

*(III) by inserting '', the costs and benefits, and the practicability'' after ''economic feasibility''.*

*(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Act of 1954 is amended by striking the item relating to section 312 and inserting the following new item:*

*''Sec. 312. Mission and functions of the board.''.*

*(c) POWERS.—Section 313 of the Atomic Energy Act of 1954 (42 U.S.C. 2286b) is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (1), by striking ''or a member authorized by the Board''; and*

*(B) in paragraph (2)(A), by striking the first sentence and inserting the following: ''Subpoenas may be issued only with the approval of a majority of the members of the Board and shall be served by any person designated by the Chairman, any member, or any person as otherwise provided by law.''; and*

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

*''(3) Of the funds appropriated to the Board to carry out this chapter, each member of the Board, other than the Chairman, may employ at least one technical advisor to serve in the immediate office of the member to provide assistance to the member in carrying out the responsibilities of the member under this chapter. If employed in the immediate office of a member, such advisor shall report to such member and, notwithstanding section 311(c)(2)(A), may not be subject to the appointment, direction, or supervision of the Chairman.''; and*

*(3) in subsection (j)(2), by striking ''section 312(1)'' and inserting ''section 312(b)(1)''.*

*(d) BOARD RECOMMENDATIONS.—Section 315 of the Atomic Energy Act of 1954 (42 U.S.C. 2286d) is amended to read as follows:*

***"SEC. 315. BOARD RECOMMENDATIONS.***

*''(a) DRAFTS AND SUBMISSION OF RECOMMENDATIONS.—(1) Subject to subsections (f) and (g), the Board shall submit to the Secretary of Energy a draft of any recommendations under section 312 and any related findings, supporting data, and analyses before the date on which such recommendations are finalized.*

*''(2) The Secretary may provide to the Board comments on the recommendations not later than 45 days after the date on which the Secretary receives the draft submission of the Board under paragraph (1). The Board may grant, upon request by the Secretary, not more than an additional 30 days for the Secretary to submit comments to the Board.*

*''(3) After the period of time in which the Secretary may provide recommendations under paragraph (2) elapses, the Board may publish in the Federal Register either the original or a revised version of the recommendations based on the comments of the Secretary, together with a request for the submission to the Board of public comments on such recommendations. Interested persons shall have 30 days after the date of publication in which to submit comments, data, views, or arguments to the Board concerning the recommendations. The Board shall furnish the Secretary with copies of all comments, data, views, and arguments submitted to it under this paragraph.*

*''(b) DISPOSITION OF RECOMMENDATIONS.—(1) Not later than 60 days after publication of the recommendations under subsection (a)(3), the Secretary of Energy shall publish in the Federal Register and transmit to the Board, in writing, a statement of the final decision of the Secretary with respect to whether the Secretary accepts or rejects, in whole or in part, such recommendations, including a description of any actions to be taken in response to the recommendations, any expected schedule, cost, technical, or program impacts of such recommendations, and the views of the Secretary regarding such recommendations. The Board may grant, upon request by the Secretary, not more than an additional 30 days for the Secretary to transmit such statement to the Board.*

*''(2) The Board may hold hearings for the purpose of obtaining public comments on its recommendations and the disposition of such recommendations by the Secretary of Energy.*

*''(c) REJECTION OF RECOMMENDATIONS.—If the Secretary of Energy, in a statement under subsection (b)(1), rejects (in whole or part) any recommendation made by the Board under subsection (a), the Board may transmit to the Secretary and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a letter describing the views and perspectives of the Board regarding the Secretary's disposition of the Board's recommendations.*

*''(d) IMPLEMENTATION PLAN.—The Secretary of Energy shall prepare a plan for the implementation of each Board recommendation, or part of a recommendation, that is accepted by the Secretary in the statement under subsection (b)(1). Not later than 120 days after the date on which such statement is published, the Secretary shall transmit to the Board such implementation plan. The Secretary may implement any such recommendation (or part of any such recommendation) before, on, or after the date on which the Secretary transmits the implementation plan to the Board under this subsection.*

*''(e) IMPLEMENTATION.—(1) Subject to paragraph (2), not later than one year after the date on which the Secretary of Energy transmits an implementation plan with respect to a recommendation (or part thereof) under subsection (d), the Secretary shall carry out and complete the implementation plan. If complete implementation of the plan takes more than one year, the Secretary of Energy shall submit a report to the Committees on Armed Services and on Appropriations of the Senate and the House of Representatives setting forth the reasons for the delay and when implementation will be completed.*

*''(2) If the Secretary of Energy determines that the implementation of a Board recommendation (or part thereof) is impracticable because of budgetary considerations, or that the implementation would affect the Secretary's ability to meet the annual nuclear weapons stockpile requirements established pursuant to section 91 of this Act, the Secretary shall submit to the President and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a report containing the recommendation and the Secretary's determination.*

*''(f) IMMINENT OR SEVERE THREAT.—(1) In any case in which the Board determines that a recommendation submitted to the Secretary of Energy under section 312 relates to an imminent or severe threat to public health and safety, the Board and the Secretary of Energy shall proceed under this subsection in lieu of subsections (a) and (b).*

*''(2) The Board shall transmit to the President, the Secretary of Defense, and the Secretary of Energy a recommendation relating to an imminent or severe threat to public health and safety. Not later than 15 days after the date on which such recommendation is received, the Secretary of Energy shall submit the comments and views of the Secretary to the President. The President shall review such comments and views and shall make the decision concerning the acceptance or rejection of the Board's recommendation.*

*''(3) After receipt by the President of the recommendation from the Board under this subsection, the Board shall promptly make such recommendation available to the public and shall submit such recommendation to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives. The President shall promptly notify such committees of the decision made by the President under paragraph (2) and the reasons for that decision.*

*''(g) LIMITATION.—Notwithstanding any other provision of this section, the requirements to make information available to the public under this section—*

*''(1) shall not apply in the case of information that is classified; and*

*''(2) shall be subject to the orders and regulations issued by the Secretary of Energy under sections 147 and 148 of this Act to prohibit dissemination of certain information.''.*

*(e) REPORTS.—Section 316 of the Atomic Energy Act of 1954 (42 U.S.C. 2286e) is amended by striking ''to the Speaker of'' each place it appears.*

*(f) INFORMATION TO CONGRESS.—Section 320 of the Atomic Energy Act of 1954 (42 U.S.C. 2286h–1) is amended by striking ''the Congress'' and inserting ''Committees on Armed Services and Appropriations of the Senate and the House of Representatives''.*

*(g) INSPECTOR GENERAL.—Chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.) is amended by adding at the end the following new section:*

***"SEC. 322. INSPECTOR GENERAL.***

*''The Board shall enter into an agreement with an agency of the Federal Government to procure the services of the Inspector General of such agency for the Board.''.*

## *TITLE XXXIV—NAVAL PETROLEUM RESERVES*

***SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.***

*(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $14,909,000 for fiscal year 2013 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.*

*(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.*

## *TITLE XXXV—MARITIME ADMINISTRATION*

***SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2013.***

*Funds are hereby authorized to be appropriated for fiscal year 2013, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:*

*(1) For expenses necessary for operations of the United States Merchant Marine Academy, $77,253,000, of which—*

*(A) $67,253,000 shall remain available until expended for Academy operations; and*

*(B) $10,000,000 shall remain available until expended for capital asset management at the Academy.*

*(2) For expenses necessary to support the State maritime academies, $16,045,000, of which—*

*(A) $2,400,000 shall remain available until expended for student incentive payments;*

*(B) $2,545,000 shall remain available until expended for direct payments to such academies; and*

*(C) $11,100,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.*

*(3) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $12,717,000, to remain available until expended.*

*(4) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $186,000,000.*

*(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 6661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,750,000, all of which shall remain available until expended for administrative expenses of the program.*

***SEC. 3502. APPLICATION OF THE FEDERAL ACQUISITION REGULATION.***

*Section 3502(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, as enacted into law by Public Law 106–398 (114 Stat. 1645A–490), is amended by striking ''the enactment of this Act'' and inserting ''contract award''.*

***SEC. 3503. PROCUREMENT OF SHIP DISPOSAL.***

*Section 113(e)(15) of title 40, United States Code, is amended—*

*(1) by inserting ''disposal for recycling and all contracts related thereto (including contracts for towing, dry-docking, sale or purchase of services for recycling, or management of vessels during disposal),'' after ''charter, construction, reconstruction,'';*

*(2) by striking ''merchant''; and*

*(3) by inserting ''and with the Federal Acquisition Regulation'' after ''under this subtitle''.*

***SEC. 3504. LIMITATION OF NATIONAL DEFENSE RESERVE FLEET VESSELS TO THOSE OVER 1,500 GROSS TONS.***

*Section 57101(a) of title 46, United States Code, is amended by inserting ''of 1,500 gross tons or more or such other vessels as the Secretary of Transportation shall determine are appropriate'' after ''Administration''.*

***SEC. 3505. DONATION OF EXCESS FUEL TO MARITIME ACADEMIES.***

*Section 51103(b)(1) of title 46, United States Code, is amended by striking so much as precedes paragraph (2) and inserting the following:*

*''(b) PROPERTY FOR INSTRUCTIONAL PURPOSES.—*

''(1) IN GENERAL.—The Secretary of Transportation may cooperate with and assist the institutions named in paragraph (2) by making vessels, fuel, shipboard equipment, and other marine equipment, owned by the United States Government and determined by the entity having custody and control of such property to be excess or surplus, available to those institutions for instructional purposes, by gift, loan, sale, lease, or charter on terms and conditions the Secretary considers appropriate. The consent of the Secretary of Navy shall be obtained with respect to any property from National Defense Reserve Fleet vessels, 50 U.S.C. App. 1744, where such vessels are either Ready Reserve Force vessels or other National Defense Reserve Fleet vessels determined to be of sufficient value to the Navy to warrant their further preservation and retention.''.

**SEC. 3506. CLARIFICATION OF HEADING.**

(a) IN GENERAL.—The heading of section 57103 of title 46, United States Code, is amended to read as follows:

**''§ 57103. Donation of nonretention vessels in the national defense reserve fleet''.**

(b) CONFORMING AMENDMENT.—The item relating to section 57103 in the analysis of chapter 571 of such title is amended to read as follows:

''57103. Donation of nonretention vessels in the national defense reserve fleet.''.

**SEC. 3507. TRANSFER OF VESSELS TO THE NATIONAL DEFENSE RESERVE FLEET.**

Section 57101 of title 46, United States Code, is amended by adding at the end the following:

''(c) AUTHORITY OF FEDERAL ENTITIES TO TRANSFER VESSELS.—All Federal entities are authorized to transfer vessels to the National Defense Reserve Fleet without reimbursement subject to the approval of the Secretary of Transportation and the Secretary of the Navy with respect to Ready Reserve Force vessels and the Secretary of Transportation with respect to all other vessels.''.

**SEC. 3508. AMENDMENTS RELATING TO THE NATIONAL DEFENSE RESERVE FLEET.**

Subparagraphs (B), (C), and (D) of sections 11(c)(1) of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744(c)(1)) are amended to read as follows:

''(B) activate and conduct sea trials on each vessel at a frequency that is deemed necessary;

''(C) maintain and adequately crew, as necessary, in an enhanced readiness status those vessels that are scheduled to be activated in 5 or less days;

''(D) locate those vessels that are scheduled to be activated near embarkation ports specified for those vessels; and''.

**SEC. 3509. EXTENSION OF MARITIME SECURITY FLEET PROGRAM.**

(a) Section 53101 of title 46, United States Code, is amended—

(1) by amending paragraph (4) to read as follows:

''(4) FOREIGN COMMERCE.—The term foreign commerce means—

''(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country; and

''(B) commerce or trade between foreign countries.'';

(2) by striking paragraph (5);

(3) by redesignating paragraphs (6) through (13) as paragraphs (5) through (12), respectively; and

(4) by amending paragraph (5), as so redesignated, to read as follows:

''(5) PARTICIPATING FLEET VESSEL.—The term participating fleet vessel means any vessel that—

''(A) on October 1, 2015—

''(i) meets the requirements of paragraph (1), (2), (3), or (4) of section 53102(c); and

''(ii) is less than 20 years of age if the vessel is a tank vessel, or is less than 25 years of age for all other vessel types; and

''(B) on December 31, 2014, is covered by an operating agreement under this chapter.''.

(b) Section 53102(b) of such title is amended to read as follows:

''(b) VESSEL ELIGIBILITY.—A vessel is eligible to be included in the Fleet if—

''(1) the vessel meets the requirements of paragraph (1), (2), (3), or (4) of subsection (c);

''(2) the vessel is operated (or in the case of a vessel to be constructed, will be operated) in providing transportation in foreign commerce;

''(3) the vessel is self-propelled and—

''(A) is a tank vessel that is 10 years of age or less on the date the vessel is included in the Fleet; or

''(B) is any other type of vessel that is 15 years of age or less on the date the vessel is included in the Fleet;

''(4) the vessel—

''(A) is suitable for use by the United States for national defense or military purposes in time of war or national emergency, as determined by the Secretary of Defense; and

''(B) is commercially viable, as determined by the Secretary; and

''(5) the vessel—

''(A) is a United States-documented vessel; or

''(B) is not a United States-documented vessel, but—

''(i) the owner of the vessel has demonstrated an intent to have the vessel documented under chapter 121 of this title if it is included in the Fleet; and

''(ii) at the time an operating agreement for the vessel is entered into under this chapter, the vessel is eligible for documentation under chapter 121 of this title.''.

(c) Section 53103 of such title is amended—

(1) by amending subsection (b) to read as follows:

''(b) EXTENSION OF EXISTING OPERATING AGREEMENTS.—

''(1) OFFER TO EXTEND.—Not later than 60 days after the date of enactment of this paragraph, the Secretary shall offer, to an existing contractor, to extend, through September 30, 2025, an operating agreement that is in existence on the date of enactment of this paragraph. The terms and conditions of the extended operating agreement shall include terms and conditions authorized under this chapter, as amended from time to time.

''(2) TIME LIMIT.—An existing contractor shall have not later than 120 days after the date the Secretary offers to extend an operating agreement to agree to the extended operating agreement.

''(3) SUBSEQUENT AWARD.—The Secretary may award an operating agreement to an applicant that is eligible to enter into an operating agreement for fiscal years 2016 through 2025 if the existing contractor does not agree to the extended operating agreement under paragraph (2).''; and

(2) by amending subsection (c) to read as follows:

''(c) PROCEDURE FOR AWARDING NEW OPERATING AGREEMENTS.—The Secretary may enter into a new operating agreement with an applicant that meets the requirements of section 53102(c) (for vessels that meet the qualifications of section 53102(b)) on the basis of priority for vessel type established by military requirements of the Secretary of Defense. The Secretary shall allow an applicant at least 30 days to submit an application for a new operating agreement. After consideration of military requirements, priority shall be given to an applicant that is a United States citizen under section 50501 of this title. The Secretary may not approve an application without the consent of the Secretary of Defense. The Secretary shall enter into an operating agreement with the applicant or provide a written reason for denying the application.''.

(d) Section 53104 of such title is amended—

(1) in subsection (c), by striking paragraph (3); and

(2) in subsection (e), by striking ''an operating agreement under this chapter is terminated under subsection (c)(3), or if''.

(e) Section 53105 of such title is amended—

(1) by amending subsection (e) to read as follows:

''(e) TRANSFER OF OPERATING AGREEMENTS.—A contractor under an operating agreement may transfer the agreement (including all rights and obligations under the operating agreement) to any person that is eligible to enter into the operating agreement under this chapter if the Secretary and the Secretary of Defense determine that the transfer is in the best interests of the United States. A transaction shall not be considered a transfer of an operating agreement if the same legal entity with the same vessels remains the contracting party under the operating agreement.''; and

(2) by amending subsection (f) to read as follows:

''(f) REPLACEMENT VESSELS.—A contractor may replace a vessel under an operating agreement with another vessel that is eligible to be included in the Fleet under section 53102(b), if the Secretary, in conjunction with the Secretary of Defense, approves the replacement of the vessel.''.

(f) Section 53106 of such title is amended—

(1) in subsection (a)(1), by striking ''and (C) $3,100,000 for each of fiscal years 2012 through 2025.'' and inserting the following:

''(C) $3,100,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, and 2018;

''(D) $3,500,000 for each of fiscal years 2019, 2020, and 2021; and

''(E) $3,700,000 for each of fiscal years 2022, 2023, 2024, and 2025.'';

(2) in subsection (c)(3)(C), by striking ''a LASH vessel.'' and inserting ''a lighter aboard ship vessel.''; and

(3) by striking subsection (f).

(g) Section 53107(b)(1) is amended to read as follows:

''(1) IN GENERAL.—An Emergency Preparedness Agreement under this section shall require that a contractor for a vessel covered by an operating agreement under this chapter shall make commercial transportation resources (including services) available, upon request by the Secretary of Defense during a time of war or national emergency, or whenever the Secretary of Defense determines that it is necessary for national security or contingency operation (as that term is defined in section 101 of title 10, United States Code).''.

(h) Section 53109 is repealed.

(i) Section 53111 is amended—

(1) by striking ''and'' at the end of paragraph (2); and

(2) by amending paragraph (3) to read as follows:

''(3) $186,000,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, and 2018;

''(4) $210,000,000 for each of fiscal years 2019, 2020, and 2021; and

''(5) $222,000,000 for each fiscal year thereafter through fiscal year 2025.''.

(j) EFFECTIVE DATE OF AMENDMENTS.—The amendments made by—

(1) paragraphs (2), (3), and (4) of section 3308(a) of this Act take effect on December 31, 2014; and

(2) section 3308(f)(2) of this Act take effect on December 31, 2014.

## DIVISION D—FUNDING TABLES

**SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of

*sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and*

*(2) comply with other applicable provisions of law.*

*(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.*

*(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.*

*(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.*

## TITLE XLI—PROCUREMENT

### SEC. 4101. PROCUREMENT.

**SEC. 4101. PROCUREMENT**
**(In Thousands of Dollars)**

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **AIRCRAFT PROCUREMENT, ARMY** | | |
| | **FIXED WING** | | |
| 01 | UTILITY F/W AIRCRAFT | 18,639 | 18,639 |
| 03 | MQ–1 UAV | 518,088 | 518,088 |
| 04 | RQ–11 (RAVEN) | 25,798 | 25,798 |
| | **ROTARY** | | |
| 06 | HELICOPTER, LIGHT UTILITY (LUH). | 271,983 | 271,983 |
| 07 | AH–64 APACHE BLOCK IIIA REMAN. | 577,115 | 577,115 |
| 08 | ADVANCE PROCUREMENT (CY). | 107,707 | 107,707 |
| 09 | AH–64 APACHE BLOCK IIIB NEW BUILD. | 153,993 | 153,993 |
| 10 | ADVANCE PROCUREMENT (CY). | 146,121 | 146,121 |
| 13 | UH–60 BLACKHAWK M MODEL (MYP). | 1,107,087 | 1,107,087 |
| 14 | ADVANCE PROCUREMENT (CY). | 115,113 | 115,113 |
| 15 | CH–47 HELICOPTER | 1,076,036 | 1,076,036 |
| 16 | ADVANCE PROCUREMENT (CY). | 83,346 | 83,346 |
| | **MODIFICATION OF AIRCRAFT** | | |
| 18 | MQ–1 PAYLOAD—UAS | 231,508 | 231,508 |
| 20 | GUARDRAIL MODS (MIP) | 16,272 | 16,272 |
| 21 | MULTI SENSOR ABN RECON (MIP). | 4,294 | 4,294 |
| 22 | AH–64 MODS | 178,805 | 178,805 |
| 23 | CH–47 CARGO HELICOPTER MODS (MYP). | 39,135 | 39,135 |
| 24 | UTILITY/CARGO AIRPLANE MODS. | 24,842 | 24,842 |
| 26 | UTILITY HELICOPTER MODS. | 73,804 | 73,804 |
| 27 | KIOWA WARRIOR MODS | 192,484 | 192,484 |
| 29 | NETWORK AND MISSION PLAN. | 190,789 | 190,789 |
| 30 | COMMS, NAV SURVEILLANCE. | 133,191 | 133,191 |
| 31 | GATM ROLLUP | 87,280 | 87,280 |
| 32 | RQ–7 UAV MODS | 104,339 | 104,339 |
| | **GROUND SUPPORT AVIONICS** | | |
| 34 | AIRCRAFT SURVIVABILITY EQUIPMENT. | 34,037 | 34,037 |
| 36 | CMWS | 127,751 | 127,751 |
| | **OTHER SUPPORT** | | |
| 37 | AVIONICS SUPPORT EQUIPMENT. | 4,886 | 4,886 |
| 38 | COMMON GROUND EQUIPMENT. | 82,511 | 82,511 |
| 39 | AIRCREW INTEGRATED SYSTEMS. | 77,381 | 77,381 |
| 40 | AIR TRAFFIC CONTROL | 47,235 | 47,235 |
| 41 | INDUSTRIAL FACILITIES | 1,643 | 1,643 |
| 42 | LAUNCHER, 2.75 ROCKET | 516 | 516 |
| | **TOTAL AIRCRAFT PROCUREMENT, ARMY.** | **5,853,729** | **5,853,729** |
| | **MISSILE PROCUREMENT, ARMY** | | |
| | **SURFACE-TO-AIR MISSILE SYSTEM** | | |
| 01 | PATRIOT SYSTEM SUMMARY. | 646,590 | 696,590 |
| | Additional PAC–3 missiles. | | [50,000] |
| 02 | MSE MISSILE | 12,850 | 12,850 |
| | **AIR-TO-SURFACE MISSILE SYSTEM** | | |
| 04 | HELLFIRE SYS SUMMARY | 1,401 | 11,401 |
| | Program increase | | [10,000] |
| | **ANTI-TANK/ASSAULT MISSILE SYS** | | |
| 05 | JAVELIN (AAWS-M) SYSTEM SUMMARY. | 81,121 | 81,121 |
| 06 | TOW 2 SYSTEM SUMMARY. | 64,712 | 64,712 |
| 07 | ADVANCE PROCUREMENT (CY). | 19,931 | 19,931 |
| 08 | GUIDED MLRS ROCKET (GMLRS). | 218,679 | 218,679 |
| 09 | MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR). | 18,767 | 18,767 |
| 10 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM. | 12,051 | 12,051 |
| | **MODIFICATIONS** | | |
| 11 | PATRIOT MODS | 199,565 | 199,565 |
| 13 | MLRS MODS | 2,466 | 2,466 |
| 14 | HIMARS MODIFICATIONS | 6,068 | 6,068 |
| | **SPARES AND REPAIR PARTS** | | |
| 16 | SPARES AND REPAIR PARTS. | 7,864 | 7,864 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 17 | AIR DEFENSE TARGETS | 3,864 | 3,864 |
| 18 | ITEMS LESS THAN $5 MILLION (MISSILES). | 1,560 | 1,560 |
| 19 | PRODUCTION BASE SUPPORT. | 5,200 | 5,200 |
| | **TOTAL MISSILE PROCUREMENT, ARMY.** | **1,302,689** | **1,362,689** |
| | **PROCUREMENT OF W&TCV, ARMY** | | |
| | **TRACKED COMBAT VEHICLES** | | |
| 01 | STRYKER VEHICLE | 286,818 | 286,818 |
| | **MODIFICATION OF TRACKED COMBAT VEHICLES** | | |
| 03 | STRYKER (MOD) | 60,881 | 60,881 |
| 04 | FIST VEHICLE (MOD) | 57,257 | 57,257 |
| 05 | BRADLEY PROGRAM (MOD). | 148,193 | 288,193 |
| | Program increase | | [140,000] |
| 06 | HOWITZER, MED SP FT 155MM M109A6 (MOD). | 10,341 | 10,341 |
| 07 | PALADIN PIM MOD IN SERVICE. | 206,101 | 206,101 |
| 08 | IMPROVED RECOVERY VEHICLE (M88A2 HERCULES). | 107,909 | 169,909 |
| | Program increase | | [62,000] |
| 09 | ASSAULT BREACHER VEHICLE. | 50,039 | 50,039 |
| 10 | M88 FOV MODS | 29,930 | 29,930 |
| 11 | M1 ABRAMS TANK (MOD) | 129,090 | 129,090 |
| 12 | ABRAMS UPGRADE PROGRAM. | 74,433 | 255,433 |
| | Program increase | | [181,000] |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 13 | PRODUCTION BASE SUPPORT (TCV-WTCV). | 1,145 | 1,145 |
| | **WEAPONS & OTHER COMBAT VEHICLES** | | |
| 14 | INTEGRATED AIR BURST WEAPON SYSTEM FAMILY. | 506 | 0 |
| | XM25 funding ahead of need. | | [–506] |
| 17 | LIGHTWEIGHT .50 CALIBER MACHINE GUN. | 25,183 | 25,183 |
| 19 | MORTAR SYSTEMS | 8,104 | 8,104 |
| 21 | XM320 GRENADE LAUNCHER MODULE (GLM). | 14,096 | 14,096 |
| 24 | CARBINE | 21,272 | 21,272 |
| 25 | SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS). | 6,598 | 6,598 |
| 26 | COMMON REMOTELY OPERATED WEAPONS STATION. | 56,725 | 56,725 |
| 27 | HOWITZER LT WT 155MM (T). | 13,827 | 13,827 |
| | **MOD OF WEAPONS AND OTHER COMBAT VEH** | | |
| 29 | M777 MODS | 26,843 | 26,843 |
| 30 | M4 CARBINE MODS | 27,243 | 27,243 |
| 31 | M2 50 CAL MACHINE GUN MODS. | 39,974 | 39,974 |
| 32 | M249 SAW MACHINE GUN MODS. | 4,996 | 4,996 |
| 33 | M240 MEDIUM MACHINE GUN MODS. | 6,806 | 6,806 |
| 34 | SNIPER RIFLES MODIFICATIONS. | 14,113 | 14,113 |
| 35 | M119 MODIFICATIONS | 20,727 | 20,727 |
| 36 | M16 RIFLE MODS | 3,306 | 3,306 |
| 37 | MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV). | 3,072 | 3,072 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 38 | ITEMS LESS THAN $5 MILLION (WOCV-WTCV). | 2,026 | 2,026 |
| 39 | PRODUCTION BASE SUPPORT (WOCV-WTCV). | 10,115 | 10,115 |
| 40 | INDUSTRIAL PREPAREDNESS. | 442 | 442 |
| 41 | SMALL ARMS EQUIPMENT (SOLDIER ENH PROG). | 2,378 | 2,378 |
| | **SPARES** | | |
| 42 | SPARES AND REPAIR PARTS (WTCV). | 31,217 | 31,217 |
| | **TOTAL PROCUREMENT OF W&TCV, ARMY.** | **1,501,706** | **1,884,200** |
| | **PROCUREMENT OF AMMUNITION, ARMY** | | |
| | **SMALL/MEDIUM CAL AMMUNITION** | | |
| 01 | CTG, 5.56MM, ALL TYPES | 158,313 | 123,513 |
| | Unit cost savings | | [–34,800] |
| 02 | CTG, 7.62MM, ALL TYPES | 91,438 | 91,438 |
| 03 | CTG, HANDGUN, ALL TYPES. | 8,954 | 8,954 |
| 04 | CTG, .50 CAL, ALL TYPES | 109,604 | 109,604 |
| 05 | CTG, 20MM, ALL TYPES | 4,041 | 4,041 |
| 06 | CTG, 25MM, ALL TYPES | 12,654 | 12,654 |
| 07 | CTG, 30MM, ALL TYPES | 72,154 | 54,154 |
| | Pricing adjustments for target practice round and light-weight dual-purpose round. | | [–18,000] |
| 08 | CTG, 40MM, ALL TYPES | 60,138 | 60,138 |
| | **MORTAR AMMUNITION** | | |

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 09 | 60MM MORTAR, ALL TYPES. | 44,375 | 44,375 |
| 10 | 81MM MORTAR, ALL TYPES. | 27,471 | 27,471 |
| 11 | 120MM MORTAR, ALL TYPES. | 87,811 | 87,811 |
| | **TANK AMMUNITION** | | |
| 12 | CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES. | 112,380 | 112,380 |
| | **ARTILLERY AMMUNITION** | | |
| 13 | ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP. | 50,861 | 50,861 |
| 14 | ARTILLERY PROJECTILE, 155MM, ALL TYPES. | 26,227 | 26,227 |
| 15 | PROJ 155MM EXTENDED RANGE XM982. | 110,329 | 55,329 |
| | Excalibur I-b round schedule delay. | | [–55,000] |
| 16 | ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL. | 43,924 | 43,924 |
| | **MINES** | | |
| 17 | MINES & CLEARING CHARGES, ALL TYPES. | 3,775 | 3,775 |
| | **NETWORKED MUNITIONS** | | |
| 18 | SPIDER NETWORK MUNITIONS, ALL TYPES. | 17,408 | 17,408 |
| | **ROCKETS** | | |
| 19 | SHOULDER LAUNCHED MUNITIONS, ALL TYPES. | 1,005 | 1,005 |
| 20 | ROCKET, HYDRA 70, ALL TYPES. | 123,433 | 123,433 |
| | **OTHER AMMUNITION** | | |
| 21 | DEMOLITION MUNITIONS, ALL TYPES. | 35,189 | 35,189 |
| 22 | GRENADES, ALL TYPES ... | 33,477 | 33,477 |
| 23 | SIGNALS, ALL TYPES ..... | 9,991 | 9,991 |
| 24 | SIMULATORS, ALL TYPES | 10,388 | 10,388 |
| | **MISCELLANEOUS** | | |
| 25 | AMMO COMPONENTS, ALL TYPES. | 19,383 | 19,383 |
| 26 | NON-LETHAL AMMUNITION, ALL TYPES. | 7,336 | 7,336 |
| 27 | CAD/PAD ALL TYPES ..... | 6,641 | 6,641 |
| 28 | ITEMS LESS THAN $5 MILLION. | 15,092 | 15,092 |
| 29 | AMMUNITION PECULIAR EQUIPMENT. | 15,692 | 15,692 |
| 30 | FIRST DESTINATION TRANSPORTATION (AMMO). | 14,107 | 14,107 |
| 31 | CLOSEOUT LIABILITIES .... | 106 | 106 |
| | **PRODUCTION BASE SUPPORT** | | |
| 32 | PROVISION OF INDUSTRIAL FACILITIES. | 220,171 | 220,171 |
| 33 | CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL. | 182,461 | 182,461 |
| 34 | ARMS INITIATIVE ..... | 3,377 | 3,377 |
| | **TOTAL PROCUREMENT OF AMMUNITION, ARMY.** | **1,739,706** | **1,631,906** |
| | **OTHER PROCUREMENT, ARMY** | | |
| | **TACTICAL VEHICLES** | | |
| 01 | SEMITRAILERS, FLATBED: | 7,097 | 7,097 |
| 02 | FAMILY OF MEDIUM TACTICAL VEH (FMTV). | 346,115 | 346,115 |
| 03 | FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP. | 19,292 | 19,292 |
| 04 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV). | 52,933 | 52,933 |
| 05 | PLS ESP ..... | 18,035 | 18,035 |
| 09 | TRUCK, TRACTOR, LINE HAUL, M915/M916. | 3,619 | 3,619 |

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(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 10 | HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV. | 26,859 | 26,859 |
| 12 | TACTICAL WHEELED VEHICLE PROTECTION KITS. | 69,163 | 69,163 |
| 13 | MODIFICATION OF IN SVC EQUIP. | 91,754 | 91,754 |
| | **NON-TACTICAL VEHICLES** | | |
| 18 | PASSENGER CARRYING VEHICLES. | 2,548 | 2,548 |
| 19 | NONTACTICAL VEHICLES, OTHER. | 16,791 | 16,791 |
| | **COMM—JOINT COMMUNICATIONS** | | |
| 20 | JOINT COMBAT IDENTIFICATION MARKING SYSTEM. | 10,061 | 10,061 |
| 21 | WIN-T—GROUND FORCES TACTICAL NETWORK. | 892,635 | 872,635 |
| | Program adjustment. | | [–20,000] |
| 22 | SIGNAL MODERNIZATION PROGRAM. | 45,626 | 45,626 |
| 23 | JCSE EQUIPMENT (USREDCOM). | 5,143 | 5,143 |
| | **COMM—SATELLITE COMMUNICATIONS** | | |
| 24 | DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS. | 151,636 | 151,636 |
| 25 | TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS. | 6,822 | 6,822 |
| 26 | SHF TERM ..... | 9,108 | 9,108 |
| 28 | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE). | 27,353 | 27,353 |
| 29 | SMART-T (SPACE) ..... | 98,656 | 98,656 |
| 31 | GLOBAL BRDCST SVC—GBS. | 47,131 | 47,131 |
| 32 | MOD OF IN-SVC EQUIP (TAC SAT). | 23,281 | 23,281 |
| | **COMM—C3 SYSTEM** | | |
| 34 | ARMY GLOBAL CMD & CONTROL SYS (AGCCS). | 10,848 | 10,848 |
| | **COMM—COMBAT COMMUNICATIONS** | | |
| 35 | ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO). | 979 | 979 |
| 36 | JOINT TACTICAL RADIO SYSTEM. | 556,250 | 521,250 |
| | Program adjustment. | | [–35,000] |
| 37 | MID-TIER NETWORKING VEHICULAR RADIO (MNVR). | 86,219 | 76,219 |
| | Program adjustment. | | [–10,000] |
| 38 | RADIO TERMINAL SET, MIDS LVT(2). | 7,798 | 7,798 |
| 39 | SINCGARS FAMILY ..... | 9,001 | 9,001 |
| 40 | AMC CRITICAL ITEMS—OPA2. | 24,601 | 24,601 |
| 41 | TRACTOR DESK ..... | 7,779 | 7,779 |
| 43 | SPIDER APLA REMOTE CONTROL UNIT. | 34,365 | 19,365 |
| | Program delay ..... | | [–15,000] |
| 44 | SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS. | 1,833 | 1,833 |
| 45 | TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM. | 12,984 | 12,984 |
| 47 | GUNSHOT DETECTION SYSTEM (GDS). | 2,332 | 2,332 |
| 48 | RADIO, IMPROVED HF (COTS) FAMILY. | 1,132 | 1,132 |
| 49 | MEDICAL COMM FOR CBT CASUALTY CARE (MC4). | 22,899 | 22,899 |
| | **COMM—INTELLIGENCE COMM** | | |

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|---|---|---|---|
| 51 | CI AUTOMATION ARCHITECTURE. | 1,564 | 1,564 |
| 52 | RESERVE CA/MISO GPF EQUIPMENT. | 28,781 | 28,781 |
| | **INFORMATION SECURITY** | | |
| 53 | TSEC—ARMY KEY MGT SYS (AKMS). | 23,432 | 23,432 |
| 54 | INFORMATION SYSTEM SECURITY PROGRAM-ISSP. | 43,897 | 43,897 |
| | **COMM—LONG HAUL COMMUNICATIONS** | | |
| 56 | TERRESTRIAL TRANSMISSION. | 2,891 | 2,891 |
| 57 | BASE SUPPORT COMMUNICATIONS. | 13,872 | 13,872 |
| 58 | WW TECH CON IMP PROG (WWTCIP). | 9,595 | 9,595 |
| | **COMM—BASE COMMUNICATIONS** | | |
| 59 | INFORMATION SYSTEMS .. | 142,133 | 142,133 |
| 61 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM. | 57,727 | 57,727 |
| 62 | PENTAGON INFORMATION MGT AND TELECOM. | 5,000 | 5,000 |
| | **ELECT EQUIP—TACT INT REL ACT (TIARA)** | | |
| 65 | JTT/CIBS-M ..... | 1,641 | 1,641 |
| 66 | PROPHET GROUND ..... | 48,797 | 48,797 |
| 69 | DCGS-A (MIP) ..... | 184,007 | 184,007 |
| 70 | JOINT TACTICAL GROUND STATION (JTAGS). | 2,680 | 2,680 |
| 71 | TROJAN (MIP) ..... | 21,483 | 21,483 |
| 72 | MOD OF IN-SVC EQUIP (INTEL SPT) (MIP). | 2,412 | 2,412 |
| 73 | CI HUMINT AUTO REPRINTING AND COLLECTION. | 7,077 | 7,077 |
| | **ELECT EQUIP—ELECTRONIC WARFARE (EW)** | | |
| 75 | LIGHTWEIGHT COUNTER MORTAR RADAR. | 72,594 | 72,594 |
| 76 | CREW ..... | 15,446 | 15,446 |
| 78 | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES. | 1,470 | 1,470 |
| 79 | CI MODERNIZATION ..... | 1,368 | 1,368 |
| | **ELECT EQUIP—TACTICAL SURV. (TAC SURV)** | | |
| 80 | FAAD GBS ..... | 7,980 | 7,980 |
| 81 | SENTINEL MODS ..... | 33,444 | 33,444 |
| 82 | SENSE THROUGH THE WALL (STTW). | 6,212 | 6,212 |
| 83 | NIGHT VISION DEVICES ... | 166,516 | 166,516 |
| 85 | NIGHT VISION, THERMAL WPN SIGHT. | 82,162 | 82,162 |
| 86 | SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF. | 20,717 | 20,717 |
| 89 | GREEN LASER INTERDICTION SYSTEM (GLIS). | 1,014 | 1,014 |
| 90 | INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS. | 29,881 | 29,881 |
| 91 | PROFILER ..... | 12,482 | 12,482 |
| 92 | MOD OF IN-SVC EQUIP (FIREFINDER RADARS). | 3,075 | 3,075 |
| 94 | JOINT BATTLE COMMAND—PLATFORM (JBC-P). | 141,385 | 141,385 |
| 96 | MOD OF IN-SVC EQUIP (LLDR). | 22,403 | 22,403 |
| 98 | MORTAR FIRE CONTROL SYSTEM. | 29,505 | 29,505 |
| 99 | COUNTERFIRE RADARS ... | 244,409 | 244,409 |
| 100 | ENHANCED SENSOR & MONITORING SYSTEM (WMD). | 2,426 | 2,426 |
| | **ELECT EQUIP—TACTICAL C2 SYSTEMS** | | |
| 101 | TACTICAL OPERATIONS CENTERS. | 30,196 | 30,196 |

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| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 102 | FIRE SUPPORT C2 FAMILY | 58,903 | 58,903 |
| 103 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM. | 8,111 | 8,111 |
| 104 | FAAD C2 | 5,031 | 5,031 |
| 105 | AIR & MSL DEFENSE PLANNING & CONTROL SYS. | 64,144 | 64,144 |
| 106 | KNIGHT FAMILY | 11,999 | 11,999 |
| 107 | LIFE CYCLE SOFTWARE SUPPORT (LCSS). | 1,853 | 1,853 |
| 108 | AUTOMATIC IDENTIFICATION TECHNOLOGY. | 14,377 | 14,377 |
| 111 | NETWORK MANAGEMENT INITIALIZATION AND SERVICE. | 59,821 | 59,821 |
| 112 | MANEUVER CONTROL SYSTEM (MCS). | 51,228 | 51,228 |
| 113 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE). | 176,901 | 176,901 |
| 114 | RECONNAISSANCE AND SURVEYING INSTRUMENT SET. | 15,209 | 15,209 |
| | **ELECT EQUIP—AUTOMATION** | | |
| 115 | ARMY TRAINING MODERNIZATION. | 8,866 | 8,866 |
| 116 | AUTOMATED DATA PROCESSING EQUIP. | 129,438 | 129,438 |
| 117 | GENERAL FUND ENTERPRISE BUSINESS SYS FAM. | 9,184 | 9,184 |
| 118 | CSS COMMUNICATIONS | 20,639 | 20,639 |
| 119 | RESERVE COMPONENT AUTOMATION SYS (RCAS). | 35,493 | 35,493 |
| | **ELECT EQUIP—AUDIO VISUAL SYS (A/V)** | | |
| 120 | ITEMS LESS THAN $5 MILLION (A/V). | 8,467 | 8,467 |
| 121 | ITEMS LESS THAN $5 MILLION. | 5,309 | 5,309 |
| | **ELECT EQUIP—SUPPORT** | | |
| 122 | PRODUCTION BASE SUPPORT (C-E). | 586 | 586 |
| | **CLASSIFIED PROGRAMS** | | |
| 124A | CLASSIFIED PROGRAMS | 3,435 | 3,435 |
| | **CHEMICAL DEFENSIVE EQUIPMENT** | | |
| 126 | FAMILY OF NON-LETHAL EQUIPMENT (FNLE). | 3,960 | 3,960 |
| 127 | BASE DEFENSE SYSTEMS (BDS). | 4,374 | 4,374 |
| 128 | CBRN SOLDIER PROTECTION. | 9,259 | 9,259 |
| | **BRIDGING EQUIPMENT** | | |
| 130 | TACTICAL BRIDGING | 35,499 | 35,499 |
| 131 | TACTICAL BRIDGE, FLOAT-RIBBON. | 32,893 | 32,893 |
| | **ENGINEER (NON-CONSTRUCTION) EQUIPMENT** | | |
| 134 | ROBOTIC COMBAT SUPPORT SYSTEM (RCSS). | 29,106 | 29,106 |
| 135 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT). | 25,459 | 25,459 |
| 136 | REMOTE DEMOLITION SYSTEMS. | 8,044 | 8,044 |
| 137 | < $5M, COUNTERMINE EQUIPMENT. | 3,698 | 3,698 |
| | **COMBAT SERVICE SUPPORT EQUIPMENT** | | |
| 138 | HEATERS AND ECU'S | 12,210 | 12,210 |
| 139 | SOLDIER ENHANCEMENT | 6,522 | 6,522 |
| 140 | PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS). | 11,222 | 11,222 |
| 141 | GROUND SOLDIER SYSTEM. | 103,317 | 103,317 |
| 144 | FIELD FEEDING EQUIPMENT. | 27,417 | 27,417 |
| 145 | CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM. | 52,065 | 52,065 |
| 146 | MORTUARY AFFAIRS SYSTEMS. | 2,358 | 2,358 |
| 147 | FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS. | 31,573 | 31,573 |
| 148 | ITEMS LESS THAN $5 MILLION. | 14,093 | 14,093 |
| | **PETROLEUM EQUIPMENT** | | |
| 149 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER. | 36,266 | 36,266 |
| | **MEDICAL EQUIPMENT** | | |
| 150 | COMBAT SUPPORT MEDICAL. | 34,101 | 34,101 |
| 151 | MEDEVAC MISSON EQUIPMENT PACKAGE (MEP). | 20,540 | 20,540 |
| | **MAINTENANCE EQUIPMENT** | | |
| 152 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS. | 2,495 | 2,495 |
| | **CONSTRUCTION EQUIPMENT** | | |
| 154 | GRADER, ROAD MTZD, HVY, 6X4 (CCE). | 2,028 | 2,028 |
| 156 | SCRAPERS, EARTHMOVING. | 6,146 | 6,146 |
| 157 | MISSION MODULES—ENGINEERING. | 31,200 | 31,200 |
| 161 | TRACTOR, FULL TRACKED | 20,867 | 20,867 |
| 162 | ALL TERRAIN CRANES | 4,003 | 4,003 |
| 163 | PLANT, ASPHALT MIXING | 3,679 | 3,679 |
| 164 | HIGH MOBILITY ENGINEER EXCAVATOR (HMEE). | 30,042 | 30,042 |
| 165 | ENHANCED RAPID AIRFIELD CONSTRUCTION CAPA. | 13,725 | 13,725 |
| 166 | CONST EQUIP ESP | 13,351 | 13,351 |
| 167 | ITEMS LESS THAN $5 MILLION (CONST EQUIP). | 9,134 | 9,134 |
| | **RAIL FLOAT CONTAINERIZATION EQUIPMENT** | | |
| 170 | ITEMS LESS THAN $5 MILLION (FLOAT/RAIL). | 10,552 | 10,552 |
| | **GENERATORS** | | |
| 171 | GENERATORS AND ASSOCIATED EQUIP. | 60,302 | 60,302 |
| | **MATERIAL HANDLING EQUIPMENT** | | |
| 173 | FAMILY OF FORKLIFTS | 5,895 | 5,895 |
| | **TRAINING EQUIPMENT** | | |
| 175 | COMBAT TRAINING CENTERS SUPPORT. | 104,649 | 104,649 |
| 176 | TRAINING DEVICES, NON-SYSTEM. | 125,251 | 125,251 |
| 177 | CLOSE COMBAT TACTICAL TRAINER. | 19,984 | 19,984 |
| 178 | AVIATION COMBINED ARMS TACTICAL TRAINER. | 10,977 | 10,977 |
| 179 | GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING. | 4,056 | 4,056 |
| | **TEST MEASURE AND DIG EQUIPMENT (TMD)** | | |
| 180 | CALIBRATION SETS EQUIPMENT. | 10,494 | 10,494 |
| 181 | INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE). | 45,508 | 45,508 |
| 182 | TEST EQUIPMENT MODERNIZATION (TEMOD). | 24,334 | 24,334 |
| | **OTHER SUPPORT EQUIPMENT** | | |
| 183 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT. | 5,078 | 5,078 |
| 184 | PHYSICAL SECURITY SYSTEMS (OPA3). | 46,301 | 46,301 |
| 185 | BASE LEVEL COMMON EQUIPMENT. | 1,373 | 1,373 |
| 186 | MODIFICATION OF IN-SVC EQUIPMENT (OPA–3). | 59,141 | 59,141 |
| 187 | PRODUCTION BASE SUPPORT (OTH). | 2,446 | 2,446 |
| 188 | SPECIAL EQUIPMENT FOR USER TESTING. | 12,920 | 12,920 |
| 189 | AMC CRITICAL ITEMS OPA3. | 19,180 | 19,180 |
| 190 | TRACTOR YARD | 7,368 | 7,368 |
| 191 | UNMANNED GROUND VEHICLE. | 83,937 | 83,937 |
| | **OPA2** | | |
| 193 | INITIAL SPARES—C&E | 64,507 | 64,507 |
| | **TOTAL OTHER PROCUREMENT, ARMY.** | **6,326,245** | **6,246,245** |
| | **JOINT IMPR EXPLOSIVE DEV DEFEAT FUND STAFF AND INFRASTRUCTURE** | | |
| 04 | OPERATIONS | 227,414 | 0 |
| | Transfer of funds to title 15. | | [–227,414] |
| | **TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.** | **227,414** | **0** |
| | **AIRCRAFT PROCUREMENT, NAVY** | | |
| | **COMBAT AIRCRAFT** | | |
| 01 | EA–18G | 1,027,443 | 997,443 |
| | Cost growth-CFE electronics, non-recurring costs. | | [–30,000] |
| 02 | ADVANCE PROCUREMENT (CY). | | 45,000 |
| | Program increase | | [45,000] |
| 03 | F/A–18E/F (FIGHTER) HORNET. | 2,035,131 | 1,989,131 |
| | Cost growth-CFE electronics, support costs. | | [–46,000] |
| 04 | ADVANCE PROCUREMENT (CY). | 30,296 | 30,296 |
| 05 | JOINT STRIKE FIGHTER CV | 1,007,632 | 1,007,632 |
| 06 | ADVANCE PROCUREMENT (CY). | 65,180 | 65,180 |
| 07 | JSF STOVL | 1,404,737 | 1,404,737 |
| 08 | ADVANCE PROCUREMENT (CY). | 106,199 | 106,199 |
| 09 | V–22 (MEDIUM LIFT) | 1,303,120 | 1,303,120 |
| 10 | ADVANCE PROCUREMENT (CY). | 154,202 | 154,202 |
| 11 | H–1 UPGRADES (UH–1Y/AH–1Z). | 720,933 | 720,933 |
| 12 | ADVANCE PROCUREMENT (CY). | 69,658 | 69,658 |
| 13 | MH–60S (MYP) | 384,792 | 384,792 |
| 14 | ADVANCE PROCUREMENT (CY). | 69,277 | 69,277 |
| 15 | MH–60R (MYP) | 656,866 | 826,866 |
| | Cruiser Retention—Restore 5 helicopters. | | [170,000] |
| 16 | ADVANCE PROCUREMENT (CY). | 185,896 | 185,896 |
| 17 | P–8A POSEIDON | 2,420,755 | 2,420,755 |
| 18 | ADVANCE PROCUREMENT (CY). | 325,679 | 325,679 |
| 19 | E–2D ADV HAWKEYE | 861,498 | 861,498 |
| 20 | ADVANCE PROCUREMENT (CY). | 123,179 | 123,179 |
| | **TRAINER AIRCRAFT** | | |
| 22 | JPATS | 278,884 | 278,884 |
| | **OTHER AIRCRAFT** | | |
| 23 | KC–130J | 3,000 | 3,000 |
| 24 | ADVANCE PROCUREMENT (CY). | 22,995 | 22,995 |

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|---|---|---|---|
| 25 | ADVANCE PROCUREMENT (CY). | 51,124 | 51,124 |
| 26 | MQ–8 UAV | 124,573 | 124,573 |
| 27 | STUASLO UAV | 9,593 | 9,593 |
| | **MODIFICATION OF AIRCRAFT** | | |
| 28 | EA–6 SERIES | 30,062 | 30,062 |
| 29 | AEA SYSTEMS | 49,999 | 49,999 |
| 30 | AV–8 SERIES | 38,703 | 38,703 |
| 31 | ADVERSARY | 4,289 | 4,289 |
| 32 | F–18 SERIES | 647,306 | 647,306 |
| 33 | H–46 SERIES | 2,343 | 2,343 |
| 34 | AH–1W SERIES | 8,721 | 8,721 |
| 35 | H–53 SERIES | 45,567 | 45,567 |
| 36 | SH–60 SERIES | 83,527 | 83,527 |
| 37 | H–1 SERIES | 6,508 | 6,508 |
| 38 | EP–3 SERIES | 66,374 | 66,374 |
| 39 | P–3 SERIES | 148,405 | 148,405 |
| 40 | E–2 SERIES | 16,322 | 16,322 |
| 41 | TRAINER A/C SERIES | 34,284 | 34,284 |
| 42 | C–2A | 4,743 | 4,743 |
| 43 | C–130 SERIES | 60,302 | 60,302 |
| 44 | FEWSG | 670 | 670 |
| 45 | CARGO/TRANSPORT A/C SERIES. | 26,311 | 26,311 |
| 46 | E–6 SERIES | 158,332 | 158,332 |
| 47 | EXECUTIVE HELICOPTERS SERIES. | 58,163 | 58,163 |
| 48 | SPECIAL PROJECT AIRCRAFT. | 12,421 | 12,421 |
| 49 | T–45 SERIES | 64,488 | 64,488 |
| 50 | POWER PLANT CHANGES | 21,569 | 21,569 |
| 51 | JPATS SERIES | 1,552 | 1,552 |
| 52 | AVIATION LIFE SUPPORT MODS. | 2,473 | 2,473 |
| 53 | COMMON ECM EQUIPMENT. | 114,690 | 114,690 |
| 54 | COMMON AVIONICS CHANGES. | 96,183 | 96,183 |
| 56 | ID SYSTEMS | 39,846 | 39,846 |
| 57 | P–8 SERIES | 5,302 | 5,302 |
| 58 | MAGTF EW FOR AVIATION | 34,127 | 34,127 |
| 59 | RQ–7 SERIES | 49,324 | 49,324 |
| 60 | V–22 (TILT/ROTOR ACFT) OSPREY. | 95,856 | 95,856 |
| | **AIRCRAFT SPARES AND REPAIR PARTS** | | |
| 61 | SPARES AND REPAIR PARTS. | 1,166,430 | 1,126,430 |
| | Spares cost growth—F–35C, F–35B, E–2D. | | [–40,000] |
| | **AIRCRAFT SUPPORT EQUIP & FACILITIES** | | |
| 62 | COMMON GROUND EQUIPMENT. | 387,195 | 387,195 |
| 63 | AIRCRAFT INDUSTRIAL FACILITIES. | 23,469 | 23,469 |
| 64 | WAR CONSUMABLES | 43,383 | 43,383 |
| 65 | OTHER PRODUCTION CHARGES. | 3,399 | 3,399 |
| 66 | SPECIAL SUPPORT EQUIPMENT. | 32,274 | 32,274 |
| 67 | FIRST DESTINATION TRANSPORTATION. | 1,742 | 1,742 |
| | **TOTAL AIRCRAFT PROCUREMENT, NAVY.** | **17,129,296** | **17,228,296** |
| | **WEAPONS PROCUREMENT, NAVY** | | |
| | **MODIFICATION OF MISSILES** | | |
| 01 | TRIDENT II MODS | 1,224,683 | 1,224,683 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 02 | MISSILE INDUSTRIAL FACILITIES. | 5,553 | 5,553 |
| | **STRATEGIC MISSILES** | | |
| 03 | TOMAHAWK | 308,970 | 308,970 |
| | **TACTICAL MISSILES** | | |
| 04 | AMRAAM | 102,683 | 112,683 |
| | Program increase | | [10,000] |
| 05 | SIDEWINDER | 80,226 | 80,226 |
| 06 | JSOW | 127,609 | 137,809 |
| | Program increase | | [10,200] |
| 07 | STANDARD MISSILE | 399,482 | 399,482 |
| 08 | RAM | 66,769 | 66,769 |
| 09 | HELLFIRE | 74,501 | 91,901 |
| | Program increase | | [17,400] |
| 11 | AERIAL TARGETS | 61,518 | 61,518 |
| 12 | OTHER MISSILE SUPPORT | 3,585 | 3,585 |
| | **MODIFICATION OF MISSILES** | | |
| 13 | ESSM | 58,194 | 58,194 |
| 14 | HARM MODS | 86,721 | 86,721 |
| | **SUPPORT EQUIPMENT & FACILITIES** | | |
| 16 | WEAPONS INDUSTRIAL FACILITIES. | 2,014 | 2,014 |
| 17 | FLEET SATELLITE COMM FOLLOW-ON. | 21,454 | 21,454 |
| | **ORDNANCE SUPPORT EQUIPMENT** | | |
| 18 | ORDNANCE SUPPORT EQUIPMENT. | 54,945 | 54,945 |
| | **TORPEDOES AND RELATED EQUIP** | | |
| 19 | SSTD | 2,700 | 2,700 |
| 20 | ASW TARGETS | 10,385 | 10,385 |
| | **MOD OF TORPEDOES AND RELATED EQUIP** | | |
| 21 | MK–54 TORPEDO MODS | 74,487 | 74,487 |
| 22 | MK–48 TORPEDO ADCAP MODS. | 54,281 | 54,281 |
| 23 | QUICKSTRIKE MINE | 6,852 | 6,852 |
| | **SUPPORT EQUIPMENT** | | |
| 24 | TORPEDO SUPPORT EQUIPMENT. | 46,402 | 46,402 |
| 25 | ASW RANGE SUPPORT | 11,927 | 11,927 |
| | **DESTINATION TRANSPORTATION** | | |
| 26 | FIRST DESTINATION TRANSPORTATION. | 3,614 | 3,614 |
| | **GUNS AND GUN MOUNTS** | | |
| 27 | SMALL ARMS AND WEAPONS. | 12,594 | 12,594 |
| | **MODIFICATION OF GUNS AND GUN MOUNTS** | | |
| 28 | CIWS MODS | 59,303 | 59,303 |
| 29 | COAST GUARD WEAPONS | 19,072 | 19,072 |
| 30 | GUN MOUNT MODS | 54,706 | 54,706 |
| 31 | CRUISER MODERNIZATION WEAPONS. | 1,591 | 19,622 |
| | Cruiser retention—5″/62 Upgrade. | | [18,031] |
| 32 | AIRBORNE MINE NEUTRALIZATION SYSTEMS. | 20,607 | 20,607 |
| | **SPARES AND REPAIR PARTS** | | |
| 34 | SPARES AND REPAIR PARTS. | 60,150 | 60,150 |
| | **TOTAL WEAPONS PROCUREMENT, NAVY.** | **3,117,578** | **3,173,209** |
| | **SHIPBUILDING & CONVERSION, NAVY** | | |
| | **OTHER WARSHIPS** | | |
| 01 | CARRIER REPLACEMENT PROGRAM. | 608,195 | 608,195 |
| 03 | VIRGINIA CLASS SUBMARINE. | 3,217,601 | 3,217,601 |
| 04 | ADVANCE PROCUREMENT (CY). | 874,878 | 1,652,878 |
| | Advance procurement. | | [778,000] |
| 05 | CVN REFUELING OVERHAULS. | 1,613,392 | 1,613,392 |
| 06 | ADVANCE PROCUREMENT (CY). | 70,010 | 70,010 |
| 08 | DDG 1000 | 669,222 | 669,222 |
| 09 | DDG–51 | 3,048,658 | 3,048,658 |
| 10 | ADVANCE PROCUREMENT (CY). | 466,283 | 581,283 |
| | Advance procurement. | | [115,000] |
| 11 | LITTORAL COMBAT SHIP | 1,784,959 | 1,784,959 |
| | **AMPHIBIOUS SHIPS** | | |
| 15 | JOINT HIGH SPEED VESSEL. | 189,196 | 189,196 |
| | **AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST** | | |
| 17 | ADVANCE PROCUREMENT (CY). | 307,300 | 307,300 |
| 18 | OUTFITTING | 309,648 | 309,648 |
| 20 | LCAC SLEP | 47,930 | 47,930 |
| 21 | COMPLETION OF PY SHIPBUILDING PROGRAMS. | 372,573 | 372,573 |
| | **TOTAL SHIPBUILDING & CONVERSION, NAVY.** | **13,579,845** | **14,472,845** |
| | **PROCUREMENT OF AMMO, NAVY & MC** | | |
| | **NAVY AMMUNITION** | | |
| 01 | GENERAL PURPOSE BOMBS. | 27,024 | 27,024 |
| 02 | AIRBORNE ROCKETS, ALL TYPES. | 56,575 | 56,575 |
| 03 | MACHINE GUN AMMUNITION. | 21,266 | 21,266 |
| 04 | PRACTICE BOMBS | 34,319 | 34,319 |
| 05 | CARTRIDGES & CART ACTUATED DEVICES. | 53,755 | 53,755 |
| 06 | AIR EXPENDABLE COUNTERMEASURES. | 61,693 | 61,693 |
| 07 | JATOS | 2,776 | 2,776 |
| 08 | LRLAP 6″ LONG RANGE ATTACK PROJECTILE. | 7,102 | 7,102 |
| 09 | 5 INCH/54 GUN AMMUNITION. | 48,320 | 48,320 |
| 10 | INTERMEDIATE CALIBER GUN AMMUNITION. | 25,544 | 25,544 |
| 11 | OTHER SHIP GUN AMMUNITION. | 41,624 | 41,624 |
| 12 | SMALL ARMS & LANDING PARTY AMMO. | 65,893 | 65,893 |
| 13 | PYROTECHNIC AND DEMOLITION. | 11,176 | 11,176 |
| 14 | AMMUNITION LESS THAN $5 MILLION. | 4,116 | 4,116 |
| | **MARINE CORPS AMMUNITION** | | |
| 15 | SMALL ARMS AMMUNITION. | 83,733 | 83,733 |
| 16 | LINEAR CHARGES, ALL TYPES. | 24,645 | 24,645 |
| 17 | 40MM, ALL TYPES | 16,201 | 16,201 |
| 19 | 81MM, ALL TYPES | 13,711 | 3,711 |
| | Excess to need | | [–10,000] |
| 20 | 120MM, ALL TYPES | 12,557 | 12,557 |
| 22 | GRENADES, ALL TYPES | 7,634 | 7,134 |
| | Excess to need | | [–500] |
| 23 | ROCKETS, ALL TYPES | 27,528 | 27,528 |
| 24 | ARTILLERY, ALL TYPES | 93,065 | 93,065 |
| 25 | DEMOLITION MUNITIONS, ALL TYPES. | 2,047 | 0 |
| | Excess to need | | [–2,047] |
| 26 | FUZE, ALL TYPES | 5,297 | 5,297 |
| 27 | NON LETHALS | 1,362 | 1,362 |
| 28 | AMMO MODERNIZATION | 4,566 | 4,566 |
| 29 | ITEMS LESS THAN $5 MILLION. | 6,010 | 6,010 |
| | **TOTAL PROCUREMENT OF AMMO, NAVY & MC.** | **759,539** | **746,992** |
| | **OTHER PROCUREMENT, NAVY** | | |
| | **SHIP PROPULSION EQUIPMENT** | | |
| 01 | LM–2500 GAS TURBINE | 10,658 | 10,658 |
| 02 | ALLISON 501K GAS TURBINE. | 8,469 | 8,469 |

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **NAVIGATION EQUIPMENT** | | |
| 03 | OTHER NAVIGATION EQUIPMENT. | 23,392 | 23,392 |
| | **PERISCOPES** | | |
| 04 | SUB PERISCOPES & IMAGING EQUIP. | 53,809 | 53,809 |
| | **OTHER SHIPBOARD EQUIPMENT** | | |
| 05 | DDG MOD | 452,371 | 452,371 |
| 06 | FIREFIGHTING EQUIPMENT | 16,958 | 16,958 |
| 07 | COMMAND AND CONTROL SWITCHBOARD. | 2,492 | 2,492 |
| 08 | POLLUTION CONTROL EQUIPMENT. | 20,707 | 20,707 |
| 09 | SUBMARINE SUPPORT EQUIPMENT. | 12,046 | 12,046 |
| 10 | VIRGINIA CLASS SUPPORT EQUIPMENT. | 79,870 | 79,870 |
| 11 | LCS CLASS SUPPORT EQUIPMENT. | 19,865 | 19,865 |
| 12 | SUBMARINE BATTERIES | 41,522 | 41,522 |
| 13 | LPD CLASS SUPPORT EQUIPMENT. | 30,543 | 30,543 |
| 14 | STRATEGIC PLATFORM SUPPORT EQUIP. | 16,257 | 16,257 |
| 15 | DSSP EQUIPMENT | 3,630 | 3,630 |
| 16 | CG MODERNIZATION | 101,000 | 184,972 |
| | Cruiser retention | | [83,972] |
| 17 | LCAC | 16,645 | 16,645 |
| 18 | UNDERWATER EOD PROGRAMS. | 35,446 | 35,446 |
| 19 | ITEMS LESS THAN $5 MILLION. | 65,998 | 65,998 |
| 20 | CHEMICAL WARFARE DETECTORS. | 4,359 | 4,359 |
| 21 | SUBMARINE LIFE SUPPORT SYSTEM. | 10,218 | 10,218 |
| | **REACTOR PLANT EQUIPMENT** | | |
| 22 | REACTOR POWER UNITS | 286,859 | 286,859 |
| 23 | REACTOR COMPONENTS | 278,503 | 278,503 |
| | **OCEAN ENGINEERING** | | |
| 24 | DIVING AND SALVAGE EQUIPMENT. | 8,998 | 8,998 |
| | **SMALL BOATS** | | |
| 25 | STANDARD BOATS | 30,131 | 30,131 |
| | **TRAINING EQUIPMENT** | | |
| 26 | OTHER SHIPS TRAINING EQUIPMENT. | 29,772 | 29,772 |
| | **PRODUCTION FACILITIES EQUIPMENT** | | |
| 27 | OPERATING FORCES IPE | 64,346 | 64,346 |
| | **OTHER SHIP SUPPORT** | | |
| 28 | NUCLEAR ALTERATIONS | 154,652 | 154,652 |
| 29 | LCS COMMON MISSION MODULES EQUIPMENT. | 31,319 | 31,319 |
| 30 | LCS MCM MISSION MODULES. | 38,392 | 38,392 |
| 31 | LCS SUW MISSION MODULES. | 32,897 | 32,897 |
| | **LOGISTIC SUPPORT** | | |
| 32 | LSD MIDLIFE | 49,758 | 49,758 |
| | **SHIP SONARS** | | |
| 34 | SPQ–9B RADAR | 19,777 | 19,777 |
| 35 | AN/SQQ–89 SURF ASW COMBAT SYSTEM. | 89,201 | 89,201 |
| 36 | SSN ACOUSTICS | 190,874 | 190,874 |
| 37 | UNDERSEA WARFARE SUPPORT EQUIPMENT. | 17,035 | 17,035 |
| 38 | SONAR SWITCHES AND TRANSDUCERS. | 13,410 | 13,410 |
| | **ASW ELECTRONIC EQUIPMENT** | | |
| 40 | SUBMARINE ACOUSTIC WARFARE SYSTEM. | 21,489 | 21,489 |
| 41 | SSTD | 10,716 | 10,716 |
| 42 | FIXED SURVEILLANCE SYSTEM. | 98,896 | 98,896 |
| 43 | SURTASS | 2,774 | 2,774 |
| 44 | MARITIME PATROL AND RECONNAISSANCE FORCE. | 18,428 | 18,428 |
| | **ELECTRONIC WARFARE EQUIPMENT** | | |
| 45 | AN/SLQ–32 | 92,270 | 92,270 |
| | **RECONNAISSANCE EQUIPMENT** | | |
| 46 | SHIPBOARD IW EXPLOIT | 107,060 | 108,185 |
| | Cruiser Retention | | [1,125] |
| 47 | AUTOMATED IDENTIFICATION SYSTEM (AIS). | 914 | 914 |
| | **SUBMARINE SURVEILLANCE EQUIPMENT** | | |
| 48 | SUBMARINE SUPPORT EQUIPMENT PROG. | 34,050 | 34,050 |
| | **OTHER SHIP ELECTRONIC EQUIPMENT** | | |
| 49 | COOPERATIVE ENGAGEMENT CAPABILITY. | 27,881 | 27,881 |
| 50 | TRUSTED INFORMATION SYSTEM (TIS). | 448 | 448 |
| 51 | NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS). | 35,732 | 35,732 |
| 53 | NAVY COMMAND AND CONTROL SYSTEM (NCCS). | 9,533 | 9,533 |
| 54 | MINESWEEPING SYSTEM REPLACEMENT. | 60,111 | 60,111 |
| 55 | SHALLOW WATER MCM | 6,950 | 6,950 |
| 56 | NAVSTAR GPS RECEIVERS (SPACE). | 9,089 | 9,089 |
| 57 | AMERICAN FORCES RADIO AND TV SERVICE. | 7,768 | 7,768 |
| 58 | STRATEGIC PLATFORM SUPPORT EQUIP. | 3,614 | 3,614 |
| | **TRAINING EQUIPMENT** | | |
| 59 | OTHER TRAINING EQUIPMENT. | 42,911 | 42,911 |
| | **AVIATION ELECTRONIC EQUIPMENT** | | |
| 60 | MATCALS | 5,861 | 5,861 |
| 61 | SHIPBOARD AIR TRAFFIC CONTROL. | 8,362 | 8,362 |
| 62 | AUTOMATIC CARRIER LANDING SYSTEM. | 15,685 | 15,685 |
| 63 | NATIONAL AIR SPACE SYSTEM. | 16,919 | 16,919 |
| 64 | FLEET AIR TRAFFIC CONTROL SYSTEMS. | 6,828 | 6,828 |
| 65 | LANDING SYSTEMS | 7,646 | 7,646 |
| 66 | ID SYSTEMS | 35,474 | 35,474 |
| 67 | NAVAL MISSION PLANNING SYSTEMS. | 9,958 | 9,958 |
| | **OTHER SHORE ELECTRONIC EQUIPMENT** | | |
| 68 | DEPLOYABLE JOINT COMMAND AND CONT. | 9,064 | 9,064 |
| 69 | MARITIME INTEGRATED BROADCAST SYSTEM. | 16,026 | 16,026 |
| 70 | TACTICAL/MOBILE C4I SYSTEMS. | 11,886 | 11,886 |
| 71 | DCGS-N | 11,887 | 11,887 |
| 72 | CANES | 341,398 | 344,848 |
| | Cruiser Retention | | [3,450] |
| 73 | RADIAC | 8,083 | 8,083 |
| 74 | CANES-INTELL | 79,427 | 79,427 |
| 75 | GPETE | 6,083 | 6,083 |
| 76 | INTEG COMBAT SYSTEM TEST FACILITY. | 4,495 | 4,495 |
| 77 | EMI CONTROL INSTRUMENTATION. | 4,767 | 4,767 |
| 78 | ITEMS LESS THAN $5 MILLION. | 81,755 | 81,755 |
| | **SHIPBOARD COMMUNICATIONS** | | |
| 80 | SHIP COMMUNICATIONS AUTOMATION. | 56,870 | 58,023 |
| | Cruiser Retention | | [1,153] |
| 81 | MARITIME DOMAIN AWARENESS (MDA). | 1,063 | 1,063 |
| 82 | COMMUNICATIONS ITEMS UNDER $5M. | 28,522 | 28,522 |
| | **SUBMARINE COMMUNICATIONS** | | |
| 83 | SUBMARINE BROADCAST SUPPORT. | 4,183 | 4,183 |
| 84 | SUBMARINE COMMUNICATION EQUIPMENT. | 69,025 | 69,025 |
| | **SATELLITE COMMUNICATIONS** | | |
| 85 | SATELLITE COMMUNICATIONS SYSTEMS. | 49,294 | 49,294 |
| 86 | NAVY MULTIBAND TERMINAL (NMT). | 184,825 | 186,540 |
| | Cruiser Retention | | [1,715] |
| | **SHORE COMMUNICATIONS** | | |
| 87 | JCS COMMUNICATIONS EQUIPMENT. | 2,180 | 2,180 |
| 88 | ELECTRICAL POWER SYSTEMS. | 1,354 | 1,354 |
| | **CRYPTOGRAPHIC EQUIPMENT** | | |
| 90 | INFO SYSTEMS SECURITY PROGRAM (ISSP). | 144,104 | 144,104 |
| | **CRYPTOLOGIC EQUIPMENT** | | |
| 91 | CRYPTOLOGIC COMMUNICATIONS EQUIP. | 12,604 | 12,604 |
| | **OTHER ELECTRONIC SUPPORT** | | |
| 92 | COAST GUARD EQUIPMENT. | 6,680 | 6,680 |
| | **SONOBUOYS** | | |
| 95 | SONOBUOYS—ALL TYPES | 104,677 | 104,677 |
| | **AIRCRAFT SUPPORT EQUIPMENT** | | |
| 96 | WEAPONS RANGE SUPPORT EQUIPMENT. | 70,753 | 70,753 |
| 97 | EXPEDITIONARY AIRFIELDS. | 8,678 | 8,678 |
| 98 | AIRCRAFT REARMING EQUIPMENT. | 11,349 | 11,349 |
| 99 | AIRCRAFT LAUNCH & RECOVERY EQUIPMENT. | 82,618 | 82,618 |
| 100 | METEOROLOGICAL EQUIPMENT. | 18,339 | 18,339 |
| 101 | DCRS/DPL | 1,414 | 1,414 |
| 102 | AVIATION LIFE SUPPORT | 40,475 | 40,475 |
| 103 | AIRBORNE MINE COUNTERMEASURES. | 61,552 | 61,552 |
| 104 | LAMPS MK III SHIPBOARD EQUIPMENT. | 18,771 | 18,771 |
| 105 | PORTABLE ELECTRONIC MAINTENANCE AIDS. | 7,954 | 7,954 |
| 106 | OTHER AVIATION SUPPORT EQUIPMENT. | 10,023 | 10,023 |
| 107 | AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS). | 3,826 | 3,826 |
| | **SHIP GUN SYSTEM EQUIPMENT** | | |
| 108 | NAVAL FIRES CONTROL SYSTEM. | 3,472 | 3,472 |
| 109 | GUN FIRE CONTROL EQUIPMENT. | 4,528 | 4,528 |
| | **SHIP MISSILE SYSTEMS EQUIPMENT** | | |
| 110 | NATO SEASPARROW | 8,960 | 8,960 |
| 111 | RAM GMLS | 1,185 | 1,185 |
| 112 | SHIP SELF DEFENSE SYSTEM. | 55,371 | 55,371 |
| 113 | AEGIS SUPPORT EQUIPMENT. | 81,614 | 81,614 |
| 114 | TOMAHAWK SUPPORT EQUIPMENT. | 77,767 | 77,767 |
| 115 | VERTICAL LAUNCH SYSTEMS. | 754 | 754 |
| 116 | MARITIME INTEGRATED PLANNING SYSTEM-MIPS. | 4,965 | 4,965 |
| | **FBM SUPPORT EQUIPMENT** | | |
| 117 | STRATEGIC MISSILE SYSTEMS EQUIP. | 181,049 | 181,049 |

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(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **ASW SUPPORT EQUIPMENT** | | |
| 118 | SSN COMBAT CONTROL SYSTEMS. | 71,316 | 71,316 |
| 119 | SUBMARINE ASW SUPPORT EQUIPMENT. | 4,018 | 4,018 |
| 120 | SURFACE ASW SUPPORT EQUIPMENT. | 6,465 | 6,465 |
| 121 | ASW RANGE SUPPORT EQUIPMENT. | 47,930 | 47,930 |
| | **OTHER ORDNANCE SUPPORT EQUIPMENT** | | |
| 122 | EXPLOSIVE ORDNANCE DISPOSAL EQUIP. | 3,579 | 3,579 |
| 123 | ITEMS LESS THAN $5 MILLION. | 3,125 | 3,125 |
| | **OTHER EXPENDABLE ORDNANCE** | | |
| 124 | ANTI-SHIP MISSILE DECOY SYSTEM. | 31,743 | 42,981 |
| | Cruiser Retention ... | | [1,238] |
| | Program increase for NULKA decoys. | | [10,000] |
| 125 | SURFACE TRAINING DEVICE MODS. | 34,174 | 34,174 |
| 126 | SUBMARINE TRAINING DEVICE MODS. | 23,450 | 23,450 |
| | **CIVIL ENGINEERING SUPPORT EQUIPMENT** | | |
| 127 | PASSENGER CARRYING VEHICLES. | 7,158 | 7,158 |
| 128 | GENERAL PURPOSE TRUCKS. | 3,325 | 3,325 |
| 129 | CONSTRUCTION & MAINTENANCE EQUIP. | 8,692 | 8,692 |
| 130 | FIRE FIGHTING EQUIPMENT. | 14,533 | 14,533 |
| 131 | TACTICAL VEHICLES ..... | 15,330 | 15,330 |
| 132 | AMPHIBIOUS EQUIPMENT | 10,803 | 10,803 |
| 133 | POLLUTION CONTROL EQUIPMENT. | 7,265 | 7,265 |
| 134 | ITEMS UNDER $5 MILLION. | 15,252 | 15,252 |
| 135 | PHYSICAL SECURITY VEHICLES. | 1,161 | 1,161 |
| | **SUPPLY SUPPORT EQUIPMENT** | | |
| 136 | MATERIALS HANDLING EQUIPMENT. | 15,204 | 15,204 |
| 137 | OTHER SUPPLY SUPPORT EQUIPMENT. | 6,330 | 6,330 |
| 138 | FIRST DESTINATION TRANSPORTATION. | 6,539 | 6,539 |
| 139 | SPECIAL PURPOSE SUPPLY SYSTEMS. | 34,804 | 34,804 |
| | **TRAINING DEVICES** | | |
| 140 | TRAINING SUPPORT EQUIPMENT. | 25,444 | 25,444 |
| | **COMMAND SUPPORT EQUIPMENT** | | |
| 141 | COMMAND SUPPORT EQUIPMENT. | 43,165 | 43,165 |
| 142 | EDUCATION SUPPORT EQUIPMENT. | 2,251 | 2,251 |
| 143 | MEDICAL SUPPORT EQUIPMENT. | 3,148 | 3,148 |
| 146 | NAVAL MIP SUPPORT EQUIPMENT. | 3,502 | 3,502 |
| 148 | OPERATING FORCES SUPPORT EQUIPMENT. | 15,696 | 15,696 |
| 149 | C4ISR EQUIPMENT ..... | 4,344 | 4,344 |
| 150 | ENVIRONMENTAL SUPPORT EQUIPMENT. | 19,492 | 19,492 |
| 151 | PHYSICAL SECURITY EQUIPMENT. | 177,149 | 177,149 |
| 152 | ENTERPRISE INFORMATION TECHNOLOGY. | 183,995 | 183,995 |
| | **CLASSIFIED PROGRAMS** | | |
| 152A | CLASSIFIED PROGRAMS .. | 13,063 | 13,063 |
| | **SPARES AND REPAIR PARTS** | | |
| 153 | SPARES AND REPAIR PARTS. | 250,718 | 250,718 |
| | **TOTAL OTHER PROCUREMENT, NAVY.** | **6,169,378** | **6,272,031** |
| | **PROCUREMENT, MARINE CORPS** | | |
| | **TRACKED COMBAT VEHICLES** | | |
| 01 | AAV7A1 PIP ..... | 16,089 | 16,089 |
| 02 | LAV PIP ..... | 186,216 | 45,316 |
| | Budget adjustment per USMC. | | [–140,900] |
| | **ARTILLERY AND OTHER WEAPONS** | | |
| 03 | EXPEDITIONARY FIRE SUPPORT SYSTEM. | 2,502 | 2,502 |
| 04 | 155MM LIGHTWEIGHT TOWED HOWITZER. | 17,913 | 17,913 |
| 05 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM. | 47,999 | 47,999 |
| 06 | WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION. | 17,706 | 17,706 |
| | **OTHER SUPPORT** | | |
| 07 | MODIFICATION KITS ..... | 48,040 | 48,040 |
| 08 | WEAPONS ENHANCEMENT PROGRAM. | 4,537 | 4,537 |
| | **GUIDED MISSILES** | | |
| 09 | GROUND BASED AIR DEFENSE. | 11,054 | 11,054 |
| 11 | FOLLOW ON TO SMAW ..... | 19,650 | 19,650 |
| 12 | ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H). | 20,708 | 20,708 |
| | **COMMAND AND CONTROL SYSTEMS** | | |
| 14 | UNIT OPERATIONS CENTER. | 1,420 | 1,420 |
| | **REPAIR AND TEST EQUIPMENT** | | |
| 15 | REPAIR AND TEST EQUIPMENT. | 25,127 | 25,127 |
| | **OTHER SUPPORT (TEL)** | | |
| 16 | COMBAT SUPPORT SYSTEM. | 25,822 | 25,822 |
| 17 | MODIFICATION KITS ..... | 2,831 | 2,831 |
| | **COMMAND AND CONTROL SYSTEM (NON-TEL)** | | |
| 18 | ITEMS UNDER $5 MILLION (COMM & ELEC). | 5,498 | 5,498 |
| 19 | AIR OPERATIONS C2 SYSTEMS. | 11,290 | 11,290 |
| | **RADAR + EQUIPMENT (NON-TEL)** | | |
| 20 | RADAR SYSTEMS ..... | 128,079 | 128,079 |
| 21 | RQ–21 UAS ..... | 27,619 | 27,619 |
| | **INTELL/COMM EQUIPMENT (NON-TEL)** | | |
| 22 | FIRE SUPPORT SYSTEM ... | 7,319 | 7,319 |
| 23 | INTELLIGENCE SUPPORT EQUIPMENT. | 7,466 | 7,466 |
| 25 | RQ–11 UAV ..... | 2,318 | 2,318 |
| 26 | DCGS-MC ..... | 18,291 | 18,291 |
| | **OTHER COMM/ELEC EQUIPMENT (NON-TEL)** | | |
| 29 | NIGHT VISION EQUIPMENT | 48,084 | 48,084 |
| | **OTHER SUPPORT (NON-TEL)** | | |
| 30 | COMMON COMPUTER RESOURCES. | 206,708 | 206,708 |
| 31 | COMMAND POST SYSTEMS. | 35,190 | 35,190 |
| 32 | RADIO SYSTEMS ..... | 89,059 | 89,059 |
| 33 | COMM SWITCHING & CONTROL SYSTEMS. | 22,500 | 22,500 |
| 34 | COMM & ELEC INFRASTRUCTURE SUPPORT. | 42,625 | 42,625 |
| | **CLASSIFIED PROGRAMS** | | |
| 035A | CLASSIFIED PROGRAMS .. | 2,290 | 2,290 |
| | **ADMINISTRATIVE VEHICLES** | | |
| 35 | COMMERCIAL PASSENGER VEHICLES. | 2,877 | 2,877 |
| 36 | COMMERCIAL CARGO VEHICLES. | 13,960 | 13,960 |
| | **TACTICAL VEHICLES** | | |
| 37 | 5/4T TRUCK HMMWV (MYP). | 8,052 | 8,052 |
| 38 | MOTOR TRANSPORT MODIFICATIONS. | 50,269 | 50,269 |
| 40 | LOGISTICS VEHICLE SYSTEM REP. | 37,262 | 37,262 |
| 41 | FAMILY OF TACTICAL TRAILERS. | 48,160 | 48,160 |
| | **OTHER SUPPORT** | | |
| 43 | ITEMS LESS THAN $5 MILLION. | 6,705 | 6,705 |
| | **ENGINEER AND OTHER EQUIPMENT** | | |
| 44 | ENVIRONMENTAL CONTROL EQUIP ASSORT. | 13,576 | 13,576 |
| 45 | BULK LIQUID EQUIPMENT | 16,869 | 16,869 |
| 46 | TACTICAL FUEL SYSTEMS | 19,108 | 19,108 |
| 47 | POWER EQUIPMENT ASSORTED. | 56,253 | 56,253 |
| 48 | AMPHIBIOUS SUPPORT EQUIPMENT. | 13,089 | 13,089 |
| 49 | EOD SYSTEMS ..... | 73,699 | 73,699 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| 50 | PHYSICAL SECURITY EQUIPMENT. | 3,510 | 3,510 |
| 51 | GARRISON MOBILE ENGINEER EQUIPMENT (GMEE). | 11,490 | 11,490 |
| 52 | MATERIAL HANDLING EQUIP. | 20,659 | 20,659 |
| 53 | FIRST DESTINATION TRANSPORTATION. | 132 | 132 |
| | **GENERAL PROPERTY** | | |
| 54 | FIELD MEDICAL EQUIPMENT. | 31,068 | 31,068 |
| 55 | TRAINING DEVICES ..... | 45,895 | 45,895 |
| 56 | CONTAINER FAMILY ..... | 5,801 | 5,801 |
| 57 | FAMILY OF CONSTRUCTION EQUIPMENT. | 23,939 | 23,939 |
| 60 | RAPID DEPLOYABLE KITCHEN. | 8,365 | 8,365 |
| | **OTHER SUPPORT** | | |
| 61 | ITEMS LESS THAN $5 MILLION. | 7,077 | 7,077 |
| | **SPARES AND REPAIR PARTS** | | |
| 62 | SPARES AND REPAIR PARTS. | 3,190 | 3,190 |
| | **TOTAL PROCUREMENT, MARINE CORPS.** | **1,622,955** | **1,482,055** |
| | **AIRCRAFT PROCUREMENT, AIR FORCE** | | |
| | **TACTICAL FORCES** | | |
| 01 | F–35 ..... | 3,124,302 | 3,124,302 |
| 02 | ADVANCE PROCUREMENT (CY). | 293,400 | 229,400 |
| | Excess advance procurement. | | [–64,000] |
| | **OTHER AIRLIFT** | | |
| 05 | C–130J ..... | 68,373 | 68,373 |
| 07 | HC–130J ..... | 152,212 | 152,212 |
| 09 | MC–130J ..... | 374,866 | 374,866 |
| 12 | C–27J ..... | | 115,000 |
| | C–27J buy-back ..... | | [115,000] |
| | **HELICOPTERS** | | |
| 15 | HH–60 LOSS REPLACEMENT/RECAP. | 60,596 | 60,596 |
| 17 | CV–22 (MYP) ..... | 294,220 | 294,220 |
| 18 | ADVANCE PROCUREMENT (CY). | 15,000 | 15,000 |
| | **MISSION SUPPORT AIRCRAFT** | | |
| 19 | CIVIL AIR PATROL A/C .... | 2,498 | 2,498 |
| | **OTHER AIRCRAFT** | | |
| 24 | TARGET DRONES ..... | 129,866 | 129,866 |
| 26 | RQ–4 ..... | 75,000 | 180,200 |

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | Sustain current force structure. | | [105,200] |
| 28 | AC–130J | 163,970 | 163,970 |
| 30 | MQ–9 | 553,530 | 712,430 |
| | Additional aircraft | | [158,900] |
| 31 | RQ–4 BLOCK 40 PROC | 11,654 | 11,654 |
| | **STRATEGIC AIRCRAFT** | | |
| 32 | B–2A | 82,296 | 82,296 |
| 33 | B–1B | 149,756 | 149,756 |
| 34 | B–52 | 9,781 | 9,781 |
| 35 | LARGE AIRCRAFT INFRA-RED COUNTER-MEASURES. | 28,800 | 28,800 |
| | **TACTICAL AIRCRAFT** | | |
| 36 | A–10 | 89,919 | 89,919 |
| 37 | F–15 | 148,378 | 148,378 |
| 38 | F–16 | 6,896 | 6,896 |
| 39 | F–22A | 283,871 | 283,871 |
| 40 | F–35 MODIFICATIONS | 147,995 | 147,995 |
| | **AIRLIFT AIRCRAFT** | | |
| 41 | C–5 | 6,967 | 6,967 |
| 43 | C–5M | 944,819 | 944,819 |
| 44 | ADVANCE PROCURE-MENT (CY). | 175,800 | 175,800 |
| 46 | C–17A | 205,079 | 205,079 |
| 47 | C–21 | 199 | 199 |
| 48 | C–32A | 1,750 | 1,750 |
| 49 | C–37A | 445 | 445 |
| | **TRAINER AIRCRAFT** | | |
| 51 | GLIDER MODS | 126 | 126 |
| 52 | T–6 | 15,494 | 15,494 |
| 53 | T–1 | 272 | 272 |
| 54 | T–38 | 20,455 | 20,455 |
| | **OTHER AIRCRAFT** | | |
| 56 | U–2 MODS | 44,477 | 44,477 |
| 57 | KC–10A (ATCA) | 46,921 | 46,921 |
| 58 | C–12 | 1,876 | 1,876 |
| 59 | MC–12W | 17,054 | 17,054 |
| 60 | C–20 MODS | 243 | 243 |
| 61 | VC–25A MOD | 11,185 | 11,185 |
| 62 | C–40 | 243 | 243 |
| 63 | C–130 | 67,853 | 67,853 |
| 65 | C–130J MODS | 70,555 | 70,555 |
| 66 | C–135 | 46,707 | 46,707 |
| 67 | COMPASS CALL MODS | 50,024 | 50,024 |
| 68 | RC–135 | 165,237 | 165,237 |
| 69 | E–3 | 193,099 | 193,099 |
| 70 | E–4 | 47,616 | 47,616 |
| 71 | E–8 | 59,320 | 59,320 |
| 72 | H–1 | 5,449 | 5,449 |
| 73 | H–60 | 26,227 | 26,227 |
| 74 | RQ–4 MODS | 9,257 | 9,257 |
| 75 | HC/MC–130 MODIFICA-TIONS. | 22,326 | 22,326 |
| 76 | OTHER AIRCRAFT | 18,832 | 18,832 |
| 77 | MQ–1 MODS | 30,861 | 30,861 |
| 78 | MQ–9 MODS | 238,360 | 238,360 |
| 79 | MQ–9 UAS PAYLOADS | 93,461 | 93,461 |
| 80 | CV–22 MODS | 23,881 | 23,881 |
| | **AIRCRAFT SPARES AND REPAIR PARTS** | | |
| 81 | INITIAL SPARES/REPAIR PARTS. | 729,691 | 728,291 |
| | Premature request for deployment spares packages for F–35. | | [–23,000] |
| | Support additional MQ–9 aircraft. | | [21,600] |
| | **COMMON SUPPORT EQUIPMENT** | | |
| 82 | AIRCRAFT REPLACEMENT SUPPORT EQUIP. | 56,542 | 56,542 |
| | **POST PRODUCTION SUP-PORT** | | |
| 83 | A–10 | 5,100 | 5,100 |
| 84 | B–1 | 965 | 965 |
| 86 | B–2A | 47,580 | 47,580 |
| 88 | KC–10A (ATCA) | 13,100 | 13,100 |
| 89 | C–17A | 181,703 | 181,703 |
| 90 | C–130 | 31,830 | 31,830 |
| 91 | C–135 | 13,434 | 13,434 |
| 92 | F–15 | 2,363 | 2,363 |
| 93 | F–16 | 8,506 | 8,506 |
| 96 | OTHER AIRCRAFT | 9,522 | 9,522 |
| | **INDUSTRIAL PREPARED-NESS** | | |
| 97 | INDUSTRIAL RESPONSIVE-NESS. | 20,731 | 20,731 |
| | **WAR CONSUMABLES** | | |
| 98 | WAR CONSUMABLES | 89,727 | 89,727 |
| | **OTHER PRODUCTION CHARGES** | | |
| 99 | OTHER PRODUCTION CHARGES. | 842,392 | 842,392 |
| | **CLASSIFIED PROGRAMS** | | |
| 103A | CLASSIFIED PROGRAMS | 20,164 | 20,164 |
| | **TOTAL AIRCRAFT PROCURE-MENT, AIR FORCE.** | **11,002,999** | **11,316,699** |
| | **PROCUREMENT OF AM-MUNITION, AIR FORCE** | | |
| | **ROCKETS** | | |
| 01 | ROCKETS | 8,927 | 8,927 |
| | **CARTRIDGES** | | |
| 02 | CARTRIDGES | 118,075 | 118,075 |
| | **BOMBS** | | |
| 03 | PRACTICE BOMBS | 32,393 | 32,393 |
| 04 | GENERAL PURPOSE BOMBS. | 163,467 | 163,467 |
| 05 | JOINT DIRECT ATTACK MUNITION. | 101,921 | 101,921 |
| | **FLARE, IR MJU–7B** | | |
| 06 | CAD/PAD | 43,829 | 43,829 |
| 07 | EXPLOSIVE ORDNANCE DISPOSAL (EOD). | 7,515 | 7,515 |
| 08 | SPARES AND REPAIR PARTS. | 1,003 | 1,003 |
| 09 | MODIFICATIONS | 5,321 | 5,321 |
| 10 | ITEMS LESS THAN $5 MILLION. | 5,066 | 5,066 |
| | **FUZES** | | |
| 11 | FLARES | 46,010 | 46,010 |
| 12 | FUZES | 36,444 | 36,444 |
| | **SMALL ARMS** | | |
| 13 | SMALL ARMS | 29,223 | 29,223 |
| | **TOTAL PROCURE-MENT OF AM-MUNITION, AIR FORCE.** | **599,194** | **599,194** |
| | **MISSILE PROCUREMENT, AIR FORCE** | | |
| | **MISSILE REPLACEMENT EQUIPMENT—BAL-LISTIC** | | |
| 01 | MISSILE REPLACEMENT EQ-BALLISTIC. | 56,906 | 56,906 |
| | **TACTICAL** | | |
| 02 | JASSM | 240,399 | 240,399 |
| 03 | SIDEWINDER (AIM–9X) | 88,020 | 88,020 |
| 04 | AMRAAM | 229,637 | 244,637 |
| | Program increase | | [15,000] |
| 05 | PREDATOR HELLFIRE MISSILE. | 47,675 | 47,675 |
| 06 | SMALL DIAMETER BOMB | 42,000 | 42,000 |
| | **INDUSTRIAL FACILITIES** | | |
| 07 | INDUSTR'L PREPAREDNS/POL PREVENTION. | 744 | 744 |
| | **CLASS IV** | | |
| 09 | MM III MODIFICATIONS | 54,794 | 54,794 |
| 10 | AGM–65D MAVERICK | 271 | 271 |
| 11 | AGM–88A HARM | 23,240 | 23,240 |
| 12 | AIR LAUNCH CRUISE MIS-SILE (ALCM). | 13,620 | 13,620 |
| 13 | SMALL DIAMETER BOMB | 5,000 | 5,000 |
| | **MISSILE SPARES AND REPAIR PARTS** | | |
| 14 | INITIAL SPARES/REPAIR PARTS. | 74,373 | 74,373 |
| | **SPACE PROGRAMS** | | |
| 15 | ADVANCED EHF | 557,205 | 557,205 |
| 17 | WIDEBAND GAPFILLER SATELLITES(SPACE). | 36,835 | 36,835 |
| 19 | GPS III SPACE SEGMENT | 410,294 | 410,294 |
| 20 | ADVANCE PROCURE-MENT (CY). | 82,616 | 82,616 |
| 21 | SPACEBORNE EQUIP (COMSEC). | 10,554 | 10,554 |
| 22 | GLOBAL POSITIONING (SPACE). | 58,147 | 58,147 |
| 23 | DEF METEOROLOGICAL SAT PROG(SPACE). | 89,022 | 89,022 |
| 24 | EVOLVED EXPENDABLE LAUNCH VEH(SPACE). | 1,679,856 | 1,679,856 |
| 25 | SBIR HIGH (SPACE) | 454,251 | 454,251 |
| | **SPECIAL PROGRAMS** | | |
| 30 | SPECIAL UPDATE PRO-GRAMS. | 138,904 | 138,904 |
| | **CLASSIFIED PROGRAMS** | | |
| 030A | CLASSIFIED PROGRAMS | 1,097,483 | 1,097,483 |
| | **TOTAL MISSILE PROCURE-MENT, AIR FORCE.** | **5,491,846** | **5,506,846** |
| | **OTHER PROCUREMENT, AIR FORCE** | | |
| | **PASSENGER CARRYING VEHICLES** | | |
| 01 | PASSENGER CARRYING VEHICLES. | 1,905 | 1,905 |
| | **CARGO AND UTILITY VE-HICLES** | | |
| 02 | MEDIUM TACTICAL VEHI-CLE. | 18,547 | 18,547 |
| 03 | CAP VEHICLES | 932 | 932 |
| 04 | ITEMS LESS THAN $5 MILLION. | 1,699 | 1,699 |
| | **SPECIAL PURPOSE VEHI-CLES** | | |
| 05 | SECURITY AND TACTICAL VEHICLES. | 10,850 | 10,850 |
| 06 | ITEMS LESS THAN $5 MILLION. | 9,246 | 9,246 |
| | **FIRE FIGHTING EQUIP-MENT** | | |
| 07 | FIRE FIGHTING/CRASH RESCUE VEHICLES. | 23,148 | 23,148 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| 08 | ITEMS LESS THAN $5 MILLION. | 18,323 | 18,323 |
| | **BASE MAINTENANCE SUPPORT** | | |
| 09 | RUNWAY SNOW REMOV AND CLEANING EQU. | 1,685 | 1,685 |
| 10 | ITEMS LESS THAN $5 MILLION. | 17,014 | 17,014 |
| | **COMM SECURITY EQUIP-MENT(COMSEC)** | | |
| 12 | COMSEC EQUIPMENT | 166,559 | 166,559 |
| 13 | MODIFICATIONS (COMSEC). | 1,133 | 1,133 |
| | **INTELLIGENCE PRO-GRAMS** | | |
| 14 | INTELLIGENCE TRAINING EQUIPMENT. | 2,749 | 2,749 |
| 15 | INTELLIGENCE COMM EQUIPMENT. | 32,876 | 32,876 |
| 16 | ADVANCE TECH SENSORS | 877 | 877 |
| 17 | MISSION PLANNING SYS-TEMS. | 15,295 | 15,295 |
| | **ELECTRONICS PROGRAMS** | | |
| 18 | AIR TRAFFIC CONTROL & LANDING SYS. | 21,984 | 21,984 |
| 19 | NATIONAL AIRSPACE SYS-TEM. | 30,698 | 30,698 |
| 20 | BATTLE CONTROL SYS-TEM—FIXED. | 17,368 | 17,368 |
| 21 | THEATER AIR CONTROL SYS IMPROVEMENTS. | 23,483 | 23,483 |
| 22 | WEATHER OBSERVATION FORECAST. | 17,864 | 17,864 |
| 23 | STRATEGIC COMMAND AND CONTROL. | 53,995 | 53,995 |

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 24 | CHEYENNE MOUNTAIN COMPLEX. | 14,578 | 14,578 |
| 25 | TAC SIGINT SPT | 208 | 208 |
| | **SPCL COMM-ELECTRONICS PROJECTS** | | |
| 27 | GENERAL INFORMATION TECHNOLOGY. | 69,743 | 69,743 |
| 28 | AF GLOBAL COMMAND & CONTROL SYS. | 15,829 | 15,829 |
| 29 | MOBILITY COMMAND AND CONTROL. | 11,023 | 11,023 |
| 30 | AIR FORCE PHYSICAL SECURITY SYSTEM. | 64,521 | 64,521 |
| 31 | COMBAT TRAINING RANGES. | 18,217 | 18,217 |
| 32 | C3 COUNTERMEASURES | 11,899 | 11,899 |
| 33 | GCSS-AF FOS | 13,920 | 13,920 |
| 34 | THEATER BATTLE MGT C2 SYSTEM. | 9,365 | 9,365 |
| 35 | AIR & SPACE OPERATIONS CTR-WPN SYS. | 33,907 | 33,907 |
| | **AIR FORCE COMMUNICATIONS** | | |
| 36 | INFORMATION TRANSPORT SYSTEMS. | 52,464 | 52,464 |
| 38 | AFNET | 125,788 | 125,788 |
| 39 | VOICE SYSTEMS | 16,811 | 16,811 |
| 40 | USCENTCOM | 32,138 | 32,138 |
| | **DISA PROGRAMS** | | |
| 41 | SPACE BASED IR SENSOR PGM SPACE. | 47,135 | 47,135 |
| 42 | NAVSTAR GPS SPACE | 2,031 | 2,031 |
| 43 | NUDET DETECTION SYS SPACE. | 5,564 | 5,564 |
| 44 | AF SATELLITE CONTROL NETWORK SPACE. | 44,219 | 44,219 |
| 45 | SPACELIFT RANGE SYSTEM SPACE. | 109,545 | 109,545 |
| 46 | MILSATCOM SPACE | 47,592 | 47,592 |
| 47 | SPACE MODS SPACE | 47,121 | 47,121 |
| 48 | COUNTERSPACE SYSTEM | 20,961 | 20,961 |
| | **ORGANIZATION AND BASE** | | |
| 49 | TACTICAL C-E EQUIPMENT. | 126,131 | 126,131 |
| 50 | COMBAT SURVIVOR EVADER LOCATER. | 23,707 | 23,707 |
| 51 | RADIO EQUIPMENT | 12,757 | 12,757 |
| 52 | CCTV/AUDIOVISUAL EQUIPMENT. | 10,716 | 10,716 |
| 53 | BASE COMM INFRASTRUCTURE. | 74,528 | 74,528 |
| | **MODIFICATIONS** | | |
| 54 | COMM ELECT MODS | 43,507 | 43,507 |
| | **PERSONAL SAFETY & RESCUE EQUIP** | | |
| 55 | NIGHT VISION GOGGLES | 22,693 | 22,693 |
| 56 | ITEMS LESS THAN $5 MILLION. | 30,887 | 30,887 |
| | **DEPOT PLANT+MTRLS HANDLING EQ** | | |
| 57 | MECHANIZED MATERIAL HANDLING EQUIP. | 2,850 | 2,850 |
| | **BASE SUPPORT EQUIPMENT** | | |
| 58 | BASE PROCURED EQUIPMENT. | 8,387 | 8,387 |
| 59 | CONTINGENCY OPERATIONS. | 10,358 | 10,358 |
| 60 | PRODUCTIVITY CAPITAL INVESTMENT. | 3,473 | 3,473 |
| 62 | MOBILITY EQUIPMENT | 14,471 | 14,471 |
| 63 | ITEMS LESS THAN $5 MILLION. | 1,894 | 1,894 |
| | **SPECIAL SUPPORT PROJECTS** | | |
| 65 | DARP RC135 | 24,176 | 24,176 |
| 66 | DCGS-AF | 142,928 | 142,928 |
| 68 | SPECIAL UPDATE PROGRAM. | 479,446 | 479,446 |
| 69 | DEFENSE SPACE RECONNAISSANCE PROG. | 39,155 | 39,155 |
| | **CLASSIFIED PROGRAMS** | | |
| 069A | CLASSIFIED PROGRAMS | 14,331,312 | 14,331,312 |

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **SPARES AND REPAIR PARTS** | | |
| 71 | SPARES AND REPAIR PARTS. | 14,663 | 14,663 |
| | **TOTAL OTHER PROCUREMENT, AIR FORCE.** | **16,720,848** | **16,720,848** |
| | **PROCUREMENT, DEFENSE-WIDE** | | |
| | **MAJOR EQUIPMENT, OSD** | | |
| 42 | MAJOR EQUIPMENT, OSD | 45,938 | 45,938 |
| 43 | MAJOR EQUIPMENT, INTELLIGENCE. | 17,582 | 17,582 |
| | **MAJOR EQUIPMENT, NSA** | | |
| 41 | INFORMATION SYSTEMS SECURITY PROGRAM (ISSP). | 6,770 | 6,770 |
| | **MAJOR EQUIPMENT, WHS** | | |
| 45 | MAJOR EQUIPMENT, WHS | 26,550 | 26,550 |
| | **MAJOR EQUIPMENT, DISA** | | |
| 12 | INFORMATION SYSTEMS SECURITY. | 12,708 | 12,708 |
| 14 | GLOBAL COMBAT SUPPORT SYSTEM. | 3,002 | 3,002 |
| 15 | TELEPORT PROGRAM | 46,992 | 46,992 |
| 16 | ITEMS LESS THAN $5 MILLION. | 108,462 | 108,462 |
| 17 | NET CENTRIC ENTERPRISE SERVICES (NCES). | 2,865 | 2,865 |
| 18 | DEFENSE INFORMATION SYSTEM NETWORK. | 116,906 | 116,906 |
| 19 | PUBLIC KEY INFRASTRUCTURE. | 1,827 | 1,827 |
| 21 | CYBER SECURITY INITIATIVE. | 10,319 | 10,319 |
| | **MAJOR EQUIPMENT, DLA** | | |
| 22 | MAJOR EQUIPMENT | 9,575 | 9,575 |
| | **MAJOR EQUIPMENT, DSS** | | |
| 26 | MAJOR EQUIPMENT | 2,522 | 2,522 |
| | **MAJOR EQUIPMENT, DCAA** | | |
| 02 | ITEMS LESS THAN $5 MILLION. | 1,486 | 1,486 |
| | **MAJOR EQUIPMENT, TJS** | | |
| 44 | MAJOR EQUIPMENT, TJS | 21,878 | 21,878 |
| | **MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY** | | |
| 30 | THAAD | 460,728 | 587,728 |
| | Procure 12 additional interceptors. | | [127,000] |
| 31 | AEGIS BMD | 389,626 | 389,626 |
| 32 | BMDS AN/TPY–2 RADARS | 217,244 | 387,244 |
| | Procure additional AN/TPY–2 radar. | | [170,000] |
| 33 | RADAR SPARES | 10,177 | 10,177 |
| | **MAJOR EQUIPMENT, DHRA** | | |
| 05 | PERSONNEL ADMINISTRATION. | 6,147 | 6,147 |
| | **MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY** | | |
| 27 | VEHICLES | 50 | 50 |
| 28 | OTHER MAJOR EQUIPMENT. | 13,096 | 13,096 |
| | **MAJOR EQUIPMENT, DODEA** | | |
| 24 | AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS. | 1,458 | 1,458 |
| | **MAJOR EQUIPMENT, DCMA** | | |
| 03 | MAJOR EQUIPMENT | 2,129 | 2,129 |
| | **MAJOR EQUIPMENT, DMACT** | | |
| 23 | MAJOR EQUIPMENT | 15,179 | 15,179 |
| | **CLASSIFIED PROGRAMS** | | |
| 045A | CLASSIFIED PROGRAMS | 555,787 | 555,787 |

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **AVIATION PROGRAMS** | | |
| 46 | ROTARY WING UPGRADES AND SUSTAINMENT. | 74,832 | 74,832 |
| 48 | MH–60 MODERNIZATION PROGRAM. | 126,780 | 126,780 |
| 49 | NON-STANDARD AVIATION | 99,776 | 36,976 |
| | Transfer to Line 051—Mission Shift. | | [–62,800] |
| 51 | U–28 | 7,530 | 116,930 |
| | Program increase | | [46,600] |
| | Transfer from Line 049—Mission Shift. | | [62,800] |
| 52 | MH–47 CHINOOK | 134,785 | 134,785 |
| 53 | RQ–11 UNMANNED AERIAL VEHICLE. | 2,062 | 2,062 |
| 54 | CV–22 MODIFICATION | 139,147 | 139,147 |
| 55 | MQ–1 UNMANNED AERIAL VEHICLE. | 3,963 | 26,963 |
| | Program increase | | [23,000] |
| 56 | MQ–9 UNMANNED AERIAL VEHICLE. | 3,952 | 39,352 |
| | Program increase | | [35,400] |
| 58 | STUASL0 | 12,945 | 12,945 |
| 59 | PRECISION STRIKE PACKAGE. | 73,013 | 73,013 |
| 60 | AC/MC–130J | 51,484 | 51,484 |
| 62 | C–130 MODIFICATIONS | 25,248 | 25,248 |
| 63 | AIRCRAFT SUPPORT | 5,314 | 5,314 |
| | **SHIPBUILDING** | | |
| 64 | UNDERWATER SYSTEMS | 23,037 | 23,037 |
| | **AMMUNITION PROGRAMS** | | |
| 66 | ORDNANCE REPLENISHMENT. | 113,183 | 113,183 |
| 67 | ORDNANCE ACQUISITION | 36,981 | 36,981 |
| | **OTHER PROCUREMENT PROGRAMS** | | |
| 68 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS. | 99,838 | 103,738 |
| | Program increase | | [3,900] |
| 69 | INTELLIGENCE SYSTEMS | 71,428 | 71,428 |
| 70 | SMALL ARMS AND WEAPONS. | 27,108 | 27,108 |
| 71 | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS. | 12,767 | 12,767 |
| 74 | COMBATANT CRAFT SYSTEMS. | 42,348 | 42,348 |
| 75 | SPARES AND REPAIR PARTS. | 600 | 600 |
| 77 | TACTICAL VEHICLES | 37,421 | 37,421 |
| 78 | MISSION TRAINING AND PREPARATION SYSTEMS. | 36,949 | 41,949 |
| | Program increase | | [5,000] |
| 79 | COMBAT MISSION REQUIREMENTS. | 20,255 | 20,255 |
| 80 | MILCON COLLATERAL EQUIPMENT. | 17,590 | 17,590 |
| 82 | AUTOMATION SYSTEMS | 66,573 | 66,573 |
| 83 | GLOBAL VIDEO SURVEILLANCE ACTIVITIES. | 6,549 | 6,549 |
| 84 | OPERATIONAL ENHANCEMENTS INTELLIGENCE. | 32,335 | 32,335 |
| 85 | SOLDIER PROTECTION AND SURVIVAL SYSTEMS. | 15,153 | 15,153 |
| 86 | VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS. | 33,920 | 33,920 |
| 87 | TACTICAL RADIO SYSTEMS. | 75,132 | 75,132 |
| 90 | MISCELLANEOUS EQUIPMENT. | 6,667 | 6,667 |
| 91 | OPERATIONAL ENHANCEMENTS. | 217,972 | 243,272 |
| | Program increase | | [25,300] |
| 92 | MILITARY INFORMATION SUPPORT OPERATIONS. | 27,417 | 27,417 |
| | **CBDP** | | |

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 93 | INSTALLATION FORCE PROTECTION. | 24,025 | 24,025 |
| 94 | INDIVIDUAL PROTECTION | 73,720 | 73,720 |
| 95 | DECONTAMINATION ..... | 506 | 506 |
| 96 | JOINT BIO DEFENSE PROGRAM (MEDICAL). | 32,597 | 32,597 |
| 97 | COLLECTIVE PROTECTION | 3,144 | 3,144 |
| 98 | CONTAMINATION AVOIDANCE. | 164,886 | 164,886 |
| | **TOTAL PROCUREMENT, DEFENSE-WIDE.** | **4,187,935** | **4,624,135** |
| | **JOINT URGENT OPERATIONAL NEEDS FUND** | | |
| | **JOINT URGENT OPERATIONAL NEEDS FUND** | | |
| 01 | JOINT URGENT OPERATIONAL NEEDS FUND. | 99,477 | 0 |
| | Program reduction | | [–99,477] |
| | **TOTAL JOINT URGENT OPERATIONAL NEEDS FUND.** | **99,477** | **0** |
| | **TOTAL PROCUREMENT.** | **97,432,379** | **99,121,919** |

## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **AIRCRAFT PROCUREMENT, ARMY** | **ROTARY** | |
| 9 | AH–64 APACHE BLOCK IIIB NEW BUILD. | 71,000 | 71,000 |
| 12 | KIOWA WARRIOR (OH–58F) WRA. | 183,900 | 183,900 |
| 15 | CH–47 HELICOPTER ..... | 231,300 | 231,300 |
| | **TOTAL AIRCRAFT PROCUREMENT, ARMY.** | **486,200** | **486,200** |
| | **MISSILE PROCUREMENT, ARMY** | | |
| | **AIR-TO-SURFACE MISSILE SYSTEM** | | |
| 4 | HELLFIRE SYS SUMMARY | 29,100 | 29,100 |
| | **ANTI-TANK/ASSAULT MISSILE SYS** | | |
| 8 | GUIDED MLRS ROCKET (GMLRS). | 20,553 | 20,553 |
| | **TOTAL MISSILE PROCUREMENT, ARMY.** | **49,653** | **49,653** |
| | **PROCUREMENT OF W&TCV, ARMY** | | |
| | **MOD OF WEAPONS AND OTHER COMBAT VEH** | | |
| 36 | M16 RIFLE MODS ..... | 15,422 | 15,422 |
| | **TOTAL PROCUREMENT OF W&TCV, ARMY.** | **15,422** | **15,422** |
| | **PROCUREMENT OF AMMUNITION, ARMY** | | |
| | **SMALL/MEDIUM CAL AMMUNITION** | | |
| 3 | CTG, HANDGUN, ALL TYPES. | 1,500 | 1,500 |
| 4 | CTG, .50 CAL, ALL TYPES | 10,000 | 10,000 |
| 7 | CTG, 30MM, ALL TYPES .. | 80,000 | 61,000 |
| | Pricing adjustments for target practice round and light-weight dual purpose round. | | [–19,000] |
| | **MORTAR AMMUNITION** | | |

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 9 | 60MM MORTAR, ALL TYPES. | 14,000 | 14,000 |
| 10 | 81MM MORTAR, ALL TYPES. | 6,000 | 6,000 |
| 11 | 120MM MORTAR, ALL TYPES. | 56,000 | 56,000 |
| | **ARTILLERY AMMUNITION** | | |
| 13 | ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP. | 29,956 | 29,956 |
| 14 | ARTILLERY PROJECTILE, 155MM, ALL TYPES. | 37,044 | 37,044 |
| 15 | PROJ 155MM EXTENDED RANGE XM982. | 12,300 | 12,300 |
| 16 | ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL. | 17,000 | 17,000 |
| | **MINES** | | |
| 17 | MINES & CLEARING CHARGES, ALL TYPES. | 12,000 | 12,000 |
| | **ROCKETS** | | |
| 20 | ROCKET, HYDRA 70, ALL TYPES. | 63,635 | 63,635 |
| | **OTHER AMMUNITION** | | |
| 23 | SIGNALS, ALL TYPES ..... | 16,858 | 16,858 |
| | **MISCELLANEOUS** | | |
| 28 | ITEMS LESS THAN $5 MILLION. | 1,200 | 1,200 |
| | **TOTAL PROCUREMENT OF AMMUNITION, ARMY.** | **357,493** | **338,493** |
| | **OTHER PROCUREMENT, ARMY** | | |
| | **TACTICAL VEHICLES** | | |
| 2 | FAMILY OF MEDIUM TACTICAL VEH (FMTV). | 28,247 | 28,247 |
| 4 | FAMILY OF HEAVY TACTICAL VEHICLES (FHTV). | 2,050 | 2,050 |
| 11 | HMMWV RECAPITALIZATION PROGRAM. | 271,000 | 271,000 |
| 14 | MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS. | 927,400 | 927,400 |
| | **COMM—INTELLIGENCE COMM** | | |
| 52 | RESERVE CA/MISO GPF EQUIPMENT. | 8,000 | 8,000 |
| | **COMM—BASE COMMUNICATIONS** | | |
| 61 | INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(. | 25,000 | 25,000 |
| | **ELECT EQUIP—TACT INT REL ACT (TIARA)** | | |
| 69 | DCGS–A (MIP) ..... | 90,355 | 90,355 |
| 73 | CI HUMINT AUTO REPRINTING AND COLLECTION. | 6,516 | 6,516 |
| | **ELECT EQUIP—ELECTRONIC WARFARE (EW)** | | |
| 75 | LIGHTWEIGHT COUNTER MORTAR RADAR. | 27,646 | 27,646 |
| 77 | FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES. | 52,000 | 52,000 |
| 78 | COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES. | 205,209 | 205,209 |
| | **ELECT EQUIP—TACTICAL SURV. (TAC SURV)** | | |
| 92 | MOD OF IN-SVC EQUIP (FIREFINDER RADARS). | 14,600 | 14,600 |
| 99 | COUNTERFIRE RADARS ... | 54,585 | 54,585 |
| | **ELECT EQUIP—TACTICAL C2 SYSTEMS** | | |
| 102 | FIRE SUPPORT C2 FAMILY | 22,430 | 22,430 |
| 103 | BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM. | 2,400 | 2,400 |

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 112 | MANEUVER CONTROL SYSTEM (MCS). | 6,400 | 6,400 |
| 113 | SINGLE ARMY LOGISTICS ENTERPRISE (SALE). | 5,160 | 5,160 |
| | **CHEMICAL DEFENSIVE EQUIPMENT** | | |
| 126 | FAMILY OF NON-LETHAL EQUIPMENT (FNLE). | 15,000 | 15,000 |
| 127 | BASE DEFENSE SYSTEMS (BDS). | 66,100 | 66,100 |
| | **ENGINEER (NON-CONSTRUCTION) EQUIPMENT** | | |
| 135 | EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT). | 3,565 | 3,565 |
| | **COMBAT SERVICE SUPPORT EQUIPMENT** | | |
| 143 | FORCE PROVIDER ..... | 39,700 | 39,700 |
| 145 | CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM. | 650 | 650 |
| | **PETROLEUM EQUIPMENT** | | |
| 149 | DISTRIBUTION SYSTEMS, PETROLEUM & WATER. | 2,119 | 2,119 |
| | **MAINTENANCE EQUIPMENT** | | |
| 152 | MOBILE MAINTENANCE EQUIPMENT SYSTEMS. | 428 | 428 |
| 153 | ITEMS LESS THAN $5 MILLION (MAINT EQ). | 30 | 30 |
| | **TRAINING EQUIPMENT** | | |
| 175 | COMBAT TRAINING CENTERS SUPPORT. | 7,000 | 7,000 |
| 176 | TRAINING DEVICES, NON-SYSTEM. | 27,250 | 27,250 |
| 178 | AVIATION COMBINED ARMS TACTICAL TRAINER. | 1,000 | 1,000 |
| 179 | GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING. | 5,900 | 5,900 |
| | **OTHER SUPPORT EQUIPMENT** | | |
| 183 | RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT. | 98,167 | 60,167 |
| | Rapid equipping force delayed execution rates. | | [–38,000] |
| | **TOTAL OTHER PROCUREMENT, ARMY.** | **2,015,907** | **1,977,907** |
| | **JOINT IMPR EXPLOSIVE DEV DEFEAT FUND** | | |
| | **NETWORK ATTACK** | | |
| 1 | ATTACK THE NETWORK .... | 950,500 | 950,500 |
| | **JIEDDO DEVICE DEFEAT** | | |
| 2 | DEFEAT THE DEVICE ..... | 400,000 | 400,000 |
| | **FORCE TRAINING** | | |
| 3 | TRAIN THE FORCE ..... | 149,500 | 149,500 |
| | **STAFF AND INFRASTRUCTURE** | | |
| 4 | OPERATIONS ..... | 175,400 | 402,800 |
| | Transfer from title 1. | | [227,400] |
| | **TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.** | **1,675,400** | **1,902,800** |
| | **AIRCRAFT PROCUREMENT, NAVY** | | |
| | **COMBAT AIRCRAFT** | | |
| 11 | H–1 UPGRADES (UH–1Y/AH–1Z). | 29,800 | 29,800 |
| | **MODIFICATION OF AIRCRAFT** | | |
| 30 | AV–8 SERIES ..... | 42,238 | 42,238 |
| 32 | F–18 SERIES ..... | 41,243 | 41,243 |
| 35 | H–53 SERIES ..... | 15,870 | 15,870 |
| 38 | EP–3 SERIES ..... | 13,030 | 13,030 |

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 43 | C–130 SERIES | 16,737 | 16,737 |
| 48 | SPECIAL PROJECT AIRCRAFT. | 2,714 | 2,714 |
| 54 | COMMON AVIONICS CHANGES. | 570 | 570 |
| | **AIRCRAFT SUPPORT EQUIP & FACILITIES** | | |
| 62 | COMMON GROUND EQUIPMENT. | 2,380 | 2,380 |
| | **TOTAL AIRCRAFT PROCUREMENT, NAVY.** | **164,582** | **164,582** |
| | **WEAPONS PROCUREMENT, NAVY** | | |
| | **TACTICAL MISSILES** | | |
| 9 | HELLFIRE | 17,000 | 17,000 |
| 10 | STAND OFF PRECISION GUIDED MUNITIONS (SOPGM). | 6,500 | 6,500 |
| | **TOTAL WEAPONS PROCUREMENT, NAVY.** | **23,500** | **23,500** |
| | **PROCUREMENT OF AMMO, NAVY & MC** | | |
| | **NAVY AMMUNITION** | | |
| 1 | GENERAL PURPOSE BOMBS. | 18,000 | 18,000 |
| 2 | AIRBORNE ROCKETS, ALL TYPES. | 80,200 | 80,200 |
| 3 | MACHINE GUN AMMUNITION. | 21,500 | 21,500 |
| 6 | AIR EXPENDABLE COUNTERMEASURES. | 20,303 | 20,303 |
| 11 | OTHER SHIP GUN AMMUNITION. | 532 | 532 |
| 12 | SMALL ARMS & LANDING PARTY AMMO. | 2,643 | 2,643 |
| 13 | PYROTECHNIC AND DEMOLITION. | 2,322 | 2,322 |
| 14 | AMMUNITION LESS THAN $5 MILLION. | 6,308 | 6,308 |
| | **MARINE CORPS AMMUNITION** | | |
| 15 | SMALL ARMS AMMUNITION. | 10,948 | 10,948 |
| 16 | LINEAR CHARGES, ALL TYPES. | 9,940 | 9,940 |
| 17 | 40 MM, ALL TYPES | 5,963 | 5,963 |
| 20 | 120MM, ALL TYPES | 11,605 | 11,605 |
| 21 | CTG 25MM, ALL TYPES | 2,831 | 2,831 |
| 22 | GRENADES, ALL TYPES | 2,359 | 2,359 |
| 23 | ROCKETS, ALL TYPES | 3,051 | 3,051 |
| 24 | ARTILLERY, ALL TYPES | 54,886 | 54,886 |
| 25 | DEMOLITION MUNITIONS, ALL TYPES. | 1,391 | 1,391 |
| 26 | FUZE, ALL TYPES | 30,945 | 30,945 |
| 27 | NON LETHALS | 8 | 8 |
| 29 | ITEMS LESS THAN $5 MILLION. | 12 | 12 |
| | **TOTAL PROCUREMENT OF AMMO, NAVY & MC.** | **285,747** | **285,747** |
| | **OTHER PROCUREMENT, NAVY** | | |
| | **OTHER SHORE ELECTRONIC EQUIPMENT** | | |
| 70 | TACTICAL/MOBILE C4I SYSTEMS. | 3,603 | 3,603 |
| | **AIRCRAFT SUPPORT EQUIPMENT** | | |
| 97 | EXPEDITIONARY AIRFIELDS. | 58,200 | 58,200 |
| | **CIVIL ENGINEERING SUPPORT EQUIPMENT** | | |
| 127 | PASSENGER CARRYING VEHICLES. | 3,901 | 3,901 |
| 128 | GENERAL PURPOSE TRUCKS. | 852 | 852 |
| 129 | CONSTRUCTION & MAINTENANCE EQUIP. | 2,436 | 2,436 |
| 130 | FIRE FIGHTING EQUIPMENT. | 3,798 | 3,798 |
| 131 | TACTICAL VEHICLES | 13,394 | 13,394 |
| 134 | ITEMS UNDER $5 MILLION. | 375 | 375 |
| | **COMMAND SUPPORT EQUIPMENT** | | |
| 149 | C4ISR EQUIPMENT | 3,000 | 3,000 |
| 151 | PHYSICAL SECURITY EQUIPMENT. | 9,323 | 9,323 |
| | **TOTAL OTHER PROCUREMENT, NAVY.** | **98,882** | **98,882** |
| | **PROCUREMENT, MARINE CORPS** | | |
| | **TRACKED COMBAT VEHICLES** | | |
| 2 | LAV PIP | 10,000 | 10,000 |
| | **ARTILLERY AND OTHER WEAPONS** | | |
| 5 | HIGH MOBILITY ARTILLERY ROCKET SYSTEM. | 108,860 | 108,860 |
| | **GUIDED MISSILES** | | |
| 10 | JAVELIN | 29,158 | 29,158 |
| | **OTHER SUPPORT** | | |
| 13 | MODIFICATION KITS | 41,602 | 41,602 |
| | **REPAIR AND TEST EQUIPMENT** | | |
| 15 | REPAIR AND TEST EQUIPMENT. | 13,632 | 13,632 |
| | **OTHER SUPPORT (TEL)** | | |
| 17 | MODIFICATION KITS | 2,831 | 2,831 |
| | **COMMAND AND CONTROL SYSTEM (NON-TEL)** | | |
| 19 | AIR OPERATIONS C2 SYSTEMS. | 15,575 | 15,575 |
| | **RADAR + EQUIPMENT (NON-TEL)** | | |
| 20 | RADAR SYSTEMS | 8,015 | 8,015 |
| | **INTELL/COMM EQUIPMENT (NON-TEL)** | | |
| 23 | INTELLIGENCE SUPPORT EQUIPMENT. | 35,310 | 35,310 |
| | **OTHER COMM/ELEC EQUIPMENT (NON-TEL)** | | |
| 29 | NIGHT VISION EQUIPMENT | 652 | 652 |
| | **OTHER SUPPORT (NON-TEL)** | | |
| 30 | COMMON COMPUTER RESOURCES. | 19,807 | 19,807 |
| 32 | RADIO SYSTEMS | 36,482 | 36,482 |
| 33 | COMM SWITCHING & CONTROL SYSTEMS. | 41,295 | 41,295 |
| | **TACTICAL VEHICLES** | | |
| 39 | MEDIUM TACTICAL VEHICLE REPLACEMENT. | 10,466 | 10,466 |
| 41 | FAMILY OF TACTICAL TRAILERS. | 7,642 | 7,642 |
| | **ENGINEER AND OTHER EQUIPMENT** | | |
| 45 | BULK LIQUID EQUIPMENT | 18,239 | 18,239 |
| 46 | TACTICAL FUEL SYSTEMS | 51,359 | 51,359 |
| 47 | POWER EQUIPMENT ASSORTED. | 20,247 | 20,247 |
| 49 | EOD SYSTEMS | 362,658 | 362,658 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| 50 | PHYSICAL SECURITY EQUIPMENT. | 55,500 | 55,500 |
| 52 | MATERIAL HANDLING EQUIP. | 19,100 | 19,100 |
| | **GENERAL PROPERTY** | | |
| 54 | FIELD MEDICAL EQUIPMENT. | 15,751 | 15,751 |
| 55 | TRAINING DEVICES | 3,602 | 3,602 |
| 57 | FAMILY OF CONSTRUCTION EQUIPMENT. | 15,900 | 15,900 |
| | **TOTAL PROCUREMENT, MARINE CORPS.** | **943,683** | **943,683** |
| | **AIRCRAFT PROCUREMENT, AIR FORCE** | | |
| | **STRATEGIC AIRCRAFT** | | |
| 35 | LARGE AIRCRAFT INFRARED COUNTERMEASURES. | 139,800 | 139,800 |
| | **OTHER AIRCRAFT** | | |
| 55 | U–2 MODS | 46,800 | 46,800 |
| 63 | C–130 | 11,400 | 11,400 |
| 67 | COMPASS CALL MODS | 14,000 | 14,000 |
| 68 | RC–135 | 8,000 | 8,000 |
| 75 | HC/MC–130 MODIFICATIONS. | 4,700 | 4,700 |
| | **AIRCRAFT SPARES AND REPAIR PARTS** | | |
| 81 | INITIAL SPARES/REPAIR PARTS. | 21,900 | 21,900 |
| | **OTHER PRODUCTION CHARGES** | | |
| 99 | OTHER PRODUCTION CHARGES. | 59,000 | 59,000 |
| | **TOTAL AIRCRAFT PROCUREMENT, AIR FORCE.** | **305,600** | **305,600** |
| | **PROCUREMENT OF AMMUNITION, AIR FORCE** | | |
| | **CARTRIDGES** | | |
| 2 | CARTRIDGES | 13,592 | 13,592 |
| | **BOMBS** | | |
| 4 | GENERAL PURPOSE BOMBS. | 23,211 | 23,211 |
| 5 | JOINT DIRECT ATTACK MUNITION. | 53,923 | 53,923 |
| | **FLARE, IR MJU–7B** | | |
| 6 | CAD/PAD | 2,638 | 2,638 |
| 10 | ITEMS LESS THAN $5 MILLION. | 2,600 | 2,600 |
| | **FUZES** | | |
| 11 | FLARES | 11,726 | 11,726 |
| 12 | FUZES | 8,513 | 8,513 |
| | **TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE.** | **116,203** | **116,203** |
| | **MISSILE PROCUREMENT, AIR FORCE** | | |
| | **TACTICAL** | | |
| 5 | PREDATOR HELLFIRE MISSILE. | 34,350 | 34,350 |
| | **TOTAL MISSILE PROCUREMENT, AIR FORCE.** | **34,350** | **34,350** |
| | **OTHER PROCUREMENT, AIR FORCE** | | |
| | **CARGO AND UTILITY VEHICLES** | | |
| 2 | MEDIUM TACTICAL VEHICLE. | 2,010 | 2,010 |
| 4 | ITEMS LESS THAN $5 MILLION. | 2,675 | 2,675 |
| | **SPECIAL PURPOSE VEHICLES** | | |
| 6 | ITEMS LESS THAN $5 MILLION. | 2,557 | 2,557 |
| | **MATERIALS HANDLING EQUIPMENT** | | |
| 8 | ITEMS LESS THAN $5 MILLION. | 4,329 | 4,329 |
| | **BASE MAINTENANCE SUPPORT** | | |
| 9 | RUNWAY SNOW REMOV AND CLEANING EQU. | 984 | 984 |
| 10 | ITEMS LESS THAN $5 MILLION. | 9,120 | 9,120 |
| | **ELECTRONICS PROGRAMS** | | |
| 22 | WEATHER OBSERVATION FORECAST. | 5,600 | 5,600 |

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **SPCL COMM-ELECTRONICS PROJECTS** | | |
| 27 | GENERAL INFORMATION TECHNOLOGY. | 11,157 | 11,157 |
| | **ORGANIZATION AND BASE** | | |
| 49 | TACTICAL C-E EQUIPMENT. | 7,000 | 7,000 |
| 53 | BASE COMM INFRASTRUCTURE. | 10,654 | 10,654 |
| | **MODIFICATIONS** | | |
| 54 | COMM ELECT MODS ..... | 8,000 | 8,000 |
| | **PERSONAL SAFETY & RESCUE EQUIP** | | |
| 55 | NIGHT VISION GOGGLES .. | 902 | 902 |
| | **BASE SUPPORT EQUIPMENT** | | |
| 59 | CONTINGENCY OPERATIONS. | 60,090 | 60,090 |
| 62 | MOBILITY EQUIPMENT ..... | 9,400 | 9,400 |
| 63 | ITEMS LESS THAN $5 MILLION. | 9,175 | 9,175 |
| | **CLASSIFIED PROGRAMS** | | |
| 069A | CLASSIFIED PROGRAMS .. | 2,672,317 | 2,672,317 |
| | **SPARES AND REPAIR PARTS** | | |
| 71 | SPARES AND REPAIR PARTS. | 2,300 | 2,300 |
| | **TOTAL OTHER PROCUREMENT, AIR FORCE.** | **2,818,270** | **2,818,270** |
| | **PROCUREMENT, DEFENSE-WIDE** | | |
| | **MAJOR EQUIPMENT, DISA** | | |
| 15 | TELEPORT PROGRAM ..... | 5,260 | 5,260 |
| | **CLASSIFIED PROGRAMS** | | |
| 045A | CLASSIFIED PROGRAMS .. | 126,201 | 126,201 |
| | **AVIATION PROGRAMS** | | |
| 61 | MQ–8 UAV ..... | 16,500 | 16,500 |
| | **OTHER PROCUREMENT PROGRAMS** | | |
| 68 | COMMUNICATIONS EQUIPMENT AND ELECTRONICS. | 151 | 151 |
| 69 | INTELLIGENCE SYSTEMS | 30,528 | 30,528 |
| 77 | TACTICAL VEHICLES ..... | 1,843 | 1,843 |
| 82 | AUTOMATION SYSTEMS ... | 1,000 | 1,000 |
| 86 | VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS. | 108 | 108 |
| 91 | OPERATIONAL ENHANCEMENTS. | 14,758 | 14,758 |
| | **TOTAL PROCUREMENT, DEFENSE-WIDE.** | **196,349** | **196,349** |
| | **JOINT URGENT OPERATIONAL NEEDS FUND** | | |
| | **JOINT URGENT OPERATIONAL NEEDS FUND** | | |
| 1 | JOINT URGENT OPERATIONAL NEEDS FUND. | 100,000 | 50,000 |
| | Program reduction | | [–50,000] |
| | **TOTAL JOINT URGENT OPERATIONAL NEEDS FUND.** | **100,000** | **50,000** |
| | **NATIONAL GUARD & RESERVE EQUIPMENT** | | |
| | **UNDISTRIBUTED** | | |
| 999 | MISCELLANEOUS EQUIPMENT. | | 500,000 |
| | Program increase ... | | [500,000] |
| | **TOTAL NATIONAL GUARD & RESERVE EQUIPMENT.** | | **500,000** |
| | **TOTAL PROCUREMENT.** | **9,687,241** | **10,307,641** |

## 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 2013 Request | House Authorized |
|---|---|---|---|---|
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | | |
| | | **BASIC RESEARCH** | | |
| 1 | 0601101A | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 20,860 | 20,860 |
| 2 | 0601102A | DEFENSE RESEARCH SCIENCES | 219,180 | 219,180 |
| 3 | 0601103A | UNIVERSITY RESEARCH INITIATIVES | 80,986 | 80,986 |
| 4 | 0601104A | UNIVERSITY AND INDUSTRY RESEARCH CENTERS | 123,045 | 123,045 |
| | | **SUBTOTAL BASIC RESEARCH** | **444,071** | **444,071** |
| | | **APPLIED RESEARCH** | | |
| 5 | 0602105A | MATERIALS TECHNOLOGY | 29,041 | 39,291 |
| | | Advanced coating technologies for corrosion mitigation | | [10,250] |
| 6 | 0602120A | SENSORS AND ELECTRONIC SURVIVABILITY | 45,260 | 45,260 |
| 7 | 0602122A | TRACTOR HIP | 22,439 | 22,439 |
| 8 | 0602211A | AVIATION TECHNOLOGY | 51,607 | 51,607 |
| 9 | 0602270A | ELECTRONIC WARFARE TECHNOLOGY | 15,068 | 15,068 |
| 10 | 0602303A | MISSILE TECHNOLOGY | 49,383 | 49,383 |
| 11 | 0602307A | ADVANCED WEAPONS TECHNOLOGY | 25,999 | 25,999 |
| 12 | 0602308A | ADVANCED CONCEPTS AND SIMULATION | 23,507 | 23,507 |
| 13 | 0602601A | COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY | 69,062 | 69,062 |
| 14 | 0602618A | BALLISTICS TECHNOLOGY | 60,823 | 60,823 |
| 15 | 0602622A | CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY | 4,465 | 4,465 |
| 16 | 0602623A | JOINT SERVICE SMALL ARMS PROGRAM | 7,169 | 7,169 |
| 17 | 0602624A | WEAPONS AND MUNITIONS TECHNOLOGY | 35,218 | 35,218 |
| 18 | 0602705A | ELECTRONICS AND ELECTRONIC DEVICES | 60,300 | 60,300 |
| 19 | 0602709A | NIGHT VISION TECHNOLOGY | 53,244 | 53,244 |
| 20 | 0602712A | COUNTERMINE SYSTEMS | 18,850 | 18,850 |
| 21 | 0602716A | HUMAN FACTORS ENGINEERING TECHNOLOGY | 19,872 | 19,872 |
| 22 | 0602720A | ENVIRONMENTAL QUALITY TECHNOLOGY | 20,095 | 20,095 |
| 23 | 0602782A | COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY | 28,852 | 28,852 |
| 24 | 0602783A | COMPUTER AND SOFTWARE TECHNOLOGY | 9,830 | 9,830 |
| 25 | 0602784A | MILITARY ENGINEERING TECHNOLOGY | 70,693 | 70,693 |
| 26 | 0602785A | MANPOWER/PERSONNEL/TRAINING TECHNOLOGY | 17,781 | 17,781 |
| 27 | 0602786A | WARFIGHTER TECHNOLOGY | 28,281 | 28,281 |
| 28 | 0602787A | MEDICAL TECHNOLOGY | 107,891 | 107,891 |
| | | **SUBTOTAL APPLIED RESEARCH** | **874,730** | **884,980** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 29 | 0603001A | WARFIGHTER ADVANCED TECHNOLOGY | 39,359 | 39,359 |
| 30 | 0603002A | MEDICAL ADVANCED TECHNOLOGY | 69,580 | 69,580 |
| 31 | 0603003A | AVIATION ADVANCED TECHNOLOGY | 64,215 | 64,215 |
| 32 | 0603004A | WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY | 67,613 | 67,613 |
| 33 | 0603005A | COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY | 104,359 | 104,359 |
| 34 | 0603006A | COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY | 4,157 | 4,157 |
| 35 | 0603007A | MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY | 9,856 | 9,856 |
| 36 | 0603008A | ELECTRONIC WARFARE ADVANCED TECHNOLOGY | 50,661 | 50,661 |
| 37 | 0603009A | TRACTOR HIKE | 9,126 | 9,126 |
| 38 | 0603015A | NEXT GENERATION TRAINING & SIMULATION SYSTEMS | 17,257 | 17,257 |

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 39 | 0603020A | TRACTOR ROSE | 9,925 | 9,925 |
| 40 | 0603105A | MILITARY HIV RESEARCH | 6,984 | 6,984 |
| 41 | 0603125A | COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT | 9,716 | 9,716 |
| 42 | 0603130A | TRACTOR NAIL | 3,487 | 3,487 |
| 43 | 0603131A | TRACTOR EGGS | 2,323 | 2,323 |
| 44 | 0603270A | ELECTRONIC WARFARE TECHNOLOGY | 21,683 | 21,683 |
| 45 | 0603313A | MISSILE AND ROCKET ADVANCED TECHNOLOGY | 71,111 | 71,111 |
| 46 | 0603322A | TRACTOR CAGE | 10,902 | 10,902 |
| 47 | 0603461A | HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM | 180,582 | 180,582 |
| 48 | 0603606A | LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY | 27,204 | 27,204 |
| 49 | 0603607A | JOINT SERVICE SMALL ARMS PROGRAM | 6,095 | 6,095 |
| 50 | 0603710A | NIGHT VISION ADVANCED TECHNOLOGY | 37,217 | 37,217 |
| 51 | 0603728A | ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS | 13,626 | 13,626 |
| 52 | 0603734A | MILITARY ENGINEERING ADVANCED TECHNOLOGY | 28,458 | 28,458 |
| 53 | 0603772A | ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY | 25,226 | 25,226 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **890,722** | **890,722** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 54 | 0603305A | ARMY MISSILE DEFENSE SYSTEMS INTEGRATION | 14,505 | 14,505 |
| 55 | 0603308A | ARMY SPACE SYSTEMS INTEGRATION | 9,876 | 9,876 |
| 56 | 0603619A | LANDMINE WARFARE AND BARRIER—ADV DEV | 5,054 | 5,054 |
| 57 | 0603627A | SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV | 2,725 | 2,725 |
| 58 | 0603639A | TANK AND MEDIUM CALIBER AMMUNITION | 30,560 | 30,560 |
| 59 | 0603653A | ADVANCED TANK ARMAMENT SYSTEM (ATAS) | 14,347 | 14,347 |
| 60 | 0603747A | SOLDIER SUPPORT AND SURVIVABILITY | 10,073 | 10,073 |
| 61 | 0603766A | TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV | 8,660 | 8,660 |
| 62 | 0603774A | NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT | 10,715 | 10,715 |
| 63 | 0603779A | ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL | 4,631 | 4,631 |
| 64 | 0603782A | WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL | 278,018 | 278,018 |
| 65 | 0603790A | NATO RESEARCH AND DEVELOPMENT | 4,961 | 4,961 |
| 66 | 0603801A | AVIATION—ADV DEV | 8,602 | 8,602 |
| 67 | 0603804A | LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV | 14,605 | 14,605 |
| 68 | 0603805A | COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS | 5,054 | 5,054 |
| 69 | 0603807A | MEDICAL SYSTEMS—ADV DEV | 24,384 | 24,384 |
| 70 | 0603827A | SOLDIER SYSTEMS—ADVANCED DEVELOPMENT | 32,050 | 32,050 |
| 71 | 0603850A | INTEGRATED BROADCAST SERVICE | 96 | 96 |
| 72 | 0604115A | TECHNOLOGY MATURATION INITIATIVES | 24,868 | 24,868 |
| 73 | 0604131A | TRACTOR JUTE | 59 | 59 |
| 75 | 0604319A | INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2) | 76,039 | 76,039 |
| 77 | 0604785A | INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4) | 4,043 | 4,043 |
| 78 | 0305205A | ENDURANCE UAVS | 26,196 | 26,196 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **610,121** | **610,121** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 79 | 0604201A | AIRCRAFT AVIONICS | 78,538 | 78,538 |
| 80 | 0604220A | ARMED, DEPLOYABLE HELOS | 90,494 | 90,494 |
| 81 | 0604270A | ELECTRONIC WARFARE DEVELOPMENT | 181,347 | 176,347 |
| | | Program adjustment | | [–5,000] |
| 83 | 0604290A | MID-TIER NETWORKING VEHICULAR RADIO (MNVR) | 12,636 | 12,636 |
| 84 | 0604321A | ALL SOURCE ANALYSIS SYSTEM | 5,694 | 5,694 |
| 85 | 0604328A | TRACTOR CAGE | 32,095 | 32,095 |
| 86 | 0604601A | INFANTRY SUPPORT WEAPONS | 96,478 | 93,078 |
| | | XM25 funding ahead of need | | [–3,400] |
| 87 | 0604604A | MEDIUM TACTICAL VEHICLES | 3,006 | 3,006 |
| 89 | 0604611A | JAVELIN | 5,040 | 5,040 |
| 90 | 0604622A | FAMILY OF HEAVY TACTICAL VEHICLES | 3,077 | 3,077 |
| 91 | 0604633A | AIR TRAFFIC CONTROL | 9,769 | 9,769 |
| 92 | 0604641A | TACTICAL UNMANNED GROUND VEHICLE (TUGV) | 13,141 | 13,141 |
| 99 | 0604710A | NIGHT VISION SYSTEMS—ENG DEV | 32,621 | 32,621 |
| 100 | 0604713A | COMBAT FEEDING, CLOTHING, AND EQUIPMENT | 2,132 | 2,132 |
| 101 | 0604715A | NON-SYSTEM TRAINING DEVICES—ENG DEV | 44,787 | 44,787 |
| 102 | 0604716A | TERRAIN INFORMATION—ENG DEV | 1,008 | 1,008 |
| 103 | 0604741A | AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV | 73,333 | 73,333 |
| 104 | 0604742A | CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT | 28,937 | 28,937 |
| 105 | 0604746A | AUTOMATIC TEST EQUIPMENT DEVELOPMENT | 10,815 | 10,815 |
| 106 | 0604760A | DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV | 13,926 | 13,926 |
| 107 | 0604780A | COMBINED ARMS TACTICAL TRAINER (CATT) CORE | 17,797 | 17,797 |
| 108 | 0604798A | BRIGADE ANALYSIS, INTEGRATION AND EVALUATION | 214,270 | 214,270 |
| 109 | 0604802A | WEAPONS AND MUNITIONS—ENG DEV | 14,581 | 14,581 |
| 110 | 0604804A | LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV | 43,706 | 43,706 |
| 111 | 0604805A | COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV | 20,776 | 20,776 |
| 112 | 0604807A | MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV | 43,395 | 43,395 |
| 113 | 0604808A | LANDMINE WARFARE/BARRIER—ENG DEV | 104,983 | 104,983 |
| 114 | 0604814A | ARTILLERY MUNITIONS—EMD | 4,346 | 4,346 |
| 116 | 0604818A | ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE | 77,223 | 77,223 |
| 117 | 0604820A | RADAR DEVELOPMENT | 3,486 | 3,486 |
| 118 | 0604822A | GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS) | 9,963 | 9,963 |
| 119 | 0604823A | FIREFINDER | 20,517 | 20,517 |
| 120 | 0604827A | SOLDIER SYSTEMS—WARRIOR DEM/VAL | 51,851 | 51,851 |
| 121 | 0604854A | ARTILLERY SYSTEMS—EMD | 167,797 | 167,797 |
| 122 | 0604869A | PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP) | 400,861 | 0 |
| | | Prohibition of funds for MEADS | | [–400,861] |
| 123 | 0604870A | NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK | 7,922 | 7,922 |

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 124 | 0605013A | INFORMATION TECHNOLOGY DEVELOPMENT | 51,463 | 51,463 |
| 125 | 0605018A | INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) | 158,646 | 158,646 |
| 126 | 0605450A | JOINT AIR-TO-GROUND MISSILE (JAGM) | 10,000 | 10,000 |
| 128 | 0605456A | PAC–3/MSE MISSILE | 69,029 | 69,029 |
| 129 | 0605457A | ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) | 277,374 | 277,374 |
| 130 | 0605625A | MANNED GROUND VEHICLE | 639,874 | 639,874 |
| 131 | 0605626A | AERIAL COMMON SENSOR | 47,426 | 47,426 |
| 132 | 0605812A | JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH | 72,295 | 72,295 |
| 133 | 0303032A | TROJAN—RH12 | 4,232 | 4,232 |
| 134 | 0304270A | ELECTRONIC WARFARE DEVELOPMENT | 13,942 | 13,942 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | **3,286,629** | **2,877,368** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 135 | 0604256A | THREAT SIMULATOR DEVELOPMENT | 18,090 | 18,090 |
| 136 | 0604258A | TARGET SYSTEMS DEVELOPMENT | 14,034 | 14,034 |
| 137 | 0604759A | MAJOR T&E INVESTMENT | 37,394 | 37,394 |
| 138 | 0605103A | RAND ARROYO CENTER | 21,026 | 21,026 |
| 139 | 0605301A | ARMY KWAJALEIN ATOLL | 176,816 | 176,816 |
| 140 | 0605326A | CONCEPTS EXPERIMENTATION PROGRAM | 27,902 | 27,902 |
| 142 | 0605601A | ARMY TEST RANGES AND FACILITIES | 369,900 | 369,900 |
| 143 | 0605602A | ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS | 69,183 | 69,183 |
| 144 | 0605604A | SURVIVABILITY/LETHALITY ANALYSIS | 44,753 | 44,753 |
| 146 | 0605606A | AIRCRAFT CERTIFICATION | 5,762 | 5,762 |
| 147 | 0605702A | METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES | 7,402 | 7,402 |
| 148 | 0605706A | MATERIEL SYSTEMS ANALYSIS | 19,954 | 19,954 |
| 149 | 0605709A | EXPLOITATION OF FOREIGN ITEMS | 5,535 | 5,535 |
| 150 | 0605712A | SUPPORT OF OPERATIONAL TESTING | 67,789 | 67,789 |
| 151 | 0605716A | ARMY EVALUATION CENTER | 62,765 | 62,765 |
| 152 | 0605718A | ARMY MODELING & SIM X-CMD COLLABORATION & INTEG | 1,545 | 1,545 |
| 153 | 0605801A | PROGRAMWIDE ACTIVITIES | 83,422 | 83,422 |
| 154 | 0605803A | TECHNICAL INFORMATION ACTIVITIES | 50,820 | 50,820 |
| 155 | 0605805A | MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY | 46,763 | 46,763 |
| 156 | 0605857A | ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT | 4,601 | 4,601 |
| 157 | 0605898A | MANAGEMENT HQ—R&D | 18,524 | 18,524 |
| | | **SUBTOTAL RDT&E MANAGEMENT SUPPORT** | **1,153,980** | **1,153,980** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 159 | 0603778A | MLRS PRODUCT IMPROVEMENT PROGRAM | 143,005 | 143,005 |
| 161 | 0607865A | PATRIOT PRODUCT IMPROVEMENT | 109,978 | 109,978 |
| 162 | 0102419A | AEROSTAT JOINT PROJECT OFFICE | 190,422 | 171,422 |
| | | Program adjustment | | [–19,000] |
| 164 | 0203726A | ADV FIELD ARTILLERY TACTICAL DATA SYSTEM | 32,556 | 32,556 |
| 165 | 0203735A | COMBAT VEHICLE IMPROVEMENT PROGRAMS | 253,959 | 253,959 |
| 166 | 0203740A | MANEUVER CONTROL SYSTEM | 68,325 | 68,325 |
| 167 | 0203744A | AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS | 280,247 | 226,147 |
| | | Ahead of need | | [–54,100] |
| 168 | 0203752A | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 898 | 898 |
| 169 | 0203758A | DIGITIZATION | 35,180 | 35,180 |
| 171 | 0203801A | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM | 20,733 | 20,733 |
| 172 | 0203808A | TRACTOR CARD | 63,243 | 63,243 |
| 173 | 0208053A | JOINT TACTICAL GROUND SYSTEM | 31,738 | 31,738 |
| 174 | 0208058A | JOINT HIGH SPEED VESSEL (JHSV) | 35 | 35 |
| 176 | 0303028A | SECURITY AND INTELLIGENCE ACTIVITIES | 7,591 | 7,591 |
| 177 | 0303140A | INFORMATION SYSTEMS SECURITY PROGRAM | 15,961 | 15,961 |
| 178 | 0303141A | GLOBAL COMBAT SUPPORT SYSTEM | 120,927 | 120,927 |
| 179 | 0303142A | SATCOM GROUND ENVIRONMENT (SPACE) | 15,756 | 15,756 |
| 180 | 0303150A | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM | 14,443 | 14,443 |
| 182 | 0305204A | TACTICAL UNMANNED AERIAL VEHICLES | 31,303 | 31,303 |
| 183 | 0305208A | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 40,876 | 40,876 |
| 184 | 0305219A | MQ–1 SKY WARRIOR A UAV | 74,618 | 74,618 |
| 185 | 0305232A | RQ–11 UAV | 4,039 | 4,039 |
| 186 | 0305233A | RQ–7 UAV | 31,158 | 31,158 |
| 187 | 0305235A | VERTICAL UAS | 2,387 | 2,387 |
| 188 | 0307665A | BIOMETRICS ENABLED INTELLIGENCE | 15,248 | 15,248 |
| 189 | 0708045A | END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES | 59,908 | 59,908 |
| 189A | 9999999999 | CLASSIFIED PROGRAMS | 4,628 | 4,628 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **1,669,162** | **1,596,062** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | **8,929,415** | **8,457,304** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY** | | |
| | | **BASIC RESEARCH** | | |
| 1 | 0601103N | UNIVERSITY RESEARCH INITIATIVES | 113,690 | 123,690 |
| | | Increase Defense University Research Instrumentation Program | | [10,000] |
| 2 | 0601152N | IN-HOUSE LABORATORY INDEPENDENT RESEARCH | 18,261 | 18,261 |
| 3 | 0601153N | DEFENSE RESEARCH SCIENCES | 473,070 | 473,070 |
| 003A | 0601XXXN | SCIENCE AND TECHNOLOGY | | 3,450 |
| | | Transfer from PE 0205658N | | [3,450] |
| | | **SUBTOTAL BASIC RESEARCH** | **605,021** | **618,471** |
| | | **APPLIED RESEARCH** | | |
| 4 | 0602114N | POWER PROJECTION APPLIED RESEARCH | 89,189 | 89,189 |
| 5 | 0602123N | FORCE PROTECTION APPLIED RESEARCH | 143,301 | 143,301 |

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 6 | 0602131M | MARINE CORPS LANDING FORCE TECHNOLOGY | 46,528 | 46,528 |
| 7 | 0602235N | COMMON PICTURE APPLIED RESEARCH | 41,696 | 41,696 |
| 8 | 0602236N | WARFIGHTER SUSTAINMENT APPLIED RESEARCH | 44,127 | 44,127 |
| 9 | 0602271N | ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH | 78,228 | 78,228 |
| 10 | 0602435N | OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH | 49,635 | 49,635 |
| 11 | 0602651M | JOINT NON-LETHAL WEAPONS APPLIED RESEARCH | 5,973 | 5,973 |
| 12 | 0602747N | UNDERSEA WARFARE APPLIED RESEARCH | 96,814 | 96,814 |
| 13 | 0602750N | FUTURE NAVAL CAPABILITIES APPLIED RESEARCH | 162,417 | 162,417 |
| 14 | 0602782N | MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH | 32,394 | 32,394 |
| | | **SUBTOTAL APPLIED RESEARCH** | **790,302** | **790,302** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 15 | 0603114N | POWER PROJECTION ADVANCED TECHNOLOGY | 56,543 | 56,543 |
| 16 | 0603123N | FORCE PROTECTION ADVANCED TECHNOLOGY | 18,616 | 18,616 |
| 19 | 0603271N | ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY | 54,858 | 54,858 |
| 20 | 0603640M | USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) | 130,598 | 130,598 |
| 21 | 0603651M | JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT | 11,706 | 11,706 |
| 22 | 0603673N | FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT | 256,382 | 256,382 |
| 23 | 0603729N | WARFIGHTER PROTECTION ADVANCED TECHNOLOGY | 3,880 | 3,880 |
| 25 | 0603758N | NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS | 51,819 | 51,819 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **584,402** | **584,402** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 28 | 0603207N | AIR/OCEAN TACTICAL APPLICATIONS | 34,085 | 34,085 |
| 29 | 0603216N | AVIATION SURVIVABILITY | 8,783 | 8,783 |
| 30 | 0603237N | DEPLOYABLE JOINT COMMAND AND CONTROL | 3,773 | 3,773 |
| 31 | 0603251N | AIRCRAFT SYSTEMS | 24,512 | 24,512 |
| 32 | 0603254N | ASW SYSTEMS DEVELOPMENT | 8,090 | 8,090 |
| 33 | 0603261N | TACTICAL AIRBORNE RECONNAISSANCE | 5,301 | 5,301 |
| 34 | 0603382N | ADVANCED COMBAT SYSTEMS TECHNOLOGY | 1,506 | 1,506 |
| 35 | 0603502N | SURFACE AND SHALLOW WATER MINE COUNTERMEASURES | 190,622 | 190,622 |
| 36 | 0603506N | SURFACE SHIP TORPEDO DEFENSE | 93,346 | 93,346 |
| 37 | 0603512N | CARRIER SYSTEMS DEVELOPMENT | 108,871 | 108,871 |
| 39 | 0603525N | PILOT FISH | 101,169 | 101,169 |
| 40 | 0603527N | RETRACT LARCH | 74,312 | 74,312 |
| 41 | 0603536N | RETRACT JUNIPER | 90,730 | 90,730 |
| 42 | 0603542N | RADIOLOGICAL CONTROL | 777 | 777 |
| 43 | 0603553N | SURFACE ASW | 6,704 | 6,704 |
| 44 | 0603561N | ADVANCED SUBMARINE SYSTEM DEVELOPMENT | 555,123 | 929,523 |
| | | Program increase | | [374,400] |
| 45 | 0603562N | SUBMARINE TACTICAL WARFARE SYSTEMS | 9,368 | 9,368 |
| 46 | 0603563N | SHIP CONCEPT ADVANCED DESIGN | 24,609 | 24,609 |
| 47 | 0603564N | SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES | 13,710 | 13,710 |
| 48 | 0603570N | ADVANCED NUCLEAR POWER SYSTEMS | 249,748 | 249,748 |
| 49 | 0603573N | ADVANCED SURFACE MACHINERY SYSTEMS | 29,897 | 29,897 |
| 50 | 0603576N | CHALK EAGLE | 509,988 | 509,988 |
| 51 | 0603581N | LITTORAL COMBAT SHIP (LCS) | 429,420 | 429,420 |
| 52 | 0603582N | COMBAT SYSTEM INTEGRATION | 56,551 | 56,551 |
| 53 | 0603609N | CONVENTIONAL MUNITIONS | 7,342 | 7,342 |
| 54 | 0603611M | MARINE CORPS ASSAULT VEHICLES | 95,182 | 95,182 |
| 55 | 0603635M | MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM | 10,496 | 10,496 |
| 56 | 0603654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 52,331 | 52,331 |
| 57 | 0603658N | COOPERATIVE ENGAGEMENT | 56,512 | 56,512 |
| 58 | 0603713N | OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT | 7,029 | 7,029 |
| 59 | 0603721N | ENVIRONMENTAL PROTECTION | 21,080 | 21,080 |
| 60 | 0603724N | NAVY ENERGY PROGRAM | 55,324 | 55,324 |
| 61 | 0603725N | FACILITIES IMPROVEMENT | 3,401 | 3,401 |
| 62 | 0603734N | CHALK CORAL | 45,966 | 45,966 |
| 63 | 0603739N | NAVY LOGISTIC PRODUCTIVITY | 3,811 | 3,811 |
| 64 | 0603746N | RETRACT MAPLE | 341,305 | 341,305 |
| 65 | 0603748N | LINK PLUMERIA | 181,220 | 181,220 |
| 66 | 0603751N | RETRACT ELM | 174,014 | 174,014 |
| 68 | 0603764N | LINK EVERGREEN | 68,654 | 68,654 |
| 69 | 0603787N | SPECIAL PROCESSES | 44,487 | 44,487 |
| 70 | 0603790N | NATO RESEARCH AND DEVELOPMENT | 9,389 | 9,389 |
| 71 | 0603795N | LAND ATTACK TECHNOLOGY | 16,132 | 16,132 |
| 72 | 0603851M | JOINT NON-LETHAL WEAPONS TESTING | 44,994 | 44,994 |
| 73 | 0603860N | JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL | 137,369 | 137,369 |
| 76 | 0604272N | TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) | 73,934 | 73,934 |
| 77 | 0604279N | ASE SELF-PROTECTION OPTIMIZATION | 711 | 711 |
| 78 | 0604653N | JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW) | 71,300 | 71,300 |
| 79 | 0604659N | PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM | 5,654 | 5,654 |
| 80 | 0604707N | SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT | 31,549 | 31,549 |
| 82 | 0604786N | OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT | 86,801 | 86,801 |
| 83 | 0605812M | JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH | 44,500 | 44,500 |
| 84 | 0303354N | ASW SYSTEMS DEVELOPMENT—MIP | 13,172 | 13,172 |
| 86 | 0304270N | ELECTRONIC WARFARE DEVELOPMENT—MIP | 643 | 643 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **4,335,297** | **4,709,697** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 87 | 0604212N | OTHER HELO DEVELOPMENT | 33,978 | 33,978 |
| 88 | 0604214N | AV–8B AIRCRAFT—ENG DEV | 32,789 | 32,789 |
| 89 | 0604215N | STANDARDS DEVELOPMENT | 84,988 | 84,988 |

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 90 | 0604216N | MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT | 6,866 | 6,866 |
| 91 | 0604218N | AIR/OCEAN EQUIPMENT ENGINEERING | 4,060 | 4,060 |
| 92 | 0604221N | P–3 MODERNIZATION PROGRAM | 3,451 | 3,451 |
| 93 | 0604230N | WARFARE SUPPORT SYSTEM | 13,071 | 13,071 |
| 94 | 0604231N | TACTICAL COMMAND SYSTEM | 71,645 | 71,645 |
| 95 | 0604234N | ADVANCED HAWKEYE | 119,065 | 119,065 |
| 96 | 0604245N | H–1 UPGRADES | 31,105 | 31,105 |
| 97 | 0604261N | ACOUSTIC SEARCH SENSORS | 34,299 | 34,299 |
| 98 | 0604262N | V–22A | 54,412 | 54,412 |
| 99 | 0604264N | AIR CREW SYSTEMS DEVELOPMENT | 2,717 | 2,717 |
| 100 | 0604269N | EA–18 | 13,009 | 13,009 |
| 101 | 0604270N | ELECTRONIC WARFARE DEVELOPMENT | 51,304 | 51,304 |
| 102 | 0604273N | VH–71A EXECUTIVE HELO DEVELOPMENT | 61,163 | 61,163 |
| 103 | 0604274N | NEXT GENERATION JAMMER (NGJ) | 187,024 | 187,024 |
| 104 | 0604280N | JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) | 337,480 | 337,480 |
| 105 | 0604307N | SURFACE COMBATANT COMBAT SYSTEM ENGINEERING | 260,616 | 510,616 |
| | | Cruiser Retention | | [250,000] |
| 106 | 0604311N | LPD–17 CLASS SYSTEMS INTEGRATION | 824 | 824 |
| 107 | 0604329N | SMALL DIAMETER BOMB (SDB) | 31,064 | 31,064 |
| 108 | 0604366N | STANDARD MISSILE IMPROVEMENTS | 63,891 | 63,891 |
| 109 | 0604373N | AIRBORNE MCM | 73,246 | 73,246 |
| 110 | 0604376M | MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION | 10,568 | 10,568 |
| 111 | 0604378N | NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING | 39,974 | 39,974 |
| 112 | 0604404N | UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM | 122,481 | 47,481 |
| | | Transfer from RDN 112 to RDN 167 | | [–75,000] |
| 113 | 0604501N | ADVANCED ABOVE WATER SENSORS | 255,516 | 255,516 |
| 114 | 0604503N | SSN–688 AND TRIDENT MODERNIZATION | 82,620 | 82,620 |
| 115 | 0604504N | AIR CONTROL | 5,633 | 5,633 |
| 116 | 0604512N | SHIPBOARD AVIATION SYSTEMS | 55,826 | 55,826 |
| 117 | 0604518N | COMBAT INFORMATION CENTER CONVERSION | 918 | 918 |
| 118 | 0604558N | NEW DESIGN SSN | 165,230 | 165,230 |
| 119 | 0604562N | SUBMARINE TACTICAL WARFARE SYSTEM | 49,141 | 49,141 |
| 120 | 0604567N | SHIP CONTRACT DESIGN/ LIVE FIRE T&E | 196,737 | 196,737 |
| 121 | 0604574N | NAVY TACTICAL COMPUTER RESOURCES | 3,889 | 3,889 |
| 122 | 0604601N | MINE DEVELOPMENT | 8,335 | 8,335 |
| 123 | 0604610N | LIGHTWEIGHT TORPEDO DEVELOPMENT | 49,818 | 49,818 |
| 124 | 0604654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 10,099 | 10,099 |
| 125 | 0604703N | PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS | 7,348 | 7,348 |
| 126 | 0604727N | JOINT STANDOFF WEAPON SYSTEMS | 5,518 | 5,518 |
| 127 | 0604755N | SHIP SELF DEFENSE (DETECT & CONTROL) | 87,662 | 87,662 |
| 128 | 0604756N | SHIP SELF DEFENSE (ENGAGE: HARD KILL) | 64,079 | 64,079 |
| 129 | 0604757N | SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) | 151,489 | 152,614 |
| | | Cruiser Retention | | [1,125] |
| 131 | 0604771N | MEDICAL DEVELOPMENT | 12,707 | 12,707 |
| 132 | 0604777N | NAVIGATION/ID SYSTEM | 47,764 | 47,764 |
| 133 | 0604800M | JOINT STRIKE FIGHTER (JSF)—EMD | 737,149 | 737,149 |
| 134 | 0604800N | JOINT STRIKE FIGHTER (JSF)—EMD | 743,926 | 743,926 |
| 135 | 0605013M | INFORMATION TECHNOLOGY DEVELOPMENT | 12,143 | 12,143 |
| 136 | 0605013N | INFORMATION TECHNOLOGY DEVELOPMENT | 72,209 | 72,209 |
| 138 | 0605212N | CH–53K RDTE | 606,204 | 606,204 |
| 140 | 0605500N | MULTI-MISSION MARITIME AIRCRAFT (MMA) | 421,102 | 421,102 |
| 141 | 0204202N | DDG–1000 | 124,655 | 124,655 |
| 142 | 0304231N | TACTICAL COMMAND SYSTEM—MIP | 1,170 | 1,170 |
| 144 | 0304785N | TACTICAL CRYPTOLOGIC SYSTEMS | 23,255 | 23,255 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | **5,747,232** | **5,923,357** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 146 | 0604256N | THREAT SIMULATOR DEVELOPMENT | 30,790 | 30,790 |
| 147 | 0604258N | TARGET SYSTEMS DEVELOPMENT | 59,221 | 59,221 |
| 148 | 0604759N | MAJOR T&E INVESTMENT | 35,894 | 35,894 |
| 149 | 0605126N | JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION | 7,573 | 7,573 |
| 150 | 0605152N | STUDIES AND ANALYSIS SUPPORT—NAVY | 20,963 | 20,963 |
| 151 | 0605154N | CENTER FOR NAVAL ANALYSES | 46,856 | 46,856 |
| 153 | 0605804N | TECHNICAL INFORMATION SERVICES | 796 | 796 |
| 154 | 0605853N | MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT | 32,782 | 32,782 |
| 155 | 0605856N | STRATEGIC TECHNICAL SUPPORT | 3,306 | 3,306 |
| 156 | 0605861N | RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT | 70,302 | 70,302 |
| 157 | 0605863N | RDT&E SHIP AND AIRCRAFT SUPPORT | 144,033 | 144,033 |
| 158 | 0605864N | TEST AND EVALUATION SUPPORT | 342,298 | 342,298 |
| 159 | 0605865N | OPERATIONAL TEST AND EVALUATION CAPABILITY | 16,399 | 16,399 |
| 160 | 0605866N | NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT | 4,579 | 4,579 |
| 161 | 0605867N | SEW SURVEILLANCE/RECONNAISSANCE SUPPORT | 8,000 | 8,000 |
| 162 | 0605873M | MARINE CORPS PROGRAM WIDE SUPPORT | 18,490 | 18,490 |
| 163 | 0305885N | TACTICAL CRYPTOLOGIC ACTIVITIES | 2,795 | 2,795 |
| | | **SUBTOTAL RDT&E MANAGEMENT SUPPORT** | **845,077** | **845,077** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 167 | 0604402N | UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT | 142,282 | 217,282 |
| | | Transfer from RDN 112 to RDN 167 | | [75,000] |
| 170 | 0101221N | STRATEGIC SUB & WEAPONS SYSTEM SUPPORT | 105,892 | 105,892 |
| 171 | 0101224N | SSBN SECURITY TECHNOLOGY PROGRAM | 34,729 | 34,729 |
| 172 | 0101226N | SUBMARINE ACOUSTIC WARFARE DEVELOPMENT | 1,434 | 1,434 |
| 173 | 0101402N | NAVY STRATEGIC COMMUNICATIONS | 19,208 | 19,208 |

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(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 174 | 0203761N | RAPID TECHNOLOGY TRANSITION (RTT) | 25,566 | 25,566 |
| 175 | 0204136N | F/A–18 SQUADRONS | 188,299 | 188,299 |
| 176 | 0204152N | E–2 SQUADRONS | 8,610 | 8,610 |
| 177 | 0204163N | FLEET TELECOMMUNICATIONS (TACTICAL) | 15,695 | 15,695 |
| 178 | 0204228N | SURFACE SUPPORT | 4,171 | 4,171 |
| 179 | 0204229N | TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) | 11,265 | 11,265 |
| 180 | 0204311N | INTEGRATED SURVEILLANCE SYSTEM | 45,922 | 45,922 |
| 181 | 0204413N | AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) | 8,435 | 8,435 |
| 182 | 0204460M | GROUND/AIR TASK ORIENTED RADAR (G/ATOR) | 75,088 | 75,088 |
| 183 | 0204571N | CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT | 20,229 | 20,229 |
| 184 | 0204574N | CRYPTOLOGIC DIRECT SUPPORT | 1,756 | 1,756 |
| 185 | 0204575N | ELECTRONIC WARFARE (EW) READINESS SUPPORT | 19,843 | 19,843 |
| 186 | 0205601N | HARM IMPROVEMENT | 11,477 | 11,477 |
| 187 | 0205604N | TACTICAL DATA LINKS | 118,818 | 118,818 |
| 188 | 0205620N | SURFACE ASW COMBAT SYSTEM INTEGRATION | 27,342 | 27,342 |
| 189 | 0205632N | MK–48 ADCAP | 28,717 | 28,717 |
| 190 | 0205633N | AVIATION IMPROVEMENTS | 89,157 | 89,157 |
| 191 | 0205658N | NAVY SCIENCE ASSISTANCE PROGRAM | 3,450 | 0 |
| | | Transfer to Science and Technology (RDN 003A) | | [–3,450] |
| 192 | 0205675N | OPERATIONAL NUCLEAR POWER SYSTEMS | 86,435 | 86,435 |
| 193 | 0206313M | MARINE CORPS COMMUNICATIONS SYSTEMS | 219,054 | 219,054 |
| 194 | 0206623M | MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS | 181,693 | 181,693 |
| 195 | 0206624M | MARINE CORPS COMBAT SERVICES SUPPORT | 58,393 | 58,393 |
| 196 | 0206625M | USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) | 22,966 | 22,966 |
| 197 | 0207161N | TACTICAL AIM MISSILES | 21,107 | 21,107 |
| 198 | 0207163N | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 2,857 | 2,857 |
| 199 | 0208058N | JOINT HIGH SPEED VESSEL (JHSV) | 1,932 | 1,932 |
| 204 | 0303109N | SATELLITE COMMUNICATIONS (SPACE) | 188,482 | 188,482 |
| 205 | 0303138N | CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) | 16,749 | 16,749 |
| 206 | 0303140N | INFORMATION SYSTEMS SECURITY PROGRAM | 26,307 | 26,307 |
| 207 | 0303150M | WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM | 500 | 500 |
| 210 | 0305149N | COBRA JUDY | 17,091 | 17,091 |
| 211 | 0305160N | NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC) | 810 | 810 |
| 212 | 0305192N | MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES | 8,617 | 8,617 |
| 213 | 0305204N | TACTICAL UNMANNED AERIAL VEHICLES | 9,066 | 9,066 |
| 215 | 0305207N | MANNED RECONNAISSANCE SYSTEMS | 30,654 | 30,654 |
| 216 | 0305208M | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 25,917 | 25,917 |
| 217 | 0305208N | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 14,676 | 14,676 |
| 218 | 0305220N | RQ–4 UAV | 657,483 | 657,483 |
| 219 | 0305231N | MQ–8 UAV | 99,600 | 99,600 |
| 220 | 0305232M | RQ–11 UAV | 495 | 495 |
| 221 | 0305233N | RQ–7 UAV | 863 | 863 |
| 223 | 0305234N | SMALL (LEVEL 0) TACTICAL UAS (STUASL0) | 9,734 | 9,734 |
| 225 | 0305239M | RQ–21A | 22,343 | 22,343 |
| 226 | 0308601N | MODELING AND SIMULATION SUPPORT | 5,908 | 5,908 |
| 227 | 0702207N | DEPOT MAINTENANCE (NON-IF) | 27,391 | 27,391 |
| 229 | 0708011N | INDUSTRIAL PREPAREDNESS | 54,879 | 54,879 |
| 230 | 0708730N | MARITIME TECHNOLOGY (MARITECH) | 5,000 | 5,000 |
| 230A | 9999999999 | CLASSIFIED PROGRAMS | 1,151,159 | 1,351,159 |
| | | Program increase | | [200,000] |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **3,975,546** | **4,247,096** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY** | **16,882,877** | **17,718,402** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | | |
| | | **BASIC RESEARCH** | | |
| 1 | 0601102F | DEFENSE RESEARCH SCIENCES | 361,787 | 361,787 |
| 2 | 0601103F | UNIVERSITY RESEARCH INITIATIVES | 141,153 | 141,153 |
| 3 | 0601108F | HIGH ENERGY LASER RESEARCH INITIATIVES | 13,094 | 13,094 |
| | | **SUBTOTAL BASIC RESEARCH** | **516,034** | **516,034** |
| | | **APPLIED RESEARCH** | | |
| 4 | 0602102F | MATERIALS | 114,166 | 114,166 |
| 5 | 0602201F | AEROSPACE VEHICLE TECHNOLOGIES | 120,719 | 120,719 |
| 6 | 0602202F | HUMAN EFFECTIVENESS APPLIED RESEARCH | 89,319 | 89,319 |
| 7 | 0602203F | AEROSPACE PROPULSION | 232,547 | 232,547 |
| 8 | 0602204F | AEROSPACE SENSORS | 127,637 | 127,637 |
| 9 | 0602601F | SPACE TECHNOLOGY | 98,375 | 98,375 |
| 10 | 0602602F | CONVENTIONAL MUNITIONS | 77,175 | 77,175 |
| 11 | 0602605F | DIRECTED ENERGY TECHNOLOGY | 106,196 | 106,196 |
| 12 | 0602788F | DOMINANT INFORMATION SCIENCES AND METHODS | 104,362 | 104,362 |
| 13 | 0602890F | HIGH ENERGY LASER RESEARCH | 38,557 | 38,557 |
| | | **SUBTOTAL APPLIED RESEARCH** | **1,109,053** | **1,109,053** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT** | | |
| 14 | 0603112F | ADVANCED MATERIALS FOR WEAPON SYSTEMS | 47,890 | 57,890 |
| | | Increase Materials Affordability Initiative program | | [10,000] |
| 15 | 0603199F | SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) | 6,565 | 6,565 |
| 16 | 0603203F | ADVANCED AEROSPACE SENSORS | 37,657 | 37,657 |
| 17 | 0603211F | AEROSPACE TECHNOLOGY DEV/DEMO | 81,376 | 81,376 |
| 18 | 0603216F | AEROSPACE PROPULSION AND POWER TECHNOLOGY | 151,152 | 151,152 |
| 19 | 0603270F | ELECTRONIC COMBAT TECHNOLOGY | 32,941 | 32,941 |
| 20 | 0603401F | ADVANCED SPACECRAFT TECHNOLOGY | 64,557 | 64,557 |

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(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 21 | 0603444F | MAUI SPACE SURVEILLANCE SYSTEM (MSSS) | 29,256 | 29,256 |
| 22 | 0603456F | HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT | 21,523 | 21,523 |
| 23 | 0603601F | CONVENTIONAL WEAPONS TECHNOLOGY | 36,352 | 36,352 |
| 24 | 0603605F | ADVANCED WEAPONS TECHNOLOGY | 19,004 | 19,004 |
| 25 | 0603680F | MANUFACTURING TECHNOLOGY PROGRAM | 37,045 | 37,045 |
| 26 | 0603788F | BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION | 31,419 | 31,419 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT** | **596,737** | **606,737** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 28 | 0603260F | INTELLIGENCE ADVANCED DEVELOPMENT | 3,866 | 3,866 |
| 29 | 0603287F | PHYSICAL SECURITY EQUIPMENT | 3,704 | 3,704 |
| 30 | 0603430F | ADVANCED EHF MILSATCOM (SPACE) | 229,171 | 227,671 |
| | | Project decrease | | [–1,500] |
| 31 | 0603432F | POLAR MILSATCOM (SPACE) | 120,676 | 120,676 |
| 32 | 0603438F | SPACE CONTROL TECHNOLOGY | 25,144 | 23,144 |
| | | Project decrease | | [–2,000] |
| 33 | 0603742F | COMBAT IDENTIFICATION TECHNOLOGY | 32,243 | 32,243 |
| 34 | 0603790F | NATO RESEARCH AND DEVELOPMENT | 4,507 | 4,507 |
| 35 | 0603791F | INTERNATIONAL SPACE COOPERATIVE R&D | 652 | 652 |
| 36 | 0603830F | SPACE PROTECTION PROGRAM (SPP) | 10,429 | 10,429 |
| 37 | 0603850F | INTEGRATED BROADCAST SERVICE—DEM/VAL | 19,938 | 19,938 |
| 38 | 0603851F | INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL | 71,181 | 71,181 |
| 39 | 0603854F | WIDEBAND GLOBAL SATCOM RDT&E (SPACE) | 12,027 | 12,027 |
| 40 | 0603859F | POLLUTION PREVENTION—DEM/VAL | 2,054 | 2,054 |
| 41 | 0603860F | JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL | 57,975 | 57,975 |
| 42 | 0604015F | LONG RANGE STRIKE | 291,742 | 291,742 |
| 43 | 0604283F | BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT | 114,417 | 114,417 |
| 44 | 0604317F | TECHNOLOGY TRANSFER | 2,576 | 2,576 |
| 45 | 0604327F | HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM | 16,711 | 16,711 |
| 47 | 0604337F | REQUIREMENTS ANALYSIS AND MATURATION | 16,343 | 16,343 |
| 48 | 0604422F | WEATHER SATELLITE FOLLOW-ON | 2,000 | 2,000 |
| 50 | 0604635F | GROUND ATTACK WEAPONS FUZE DEVELOPMENT | 9,423 | 9,423 |
| 54 | 0604857F | OPERATIONALLY RESPONSIVE SPACE | | 25,000 |
| | | Operationally Responsive Space | | [25,000] |
| 55 | 0604858F | TECH TRANSITION PROGRAM | 37,558 | 34,558 |
| | | Project decrease | | [–3,000] |
| 56 | 0305164F | NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) | 96,840 | 96,840 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **1,181,177** | **1,199,677** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 58 | 0603840F | GLOBAL BROADCAST SERVICE (GBS) | 14,652 | 14,652 |
| 59 | 0604222F | NUCLEAR WEAPONS SUPPORT | 25,713 | 25,713 |
| 60 | 0604233F | SPECIALIZED UNDERGRADUATE FLIGHT TRAINING | 6,583 | 6,583 |
| 61 | 0604270F | ELECTRONIC WARFARE DEVELOPMENT | 1,975 | 1,975 |
| 62 | 0604280F | JOINT TACTICAL RADIO | 2,594 | 2,594 |
| 63 | 0604281F | TACTICAL DATA NETWORKS ENTERPRISE | 24,534 | 24,534 |
| 64 | 0604287F | PHYSICAL SECURITY EQUIPMENT | 51 | 51 |
| 65 | 0604329F | SMALL DIAMETER BOMB (SDB)—EMD | 143,000 | 143,000 |
| 66 | 0604421F | COUNTERSPACE SYSTEMS | 28,797 | 28,797 |
| 67 | 0604425F | SPACE SITUATION AWARENESS SYSTEMS | 267,252 | 267,252 |
| 68 | 0604429F | AIRBORNE ELECTRONIC ATTACK | 4,118 | 4,118 |
| 69 | 0604441F | SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD | 448,594 | 446,594 |
| | | Project decrease | | [–2,000] |
| 70 | 0604602F | ARMAMENT/ORDNANCE DEVELOPMENT | 9,951 | 9,951 |
| 71 | 0604604F | SUBMUNITIONS | 2,567 | 2,567 |
| 72 | 0604617F | AGILE COMBAT SUPPORT | 13,059 | 13,059 |
| 73 | 0604706F | LIFE SUPPORT SYSTEMS | 9,720 | 9,720 |
| 74 | 0604735F | COMBAT TRAINING RANGES | 9,222 | 9,222 |
| 76 | 0604750F | INTELLIGENCE EQUIPMENT | 803 | 803 |
| 77 | 0604800F | F–35—EMD | 1,210,306 | 1,210,306 |
| 78 | 0604851F | INTERCONTINENTAL BALLISTIC MISSILE—EMD | 135,437 | 135,437 |
| 79 | 0604853F | EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD | 7,980 | 7,980 |
| 80 | 0604932F | LONG RANGE STANDOFF WEAPON | 2,004 | 2,004 |
| 81 | 0604933F | ICBM FUZE MODERNIZATION | 73,512 | 73,512 |
| 82 | 0605213F | F–22 MODERNIZATION INCREMENT 3.2B | 140,100 | 140,100 |
| 83 | 0605221F | NEXT GENERATION AERIAL REFUELING AIRCRAFT | 1,815,588 | 1,815,588 |
| 84 | 0605229F | CSAR HH–60 RECAPITALIZATION | 123,210 | 123,210 |
| 85 | 0605278F | HC/MC–130 RECAP RDT&E | 19,039 | 19,039 |
| 86 | 0605931F | B–2 DEFENSIVE MANAGEMENT SYSTEM | 281,056 | 281,056 |
| 87 | 0101125F | NUCLEAR WEAPONS MODERNIZATION | 80,200 | 80,200 |
| 89 | 0207604F | READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE | 310 | 310 |
| 90 | 0207701F | FULL COMBAT MISSION TRAINING | 14,861 | 14,861 |
| 91 | 0305230F | MC–12 | 19,949 | 19,949 |
| 92 | 0401138F | C–27J AIRLIFT SQUADRONS | | 25,000 |
| | | Joint Cargo Aircraft | | [25,000] |
| 93 | 0401318F | CV–22 | 28,027 | 28,027 |
| 94 | 0401845F | AIRBORNE SENIOR LEADER C3 (SLC3S) | 1,960 | 1,960 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | **4,966,724** | **4,989,724** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 95 | 0604256F | THREAT SIMULATOR DEVELOPMENT | 22,812 | 22,812 |
| 96 | 0604759F | MAJOR T&E INVESTMENT | 42,236 | 42,236 |
| 97 | 0605101F | RAND PROJECT AIR FORCE | 25,579 | 25,579 |

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| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 99 | 0605712F | INITIAL OPERATIONAL TEST & EVALUATION | 16,197 | 16,197 |
| 100 | 0605807F | TEST AND EVALUATION SUPPORT | 722,071 | 722,071 |
| 101 | 0605860F | ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) | 16,200 | 16,200 |
| 102 | 0605864F | SPACE TEST PROGRAM (STP) | 10,051 | 45,001 |
| | | Program increase | | [34,950] |
| 103 | 0605976F | FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT | 42,597 | 42,597 |
| 104 | 0605978F | FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT | 27,301 | 27,301 |
| 105 | 0606323F | MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE | 13,964 | 13,964 |
| 106 | 0606392F | SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE | 203,766 | 203,766 |
| 107 | 0702806F | ACQUISITION AND MANAGEMENT SUPPORT | 42,430 | 42,430 |
| 108 | 0804731F | GENERAL SKILL TRAINING | 1,294 | 1,294 |
| 111 | 1001004F | INTERNATIONAL ACTIVITIES | 3,851 | 3,851 |
| | | **SUBTOTAL RDT&E MANAGEMENT SUPPORT** | **1,190,349** | **1,225,299** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 112 | 0603423F | GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT | 371,595 | 370,095 |
| | | Project decrease | | [–1,500] |
| 114 | 0605018F | AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF–IPPS) | 91,697 | 91,697 |
| 115 | 0605024F | ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY | 17,037 | 17,037 |
| 117 | 0101113F | B–52 SQUADRONS | 53,208 | 53,208 |
| 118 | 0101122F | AIR-LAUNCHED CRUISE MISSILE (ALCM) | 431 | 431 |
| 119 | 0101126F | B–1B SQUADRONS | 16,265 | 16,265 |
| 120 | 0101127F | B–2 SQUADRONS | 35,970 | 35,970 |
| 121 | 0101313F | STRAT WAR PLANNING SYSTEM—USSTRATCOM | 30,889 | 30,889 |
| 122 | 0101314F | NIGHT FIST—USSTRATCOM | 10 | 10 |
| 124 | 0102326F | REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM | 5,609 | 5,609 |
| 126 | 0203761F | WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND | 15,098 | 15,098 |
| 127 | 0205219F | MQ–9 UAV | 147,971 | 147,971 |
| 128 | 0207040F | MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT | 49,848 | 49,848 |
| 129 | 0207131F | A–10 SQUADRONS | 13,538 | 13,538 |
| 130 | 0207133F | F–16 SQUADRONS | 190,257 | 190,257 |
| 131 | 0207134F | F–15E SQUADRONS | 192,677 | 192,677 |
| 132 | 0207136F | MANNED DESTRUCTIVE SUPPRESSION | 13,683 | 13,683 |
| 133 | 0207138F | F–22A SQUADRONS | 371,667 | 371,667 |
| 134 | 0207142F | F–35 SQUADRONS | 8,117 | 8,117 |
| 135 | 0207161F | TACTICAL AIM MISSILES | 8,234 | 8,234 |
| 136 | 0207163F | ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) | 87,041 | 87,041 |
| 137 | 0207170F | JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) | 1,472 | 1,472 |
| 138 | 0207224F | COMBAT RESCUE AND RECOVERY | 2,095 | 2,095 |
| 139 | 0207227F | COMBAT RESCUE—PARARESCUE | 1,119 | 1,119 |
| 140 | 0207247F | AF TENCAP | 63,853 | 63,853 |
| 141 | 0207249F | PRECISION ATTACK SYSTEMS PROCUREMENT | 1,063 | 1,063 |
| 142 | 0207253F | COMPASS CALL | 12,094 | 12,094 |
| 143 | 0207268F | AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM | 187,984 | 187,984 |
| 145 | 0207325F | JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) | 7,950 | 7,950 |
| 146 | 0207410F | AIR & SPACE OPERATIONS CENTER (AOC) | 76,315 | 76,315 |
| 147 | 0207412F | CONTROL AND REPORTING CENTER (CRC) | 8,653 | 8,653 |
| 148 | 0207417F | AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) | 65,200 | 65,200 |
| 149 | 0207418F | TACTICAL AIRBORNE CONTROL SYSTEMS | 5,767 | 5,767 |
| 152 | 0207431F | COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES | 5,756 | 5,756 |
| 154 | 0207444F | TACTICAL AIR CONTROL PARTY-MOD | 16,226 | 16,226 |
| 156 | 0207448F | C2ISR TACTICAL DATA LINK | 1,633 | 1,633 |
| 157 | 0207449F | COMMAND AND CONTROL (C2) CONSTELLATION | 18,086 | 18,086 |
| 158 | 0207452F | DCAPES | 15,690 | 15,690 |
| 159 | 0207581F | JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS) | 24,241 | 24,241 |
| 160 | 0207590F | SEEK EAGLE | 22,654 | 22,654 |
| 161 | 0207601F | USAF MODELING AND SIMULATION | 15,501 | 15,501 |
| 162 | 0207605F | WARGAMING AND SIMULATION CENTERS | 5,699 | 5,699 |
| 163 | 0207697F | DISTRIBUTED TRAINING AND EXERCISES | 4,425 | 4,425 |
| 164 | 0208006F | MISSION PLANNING SYSTEMS | 69,377 | 69,377 |
| 165 | 0208021F | INFORMATION WARFARE SUPPORT | 7,159 | 7,159 |
| 166 | 0208059F | CYBER COMMAND ACTIVITIES | 66,888 | 66,888 |
| 174 | 0301400F | SPACE SUPERIORITY INTELLIGENCE | 12,056 | 12,056 |
| 175 | 0302015F | E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) | 4,159 | 4,159 |
| 176 | 0303131F | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) | 20,124 | 20,124 |
| 177 | 0303140F | INFORMATION SYSTEMS SECURITY PROGRAM | 69,133 | 69,133 |
| 178 | 0303141F | GLOBAL COMBAT SUPPORT SYSTEM | 6,512 | 6,512 |
| 179 | 0303150F | GLOBAL COMMAND AND CONTROL SYSTEM | 4,316 | 4,316 |
| 180 | 0303601F | MILSATCOM TERMINALS | 107,237 | 107,237 |
| 182 | 0304260F | AIRBORNE SIGINT ENTERPRISE | 129,106 | 129,106 |
| 185 | 0305099F | GLOBAL AIR TRAFFIC MANAGEMENT (GATM) | 4,461 | 4,461 |
| 186 | 0305103F | CYBER SECURITY INITIATIVE | 2,055 | 2,055 |
| 187 | 0305105F | DOD CYBER CRIME CENTER | 285 | 285 |
| 188 | 0305110F | SATELLITE CONTROL NETWORK (SPACE) | 33,773 | 33,773 |
| 189 | 0305111F | WEATHER SERVICE | 29,048 | 29,048 |
| 190 | 0305114F | AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) | 43,187 | 43,187 |
| 191 | 0305116F | AERIAL TARGETS | 50,496 | 50,496 |
| 194 | 0305128F | SECURITY AND INVESTIGATIVE ACTIVITIES | 354 | 354 |
| 195 | 0305145F | ARMS CONTROL IMPLEMENTATION | 4,000 | 4,000 |
| 196 | 0305146F | DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES | 342 | 342 |
| 198 | 0305164F | NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) | 29,621 | 29,621 |
| 199 | 0305165F | NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS) | 14,335 | 14,335 |
| 201 | 0305173F | SPACE AND MISSILE TEST AND EVALUATION CENTER | 3,680 | 3,680 |

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**(In Thousands of Dollars)**

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 202 | 0305174F | SPACE INNOVATION AND DEVELOPMENT CENTER | 2,430 | 2,430 |
| 203 | 0305182F | SPACELIFT RANGE SYSTEM (SPACE) | 8,760 | 8,760 |
| 205 | 0305202F | DRAGON U–2 | 23,644 | 23,644 |
| 206 | 0305205F | ENDURANCE UNMANNED AERIAL VEHICLES | 21,000 | 21,000 |
| 207 | 0305206F | AIRBORNE RECONNAISSANCE SYSTEMS | 96,735 | 96,735 |
| 208 | 0305207F | MANNED RECONNAISSANCE SYSTEMS | 13,316 | 13,316 |
| 209 | 0305208F | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 63,501 | 63,501 |
| 210 | 0305219F | MQ–1 PREDATOR A UAV | 9,122 | 9,122 |
| 211 | 0305220F | RQ–4 UAV | 236,265 | 236,265 |
| 212 | 0305221F | NETWORK-CENTRIC COLLABORATIVE TARGETING | 7,367 | 7,367 |
| 213 | 0305236F | COMMON DATA LINK (CDL) | 38,094 | 38,094 |
| 214 | 0305238F | NATO AGS | 210,109 | 210,109 |
| 215 | 0305240F | SUPPORT TO DCGS ENTERPRISE | 24,500 | 24,500 |
| 216 | 0305265F | GPS III SPACE SEGMENT | 318,992 | 318,992 |
| 217 | 0305614F | JSPOC MISSION SYSTEM | 54,645 | 54,645 |
| 218 | 0305881F | RAPID CYBER ACQUISITION | 4,007 | 4,007 |
| 219 | 0305887F | INTELLIGENCE SUPPORT TO INFORMATION WARFARE | 13,357 | 13,357 |
| 220 | 0305913F | NUDET DETECTION SYSTEM (SPACE) | 64,965 | 64,965 |
| 221 | 0305940F | SPACE SITUATION AWARENESS OPERATIONS | 19,586 | 19,586 |
| 223 | 0308699F | SHARED EARLY WARNING (SEW) | 1,175 | 1,175 |
| 224 | 0401115F | C–130 AIRLIFT SQUADRON | 5,000 | 5,000 |
| 225 | 0401119F | C–5 AIRLIFT SQUADRONS (IF) | 35,115 | 35,115 |
| 226 | 0401130F | C–17 AIRCRAFT (IF) | 99,225 | 99,225 |
| 227 | 0401132F | C–130J PROGRAM | 30,652 | 30,652 |
| 228 | 0401134F | LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) | 7,758 | 7,758 |
| 229 | 0401139F | LIGHT MOBILITY AIRCRAFT (LIMA) | 100 | 100 |
| 231 | 0401219F | KC–10S | 24,022 | 24,022 |
| 232 | 0401314F | OPERATIONAL SUPPORT AIRLIFT | 7,471 | 7,471 |
| 234 | 0408011F | SPECIAL TACTICS/COMBAT CONTROL | 4,984 | 4,984 |
| 235 | 0702207F | DEPOT MAINTENANCE (NON-IF) | 1,588 | 1,588 |
| 236 | 0708012F | LOGISTICS SUPPORT ACTIVITIES | 577 | 577 |
| 237 | 0708610F | LOGISTICS INFORMATION TECHNOLOGY (LOGIT) | 119,327 | 119,327 |
| 238 | 0708611F | SUPPORT SYSTEMS DEVELOPMENT | 15,873 | 15,873 |
| 240 | 0804743F | OTHER FLIGHT TRAINING | 349 | 349 |
| 242 | 0808716F | OTHER PERSONNEL ACTIVITIES | 117 | 117 |
| 243 | 0901202F | JOINT PERSONNEL RECOVERY AGENCY | 2,018 | 2,018 |
| 244 | 0901218F | CIVILIAN COMPENSATION PROGRAM | 1,561 | 1,561 |
| 245 | 0901220F | PERSONNEL ADMINISTRATION | 7,634 | 7,634 |
| 246 | 0901226F | AIR FORCE STUDIES AND ANALYSIS AGENCY | 1,175 | 1,175 |
| 247 | 0901279F | FACILITIES OPERATION—ADMINISTRATIVE | 3,491 | 3,491 |
| 248 | 0901538F | FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT | 100,160 | 100,160 |
| 249A | 9999999999 | CLASSIFIED PROGRAMS | 11,172,183 | 11,172,183 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **15,867,972** | **15,866,472** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | **25,428,046** | **25,512,996** |
| | | **RESEARCH, DEVELOPMENT, TEST & EVAL, DW** | | |
| | | **BASIC RESEARCH** | | |
| 1 | 0601000BR | DTRA BASIC RESEARCH INITIATIVE | 45,071 | 45,071 |
| 2 | 0601101E | DEFENSE RESEARCH SCIENCES | 309,051 | 309,051 |
| 3 | 0601110D8Z | BASIC RESEARCH INITIATIVES | 19,405 | 19,405 |
| 4 | 0601117E | BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE | 39,676 | 39,676 |
| 5 | 0601120D8Z | NATIONAL DEFENSE EDUCATION PROGRAM | 87,979 | 87,979 |
| 6 | 0601384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 50,566 | 50,566 |
| | | **SUBTOTAL BASIC RESEARCH** | **551,748** | **551,748** |
| | | **APPLIED RESEARCH** | | |
| 7 | 0602000D8Z | JOINT MUNITIONS TECHNOLOGY | 20,615 | 20,615 |
| 8 | 0602115E | BIOMEDICAL TECHNOLOGY | 110,900 | 110,900 |
| 9 | 0602228D8Z | HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE | | 10,000 |
| | | Program increase | | [10,000] |
| 10 | 0602234D8Z | LINCOLN LABORATORY RESEARCH PROGRAM | 36,826 | 36,826 |
| 11 | 0602250D8Z | SYSTEMS 2020 APPLIED RESEARCH | 7,898 | 7,898 |
| 12 | 0602303E | INFORMATION & COMMUNICATIONS TECHNOLOGY | 392,421 | 392,421 |
| 13 | 0602304E | COGNITIVE COMPUTING SYSTEMS | 30,424 | 30,424 |
| 15 | 0602383E | BIOLOGICAL WARFARE DEFENSE | 19,236 | 19,236 |
| 16 | 0602384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 223,269 | 223,269 |
| 17 | 0602663D8Z | DATA TO DECISIONS APPLIED RESEARCH | 13,753 | 13,753 |
| 18 | 0602668D8Z | CYBER SECURITY RESEARCH | 18,985 | 18,985 |
| 19 | 0602670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH | 6,771 | 6,771 |
| 20 | 0602702E | TACTICAL TECHNOLOGY | 233,209 | 233,209 |
| 21 | 0602715E | MATERIALS AND BIOLOGICAL TECHNOLOGY | 166,067 | 166,067 |
| 22 | 0602716E | ELECTRONICS TECHNOLOGY | 222,416 | 222,416 |
| 23 | 0602718BR | WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES | 172,352 | 172,352 |
| 24 | 1160401BB | SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT | 28,739 | 28,739 |
| | | **SUBTOTAL APPLIED RESEARCH** | **1,703,881** | **1,713,881** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT (ATD)** | | |
| 25 | 0603000D8Z | JOINT MUNITIONS ADVANCED TECHNOLOGY | 25,612 | 25,612 |
| 26 | 0603121D8Z | SO/LIC ADVANCED DEVELOPMENT | 26,324 | 26,324 |
| 27 | 0603122D8Z | COMBATING TERRORISM TECHNOLOGY SUPPORT | 77,144 | 77,144 |
| 28 | 0603160BR | COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT | 275,022 | 275,022 |
| 29 | 0603175C | BALLISTIC MISSILE DEFENSE TECHNOLOGY | 79,975 | 79,975 |

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 31 | 0603225D8Z | JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT | 20,032 | 20,032 |
| 32 | 0603264S | AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY | 3,892 | 3,892 |
| 33 | 0603274C | SPECIAL PROGRAM—MDA TECHNOLOGY | 36,685 | 36,685 |
| 34 | 0603286E | ADVANCED AEROSPACE SYSTEMS | 174,316 | 149,316 |
| | | Program decrease | | [–25,000] |
| 35 | 0603287E | SPACE PROGRAMS AND TECHNOLOGY | 159,704 | 159,704 |
| 36 | 0603384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT | 234,280 | 234,280 |
| 37 | 0603618D8Z | JOINT ELECTRONIC ADVANCED TECHNOLOGY | 6,983 | 6,983 |
| 38 | 0603648D8Z | JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS | 158,263 | 158,263 |
| 39 | 0603662D8Z | NETWORKED COMMUNICATIONS CAPABILITIES | 25,393 | 25,393 |
| 40 | 0603663D8Z | DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT | 13,754 | 13,754 |
| 42 | 0603668D8Z | CYBER SECURITY ADVANCED RESEARCH | 19,935 | 19,935 |
| 43 | 0603670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT | 8,235 | 8,235 |
| 44 | 0603680D8Z | DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM | 21,966 | 21,966 |
| 45 | 0603699D8Z | EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT | 24,662 | 24,662 |
| 47 | 0603712S | GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS | 24,605 | 24,605 |
| 48 | 0603713S | DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY | 30,678 | 30,678 |
| 49 | 0603716D8Z | STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM | 65,282 | 65,282 |
| 50 | 0603720S | MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT | 72,234 | 82,234 |
| | | Program increase | | [10,000] |
| 51 | 0603727D8Z | JOINT WARFIGHTING PROGRAM | 8,403 | 8,403 |
| 52 | 0603739E | ADVANCED ELECTRONICS TECHNOLOGIES | 111,008 | 111,008 |
| 54 | 0603760E | COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS | 237,859 | 212,859 |
| | | Program reduction | | [–25,000] |
| 55 | 0603765E | CLASSIFIED DARPA PROGRAMS | 3,000 | 3,000 |
| 56 | 0603766E | NETWORK-CENTRIC WARFARE TECHNOLOGY | 236,883 | 236,883 |
| 57 | 0603767E | SENSOR TECHNOLOGY | 299,438 | 299,438 |
| 58 | 0603769SE | DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT | 12,195 | 12,195 |
| 59 | 0603781D8Z | SOFTWARE ENGINEERING INSTITUTE | 30,036 | 30,036 |
| 60 | 0603826D8Z | QUICK REACTION SPECIAL PROJECTS | 107,002 | 107,002 |
| 62 | 0603828J | JOINT EXPERIMENTATION | 21,230 | 21,230 |
| 63 | 0603832D8Z | DOD MODELING AND SIMULATION MANAGEMENT OFFICE | 47,433 | 47,433 |
| 64 | 0603901C | DIRECTED ENERGY RESEARCH | 46,944 | 76,944 |
| | | Program increase | | [30,000] |
| 65 | 0603902C | NEXT GENERATION AEGIS MISSILE | 224,077 | 224,077 |
| 66 | 0603941D8Z | TEST & EVALUATION SCIENCE & TECHNOLOGY | 92,602 | 92,602 |
| 68 | 0604055D8Z | OPERATIONAL ENERGY CAPABILITY IMPROVEMENT | 26,244 | 26,244 |
| 69 | 0303310D8Z | CWMD SYSTEMS | 53,946 | 53,946 |
| 70 | 1160402BB | SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT | 45,317 | 45,317 |
| 71 | 1160422BB | AVIATION ENGINEERING ANALYSIS | 861 | 861 |
| 72 | 1160472BB | SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY | 4,959 | 4,959 |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT (ATD)** | **3,194,413** | **3,184,413** |
| | | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 73 | 0603161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P | 33,234 | 33,234 |
| 74 | 0603527D8Z | RETRACT LARCH | 21,023 | 21,023 |
| 75 | 0603600D8Z | WALKOFF | 94,624 | 94,624 |
| 77 | 0603714D8Z | ADVANCED SENSOR APPLICATIONS PROGRAM | 16,958 | 16,958 |
| 78 | 0603851D8Z | ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM | 75,941 | 75,941 |
| 79 | 0603881C | BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT | 316,929 | 316,929 |
| 80 | 0603882C | BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT | 903,172 | 1,363,172 |
| | | East Coast site planning and development, and EIS work | | [103,000] |
| | | Program increase | | [357,000] |
| 81 | 0603884BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL | 179,023 | 179,023 |
| 82 | 0603884C | BALLISTIC MISSILE DEFENSE SENSORS | 347,012 | 347,012 |
| 84 | 0603890C | BMD ENABLING PROGRAMS | 362,711 | 362,711 |
| 85 | 0603891C | SPECIAL PROGRAMS—MDA | 272,387 | 272,387 |
| 86 | 0603892C | AEGIS BMD | 992,407 | 992,407 |
| 87 | 0603893C | SPACE TRACKING & SURVEILLANCE SYSTEM | 51,313 | 51,313 |
| 88 | 0603895C | BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS | 6,912 | 6,912 |
| 89 | 0603896C | BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT & COMMUNICATION | 366,552 | 366,552 |
| 90 | 0603898C | BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT | 55,550 | 55,550 |
| 91 | 0603904C | MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) | 63,043 | 63,043 |
| 92 | 0603906C | REGARDING TRENCH | 11,371 | 11,371 |
| 93 | 0603907C | SEA BASED X-BAND RADAR (SBX) | 9,730 | 9,730 |
| 94 | 0603913C | ISRAELI COOPERATIVE PROGRAMS | 99,836 | 267,836 |
| | | Increase to DSWS, ASIP, Arrow-3 cooperative programs | | [168,000] |
| 95 | 0603914C | BALLISTIC MISSILE DEFENSE TEST | 454,400 | 454,400 |
| 96 | 0603915C | BALLISTIC MISSILE DEFENSE TARGETS | 435,747 | 435,747 |
| 97 | 0603920D8Z | HUMANITARIAN DEMINING | 13,231 | 13,231 |
| 98 | 0603923D8Z | COALITION WARFARE | 11,398 | 11,398 |
| 99 | 0604016D8Z | DEPARTMENT OF DEFENSE CORROSION PROGRAM | 3,283 | 3,283 |
| 100 | 0604400D8Z | DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT | 12,368 | 12,368 |
| 101 | 0604670D8Z | HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING | 5,131 | 5,131 |
| 104 | 0604787J | JOINT SYSTEMS INTEGRATION | 3,273 | 3,273 |
| 106 | 0604828J | JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM | 7,364 | 7,364 |
| 107 | 0604880C | LAND-BASED SM–3 (LBSM3) | 276,338 | 276,338 |
| 108 | 0604881C | AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT | 420,630 | 420,630 |
| 109 | 0604883C | PRECISION TRACKING SPACE SENSOR RDT&E | 297,375 | 50,000 |
| | | Project decrease to support technology development | | [–247,375] |
| 111 | 0604886C | ADVANCED REMOTE SENSOR TECHNOLOGY (ARST) | 58,742 | 58,742 |
| 113 | 0303191D8Z | JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM | 3,158 | 3,158 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **6,282,166** | **6,662,791** |

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(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| | | **SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)** | | |
| 115 | 0604161D8Z | NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD | 6,817 | 6,817 |
| 116 | 0604165D8Z | PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT | 110,383 | 110,383 |
| 117 | 0604384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD | 311,071 | 311,071 |
| 119 | 0604764K | ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS–JPO) | 25,787 | 25,787 |
| 120 | 0604771D8Z | JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) | 20,688 | 20,688 |
| 121 | 0605000BR | WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES | 5,749 | 5,749 |
| 122 | 0605013BL | INFORMATION TECHNOLOGY DEVELOPMENT | 12,699 | 12,699 |
| 125 | 0605021SE | HOMELAND PERSONNEL SECURITY INITIATIVE | 387 | 387 |
| 126 | 0605022D8Z | DEFENSE EXPORTABILITY PROGRAM | 1,859 | 1,859 |
| 127 | 0605027D8Z | OUSD(C) IT DEVELOPMENT INITIATIVES | 7,010 | 7,010 |
| 128 | 0605070S | DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION | 133,104 | 133,104 |
| 129 | 0605075D8Z | DCMO POLICY AND INTEGRATION | 25,269 | 25,269 |
| 131 | 0605210D8Z | DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES | 10,238 | 10,238 |
| 132 | 0303141K | GLOBAL COMBAT SUPPORT SYSTEM | 19,670 | 19,670 |
| 133 | 0305304D8Z | DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM) | 3,556 | 3,556 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)** | **694,287** | **694,287** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 135 | 0604774D8Z | DEFENSE READINESS REPORTING SYSTEM (DRRS) | 6,383 | 6,383 |
| 136 | 0604875D8Z | JOINT SYSTEMS ARCHITECTURE DEVELOPMENT | 3,845 | 3,845 |
| 137 | 0604940D8Z | CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) | 144,109 | 144,109 |
| 138 | 0604942D8Z | ASSESSMENTS AND EVALUATIONS | 2,419 | 2,419 |
| 139 | 0604943D8Z | THERMAL VICAR | 8,214 | 8,214 |
| 140 | 0605100D8Z | JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) | 19,380 | 19,380 |
| 141 | 0605104D8Z | TECHNICAL STUDIES, SUPPORT AND ANALYSIS | 32,266 | 32,266 |
| 142 | 0605110D8Z | USD(A&T)—CRITICAL TECHNOLOGY SUPPORT | 840 | 840 |
| 143 | 0605117D8Z | FOREIGN MATERIEL ACQUISITION AND EXPLOITATION | 56,012 | 56,012 |
| 144 | 0605126J | JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) | 55,508 | 55,508 |
| 146 | 0605130D8Z | FOREIGN COMPARATIVE TESTING | 18,174 | 18,174 |
| 147 | 0605142D8Z | SYSTEMS ENGINEERING | 43,195 | 43,195 |
| 148 | 0605151D8Z | STUDIES AND ANALYSIS SUPPORT—OSD | 6,457 | 6,457 |
| 149 | 0605161D8Z | NUCLEAR MATTERS-PHYSICAL SECURITY | 4,901 | 4,901 |
| 150 | 0605170D8Z | SUPPORT TO NETWORKS AND INFORMATION INTEGRATION | 6,307 | 6,307 |
| 151 | 0605200D8Z | GENERAL SUPPORT TO USD (INTELLIGENCE) | 6,601 | 6,601 |
| 152 | 0605384BP | CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM | 92,849 | 92,849 |
| 159 | 0605790D8Z | SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S | 1,857 | 1,857 |
| 160 | 0605798D8Z | DEFENSE TECHNOLOGY ANALYSIS | 12,056 | 12,056 |
| 162 | 0605801KA | DEFENSE TECHNICAL INFORMATION CENTER (DTIC) | 55,454 | 55,454 |
| 163 | 0605803SE | R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION | 16,364 | 16,364 |
| 164 | 0605804D8Z | DEVELOPMENT TEST AND EVALUATION | 15,110 | 15,110 |
| 166 | 0605898E | MANAGEMENT HQ—R&D | 69,767 | 69,767 |
| 167 | 0606100D8Z | BUDGET AND PROGRAM ASSESSMENTS | 4,454 | 4,454 |
| 169 | 0203345D8Z | DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) | 2,637 | 2,637 |
| 174 | 0303166J | SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES | 8,238 | 8,238 |
| 176 | 0305103E | CYBER SECURITY INITIATIVE | 1,801 | 1,801 |
| 177 | 0305193D8Z | INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO) | 16,041 | 16,041 |
| 180 | 0804767D8Z | COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2) | 77,475 | 77,475 |
| 182 | 0901598C | MANAGEMENT HQ—MDA | 34,855 | 34,855 |
| 183 | 0901598D8W | MANAGEMENT HEADQUARTERS WHS | 104 | 104 |
| 184A | 9999999999 | CLASSIFIED PROGRAMS | 64,255 | 64,255 |
| | | **SUBTOTAL RDT&E MANAGEMENT SUPPORT** | **887,928** | **887,928** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 185 | 0604130V | ENTERPRISE SECURITY SYSTEM (ESS) | 8,866 | 8,866 |
| 186 | 0605127T | REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MGMT | 3,238 | 3,238 |
| 187 | 0605147T | OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS) | 288 | 288 |
| 188 | 0607384BP | CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) | 14,745 | 14,745 |
| 190 | 0607828J | JOINT INTEGRATION AND INTEROPERABILITY | 5,013 | 5,013 |
| 191 | 0208043J | PLANNING AND DECISION AID SYSTEM (PDAS) | 3,922 | 3,922 |
| 192 | 0208045K | C4I INTEROPERABILITY | 72,574 | 72,574 |
| 194 | 0301144K | JOINT/ALLIED COALITION INFORMATION SHARING | 6,214 | 6,214 |
| 201 | 0302016K | NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT | 499 | 499 |
| 202 | 0302019K | DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION | 14,498 | 14,498 |
| 203 | 0303126K | LONG-HAUL COMMUNICATIONS—DCS | 26,164 | 26,164 |
| 204 | 0303131K | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) | 12,931 | 12,931 |
| 205 | 0303135G | PUBLIC KEY INFRASTRUCTURE (PKI) | 6,296 | 6,296 |
| 206 | 0303136G | KEY MANAGEMENT INFRASTRUCTURE (KMI) | 30,948 | 30,948 |
| 207 | 0303140D8Z | INFORMATION SYSTEMS SECURITY PROGRAM | 11,780 | 11,780 |
| 208 | 0303140G | INFORMATION SYSTEMS SECURITY PROGRAM | 191,452 | 241,452 |
| | | Program increase | | [50,000] |
| 211 | 0303150K | GLOBAL COMMAND AND CONTROL SYSTEM | 36,575 | 46,575 |
| | | Program increase | | [10,000] |
| 212 | 0303153K | DEFENSE SPECTRUM ORGANIZATION | 24,278 | 24,278 |
| 213 | 0303170K | NET-CENTRIC ENTERPRISE SERVICES (NCES) | 2,924 | 2,924 |
| 214 | 0303260D8Z | DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO) | 1,294 | 1,294 |
| 215 | 0303610K | TELEPORT PROGRAM | 6,050 | 6,050 |
| 217 | 0304210BB | SPECIAL APPLICATIONS FOR CONTINGENCIES | 17,058 | 17,058 |
| 222 | 0305103K | CYBER SECURITY INITIATIVE | 4,189 | 4,189 |
| 223 | 0305125D8Z | CRITICAL INFRASTRUCTURE PROTECTION (CIP) | 10,462 | 10,462 |
| 227 | 0305186D8Z | POLICY R&D PROGRAMS | 6,360 | 6,360 |
| 229 | 0305199D8Z | NET CENTRICITY | 21,190 | 21,190 |

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| 232 | 0305208BB | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 7,114 | 7,714 |
| | | Program increase | | [600] |
| 235 | 0305208K | DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS | 3,247 | 3,247 |
| 237 | 0305219BB | MQ–1 PREDATOR A UAV | 1,355 | 1,355 |
| 240 | 0305387D8Z | HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM | 2,303 | 2,303 |
| 241 | 0305600D8Z | INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES | 1,478 | 1,478 |
| 249 | 0708011S | INDUSTRIAL PREPAREDNESS | 27,044 | 27,044 |
| 250 | 0708012S | LOGISTICS SUPPORT ACTIVITIES | 4,711 | 4,711 |
| 251 | 0902298J | MANAGEMENT HQ—OJCS | 4,100 | 4,100 |
| 253 | 1105219BB | MQ–9 UAV | 3,002 | 3,002 |
| 257 | 1160403BB | SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT | 97,267 | 97,267 |
| 258 | 1160404BB | SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT | 821 | 821 |
| 259 | 1160405BB | SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT | 25,935 | 25,935 |
| 260 | 1160408BB | SOF OPERATIONAL ENHANCEMENTS | 51,700 | 51,700 |
| 261 | 1160421BB | SPECIAL OPERATIONS CV–22 DEVELOPMENT | 1,822 | 1,822 |
| 262 | 1160427BB | MISSION TRAINING AND PREPARATION SYSTEMS (MTPS) | 10,131 | 10,131 |
| 263 | 1160429BB | AC/MC–130J | 19,647 | 19,647 |
| 264 | 1160474BB | SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS | 2,225 | 2,225 |
| 265 | 1160476BB | SOF TACTICAL RADIO SYSTEMS | 3,036 | 3,036 |
| 266 | 1160477BB | SOF WEAPONS SYSTEMS | 1,511 | 1,511 |
| 267 | 1160478BB | SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS | 4,263 | 4,263 |
| 268 | 1160479BB | SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS | 4,448 | 4,448 |
| 269 | 1160480BB | SOF TACTICAL VEHICLES | 11,325 | 11,325 |
| 270 | 1160481BB | SOF MUNITIONS | 1,515 | 1,515 |
| 271 | 1160482BB | SOF ROTARY WING AVIATION | 24,430 | 24,430 |
| 272 | 1160483BB | SOF UNDERWATER SYSTEMS | 26,405 | 61,405 |
| | | Program increase | | [35,000] |
| 273 | 1160484BB | SOF SURFACE CRAFT | 8,573 | 8,573 |
| 275 | 1160489BB | SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES | 7,620 | 7,620 |
| 276 | 1160490BB | SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE | 16,386 | 16,386 |
| 276A | 9999999999 | CLASSIFIED PROGRAMS | 3,754,516 | 3,774,416 |
| | | Program increases | | [19,900] |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **4,667,738** | **4,783,238** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW** | **17,982,161** | **18,478,286** |
| | | **OPERATIONAL TEST & EVAL, DEFENSE** | | |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 1 | 0605118OTE | OPERATIONAL TEST AND EVALUATION | 72,501 | 107,501 |
| | | Program increase for DOT&E cyber—range operations | | [25,000] |
| | | Program increase for DOT&E cyber—threat development and assessment | | [10,000] |
| 2 | 0605131OTE | LIVE FIRE TEST AND EVALUATION | 49,201 | 49,201 |
| 3 | 0605814OTE | OPERATIONAL TEST ACTIVITIES AND ANALYSES | 63,566 | 63,566 |
| | | **SUBTOTAL RDT&E MANAGEMENT SUPPORT** | **185,268** | **220,268** |
| | | **TOTAL OPERATIONAL TEST & EVAL, DEFENSE** | **185,268** | **220,268** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST AND EVALUATION** | **69,407,767** | **70,387,256** |

**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 2013 Request | House Authorized |
|---|---|---|---|---|
| | **RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 60 | 0603747A | SOLDIER SUPPORT AND SURVIVABILITY | 19,860 | 19,860 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **19,860** | **19,860** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY** | **19,860** | **19,860** |
| | **RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY** | **ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | |
| 56 | 0603654N | JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT | 4,600 | 4,600 |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **4,600** | **4,600** |
| | | **SYSTEM DEVELOPMENT & DEMONSTRATION** | | |
| 131 | 0604771N | MEDICAL DEVELOPMENT | 2,173 | 2,173 |
| | | **SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | **2,173** | **2,173** |
| | | **RDT&E MANAGEMENT SUPPORT** | | |
| 160 | 0605866N | NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT | 5,200 | 5,200 |
| | | **SUBTOTAL RDT&E MANAGEMENT SUPPORT** | **5,200** | **5,200** |

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Line | Program Element | Item | FY 2013 Request | House Authorized |
|---|---|---|---|---|
| | RESEARCH, DEVELOPMENT, TEST & EVAL, AF | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 195 | 0206624M | MARINE CORPS COMBAT SERVICES SUPPORT | 6,762 | 6,762 |
| 221 | 0305233N | RQ–7 UAV | 7,600 | 7,600 |
| 230A | 9999999999 | CLASSIFIED PROGRAMS | 33,784 | 33,784 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **48,146** | **48,146** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY** | **60,119** | **60,119** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 249A | 9999999999 | CLASSIFIED PROGRAMS | 53,150 | 53,150 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **53,150** | **53,150** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF** | **53,150** | **53,150** |
| | | **APPLIED RESEARCH** | | |
| 9 | 0602228D8Z | HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE | | 10,000 |
| | | Program increase | | [10,000] |
| | | **SUBTOTAL APPLIED RESEARCH** | | **10,000** |
| | | **ADVANCED TECHNOLOGY DEVELOPMENT (ATD)** | | |
| 27 | 0603122D8Z | COMBATING TERRORISM TECHNOLOGY SUPPORT | | 25,000 |
| | | Program increase | | [25,000] |
| | | **SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT (ATD)** | | **25,000** |
| | ADVANCED COMPONENT DEVELOPMENT & PROTYPES | | | |
| 94 | 0603913C | ISRAELI COOPERATIVE PROGRAMS | | 680,000 |
| | | Iron Dome | | [680,000] |
| 102 | 0604775D8Z | DEFENSE RAPID INNOVATION PROGRAM | | 200,000 |
| | | Program increase | | [200,000] |
| | | **SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | | **880,000** |
| | | **OPERATIONAL SYSTEMS DEVELOPMENT** | | |
| 239 | 0305231BB | MQ–8 UAV | 5,000 | 5,000 |
| 276A | 9999999999 | CLASSIFIED PROGRAMS | 107,387 | 107,387 |
| | | **SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT** | **112,387** | **112,387** |
| | | **TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW** | **112,387** | **1,027,387** |
| | | **TOTAL RDT&E** | **245,516** | **1,160,516** |

## TITLE XLIII—OPERATION AND MAINTENANCE

### SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **OPERATION & MAINTENANCE, ARMY** | | |
| | **OPERATING FORCES** | | |
| 10 | MANEUVER UNITS | 1,223,087 | 1,223,087 |
| 20 | MODULAR SUPPORT BRIGADES | 80,574 | 80,574 |
| 30 | ECHELONS ABOVE BRIGADE | 723,039 | 723,039 |
| 40 | THEATER LEVEL ASSETS | 706,974 | 706,974 |
| 50 | LAND FORCES OPERATIONS SUPPORT | 1,226,650 | 1,226,650 |
| 60 | AVIATION ASSETS | 1,319,832 | 1,319,832 |
| 70 | FORCE READINESS OPERATIONS SUPPORT | 3,447,174 | 3,447,174 |
| 80 | LAND FORCES SYSTEMS READINESS | 454,774 | 454,774 |
| 90 | LAND FORCES DEPOT MAINTENANCE | 1,762,757 | 1,762,757 |
| 100 | BASE OPERATIONS SUPPORT | 7,401,613 | 7,401,613 |
| 110 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 3,041,074 | 3,234,674 |
| | Realignment to Cemeterial Expenses, Army | | [–25,000] |
| | Restoration and Modernization of Facilities | | [218,600] |
| 120 | MANAGEMENT AND OPERATIONAL HQ'S | 410,171 | 410,171 |
| 130 | COMBATANT COMMANDERS CORE OPERATIONS | 177,819 | 177,819 |
| 170 | COMBATANT COMMANDERS ANCILLARY MISSIONS | 461,333 | 461,333 |
| | **SUBTOTAL OPERATING FORCES** | **22,436,871** | **22,630,471** |
| | **MOBILIZATION** | | |
| 180 | STRATEGIC MOBILITY | 405,496 | 405,496 |
| 190 | ARMY PREPOSITIONING STOCKS | 195,349 | 195,349 |
| 200 | INDUSTRIAL PREPAREDNESS | 6,379 | 6,379 |
| | **SUBTOTAL MOBILIZATION** | **607,224** | **607,224** |

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **TRAINING AND RECRUITING** | | |
| 210 | OFFICER ACQUISITION | 112,866 | 112,866 |
| 220 | RECRUIT TRAINING | 73,265 | 73,265 |
| 230 | ONE STATION UNIT TRAINING | 51,227 | 51,227 |
| 240 | SENIOR RESERVE OFFICERS TRAINING CORPS | 443,306 | 443,306 |
| 250 | SPECIALIZED SKILL TRAINING | 1,099,556 | 1,099,556 |
| 260 | FLIGHT TRAINING | 1,130,627 | 1,130,627 |
| 270 | PROFESSIONAL DEVELOPMENT EDUCATION | 191,683 | 191,683 |
| 280 | TRAINING SUPPORT | 652,095 | 652,095 |
| 290 | RECRUITING AND ADVERTISING | 507,510 | 507,510 |
| 300 | EXAMINING | 156,964 | 156,964 |
| 310 | OFF-DUTY AND VOLUNTARY EDUCATION | 244,343 | 244,343 |
| 320 | CIVILIAN EDUCATION AND TRAINING | 212,477 | 212,477 |
| 330 | JUNIOR ROTC | 182,691 | 182,691 |
| | **SUBTOTAL TRAINING AND RECRUITING** | **5,058,610** | **5,058,610** |
| | **ADMIN & SRVWIDE ACTIVITIES** | | |
| 350 | SERVICEWIDE TRANSPORTATION | 601,331 | 601,331 |
| 360 | CENTRAL SUPPLY ACTIVITIES | 741,324 | 741,324 |
| 370 | LOGISTIC SUPPORT ACTIVITIES | 610,136 | 610,136 |
| 380 | AMMUNITION MANAGEMENT | 478,707 | 478,707 |
| 390 | ADMINISTRATION | 556,307 | 556,307 |
| 400 | SERVICEWIDE COMMUNICATIONS | 1,547,925 | 1,547,925 |
| 410 | MANPOWER MANAGEMENT | 362,205 | 362,205 |
| 420 | OTHER PERSONNEL SUPPORT | 220,754 | 220,754 |
| 430 | OTHER SERVICE SUPPORT | 1,153,556 | 1,150,509 |
| | Army Museum Funding (Early to need) | | [–3,047] |
| 440 | ARMY CLAIMS ACTIVITIES | 250,970 | 250,970 |
| 450 | REAL ESTATE MANAGEMENT | 222,351 | 222,351 |
| 460 | BASE OPERATIONS SUPPORT | 222,379 | 222,379 |
| 470 | SUPPORT OF NATO OPERATIONS | 459,710 | 459,710 |
| 480 | MISC. SUPPORT OF OTHER NATIONS | 25,637 | 25,637 |
| 490 | CLASSIFIED PROGRAMS | 1,052,595 | 1,052,595 |
| | **SUBTOTAL ADMIN & SRVWIDE ACTIVITIES** | **8,505,887** | **8,502,840** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 500 | UNDISTRIBUTED ADJUSTMENTS | | –350,700 |
| | Army Medical Evacuation Paramedic Certification Training | | [5,000] |
| | Historical unobligated balances | | [–289,200] |
| | Overestimate of Foreign Currency Fluctuation Costs | | [–66,500] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–350,700** |
| | **TOTAL OPERATION & MAINTENANCE, ARMY** | **36,608,592** | **36,448,445** |
| | **OPERATION & MAINTENANCE, NAVY** | | |
| | **OPERATING FORCES** | | |
| 10 | MISSION AND OTHER FLIGHT OPERATIONS | 4,918,144 | 4,927,144 |
| | Cruiser Retention | | [9,000] |
| 20 | FLEET AIR TRAINING | 1,886,825 | 1,886,825 |
| 30 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 44,032 | 44,032 |
| 40 | AIR OPERATIONS AND SAFETY SUPPORT | 101,565 | 101,565 |
| 50 | AIR SYSTEMS SUPPORT | 374,827 | 374,827 |
| 60 | AIRCRAFT DEPOT MAINTENANCE | 960,802 | 960,802 |
| 70 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 37,545 | 37,545 |
| 80 | AVIATION LOGISTICS | 328,805 | 328,805 |
| 90 | MISSION AND OTHER SHIP OPERATIONS | 4,686,535 | 4,711,185 |
| | Cruiser Retention | | [24,650] |
| 100 | SHIP OPERATIONS SUPPORT & TRAINING | 769,204 | 769,204 |
| 110 | SHIP DEPOT MAINTENANCE | 5,089,981 | 5,157,944 |
| | Cruiser Retention | | [67,963] |
| 120 | SHIP DEPOT OPERATIONS SUPPORT | 1,315,366 | 1,329,237 |
| | Cruiser Retention | | [13,871] |
| 130 | COMBAT COMMUNICATIONS | 619,909 | 619,909 |
| 140 | ELECTRONIC WARFARE | 92,364 | 92,364 |
| 150 | SPACE SYSTEMS AND SURVEILLANCE | 174,437 | 174,437 |
| 160 | WARFARE TACTICS | 441,035 | 441,035 |
| 170 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY | 333,554 | 333,554 |
| 180 | COMBAT SUPPORT FORCES | 910,087 | 910,087 |
| 190 | EQUIPMENT MAINTENANCE | 167,158 | 167,158 |
| 200 | DEPOT OPERATIONS SUPPORT | 4,183 | 4,183 |
| 210 | COMBATANT COMMANDERS CORE OPERATIONS | 95,528 | 95,528 |
| 220 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 204,569 | 204,569 |
| 230 | CRUISE MISSILE | 111,884 | 111,884 |

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 240 | FLEET BALLISTIC MISSILE | 1,181,038 | 1,181,038 |
| 250 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 87,606 | 87,606 |
| 260 | WEAPONS MAINTENANCE | 519,583 | 519,583 |
| 270 | OTHER WEAPON SYSTEMS SUPPORT | 300,435 | 300,435 |
| 280 | ENTERPRISE INFORMATION | 1,077,924 | 1,077,924 |
| 290 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 2,101,279 | 2,155,879 |
| | Restoration and Modernization of Facilities | | [54,600] |
| 300 | BASE OPERATING SUPPORT | 4,822,093 | 4,822,093 |
| | **SUBTOTAL OPERATING FORCES** | **33,758,297** | **33,928,381** |
| | **MOBILIZATION** | | |
| 310 | SHIP PREPOSITIONING AND SURGE | 334,659 | 334,659 |
| 320 | AIRCRAFT ACTIVATIONS/INACTIVATIONS | 6,562 | 6,562 |
| 330 | SHIP ACTIVATIONS/INACTIVATIONS | 1,066,329 | 587,329 |
| | Cruiser Retention | | [–9,000] |
| | Fiscal year 2013 portion of USS ENTERPRISE Inactivation Costs | | [–470,000] |
| 340 | EXPEDITIONARY HEALTH SERVICES SYSTEMS | 83,901 | 83,901 |
| 350 | INDUSTRIAL READINESS | 2,695 | 2,695 |
| 360 | COAST GUARD SUPPORT | 23,502 | 23,502 |
| | **SUBTOTAL MOBILIZATION** | **1,517,648** | **1,038,648** |
| | **TRAINING AND RECRUITING** | | |
| 370 | OFFICER ACQUISITION | 147,807 | 147,807 |
| 380 | RECRUIT TRAINING | 10,473 | 10,473 |
| 390 | RESERVE OFFICERS TRAINING CORPS | 139,220 | 139,220 |
| 400 | SPECIALIZED SKILL TRAINING | 582,177 | 582,177 |
| 410 | FLIGHT TRAINING | 5,456 | 5,456 |
| 420 | PROFESSIONAL DEVELOPMENT EDUCATION | 170,746 | 170,746 |
| 430 | TRAINING SUPPORT | 153,403 | 153,403 |
| 440 | RECRUITING AND ADVERTISING | 241,329 | 242,267 |
| | Naval Sea Cadet Corps | | [938] |
| 450 | OFF-DUTY AND VOLUNTARY EDUCATION | 108,226 | 108,226 |
| 460 | CIVILIAN EDUCATION AND TRAINING | 105,776 | 105,776 |
| 470 | JUNIOR ROTC | 51,817 | 51,817 |
| | **SUBTOTAL TRAINING AND RECRUITING** | **1,716,430** | **1,717,368** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 480 | ADMINISTRATION | 797,177 | 797,177 |
| 490 | EXTERNAL RELATIONS | 12,872 | 12,872 |
| 500 | CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT | 120,181 | 120,181 |
| 510 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 235,753 | 235,753 |
| 520 | OTHER PERSONNEL SUPPORT | 263,060 | 263,060 |
| 530 | SERVICEWIDE COMMUNICATIONS | 363,213 | 363,213 |
| 550 | SERVICEWIDE TRANSPORTATION | 182,343 | 182,343 |
| 570 | PLANNING, ENGINEERING AND DESIGN | 282,464 | 282,464 |
| 580 | ACQUISITION AND PROGRAM MANAGEMENT | 1,092,123 | 1,092,123 |
| 590 | HULL, MECHANICAL AND ELECTRICAL SUPPORT | 53,560 | 53,560 |
| 600 | COMBAT/WEAPONS SYSTEMS | 25,299 | 25,299 |
| 610 | SPACE AND ELECTRONIC WARFARE SYSTEMS | 64,418 | 64,418 |
| 620 | NAVAL INVESTIGATIVE SERVICE | 580,042 | 580,042 |
| 680 | INTERNATIONAL HEADQUARTERS AND AGENCIES | 4,984 | 4,984 |
| 710 | CLASSIFIED PROGRAMS | 537,079 | 537,079 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **4,614,568** | **4,614,568** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 720 | UNDISTRIBUTED ADJUSTMENTS | | –166,400 |
| | Historical unobligated balances | | [–166,400] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–166,400** |
| | **TOTAL OPERATION & MAINTENANCE, NAVY** | **41,606,943** | **41,132,565** |
| | **OPERATION & MAINTENANCE, MARINE CORPS** | | |
| | **OPERATING FORCES** | | |
| 10 | OPERATIONAL FORCES | 788,055 | 788,055 |
| 20 | FIELD LOGISTICS | 762,614 | 762,614 |
| 30 | DEPOT MAINTENANCE | 168,447 | 168,447 |
| 40 | MARITIME PREPOSITIONING | 100,374 | 100,374 |
| 50 | SUSTAINMENT, RESTORATION & MODERNIZATION | 825,039 | 847,839 |
| | Restoration and Modernization of Facilities | | [22,800] |
| 60 | BASE OPERATING SUPPORT | 2,188,883 | 2,188,883 |
| | **SUBTOTAL OPERATING FORCES** | **4,833,412** | **4,856,212** |
| | **TRAINING AND RECRUITING** | | |
| 70 | RECRUIT TRAINING | 18,251 | 18,251 |

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 80 | OFFICER ACQUISITION | 869 | 869 |
| 90 | SPECIALIZED SKILL TRAINING | 80,914 | 80,914 |
| 100 | PROFESSIONAL DEVELOPMENT EDUCATION | 42,744 | 42,744 |
| 110 | TRAINING SUPPORT | 292,150 | 292,150 |
| 120 | RECRUITING AND ADVERTISING | 168,609 | 178,609 |
| | Recruiting and advertising | | [10,000] |
| 130 | OFF-DUTY AND VOLUNTARY EDUCATION | 56,865 | 56,865 |
| 140 | JUNIOR ROTC | 19,912 | 19,912 |
| | **SUBTOTAL TRAINING AND RECRUITING** | **680,314** | **690,314** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 150 | SERVICEWIDE TRANSPORTATION | 39,962 | 39,962 |
| 170 | ACQUISITION AND PROGRAM MANAGEMENT | 83,404 | 83,404 |
| 190 | CLASSIFIED PROGRAMS | 346,071 | 346,071 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **469,437** | **469,437** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 200 | UNDISTRIBUTED ADJUSTMENTS | | –23,900 |
| | Historical unobligated balances | | [–23,900] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–23,900** |
| | **TOTAL OPERATION & MAINTENANCE, MARINE CORPS** | **5,983,163** | **5,992,063** |
| | **OPERATION & MAINTENANCE, AIR FORCE** | | |
| | **OPERATING FORCES** | | |
| 10 | PRIMARY COMBAT FORCES | 2,973,141 | 2,973,141 |
| 20 | COMBAT ENHANCEMENT FORCES | 1,611,032 | 1,744,032 |
| | Global Hawk Block 30 | | [133,000] |
| 30 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 1,472,806 | 1,472,806 |
| 40 | DEPOT MAINTENANCE | 5,545,470 | 5,545,470 |
| 50 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 1,353,987 | 1,569,487 |
| | Restoration and Modernization of Facilities | | [215,500] |
| 60 | BASE SUPPORT | 2,595,032 | 2,595,032 |
| 70 | GLOBAL C3I AND EARLY WARNING | 957,040 | 957,040 |
| 80 | OTHER COMBAT OPS SPT PROGRAMS | 916,200 | 916,200 |
| 100 | TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES | 733,716 | 733,716 |
| 110 | LAUNCH FACILITIES | 314,490 | 314,490 |
| 120 | SPACE CONTROL SYSTEMS | 488,762 | 488,762 |
| 130 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 862,979 | 862,979 |
| 140 | COMBATANT COMMANDERS CORE OPERATIONS | 222,429 | 222,429 |
| | **SUBTOTAL OPERATING FORCES** | **20,047,084** | **20,395,584** |
| | **MOBILIZATION** | | |
| 150 | AIRLIFT OPERATIONS | 1,785,379 | 1,785,379 |
| 160 | MOBILIZATION PREPAREDNESS | 154,049 | 154,049 |
| 170 | DEPOT MAINTENANCE | 1,477,396 | 1,477,396 |
| 180 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 309,699 | 309,699 |
| 190 | BASE SUPPORT | 707,574 | 707,574 |
| | **SUBTOTAL MOBILIZATION** | **4,434,097** | **4,434,097** |
| | **TRAINING AND RECRUITING** | | |
| 200 | OFFICER ACQUISITION | 115,427 | 115,427 |
| 210 | RECRUIT TRAINING | 17,619 | 17,619 |
| 220 | RESERVE OFFICERS TRAINING CORPS (ROTC) | 92,949 | 92,949 |
| 230 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 336,433 | 336,433 |
| 240 | BASE SUPPORT | 842,441 | 842,441 |
| 250 | SPECIALIZED SKILL TRAINING | 482,634 | 482,634 |
| 260 | FLIGHT TRAINING | 750,609 | 750,609 |
| 270 | PROFESSIONAL DEVELOPMENT EDUCATION | 235,114 | 235,114 |
| 280 | TRAINING SUPPORT | 101,231 | 101,231 |
| 290 | DEPOT MAINTENANCE | 233,330 | 233,330 |
| 310 | RECRUITING AND ADVERTISING | 130,217 | 130,217 |
| 320 | EXAMINING | 2,738 | 2,738 |
| 330 | OFF-DUTY AND VOLUNTARY EDUCATION | 155,170 | 155,170 |
| 340 | CIVILIAN EDUCATION AND TRAINING | 175,147 | 175,147 |
| 350 | JUNIOR ROTC | 74,809 | 74,809 |
| | **SUBTOTAL TRAINING AND RECRUITING** | **3,745,868** | **3,745,868** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 360 | LOGISTICS OPERATIONS | 1,029,734 | 1,029,734 |
| 370 | TECHNICAL SUPPORT ACTIVITIES | 913,843 | 913,843 |
| 390 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 303,610 | 303,610 |
| 400 | BASE SUPPORT | 1,266,800 | 1,266,800 |
| 410 | ADMINISTRATION | 587,654 | 587,654 |

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 420 | SERVICEWIDE COMMUNICATIONS | 667,910 | 667,910 |
| 430 | OTHER SERVICEWIDE ACTIVITIES | 1,094,509 | 1,094,509 |
| 440 | CIVIL AIR PATROL | 23,904 | 23,904 |
| 470 | INTERNATIONAL SUPPORT | 81,307 | 81,307 |
| 480 | CLASSIFIED PROGRAMS | 1,239,040 | 1,239,040 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **7,208,311** | **7,208,311** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 490 | UNDISTRIBUTED ADJUSTMENTS | | –43,700 |
| | Historical unobligated balances | | [–141,700] |
| | Overestimate of Foreign Currency Fluctuation Costs | | [–32,000] |
| | Retain Air Force Force Structure | | [130,000] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–43,700** |
| | **TOTAL OPERATION & MAINTENANCE, AIR FORCE** | **35,435,360** | **35,740,160** |
| | **OPERATION & MAINTENANCE, DEFENSE-WIDE** | | |
| | **OPERATING FORCES** | | |
| 10 | JOINT CHIEFS OF STAFF | 485,708 | 485,708 |
| 20 | SPECIAL OPERATIONS COMMAND | | 5,091,001 |
| | Transfer from line 025 | | [5,091,001] |
| 25 | CLASSIFIED PROGRAMS | 5,091,001 | –5,091,001 |
| | Transfer to Line 020 | | [–5,091,001] |
| | **SUBTOTAL OPERATING FORCES** | **5,576,709** | **5,576,709** |
| | **TRAINING AND RECRUITING** | | |
| 30 | DEFENSE ACQUISITION UNIVERSITY | 147,210 | 144,710 |
| | Program decrease | | [–2,500] |
| 40 | NATIONAL DEFENSE UNIVERSITY | 84,999 | 82,499 |
| | Program decrease | | [–2,500] |
| | **SUBTOTAL TRAINING AND RECRUITING** | **232,209** | **227,209** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 50 | CIVIL MILITARY PROGRAMS | 161,294 | 161,294 |
| 80 | DEFENSE CONTRACT AUDIT AGENCY | 573,973 | 573,973 |
| 90 | DEFENSE CONTRACT MANAGEMENT AGENCY | 1,293,196 | 1,293,196 |
| 100 | DEFENSE FINANCE AND ACCOUNTING SERVICE | 17,513 | 17,513 |
| 110 | DEFENSE HUMAN RESOURCES ACTIVITY | 676,186 | 676,186 |
| 120 | DEFENSE INFORMATION SYSTEMS AGENCY | 1,346,847 | 1,346,847 |
| 140 | DEFENSE LEGAL SERVICES AGENCY | 35,137 | 35,137 |
| 150 | DEFENSE LOGISTICS AGENCY | 431,893 | 431,893 |
| 160 | DEFENSE MEDIA ACTIVITY | 224,013 | 224,013 |
| 170 | DEFENSE POW/MIA OFFICE | 21,964 | 21,964 |
| 180 | DEFENSE SECURITY COOPERATION AGENCY | 557,917 | 557,917 |
| 190 | DEFENSE SECURITY SERVICE | | 506,662 |
| | Transfer from Line 280 | | [506,662] |
| 200 | DEFENSE TECHNOLOGY SECURITY ADMINISTRATION | 35,319 | 35,319 |
| 210 | DEFENSE THREAT REDUCTION AGENCY | | 443,382 |
| | Transfer from Line 280 | | [443,382] |
| 220 | DEPARTMENT OF DEFENSE EDUCATION ACTIVITY | 2,744,971 | 2,744,971 |
| 230 | MISSILE DEFENSE AGENCY | 259,975 | 259,975 |
| 250 | OFFICE OF ECONOMIC ADJUSTMENT | 253,437 | 253,437 |
| 260 | OFFICE OF THE SECRETARY OF DEFENSE | 2,095,362 | 2,135,362 |
| | Advancing Diversity and EO | | [5,000] |
| | Office of Net Assessment | | [10,000] |
| | Readiness Environmental Protection Initiative | | [25,000] |
| 270 | WASHINGTON HEADQUARTERS SERVICE | 521,297 | 521,297 |
| 280 | CLASSIFIED PROGRAMS | 14,933,801 | 14,045,757 |
| | Program increase | | [62,000] |
| | Transfer to Line 190 | | [–506,662] |
| | Transfer to Line 210 | | [–443,382] |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **26,184,095** | **26,286,095** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 290 | UNDISTRIBUTED ADJUSTMENTS | | –107,700 |
| | DOD Impact Aid | | [30,000] |
| | Historical unobligated balances | | [–128,000] |
| | Overestimate of Foreign Currency Fluctuation Costs | | [–9,700] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–107,700** |
| | **TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE** | **31,993,013** | **31,982,313** |
| | **OPERATION & MAINTENANCE, ARMY RES** | | |
| | **OPERATING FORCES** | | |

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 10 | MANEUVER UNITS | 1,391 | 1,391 |
| 20 | MODULAR SUPPORT BRIGADES | 20,889 | 20,889 |
| 30 | ECHELONS ABOVE BRIGADE | 592,724 | 592,724 |
| 40 | THEATER LEVEL ASSETS | 114,983 | 114,983 |
| 50 | LAND FORCES OPERATIONS SUPPORT | 633,091 | 633,091 |
| 60 | AVIATION ASSETS | 76,823 | 76,823 |
| 70 | FORCE READINESS OPERATIONS SUPPORT | 481,997 | 481,997 |
| 80 | LAND FORCES SYSTEMS READINESS | 70,118 | 70,118 |
| 90 | LAND FORCES DEPOT MAINTENANCE | 141,205 | 141,205 |
| 100 | BASE OPERATIONS SUPPORT | 561,878 | 561,878 |
| 110 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 287,399 | 308,099 |
| | Restoration and Modernization of Facilities | | [20,700] |
| 120 | MANAGEMENT AND OPERATIONAL HQ'S | 52,431 | 52,431 |
| | **SUBTOTAL OPERATING FORCES** | **3,034,929** | **3,055,629** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 140 | SERVICEWIDE TRANSPORTATION | 12,995 | 12,995 |
| 150 | ADMINISTRATION | 32,432 | 32,432 |
| 160 | SERVICEWIDE COMMUNICATIONS | 4,895 | 4,895 |
| 170 | MANPOWER MANAGEMENT | 16,074 | 16,074 |
| 180 | RECRUITING AND ADVERTISING | 60,683 | 60,683 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **127,079** | **127,079** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 190 | UNDISTRIBUTED ADJUSTMENTS | | 1,100 |
| | Army Medical Evacuation Paramedic Certification Training | | [5,000] |
| | Deny request of increase for technicians | | [–3,900] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **1,100** |
| | **TOTAL OPERATION & MAINTENANCE, ARMY RES** | **3,162,008** | **3,183,808** |
| | **OPERATION & MAINTENANCE, NAVY RES** | | |
| | **OPERATING FORCES** | | |
| 10 | MISSION AND OTHER FLIGHT OPERATIONS | 616,776 | 616,776 |
| 20 | INTERMEDIATE MAINTENANCE | 15,076 | 15,076 |
| 30 | AIR OPERATIONS AND SAFETY SUPPORT | 1,479 | 1,479 |
| 40 | AIRCRAFT DEPOT MAINTENANCE | 107,251 | 107,251 |
| 50 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 355 | 355 |
| 60 | MISSION AND OTHER SHIP OPERATIONS | 82,186 | 82,186 |
| 70 | SHIP OPERATIONS SUPPORT & TRAINING | 589 | 589 |
| 80 | SHIP DEPOT MAINTENANCE | 48,593 | 48,593 |
| 90 | COMBAT COMMUNICATIONS | 15,274 | 15,274 |
| 100 | COMBAT SUPPORT FORCES | 124,917 | 124,917 |
| 110 | WEAPONS MAINTENANCE | 1,978 | 1,978 |
| 120 | ENTERPRISE INFORMATION | 43,699 | 43,699 |
| 130 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 60,646 | 60,646 |
| 140 | BASE OPERATING SUPPORT | 105,227 | 105,227 |
| | **SUBTOTAL OPERATING FORCES** | **1,224,046** | **1,224,046** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 150 | ADMINISTRATION | 3,117 | 3,117 |
| 160 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 14,337 | 14,337 |
| 170 | SERVICEWIDE COMMUNICATIONS | 2,392 | 2,392 |
| 180 | ACQUISITION AND PROGRAM MANAGEMENT | 3,090 | 3,090 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **22,936** | **22,936** |
| | **TOTAL OPERATION & MAINTENANCE, NAVY RES** | **1,246,982** | **1,246,982** |
| | **OPERATION & MAINTENANCE, MC RESERVE** | | |
| | **OPERATING FORCES** | | |
| 10 | OPERATING FORCES | 89,690 | 89,690 |
| 20 | DEPOT MAINTENANCE | 16,735 | 16,735 |
| 30 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 37,913 | 37,913 |
| 40 | BASE OPERATING SUPPORT | 103,746 | 103,746 |
| | **SUBTOTAL OPERATING FORCES** | **248,084** | **248,084** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 50 | SERVICEWIDE TRANSPORTATION | 873 | 873 |
| 60 | ADMINISTRATION | 14,330 | 14,330 |
| 70 | RECRUITING AND ADVERTISING | 8,998 | 8,998 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **24,201** | **24,201** |
| | **TOTAL OPERATION & MAINTENANCE, MC RESERVE** | **272,285** | **272,285** |

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **OPERATION & MAINTENANCE, AF RESERVE** | | |
| | **OPERATING FORCES** | | |
| 10 | PRIMARY COMBAT FORCES | 2,089,326 | 2,089,326 |
| 20 | MISSION SUPPORT OPERATIONS | 112,992 | 112,992 |
| 30 | DEPOT MAINTENANCE | 406,101 | 406,101 |
| 40 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 71,564 | 78,264 |
| | Restoration and Modernization of Facilities | | [6,700] |
| 50 | BASE SUPPORT | 364,862 | 364,862 |
| | **SUBTOTAL OPERATING FORCES** | **3,044,845** | **3,051,545** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 60 | ADMINISTRATION | 78,824 | 78,824 |
| 70 | RECRUITING AND ADVERTISING | 16,020 | 16,020 |
| 80 | MILITARY MANPOWER AND PERS MGMT (ARPC) | 19,496 | 19,496 |
| 90 | OTHER PERS SUPPORT (DISABILITY COMP) | 6,489 | 6,489 |
| 100 | AUDIOVISUAL | 808 | 808 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **121,637** | **121,637** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 110 | UNDISTRIBUTED ADJUSTMENTS | | 161,617 |
| | Retain Air Force Reserve Force Structure | | [161,617] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **161,617** |
| | **TOTAL OPERATION & MAINTENANCE, AF RESERVE** | **3,166,482** | **3,334,799** |
| | **OPERATION & MAINTENANCE, ARNG** | | |
| | **OPERATING FORCES** | | |
| 10 | MANEUVER UNITS | 680,206 | 680,206 |
| 20 | MODULAR SUPPORT BRIGADES | 186,408 | 186,408 |
| 30 | ECHELONS ABOVE BRIGADE | 865,628 | 865,628 |
| 40 | THEATER LEVEL ASSETS | 112,651 | 112,651 |
| 50 | LAND FORCES OPERATIONS SUPPORT | 36,091 | 36,091 |
| 60 | AVIATION ASSETS | 907,011 | 907,011 |
| 70 | FORCE READINESS OPERATIONS SUPPORT | 751,606 | 751,606 |
| 80 | LAND FORCES SYSTEMS READINESS | 60,043 | 60,043 |
| 90 | LAND FORCES DEPOT MAINTENANCE | 411,940 | 411,940 |
| 100 | BASE OPERATIONS SUPPORT | 995,423 | 995,423 |
| 110 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 688,189 | 737,589 |
| | Restoration and Modernization of Facilities | | [49,400] |
| 120 | MANAGEMENT AND OPERATIONAL HQ'S | 953,716 | 953,716 |
| | **SUBTOTAL OPERATING FORCES** | **6,648,912** | **6,698,312** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 130 | SERVICEWIDE TRANSPORTATION | 11,806 | 11,806 |
| 140 | REAL ESTATE MANAGEMENT | 1,656 | 1,656 |
| 150 | ADMINISTRATION | 89,358 | 89,358 |
| 160 | SERVICEWIDE COMMUNICATIONS | 39,513 | 39,513 |
| 170 | MANPOWER MANAGEMENT | 7,224 | 7,224 |
| 180 | RECRUITING AND ADVERTISING | 310,143 | 310,143 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **459,700** | **459,700** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 190 | UNDISTRIBUTED ADJUSTMENTS | | –79,700 |
| | Army Medical Evacuation Paramedic Certification Training | | [5,000] |
| | Deny request of increase for technicians | | [–95,000] |
| | Retain Army National Guard Force Structure | | [10,300] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–79,700** |
| | **TOTAL OPERATION & MAINTENANCE, ARNG** | **7,108,612** | **7,078,312** |
| | **OPERATION & MAINTENANCE, ANG** | | |
| | **OPERATING FORCES** | | |
| 10 | AIRCRAFT OPERATIONS | 3,559,824 | 3,563,329 |
| | Aerospace Control Alert | | [3,505] |
| 20 | MISSION SUPPORT OPERATIONS | 721,225 | 721,225 |
| 30 | DEPOT MAINTENANCE | 774,875 | 774,875 |
| 40 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 270,709 | 295,409 |
| | Restoration and Modernization of Facilities | | [24,700] |
| 50 | BASE SUPPORT | 624,443 | 624,443 |
| | **SUBTOTAL OPERATING FORCES** | **5,951,076** | **5,979,281** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 60 | ADMINISTRATION | 32,358 | 32,358 |
| 70 | RECRUITING AND ADVERTISING | 32,021 | 32,021 |

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **64,379** | **64,379** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 80 | UNDISTRIBUTED ADJUSTMENTS | | 286,800 |
| | Retain Air National Guard Force Structure | | [286,800] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **286,800** |
| | **TOTAL OPERATION & MAINTENANCE, ANG** | **6,015,455** | **6,330,460** |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| 20 | OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID | 108,759 | 108,759 |
| 30 | COOPERATIVE THREAT REDUCTION | 519,111 | 519,111 |
| 40 | ACQ WORKFORCE DEV FD | 274,198 | 274,198 |
| 50 | ENVIRONMENTAL RESTORATION, ARMY | 335,921 | 335,921 |
| | **SUBTOTAL MISCELLANEOUS APPROPRIATIONS** | **1,237,989** | **1,237,989** |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| 60 | ENVIRONMENTAL RESTORATION, NAVY | 310,594 | 310,594 |
| | **SUBTOTAL MISCELLANEOUS APPROPRIATIONS** | **310,594** | **310,594** |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| 70 | ENVIRONMENTAL RESTORATION, AIR FORCE | 529,263 | 529,263 |
| | **SUBTOTAL MISCELLANEOUS APPROPRIATIONS** | **529,263** | **529,263** |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| 10 | US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE | 13,516 | 13,516 |
| 80 | ENVIRONMENTAL RESTORATION, DEFENSE | 11,133 | 11,133 |
| | **SUBTOTAL MISCELLANEOUS APPROPRIATIONS** | **24,649** | **24,649** |
| | **MISCELLANEOUS APPROPRIATIONS** | | |
| 90 | ENVIRONMENTAL RESTORATION FORMERLY USED SITES | 237,543 | 237,543 |
| | **SUBTOTAL MISCELLANEOUS APPROPRIATIONS** | **237,543** | **237,543** |
| | **TOTAL MISCELLANEOUS APPROPRIATIONS** | **2,340,038** | **2,340,038** |
| | **TOTAL OPERATION & MAINTENANCE** | **174,938,933** | **175,082,230** |

**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 2013 Request | House Authorized |
|---|---|---|---|
| | **OPERATION & MAINTENANCE, ARMY** | | |
| | **OPERATING FORCES** | | |
| 40 | THEATER LEVEL ASSETS | 2,758,162 | 2,758,162 |
| 50 | LAND FORCES OPERATIONS SUPPORT | 991,396 | 991,396 |
| 60 | AVIATION ASSETS | 40,300 | 40,300 |
| 70 | FORCE READINESS OPERATIONS SUPPORT | 1,755,445 | 1,755,445 |
| 80 | LAND FORCES SYSTEMS READINESS | 307,244 | 307,244 |
| 100 | BASE OPERATIONS SUPPORT | 393,165 | 393,165 |
| 110 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 250,000 | 250,000 |
| 140 | ADDITIONAL ACTIVITIES | 12,524,137 | 12,395,137 |
| | Reduction to Task Force for Business and Stability Operations | | [–129,000] |
| 150 | COMMANDERS EMERGENCY RESPONSE PROGRAM | 400,000 | 200,000 |
| | Historical underexecution | | [–200,000] |
| 160 | RESET | 3,687,973 | 3,437,973 |
| | Unexecutable depot-level maintenance | | [–250,000] |
| | **SUBTOTAL OPERATING FORCES** | **23,107,822** | **22,528,822** |
| | **ADMIN & SRVWIDE ACTIVITIES** | | |
| 350 | SERVICEWIDE TRANSPORTATION | 3,238,310 | 3,238,310 |
| 360 | CENTRAL SUPPLY ACTIVITIES | 129,000 | 129,000 |
| 380 | AMMUNITION MANAGEMENT | 78,022 | 78,022 |
| 420 | OTHER PERSONNEL SUPPORT | 137,277 | 137,277 |
| 430 | OTHER SERVICE SUPPORT | 72,293 | 72,293 |
| 490 | CLASSIFIED PROGRAMS | 1,828,717 | 1,828,717 |
| | **SUBTOTAL ADMIN & SRVWIDE ACTIVITIES** | **5,483,619** | **5,483,619** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 500 | UNDISTRIBUTED ADJUSTMENTS | | –179,700 |
| | Historical unobligated balances | | [–179,700] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–179,700** |
| | **TOTAL OPERATION & MAINTENANCE, ARMY** | **28,591,441** | **27,832,741** |
| | **OPERATION & MAINTENANCE, NAVY** | | |
| | **OPERATING FORCES** | | |
| 10 | MISSION AND OTHER FLIGHT OPERATIONS | 937,098 | 937,098 |
| 30 | AVIATION TECHNICAL DATA & ENGINEERING SERVICES | 1,000 | 1,000 |
| 40 | AIR OPERATIONS AND SAFETY SUPPORT | 15,794 | 15,794 |
| 50 | AIR SYSTEMS SUPPORT | 19,013 | 19,013 |
| 60 | AIRCRAFT DEPOT MAINTENANCE | 201,912 | 201,912 |
| 70 | AIRCRAFT DEPOT OPERATIONS SUPPORT | 3,000 | 3,000 |
| 80 | AVIATION LOGISTICS | 44,150 | 44,150 |
| 90 | MISSION AND OTHER SHIP OPERATIONS | 463,738 | 463,738 |
| 100 | SHIP OPERATIONS SUPPORT & TRAINING | 24,774 | 24,774 |
| 110 | SHIP DEPOT MAINTENANCE | 1,310,010 | 1,310,010 |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
**(In Thousands of Dollars)**

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| 130 | COMBAT COMMUNICATIONS | 42,965 | 42,965 |
| 160 | WARFARE TACTICS | 25,970 | 25,970 |
| 170 | OPERATIONAL METEOROLOGY AND OCEANOGRAPHY | 19,226 | 19,226 |
| 180 | COMBAT SUPPORT FORCES | 1,668,359 | 1,668,359 |
| 190 | EQUIPMENT MAINTENANCE | 7,954 | 7,954 |
| 250 | IN-SERVICE WEAPONS SYSTEMS SUPPORT | 94,655 | 94,655 |
| 260 | WEAPONS MAINTENANCE | 303,087 | 303,087 |
| 290 | SUSTAINMENT, RESTORATION AND MODERNIZATION | 3,218 | 3,218 |
| 300 | BASE OPERATING SUPPORT | 143,442 | 143,442 |
| | **SUBTOTAL OPERATING FORCES** | **5,329,365** | **5,329,365** |
| | **MOBILIZATION** | | |
| 340 | EXPEDITIONARY HEALTH SERVICES SYSTEMS | 31,395 | 31,395 |
| 360 | COAST GUARD SUPPORT | 254,461 | 254,461 |
| | **SUBTOTAL MOBILIZATION** | **285,856** | **285,856** |
| | **TRAINING AND RECRUITING** | | |
| 400 | SPECIALIZED SKILL TRAINING | 50,903 | 50,903 |
| | **SUBTOTAL TRAINING AND RECRUITING** | **50,903** | **50,903** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 480 | ADMINISTRATION | 1,377 | 1,377 |
| 490 | EXTERNAL RELATIONS | 487 | 487 |
| 510 | MILITARY MANPOWER AND PERSONNEL MANAGEMENT | 6,022 | 6,022 |
| 520 | OTHER PERSONNEL SUPPORT | 3,514 | 3,514 |
| 550 | SERVICEWIDE TRANSPORTATION | 184,864 | 184,864 |
| 580 | ACQUISITION AND PROGRAM MANAGEMENT | 2,026 | 2,026 |
| 620 | NAVAL INVESTIGATIVE SERVICE | 1,425 | 1,425 |
| 710 | CLASSIFIED PROGRAMS | 14,556 | 14,556 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **214,271** | **214,271** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 720 | UNDISTRIBUTED ADJUSTMENTS | | –22,100 |
| | Historical unobligated balances | | [–22,100] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–22,100** |
| | **TOTAL OPERATION & MAINTENANCE, NAVY** | **5,880,395** | **5,858,295** |
| | **OPERATION & MAINTENANCE, MARINE CORPS** | | |
| | **OPERATING FORCES** | | |
| 10 | OPERATIONAL FORCES | 1,921,258 | 1,921,258 |
| 20 | FIELD LOGISTICS | 1,094,028 | 1,094,028 |
| 30 | DEPOT MAINTENANCE | 222,824 | 222,824 |
| 60 | BASE OPERATING SUPPORT | 88,690 | 88,690 |
| | **SUBTOTAL OPERATING FORCES** | **3,326,800** | **3,326,800** |
| | **TRAINING AND RECRUITING** | | |
| 110 | TRAINING SUPPORT | 215,212 | 215,212 |
| | **SUBTOTAL TRAINING AND RECRUITING** | **215,212** | **215,212** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 150 | SERVICEWIDE TRANSPORTATION | 512,627 | 512,627 |
| 190 | CLASSIFIED PROGRAMS | 11,701 | 11,701 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **524,328** | **524,328** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 200 | UNDISTRIBUTED ADJUSTMENTS | | –15,600 |
| | Historical unobligated balances | | [–15,600] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–15,600** |
| | **TOTAL OPERATION & MAINTENANCE, MARINE CORPS** | **4,066,340** | **4,050,740** |
| | **OPERATION & MAINTENANCE, AIR FORCE** | | |
| | **OPERATING FORCES** | | |
| 10 | PRIMARY COMBAT FORCES | 1,494,144 | 1,494,144 |
| 20 | COMBAT ENHANCEMENT FORCES | 809,531 | 809,531 |
| 30 | AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) | 13,095 | 13,095 |
| 40 | DEPOT MAINTENANCE | 1,403,238 | 1,403,238 |
| 50 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 155,954 | 155,954 |
| 60 | BASE SUPPORT | 342,226 | 342,226 |
| 70 | GLOBAL C3I AND EARLY WARNING | 15,108 | 15,108 |
| 80 | OTHER COMBAT OPS SPT PROGRAMS | 271,390 | 271,390 |
| 100 | TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES | 25,400 | 25,400 |
| 120 | SPACE CONTROL SYSTEMS | 5,110 | 5,110 |
| 130 | COMBATANT COMMANDERS DIRECT MISSION SUPPORT | 52,173 | 52,173 |
| | **SUBTOTAL OPERATING FORCES** | **4,587,369** | **4,587,369** |
| | **MOBILIZATION** | | |
| 150 | AIRLIFT OPERATIONS | 3,187,211 | 3,187,211 |
| 160 | MOBILIZATION PREPAREDNESS | 43,509 | 43,509 |
| 170 | DEPOT MAINTENANCE | 554,943 | 554,943 |
| 180 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 4,431 | 4,431 |
| 190 | BASE SUPPORT | 9,256 | 9,256 |
| | **SUBTOTAL MOBILIZATION** | **3,799,350** | **3,799,350** |
| | **TRAINING AND RECRUITING** | | |
| 230 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 424 | 424 |
| 240 | BASE SUPPORT | 1,036 | 1,036 |
| 250 | SPECIALIZED SKILL TRAINING | 10,923 | 10,923 |
| 260 | FLIGHT TRAINING | 72 | 72 |
| 270 | PROFESSIONAL DEVELOPMENT EDUCATION | 323 | 323 |
| 280 | TRAINING SUPPORT | 352 | 352 |
| | **SUBTOTAL TRAINING AND RECRUITING** | **13,130** | **13,130** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 360 | LOGISTICS OPERATIONS | 100,429 | 100,429 |
| 390 | FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION | 47,200 | 47,200 |
| 400 | BASE SUPPORT | 7,242 | 7,242 |
| 410 | ADMINISTRATION | 1,552 | 1,552 |
| 420 | SERVICEWIDE COMMUNICATIONS | 82,094 | 82,094 |
| 430 | OTHER SERVICEWIDE ACTIVITIES | 582,977 | 582,977 |
| 480 | CLASSIFIED PROGRAMS | 20,270 | 20,270 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **841,764** | **841,764** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 490 | UNDISTRIBUTED ADJUSTMENTS | | –34,700 |
| | Historical unobligated balances | | [–34,700] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–34,700** |
| | **TOTAL OPERATION & MAINTENANCE, AIR FORCE** | **9,241,613** | **9,206,913** |
| | **OPERATION & MAINTENANCE, DEFENSE-WIDE** | | |
| | **OPERATING FORCES** | | |
| 10 | JOINT CHIEFS OF STAFF | 2,000 | 2,000 |
| 20 | SPECIAL OPERATIONS COMMAND | 2,503,060 | 2,503,060 |
| | **SUBTOTAL OPERATING FORCES** | **2,505,060** | **2,505,060** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 80 | DEFENSE CONTRACT AUDIT AGENCY | 30,674 | 30,674 |
| 90 | DEFENSE CONTRACT MANAGEMENT AGENCY | 69,803 | 69,803 |
| 110 | DEFENSE HUMAN RESOURCES ACTIVITY | 3,334 | 3,334 |
| 120 | DEFENSE INFORMATION SYSTEMS AGENCY | 152,925 | 152,925 |
| 140 | DEFENSE LEGAL SERVICES AGENCY | 102,322 | 102,322 |
| 160 | DEFENSE MEDIA ACTIVITY | 10,823 | 10,823 |
| 180 | DEFENSE SECURITY COOPERATION AGENCY | 2,200,000 | 1,550,000 |

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**
**(In Thousands of Dollars)**

| Line | Item | FY 2013 Request | House Authorized |
|---|---|---|---|
| | Program Decrease—Coalition Support Funds | | [–650,000] |
| 220 | DEPARTMENT OF DEFENSE EDUCATION ACTIVITY | 139,830 | 139,830 |
| 260 | OFFICE OF THE SECRETARY OF DEFENSE | 87,805 | 87,805 |
| 280 | CLASSIFIED PROGRAMS | 2,522,003 | 2,522,003 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **5,319,519** | **4,669,519** |
| | **UNDISTRIBUTED ADJUSTMENTS** | | |
| 290 | UNDISTRIBUTED ADJUSTMENTS | | –29,300 |
| | Historical unobligated balances | | [–29,300] |
| | **SUBTOTAL UNDISTRIBUTED ADJUSTMENTS** | | **–29,300** |
| | **TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE** | **7,824,579** | **7,145,279** |
| | **OPERATION & MAINTENANCE, ARMY RES** | | |
| | **OPERATING FORCES** | | |
| 30 | ECHELONS ABOVE BRIGADE | 78,600 | 78,600 |
| 50 | LAND FORCES OPERATIONS SUPPORT | 20,811 | 20,811 |
| 70 | FORCE READINESS OPERATIONS SUPPORT | 20,726 | 20,726 |
| 100 | BASE OPERATIONS SUPPORT | 34,400 | 34,400 |
| | **SUBTOTAL OPERATING FORCES** | **154,537** | **154,537** |
| | **TOTAL OPERATION & MAINTENANCE, ARMY RES** | **154,537** | **154,537** |
| | **OPERATION & MAINTENANCE, NAVY RES** | | |
| | **OPERATING FORCES** | | |
| 10 | MISSION AND OTHER FLIGHT OPERATIONS | 24,834 | 24,834 |
| 20 | INTERMEDIATE MAINTENANCE | 300 | 300 |
| 40 | AIRCRAFT DEPOT MAINTENANCE | 13,364 | 13,364 |
| 60 | MISSION AND OTHER SHIP OPERATIONS | 8,213 | 8,213 |
| 80 | SHIP DEPOT MAINTENANCE | 929 | 929 |
| 100 | COMBAT SUPPORT FORCES | 8,244 | 8,244 |
| 140 | BASE OPERATING SUPPORT | 40 | 40 |
| | **SUBTOTAL OPERATING FORCES** | **55,924** | **55,924** |
| | **TOTAL OPERATION & MAINTENANCE, NAVY RES** | **55,924** | **55,924** |
| | **OPERATION & MAINTENANCE, MC RESERVE** | | |
| | **OPERATING FORCES** | | |
| 10 | OPERATING FORCES | 22,657 | 22,657 |
| 40 | BASE OPERATING SUPPORT | 2,820 | 2,820 |
| | **SUBTOTAL OPERATING FORCES** | **25,477** | **25,477** |
| | **TOTAL OPERATION & MAINTENANCE, MC RESERVE** | **25,477** | **25,477** |
| | **OPERATION & MAINTENANCE, AF RESERVE** | | |
| | **OPERATING FORCES** | | |
| 10 | PRIMARY COMBAT FORCES | 7,600 | 7,600 |
| 30 | DEPOT MAINTENANCE | 106,768 | 106,768 |
| 50 | BASE SUPPORT | 6,250 | 6,250 |
| | **SUBTOTAL OPERATING FORCES** | **120,618** | **120,618** |
| | **TOTAL OPERATION & MAINTENANCE, AF RESERVE** | **120,618** | **120,618** |
| | **OPERATION & MAINTENANCE, ARNG** | | |
| | **OPERATING FORCES** | | |
| 10 | MANEUVER UNITS | 38,485 | 38,485 |
| 20 | MODULAR SUPPORT BRIGADES | 1,959 | 1,959 |
| 30 | ECHELONS ABOVE BRIGADE | 20,076 | 20,076 |
| 40 | THEATER LEVEL ASSETS | 2,028 | 2,028 |
| 60 | AVIATION ASSETS | 183,811 | 183,811 |
| 70 | FORCE READINESS OPERATIONS SUPPORT | 43,780 | 43,780 |
| 100 | BASE OPERATIONS SUPPORT | 70,237 | 70,237 |
| 120 | MANAGEMENT AND OPERATIONAL HQ'S | 20,072 | 20,072 |
| | **SUBTOTAL OPERATING FORCES** | **380,448** | **380,448** |
| | **ADMIN & SRVWD ACTIVITIES** | | |
| 160 | SERVICEWIDE COMMUNICATIONS | 2,000 | 2,000 |
| | **SUBTOTAL ADMIN & SRVWD ACTIVITIES** | **2,000** | **2,000** |
| | **TOTAL OPERATION & MAINTENANCE, ARNG** | **382,448** | **382,448** |
| | **OPERATION & MAINTENANCE, ANG** | | |
| | **OPERATING FORCES** | | |
| 20 | MISSION SUPPORT OPERATIONS | 19,975 | 19,975 |
| | **SUBTOTAL OPERATING FORCES** | **19,975** | **19,975** |
| | **TOTAL OPERATION & MAINTENANCE, ANG** | **19,975** | **19,975** |
| | **AFGHANISTAN SECURITY FORCES FUND** | | |
| | **MINISTRY OF DEFENSE** | | |
| 10 | SUSTAINMENT | 2,523,825 | 2,523,825 |
| 20 | INFRASTRUCTURE | 190,000 | 190,000 |
| 30 | EQUIPMENT AND TRANSPORTATION | 241,521 | 241,521 |
| 40 | TRAINING AND OPERATIONS | 758,380 | 758,380 |
| | **SUBTOTAL MINISTRY OF DEFENSE** | **3,713,726** | **3,713,726** |
| | **MINISTRY OF INTERIOR** | | |
| 50 | SUSTAINMENT | 1,305,950 | 1,305,950 |
| 60 | INFRASTRUCTURE | 50,000 | 50,000 |
| 70 | EQUIPMENT AND TRANSPORTATION | 84,859 | 84,859 |
| 80 | TRAINING AND OPERATIONS | 569,868 | 569,868 |
| | **SUBTOTAL MINISTRY OF INTERIOR** | **2,010,677** | **2,010,677** |
| | **RELATED ACTIVITIES** | | |
| 90 | SUSTAINMENT | 18,325 | 18,325 |
| 100 | INFRASTRUCTUE | 1,200 | 1,200 |
| 110 | EQUIPMENT & TRANSPORTATION | 1,239 | 1,239 |
| 120 | TRAINING AND OPERATIONS | 4,000 | 4,000 |
| | **SUBTOTAL RELATED ACTIVITIES** | **24,764** | **24,764** |
| | **TOTAL AFGHANISTAN SECURITY FORCES FUND** | **5,749,167** | **5,749,167** |
| | **AFGHANISTAN INFRASTRUCTURE FUND** | | |
| | **AFGHANISTAN INFRASTRUCTURE FUND** | | |
| 10 | POWER | 400,000 | 375,000 |
| | Program Decrease | | [–25,000] |
| | **SUBTOTAL AFGHANISTAN INFRASTRUCTURE FUND** | **400,000** | **375,000** |
| | **TOTAL AFGHANISTAN INFRASTRUCTURE FUND** | **400,000** | **375,000** |
| | **TOTAL OPERATION & MAINTENANCE** | **62,512,514** | **60,977,114** |

## TITLE XLIV—MILITARY PERSONNEL

**SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

| Item | FY 2013 Request | House Authorized |
|---|---|---|
| **MILITARY PERSONNEL** | **135,111,799** | **135,726,855** |
| Army medical evacuation paramedic certification training | | 2,000 |
| Basic allowance for housing for members of the National Guard (Section 603) | | 6,000 |
| Non-medical attendant travel (Section 621) | | 2,000 |
| Reserve Components administrative absence (Section 604) | | 2,000 |
| Restore accrual payments to the Medicare eligible health care trust fund | | 672,000 |
| Retain 128 Air National Guard AGRs for two air sovereignty alert locations | | 8,300 |
| Retain Air Force Force Structure | | 30,000 |
| Retain Air Force Reserve Force Structure | | 20,000 |
| Retain Air National Guard Force Structure | | 70,826 |
| Retain Global Hawk | | 22,200 |
| Unobligated balances | | [–352,000] |
| USMC military personnel in lieu of LAV funding | | 131,730 |

**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Item | FY 2013 Request | House Authorized |
|---|---|---|
| **MILITARY PERSONNEL** | **14,060,094** | **14,060,094** |

## TITLE XLV—OTHER AUTHORIZATIONS

**SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

| Item | FY 2013 Request | House Authorized |
|---|---|---|
| **WORKING CAPITAL FUND, ARMY** | | |
| PREPOSITIONED WAR RESERVE STOCKS | 60,037 | 60,037 |
| **TOTAL WORKING CAPITAL FUND, ARMY** | **60,037** | **60,037** |
| **WORKING CAPITAL FUND, AIR FORCE** | | |
| SUPPLIES AND MATERIALS (MEDICAL/DENTAL) | 45,452 | 45,452 |
| **TOTAL WORKING CAPITAL FUND, AIR FORCE** | **45,452** | **45,452** |
| **WORKING CAPITAL FUND, DEFENSE-WIDE** | | |
| DEFENSE LOGISTICS AGENCY (DLA) | 39,135 | 39,135 |
| **TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE** | **39,135** | **39,135** |
| **WORKING CAPITAL FUND, DECA** | | |
| WORKING CAPITAL FUND, DECA | 1,371,560 | 1,371,560 |
| **TOTAL WORKING CAPITAL FUND, DECA** | **1,371,560** | **1,371,560** |
| **NATIONAL DEFENSE SEALIFT FUND** | | |
| MPF MLP | 38,000 | 38,000 |
| POST DELIVERY AND OUTFITTING | 39,386 | 39,386 |
| LG MED SPD RO/RO MAINTENANCE | 128,819 | 128,819 |
| DOD MOBILIZATION ALTERATIONS | 26,598 | 26,598 |
| TAH MAINTENANCE | 29,199 | 29,199 |
| RESEARCH AND DEVELOPMENT | 42,811 | 42,811 |
| READY RESERVE FORCE | 303,323 | 303,323 |
| **TOTAL NATIONAL DEFENSE SEALIFT FUND** | **608,136** | **608,136** |
| **DEFENSE HEALTH PROGRAM** | | |
| IN-HOUSE CARE | 8,625,507 | 8,625,507 |
| PRIVATE SECTOR CARE | 16,148,263 | 16,148,263 |
| CONSOLIDATED HEALTH SUPPORT | 2,309,185 | 2,309,185 |
| INFORMATION MANAGEMENT | 1,465,328 | 1,465,328 |
| MANAGEMENT ACTIVITIES | 332,121 | 332,121 |
| EDUCATION AND TRAINING | 722,081 | 722,081 |
| BASE OPERATIONS/COMMUNICATIONS | 1,746,794 | 1,746,794 |

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

| Item | FY 2013 Request | House Authorized |
|---|---|---|
| UNDISTRIBUTED, OPERATION & MAINTENANCE | | 281,900 |
| Foreign currency flucuation | | [–5,100] |
| Overfunding in electronic health record | | [–30,000] |
| Restore estimated savings in TRICARE Prime and Standard enrollment fees and deductibles for TRICARE Standard | | [273,000] |
| Restore pharmacy co-pay estimated savings | | [179,000] |
| TRICARE rate adjustments | | [90,000] |
| Unobligated balances | | [–225,000] |
| RDT&E | 672,977 | 672,977 |
| PROCUREMENT | 506,462 | 454,462 |
| Overfunding in electronic health record | | [–52,000] |
| **TOTAL DEFENSE HEALTH PROGRAM** | **32,528,718** | **32,758,618** |
| **CHEM AGENTS & MUNITIONS DESTRUCTION** | | |
| OPERATION & MAINTENANCE | 635,843 | 635,843 |
| RDT&E | 647,351 | 647,351 |
| PROCUREMENT | 18,592 | 18,592 |
| **TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION** | **1,301,786** | **1,301,786** |
| **DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF** | | |
| DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE | 889,545 | 889,545 |
| DRUG DEMAND REDUCTION PROGRAM | 109,818 | 109,818 |
| **TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF** | **999,363** | **999,363** |
| **OFFICE OF THE INSPECTOR GENERAL** | | |
| OPERATION & MAINTENANCE | 272,821 | 272,821 |
| PROCUREMENT | 1,000 | 1,000 |
| **TOTAL OFFICE OF THE INSPECTOR GENERAL** | **273,821** | **273,821** |
| **CEMETERIAL EXPENSES, ARMY** | | |
| OPERATION & MAINTENANCE | 41,000 | 41,000 |
| CONSTRUCTION | 4,800 | 4,800 |
| FACILITIES MAINTENANCE | | 25,000 |
| Realignment from Operation and Maintenance, Army | | [25,000] |
| **TOTAL CEMETERIAL EXPENSES, ARMY** | **45,800** | **70,800** |
| **TOTAL OTHER AUTHORIZATIONS** | **37,273,808** | **37,528,708** |

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Item | FY 2013 Request | House Authorized |
|---|---|---|
| **WORKING CAPITAL FUND, ARMY** | | |
| PREPOSITIONED WAR RESERVE STOCKS | 42,600 | 42,600 |
| **TOTAL WORKING CAPITAL FUND, ARMY** | **42,600** | **42,600** |
| **WORKING CAPITAL FUND, AIR FORCE** | | |
| C–17 CLS ENGINE REPAIR | 230,400 | 230,400 |
| TRANSPORTATION FALLEN HEROES | 10,000 | 10,000 |
| **TOTAL WORKING CAPITAL FUND, AIR FORCE** | **240,400** | **240,400** |
| **WORKING CAPITAL FUND, DEFENSE-WIDE** | | |
| DEFENSE LOGISTICS AGENCY (DLA) | 220,364 | 220,364 |
| **TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE** | **220,364** | **220,364** |
| **DEFENSE HEALTH PROGRAM** | | |
| IN-HOUSE CARE | 483,326 | 483,326 |
| PRIVATE SECTOR CARE | 376,982 | 376,982 |
| CONSOLIDATED HEALTH SUPPORT | 111,675 | 111,675 |
| INFORMATION MANAGEMENT | 4,773 | 4,773 |
| MANAGEMENT ACTIVITIES | 660 | 660 |
| EDUCATION AND TRAINING | 15,370 | 15,370 |
| BASE OPERATIONS/COMMUNICATIONS | 1,112 | 1,112 |

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

| Item | FY 2013 Request | House Authorized |
|---|---|---|
| **TOTAL DEFENSE HEALTH PROGRAM** | **993,898** | **993,898** |
| **DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF** | | |
| DEFENSEWIDE ACTIVITIES | 469,025 | 469,025 |
| **TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF** | **469,025** | **469,025** |
| **OFFICE OF THE INSPECTOR GENERAL** | | |
| OPERATION & MAINTENANCE | 10,766 | 10,766 |
| **TOTAL OFFICE OF THE INSPECTOR GENERAL** | **10,766** | **10,766** |
| **TOTAL OTHER AUTHORIZATIONS** | **1,977,053** | **1,977,053** |

## TITLE XLVI—MILITARY CONSTRUCTION

### SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| | Alaska | | | |
| Army | Fort Wainwright | Modified Record Fire Range | 10,400 | 10,400 |
| Army | Joint Base Elmendorf-Richardson | Modified Record Fire Range | 7,900 | 7,900 |
| | California | | | |
| Army | Concord | Engineering/Housing Maintenance Shop | 3,100 | 3,100 |
| Army | Concord | Lightning Protection System | 5,800 | 5,800 |
| | Colorado | | | |
| Army | Fort Carson | Central Energy Plant | 0 | 0 |
| Army | Fort Carson, Colorado | Digital Multipurpose Training Range | 18,000 | 18,000 |
| | District of Columbia | | | |
| Army | Fort Mcnair | Vehicle Storage Building, Installation | 7,200 | 7,200 |
| | Georgia | | | |
| Army | Fort Benning | Ground Source Heat Transfer System | 16,000 | 16,000 |
| Army | Fort Gordon | Ground Source Heat Transfer System | 12,200 | 12,200 |
| Army | Fort Gordon | Modified Record Fire Range | 4,000 | 4,000 |
| Army | Fort Gordon | Multipurpose Machine Gun Range | 7,100 | 7,100 |
| Army | Fort Stewart, Georgia | Automated Combat Pistol Qual Crse | 3,650 | 3,650 |
| Army | Fort Stewart, Georgia | Digital Multipurpose Training Range | 22,000 | 22,000 |
| Army | Fort Stewart, Georgia | Unmanned Aerial Vehicle Complex | 24,000 | 24,000 |
| | Hawaii | | | |
| Army | Pohakuloa Training Area | Automated Infantry Platoon Battle Course | 29,000 | 29,000 |
| Army | Schofield Barracks | Barracks | 55,000 | 55,000 |
| Army | Schofield Barracks | Barracks | 41,000 | 41,000 |
| Army | Wheeler Army Air Field | Combat Aviation Brigade Barracks | 85,000 | 85,000 |
| | Italy | | | |
| Army | Camp Ederle | Barracks | 36,000 | 36,000 |
| Army | Vicenza | Simulations Center | 32,000 | 32,000 |
| | Japan | | | |
| Army | Okinawa | Satellite Communications Facility | 78,000 | 78,000 |
| Army | Sagami | Vehicle Maintenance Shop | 18,000 | 18,000 |
| | Kansas | | | |
| Army | Fort Riley, Kansas | Unmanned Aerial Vehicle Complex | 12,200 | 12,200 |
| | Kentucky | | | |
| Army | Fort Campbell, Kentucky | Battalion Headquarters Complex | 55,000 | 55,000 |
| Army | Fort Campbell, Kentucky | Live Fire Exercise Shoothouse | 3,800 | 3,800 |
| Army | Fort Campbell, Kentucky | Unmanned Aerial Vehicle Complex | 23,000 | 23,000 |
| Army | Fort Knox | Automated Infantry Squad Battle Course | 6,000 | 6,000 |
| | Korea | | | |
| Army | Camp Humphreys | Battalion Headquarters Complex | 45,000 | 45,000 |
| | Kwajalein Atoll | | | |
| Army | Kwajalein Atoll | Pier | 0 | 0 |
| | Missouri | | | |
| Army | Fort Leonard Wood | Battalion Complex Facilities | 26,000 | 26,000 |
| Army | Fort Leonard Wood | Trainee Barracks Complex 3, Ph 2 | 58,000 | 58,000 |
| Army | Fort Leonard Wood | Vehicle Maintenance Shop | 39,000 | 39,000 |
| | New Jersey | | | |
| Army | Joint Base Mcguire-Dix-Lakehurst | Flight Equipment Complex | 47,000 | 47,000 |
| Army | Picatinny Arsenal | Ballistic Evaluation Center | 10,200 | 10,200 |
| | New York | | | |
| Army | Fort Drum, New York | Aircraft Maintenance Hangar | 95,000 | 95,000 |
| Army | U.S. Military Academy | Cadet Barracks | 192,000 | 192,000 |
| | North Carolina | | | |
| Army | Fort Bragg | Aerial Gunnery Range | 42,000 | 42,000 |
| Army | Fort Bragg | Infrastructure | 30,000 | 30,000 |
| Army | Fort Bragg | Unmanned Aerial Vehicle Complex | 26,000 | 26,000 |
| | Oklahoma | | | |
| Army | Fort Sill | Modified Record Fire Range | 4,900 | 4,900 |
| | South Carolina | | | |

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| Army | Fort Jackson | Trainee Barracks Complex 2, Ph 2 | 24,000 | 24,000 |
| | Texas | | | |
| Army | Corpus Christi | Aircraft Component Maintenance Shop | 13,200 | 13,200 |
| Army | Corpus Christi | Aircraft Paint Shop | 24,000 | 24,000 |
| Army | Fort Bliss | Multipurpose Machine Gun Range | 7,200 | 7,200 |
| Army | Fort Hood, Texas | Modified Record Fire Range | 4,200 | 4,200 |
| Army | Fort Hood, Texas | Training Aids Center | 25,000 | 25,000 |
| Army | Fort Hood, Texas | Unmanned Aerial Vehicle Complex | 22,000 | 22,000 |
| Army | Joint Base San Antonio | Barracks | 21,000 | 21,000 |
| | Virginia | | | |
| Army | Arlington | Cemetery Expansion Millennium Site | 84,000 | 84,000 |
| Army | Fort Belvoir | Secure Admin/Operations Facility | 94,000 | 94,000 |
| Army | Fort Lee | Adv Individual Training Barracks Cplx, Ph2 | 81,000 | 81,000 |
| | Washington | | | |
| Army | Joint Base Lewis-Mcchord | Battalion Complex | 73,000 | 73,000 |
| Army | Joint Base Lewis-Mcchord | Waste Water Treatment Plant | 91,000 | 91,000 |
| Army | Yakima | Convoy Live Fire Range | 5,100 | 5,100 |
| | Worldwide Unspecified | | | |
| Army | Unspecified Worldwide Locations | Host Nation Support Fy 13 | 34,000 | 34,000 |
| Army | Unspecified Worldwide Locations | Minor Construction Fy 13 | 25,000 | 25,000 |
| Army | Unspecified Worldwide Locations | Planning and Design Fy13 | 65,173 | 65,173 |
| **Total Military Construction, Army** | | | **1,923,323** | **1,923,323** |
| | Arizona | | | |
| Navy | Yuma | Combat Aircraft Loading Apron | 15,985 | 15,985 |
| Navy | Yuma | Security Operations Complex | 13,300 | 13,300 |
| | Bahrain Island | | | |
| Navy | Sw Asia | Combined Dining Facility | 9,819 | 0 |
| Navy | Sw Asia | Transient Quarters | 41,529 | 0 |
| | California | | | |
| Navy | Camp Pendleton, California | Comm. Information Systems Ops Complex | 78,897 | 78,897 |
| Navy | Camp Pendleton, California | Mv22 Aviation Simulator Building | 4,139 | 4,139 |
| Navy | Camp Pendleton, California | San Jacinto Road Extension | 5,074 | 5,074 |
| Navy | Coronado | Bachelor Quarters | 76,063 | 76,063 |
| Navy | Coronado | H–60s Simulator Training Facility | 2,478 | 2,478 |
| Navy | Lemoore | Bams Maintenance Training Facility | 14,843 | 0 |
| Navy | Miramar | Hangar 5 Renovations & Addition | 27,897 | 27,897 |
| Navy | Point Mugu | Bams Maintenance Training Facility | 0 | 12,790 |
| Navy | San Diego | Entry Control Point (Gate Five) | 11,752 | 11,752 |
| Navy | San Diego | Lcs Training Facility | 59,436 | 59,436 |
| Navy | Seal Beach | Strategic Systems Weapons Eval. Test Lab | 30,594 | 30,594 |
| Navy | Twentynine Palms, California | Land Expansion Phase 2 | 47,270 | 47,270 |
| | Diego Garcia | | | |
| Navy | Diego Garcia | Communications Infrastructure | 1,691 | 1,691 |
| | Djibouti | | | |
| Navy | Camp Lemonier, Djibouti | Containerized Living and Work Units | 7,510 | 0 |
| Navy | Camp Lemonier, Djibouti | Fitness Center | 26,960 | 0 |
| Navy | Camp Lemonier, Djibouti | Galley Addition and Warehouse | 22,220 | 0 |
| Navy | Camp Lemonier, Djibouti | Joint HQ/Joint Operations Center Facility | 42,730 | 0 |
| | Florida | | | |
| Navy | Jacksonville | Bams Mission Control Complex | 21,980 | 21,980 |
| | Greece | | | |
| Navy | Souda Bay | Aircraft Parking Apron Expansion | 20,493 | 20,493 |
| Navy | Souda Bay | Intermodal Access Road | 4,630 | 4,630 |
| | Guam | | | |
| Navy | Joint Region Marianas | North Ramp Parking (Andersen AFB)—Inc 2 | 25,904 | 25,904 |
| | Hawaii | | | |
| Navy | Kaneohe Bay | Aircraft Staging Area | 14,680 | 14,680 |
| Navy | Kaneohe Bay | Mv–22 Hangar and Infrastructure | 82,630 | 82,630 |
| | Japan | | | |
| Navy | Iwakuni | Maintenance Hangar Improvements | 5,722 | 5,722 |
| Navy | Iwakuni | Vertical Take-Off and Landing Pad North | 7,416 | 7,416 |
| Navy | Okinawa | Bachelor Quarters | 8,206 | 8,206 |
| | Mississippi | | | |
| Navy | Meridian | Dining Facility | 10,926 | 10,926 |
| | New Jersey | | | |
| Navy | Earle | Combat System Engineering Building Addition | 33,498 | 33,498 |
| | North Carolina | | | |
| Navy | Camp Lejeune, North Carolina | Base Access and Road—Phase 3 | 40,904 | 40,904 |
| Navy | Camp Lejeune, North Carolina | Staff Nco Academy Facilities | 28,986 | 28,986 |
| Navy | Cherry Point Marine Corps Air Station | Armory | 11,581 | 11,581 |
| Navy | Cherry Point Marine Corps Air Station | Marine Air Support Squadron Compound | 34,310 | 34,310 |
| Navy | New River | Personnel Administration Center | 8,525 | 8,525 |
| | Romania | | | |
| Navy | Deveselu, Romania | Aegis Ashore Missile Defense Complex | 45,205 | 45,205 |
| | South Carolina | | | |
| Navy | Beaufort | Aircraft Maintenance Hangar | 42,010 | 42,010 |
| Navy | Beaufort | Airfield Security Upgrades | 13,675 | 13,675 |
| Navy | Beaufort | Ground Support Equipment Shop | 9,465 | 9,465 |
| Navy | Beaufort | Recycling/Hazardous Waste Facility | 3,743 | 3,743 |
| Navy | Beaufort | Simulated Lhd Flight Deck | 12,887 | 12,887 |
| Navy | Parris Island | Front Gate Atfp Improvements | 10,135 | 10,135 |

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| | Spain | | | |
| Navy | Rota | General Purpose Warehouse | 3,378 | 3,378 |
| Navy | Rota | High Explosive Magazine | 13,837 | 13,837 |
| | Virginia | | | |
| Navy | Dahlgren | Cruiser/Destroyer Upgrade Training Facility | 16,494 | 16,494 |
| Navy | Dahlgren | Physical Fitness Center | 11,734 | 11,734 |
| Navy | Oceana Naval Air Station | A School Barracks | 39,086 | 39,086 |
| Navy | Portsmouth | Drydock 8 Electrical Distribution Upgrade | 32,706 | 32,706 |
| Navy | Quantico | Infrastruture—Widen Russell Road | 14,826 | 14,826 |
| Navy | Quantico | The Basic School Student Quarters—Phase 7 | 31,012 | 31,012 |
| Navy | Quantico | Weapons Training Battalion Mess Hall | 12,876 | 12,876 |
| Navy | Yorktown | Armory | 4,259 | 4,259 |
| Navy | Yorktown | Bachelor Enlisted Quarters | 18,422 | 18,422 |
| Navy | Yorktown | Motor Transportation Facility | 6,188 | 6,188 |
| Navy | Yorktown | Regimental Headquarters | 11,015 | 11,015 |
| Navy | Yorktown | Supply Warehouse Facility | 8,939 | 8,939 |
| | Washington | | | |
| Navy | Kitsap | Explosives Handling Wharf #2 (Inc) | 280,041 | 280,041 |
| Navy | Whidbey Island | Ea–18g Flight Simulator Facility | 6,272 | 6,272 |
| | Worldwide Unspecified | | | |
| Navy | Unspecified Worldwide Locations | Mcon Design Funds | 102,619 | 102,619 |
| Navy | Unspecified Worldwide Locations | Unspecified Minor Construction | 16,535 | 16,535 |
| Navy | Various Worldwide Locations | Bams Operational Facilities | 34,048 | 34,048 |
| **Total Military Construction, Navy** | | | **1,701,985** | **1,549,164** |
| | Arkansas | | | |
| AF | Little Rock AFB | C–130J Flight Simulator Addition | 4,178 | 4,178 |
| AF | Little Rock AFB | C–130J Fuel Systems Maintenance Hangar | 26,000 | 26,000 |
| | Florida | | | |
| AF | Tyndall AFB | F–22 Adal Hangar for Low Observable/Composite | 14,750 | 14,750 |
| | Georgia | | | |
| AF | Fort Stewart, Georgia | Air Support Operations Center (ASOC) | 7,250 | 7,250 |
| AF | Moody AFB | HC–130J Simulator Facility | 8,500 | 8,500 |
| | Greenland | | | |
| AF | Thule Ab | Consolidated Engineer Shop and Supply Facility | 0 | 0 |
| AF | Thule Ab | Dormitory (48 Pn) | 24,500 | 24,500 |
| | Guam | | | |
| AF | Andersen AFB | Fuel Systems Hangar | 0 | 0 |
| | Italy | | | |
| AF | Aviano Ab | F–16 Mission Training Center | 9,400 | 9,400 |
| | Nebraska | | | |
| AF | Offutt AFB | US STRATCOM Replacement Facility, Incr 2 | 161,000 | 161,000 |
| | New Mexico | | | |
| AF | Holloman AFB | Mq–9 Maintenance Hangar | 25,000 | 25,000 |
| | North Dakota | | | |
| AF | Minot AFB | B–52 Add/Alter Munitions Age Facility | 4,600 | 4,600 |
| | Texas | | | |
| AF | Joint Base San Antonio | Dormitory (144 Rm) | 18,000 | 18,000 |
| | Utah | | | |
| AF | Hill AFB | F–35 Adal Building 118 for Flight Simulator | 4,000 | 4,000 |
| AF | Hill AFB | F–35 Adal Hangar 45w/AMU | 7,250 | 7,250 |
| AF | Hill AFB | F–35 Modular Storage Magazines | 2,280 | 2,280 |
| | Worldwide Unspecified | | | |
| AF | Unspecified Worldwide Locations | Planning and Design | 18,635 | 18,635 |
| AF | Unspecified Worldwide Locations | Sanitary Sewer Lift/Pump Station | 2,000 | 2,000 |
| AF | Unspecified Worldwide Locations | Transient Aircraft Hangars | 15,032 | 15,032 |
| AF | Unspecified Worldwide Locations | Transient Contingency Dormitory—100 Rm | 17,625 | 17,625 |
| AF | Various Worldwide Locations | Unspecified Minor Construction | 18,200 | 18,200 |
| **Total Military Construction, Air Force** | | | **388,200** | **388,200** |
| | Arizona | | | |
| Def-Wide | Yuma | Truck Unload Facility | 1,300 | 1,300 |
| | Belgium | | | |
| Def-Wide | Brussels | NATO Headquarters Facility | 26,969 | 26,969 |
| | California | | | |
| Def-Wide | Coronado | SOF Close Quarters Combat/Dynamic Shoot Fac | 13,969 | 13,969 |
| Def-Wide | Coronado | SOF Indoor Dynamic Shooting Facility | 31,170 | 31,170 |
| Def-Wide | Coronado | SOF Mobile Comm Detachment Support Facility | 10,120 | 10,120 |
| Def-Wide | Def Fuel Support Point—San Diego | Replace Fuel Pier | 91,563 | 91,563 |
| Def-Wide | Edwards Air Force Base | Replace Fuel Storage | 27,500 | 27,500 |
| Def-Wide | Twentynine Palms, California | Medical Clinic Replacement | 27,400 | 27,400 |
| | Colorado | | | |
| Def-Wide | Buckley Air Force Base | Denver Power House | 30,000 | 30,000 |
| Def-Wide | Fort Carson, Colorado | SOF Battalion Operations Complex | 56,673 | 56,673 |
| Def-Wide | Pikes Peak | High Altitude Medical Research Lab | 3,600 | 3,600 |
| | Conus Classified | | | |
| Def-Wide | Classified Location | SOF Parachute Training Facility | 6,477 | 6,477 |
| | Delaware | | | |
| Def-Wide | Dover AFB | Replace Truck Off-Load Facility | 2,000 | 2,000 |
| | Florida | | | |
| Def-Wide | Eglin AFB | SOF Avfid Ops and Maintenance Facilities | 41,695 | 41,695 |

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| Def-Wide | Hurlburt Field | Construct Fuel Storage Facility | 16,000 | 16,000 |
| Def-Wide | Macdill AFB | SOF Joint Special Ops University Fac (Jsou) | 34,409 | 34,409 |
| | Germany | | | |
| Def-Wide | Rhine Ordnance Barracks | Medical Center Replacement Incr 2 | 127,000 | 127,000 |
| Def-Wide | Stuttgart-Patch Barracks | DISA Europe Facility Upgrades | 2,413 | 2,413 |
| Def-Wide | Vogelweh | Replace Vogelweh Elementary School | 61,415 | 61,415 |
| Def-Wide | Weisbaden | Weisbaden High School Addition | 52,178 | 52,178 |
| | Guam | | | |
| Def-Wide | Andersen AFB | Upgrade Fuel Pipeline | 67,500 | 67,500 |
| | Guantanamo Bay, Cuba | | | |
| Def-Wide | Guantanamo Bay | Replace Fuel Pier | 37,600 | 37,600 |
| Def-Wide | Guantanamo Bay | Replace Truck Load Facility | 2,600 | 2,600 |
| | Hawaii | | | |
| Def-Wide | Joint Base Pearl Harbor-Hickam | SOF Sdvt–1 Waterfront Operations Facility | 24,289 | 24,289 |
| | Illinois | | | |
| Def-Wide | Great Lakes | Drug Laboratory Replacement | 28,700 | 28,700 |
| Def-Wide | Scott AFB | DISA Facility Upgrades | 84,111 | 84,111 |
| Def-Wide | Scott AFB | Medical Logistics Warehouse | 2,600 | 2,600 |
| | Indiana | | | |
| Def-Wide | Grissom ARB | Replace Hydrant Fuel System | 26,800 | 26,800 |
| | Japan | | | |
| Def-Wide | Camp Zama | Renovate Zama High School | 13,273 | 13,273 |
| Def-Wide | Kadena Ab | Replace Elementary School | 71,772 | 71,772 |
| Def-Wide | Kadena Ab | Replace Stearley Heights Elementary School | 71,773 | 71,773 |
| Def-Wide | Sasebo | Replace Sasebo Elementary School | 35,733 | 35,733 |
| Def-Wide | Zukeran | Replace Zukeran Elementary School | 79,036 | 79,036 |
| | Kentucky | | | |
| Def-Wide | Fort Campbell, Kentucky | Replace Barkley Elementary School | 41,767 | 41,767 |
| Def-Wide | Fort Campbell, Kentucky | SOF Ground Support Battalion | 26,313 | 26,313 |
| Def-Wide | Fort Campbell, Kentucky | SOF Landgraf Hangar Extension | 3,559 | 3,559 |
| | Korea | | | |
| Def-Wide | Kunsan Air Base | Medical/Dental Clinic Addition | 13,000 | 13,000 |
| Def-Wide | Osan AFB | Hospital Addition/Alteration | 34,600 | 34,600 |
| Def-Wide | Osan AFB | Replace Osan Elementary School | 42,692 | 42,692 |
| | Louisiana | | | |
| Def-Wide | Barksdale AFB | Upgrade Pumphouse | 11,700 | 11,700 |
| | Maryland | | | |
| Def-Wide | Annapolis | Health Clinic Replacement | 66,500 | 66,500 |
| Def-Wide | Bethesda Naval Hospital | Base Installation Access./Appearance Plan | 7,000 | 7,000 |
| Def-Wide | Bethesda Naval Hospital | Electrical Capacity and Cooling Towers | 35,600 | 35,600 |
| Def-Wide | Bethesda Naval Hospital | Temporary Medical Facilities | 26,600 | 26,600 |
| Def-Wide | Fort Detrick | USAMRIID Stage I, Incr 7 | 19,000 | 19,000 |
| Def-Wide | Fort Meade | High Performance Computing Center Inc 2 | 300,521 | 300,521 |
| Def-Wide | Fort Meade | NSAW Recapitalize Building #1/Site M Inc 1 | 25,000 | 25,000 |
| | Missouri | | | |
| Def-Wide | Fort Leonard Wood | Dental Clinic | 18,100 | 18,100 |
| | New Mexico | | | |
| Def-Wide | Cannon AFB | Medical/Dental Clinic Repalcement | 71,023 | 71,023 |
| Def-Wide | Cannon AFB | SOF Ac–130J Combat Parking Apron | 22,062 | 22,062 |
| | New York | | | |
| Def-Wide | Fort Drum, New York | Idt Complex | 25,900 | 25,900 |
| Def-Wide | Fort Drum, New York | Soldier Specialty Care Clinic | 17,300 | 17,300 |
| | North Carolina | | | |
| Def-Wide | Camp Lejeune, North Carolina | Medical Clinic Replacement | 21,200 | 21,200 |
| Def-Wide | Camp Lejeune, North Carolina | SOF Marine Battalion Company/Team Facilities | 53,399 | 53,399 |
| Def-Wide | Camp Lejeune, North Carolina | SOF Survival Evasion Resist. Escape Tng Fac | 5,465 | 5,465 |
| Def-Wide | Fort Bragg | SOF Battalion Operations Facility | 40,481 | 40,481 |
| Def-Wide | Fort Bragg | SOF Civil Affairs Battalion Complex | 31,373 | 31,373 |
| Def-Wide | Fort Bragg | SOF Support Addition | 3,875 | 3,875 |
| Def-Wide | Fort Bragg | SOF Sustainment Brigade Complex | 24,693 | 24,693 |
| Def-Wide | Seymour Johnson AFB | Medical Clinic Replacement | 53,600 | 53,600 |
| Def-Wide | Seymour Johnson AFB | Replace Pipeline | 1,850 | 1,850 |
| | Pennsylvania | | | |
| Def-Wide | Def Distribution Depot New Cumberland | Replace Communications Building | 6,800 | 6,800 |
| Def-Wide | Def Distribution Depot New Cumberland | Replace Reservoir | 4,300 | 4,300 |
| Def-Wide | Def Distribution Depot New Cumberland | Replace Sewage Treatment Plant | 6,300 | 6,300 |
| | Romania | | | |
| Def-Wide | Deveselu, Romania | Aegis Ashore Missile Defense System Complex | 157,900 | 82,900 |
| | South Carolina | | | |
| Def-Wide | Shaw AFB | Medical Clinic Replacement | 57,200 | 57,200 |
| | Texas | | | |
| Def-Wide | Fort Bliss | Hospital Replacement Incr 4 | 207,400 | 207,400 |
| Def-Wide | Joint Base San Antonio | Ambulatory Care Center Phase 3 Incr | 80,700 | 80,700 |
| Def-Wide | Red River Army Depot | Dfas Facility | 16,715 | 16,715 |
| | United Kingdom | | | |
| Def-Wide | Menwith Hill Station | MHS Utilities and Roads | 3,795 | 3,795 |
| Def-Wide | Menwith Hill Station | Replace Menwith Hill Elementary/High School | 46,488 | 46,488 |
| Def-Wide | Raf Feltwell | Feltwell Elementary School Addition | 30,811 | |
| Def-Wide | Raf Mildenhall | SOF CV–22 Simulator Facility | 6,490 | 6,490 |
| | Utah | | | |
| Def-Wide | Camp Williams | Ic Cnci Data Center 1 Inc 4 | 191,414 | 191,414 |
| | Virginia | | | |
| Def-Wide | Dam Neck | SOF Magazines | 0 | 0 |

**SEC. 4601. MILITARY CONSTRUCTION**
**(In Thousands of Dollars)**

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| Def-Wide | Joint Expeditionary Base Little Creek—Story | SOF Combat Services Support Facility—East | 11,132 | 11,132 |
| Def-Wide | Norfolk | Veterinary Facility Replacement | 8,500 | 8,500 |
| | Washington | | | |
| Def-Wide | Fort Lewis | SOF Battalion Operations Facility | 46,553 | 46,553 |
| Def-Wide | Fort Lewis | SOF Military Working Dog Kennel | 3,967 | 3,967 |
| | Worldwide Unspecified | | | |
| Def-Wide | Unspecified Worldwide Locations | Contingency Construction | 10,000 | 0 |
| Def-Wide | Unspecified Worldwide Locations | Energy Conservation Investment Program | 150,000 | 150,000 |
| Def-Wide | Unspecified Worldwide Locations | Exercise Related Minor Construction | 6,440 | 6,440 |
| Def-Wide | Unspecified Worldwide Locations | Minor Construction | 5,000 | 5,000 |
| Def-Wide | Unspecified Worldwide Locations | Planning & Design | 5,000 | 5,000 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 7,928 | 7,928 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 105,700 | 105,700 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 27,620 | 27,620 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 8,300 | 8,300 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 47,978 | 47,978 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 105,569 | 105,569 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 2,919 | 2,919 |
| Def-Wide | Unspecified Worldwide Locations | Planning and Design | 4,548 | 4,548 |
| Def-Wide | Unspecified Worldwide Locations | SOF Operations and Skills Training Complex | 0 | 0 |
| Def-Wide | Unspecified Worldwide Locations | Unspecified Minor Const | 10,000 | 10,000 |
| Def-Wide | Unspecified Worldwide Locations | Unspecified Minor Construction | 7,254 | 7,254 |
| Def-Wide | Unspecified Worldwide Locations | Unspecified Minor Construction | 4,091 | 4,091 |
| Def-Wide | Unspecified Worldwide Locations | Unspecified Minor Construction | 3,000 | 3,000 |
| Def-Wide | Unspecified Worldwide Locations | Unspecified Minor Milcon | 3,000 | 3,000 |
| **Total Military Construction, Defense-Wide** | | | **3,654,623** | **3,569,623** |
| | Colorado | | | |
| Chem Demil | Pueblo Depot | Ammunition Demilitarization Facility, Ph Xiv | 36,000 | 36,000 |
| | Kentucky | | | |
| Chem Demil | Blue Grass Army Depot | Ammunition Demilitarization Ph Xiii | 115,000 | 115,000 |
| **Total Chemical Demilitarization Construction, Defense** | | | **151,000** | **151,000** |
| | Worldwide Unspecified | | | |
| NATO | NATO Security Investment Program | NATO Security Investment Program | 254,163 | 254,163 |
| **Total NATO Security Investment Program** | | | **254,163** | **254,163** |
| | Alabama | | | |
| Army NG | Fort MC Clellan | Live Fire Shoot House | 5,400 | 5,400 |
| | Arkansas | | | |
| Army NG | Searcy | Field Maintenance Shop | 6,800 | 6,800 |
| | California | | | |
| Army NG | Fort Irwin | Maneuver Area Training & Equipment Site Ph3 | 25,000 | 25,000 |
| | Connecticut | | | |
| Army NG | Camp Hartell | Combined Support Maintenance Shop | 32,000 | 32,000 |
| | Delaware | | | |
| Army NG | Bethany Beach | Regional Training Institute Ph1 | 5,500 | 5,500 |
| | Florida | | | |
| Army NG | Camp Blanding | Combined Arms Collective Training Fac | 9,000 | 9,000 |
| Army NG | Miramar | Readiness Center | 20,000 | 20,000 |
| | Guam | | | |
| Army NG | Barrigada | JFHQ Ph4 | 8,500 | 8,500 |
| | Hawaii | | | |
| Army NG | Kapolei | Army Aviation Support Facility Ph1 | 28,000 | 28,000 |
| | Idaho | | | |
| Army NG | Orchard Trainig Area | Ortc(Barracks)Ph2 | 40,000 | 40,000 |
| | Indiana | | | |
| Army NG | South Bend | Armed Forces Reserve Center Add/Alt | 21,000 | 21,000 |
| Army NG | Terre Haute | Field Maintenance Shop | 9,000 | 9,000 |
| | Iowa | | | |
| Army NG | Camp Dodge | Urban Assault Course | 3,000 | 3,000 |
| | Kansas | | | |
| Army NG | Topeka | Taxiway, Ramp & Hangar Alterations | 9,500 | 9,500 |
| | Kentucky | | | |
| Army NG | Frankfort | Army Aviation Support Facility | 32,000 | 32,000 |
| | Massachusetts | | | |
| Army NG | Camp Edwards | Ground Water Extraction, Treatment, and Recharge System | 0 | 0 |
| Army NG | Camp Edwards | Unit Training Equipment Site | 22,000 | 22,000 |
| | Michigan | | | |
| Army NG | Camp Grayling | Operational Readiness Training Complex (Ortc) Barracks | 0 | 0 |
| | Minnesota | | | |
| Army NG | Camp Ripley | Scout Reconnaisance Range | 17,000 | 17,000 |
| Army NG | St Paul | Readiness Center | 17,000 | 17,000 |
| | Missouri | | | |
| Army NG | Fort Leonard Wood | Regional Training Institute | 18,000 | 18,000 |
| Army NG | Kansas City | Readiness Center Add/Alt | 1,900 | 1,900 |
| Army NG | Monett | Readiness Center Add/Alt | 820 | 820 |
| Army NG | Perryville | Readiness Center Add/Alt | 700 | 700 |
| | Montana | | | |
| Army NG | Miles City | Readiness Center | 11,000 | 11,000 |

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| | New Jersey | | | |
| Army NG | Sea Girt | Regional Training Institute | 34,000 | 34,000 |
| | New York | | | |
| Army NG | Stormville | Combined Support Maint Shop Ph1 | 24,000 | 24,000 |
| | Ohio | | | |
| Army NG | Chillicothe | Field Maintenance Shop Add/Alt | 3,100 | 3,100 |
| Army NG | Delaware | Readiness Center | 12,000 | 12,000 |
| | Oklahoma | | | |
| Army NG | Camp Gruber | Operations Readiness Training Complex | 25,000 | 25,000 |
| | Puerto Rico | | | |
| Army NG | Camp Santiago | Readiness Center | 3,800 | 3,800 |
| Army NG | Ceiba | Refill Station Building | 2,200 | 2,200 |
| Army NG | Guaynabo | Readiness Center (JFHQ) | 15,000 | 15,000 |
| Army NG | Gurabo | Readiness Center | 14,700 | 14,700 |
| | Utah | | | |
| Army NG | Camp Williams | BEQ Facility (Regional Training Institute) | 15,000 | 15,000 |
| Army NG | Camp Williams | Regional Training Institute Ph2 | 21,000 | 21,000 |
| | Vermont | | | |
| Army NG | North Hyde Park | Field Maintenance Shop | 0 | 0 |
| | Washington | | | |
| Army NG | Fort Lewis | Readiness Center | 35,000 | 35,000 |
| | West Virginia | | | |
| Army NG | Logan | Readiness Center | 14,200 | 14,200 |
| | Wisconsin | | | |
| Army NG | Wausau | Field Maintenance Shop | 10,000 | 10,000 |
| | Worldwide Unspecified | | | |
| Army NG | Unspecified Worldwide Locations | Planning and Design | 26,622 | 26,622 |
| Army NG | Unspecified Worldwide Locations | Unspecified Minor Construction | 15,057 | 15,057 |
| **Total Military Construction, Army National Guard** | | | **613,799** | **613,799** |
| | California | | | |
| Army Res | Fort Hunter Liggett | Access Control Point | 0 | 0 |
| Army Res | Fort Hunter Liggett | Ortc | 64,000 | 64,000 |
| Army Res | Fort Hunter Liggett | Uph Barracks | 4,300 | 4,300 |
| Army Res | Tustin | Army Reserve Center | 27,000 | 27,000 |
| | Illinois | | | |
| Army Res | Fort Sheridan | Army Reserve Center | 28,000 | 28,000 |
| | Maryland | | | |
| Army Res | Aberdeen Proving Ground | Army Reserve Center | 21,000 | 21,000 |
| Army Res | Baltimore | Add/Alt Army Reserve Center | 10,000 | 10,000 |
| | Massachusetts | | | |
| Army Res | Devens Reserve Forces Training Area | Automatic Record Fire Range | 4,800 | 4,800 |
| Army Res | Devens Reserve Forces Training Area | Combat Pistol/MP Firearms Qualification | 3,700 | 3,700 |
| | Nevada | | | |
| Army Res | Las Vegas | Army Reserve Center/AMSA | 21,000 | 21,000 |
| | New Jersey | | | |
| Army Res | Joint Base Mcguire-Dix-Lakehurst | Automated Infantry Squad Battle Course | 7,400 | 7,400 |
| | Pennsylvania | | | |
| Army Res | Conneaut Lake | Defense Access Road | 0 | 0 |
| | Washington | | | |
| Army Res | Joint Base Lewis-Mcchord | Army Reserve Center | 40,000 | 40,000 |
| | Wisconsin | | | |
| Army Res | Fort Mccoy | Central Issue Facility | 12,200 | 12,200 |
| Army Res | Fort Mccoy | Dining Facility | 8,600 | 8,600 |
| Army Res | Fort Mccoy | Ecs Tactical Equip. Maint. Facilty (Temf) | 27,000 | 27,000 |
| | Worldwide Unspecified | | | |
| Army Res | Unspecified Worldwide Locations | Planning and Design | 15,951 | 15,951 |
| Army Res | Unspecified Worldwide Locations | Unspecified Minor Construction | 10,895 | 10,895 |
| **Total Military Construction, Army Reserve** | | | **305,846** | **305,846** |
| | Arizona | | | |
| N/MC Res | Yuma | Reserve Training Facility—Yuma AZ | 5,379 | 5,379 |
| | Iowa | | | |
| N/MC Res | Fort Des Moines | Joint Reserve Center—Des Moines IA | 19,162 | 19,162 |
| | Louisiana | | | |
| N/MC Res | New Orleans | Transient Quarters | 7,187 | 7,187 |
| | New York | | | |
| N/MC Res | Brooklyn | Vehicle Maint. Fac.—Brooklyn NY | 4,430 | 4,430 |
| | Texas | | | |
| N/MC Res | Fort Worth | Commercial Vehicle Inspection Site | 11,256 | 11,256 |
| | Worldwide Unspecified | | | |
| N/MC Res | Unspecified Worldwide Locations | Planning and Design | 2,118 | 2,118 |
| **Total Military Construction, Navy and Marine Corps Reserve** | | | **49,532** | **49,532** |
| | California | | | |
| Air NG | Fresno Yosemite IAP ANG | F–15 Conversion | 11,000 | 11,000 |
| | Hawaii | | | |
| Air NG | Joint Base Pearl Harbor-Hickam | TFI—F–22 Combat Apron Addition | 6,500 | 6,500 |
| | New Mexico | | | |
| Air NG | Kirtland AFB | Alter Target Intelligence Facility | 8,500 | 8,500 |

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| | Tennessee | | | |
| Air NG | Mcghee-Tyson Airport | Dormitory Classroom Facility | 0 | 0 |
| | Worldwide Unspecified | | | |
| Air NG | Various Worldwide Locations | Planning and Design | 4,000 | 4,000 |
| Air NG | Various Worldwide Locations | Unspecified Minor Construction | 5,900 | 5,900 |
| | Wyoming | | | |
| Air NG | Cheyenne Map | C–130 Flight Simulator Training Facility | 6,486 | 6,486 |
| **Total Military Construction, Air National Guard** | | | **42,386** | **42,386** |
| | California | | | |
| AF Res | March Air Reserve Base | Joint Regional Deployment Processing Center | 0 | 0 |
| | New York | | | |
| AF Res | Niagara Falls IAP | Flight Simulator Facility | 6,100 | 6,100 |
| | Worldwide Unspecified | | | |
| AF Res | Various Worldwide Locations | Planning and Design | 2,879 | 2,879 |
| AF Res | Various Worldwide Locations | Unspecified Minor Constrution | 2,000 | 2,000 |
| **Total Military Construction, Air Force Reserve** | | | **10,979** | **10,979** |
| | Worldwide Unspecified | | | |
| FH Con Army | Unspecified Worldwide Locations | Family Housing P&d | 4,641 | 4,641 |
| **Total Family Housing Construction, Army** | | | **4,641** | **4,641** |
| | Worldwide Unspecified | | | |
| FH Ops Army | Unspecified Worldwide Locations | Furnishings Account | 31,785 | 31,785 |
| FH Ops Army | Unspecified Worldwide Locations | Leasing | 203,533 | 203,533 |
| FH Ops Army | Unspecified Worldwide Locations | Maintenance of Real Property | 109,534 | 109,534 |
| FH Ops Army | Unspecified Worldwide Locations | Management Account | 56,970 | 56,970 |
| FH Ops Army | Unspecified Worldwide Locations | Miscellaneous Account | 620 | 620 |
| FH Ops Army | Unspecified Worldwide Locations | Privatization Support Costs | 26,010 | 26,010 |
| FH Ops Army | Unspecified Worldwide Locations | Services Account | 13,487 | 13,487 |
| FH Ops Army | Unspecified Worldwide Locations | Utilities Account | 88,112 | 88,112 |
| **Total Family Housing Operation & Maintenance, Army** | | | **530,051** | **530,051** |
| | Worldwide Unspecified | | | |
| FH Con AF | Unspecified Worldwide Locations | Improvements | 79,571 | 79,571 |
| FH Con AF | Unspecified Worldwide Locations | Planning and Design | 4,253 | 4,253 |
| **Total Family Housing Construction, Air Force** | | | **83,824** | **83,824** |
| | Worldwide Unspecified | | | |
| FH Ops AF | Unspecified Worldwide Locations | Furnishings Account | 37,878 | 37,878 |
| FH Ops AF | Unspecified Worldwide Locations | Housing Privatization | 46,127 | 46,127 |
| FH Ops AF | Unspecified Worldwide Locations | Leasing | 62,730 | 62,730 |
| FH Ops AF | Unspecified Worldwide Locations | Maintenance (Rpma Rpmc) | 201,937 | 201,937 |
| FH Ops AF | Unspecified Worldwide Locations | Management Account | 55,002 | 55,002 |
| FH Ops AF | Unspecified Worldwide Locations | Miscellaneous Account | 1,943 | 1,943 |
| FH Ops AF | Unspecified Worldwide Locations | Services Account | 16,550 | 16,550 |
| FH Ops AF | Unspecified Worldwide Locations | Utilities Account | 75,662 | 75,662 |
| **Total Family Housing Operation & Maintenance, Air Force** | | | **497,829** | **497,829** |
| | Worldwide Unspecified | | | |
| FH Con Navy | Unspecified Worldwide Locations | Design | 4,527 | 4,527 |
| FH Con Navy | Unspecified Worldwide Locations | Improvements | 97,655 | 97,655 |
| **Total Family Housing Construction, Navy and Marine Corps** | | | **102,182** | **102,182** |
| | Worldwide Unspecified | | | |
| FH Ops Navy | Unspecified Worldwide Locations | Furnishings Account | 17,697 | 17,697 |
| FH Ops Navy | Unspecified Worldwide Locations | Leasing | 83,774 | 83,774 |
| FH Ops Navy | Unspecified Worldwide Locations | Maintenance of Real Property | 85,254 | 85,254 |
| FH Ops Navy | Unspecified Worldwide Locations | Management Account | 62,741 | 62,741 |
| FH Ops Navy | Unspecified Worldwide Locations | Miscellaneous Account | 491 | 491 |
| FH Ops Navy | Unspecified Worldwide Locations | Privatization Support Costs | 27,798 | 27,798 |
| FH Ops Navy | Unspecified Worldwide Locations | Services Account | 19,615 | 19,615 |
| FH Ops Navy | Unspecified Worldwide Locations | Utilities Account | 80,860 | 80,860 |
| **Total Family Housing Operation & Maintenance, Navy and Marine Corps** | | | **378,230** | **378,230** |
| | Worldwide Unspecified | | | |
| FH Ops DW | Unspecified Worldwide Locations | Furnishings Account | 4,660 | 4,660 |
| FH Ops DW | Unspecified Worldwide Locations | Furnishings Account | 66 | 66 |
| FH Ops DW | Unspecified Worldwide Locations | Furnishings Account | 20 | 20 |
| FH Ops DW | Unspecified Worldwide Locations | Leasing | 35,333 | 35,333 |
| FH Ops DW | Unspecified Worldwide Locations | Leasing | 10,822 | 10,822 |
| FH Ops DW | Unspecified Worldwide Locations | Maintenance of Real Property | 567 | 567 |
| FH Ops DW | Unspecified Worldwide Locations | Maintenance of Real Property | 73 | 73 |
| FH Ops DW | Unspecified Worldwide Locations | Management Account | 371 | 371 |
| FH Ops DW | Unspecified Worldwide Locations | Services Account | 31 | 31 |

**SEC. 4601. MILITARY CONSTRUCTION**
**(In Thousands of Dollars)**

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| FH Ops DW | Unspecified Worldwide Locations | Utilities Account | 283 | 283 |
| FH Ops DW | Unspecified Worldwide Locations | Utilities Account | 12 | 12 |
| **Total Family Housing Operation & Maintenance, Defense-Wide** | | | **52,238** | **52,238** |
| | Worldwide Unspecified | | | |
| FHIF | Unspecified Worldwide Locations | Family Housing Improvement Fund | 1,786 | 1,786 |
| **Total DOD Family Housing Improvement Fund** | | | **1,786** | **1,786** |
| | Worldwide Unspecified | | | |
| BRAC 05 | Unspecified Worldwide Locations | Comm Add 3: Galena Fol, AK | 1,337 | 1,337 |
| BRAC 05 | Unspecified Worldwide Locations | Don–100: Planing, Design and Management | 5,038 | 5,038 |
| BRAC 05 | Unspecified Worldwide Locations | Don–101: Various Locations | 4,176 | 4,176 |
| BRAC 05 | Unspecified Worldwide Locations | Don–138: NAS Brunswick, ME | 4,897 | 4,897 |
| BRAC 05 | Unspecified Worldwide Locations | Don–157: Mcsa Kansas City, MO | 39 | 39 |
| BRAC 05 | Unspecified Worldwide Locations | Don–168: Ns Newport, RI | 1,742 | 1,742 |
| BRAC 05 | Unspecified Worldwide Locations | Don–172: NWS Seal Beach, Concord, CA | 2,129 | 2,129 |
| BRAC 05 | Unspecified Worldwide Locations | Don–84: JRB Willow Grove & Cambria Reg Ap | 189 | 189 |
| BRAC 05 | Unspecified Worldwide Locations | Ind–106: Kansas Army Ammunition Plant, KS | 7,280 | 7,280 |
| BRAC 05 | Unspecified Worldwide Locations | Ind–110: Mississippi Army Ammo Plant, MS | 160 | 160 |
| BRAC 05 | Unspecified Worldwide Locations | Ind–112: River Bank Army Ammo Plant, CA | 22,431 | 22,431 |
| BRAC 05 | Unspecified Worldwide Locations | Ind–119: Newport Chemical Depot, in | 197 | 197 |
| BRAC 05 | Unspecified Worldwide Locations | Ind–122: Lone Star Army Ammo Plant, TX | 11,379 | 11,379 |
| BRAC 05 | Unspecified Worldwide Locations | Med–2: Walter Reed Nmmc, Bethesda, MD | 7,787 | 7,787 |
| BRAC 05 | Unspecified Worldwide Locations | Med–57: Brooks City Base, TX | 326 | 326 |
| BRAC 05 | Unspecified Worldwide Locations | Program Management Various Locations | 20,453 | 20,453 |
| BRAC 05 | Unspecified Worldwide Locations | Program Management Various Locations | 605 | 605 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–113: Fort Monroe, VA | 12,184 | 12,184 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–121: Fort Gillem, GA | 4,976 | 4,976 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–167: USAR Command and Control—NE | 175 | 175 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–212: USAR Cmd & Cntrl—New England | 222 | 222 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–222: Fort Mcpherson, GA | 6,772 | 6,772 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–223: Fort Monmouth, NJ | 9,989 | 9,989 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–236: Rc Transformation in CT | 557 | 557 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–242: Rc Transformation in NY | 172 | 172 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–253: Rc Transformation in PA | 100 | 100 |
| BRAC 05 | Unspecified Worldwide Locations | Usa–36: Red River Army Depot | 1,385 | 1,385 |
| **Total Base Realignment and Closure Account 2005** | | | **126,697** | **126,697** |
| | Worldwide Unspecified | | | |
| BRAC IV | Base Realignment & Closure, Air Force | Base Realignment & Closure | 122,552 | 122,552 |
| BRAC IV | Base Realignment & Closure, Army | Base Realignment & Closure | 79,893 | 79,893 |
| BRAC IV | Base Realignment & Closure, Navy | Base Realignment & Closure | 146,951 | 146,951 |
| **Total Base Realignment and Closure Account 1990** | | | **349,396** | **349,396** |
| | Worldwide Unspecified | | | |
| PYS | Unspecified Worldwide Locations | BRAC 2005 | 0 | –126,697 |
| PYS | Unspecified Worldwide Locations | Contingency Construction | 0 | –20,000 |
| **Total Prior Year Savings** | | | **0** | **–146,697** |
| **Total Military Construction** | | | **11,222,710** | **10,838,192** |

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.**

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**
**(In Thousands of Dollars)**

| Account | State/Country and Installation | Project Title | Budget Request | House Agreement |
|---|---|---|---|---|
| | BAHRAIN ISLAND | | | |
| Navy | SW ASIA | COMBINED DINING FACILITY | 0 | 9,819 |
| Navy | SW ASIA | TRANSIENT QUARTERS | 0 | 41,529 |
| | DJIBOUTI | | | |
| Navy | CAMP LEMONIER, DJIBOUTI | CONTAINERIZED LIVING AND WORK UNITS | 0 | 7,510 |
| Navy | CAMP LEMONIER, DJIBOUTI | FITNESS CENTER | 0 | 26,960 |
| Navy | CAMP LEMONIER, DJIBOUTI | GALLEY ADDITION AND WAREHOUSE | 0 | 22,220 |
| Navy | CAMP LEMONIER, DJIBOUTI | JOINT HQ/JOINT OPERATIONS CENTER FACILITY | 0 | 42,730 |
| **Total Military Construction, Navy** | | | **0** | **150,768** |
| | WORLDWIDE UNSPECIFIED | | | |
| PYS | UNSPECIFIED WORLDWIDE LOCATIONS | 112–10 AND TITLE IV OF DIVISION H P.L. 112–74 | 0 | –150,768 |
| **Total Prior Year Savings** | | | **0** | **–150,768** |
| **Total Military Construction** | | | **0** | **0** |

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**
**(In Thousands of Dollars)**

| Program | FY 2013 Request | House Authorized |
|---|---|---|
| **Discretionary Summary By Appropriation** | | |
| **Energy And Water Development, And Related Agencies** | | |
| **Appropriation Summary:** | | |
| **Energy Programs** | | |
| Electricity delivery and energy reliability | 6,000 | 6,000 |
| **Atomic Energy Defense Activities** | | |
| **National nuclear security administration:** | | |
| Weapons activities | 7,577,341 | 7,900,979 |
| Defense nuclear nonproliferation | 2,458,631 | 2,485,631 |
| Naval reactors | 1,088,635 | 1,187,635 |
| Office of the administrator | 411,279 | 363,279 |
| **Total, National nuclear security administration** | **11,535,886** | **11,937,524** |
| **Environmental and other defense activities:** | | |
| Defense environmental cleanup | 5,472,001 | 5,482,001 |
| Other defense activities | 735,702 | 685,702 |
| **Total, Environmental & other defense activities** | **6,207,703** | **6,167,703** |
| **Total, Atomic Energy Defense Activities** | **17,743,589** | **18,105,227** |
| **Total, Discretionary Funding** | **17,749,589** | **18,111,227** |
| **Electricity Delivery & Energy Reliability** | | |
| **Electricity Delivery & Energy Reliability** | | |
| Infrastructure security & energy restoration | 6,000 | 6,000 |
| **Weapons Activities** | | |
| **Directed stockpile work** | | |
| **Life extension programs** | | |
| B61 Life extension program | 369,000 | 435,000 |
| W76 Life extension program | 174,931 | 255,931 |
| **Total, Life extension programs** | **543,931** | **690,931** |
| **Stockpile systems** | | |
| B61 Stockpile systems | 72,364 | 72,364 |
| W76 Stockpile systems | 65,445 | 65,445 |
| W78 Stockpile systems | 139,207 | 151,207 |
| W80 Stockpile systems | 46,540 | 46,540 |
| B83 Stockpile systems | 57,947 | 57,947 |
| W87 Stockpile systems | 85,689 | 85,689 |
| W88 Stockpile systems | 123,217 | 128,217 |
| **Total, Stockpile systems** | **590,409** | **607,409** |
| **Weapons dismantlement and disposition** | | |
| Operations and maintenance | 51,265 | 51,265 |
| **Stockpile services** | | |
| Production support | 365,405 | 371,405 |
| Research and development support | 28,103 | 32,103 |
| R&D certification and safety | 191,632 | 218,632 |
| Management, technology, and production | 175,844 | 184,844 |
| Plutonium sustainment | 141,685 | 150,685 |
| **Total, Stockpile services** | **902,669** | **957,669** |
| **Total, Directed stockpile work** | **2,088,274** | **2,307,274** |
| **Campaigns:** | | |
| **Science campaign** | | |
| Advanced certification | 44,104 | 73,604 |
| Primary assessment technologies | 94,000 | 101,000 |
| Dynamic materials properties | 97,000 | 106,000 |
| Advanced radiography | 30,000 | 30,000 |
| Secondary assessment technologies | 85,000 | 85,000 |
| **Total, Science campaign** | **350,104** | **395,604** |
| **Engineering campaign** | | |
| Enhanced surety | 46,421 | 54,921 |
| Weapon systems engineering assessment technology | 18,983 | 18,983 |
| Nuclear survivability | 21,788 | 21,788 |
| Enhanced surveillance | 63,379 | 71,379 |
| **Total, Engineering campaign** | **150,571** | **167,071** |

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2013 Request | House Authorized |
|---|---|---|
| **Inertial confinement fusion ignition and high yield campaign** | | |
| Diagnostics, cryogenics and experimental support | 81,942 | 81,942 |
| Ignition | 84,172 | 54,172 |
| Support of other stockpile programs | 14,817 | 34,817 |
| Pulsed power inertial confinement fusion | 6,044 | 6,044 |
| Joint program in high energy density laboratory plasmas | 8,334 | 8,334 |
| Facility operations and target production | 264,691 | 264,691 |
| **Total, Inertial confinement fusion and high yield campaign** | **460,000** | **450,000** |
| Advanced simulation and computing campaign | 600,000 | 570,000 |
| **Readiness Campaign** | | |
| Nonnuclear readiness | 64,681 | 64,681 |
| Tritium readiness | 65,414 | 65,414 |
| **Total, Readiness campaign** | **130,095** | **130,095** |
| **Total, Campaigns** | **1,690,770** | **1,712,770** |
| **Readiness in technical base and facilities (RTBF)** | | |
| **Operations of facilities** | | |
| Kansas City Plant | 163,602 | 163,602 |
| Lawrence Livermore National Laboratory | 89,048 | 89,048 |
| Los Alamos National Laboratory | 335,978 | 335,978 |
| Nevada National Security Site | 115,697 | 115,697 |
| Pantex | 172,020 | 172,020 |
| Sandia National Laboratory | 167,384 | 167,384 |
| Savannah River Site | 120,577 | 120,577 |
| Y–12 National security complex | 255,097 | 255,097 |
| **Total, Operations of facilities** | **1,419,403** | **1,419,403** |
| Science, technology and engineering capability support | 166,945 | 166,945 |
| Nuclear operations capability support | 203,346 | 203,346 |
| **Subtotal, Readiness in technical base and facilities** | **1,789,694** | **1,789,694** |
| **Construction:** | | |
| 13–D–301 Electrical infrastructure upgrades, LANL/LLNL | 23,000 | 23,000 |
| 12–D–301 TRU waste facilities, LANL | 24,204 | 24,204 |
| 11–D–801 TA–55 Reinvestment project, LANL | 8,889 | 8,889 |
| 10–D–501 Nuclear facilities risk reduction Y–12 National security complex, Oakridge, TN | 17,909 | 17,909 |
| 09–D–404 Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM | 11,332 | 11,332 |
| 08–D–802 High explosive pressing facility Pantex Plant, Amarillo, TX | 24,800 | 24,800 |
| 06–D–141 PED/Construction, UPF Y–12 , Oak Ridge, TN | 340,000 | 340,000 |
| 04–D–125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM | 0 | 100,000 |
| **Total, Construction** | **450,134** | **550,134** |
| **Total, Readiness in technical base and facilities** | **2,239,828** | **2,339,828** |
| **Secure transportation asset** | | |
| Operations and equipment | 114,965 | 114,965 |
| Program direction | 104,396 | 104,396 |
| **Total, Secure transportation asset** | **219,361** | **219,361** |
| Nuclear counterterrorism incident response | 247,552 | 247,552 |
| **Site stewardship** | | |
| Operations and maintenance | 90,001 | 72,639 |
| **Total, Site stewardship** | **90,001** | **72,639** |
| **Defense nuclear security** | | |
| Operations and maintenance | 643,285 | 643,285 |
| NNSA CIO activities | 155,022 | 155,022 |
| Legacy contractor pensions | 185,000 | 185,000 |
| National security applications | 18,248 | 18,248 |
| **Subtotal, Weapons activities** | **7,577,341** | **7,900,979** |
| **Total, Weapons Activities** | **7,577,341** | **7,900,979** |
| **Defense Nuclear Nonproliferation** | | |
| **Nonproliferation and verification R&D** | | |
| Operations and maintenance | 548,186 | 548,186 |
| Nonproliferation and international security | 150,119 | 150,119 |

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2013 Request | House Authorized |
|---|---|---|
| **International nuclear materials protection** | | |
| and cooperation | 311,000 | 311,000 |
| **Fissile materials disposition** | | |
| **U.S. surplus fissile materials disposition** | | |
| **Operations and maintenance** | | |
| U.S. plutonium disposition | 498,979 | 498,979 |
| U.S. uranium disposition | 29,736 | 29,736 |
| **Total, Operations and maintenance** | **528,715** | **528,715** |
| **Construction:** | | |
| 99–D–143 Mixed oxide fuel fabrication facility, Savannah River, SC | 388,802 | 388,802 |
| **Total, Construction** | **388,802** | **388,802** |
| **Total, U.S. surplus fissile materials disposition** | **917,517** | **917,517** |
| Russian surplus fissile materials disposition | 3,788 | 3,788 |
| **Total, Fissile materials disposition** | **921,305** | **921,305** |
| Global threat reduction initiative | 466,021 | 493,021 |
| Legacy contractor pensions | 62,000 | 62,000 |
| **Total, Defense Nuclear Nonproliferation** | **2,458,631** | **2,485,631** |
| **Naval Reactors** | | |
| Naval reactors development | 418,072 | 418,072 |
| Ohio replacement reactor systems development | 89,700 | 186,700 |
| S8G Prototype refueling | 121,100 | 121,100 |
| Naval reactors operations and infrastructure | 366,961 | 366,961 |
| **Construction:** | | |
| 13–D–905 Remote-handled low-level waste facility, INL | 8,890 | 8,890 |
| 13–D–904 KS Radiological work and storage building, KSO | 2,000 | 2,000 |
| 13–D–903, KS Prototype Staff Building, KSO | 14,000 | 14,000 |
| 10–D–903, Security upgrades, KAPL | 19,000 | 19,000 |
| 08–D–190 Expended Core Facility M–290 recovering discharge station, Naval Reactor Facility, ID | 5,700 | 5,700 |
| **Total, Construction** | **49,590** | **49,590** |
| Program direction | 43,212 | 45,212 |
| **Subtotal, Naval Reactors** | **1,088,635** | **1,187,635** |
| **Total, Naval Reactors** | **1,088,635** | **1,187,635** |
| **Office Of The Administrator** | | |
| Office of the administrator | 411,279 | 363,279 |
| **Total, Office Of The Administrator** | **411,279** | **363,279** |
| **Defense Environmental Cleanup** | | |
| **Closure sites:** | | |
| Closure sites administration | 1,990 | 1,990 |
| **Hanford site:** | | |
| River corridor and other cleanup operations | 389,347 | 389,347 |
| Central plateau remediation | 558,820 | 558,820 |
| Richland community and regulatory support | 15,156 | 15,156 |
| **Total, Hanford site** | **963,323** | **963,323** |
| **Idaho National Laboratory:** | | |
| Idaho cleanup and waste disposition | 396,607 | 396,607 |
| Idaho community and regulatory support | 3,000 | 3,000 |
| **Total, Idaho National Laboratory** | **399,607** | **399,607** |
| **NNSA sites** | | |
| Lawrence Livermore National Laboratory | 1,484 | 1,484 |
| Nuclear facility D & D Separations Process Research Unit | 24,000 | 24,000 |
| Nevada | 64,641 | 64,641 |
| Sandia National Laboratories | 5,000 | 5,000 |
| Los Alamos National Laboratory | 239,143 | 239,143 |
| **Total, NNSA sites and Nevada off-sites** | **334,268** | **334,268** |
| **Oak Ridge Reservation:** | | |
| Building 3019 | 67,525 | 67,525 |
| OR cleanup and disposition | 109,470 | 109,470 |
| OR reservation community and regulatory support | 4,500 | 4,500 |

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

| Program | FY 2013 Request | House Authorized |
|---|---|---|
| **Total, Oak Ridge Reservation** | **181,495** | **181,495** |
| **Office of River Protection:** | | |
| **Waste treatment and immobilization plant** | | |
| 01–D–416 A-E/ORP-0060 / Major construction | 690,000 | 690,000 |
| **Tank farm activities** | | |
| Rad liquid tank waste stabilization and disposition | 482,113 | 482,113 |
| **Total, Office of River protection** | **1,172,113** | **1,172,113** |
| **Savannah River sites:** | | |
| Savannah River risk management operations | 444,089 | 444,089 |
| SR community and regulatory support | 16,584 | 16,584 |
| **Radioactive liquid tank waste:** | | |
| Radioactive liquid tank waste stabilization and disposition | 698,294 | 698,294 |
| **Construction:** | | |
| 05–D–405 Salt waste processing facility, Savannah River | 22,549 | 22,549 |
| PE&D glass waste storage building #3 | 0 | 0 |
| **Total, Radioactive liquid tank waste** | **720,843** | **720,843** |
| **Total, Savannah River site** | **1,181,516** | **1,181,516** |
| **Waste Isolation Pilot Plant** | | |
| Waste isolation pilot plant | 198,010 | 198,010 |
| **Total, Waste Isolation Pilot Plant** | **198,010** | **198,010** |
| Program direction | 323,504 | 323,504 |
| Program support | 18,279 | 18,279 |
| **Safeguards and Security:** | | |
| Oak Ridge Reservation | 18,817 | 18,817 |
| Paducah | 8,909 | 8,909 |
| Portsmouth | 8,578 | 8,578 |
| Richland/Hanford Site | 71,746 | 71,746 |
| Savannah River Site | 121,977 | 121,977 |
| Waste Isolation Pilot Project | 4,977 | 4,977 |
| West Valley | 2,015 | 2,015 |
| **Total, Safeguards and Security** | **237,019** | **237,019** |
| Technology development | 20,000 | 30,000 |
| Uranium enrichment D&D fund contribution | 463,000 | 463,000 |
| **Subtotal, Defense environmental cleanup** | **5,494,124** | **5,504,124** |
| **Adjustments** | | |
| Use of prior year balances | –12,123 | –12,123 |
| Use of unobligated balances | –10,000 | –10,000 |
| **Total, Adjustments** | **–22,123** | **–22,123** |
| **Total, Defense Environmental Cleanup** | **5,472,001** | **5,482,001** |
| **Other Defense Activities** | | |
| **Health, safety and security** | | |
| Health, safety and security | 139,325 | 139,325 |
| Program direction | 106,175 | 106,175 |
| Undistributed adjustment | | –50,000 |
| **Total, Health, safety and security** | **245,500** | **195,500** |
| Specialized security activities | 188,619 | 188,619 |
| **Office of Legacy Management** | | |
| Legacy management | 164,477 | 164,477 |
| Program direction | 13,469 | 13,469 |
| **Total, Office of Legacy Management** | **177,946** | **177,946** |
| **Defense-related activities** | | |
| Defense related administrative support | 118,836 | 118,836 |
| Office of hearings and appeals | 4,801 | 4,801 |
| **Subtotal, Other defense activities** | **735,702** | **685,702** |
| **Total, Other Defense Activities** | **735,702** | **685,702** |

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 112–485 and amendments en bloc described in section 3 of House Resolution 661.

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

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of. Such amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

□ 1510

AMENDMENT NO. 1 OFFERED BY MR. MCKEON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–485.

Mr. MCKEON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 448, strike line 21 and insert ''Not later than 120 days after the date''.

Page 448, line 23, strike ''submit'' and insert ''provide''.

Page 449, line 1, strike ''report'' and insert ''briefing''.

Page 450, strike lines 8 through 15.

Strike the section heading for section 1104 and insert the following:

**SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.**

Effective January 1, 2013, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1612), is further amended by striking ''through 2012'' and inserting ''through 2013''.

Page 796, beginning line 12, strike ''the Secretary may transfer appropriated funds available'' and insert ''the Secretary is authorized to transfer funds made available in fiscal year 2013''.

Page 840, line 4, strike the period and insert the following: ''or with a detailed justification on the continued threat and how the continuation of the program would effectively address such threat.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I ask unanimous consent that my amendment No. 1 be modified in the manner that I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. MCKEON:

At the end of the amendment, add the following:

At the end of subtitle A of title VII, add the following:

**SEC. 704. CERTAIN TREATMENT OF AUTISM UNDER TRICARE.**

(a) IN GENERAL.—Section 1077 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g)(1) In providing health care under subsection (a) to a covered beneficiary described in paragraph (3)(A), the treatment of autism spectrum disorders shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

''(2) In carrying out this subsection, the Secretary shall ensure that—

''(A) except as provided by subparagraph (B), a person who is authorized to provide behavioral health treatment is licensed or certified by a State or accredited national certification board; and

''(B) if applied behavior analysis or other behavioral health treatment is provided by an employee or contractor of a person described in subparagraph (A), the employee or contractor shall meet minimum qualifications, training, and supervision requirements as set forth by the Secretary.

''(3)(A) A covered beneficiary described in this subparagraph is a covered beneficiary who is a beneficiary by virtue of—

''(i) service in the armed forces (not including the Coast Guard); or

''(ii) being a dependent of a member of the armed forces (not including the Coast Guard).

''(B) Nothing in this subsection shall be construed as limiting or otherwise affecting the benefits otherwise provided under this chapter to a covered beneficiary who is a beneficiary by virtue of—

''(i) service in the Coast Guard, the Commissioned Corp of the National Oceanic and Atmospheric Administration, or the Commissioned Corp of the Public Health Service; or

''(ii) being a dependent of a member of a service described in clause (i).

''(C) This subsection shall not apply to a medicare-eligible beneficiary (as defined in section 1111(b) of this title).

''(D) Except as provided in subparagraph (C), nothing in this subsection shall be construed as limiting or otherwise affecting the benefits provided to a medicare-eligible beneficiary under—

''(i) this chapter;

''(ii) part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.); or

''(iii) any other law.''.

(b) FUNDING.—

(1) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 1406 for the Defense Health Program, as specified in the corresponding funding table in section 4501, for Private Sector Care is hereby increased by $30,000,000.

(2) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for Research, Development, Test and Evaluation, Army, as specified in the corresponding funding table in division D, is hereby reduced by $30,000,000, to be derived as follows:

(A) $21,000,000 from the Aerostat Joint Project Office.

(B) $9,000,000 from Endurance UAVs.

Mr. MCKEON (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Is there objection to modifying the amendment?

Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

We have worked long and hard, the staff has worked long and hard to get us to this point. This manager's amendment that we've worked on has been worked through both sides. We have unanimous agreement on it. It's a good bill, a good addition to the bill, and I ask that it be approved.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, although I am not opposed, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. Mr. Chairman, I yield 2½ minutes to the gentleman from California (Mr. BERMAN), the ranking member on the Foreign Affairs Committee.

Mr. BERMAN. Thank you, Mr. SMITH, for yielding me this time.

I rise in support of the manager's amendment, but to speak in support of the Smith amendment, which is part of the en bloc amendment which will be taken up next. I am pleased to join Ranking Member SMITH, Chairman MCKEON, and Foreign Affairs Chair ROS-LEHTINEN as sponsor of the Smith amendment.

I am particularly pleased that this amendment incorporates most of H.R. 3288, the Safeguarding United States Satellite Leadership and Security Act, legislation I introduced last November, along with DON MANZULLO, ADAM SMITH, DUTCH RUPPERSBERGER, ROB BISHOP, MARTIN HEINRICH, MIKE COFFMAN, and GERRY CONNOLLY. We have since been joined by 12 other cosponsors from both sides of the aisle, many of whom are also cosponsors of this amendment.

Mr. Chairman, this bipartisan amendment, which will be part of the en bloc, would help restore America's global competitiveness in high-tech satellite technology and protect vital U.S. national security interests.

Treating commercial satellites and components as if they were lethal weapons, regardless of whether they're going to friend or foe, has gravely

harmed American space manufacturers—a view borne out by numerous studies, industry assessments, and the administration's own recent ''1248'' report to Congress. We depend on these manufacturers for our own critical defense needs. If onerous restrictions prevent them from competing in the international marketplace, then they can't innovate and ultimately cannot survive.

This amendment also supports U.S. national security. It includes a strict prohibition on any satellite exports to China—the original concern that caused Congress to transfer all satellites to the Munitions List—as well as to Iran, North Korea, Syria, Sudan, and Cuba.

I urge my colleagues to support the amendment, and I thank the chair and the ranking member of the committee for their support of this amendment.

Mr. MCKEON. Mr. Chairman, I just want to rise to commend the gentleman, Mr. BERMAN, for his strong work on this amendment, for the work that he's done to further this cause of helping businesses in being able to do business abroad while still protecting the security of America.

I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

I support the manager's amendment. I'm going to speak the balance of my time on the Smith-Amash amendment coming up later. There has been a great deal of distorted information going out. I want to take this opportunity to correct some of it.

First of all, the Gohmert amendment that's being offered does not solve the problem; you will still be subject to military custody and indefinite detention. It is not clear on that point; it leaves open the possibility the President will maintain that authority, and that is what this debate should be all about.

The President, right now, has the authority to go outside of the normal due process, constitutionally protected rights that are part of a court trial, and lock somebody up indefinitely or place them in military custody here in the U.S. That is an extraordinary amount of power to give the executive branch over individual freedom and liberty. I don't think it is necessary to keep us safe. Ten years of successfully prosecuting, convicting, and locking up terrorists under Article III courts has proven that point.

But hands down, the dumbest set of arguments I've ever heard in debating has been circulating that somehow taking away this extraordinary power from the President rewards terrorists. I would like to remind everybody—and particularly Tea Party conservatives—that just because the government arrests you doesn't mean you're guilty. Under their thinking, basically, once the government says you're a terrorist, you're a terrorist, and we shouldn't have a trial about it. So any effort to make sure that there's a process, to make sure that you actually are a terrorist becomes rewarding them. No; it's the process to make sure they are actually guilty. I cannot believe that Tea Party conservatives want to create a situation where when the government says you're guilty of a crime, that's it—no trial, no process, let's just lock you up and forget about it. That's why we have a court system.

Let's have the real debate here. Does the President need this authority to keep us safe? I don't believe he does. Let's stop these ridiculous arguments about rewarding terrorists and have some respect for the Constitution and due process.

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

Mr. MCKEON. At this point, Mr. Chairman, I yield the balance of our time to the vice chairman of the committee, the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I thank the chairman for yielding.

Mr. Chairman, we're going to have ample opportunity to debate a number of the issues that the distinguished ranking member raised, but I don't think that we can be here on the floor and allow some of the arguments that have been made to go without some challenge.

For example, to say that a letter signed by two former Attorneys General, a former Secretary of Homeland Security, and a variety of other officials who have had positions of responsibility in previous administrations who believe that the Smith-Amash amendment would be detrimental to our effort against terrorists, to say that those arguments are somehow silly or foolish I think really demeans past administrations.

□ 1520

It is not actually fitting for this sort of debate. I understand that emotions can run high when we talk about these issues, and there are serious issues to be discussed, some difficult problems and some clear differences. But I hope that in the future the nature of the debate is elevated somewhat beyond calling former distinguished officials names.

And let me make one other point. One of the key problems that many of us have with the Smith-Amash amendment is that it would bestow upon illegal aliens who come to this country to carry out terrorist attacks, it would bestow upon them full constitutional rights. That means basically, as soon as a member of al Qaeda sets foot on American soil, the first thing he hears after ''you are under arrest'' is you have the right to remain silent. You have the right to be provided an attorney. And if you can't afford one, an attorney will be provided to you.

Now, there may be differences about how we should treat illegal aliens who come here as members of al Qaeda to conduct terrorist attacks. But I think the vast majority of people in this body and around the country do not think telling them they have the right to remain silent, as the first thing they hear, is a wise thing.

So as you go through the arguments, and I would encourage Members of the House to read the letter themselves. I would encourage Members of the House to look at today's Wall Street Journal editorial. I would encourage Members of the House to look at the Heritage Foundation entry today on their Web site, to look how significant these issues are, how the Smith-Amash amendment would undermine our ability to defend our people, and how it is unfair to characterize concerns expressed by a dozen or eight to 10 former national security officials as somehow foolish or silly.

I think, Mr. Chairman, that we can do better with that.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from California (Mr. MCKEON).

The amendment, as modified, was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, pursuant to H. Res. 661, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 2, 13, 14, 15, 16, 21, 23, 25, 27, 28, 40, 43, 57, 74, 83, 95, 97, 102, 107, and 126, printed in House Report No. 112–485, offered by Mr. MCKEON of California:

AMENDMENT NO. 2 OFFERED BY MR. LANDRY OF LOUISIANA

At the end of title X, add the following new section:

**SEC. 1084. PROHIBITION ON USE OF INFORMATION AGAINST A UNITED STATES CITIZEN GATHERED BY UNMANNED AERIAL VEHICLE WITHOUT A WARRANT.**

Notwithstanding any other provision of law, information acquired by an unmanned aerial vehicle operated by the Department of Defense may not be admitted in a Federal court, State court, or court of a political subdivision of a State as evidence against a United States citizen unless such information was obtained by such unmanned aerial vehicle pursuant to a court order.

AMENDMENT NO. 13 OFFERED BY MR. HANNA OF NEW YORK

At the end of subtitle D of title II, add the following new section:

**SEC. 245. REPORT ON AIR FORCE CYBER OPERATIONS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a study of Air Force cyber operations research, science, and technology. The report shall include following:

(1) The near-, mid- and far-term research and development priorities of the Secretary with respect to cyber operations, including the resources needed to execute such priorities.

(2) The percentage of research and development funding of the Air Force that is used to support cyber operations during each year covered by the future-years defense program submitted to Congress during 2012 under section 221 of title 10, United States Code.

(3) The anticipated role of each of the installations of the Air Force Research Laboratory with respect to cybersecurity research and development and operational support during each year covered by such future-years defense program.

(4) The resources, including both personnel and funding, that are projected to support the Air Force Research Laboratory in fulfilling such roles.

(5) Anticipated budget actions, if any, that the Secretary of Defense and the Secretary of the Air Force plan to take during fiscal year 2013 to ensure that the Department of Defense and the Air Force maintain the leadership role in cyber research.

(6) The plan of the Secretary of the Air Force to integrate cyber operations into military operations.

(7) The ways in which the Secretary is recruiting and retaining scientists and engineers at the Air Force Research Laboratory involved with cyber operations research, including the use of the authorities granted under the laboratory demonstration program established by Section 342 of the National Defense Authorization Act for Fiscal Year1995 and section 1114 of the National Defense Authorization Act for Fiscal Year 2001.

(8) Efforts to coordinate science and technology cyber activities of the Air Force Research Laboratory with other Air Force organizations, including the Air Force Institute of Technology and the Air Force Institute of Technology Center for Cyberspace Research.

(9) The potential benefit to the Air Force for collaboration with private industry and the development of cyber security technology clusters.

AMENDMENT NO. 14 OFFERED BY MR. BISHOP OF UTAH

Page 95, strike lines 15 through 18, and insert the following:

(4) in paragraph (2)(C), by striking the period and inserting ''; 

AMENDMENT NO. 15 OFFERED BY MR. GALLEGLY OF CALIFORNIA

In title III, at the end of subtitle B add the following:

**SEC. ___. SOUTHERN SEA OTTER MILITARY READINESS AREAS.**

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 2283. Establishment of the Southern Sea Otter Military Readiness Areas**

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish areas, to be known as 'Southern Sea Otter Military Readiness Areas', for national defense purposes. Such areas shall include each of the following:

''(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

''N. Latitude/W. Longitude
''33°27.8′/119°34.3′
''33°20.5′/119°15.5′
''33°13.5′/119°11.8′
''33°06.5′/119°15.3′
''33°02.8′/119°26.8′
''33°08.8′/119°46.3′
''33°17.2′/119°56.9′
''33°30.9′/119°54.2′.

''(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line, as designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

''(3) The area that includes Marine Corps Base Camp Pendleton and the adjacent waters within the following coordinates:

''Latitude/W. Longitude
''33°26.6′/117°38.9′
''33°21.3′/117°45.8′
''32°56.2′/117°39.7′
''33°6.5′/117°28.5′
''33°10.2′/117°23.7′
''33°11.8′/117°23.2′
''33°26.6′/117°38.9′.

''(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

''(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

''(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting military readiness activities.

''(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of any military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

''(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require the removal of any southern sea otter located within the Southern Sea Otter Military Readiness Areas as of the date of the enactment of this section or thereafter.

''(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with, and with the concurrence of, the Secretary of the Navy, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are substantially impeding southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

''(e) MONITORING.—

''(1) IN GENERAL.—The Secretary of the Navy, in consultation and in cooperation with the Secretary of the Interior, shall monitor the Southern Sea Otter Military Readiness Areas not less often than every year to evaluate the status of the southern sea otter population.

''(2) REPORTS.—Within 18 months after the effective date of this section and every three years thereafter, the Secretaries of the Navy and the Interior shall jointly report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

''(f) DEFINITIONS.—In this section:

''(1) The term 'incidental taking' means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

''(2) The term 'optimum sustainable population' means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.

''(3) The term 'southern sea otter' means any member of the subspecies Enhydra lutris nereis.

''(4) The term 'take'—

''(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531–1544) shall have the meaning given such term in that Act; and

''(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1423h), shall have the meaning given such term in that Act.

''(5) The term 'military readiness activity' has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 16 U.S.C. 703 note), and includes all training and operations of the Armed Forces that relate to combat, and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2283. Establishment of the Southern Sea Otter Military Readiness Areas.''.

(c) CONSERVATION AND MANAGEMENT ACTIONS.—Section 1 of Public Law 99–625 (16 U.S.C. 1536 note) is amended by adding at the end the following:

''(g) CONSERVATION AND MANAGEMENT ACTIONS.—If the Secretary issues a final rule ending the management plan authorized under subsection (b) through the termination of the regulations implementing such plan—

''(1) the Secretary, in planning and implementing recovery and conservation measures under the Act to allow for the expansion of the range of the population of the sea otter, shall coordinate and cooperate with—

''(A) the Secretary of the Navy;

''(B) the Secretary of Commerce regarding recovery efforts for species listed under the Act; and

''(C) the State of California to assist the State in continuing viable commercial harvest of State fisheries; and

''(2) interaction with sea otters in the course of engaging in fishing in any State fishery south of Point Conception, California, under an authorization issued by the State of California shall not be treated as a violation of section 9 of the Act for incidental take or of the Marine Mammal Protection Act of 1972.''.

AMENDMENT NO. 16 OFFERED BY MS. HAYWORTH OF NEW YORK

At the end of subtitle C of title III, add the following new section:

**SEC. 3___. SENSE OF CONGRESS REGARDING THE PERFORMANCE OF COMMERCIALLY-AVAILABLE ACTIVITIES BY DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) our Nation's economic strength is characterized by individual freedom and the competitive enterprise system, and as such, the Federal Government should not compete with its citizens and private enterprise;

(2) in recognition of this policy, the Government should rely on commercially available sources to provide commercial products and services and should not start or carry on any activity to provide a commercial product or service if the product or service can be procured more economically from a commercial source;

(3) this policy conforms with Department of Defense Total Force Management procedures aimed at improving total manpower requirements, determinations, and planning to facilitate decisions regarding which sector

(military, civilian, or contractor personnel) should perform each requirement; and

(4) the Department of Defense should not convert the performance of any function from performance by a contractor to performance by Department of Defense civilian employees unless the function is inherently governmental in nature or the conversion is necessary to comply with section 129a of title 10, United States Code, as amended by this Act.

(b) DEFINITION OF INHERENTLY GOVERNMENTAL.—In this section, the term ''inherently governmental'' has the meaning given that term in section 5(2) of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501 note).

AMENDMENT NO. 21 OFFERED BY MS. PINGREE OF MAINE

At the end of subtitle H of title V, add the following new section:

**SEC. 584. SENSE OF CONGRESS ON MILITARY SEXUAL TRAUMA.**

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense conducted a survey of members of the Armed Forces serving on active duty that revealed that only 13.5 percent of such members reported incidents of sexual assault, which means that more than 19,000 incidents of sexual assault of members of the Armed Forces actually occurred in 2010 alone.

(2) Despite attempts, the Department of Defense has failed to address the chronic under reporting of incidents of sexual assault and harassment, as by the Department's own estimates, 86 percent of sexual assaults went unreported in 2010.

(3) Sexual assault in the military is an ongoing problem leading many victims to seek help after separation from the Armed Forces from the Department of Veterans Affairs.

(4) About 1 in 5 women and 1 in 100 men seen in Veterans Health Administration respond ''Yes'' when screened for military sexual trauma.

(5) Among users of healthcare provided by the Department of Veterans Affairs, medical record data indicates that diagnoses of post-traumatic stress disorder and other anxiety disorders, depression and other mood disorders, and substance use disorders are most frequently associated with military sexual trauma.

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

(1) the Secretary of Veterans Affairs should expand efforts to raise awareness about military sexual trauma and the treatment and services that the Department provides to victims; and

(2) in light of the fact that the available data shows an overwhelming number of military sexual trauma claims go unreported within the Department of Defense, making it very difficult for veterans to show proof of the assault when filing claims with the Department of Veterans Affairs for post-traumatic stress disorder and other mental health conditions caused by military sexual trauma, the Secretary of Veterans Affairs should review the disability process to ensure that victims of military sexual trauma who file claims for service connection do not face unnecessary or overly burdensome requirements in order to claim disability benefits with the Department.

AMENDMENT NO. 23 OFFERED BY MR. BISHOP OF NEW YORK

**SEC. 5___. SENSE OF CONGRESS REGARDING THE RECOVERY OF THE REMAINS OF CERTAIN MEMBERS OF THE ARMED FORCES KILLED IN THURSTON ISLAND, ANTARCTICA.**

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

(1) Commencing August 26, 1946, though late February 1947 the United States Navy Antarctic Developments Program Task Force 68, codenamed ''Operation Highjump'' initiated and undertook the largest ever-to-this-date exploration of the Antarctic continent.

(2) The primary mission of the Task Force 68 organized by Rear Admiral Richard E. Byrd Jr. USN, (Ret) and led by Rear Admiral Richard H. Cruzen, USN, was to do the following:

(A) Establish the Antarctic research base Little America IV.

(B) In the defense of the United States of America from possible hostile aggression from abroad - to train personnel test equipment, develop techniques for establishing, maintaining and utilizing air bases on ice, with applicability comparable to interior Greenland, where conditions are similar to those of the Antarctic.

(C) Map and photograph a full two-thirds of the Antarctic Continent during the classified, hazardous duty/volunteer-only operation involving 4700 sailors, 23 aircraft and 13 ships including the first submarine the U.S.S. Sennet, and the aircraft carrier the U.S.S. Philippine Sea, brought to the edge of the ice pack to launch (6) Navy ski-equipped, rocket-assisted R4Ds.

(D) Consolidate and extend United States sovereignty over the largest practicable area of the Antarctic continent.

(E) Determine the feasibility of establishing, maintaining and utilizing bases in the Antarctic and investigating possible base sites.

(3) While on a hazardous duty/all volunteer mission vital to the interests of National Security and while over the eastern Antarctica coastline known as the Phantom Coast, the PBM-5 Martin Mariner ''Flying Boat'' ''George 1'' entered a whiteout over Thurston Island. As the pilot attempted to climb, the aircraft grazed the glacier's ridgeline and exploded within 5 seconds instantly killing Ensign Maxwell Lopez, Navigator and Wendell ''Bud'' Hendersin, Aviation Machinists Mate 1st Class while Frederick Williams, Aviation Radioman 1st Class died several hours later. Six other crewmen survived including the Captain of the ''George 1's'' seaplane tender U.S.S. Pine Island.

(4) The bodies of the dead were protected from the desecration of Antarctic scavenging birds (Skuas) by the surviving crew wrapping the bodies and temporarily burying the men under the starboard wing engine nacelle.

(5) Rescue requirements of the ''George-1'' survivors forced the abandonment of their crewmates' bodies.

(6) Conditions prior to the departure of Task Force 68 precluded a return to the area to the recover the bodies.

(7) For nearly 60 years Navy promised the families that they would recover the men: ''If the safety, logistical, and operational prerequisites allow a mission in the future, every effort will be made to bring our sailors home.''.

(8) The Joint POW/MIA Accounting Command twice offered to recover the bodies of this crew for Navy.

(9) A 2004 NASA ground penetrating radar overflight commissioned by Navy relocated the crash site three miles from its crash position.

(10) The Joint POW/MIA Accounting Command offered to underwrite the cost of an aerial ground penetrating radar (GPR) survey of the crash site area by NASA.

(11) The Joint POW/MIA Accounting Command studied the recovery with the recognized recovery authorities and national scientists and determined that the recovery is only ''medium risk''.

(12) National Science Foundation and scientists from the University of Texas, Austin, regularly visit the island.

(13) The crash site is classified as a ''perishable site'', meaning a glacier that will calve into the Bellingshausen Sea.

(14) The National Science Foundation maintains a presence in area - of the Pine Island Glacier.

(15) The National Science Foundation Director of Polar Operations will assist and provide assets for the recovery upon the request of Congress.

(16) The United States Coast Guard is presently pursuing the recovery of 3 WWII air crewmen from similar circumstances in Greenland.

(17) On Memorial Day, May 25, 2009, President Barak Obama declared: ''. . .the support of our veterans is a sacred trust. . .we need to serve them as they have served us. . .that means bringing home all our POWs and MIAs. . .''.

(18) The policies and laws of the United States of America require that our armed service personnel be repatriated.

(19) The fullest possible accounting of United States fallen military personnel means repatriating living American POWs and MIAs, accounting for, identifying, and recovering the remains of military personnel who were killed in the line of duty, or providing convincing evidence as to why such a repatriation, accounting, identification, or recovery is not possible.

(20) It is the responsibility of the Federal Government to return to the United States for proper burial and respect all members of the Armed Forces killed in the line of duty who lie in lost graves.

(b) SENSE OF CONGRESS.—In light of the findings under subsection (a), Congress—

(1) reaffirms its support for the recovery and return to the United States, the remains and bodies of all members of the Armed Forces killed in the line of duty, and for the efforts by the Joint POW-MIA Accounting Command to recover the remains of members of the Armed Forces from all wars, conflicts and missions;

(2) recognizes the courage and sacrifice of all members of the Armed Forces who participated in Operation Highjump and all missions vital to the national security of the United States of America;

(3) acknowledges the dedicated research and efforts by the US Geological Survey, the National Science Foundation, the Joint POW/MIA Accounting Command, the Fallen American Veterans Foundation and all persons and organizations to identify, locate, and advocate for, from their temporary Antarctic grave, the recovery of the well-preserved frozen bodies of Ensign Maxwell Lopez, Naval Aviator, Frederick Williams, Aviation Machinist's Mate 1ST Class, Wendell Hendersin, Aviation Radioman 1ST Class of the ''George 1'' explosion and crash; and

(4) encourages the Department of Defense to review the facts, research and to pursue new efforts to undertake all feasible efforts to recover, identify, and return the well-preserved frozen bodies of the ''George 1'' crew from Antarctica's Thurston Island.

AMENDMENT NO. 25 OFFERED BY MR. PETRI OF WISCONSIN

At the end of subtitle A of title VI, add the following new section:

**SEC. 6___. PAYMENT OF BENEFIT FOR NONPARTICIPATION OF ELIGIBLE MEMBERS IN POST-DEPLOYMENT/MOBILIZATION RESPITE ABSENCE PROGRAM DUE TO GOVERNMENT ERROR.**

(a) PAYMENT OF BENEFIT.—

(1) IN GENERAL.—Subject to subsection (e), the Secretary concerned shall, upon application therefor, make a payment to each individual described in paragraph (2) of $200 for each day of nonparticipation of such individual in the Post-Deployment/Mobilization Respite Absence program as described in that paragraph.

(2) COVERED INDIVIDUALS.—An individual described in this paragraph is an individual who—

(A) was eligible for participation as a member of the Armed Forces in the Post-Deployment/Mobilization Respite Absence program; but

(B) as determined by the Secretary concerned pursuant to an application for the correction of the military records of such individual pursuant to section 1552 of title 10, United States Code, did not participate in one or more days in the program for which the individual was so eligible due to Government error.

(b) DECEASED INDIVIDUALS.—

(1) APPLICATIONS.—If an individual otherwise covered by subsection (a) is deceased, the application required by that subsection shall be made by the individual's legal representative.

(2) PAYMENT.—If an individual to whom payment would be made under subsection (a) is deceased at time of payment, payment shall be made in the manner specified in section 1552(c)(2) of title 10, United States Code.

(c) PAYMENT IN LIEU OF ADMINISTRATIVE ABSENCE.—Payment under subsection (a) with respect to a day described in that subsection shall be in lieu of any entitlement of the individual concerned to a day of administrative absence for such day.

(d) CONSTRUCTION.—

(1) CONSTRUCTION WITH OTHER PAY.—Any payment with respect to an individual under subsection (a) is in addition to any other pay provided by law.

(2) CONSTRUCTION OF AUTHORITY.—It is the sense of Congress that—

(A) the sole purpose of the authority in this section is to remedy administrative errors; and

(B) the authority in this section is not intended to establish any entitlement in connection with the Post-Deployment/Mobilization Respite Absence program.

(e) PAYMENTS SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—No cash payment may be made under subsection (a) unless the funds to be used to make the payments are available pursuant to an appropriations Act enacted after the date of enactment of this Act.

(f) FUNDING OFFSET.—The Secretary of Defense shall transfer $2,000,000 from the unobligated balances of the Pentagon Reservation Maintenance Revolving Fund established under section 2674(e) of title 10, United States Code, to the Miscellaneous Receipts Fund of the United States Treasury.

(g) DEFINITIONS.—In this section, the terms ''Post-Deployment/Mobilization Respite Absence program'' and ''Secretary concerned'' have the meaning given such terms in section 604(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2350).

AMENDMENT NO. 27 OFFERED BY MR. ISRAEL OF NEW YORK

At the end of subtitle C of title VII, add the following new section:

**SEC. 725. PILOT PROGRAM ON ENHANCEMENTS OF DEPARTMENT OF DEFENSE EFFORTS ON MENTAL HEALTH IN THE NATIONAL GUARD AND RESERVES THROUGH COMMUNITY PARTNERSHIPS.**

(a) PROGRAM AUTHORITY.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves, their family members, and their caregivers through community partners.

(b) COMMUNITY PARTNERS.—The Secretary of Defense may award grants to community partners described in subsection (c) using a competitive and merit-based award process whereby the awardee agrees to make contributions toward the costs of activities carried out with the grant, from non-Federal sources, an amount equal to not less than $3 for each $1 of funds provided under the grant.

(c) COMMUNITY PARTNER DESCRIBED.—A community partner described in this subsection is a private non-profit organization or institution that engages in one or more of the following:

(1) Research on the causes, development, and innovative treatment of mental health and substance use disorders and traumatic brain injury in members of the National Guard and Reserves, their family members, and their caregivers.

(2) Providing treatment to such members and their families for such mental health and substance use disorders and traumatic brain injury.

(3) Identifying and disseminating evidence-based treatments of mental health and substance use disorders and traumatic brain injury described in paragraph (1).

(4) Outreach and education to such members, their families and caregivers, and the public about mental health and substance use disorders and traumatic brain injury described in paragraph (1).

(d) DURATION.—The duration of the pilot program may not exceed three years.

(e) REPORT.—Not later than 180 days before the completion of the pilot program, the Secretary of Defense shall submit to the Secretary of Veterans Affairs and Congress a report on the results of the pilot program, including the amount of grants so awarded and activities carried out, the number of members of the National Guard and Reserves provided treatment or services by community partners, and a description and assessment of the effectiveness and achievements of the pilot program with respect to research, treatment, education, and outreach on mental health and substance use disorders and traumatic brain injury.

AMENDMENT NO. 28 OFFERED BY MR. POSEY OF FLORIDA

At the end of subtitle B of title IX, add the following new section:

**SEC. 916. COMMERCIAL SPACE LAUNCH COOPERATION.**

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 2276. Commercial space launch cooperation**

''(a) AUTHORITY.—The Secretary of Defense may take such actions as the Secretary considers to be in the best interest of the Federal Government to—

''(1) maximize the use of the capacity of the space transportation infrastructure of the Department of Defense by the private sector in the United States;

''(2) maximize the effectiveness and efficiency of the space transportation infrastructure of the Department of Defense;

''(3) reduce the cost of services provided by the Department of Defense related to space transportation infrastructure at launch support facilities and space recovery support facilities;

''(4) encourage commercial space activities by enabling investment by covered entities in the space transportation infrastructure of the Department of Defense; and

''(5) foster cooperation between the Department of Defense and covered entities.

''(b) AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.—The Secretary of Defense—

''(1) may enter into an agreement with a covered entity to provide the covered entity with support and services related to the space transportation infrastructure of the Department of Defense; and

''(2) upon the request of such covered entity, may include such support and services in the space launch and reentry range support requirements of the Department of Defense if—

''(A) the Secretary determines that the inclusion of such support and services in such requirements—

''(i) is in the best interest of the Federal Government;

''(ii) does not interfere with the requirements of the Department of Defense; and

''(iii) does not compete with the commercial space activities of other covered entities, unless that competition is in the national security interests of the United States; and

''(B) any commercial requirement included in the agreement has full non-Federal funding before the execution of the agreement.

''(c) CONTRIBUTIONS.—

''(1) IN GENERAL.—The Secretary of Defense may enter into an agreement with a covered entity on a cooperative and voluntary basis to accept contributions of funds, services, and equipment to carry out this section.

''(2) USE OF CONTRIBUTIONS.—Any funds, services, or equipment accepted by the Secretary under this subsection—

''(A) may be used only for the objectives specified in this section in accordance with terms of use set forth in the agreement entered into under this subsection; and

''(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

''(3) REQUIREMENTS WITH RESPECT TO AGREEMENTS.—An agreement entered into with a covered entity under this subsection—

''(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the agreement; and

''(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other agreement with the United States.

''(d) DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a special account to be known as the 'Defense Cooperation Space Launch Account'.

''(2) CREDITING OF FUNDS.—Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

''(3) USE OF FUNDS.—Funds deposited in the Defense Cooperation Space Launch Account under paragraph (2) are authorized to be appropriated and shall be available for obligation only to the extent provided in advance in an appropriation Act for costs incurred by the Department of Defense in carrying out subsection (b). Funds in the Account shall remain available until expended.

''(e) ANNUAL REPORT.—Not later than January 31 of each year, the Secretary of Defense shall submit to the congressional defense committees a report on the funds, services, and equipment accepted and used by the Secretary under this section during the preceding fiscal year.

''(f) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.

''(g) DEFINITIONS.—In this section:

''(1) COVERED ENTITY.—The term 'covered entity' means a non-Federal entity that—

''(A) is organized under the laws of the United States or of any jurisdiction within the United States; and

''(B) is engaged in commercial space activities.

''(2) LAUNCH SUPPORT FACILITIES.—The term 'launch support facilities' has the meaning given the term in section 50501(7) of title 51.

''(3) SPACE RECOVERY SUPPORT FACILITIES.—The term 'space recovery support facilities' has the meaning given the term in section 50501(11) of title 51.

''(4) SPACE TRANSPORTATION INFRASTRUCTURE.—The term 'space transportation infrastructure' has the meaning given that term in section 50501(12) of title 51.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2276. Commercial space launch cooperation.''.

AMENDMENT NO. 40 OFFERED BY MR. BISHOP OF NEW YORK

At the end of title X, add the following new section:

**SEC. 1084. THE HOUSE OF REPRESENTATIVES HONORS.**

(a) FINDINGS.—The House of Representatives finds the following:

(1) The spread of warfare across Europe and Asia led to the establishment on May 20, 1941, of the United States Office of Civilian Defense by Executive Order 8757 of President Franklin D. Roosevelt, to ''assure effective coordination of Federal relations with State and local governments engaged in defense activities, to provide for necessary cooperation with States and local governments in respect to measures for adequate protection of the civilian population in emergency periods, to facilitate constructive civilian participation in the defense program, and to sustain national morale''.

(2) The December 7, 1941, attack by the Empire of Japan on Pearl Harbor, Hawaii, precipitated the entry of the United States into the worldwide conflict and signaled a new era of warfare that demanded new efforts to protect the people of the United States from airborne assault by an overseas enemy.

(3) In response to this new threat, the United States Office of Civilian Defense mobilized millions of volunteers to participate in efforts to enhance the preparedness of the United States in case of attack, including fire protection, communication and logistics, construction of bomb shelters, and air raid blackout drills.

(4) Thousands of Americans unable to serve in the United States Armed Forces volunteered their service as Air Raid Wardens in communities across the United States during World War II, contributing to America's defense against potential enemy assault and the ultimate victory of the Allied nation.

(5) A training manual distributed to Air Raid Wardens during World War II noted that ''In the system of civilian defense, the Air Raid Warden occupies the key position. He is the field officer under whose supervision the efforts of the civilian population are directed in the tremendous task of effective defense. Through the Air Raid Wardens, civilian activity is coordinated with that of the police and fire departments and other vital services.''

(6) Training manuals distributed to Air Raid Wardens included ''I am an Air Raid Warden'', by Frank W. Atherton, Chief Air Raid Warden, 1st District, United States Citizens' Defense Corps of Michigan, which read, in part that ''I am an Air Raid Warden. My country, my state and my community have given me many pleasant and fruitful years and now in time of trouble I feel that it is my duty to do my part in the work assigned to me in helping to reduce to a minimum any harm that may come from without or within.''

(7) Tony Pastor and His Orchestra released a song in 1942, titled ''Obey Your Air Raid Warden'', which was widely distributed as a public service announcement and contained the following lyrics: ''One, be calm. Two, get under shelter. Three, don't run. Obey your air-raid warden. Four, stay home. Five, keep off the highway. Six, don't phone. Obey your air-raid warden. There are rules that you should know, What to do and where to go, When you hear the sirens blow, Stop, look, and listen. Seven, don't smoke. Eight, help all the kiddies. Most of all, obey your air-raid warden. Stop, look, and listen. Dim the lights, Wait for information, Most of all, obey your air-raid warden. Stop the panic, Don't get in a huff, Our aim today is to call their bluff. Follow these rules and that is enough. Obey your air-raid warden.''

(b) THE HOUSE OF REPRESENTATIVES HONORS.—The House of Representatives encourages surviving Air Raid Wardens and other volunteers of the United States Office of Civilian Defense during the World War II to record and permanently preserve stories of their service for future generations.

AMENDMENT NO. 43 OFFERED BY MR. ELLISON OF MINNESOTA

At the end of subtitle D of title XII of division A of the bill, add the following:

**SEC. 12xx. LIMITATION ON ASSISTANCE TO PROVIDE TEAR GAS OR OTHER RIOT CONTROL ITEMS.**

None of the funds authorized to be appropriated by this Act may be used to provide tear gas or other riot control items to the government of a country undergoing a transition to democracy in the Middle East or North Africa unless the Secretary of Defense certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that the security forces of such government are not using excessive force to repress peaceful, lawful, and organized dissent.

AMENDMENT NO. 57 OFFERED BY MR. TURNER OF OHIO

Page 831, strike lines 8 through 13 and insert the following: ''the Administrator shall prescribe appropriate policies and regulations to ensure the adequate protection of the health and safety of the employees of the Administration, contractors of the Administration, and the public. Such policies and regulations shall be based upon risk whenever sufficient data exists.''.

Page 831, after line 22, insert the following new paragraph:

''(3) CONSTRUCTION.—Nothing in this subsection shall be construed to cause a reduction in nuclear safety standards.''.

Page 922, beginning line 18, strike ''ensure'' and all that follows through ''protected.'' on line 23 and insert the following: ''ensure the adequate protection of public health and safety at defense nuclear facilities of the Department of Energy. Such analysis, advice, and recommendations shall be based upon risk whenever sufficient data exists.''.

Page 923, line 2, insert ''and'' after the semicolon.

Page 923, strike lines 3 through 13.

Page 923, line 14, strike ''(iv)'' and insert ''(ii)''.

Page 923, strike lines 15 through 21.

Page 923, line 22, strike ''(II)'' and insert ''(I)''.

Page 923, line 23, insert ''risk (whenever sufficient data exists)'' after ''assess''.

Page 924, line 1, strike ''(III)'' and insert ''(II)''.

Page 931, after line 4, insert the following new subsection:

(h) SAFETY STANDARDS.—Nothing in this section nor in the amendments made by this section shall be construed to cause a reduction in nuclear safety standards.

AMENDMENT NO. 74 OFFERED BY MS. CHU OF CALIFORNIA

At the end of section 535, relating to efforts to prevent and respond to hazing incidents involving members of the Armed Forces, add the following new subsections:

(f) ANNUAL REPORTING REQUIREMENT.—

(1) IN GENERAL.—The database required by subsection (b) shall be used to develop and implement an annual congressional report.

(2) REPORTS REQUIRED.—Not later than January 15 of each year, the Secretary of Defense and the Secretary of Homeland Security (with respect to the Coast Guard) shall submit to the designated congressional committees a report on the hazing incidents involving members of the Armed Forces during the preceding year.

(3) ELEMENTS.—Each report shall include the following:

(A) an assessment by the Secretaries of the implementation during the preceding year of the policies and procedures of each Armed Force on the prevention of and response to hazing involving members of the Armed Forces in order to determine the effectiveness of such policies and procedures.

(B) Data on the number of alleged and substantiated hazing incidents within each Armed Force that occurred that year, including the race, gender and Armed Force of the victim and offender, the nature of the hazing, and actions taken to resolve and address the hazing.

(g) COMPTROLLER GENERAL REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the designated congressional committees a report on the policies to prevent hazing and systems initiated to track incidents of hazing in each of the Armed Forces, including officer cadet schools, military academies, military academy preparatory schools, and basic training and professional schools for enlisted members.

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

(A) An evaluation of the definition of hazing used pursuant to subsection (e).

(B) A description of the criteria used, and the methods implemented, in the systems to track incidents of hazing in the Armed Forces.

(C) An assessment of the following:

(i) The scope of hazing in each Armed Force.

(ii) The policies in place and the training on hazing provided to members throughout the course of their careers for each Armed Force.

(iii) The actions taken to mitigate hazing incidents in each Armed Force.

(iv) The effectiveness of the training and policies in place regarding hazing.

(v) The number of alleged and substantiated incidents of hazing over the last five years for each Armed Force, the nature of these cases and actions taken to address such matters through non-judicial and judicial action.''

(D) An evaluation of the additional actions, if any, the Secretary of Defense and the Secretary of Homeland Security propose to take to further address the incidence of hazing in the Armed Forces.

(E) Such recommendations as the Comptroller General considers appropriate for improving hazing prevention programs, policies, and other actions taken to address hazing within the Armed Forces.

(h) DESIGNATED CONGRESSIONAL COMMITTEES DEFINED.—In subsections (f) and (g), the term ''designated congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Commerce, Science and Transportation of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Transportation and Infrastructure of the House of Representatives.

AMENDMENT NO. 83 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of subtitle H of title V, add at the end the following new section:

**SEC. 5___. CORRECTION OF MILITARY RECORDS OF MEMBERS OF THE ARMED FORCES WHO EXPERIENCE RETALIATORY PERSONNEL ACTIONS FOR MAKING A REPORT OF SEXUAL ASSAULT OR SEXUAL HARASSMENT.**

The Secretary of Defense shall conduct a general education campaign to notify members of the Armed Forces regarding the authorities available under chapter 79 of title 10, United States Code, for the correction of military records when a member experiences any retaliatory personnel action for making a report of sexual assault or sexual harassment.

AMENDMENT NO. 95 OFFERED BY MR. LARSEN OF WASHINGTON

Strike section 818 and insert the following:

**SEC. 818. ASSESSMENT AND REPORT RELATING TO INFRARED TECHNOLOGY SECTORS.**

(a) ASSESSMENT.—The Secretary of Defense, in conjunction with the sector-by-sector, tier-by-tier review conducted by the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, shall conduct an assessment of the health and status of various national defense infrared technology sectors, including technology such as focal plane arrays sensitive to infrared wavelengths, read-out integrate circuits, cryogenic coolers, Dewar technology, infrared sensor engine assemblies, and infrared imaging systems.

(b) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the findings of the assessment within 90 days after the date of the enactment of this Act.

AMENDMENT NO. 97 OFFERED BY MR. MURPHY OF CONNECTICUT

At the end of title VIII, add the following new section:

**SEC. 833. CONSIDERATION AND VERIFICATION OF INFORMATION RELATING TO EFFECT ON DOMESTIC EMPLOYMENT OF AWARD OF DEFENSE CONTRACTS.**

(a) IN GENERAL.—Section 2305(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6)(A) The head of an agency, in issuing a solicitation for competitive proposals, shall state in the solicitation that the agency may consider information (in this paragraph referred to as a 'jobs impact statement') that the offeror may include in its offer related to the effects on employment within the United States of the contract if it is awarded to the offeror.

''(B) The information that may be included in a jobs impact statement may include the following:

''(i) The number of jobs expected to be created in the United States, or the number of jobs retained that otherwise would be lost, if the contract is awarded to the offeror.

''(ii) The number of jobs created or retained in the United States by the subcontractors expected to be used by the offeror in the performance of the contract.

''(iii) A guarantee from the offeror that jobs created or retained in the United States will not be moved outside the United States after award of the contract.

''(C) The contracting officer may consider the information in the jobs impact statement in the evaluation of the offer.

''(D) The agency may request further information from the offeror in order to verify the accuracy of the information in the jobs impact statement.

''(E) In the case of a contract awarded to an offeror that submitted a jobs impact statement with the offer for the contract, the agency shall, not later than six months after the award of the contract and annually thereafter for the duration of the contract or contract extension, assess the accuracy of the jobs impact statement.

''(F) The Secretary of Defense shall submit to Congress an annual report on the frequency of use within the Department of Defense of jobs impact statements in the evaluation of competitive proposals.''.

(b) REVISION OF FEDERAL ACQUISITION REGULATION.—The Federal Acquisition Regulation shall be revised to implement the amendment made by this section.

AMENDMENT NO. 102 OFFERED BY MR. LARSEN OF WASHINGTON

At the end of subtitle E of title X, add the following new section:

**SEC. 1065A. BUDGET REQUIREMENTS ASSOCIATED WITH SUSTAINING AND MODERNIZING THE NUCLEAR DETERRENT.**

Section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by amending subparagraph (F) to read as follows:

''(F) In accordance with paragraph (3), a detailed estimate of the budget requirements associated with sustaining and modernizing the nuclear deterrent of the United States and the nuclear weapons stockpile of the United States, including the costs associated with the plans outlined under subparagraphs (A) through (E), over the 10-year period following the date of the report, including the applicable and appropriate costs associated with—

''(i) training;

''(ii) basing;

''(iii) security;

''(iv) testing;

''(v) research;

''(vi) development;

''(vii) deployment;

''(viii) transportation;

''(ix) personnel;

''(x) overhead; and

''(xi) other appropriate matters.''; and

(B) by adding at the end the following new paragraph:

''(3) DETAILED BUDGET ESTIMATE CONTENTS.—Each budget estimate under paragraph (2)(F) shall include a detailed description of the matters included in such estimate, the rationale for including such matters, and the cost listed by location. Such costs listed by location shall be submitted in the form of a classified annex in accordance with subsection (b).''; and

(2) by adding at the end the following new subsection:

''(c) COMPTROLLER GENERAL.—The Comptroller General of the United States shall—

''(1) review each report under subsection (a) for accuracy and completeness with respect to the matters described in paragraphs (2)(F) and (3) of such subsection; and

''(2) not later than 180 days after the date on which such report under subsection (a) is submitted, submit to the congressional defense committees a summary of each such review.''.

AMENDMENT NO. 107 OFFERED BY MR. LEWIS OF GEORGIA

At the end of title X, add the following new section:

**SEC. 10___. COST OF WARS.**

The Secretary of Defense, in consultation with the Commissioner of the Internal Revenue Service and the Director of the Bureau of Economic Analysis, shall post on the public Web site of the Department of Defense the costs, including the relevant legacy costs, to each American taxpayer of each of the wars in Afghanistan and Iraq.

AMENDMENT NO. 126 OFFERED BY MR. SMITH OF WASHINGTON

At the end of title XII of division A of the bill, add the following:

**Subtitle E—Authority to Remove Satellites and Related Components and Technology From the United States Munitions List**

**SEC. 1241. AUTHORITY TO REMOVE SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY FROM THE UNITED STATES MUNITIONS LIST.**

(a) AUTHORITY.—Subject to subsection (b), the President is authorized to remove commercial satellites and related components and technology from the United States Munitions List, consistent with the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)).

(b) DETERMINATION.—The President may exercise the authority provided in subsection (a) only if the President submits to the appropriate congressional committees a determination that the transfer of commercial satellites and related components and technology from the United States Munitions List does not pose an unacceptable risk to the national security of the United States. Such determination shall include a description of the risk-mitigating controls, procedures, and safeguards the President will put in place to reduce such risk to an absolute minimum.

(c) PROHIBITION.—No license or other authorization for export shall be granted for the transfer, retransfer, or reexport of any commercial satellite or related component or technology contained on the Commerce Control List to any person or entity of the following:

(1) The People's Republic of China.

(2) Cuba.

(3) Iran.

(4) North Korea.

(5) Sudan.

(6) Syria.

(7) Any other country with respect to which the United States would deny the application for licenses and other approvals for exports and imports of defense articles under section 126.1 of the International Traffic in Arms Regulations.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence shall submit to the appropriate congressional committees on efforts of state sponsors of terrorism, other foreign countries, or entities to illicitly acquire commercial satellites and related components and technology.

(2) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the

Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 1242. REPORT ON LICENSES AND OTHER AUTHORIZATIONS TO EXPORT COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY CONTAINED ON THE COMMERCE CONTROL LIST.**

(a) IN GENERAL.—Not later than 60 days after the end of each calendar quarter, the President shall transmit to the Committee on Banking, Finance, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives a report containing a listing of all licenses and other authorizations to export commercial satellites and related components and technology contained on the Commerce Control List.

(b) FORM.—Such report shall be submitted in unclassified form, but may contain a classified annex.

**SEC. 1243. REVIEW OF UNITED STATES MUNITIONS LIST.**

Section 38(f)(1) of the Arms Export Control Act (22 U.S.C. 2778(f)(1)) is amended by striking the last sentence and inserting the following: ''Such notice shall include, to the extent practicable, an enumeration of the item or items to be removed and describe the nature of any controls to be imposed on the item or items under any other provision of law.''.

**SEC. 1244. REPORT ON COUNTRY EXEMPTIONS FOR LICENSING OF EXPORTS OF MUNITIONS AND RELATED TECHNICAL DATA.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Attorney General and Secretary of Homeland Security shall submit to the appropriate congressional committees a report that contains an assessment of the extent to which the terms and conditions of an exemption for foreign countries from the licensing requirements of the Commerce Munitions List (or analogous controls for commercial satellites and related components and technology) contain strong safeguards.

(b) MATTERS TO BE INCLUDED.—The report shall include a compilation of sufficient documentation relating to the export of munitions, commercial spacecraft, and related technical data to facilitate law enforcement efforts to effectively detect, investigate, deter, and enforce criminal violations of any provision of the Export Administration Regulations, including efforts on the part of state sponsors of terrorism, other foreign countries, or entities to illicitly acquire such controlled United States technology.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1245. END-USE MONITORING OF MUNITIONS AND RELATED TECHNICAL DATA.**

(a) ESTABLISHMENT OF MONITORING PROGRAM.—In order to ensure accountability with respect to the export of munitions and related technical data on the Commerce Munitions List, the President shall establish a program to provide for the end-use monitoring of such munitions and related technical data.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report describing the actions taken to implement this section, including a detailed accounting of the costs and number of personnel associated with the program established under subsection (a).

**SEC. 1246. INTERAGENCY PROCESS FOR MODIFICATION OF CATEGORY XV OF THE UNITED STATES MUNITIONS LIST.**

(a) INTERAGENCY REVIEW.—Subject to the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), the President shall ensure that, through interagency procedures or regulations, the Secretary of State, the Secretary of Defense, the Secretary of Commerce, and as appropriate the Director of National Intelligence concur on all subsequent modifications to Category XV of the United States Munitions List (relating to spacecraft systems and associated equipment).

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report on the results of the interagency reviews required by subsection (a).

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

(A) A review of the space and space-related technologies currently on the United States Munitions List, to include satellite systems, dedicated subsystems, and components.

(B) An assessment of the national security risks of removing certain space and space-related technologies identified under subparagraph (A) from the United States Munitions List.

(C) An examination of the degree to which other nations' export control policies control or limit the export of space and space-related technologies for national security reasons.

(D) Recommendations for—

(i) the space and space-related technologies that should remain on, or may be candidates for removal from, the United States Munitions List based on the national security review required under subsection (a);

(ii) the safeguards and verifications necessary to—

(I) prevent the proliferation and diversion of such space and space-related technologies;

(II) confirm appropriate end use and end users; and

(III) minimize the risk that such space and space-related technologies could be use in foreign missile, space, or other applications that could pose a threat to the security of the United States; and

(iii) improvements to the space export control policy and processes of the United States that do not adversely affect United States national security.

(E) A description of and recommendations regarding how the United States industrial base and United States national security could be enhanced and strengthened through reforms to and amendments of export control laws and regulations.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 1247. DEFINITIONS.**

In this subtitle:

(1) COMMERCE MUNITIONS LIST.—The term ''Commerce Munitions List'' means items transferred from the United States Munitions List to the Commerce Control List and designated as ''600 series'' items on the Commerce Control List under the Export Administration Regulations, as proposed by the Bureau of Industry and Security of the Department of Commerce on July 15, 2011 (76 Fed. Reg. 41958), or any successor regulations.

(2) COMMERCIAL SATELLITES AND RELATED COMPONENTS AND TECHNOLOGY.—The term ''commercial satellites and related components and technology'' means—

(A) communications satellites that do not contain classified components, including remote sensing satellites with performance parameters below thresholds identified on the United States Munitions List; and

(B) systems, subsystems, parts, and components associated with such satellites and with performance parameters below thresholds specified for items that would remain on the United States Munitions List.

(3) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means the Export Administration Regulations as maintained and amended under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or any successor regulations.

(4) STATE SPONSOR OF TERRORISM.—The term ''state sponsor of terrorism'' means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or any other provision of law.

(5) UNITED STATES MUNITIONS LIST.—The term ''United States Munitions List'' means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I urge the Committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

Mr. Chair, I yield, at this time, 1 minute to the gentleman from California (Mr. GALLEGLY).

Mr. GALLEGLY. I want to thank Chairman MCKEON and also Ranking Member SMITH for all their work in putting this bill together.

My amendment, which is included in the en bloc, will address the repercussions of the expansion of sea otters into the southern California coastal waters. With the official termination of the sea otter containment zone by the Fish and Wildlife Service, sea otters will begin to migrate south. As they do this, they will be invading U.S. Naval testing areas.

While I fully support the recovery efforts of the sea otter, this does not have to happen at the expense of our national security.

By creating military readiness areas around San Nicolas Island, San Clemente Island, and the shores off Camp Pendleton, sea otters will be able to expand their range. At the same time, the Navy will be able to maintain

their incidental-taking exemption, which allows the Navy to continue their operation off the southern California coast without harming our national security.

Further, while implementing a plan for the recovery of sea otters, the Fish and Wildlife Service will have to coordinate with the Navy and the Department of Commerce on recovery efforts for other endangered and threatened species, and the State of California can continue a viable commercial harvest of fisheries.

The Acting CHAIR. The time of the gentleman has expired.

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

Mr. GALLEGLY. I urge support of this en bloc amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield myself 1 minute.

Just to respond to the arguments of the gentleman from Texas, if an al Qaeda terrorist comes to the U.S., whether they're an illegal alien or not, frankly, we want them arrested, tried, and convicted. All we want to do is make sure that they actually are a terrorist before we do that, to have a process in place so that the President doesn't have that power to simply lock somebody up without due process and a trial.

And then the argument about how we are bestowing upon illegal aliens constitutional rights. I've got bad news for the gentleman from Texas. We aren't bestowing anything. The United States Constitution bestows upon them those rights.

The United States Constitution says any person in the U.S., not citizen, not legal, illegal, it doesn't matter. So if he has a beef, he has a beef with James Madison and everybody else who supported the Constitution.

And we hear constantly from that side, strict interpretation, the Constitution must be adhered to. The Constitution says any person, not any lawful resident or any citizen. The United States Constitution clearly triggers that. We're not creating anything. In fact, the Gohmert amendment goes outside the Constitution by creating rights that aren't contemplated in here, separating people in this country in terms of who should get what rights. It's in the Constitution: any person.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chair, I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Chairman, I appreciate, again, the strong views of the distinguished ranking member. I would just say there is a real difference of opinion about to what extent U.S. constitutional rights, which each of us, as citizens, are privileged to have, are bestowed upon any illegal alien, as soon as they set foot in this country.

Now, there are places in the Constitution it says ''persons.'' There are other places it talks about ''accused.'' But I would point back to some of the very case law from the Supreme Court such as the Hamdan decision, which references the differences in procedure that due process requires for a citizen versus a noncitizen. It is not a clear-cut thing to say that as soon as you set foot on this soil, then you have the right to remain silent.

And the part that the gentleman—the other concern that many of us have is when you say you've got the right to remain silent, that prevents us from getting the intelligence, the information that prevents the attack of your buddy, the guy next to you. That's got to be factored in here too.

Mr. SMITH of Washington. I would just point out that Mirandized or not, nobody has to speak, and a ton of information has come out of people after they were Mirandized.

With that, I yield 1 minute to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, I want to thank the ranking member for yielding.

I rise in strong support of the en bloc amendment which includes my amendment. It requires the Secretary of Defense, the IRS, and Commerce to calculate the total cost of the wars in Afghanistan and Iraq to each American taxpayer.

My amendment is about truth and transparency. Americans need to know how their taxes are being spent so we can make informed decisions about our budget. Even if you do not oppose war, don't you want to know what it costs you, your children, your grandchildren, and your great grandchildren?

For too long there has been a big, fat, blank check for war. We need to be honest with ourselves. We need to be honest with each other.

Mr. Chairman, I hope all of my colleagues will support the Lewis amendment in this en bloc package.

□ 1530

Mr. MCKEON. Mr. Chairman, at this time, I yield 2 minutes to the gentlewoman from California (Mrs. BONO MACK) for the purpose of a colloquy.

Mrs. BONO MACK. I thank the gentleman for this colloquy. I would like to first thank him, my good friend from California, for his leadership and for his hard work in crafting this bill in support of our men and women in the military.

Mr. Chairman, as you know, these men and women sacrifice their lives to guarantee our safety. In return, it is our responsibility to provide the best possible care for them. Specifically, I am returning to an issue of growing importance to our country, and that is protecting our military men and women from the detrimental effects of prescription drug misuse. Because of the physical and emotional hardships we place on our troops, they are at an increased risk for using prescription drugs and, therefore, of misusing prescription drugs.

I was encouraged to see the recommendations made by the Pain Management Task Force at DOD to mitigate the risk of prescription drug abuses and dependence in pain patients, and I would like to work with you, Mr. Chairman, and the committee to ensure that the Department of Defense and the Veterans Administration adopt these recommendations as quickly as possible.

Mr. Chairman, I thank you again for your help, and I look forward to working with you as the National Defense Authorization Act moves into conference.

I yield to the gentleman from California.

Mr. MCKEON. I do agree that protecting our men and women in the military from the detrimental effects of prescription drug misuse, especially protecting our combat-wounded servicemembers, is of vital importance.

As the gentlelady knows, the committee report of H.R. 4310 includes an item of special interest that expresses the support for substance abuse treatment programs within the military services and that encourages the Department of Defense to pursue research aimed at developing new treatments to help our troops who are struggling with the devastating problem.

I will be happy to work with the gentlewoman from California to consider the appropriate measures to address this critical issue.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman.

As cofounder of the bipartisan Working Group on Export Controls, I want to thank my colleagues for their hard work to address this system, which was created in the midst of the Cold War but remained relatively unchanged despite the amazing advance of technology, which has rendered much of it obsolete.

We have an opportunity for reform by supporting the administration's initiatives to deliver greater clarity and efficiency. I think your amendment makes progress.

I have three concerns:

Provisions, first of all, that deal with the requirement the administration may be called upon to specify—individually—hundreds of thousands of parts that will be transferred, a requirement that may be impossible to comply with;

The amendment includes seven new reporting requirements of little use but taking valuable time away from enforcement;

And finally, the amendment would remove the President's existing authority, in place since 1998, to waive restriction on satellite exports, limiting his ability to conduct foreign policy.

I commend the good work that is in the bill, and hope that these provisions can be addressed as the legislation moves forward.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. At this time, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the gentleman for yielding.

I rise to express my concern that an amendment offered by Mr. TURNER that is contained in the en bloc amendments does not cure provisions in the underlying bill that weaken the enforcement of worker health and safety and that create a self-regulation regime for contractors at the National Nuclear Security Administration, which, I believe, will place profit above safety. Section 3115 would move the enforcement of worker health and safety from DOE's Office of Health, Safety and Security to the National Nuclear Security Administration.

Additionally, the legislation restricts the oversight authority of the Defense Nuclear Facilities Safety Board, which is a board that has played a vital role in independently addressing worker safety and whistleblower issues at large DOE projects.

To support my position, I would quote from this year's House Committee on Appropriations report accompanying the fiscal year 2013 energy and water bill:

> The committee believes that having an independent assessment capability at the Department is important and supports the role of HSS.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentlelady from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. I thank the ranking member for yielding his time.

Mr. Chairman, the amendment I am sponsoring today sends a loud and clear message to the Departments of Defense and Veterans Affairs.

It sends a message that we recognize that the problem of sexual assault in the military is real and significant. It sends a message that the VA should live up to its promise and remove the barriers to benefits for victims. But, most importantly, it sends a message to the survivors.

The men and women I have met with who volunteered to serve were dedicating their lives to military careers when they suddenly found out their worlds were crashing in on them when they became victims of sexual assault. It sends a message to them that we hear them, that we recognize the pain and the injustice they have suffered and that we will not stand for it.

I met with Secretary Panetta recently, and I know he understands this problem and is committed to changing the culture, but we cannot call that good enough. We need to say, in no uncertain terms, that we will not allow the men and women who wear the uniform to become victims of sexual assault and that we will not forget those who waited too long for the benefits they deserve.

Mr. MCKEON. May I inquire as to how much time we have remaining?

The Acting CHAIR. The gentleman from Washington has 5 minutes remaining. The gentleman from California has 6¼ minutes remaining.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. I thank the ranking member.

I rise today to support my amendment, No. 97, originally introduced as the American Jobs Matter Act, that is included in this en bloc package. This amendment will finally allow American manufacturers to compete fairly for Department of Defense contracts.

My State, which has built submarines for the Navy and has supplied our Armed Forces for generations, has lost about 130,000 manufacturing jobs in the last 20 years, and this country has lost about 6 million. At the same time, the Department of Defense, which is the largest purchaser of goods in the world, has been aggressively outsourcing work to foreign firms.

Instead of finding ways to get around the Buy America law, the DOD should be doing more to help protect manufacturing jobs here at home. When we lose the capacity to produce an item that our military needs, we put ourselves at risk, and we also lose jobs.

This amendment simply allows for the Federal Government to consider the number of jobs being created here in the United States as a part of a bid for U.S. defense work. Frankly, most of my constituents and our constituents probably think this already happens, but this is an important amendment for job creation and also for U.S. national security.

I would like to thank Chairman MCKEON and Ranking Member SMITH for their willingness to work together on this issue.

Mr. MCKEON. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentlelady from California (Ms. CHU).

Ms. CHU. I have a personal reason for offering this amendment. My nephew was a victim of military hazing, and it killed him.

Harry Lew was serving in the Marines in Afghanistan when his peers ordered him to dig a foxhole, to do pushups, like crunches and planks, with his heavy, full body armor and a 25-pound sandbag. They stomped, kicked, and punched him, and poured the entire contents of the sandbag onto his face and in his mouth. It lasted a full 3 hours and 20 minutes. Twenty minutes later, he committed suicide.

I thank Chairmen MCKEON and WILSON and Ranking Member SMITH because this bill takes the most significant steps to protect servicemembers from hazing—ever.

My amendment adds a GAO report so we can have an objective analysis of the DOD's antihazing policies. It also adds an annual report to Congress on what the DOD is doing to prevent hazing so that we can ensure there is real accountability.

Mr. MCKEON. We have no further requests for time, so I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield back the balance of my time.

Mr. MCKEON. I encourage all Members to support the en bloc amendments, and I yield back the balance of my time.

Mr. MANZULLO. Mr. Chair, this amendment has been a long time in coming. Congress overreacted back in 1998 to move export licensing decisions for commercial communication satellites (COMSATs) to the highly restrictive munitions list. As a result, worldwide market share for U.S.-made commercial communications satellites dropped from 75 percent to an average of just 44 percent over the past 13 years. As a result, the Aerospace Industries Association (AIA) estimated last January that U.S. manufacturers lost $21 billion in satellite revenue from 1999 to 2009, costing about 9,000 direct jobs annually because of treating exports of COMSATs, along with satellite parts and components, like military weaponry.

In addition, this Congressional overreaction harmed our national security because it hurt our U.S. space industrial base, particularly component manufacturers. These firms became less globally competitive because stringent export controls provide a perverse incentive to foreign satellite makers to design out U.S. parts. Thus, as these U.S. component makers struggle to sell their product in the commercial marketplace, they become less able to meet the national security needs of the U.S. government. A 2011 analysis of the U.S. space industrial base by the respected Tauri Group documented that out of 135 U.S. space hardware manufacturers, 28 technology areas are at some risk of disappearing from our shores because of limited suppliers.

The so-called "Section 1248" report recently released to Congress by the Departments of Defense and State on the risk assessment of U.S. space export control policy also documented that 95.7 percent of all export licenses for satellite parts and components in 2011 going to partners and allies were approved with no additional provisos or restrictions. Four percent were approved with conditions. Only 0.3 percent—or a total of six licenses—was denied. These 4.3 percent of applications will still be captured under the new satellite export licensing system proposed by the Administration. In other words, we waste valuable time and resources by processing licenses for satellite parts and components that involve little or no national security risk. The current licensing system detracts from efforts to stop true threats to our national security.

As a long time leader and proponent of sensible export control reform within the confines of protecting national security, I commend this bipartisan amendment. This proposal would have never come together without the support of the ranking Democratic Member of the House Foreign Affairs Committee, HOWARD BERMAN, along with my Chairman, ILEANA ROS-LEHTINEN. I want to particularly thank Representative BERMAN for asking me to be the principle Republican co-sponsor of the Safeguarding United States Satellite Leadership and Security Act of 2011 (H.R. 3288) that forms the underlying basis for this amendment.

However, this amendment isn't perfect. Some stakeholders have raised concerns

about the wording of certain phrases in this amendment and the plethora of reports it requires. Some of the concerns may be overblown but I am optimistic that these issues can be worked out with further tweaks to the language. I pledge my support and effort to help further ameliorate these concerns as the NDAA moves through the legislation process.

Again, Mr. Chair, I urge my colleagues to support this bipartisan compromise and vote for the first en bloc manager's amendment.

Mr. LEWIS of Georgia. Mr. Chair, I rise in strong support of the en bloc amendment, which includes my amendment. It requires the Secretary of Defense, the IRS, and Commerce to calculate the total cost of the wars in Afghanistan and Iraq to each American taxpayer.

My amendment is about truth and transparency. Americans need to know how their taxes are being spent, so we can make informed decisions about our budget.

Even if you do not oppose war, don't you want to know what it costs you, your children, your grandchildren, and your great-grandchildren?

For too long, there has been a big, fat blank check for war. We need to be honest with ourselves. We need to be honest with each other.

Mr. Chair, I hope all of my colleagues will support the Lewis amendment and this en bloc package.

Mr. PETRI. Mr. Chair, I urge my colleagues to join me and Representative KIND in correcting a government error and ending bureaucratic impediments that are keeping soldiers from receiving their earned benefits.

Quite simply, the Petri-Kind amendment, which is included in this en bloc amendment, would pay approximately 575 National Guardsmen for the vacation days they earned through the Post Deployment Mobilization Respite Absence program that they were unable to take after their last deployment due to government error. Some have not been reimbursed for as long as five years.

The problem occurred when the Defense Department did not issue the guidelines for calculating this benefit until several months after it went into effect. Some soldiers demobilizing during this time did not have these additional days added to their leave. Many of them have since retired or are not deploying again and are unable to use their earned vacation days.

This effort is a national problem, affecting Army National Guardsmen in 34 states. Unfortunately, soldiers in Wisconsin are affected more than those in any other state with 80 Wisconsin Army National Guardsmen impacted, most of whom are members of the 1157th Transportation Company based in Oshkosh. As I speak, this unit is once again serving overseas after deploying to Afghanistan just last month. I thank the entire Wisconsin delegation for their support of this amendment, as well as the National Guard Association of the United States.

This amendment is similar to Representative KLINE's bill, H.R. 4045, which passed by voice vote in the House Tuesday night to pay a much larger group of soldiers who also did not receive the pay they were promised.

Mr. Chair, we have a moral obligation to ensure that our men and women serving in the military receive the benefits they are due. I appreciate the support give to this amendment by the House Armed Services Committee and urge it's passing by the entire House.

Mr. VISCLOSKY. Mr. Chair, I rise to express my concerns with an amendment offered by Mr. TURNER contained in the en bloc amendment. I do not believe the Turner Amendment cures provisions of the underlying bill that weaken enforcement of worker health and safety, and create a self regulation regime for contractors at the National Nuclear Security Administration (NNSA). I believe these provisions place profit above safety.

Specifically, Section 3115 of H.R. 4310 would move enforcement of worker health and safety from Department of Energy's Office of Health, Safety and Security (HSS) to NNSA. Taking away the independent oversight that HSS provides at NNSA facilities is a mistake.

The House Committee on Appropriations in its report for the Fiscal Year 2013 Energy and Water bill was very clear on the value of HHS. It states, ''The Committee believes that having an independent assessment capability at the Department is important and supports the role of HSS in the areas of nuclear safety, worker safety and health, safeguards and security, cyber security and emergency management. The Committee agrees that the responsibility for protecting workers, the public, the environment, and national security assets rests with the Department's line management organizations. However, it is critical that the Department preserve the HSS authority to independently assess Departmental compliance and performance and to have access to and cooperation from all Departmental programs.''

Additionally, the legislation restricts the oversight authority of the Defense Nuclear Facilities Safety Board (DNFSB), a board that has played a vital role in independently addressing worker safety and whistle blower issues at large DOE projects. Again, the Fiscal Year 2013 Energy and Water report was unambiguous in expressing its support for DNFSB. It states, ''The Committee expects the DNFSB to continue to play a significant role in scrutinizing the Department's safety and security activities, including the reform initiatives underway in the Department that may impact projects under its jurisdiction.''

Further, the requirement that NNSA move towards ''performance-based oversight'' is misguided and will create a dangerous contractor self-regulation regime. While I do not believe that contractors will not take worker safety seriously, I do stand by the old adage that independent oversight is always more honest and rigid than self-evaluation.

Mr. HOLT. Mr. Chair, I rise in strong support of this amendment. Just this month, we learned from a leaked Air Force Instruction on intelligence activities that their drones ''incidentally'' collect imagery of ''US persons or private property without consent'' during the course of normal training operations. Neither I nor Mr. LANDRY intend to prevent Department elements charged with training UAV operators from being able to do their jobs. At the same time, we have a responsibility to ensure that data that is collected is not misused. That is precisely what Mr. LANDRY is trying to do today, and I am pleased to join him this effort.

This amendment will have no impact on the training activities of our unmanned aerial vehicle operators. What it will do is ensure that any imagery of American citizens, their homes, business, etc. that is collected cannot be used in any court proceeding in the absence of a judicial warrant issued on the basis of probable cause. I commend my colleague from Louisiana from offering this amendment, and I urge my colleagues to join me in supporting it.

Mr. SMITH of Washington. Mr. Chair, I rise to speak on the amendment by Mr. TURNER that addresses safety at defense nuclear facilities, that is considered in this en-block package.

Much reckless damage has been done in this bill that weakens safety for workers at defense nuclear facilities and for the public.

Among other changes, this hill blocks independent oversight by the Department of Energy and weakens the capacity of the Defense Nuclear Facilities Safety Board. This oversight is critical to keeping people safe, and we should not be cutting corners on safety.

These changes have profound implications and risk imperiling the safety and lives of worker and the public.

It also transfers responsibility for safety to the National Nuclear Security Administrator and to contractors, at a time when NNSA's undivided attention should be focused on maintaining a safe, secure and reliable nuclear deterrent and on the pressing need to make much-needed progress on nuclear nonproliferation to reduce the risk of nuclear terrorism.

For these reasons, Mr. MILLER, Mr. VISCLOSKY, Ms. SANCHEZ, Mr. WAXMAN and I submitted two amendments to undo some of the damage that is done in this bill, and that would have preserved strong safety standards and independent oversight.

My amendment would have restored the authority of the Secretary of Energy over the nuclear weapons complex and nonproliferation programs, whose control has been improperly severed without justification in this bill.

However, the Rules Committee did not make these amendments in order, and so regrettably we are prevented from having this important debate on an issue that affects thousands of Americans who work or live near defense nuclear sites.

Going forward, I will work with the Senate in conference to reverse many of these changes, to improve the outcome in our final bill.

Specifically with regard to the amendment by Mr. TURNER in this package, it makes several important improvements but does not go far enough and fail to fix significant problems in the bill.

(1) This amendment does not specifically prohibit a reduction in the safety standards, both nuclear and non-nuclear, compared to the standards we have today for defense nuclear facilities. Nonnuclear safety standards, such as fire protection, quality assurance, chemical, are also important to the safety of defense nuclear facilities.

(2) This amendment reaffirms that the decision on safety standards should be made by the Administrator for Nuclear Security, rather than by the Secretary of Energy and the Dept of Energy's Office of Health, Safety and Security, which would provide independent oversight of NNSA and the nuclear weapons complex health and safety and security operations.

(3) The core concept of risk and cost-benefit should not be an element of adequate protection. Inserting cost requirements muddles the requirements for safety. At this time, cost is not an element of adequate protection for commercial nuclear power or for DOE's defense nuclear facilities. It also forces the Defense Nuclear Facilities Safety Board to pre-

judge NNSA's action and decisions in responding to safety concerns, rather than allowing the Board to focus on identifying and raising safety concerns.

(4) This requirement places obstacles in the Board's path and will make it more difficult to ensure adequate protection of public and worker safety.

(5) These provisions would allow inconsistent safety standards.

I am deeply concerned about these changes and hope to work with my colleagues to remedy the measures that unnecessarily put workers and the public at risk.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

□ 1540

AMENDMENT NO. 3 OFFERED BY MR. KUCINICH

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–485.

Mr. KUCINICH. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle D of title XII of division A of the bill, add the following:

**SEC. 12xx. LIMITATION ON DEPLOYMENTS FOR NATO MISSIONS.**

(a) LIMITATION.—Beginning on the date of the enactment of this Act, the deployment of a unit or individual of the United States Armed Forces in support of a North Atlantic Treaty Organization mission may be made only after express statutory authorization has been obtained from Congress for such deployment.

(b) DEPLOYMENT DEFINED.—In this section, the term ''deployment'' has the meaning given that term in subsection 991(b) of title 10, United States Code.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. Mr. Chair, I yield myself 1 minute.

The administration's use of signature strikes raises the risk to innocent civilians or individuals who have had no relationship to attacks on the United States.

We know that the U.S. has made mistakes in who has been at the receiving end of its drone-strike program, and this was when we knew the identity of the person being targeted. A recent report by the Bureau of Investigative Journalism estimates that at least 2,292 people have been killed by U.S. drone strikes in Pakistan since 2004. The bureau estimates that, of that number, over 350 are civilians. A July 2009 Brookings Institution report stated 10 civilians die for every one suspected militant from U.S. drone strikes.

Yet another study by the New America Foundation concluded that out of the 114 drone attacks in Pakistan, at least 32 percent of those killed by the strikes were civilians. Again, that was before we allowed drone strikes based only on signature behaviors.

We cannot deny that our drone strikes have resulted in the death of innocent people.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, at this time I yield 1½ minutes to the distinguished ranking member, and I am glad to do so on an issue on which we agree.

Mr. SMITH of Washington. I thank the gentleman.

I rise in opposition to the amendment.

I think the gentleman raises a very legitimate point that the exercise of strikes against terrorist targets does need a proper oversight. There are a number of ways in which I think we can have greater transparency in those decisions, frankly, whether they're signature strikes or against individuals.

The bottom line is al Qaeda declared war against us in 1996. They are actively prosecuting that war against us from a number of different locations, many of which we don't have as much information as we would like, but clearly in federally administered tribal areas of Pakistan and Yemen and Somalia, they are organizing training camps and they are actively pursuing us. Our Joint Special Operations Command is trying to keep track of those networks and keep them from attacking us.

The ability to hit those training camps is an important part of protecting us from terrorist attacks. As General McChrystal said: It takes a network to beat a network. We need our network to have the ability to stop Al Qaeda's network. They declared war against us. They haven't changed their mind. It is still something that we need to be able to adequately protect this country against. This amendment unduly restricts our military's ability to protect this country.

Mr. KUCINICH. Mr. Chair, I yield myself 30 seconds.

We're talking about the deaths of innocent people here. A recent article published in The Washington Post revealed that the Central Intelligence Agency and the Joint Special Operations Command have been given new authority that allows them to fire upon targets based solely on their so-called ''intelligence signatures,'' patterns of behavior that are detected through signal intercepts, human sources, aerial surveillance, and that indicated a presence of an important operative plot against U.S. interests. But allowing CIA and JSOC to conduct drone strikes without having to know the identity of the person they're targeting is in stark contrast to targeted strikes against suspected terrorists on lists maintained by the CIA and JSOC.

Mr. THORNBERRY. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend.

I rise to respectfully disagree with the amendment offered by a person for whom I have great respect. I know that he offers this amendment because he certainly wants to avoid a situation where our country arbitrarily takes innocent human life. I think he's right to have that concern, and I think it's one that is widely held. I think that the issue raised by this amendment is whether others can be entrusted with striking that same balance or whether the Congress should enact a unilateral prohibition against certain kinds of activities.

When the decision-makers who operate these drone strikes make a decision, they have to strike this balance between our moral obligation to avoid arbitrary attacks on innocent people and our moral obligation to defend our country. And I think that they are capable of striking that balance, and I frankly think that a blanket prohibition against the use of these strikes—except in circumstances where we know the identity of the target—unduly restricts them in making that judgment.

I certainly understand and sympathize with the goal of this amendment. But because I think it unduly restricts our options, I would urge its defeat.

Mr. KUCINICH. I yield 2 minutes to the cosponsor of the amendment, the ranking Democrat on the Judiciary Committee, Mr. CONYERS of Michigan.

Mr. CONYERS. I thank the author of the amendment, and I join with him in it because, ladies and gentlemen, the administration policy up till now has been quite clear: drones pursue specific individuals who appear on a target list maintained by the CIA and initiate attacks only when drone operators are confident that the individual being targeted is a terrorist on that list.

What this amendment attempts to ensure is that the missile strikes being used by the CIA or the Joint Special Operations Command are targeting actual terrorists that pose a threat to our national security and not against civilians who may look suspicious to a drone operator operating thousands of miles away. What I am saying is merely that a new and expanded drone policy that allows for indiscriminate missile strikes against supposedly suspicious individuals obviously increases the risk of civilian death and risks inflaming an already powerful anti-American sentiment abroad. Ladies and gentlemen, this policy will not make us any safer. It will do just the opposite.

I encourage my colleagues to support our amendment so that the Congress ensures that accountability and a

measure of precision and due process are retained as critical components of our country's drone policy.

Mr. THORNBERRY. Mr. Chairman, I reserve the balance of my time.

Mr. KUCINICH. Mr. Chair, I am prepared to close. I reserve the balance of my time.

Mr. THORNBERRY. As a point of parliamentary inquiry, Mr. Chairman, who has the right to close on this amendment?

The Acting CHAIR. The gentleman from Texas has the right to close.

Mr. THORNBERRY. Further parliamentary inquiry, Mr. Chairman. How much time remains on our side?

The Acting CHAIR. The gentleman from Texas has 2½ minutes remaining. The gentleman from Ohio has 1½ minutes remaining.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Rhode Island, the ranking member of the Emerging Threats and Capabilities Subcommittee.

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

Mr. LANGEVIN. I thank the gentleman for yielding, and I appreciate the gentleman from Ohio and the gentleman from Michigan for offering this amendment; but unfortunately I must rise in opposition.

I certainly share their concerns, and I know of their good intentions; and I certainly share the authors' concerns over civilian casualties, and certainly even one civilian death is too many.

Mr. Chair, we should not jeopardize our men and women in uniform by hamstringing their ability to engage when threatened or returning fire. Certainly the Predators are incredibly powerful tools, and they need to be used judiciously and appropriately. I believe that they are only when necessary. The language here as it is written would threaten many of the most urgent uses of remotely powered aircraft. For example, if our troops are under fire from an unknown assailant or if an insurgent is placing a bomb, this language, as I read it, would prohibit targeting that individual.

Mr. Chairman, patterns of behavior are certainly appropriate indicators and are vetted strenuously. John Brennan at the White House has indicated and stated publicly that the drone-strike policy was rooted in adherence to law, and indeed the authorization for use of military force provides the President with the authority to ''use all necessary and appropriate force.''

The Acting CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. I yield the gentleman another 15 seconds.

□ 1550

Mr. LANGEVIN. I appreciate the gentleman yielding.

There are strict policies for how these tools can be used: there has to be a significant threat to the United States; action could mitigate or prevent an actual threat from materializing; capture is not feasible or could put U.S. servicemen and -women in undue harm; and collateral damage and harm to civilians is minimal. This strict criteria is what can be used, and I think they are the tools that we need to preserve.

Mr. KUCINICH. Parliamentary inquiry.

The Acting CHAIR. The gentleman from Ohio will state his inquiry.

Mr. KUCINICH. As a matter of procedure, who has the right to close, the sponsor of an amendment or the opponent of an amendment?

The Acting CHAIR. A manager of a measure who opposes an amendment thereto has the right to close.

Mr. KUCINICH. I thank the Chair.

I am prepared to close. How much time do I have remaining, please?

The Acting CHAIR. The gentleman from Ohio has 1½ minutes remaining.

Mr. KUCINICH. In the absence of transparency and accountability for the drones program abroad, overreach is unchecked. The administration refuses to release the legal justification for permitting so-called ''signature drone strikes.'' The administration refuses to disclose whether and how there's any follow-up with the families of innocent civilians who died from a drone strike. The administration refuses to disclose whether civilian casualties are collected, tracked, and analyzed.

Our amendment, the Conyers-Kucinich amendment, recognizes that innocent civilians should not be collateral damage. It recognizes that sending an unmanned plane to drop bombs without knowing the identity of a target does not reflect American values. It recognizes that drones bombing people of unknown identity will generate powerful and enduring anti-American sentiment that prolongs and expands wars. It recognizes that Congress did not give the President an unlimited and unchecked power to expand our wars abroad, especially when it does not even bother to give Congress the legal justification to do so.

It became clear that the authorization for the use of military force is being interpreted, given carte blanche to circumvent Congress, and we ought to put an end to it right now.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, this amendment raises a number of concerns. It is a very strange thing, for example, to say in a war that you have to know the name, rank, and serial number of the person that you are about to shoot before you can even shoot him. And to put it a little more in this context, the gentleman from Ohio's amendment would say that if we see people making bombs down there that are going to be used against our servicepeople, that we can't do anything about it, that we've just got to watch them. And then even after the bomb explodes, unless we know the identity—which is the language in the amendment—unless we know the name of the person down there, we can't do anything about it, with all of the technology that's available to the United States.

And actually, it gets even worse. If we see al Qaeda members shooting at our troops down there, if we don't know the identity or the name of the people doing the shooting, then we can't do anything about it. Surely that carries things far too far.

We can't debate in the open House all of the allegations that are made in newspaper articles. What we can do is say what the National Security Adviser or the President has said, that these sorts of capabilities are only used pursuant to law, and they are only used where there is a significant threat to the U.S., where action could mitigate or prevent the threat, and that collateral damage or harm to civilians is absolutely minimal. That helps protect our soldiers and our country.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY MR. ROHRABACHER

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–485.

Mr. ROHRABACHER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XII of division A of the bill, add the following:

**SEC. 12xx. PROHIBITION ON AVAILABILITY OF FUNDS FOR ASSISTANCE FOR PAKISTAN.**

Notwithstanding any other provision of this Act, none of the funds authorized to be appropriated by this Act may be used to provide assistance for Pakistan.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, since 9/11, the United States has given Pakistan about $22 billion. That money has served only to embolden Pakistan's government to maintain the brutal repression of its own people and to continue its blatant support for terrorist attacks on its neighboring countries, as well as attacks on American troops in nearby Afghanistan.

My amendment would cut off all aid in this bill designated for Pakistan. It would end the charade that we are buying cooperation in the ongoing struggle against terrorist forces in South Asia. Pakistan isn't with us in a war against terrorism; they are at war with us.

Pakistan, at best, is a war profiteer, collecting a ransom by taxing our military supply lines that pass through

their country, which, for the past 6 months, by the way, they have closed to resupplying our forces in Afghanistan. They are laughing all the way to the bank. Of course, the Pakistani people will never see any of that money.

The corruption in Pakistan itself is reason not to give aid to them, which they will then pilfer. Furthermore, they use their military power to butcher the Balochs and others who don't want to be under their corrupt thumb.

How can we forget this same Pakistani Government gave safe haven to Osama bin Laden after he led the conspiracy that slaughtered 3,000 Americans on 9/11? After our SEALs went in to get him, the Pakistani Government took the wreckage of our downed stealth helicopter and gave it for study to Communist China, whom they refer to as their ''all-weather friend.''

The Pakistani Government has gone so far as to arrest and imprison, without trial, Dr. Afridi, the doctor who helped us gather the intelligence that located Osama bin Laden in the nest that the Pakistani Government had provided him right there in Pakistan. The Pakistani Government threw him in jail and is talking about trying him for treason for the good deed that he helped us in bringing to justice the man who slaughtered 3,000 of our citizens. And we can continue to give money to these people, even as we ignore the suffering of Dr. Afridi, who is in prison now, languishing in prison? And all of us are forgetting this hero?

We have lost almost 2,000 Americans defending our country as part of Operation Enduring Freedom. Most of those deaths were due to Pakistani-inspired and -supported insurgents.

How much more does the Pakistan Government have to do before we quit giving them our money? They are playing us like fools while murdering our soldiers. And, yes, we are acting like fools for giving them this money despite that. We should have quit bankrolling this rotten regime a long time ago. My amendment would do just that.

The Pakistan Government is a terrorist government that murders and even attacks its own people, such as in Balochistan. It is a pro-terrorist, radical Islamic clique that rules Pakistan. They don't deserve one penny from us to help them in their dirty deeds.

I would ask for support from my colleagues. Let's finally stand up. If we need an ally in that area, let's go to some people in that area that want to be our friends, perhaps the Indians.

I reserve the balance of my time.

Mr. SMITH of Washington. I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. I appreciate the gentleman from Washington yielding me 2 minutes.

I strongly urge opposition to this amendment with some heavy heart because some of the things that my good colleague has said may be accurate; much of it is inflammatory and not accurate. But nevertheless, I don't want to be seen as an apologist for Pakistan.

But by the same token, we have trimmed the amount of money subject to this authorization and to this amendment by half. We have strengthened the controls around that money to require Pakistan to certify to us, to Secretary Panetta, that, in fact, this money is being spent in the fight against counterterrorism.

□ 1600

We will have additional amendments on floor this afternoon that don't have any opposition, which will further strengthen that certification process. And by restricting all funds, under the DOD position, simply plays into the bad guys' hands in Pakistan. It will give them no incentives in which to work with us and it will further their strength and resolve to close the cross-border, overland passage of U.S. military goods to assist us with the fight in Afghanistan.

While my good colleague has much greater experience with some of those folks in that part of the world than I do, nevertheless, I stand in opposition to his amendment. It is a meat cleaver when we ought to be going at it the way we've done it—by trimming the money back, putting restrictions on that money that will force the Pakistanis in order to get it. And, by the way, they have not gotten money from DOD since June of 2010.

So while the comments that he's made might apply to all funding for the State Department and everything else, it only applies to Department of Defense money. We've not given them money since June of 2010. We have adequate protections in the bill this time and will strengthen those protections later on in the debate in the votes this afternoon.

I stand in opposition to the amendment.

Mr. ROHRABACHER. I reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman. And certainly I've worked with the gentleman from California on a number of issues, and I rise in vigorous opposition to this amendment as the cochairman and founder of the Pakistan Caucus. And let me frame the reason.

First of all, we have a very responsible and sizable Pakistani American community that champions the idea of a democratic and economically stable Pakistan. It was only a few years ago that Benazir Bhutto was assassinated. However, the government that has carried on, although living in a difficult neighborhood and having difficult challenges, is a result of her efforts to try to bring democracy to Pakistan.

The people of Pakistan live in a very difficult neighborhood, and if we abandon this assistance—obviously, defense assistance—we abandon the people of Pakistan. We abandon those who want an education and economic stability. We abandon those soldiers in the Pakistani military who have fallen in battle fighting against terrorists. We will abandon those who have been in the Swat Valley. We will abandon those who have been in the mountains of Pakistan.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield the gentlewoman an additional 20 seconds.

Ms. JACKSON LEE of Texas. It will abandon those who are fighting for democracy, with the Pakistani President heading to participate in NATO with Ambassador Sherry Rehman here, who interacts with Members of Congress.

Let me tell the American people, Pakistan is an effective ally with challenges, and we should not deny them the opportunity to correct and turn the corner. I ask my colleagues to recognize the value of Pakistan's alliance. It is better to be engaged than to not be engaged.

Let us oppose this amendment. It is the wrong direction to go.

Mr. ROHRABACHER. I continue to reserve the balance of my time.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I think all of us share many of the frustrations voiced by the gentleman from California, but his amendment goes too far.

I agree we should look for additional allies in the region. The problem is there's not another ally in the region through which our military can be supplied. So for the sake of our troops in Afghanistan, as well as a lot of the broader interests in the region, it is important for us to try to improve our relationship with Pakistan.

And as my colleague from Texas says, in the bill now we cut the funds from DOD in half and we require a certification that Pakistan is supporting our counterterrorism efforts, that they are supporting efforts to dismantle the IED networks, that they are preventing the proliferation of nuclear-related material, that they are issuing visas in a timely manner for U.S. Government personnel involved in counterterrorism efforts. We put severe restrictions on any assistance that they get. But that is a carrot to encourage them to work with us, rather than saying, No, you get nothing.

Mr. ROHRABACHER. How much time is remaining?

The Acting CHAIR. The gentleman from California has 1 minute remaining. The gentleman from Washington has 45 seconds remaining.

Mr. ROHRABACHER. I have here 13 pages of restrictions that we have had on Pakistan aid over the last few years, 13 pages of restrictions that have meant nothing.

During the time that we have been giving them billions of dollars with all

of these restrictions, they have been giving safe haven to Osama bin Laden, who massacred and slaughtered 3,000 Americans. How can we forget about that? How can we just go on and give these people money?

The people of Pakistan can be our friends. They are our friends. But we have to recognize that their government is a terrorist-supporting government and a radical Islamic-supporting government.

And we continue to give them money as they support insurgents that kill our people overseas. Is there any doubt about that? Admiral Mullen confirmed it for us.

Why are we ignoring that? We are acting like fools and we are acting like cowards. It is time for us to stand up for the American defenders who are over there putting their lives on the line and say, No. If we're going to give money to the people killing you, we're not going to do that, period. That's going over the line.

I would suggest to my colleagues to join me in defunding the enemy of the United States.

I yield back the balance of my time.

Mr. SMITH of Washington. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 45 seconds.

Mr. SMITH of Washington. We are not ignoring any of that. All of those issues are things we discussed in the Armed Services Committee, are very much aware of and very concerned about. But the bottom line is, as my colleagues have pointed out, regrettably, Pakistan is in a part of the world where we have national security interests.

Pakistan has, at various times, provided critical support to allow us to get the supplies we need to our troops in Afghanistan. They have also assisted us in going after various terrorist groups inside of Pakistan. That help has been maybe 2 percent of what we would like it to be, but that 2 percent, regrettably, is help we cannot turn away.

It is a very problematic relationship. I think the gentleman who offered this amendment described that quite well. But we cannot afford to simply cut it off because of how important that region is to our national security interests. His amendment would do that. And it is bad policy for this country, bad policy for our troops, and bad policy for our national security interests. Therefore, I would urge us to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. LEE OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–485.

Ms. LEE of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle B of title XII of division A of the bill, add the following:

**SEC. 12xx. LIMITATION ON FUNDS FOR OPERATIONS OF THE ARMED FORCES IN AFGHANISTAN.**

(a) IN GENERAL.—Funds made available to carry out this Act for operations of the Armed Forces in Afghanistan shall be obligated and expended only for purposes of providing for the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to authorize the use of funds for the continuation of combat operations in Afghanistan while carrying out the safe and orderly withdrawal from Afghanistan of all members of the Armed Forces and Department of Defense contractor personnel who are in Afghanistan; and

(2) to prohibit or otherwise restrict the use of funds available to any department or agency of the United States to carry out diplomatic efforts or humanitarian, development, or general reconstruction activities in Afghanistan.

The Acting CHAIR. Pursuant to House Resolution 661, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE of California. First, let me just say this. It is just downright outrageous that the McGovern-Jones amendment was ruled out of order by the Rules Committee, denying this House the opportunity to debate and vote on their amendment.

Secondly, we really do need a clear and 2 days of debate, at least—not 20 minutes—on this critical issue of Afghanistan. So for the life of me, 20 minutes is not long enough. And I don't quite understand why, in fact, the McGovern-Jones amendment was not given the full amount of time, because the American people deserve to hear both sides of this issue from a variety of policy perspectives.

My amendment today would put a responsible end to combat operation in Afghanistan by limiting the funding to the safe and orderly withdrawal of U.S. troops and military contractors.

And I have to thank the cosponsors of this bipartisan amendment—Representatives JONES, CONYERS, PAUL, WOOLSEY, WELCH, NADLER, HASTINGS—and all of our colleagues who have worked on this issue throughout the years to responsibly end the war in Afghanistan. I have offered this amendment in the past, and it has been a bipartisan amendment.

It is clear that the American people have been far ahead of Congress in supporting an end to the war in Afghanistan. My amendment allows Congress the opportunity to stand squarely with the war-weary American people who want to bring our troops home. The call has been growing across this land to bring this war to an end. It's time now for the Congress to answer the call here today.

□ 1610

The reality is there is no military solution to the war in Afghanistan. Our brave troops have done everything that was asked of them and more.

As a daughter of a military veteran, I also know firsthand the sacrifices and the commitment involved with defending our Nation. But the truth is that they have been put in an impossible situation. There is no military solution, and it's past time to end the war and bring the troops home.

Over a decade now, over $500 billion spent in direct costs and, mind you, not a penny of it has been paid for. Instead, we should have been investing in jobs and in our economy here at home and a smarter national security strategy.

It is time to say enough is enough. With almost 2,000 United States troops killed in Afghanistan and many tens of thousands more maimed with injuries both hidden and visible, we must recognize that the boots on the ground strategy in Afghanistan must end. It's critical to our economy and the future of this country that we stop pouring billions on a counterproductive military presence in Afghanistan.

The American people have made it clear that the war is no longer worth fighting—not for another year, not for another 2 years, and surely not for another 12 years. Today, Congress should stand with seven out of 10 Americans who oppose the war in Afghanistan. After 11 long years, it is time to bring our troops home. We can do that responsibly by voting ''yes'' on the Lee amendment today.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 10 minutes.

Mr. MCKEON. At this time, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY), the vice chairman of the committee.

Mr. THORNBERRY. Mr. Chairman, essentially this amendment says get out now; leave Afghanistan regardless of the consequences.

I appreciate the honesty and the forthright nature of this amendment offered by the gentlelady from California. It is better to say up front what you're trying to do rather than put various conditions on it, or to tie our troops' hands in some way, or to not put enough troops in the field in order to accomplish the mission we're asking them to do. This is very clear. It says

leave now. And it is tempting for all of us because we have been there for awhile.

I want our troops to leave as soon as possible consistent with national security. As a matter of fact, the underlying bill says that the United States military should not maintain an indefinite combat presence in Afghanistan and should transition to a counterterrorism and advise-and-assist mission at the earliest possible date consistent with the conditions on the ground. And that's really the difference—consistent with the conditions on the ground.

We believe, I believe, you have to take account of what the situation is there, and you cannot just abandon Afghanistan and ignore, stick your head in the sand and pretend it's not going to have consequences. I think it's important to remember why we're there to begin with. We're not there because of them. We're there because of us. We're there to make sure that Afghanistan is no longer used as a safe haven, as a base which will be used to launch attacks against us. That's the crux of the matter.

As soon as they are able to provide for their own security and prevent a return of the Taliban, a return of al Qaeda, then we can go and we'll have accomplished our mission, and they'll have to sort through their domestic issues on their own.

But if we leave too early and al Qaeda and the Taliban return and use it as a base to launch attacks against us, then I'm afraid more Americans will suffer and we could see repeats of past terrorist attacks.

So as tempting as it is, Mr. Chairman, we cannot ignore the consequences of our actions. Leaving too fast would be bad for our security.

Ms. LEE of California. I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise today in support of my friend BARBARA LEE's amendment.

Let's look at the facts. Two-thirds of Americans oppose our military occupation of Afghanistan. So if the American people were to vote on this amendment today, it would pass overwhelmingly with support from both Democrats and Republicans. After nearly 11 years, Mr. Chairman, enough is enough.

Congress must catch up to the people they represent and embrace a responsible end to this war. Instead of dumping $10 billion a month into an unwinnable war, let's redirect our resources towards a SMART Security approach. Let's invest in people. Let's invest in development. Let's invest in humanitarian progress. Let's bring our troops home.

Vote ''yes'' on the Lee amendment. Vote ''yes'' for SMART Security. Vote ''yes'' for the American people.

Mr. MCKEON. At this time, Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), a member of the committee.

Mr. CONAWAY. Mr. Chairman, I appreciate the chairman yielding me the time.

I stand in opposition to this amendment. My colleague stated it very well earlier. This says just get out now.

My colleagues across the aisle in support of this amendment have continued to use the word ''responsible'' over and over, and there is nothing responsible about abandoning the efforts in Afghanistan today without proper conditions on the ground.

The President has a plan in place. Some of us may have had differing ideas with him, but he put a plan in place that says our combat troops will be out of there by 2014 contingent with conditions on the ground.

The Afghan people are responsible for their own security, and we're trying to help them get to that place with the Afghan National Army, the Afghan National Police, and the Afghan local army. Those efforts are going on across the provinces of Afghanistan as we speak, and they're getting into the lead to take care of their security.

But abandoning of Afghanistan today would put at risk 27 million Afghanis who are counting on us to get this right, counting on us to put them in a position to be able to defend themselves when we do leave in 2014. So getting out now, Mr. Chairman, is irresponsible rather than responsible.

Now, I understand all of us are tired. All of us are weary. None of us like to go to those funerals. I go to the funerals of the young men and women who have been killed in Afghanistan and Iraq, and I stand with those moms and dads and husbands and wives on the worst days of their life. I understand, it's grinding grief that's associated with it. But there's a pride also attached to it that their loved one gave their life for something positive, for something good, so that 27 million Afghanis could create a government that would allow them to rule themselves and not have the thugs and the Taliban do what they did in the mid-1990s: come in and slaughter all of the thoughtful people, all the teachers, all the folks who would lead, in order to subjugate their people in ways that are just horrendous.

They will do that again to anyone who has helped us over this last 10-year period. So we do have a responsibility there. The responsibility is to get out when the conditions on the ground say it's time to get out.

NATO is meeting this weekend in Chicago to determine ongoing conditions, what's going to be done with respect to their commitments, and this amendment would undermine all of those efforts going on there.

So I stand in opposition to this amendment and encourage my colleagues to vote ''no'' on this amendment.

Ms. LEE of California. Mr. Chairman, I would like to yield 1 minute to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the gentlelady from California, and I appreciate that ending America's longest war—over 10 years—is not an unreasonable notion, because there is a serious misunderstanding going on about this amendment on the other side.

Withdrawing United States troops does not mean we're abandoning Afghanistan. Please, there's a difference. There are other ways that we can continue to develop the diplomatic and political solutions that can't be won at gunpoint.

Don't you get it? If we're leaving in 2014, we're just saying let's speed it up; let's begin a rational withdrawal. And we have a responsibility to keep a commitment to Afghanistan. It doesn't mean troops. It doesn't mean our military has to die.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes at this time to the gentleman from Florida (Mr. WEST), a member of the committee, a gentleman who has led troops in battle.

Mr. WEST. Mr. Chairman, thank you for allowing me to speak.

I will say this one thing. I've been in Afghanistan for 2½ years. And having been a ground combat commander, I say one thing: if this amendment were to pass, where it says this amendment would restrict the authorization and use of funds for continuation of combat operations in Afghanistan, just today, in the Farah province, which I've been to, the Taliban attacked an Afghan Government compound, killing 7 people.

□ 1620

What you are telling our men and women in combat, what you are saying to the enemy is that we are going to leave those men and women hanging, that we are not going to provide them the resources.

Now, I see where this amendment says it does not prohibit or restrict the use of funds available for the U.S. to carry out diplomatic, humanitarian, development, or general reconstruction efforts. One of the problems that we have had in Afghanistan is that we got involved in nation-building, we got involved in occupational-style warfare, and truly not being involved in a counterterrorism style of warfare and going after the enemy. This is where our primary focus should be.

We have generals that are on the ground that know what they're doing. They've been to Staff College, they've been to War College. Why is it that we don't want to listen to the people that we have placed trust and confidence in to lead our men and women in combat? They have been told that in 2014 we will be drawing down and leaving Afghanistan. Why in God's name would we want to repeat some of the horrible things that I saw my older brother go through in Vietnam, where we restricted funding, and the next thing you know you had the killing fields of Pol Pot? I'm telling you, I've been in Afghanistan; I know this enemy. And I don't see anyone over there, my dear colleagues on the other side, that I would trust more than General Allen,

who is on the ground, who knows what he has to do.

The message that you send to our troops is that you're abandoning them. The message that you send to the Taliban, to al Qaeda, to the Haqqani Network, to LeT, to every single radical Islamic group, is that we have turned our backs on our military, and you can continue to kill them.

I just want to say one simple thing. Two weeks ago, I went to the memorial service for PFC Michael J. Metcalf of Boynton Beach, Florida, who was laid to rest today in Arlington. I will not turn my back on those men and women who are still my friends, some of them even my relatives. I ask that my colleagues do not vote for this amendment.

Ms. LEE of California. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from California has 4½ minutes remaining. The gentleman from California has 4 minutes remaining.

Ms. LEE of California. I yield myself 30 seconds and respond to the gentleman from Florida and just say this amendment—I think he's probably not reading the amendment that I have offered.

What this amendment does is restrict our funding for the purpose of the safe and the orderly withdrawal from Afghanistan of all members of the Armed Forces and the Department of Defense. It is not a cut-and-run amendment. This is a force protection amendment. It would bring our young men and women out of harm's way and it would provide the resources to move forward to help stabilize the region.

I'd like now to yield 1 minute to the gentlelady from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Mr. Chairman, I rise to speak in support of the Lee amendment.

When I was in the Hawaii State legislature, we were the only State that did a Hawaii Medal of Honor. The unfortunate part about it is we gave those medals to the spouses and the families and the friends of those who had fallen in Iraq and Afghanistan, as long as they had some connection to Hawaii, either serving at one of our bases or being from there. When I went through that proceeding, I said, you know, as soon as we can—and I believe the time has come for us—we must safely remove our troops and the civilian personnel because we owe it to them.

It is not a matter of whether or not we are abdicating or we are turning our backs on them. They have done what they were sent there to do. Eleven years of fighting; Osama bin Laden is dead. The people of the United States know that, and they are asking us to remove the men and women. Don't continue them in harm's way because we have done what we told them they were sent there to do. That is why I stand in support of the Lee amendment.

Mr. MCKEON. Mr. Chairman, at this time I yield 1 minute to my friend and colleague, the gentleman from Illinois (Mr. KINZINGER), a member of the committee and an Air Force pilot.

Mr. KINZINGER of Illinois. Mr. Chairman, leadership isn't easy. These are lessons that we learned all through history. We learned it from Abraham Lincoln when he had to face a union that was dissolving. I learned it in officer training as a pilot in the military. And I learned it in my experience overseas.

Think of the sacrifice that our troops have made in Afghanistan. Now, we understand it's been too long, but think of the sacrifice they've made. Now we're getting ready—very quickly, with the passage of an amendment, if this passes—to say we're just getting out; we're not going to leave the commanders on the ground with the authority to say how we do it or what we do.

What are we going to say to our troops if this passes, and what are we going to say to Bibi? Bibi is a young woman in Afghanistan who at the age of 12 was sold into slavery because somebody committed a crime in her family and the Taliban required her to be sold into slavery. She escaped and had her nose and ears cut off. Her uncle and her family turned their back on her as she tried to crawl to safety. She went to an American forward operating base, where she was granted safety and freedom. What are we going to say to Bibi when we pick up and say, you know what, we've had enough, we're just going to pick up and leave today?

This is a big deal. I would urge my colleagues to oppose this ill-thought-out amendment.

Ms. LEE of California. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from California has 2 minutes remaining. The gentleman from California has 3 minutes remaining.

Ms. LEE of California. I'd like to yield now 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I'd like to thank the gentlelady for a very thoughtful amendment. And I again acknowledge the amendment that both Mr. SMITH and Mr. MCGOVERN had. Clearly, what this is is an opportunity for the American people to speak through their representatives here on the floor of the House.

None of us want to promote the killing of women, the cutting off of ears, the mutilation of anyone. I have founded and chaired the Afghan Caucus. I have gone to Afghanistan many times. I've delivered books to their schools. What we are suggesting is that the precious blood of our soldiers, first going there after the horrific incident of 9/11, they, after 10 years, have given the fullest measure. What we're suggesting is that we bring them home safely and orderly, and that we begin to use the diplomatic resources, we enhance NATO, we make sure that we work with our allies, and we have the Afghan national security forces stand up. That's what we're saying.

We've given enough ribbons and hero awards because we know that our soldiers would not step away—they want to be there with their comrades. But it is important for us, as Members of Congress, who make decisions to send young men and women into war, to make a decision that their job is well done, and that Afghanistan begin to, in essence, develop the democratic processes and begin to have their national security forces and their police officers stand up. Enough killing of our soldiers by internal acts by Afghan police and soldiers. Let us bring them home now in an orderly way.

God bless our troops, and God bless the United States of America.

Mr. MCKEON. Mr. Chairman, at this time I yield 1 minute to my friend and colleague, the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I flew combat missions in Vietnam in 1971, '72, and '73. I was there when Members of this House voted to cut the funds to troops in combat.

I'm hearing the words ''safe'' and ''orderly'' withdrawal. Has anyone on the other side looked at the safe and orderly withdrawal that occurred in Vietnam? As we fell head over heels, we left 574 combat-ready aircraft there. That was the safe and orderly withdrawal we had when this body began to manage Vietnam. We lost the Vietnam War because we took the control of the war away from the generals and placed it into this body, people who had never been in combat, who had never been in harm's way.

I'm telling you, as someone who was there during a time when Congress choked off the funds to people that were in harm's way, I had a burning anger that burns today. And when I see this amendment and visualize the young men and women over there whom you're cutting funds off to and saying we're going to leave you with an orderly and quiet withdrawal—it's not humanly possible. The other side doesn't play by your orderly rules.

Understand that this is war, and our troops' lives are at risk, and you're putting them more so.

Ms. LEE of California. Mr. Chairman, I reserve the balance of my time.

Mr. MCKEON. Could I ask the time remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining. The gentlewoman from California has 1 minute remaining.

Mr. MCKEON. And I have the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. MCKEON. I reserve the balance of my time.

Ms. LEE of California. Let me just first say that I appreciate this 20-minute debate, but we should have a couple of days to be able to have a full debate on why we need to, one, protect our troops and provide for their safe and orderly withdrawal.

The American people are war weary. We need to reunite our brave men and

women in uniform with their families at home. We should transfer the billions of dollars that we're spending on war to creating jobs here at home. We should ensure that our troops are provided with the resources that they deserve and they need during this withdrawal.

□ 1630

We're asking for a safe and orderly withdrawal. We're saying our young men and women have fought; they've done everything we've asked them to do. We think that now, as the American people are saying, the combat mission, the fighting should end, and we should begin by protecting our troops and contractors; and we should begin to end the longest war in American history. It's time to end the war in Afghanistan.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, when I was in Afghanistan a few years ago, I visited Camp Leatherneck. General Nicholson, who was just setting up base, and they were just there in the desert—the men were out setting up forward operating bases, trying to take back territory that the Taliban commanded. The general told me that his troops were being asked every day by the local people, when are you leaving? How long are you going to be here? Can we trust you to be here to protect us?

Last year, when I returned, I went to the same area. We were able to go to Marjah this time, which we couldn't go to before because that was a Taliban stronghold. Last year, we were able to walk down the street in Marjah. I saw marines and Afghan soldiers embracing; they were happy to see each other. Maybe they'd been apart for a while.

The marines had put up light standards down the street, and the merchants were able to keep their stores open a little bit longer.

We opened a school while we were there, not a school like we enjoy, but it was a school built out of adobe and tents. They had 500 kids. About a third of them were girls. They were able to go to school that they hadn't been able to go to before. They were excited about that opportunity.

I visited with the local governor there. We had lunch. I asked him what motivated him, because he knew, as the Taliban came back for the spring effect, that his life was on the line. He said, God willing, we'll prevail.

Mr. Chairman, I think when we talk about pulling these people out before they have a chance to complete their mission—I was at a street fair in Simi Valley last week and I talked to a lady working in a booth for the troops. She said, my grandson just came home from Afghanistan. And I told him we ought to just get out of there. And he said, Granny, that's wrong. We're accomplishing great things. We're helping those people. Let us finish our mission.

That's what the generals say they should do. That's what the troops say they should do.

Defeat this amendment that pulls the troops out immediately.

I yield back the balance of my time.

Mr. NADLER. Mr. Chair, I rise to support the Lee Amendment to end the war in Afghanistan and bring our troops home as quickly as possible.

The whole premise of the war in Afghanistan is wrong. The rationale for the war is to fight Al Qaeda, but most of the day-to-day fighting is against an entrenched Taliban insurgency that will outlast any foreign fighters. Fighting in Afghanistan does not enhance the security of the United States in any way.

In 2001, we were attacked on 9/11 by Al Qaeda. Al Qaeda had bases in Afghanistan, and at that time it made sense to go in and destroy those bases, and we did. But that took about three weeks. We should have withdrawn after three weeks. The CIA told us more than a year ago that there are fewer than one hundred Al Qaeda personnel in all of Afghanistan. So why do we still have 88,000 troops there? Troops who will continue to risk their lives every day in a war that has already claimed far too many lives. And why should we continue pouring billions of dollars into an intractable mess when we should be devoting those funds to our own economy, our own jobs, our own schools, our own bridges and roads and highways, our own housing, social programs, and education?

Afghanistan is in the middle of what is, so far, a 35 year civil war. We do not have either the need or the ability to determine the winner in that war, which is what we're trying to do. If we continue on this course, in two years, there will be hundreds more dead American soldiers, several hundred billion more dollars wasted, and two or three more provinces labeled "pacified". But as soon as we leave, now or in 2014 or 2016 or 2024 or whenever, those provinces will promptly become "unpacified," the Taliban and the warlords will step up the fighting, and the Afghan civil war will resume its normal, natural course.

Our troops are fighting valiantly, but we are there on the wrong mission. We should recognize that rebuilding Afghanistan in our own image, that setting up a stable government that will last is both beyond our ability and beyond our mandate to prevent terrorists from attacking the United States. We fulfilled the mission in protecting America from terrorists based in Afghanistan over 10 years ago. We should have withdrawn our troops 10 years ago, we should withdraw them now. We shouldn't wait till 2014, we shouldn't have several thousand advisors or troops or whatever advising or helping the Afghanis for another 10 years. They have their own civil war they have been fighting for 35 years. I wish we could wave a magic wand and end it but we can't, we should not participate in what is an Afghan civil war, we do not need to pick the winner, we do not have the ability to pick the winner, all we are doing is wasting lives, wasting limbs, wasting people and wasting dollars. It ought to end as rapidly as we can physically get them out of there.

Mr. HOYER. Mr. Chair, I continue to be disappointed at how Republicans are approaching deficit reduction. Every day, we hear Republicans talking about the need for painful cuts to get our deficits in order. However, time and again, Republicans appear unwilling to exercise fiscal discipline when it affects something they like.

First, the sequester is set to impose difficult and arbitrary spending cuts across both defense and domestic programs unless we replace its deficit savings before the end of the year. Yet, Republicans seek to find these savings only by cutting domestic programs like Social Service Block Grants, food stamps, and preventive health care services. And second, we reached an agreement last August on spending levels, which Republicans have now broken.

This Republican defense bill authorizes $8 billion more than the agreed-upon level. At the same time, Republicans are drastically cutting domestic programs.

This amendment returns defense spending to the level agreed upon in the Budget Control Act. It does so without weakening our military or denying our troops the tools they need to succeed in their mission. This should be something Republicans and Democrats ought to see eye to eye on, because we previously agreed to it in August.

Democrats want to provide our troops with every tool they need to carry out their mission and keep Americans safe. The arbitrary cuts of the sequester will make doing so much more difficult.

That's why we need a solution that balances defense and non-defense spending cuts and includes revenues—a big, bold, and balanced approach.

This, Mr. Chair, is the opposite of a balanced approach, and I urge my colleagues to adopt this amendment and send a strong message that we must approach deficit reduction with the seriousness it deserves.

I commend Representative BARBARA LEE, Financial Services Ranking Member BARNEY FRANK, Representative LYNN WOOLSEY, and Representative EARL BLUMENAUER for their work on this amendment and for standing up for the agreement the parties reached last August.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. LEE of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR (Mr. SIMPSON). It is now in order to consider amendment No. 6 printed in House Report 112–485.

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 542, after line 19, insert the following:

"(3) A certification of the Secretary of Defense that the Government of Pakistan—

"(A) has opened the Ground Lines of Communication;

"(B) is allowing the transit of NATO supplies through Pakistan into Afghanistan; and

''(C) is supporting retrograde of United States equipment out of Afghanistan.''.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. I first want to congratulate the chairman and the ranking member and their respective staffs for once again offering us a model for bipartisan collaboration on major legislation.

This particular amendment addresses the future drawdown in Afghanistan which will require NATO to remove $30 billion of equipment from Afghanistan by the end of 2014. This includes everything from vehicles to armor to equipment. Logistically speaking, this is quite a challenge.

The United States and its allies have relied on two major routes to transport equipment to Afghanistan: the Ground Lines of Communication, which is the NATO supply route, and the Northern Distribution Network through Central Asia.

For nearly 6 months, Pakistan has closed the NATO troop supply route in response to the accidental shooting of Pakistani troops on the border. While recent talks between us on the subject have been positive, the final outcome is far from certain.

This simple amendment addresses the issue head-on by withholding funds to the Coalition Support Fund until the Secretary of Defense certifies that Pakistan has opened the Ground Lines of Communication, is allowing the transit of NATO supplies through Pakistan into Afghanistan, and, three, is supporting retrograde of U.S. equipment out of Afghanistan.

Drawing down from Afghanistan will be no easy feat, and it will require the cooperation of our allies, no matter how strained the ties.

Several recent developments have caused some of my colleagues to question why we continue to engage with Pakistan at all. Well, Secretary of State Clinton said it best: Pakistan is a nuclear-armed state sitting at the crossroads of a strategic region. And we have seen the cost of disengaging from that region before.

Simply put, we have a national security interest in maintaining the bilateral relationship. The presence of several competing actors in South and Central Asia necessitates ongoing U.S. engagement in the region. A key requirement for a successful transition to a post-Taliban Afghanistan is a deep and nuanced understanding of all the players in the region. This includes each actor's desired endgame and its willingness to work toward a peaceful Afghanistan ruled by the Afghans. Equivocal statements and doublespeak by any party, frankly, impedes that progress.

As the United States prepares to complete the transition, we should clearly outline our mission, identify our allies, and specify our expectations. This amendment does just that.

Mr. Chairman, I also want to take a moment to express my appreciation again to the chairman and ranking member of the committee for working with me on this and other provisions in the bill. Specifically, I am grateful for the committee's collaboration on two initiatives to promote competition among advanced small businesses to ensure the Federal agencies are issuing accurate size standards, and to strengthen America's small businesses and save taxpayer money.

I also appreciate the committee's support of a bipartisan amendment, amendment No. 96, I submitted, along with Mr. LANKFORD of Oklahoma, to combat human trafficking by Federal subcontractors. I think it will go a long way to addressing that problem.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I claim time in opposition to the amendment although I don't oppose the amendment.

The Acting CHAIR. Does any Member claim time in opposition?

Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

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

Mr. Chairman, we had an amendment earlier to cut off all funds to Pakistan. This is a more moderate approach.

Pakistan is part of the problem, we understand that. They live in a tough neighborhood. We know that in some ways they help us, in some ways they don't help us.

This amendment is kind of a carrot-and-stick approach. We say, when you do the things that you say you'll do, when you open these Ground Lines of Communication, we'll be giving you some of the funds. I think that's the proper approach that we should take, and I think that will help us in moving forward our effort in that area.

I thank the gentleman for his amendment. I think it makes the bill stronger. I thank him for his work in this regard.

I ask support of the amendment and yield back the balance of my time.

Mr. CONNOLLY of Virginia. May I inquire how much time is left on this side.

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. CONNOLLY of Virginia. I yield 1 minute to the gentleman from Washington (Mr. SMITH), the distinguished ranking member of the committee.

Mr. SMITH of Washington. Mr. Chairman, I rise in support of this amendment as well.

As was discussed earlier, we certainly have problems with our relationship with Pakistan. We want to make sure that we continue to put the pressure on them to improve that relationship. Opening up these supply lines are critical to our troops. I think it is a minimum requirement that we should ask, and the gentleman's amendment is very well thought out. It is the appropriate response for dealing with our difficult ally.

As Mr. ROHRABACHER mentioned earlier, certainly there is much that Pakistan does that causes us trouble. But they are a country that we need to work with if we're going to properly contain the al Qaeda and terrorist threat that comes from that region of the world. I think the gentleman from Virginia's amendment strikes that balance just right, and I urge this body to support it.

Mr. CONNOLLY. I now yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the gentleman for his hard work, and let me have an open letter to our friends in Pakistan, Pakistani Americans, that your friendship is appreciated. The hard work that we have done together is appreciated.

But we are looking to begin the reopening of those borders that are crucial to the survival and the efforts of our men and women who are presently in Afghanistan and on that border. And I would also say that with the leadership of the new ambassador, with the efforts that have been made by the Foreign Minister of Pakistan, they understand, and have made announcements that they would begin the opening of those lines, not only of communication but travel, and we would hope that that would happen soon.

Again, I emphasize working with the Pakistani people is crucial. Developing allies is crucial in that very difficult neighborhood where Pakistanis themselves are subject to terrorist acts.

□ 1640

Mr. CONNOLLY of Virginia. I thank my colleague.

Again, I want to thank the chairman and the ranking member and their wonderful staffs for their hard work on this bill, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. ROONEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–485.

Mr. ROONEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title X, add the following new section:

**SEC. 10___. TRIAL OF FOREIGN TERRORISTS.**

After the date of the enactment of this Act, any foreign national, who—

(1) engages or has engaged in conduct constituting an offense relating to a terrorist attack against persons or property in the United States or against any United States Government property or personnel outside the United States, and

(2) is subject to trial for that offense by a military commission under chapter 47A of title 10, United States Code,

shall be tried for that offense only by a military commission under that chapter.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Florida (Mr. ROONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. ROONEY. Mr. Chairman, I yield myself such time as I may consume.

My amendment simply codifies in the NDAA that any foreign terrorist detained be tried in a military tribunal set up by this Congress rather than in an Article III court. The reason for that is quite simple.

Article III courts, which are reserved for our citizens, afford constitutional rights: the right of an attorney, the right to remain silent, a right to face your accuser and to contradict the evidence that's brought against you, evidence which sometimes is being offered by the government and by people in the intelligence community—information and sources that need to be protected.

Military tribunals, I think, are the more adequate venue for foreign terrorist enemy combatants to be tried and to be given due process fairly, which would also protect our sources and would also protect the way that we gather evidence by men and women in uniform and by panels of men and women in uniform. I had the pleasure of serving in the United States Army JAG Corps. They are people of the utmost integrity and the utmost fairness.

Specifically, despite the fact of our moving further away from 9/11, the war on terror continues, as we have seen with Abdulmutallab, the underwear bomber, as we have seen with Major Nidal Hasan in the Fort Hood shootings, as we have seen with the Times Square bombing, and as we have seen as recently as last week in a second attempt at an underwear-type bombing on an airplane.

So, for these reasons and for the reasons stated previously with regard to detainees at Guantanamo Bay, for those who are not U.S. citizens but who are foreign terrorist detainees—and they should get due process—I believe in the due process venue of the military tribunals and military court down in Guantanamo Bay so that they may get their day in court in a fair way, one that is humane and just.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. I yield myself such time as I may consume.

I do not oppose military commissions. I think military commissions are an important tool, particularly when you are talking about people who are captured overseas, potentially in Afghanistan, Yemen, Somalia. I agree with the gentleman in that there are instances when the evidence necessary requires a military commission.

Yet the problem with this amendment is it says it has to be a military commission, that Article III courts are never an option. We have an extensive history of capturing terrorists overseas, of bringing them back to the United States, of trying them in Article III courts, and of convicting them and putting them in prison. We've done that a number of different times, and it is an option that should be on the table. I cannot support taking that option completely away under any circumstances, because there are a couple of problems with military commissions.

They are necessary for many of the reasons that Mr. ROONEY stated. However, they are also relatively new. We had some military commissions during World War II—I believe just one for a particular group of German spies who were here in the U.S. We've done a couple since then, but they are untested, and there will undoubtedly be appeals.

The beauty of the Article III courts is you have 230 years of history. My math may be off a little bit there, but you have over 200 years of history. Let's put it that way. It's well developed, and you know what's coming, and you can prepare the evidence accordingly. We don't know what's going to come from a military commission.

The second problem with the military commissions is that our overseas allies are not as fond of them as we are, and it may inhibit our ability to get them to turn terrorists over to us for prosecution if they know they have to go to military commissions.

This amendment doesn't make any sense. To take Article III courts completely off the table is taking an option away from the President and from this country to properly protect us. There are going to be instances when we are going to want to use that tool and other instances when we will want to use the military commissions, and this amendment takes away that option in a way that, I believe, will hamper national security. It will limit our options for how to prosecute terrorists.

I will say this again, and I will emphasize this: we seem to have totally lost track of the fact that the Department of Justice, the FBI, our Article III courts have been one of the most important tools in successfully stopping the terrorists—over 400 tried, convicted, and locked up for life. That is a very effective tool. The FBI knows how to investigate crimes. It knows how to interrogate suspects. It can do the job.

Why would we take that tool in our toolbox and throw it away? It doesn't make sense. For that reason, I have to oppose this amendment.

I reserve the balance of my time.

Mr. ROONEY. Mr. Chairman, I yield 90 seconds to my friend from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. I stand in support of Mr. ROONEY's amendment, which requires all detainees currently held at Guantanamo Bay to be tried by military commissions in the courtroom facility there. It is a strong amendment.

I visited Gitmo. It was the first trip that I took when I got to Congress. They had the facilities and the expertise there. I am also currently serving as a JAG officer in the Army—I'm in my 16th year—and I believe that it is the appropriate place to try them.

Article III courts are not equipped to try foreign terrorists. The constitutional and legal standards for evidence-gathering and prosecution in a civilian case are simply not adequate for the trial of an enemy combatant. These cases often rely on classified evidence, informants, and intelligence operatives. Military commissions, on the other hand, are set up to protect critical intelligence, officials, and evidence while still providing fair and due process for the accused.

I would also note that bringing terrorists up to New York City is a very expensive proposition. My constituents have made it clear to me that they want the terrorists kept where they are—at Gitmo—where our state-of-the-art facility houses them. We've spent millions of dollars there, including on a large courtroom in which to try detainees. It makes no sense to spend millions more to bring them here for trial when we have the facility and the process to try them at Gitmo.

I am confident that trying enemy combatants in military tribunals at Gitmo is the best way to hold terrorists accountable, to keep them out of the United States, and to prevent them from rejoining the fight.

Mr. SMITH of Washington. May I inquire as to how much time is remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I rise in opposition to the amendment.

If a suspected terrorist can only be tried successfully in a military commission because there are concerns about jeopardizing the confidentiality of classified information or other concerns, then I emphatically agree that that person should be tried in a military commission. But to presuppose that all such detainees properly belong in a military commission, I think, is a mistake, for two reasons.

First, it really prejudges the record of evidence and the standing of law in that case when we're not necessarily competent to do that. That is a decision the prosecutors ought to make. Secondly, I think, although it's not the intention of the authors, I'm sure, it belies a certain lack of confidence in our constitutional system of criminal justice.

We should be proud of our system. It's one that operates on principles of fairness, and it fairly and expeditiously determines guilt or innocence. I think to abandon that system in all cases and under all circumstances not only unwisely prejudges the facts of these cases but also unwittingly undercuts confidence in our Constitution and in our Article III courts. For that reason, I would urge a ''no'' vote on this amendment.

□ 1650

Mr. ROONEY. Mr. Chairman, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Florida has 1 minute remaining, and the gentleman from Washington has 1 minute remaining.

Mr. ROONEY. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, Mr. ROONEY has the right to close; is that correct?

The Acting CHAIR. The gentleman from Washington has the right to close.

Mr. SMITH of Washington. Then I will reserve the balance of my time.

The Acting CHAIR. The gentleman from Florida is recognized for 1 minute.

Mr. ROONEY. Mr. Chairman, I would just say to some of the things that have been said that I don't think that what this amendment is saying is in any way disparaging what Article III courts can do or would be successful doing. Certainly I would agree that they could be adequate in prosecuting criminals and people that do crimes in this country. What we are talking about are foreign enemy terrorist combatants, people that commit acts of war against this country in furtherance of the authorization that this Congress passed.

What we have done as a Congress is set up military commissions in ways that can protect evidence, ways that can protect witnesses and sources, and, in my opinion, in a way that the Article III courts might not be able to. I'm not saying that they couldn't. I'm saying that it is a better venue. Just like when we talked about earlier the Ranking Member Smith and Amash amendment, which would preclude the use of military tribunals. As much as the ranking member is saying that options should be on the table, we're saying the same thing.

With that, I hope my colleagues will vote for this amendment, and I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

Three quick points. I think the difference here and the reason that I drafted my amendment to say ''just in the U.S.,'' I think is a legitimate point. Overseas we do not have the same control over the investigatory process that we have here domestically. There's a clear difference between dealing with someone here domestically. That's why in the last 10 years we haven't done anything other than try people here in the U.S. under Article III courts. We haven't needed military commissions. That's why I think we should take that power away from the President because it's an extraordinary amount of power to give him that isn't necessary.

Overseas they are, in fact, taking away the options in this amendment and saying it has to be military tribunals. They are also saying that Article III courts are inadequate to do that when, in fact, they've done it repeatedly. The people who committed the bombing against the World Trade Towers in 1993 were captured overseas, brought back, and tried here in domestic courts. Article III courts work sometimes in these incidents. Their amendment takes those options away completely. I also point out that Guantanamo Bay is not an enormous facility. They already have 40 people waiting in line for military tribunals. Many more will backlog that.

But I want to come back to my amendment that will come up later. Domestically, we have proven that Article III courts are more than adequate. Overseas, we've proven that we need multiple options. So this amendment sort of is in reverse of what the facts bear out that we should be doing, and I urge opposition to it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. ROONEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. BARTLETT

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–485.

Mr. BARTLETT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title XXVIII, add the following new section:

**SEC. 28____. USE OF PROJECT LABOR AGREEMENTS IN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.**

(a) REQUIREMENTS.—Section 2852 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of Defense and the Secretaries of the military departments, when awarding a construction contract on behalf of the Government, in any solicitations, bid specifications, project agreements, or other controlling documents, shall not—

''(A) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; and

''(B) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(2) Nothing in this subsection shall prohibit a contractor or subcontractor from voluntarily entering into an agreement with one or more labor organizations, as protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall not apply to construction contracts awarded before the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Maryland (Mr. BARTLETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. BARTLETT. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple amendment. I would first like to make two statements that I think are generally recognized facts. One of those is that only 11.8 percent of our workforce belongs to a PLA; secondly, that PLA contracts in the government on the average cost the taxpayer 12 to 18 percent more than a non-PLA contract.

Our amendment is very simple. It is not prescriptive. It is simply permissive. It says that the government will not discriminate in awarding contracts whether you're a PLA, not PLA, whether it's a mixture of PLA and non-PLA companies, that they will be considered equal and fairly. If, in fact, a PLA contractor is more efficient and does better quality work as they contend, then that will be taken into account in the award of the contract. You do not have to award to the lowest bidder. You can award on the basis of best value.

I think that this amendment is a commonsense amendment that anybody who believes in the free enterprise system ought to support, and I reserve the balance of my time.

Mr. COURTNEY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Connecticut is recognized for 5 minutes.

Mr. COURTNEY. Mr. Chairman, I rise in strong opposition to my friend Mr. BARTLETT's amendment, which, in fact, does the opposite of what it was purported to do.

Presently the status quo allows the Department of Defense to have two choices: yes, they can use a project-labor commitment or a prehiring-labor agreement that establishes terms and conditions of employment, or now they can elect not to enter into a PLA. The effect of this amendment would, in fact, remove the Department's ability

to have a PLA requirement in terms of hiring terms and conditions.

The reason why those models work right now and have worked for decades is it gives the Department of Defense the opportunity to set conditions regarding security screening, apprenticeship programs, veteran hiring programs. The Helmets to Hardhats program—which is one of the most successful programs of integrating veterans returning from Iraq and Afghanistan into the building trades—is done under a PLA arrangement. It also allows local job markets to be incorporated into military construction projects. Again, the Department now presently has the option not to use PLAs. This amendment would, in fact, rob the Department of that opportunity.

With that, I reserve the balance of my time.

Mr. BARTLETT. Mr. Chairman, I yield 2 minutes to my friend from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding, and I rise in support of the Bartlett-Flake amendment.

Let me just clear something up if I can. What has happened is the President issued an executive order where he encouraged the Federal Agencies to—where they can and where appropriate—employ PLAs. That might seem fine. The problem is some of the Federal Agencies have taken that to mean that they should require PLAs, and some of them have issued guidance to that effect. So they've taken what the President said and taken it one step further.

What we're trying to do here is simply say that you cannot favor PLAs, nor can you prohibit them, and that the Federal Agencies will be neutral in this regard. To say that it would prohibit the use of PLAs is simply not true. We're simply trying to keep the President or the Federal Agencies from putting their finger on the scale in favor of PLAs or against them. That's what this amendment does, and I'm proud to support it.

Let me just say that this amendment was offered in the Appropriations Committee yesterday in the Military Construction bill, and it was passed by a voice vote. There is a recognition that the President has—unwittingly or not—put his finger on the scale in favor of PLAs or union shops, and that's just not fair. The President and the Agencies ought to be neutral in this regard.

PLAs might make sense; they might not. What we ought to do is ensure that the taxpayer gets the biggest bang for the buck. That's the purpose of this amendment, and that's why I support it.

Mr. COURTNEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong opposition to the Bartlett-Flake amendment. This amendment would indeed seek to prohibit Agencies from using a PLA. It is not as the gentleman from Arizona has just stated.

Let me clear something up. Large-scale construction projects—look, I was an ironworker for 18 years. I've run work. I was an ironworker foreman, an ironworker general foreman. PLAs are a great advantage to have in a complex construction project.

This amendment and the PLA provision that's already in the President's executive order applies to projects that are $25 million and over. All of those projects below $25 million don't get affected by the PLA executive order. What the PLA does require, as Mr. COURTNEY has pointed out, is it does require compliance with statutory compliance with workers' comp law, statutory compliance with anti-discrimination law, with proper classification of workers, and with health and safety laws on some very dangerous job sites.

It is a good idea to reject the Bartlett-Flake amendment and allow the PLAs to be used when appropriate.

□ 1700

Mr. BARTLETT. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. I thank the gentleman for yielding.

Mr. Chairman, I stand in strong support of this amendment, an amendment that I think speaks to a rationality in our contracting, and especially when we think of what we're talking about here in the defense world.

It's one thing to have PLAs that virtually make unfair competition for 86 percent of all of our construction contractors, because 86 percent, nationwide, don't have PLA agreements, they're nonunion, and yet have skilled workers doing the jobs they are expected.

For defense contracting to have a mandate that there must be a PLA agreement in place oftentimes will put our defense industry in the position of accepting a product that is more expensive and potentially of a lesser quality in the process.

This is not a mandate. This says choice can be made either way. And I think it needs to be made very clear that's all we're saying. It is neutral. It is not, as was described by others, that this would take PLAs out of the mix.

I stand in strong support for this, and I ask that this amendment be applied to ultimately make a stronger defense capability for our country.

Mr. COURTNEY. Mr. Chairman, I yield 1 minute to the gentlelady from Hawaii (Ms. HANABUSA), who is a member of the Armed Services Committee.

Ms. HANABUSA. I thank the gentleman from Connecticut.

I rise in opposition to the Bartlett amendment because I think the Bartlett amendment doesn't quite understand the difference between a project labor agreement and a collective bargaining agreement.

This amendment targets Executive Order 13502, which encourages the use of PLAs in construction contracts of $25 million or more. And the reason is that it's historically something that we have supported.

Ironically, in 1992, there was a Supreme Court decision that defined PLAs, called the Boston Harbor Agreement, which was under President Bush, who had a similar executive order that prohibited the use of PLAs. It was Bush's solicitor Kenneth Starr that argued for the PLAs. And he said the reason why you would use them is because of timely completion, labor peace and stability, labor supply, and for public purpose. This is the reason why you would use PLAs.

We know that historically, this has been one of the best ways to do these major construction projects. What the Bartlett amendment does is it will tie the hands of the Department of Defense.

Mr. BARTLETT. Mr. Chairman, may I inquire how much time remains?

The Acting CHAIR. The gentleman from Maryland has 1½ minutes remaining. The gentleman from Connecticut has 2 minutes remaining.

Mr. BARTLETT. I yield 1 minute to my good friend from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Chairman, I rise today in support of amendment No. 8, the Bartlett-Flake amendment, to H.R. 4310.

The amendment will prevent the DOD from requiring contractors to sign expensive union-favoring project labor agreements as a condition of winning Federal construction contracts for projects authorized by the bill.

Under a PLA, the construction firm must agree to sign a union collective bargaining agreement, whether it's unionized or not, before it can bid on a government project. PLAs can result in increased costs for contractors and taxpayers by as much as 18 percent and cause unnecessary procurement delays and political favoritism in the Federal procurement process.

At a time when the Department of Defense is facing devastating across-the-board cuts, it simply does not make sense to encourage PLAs. I urge my colleagues to support the amendment.

Mr. COURTNEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the gentleman very much for yielding.

We've seen this amendment a number of times in the 112th Congress, and, sadly, it doesn't get any better. It's based upon the misconception that somehow PLAs are costing the taxpayer money.

Definitive research was done by the Department of Veterans Affairs that concluded that it really depends on what part of the country you are in and whether you have a heavily unionized workforce in your area or you don't. They concluded that PLAs are productive and actually come in on time and under budget in areas where you have a

heavy unionized workforce and not so much in areas where you don't. And that makes sense because you have to bring people in to do the work.

The amendment, I think, is being billed as ''we just want people given a choice,'' but come on. The people that are advocating this hate PLAs. They don't want PLAs. They want to kill project labor agreements. So this was craftily drafted by the Associated Builders and Contractors to pretend that we're going to give people a choice when they really don't want people to have a choice.

Please reject this. We don't have to go out. And the President's executive order is clear. All it says is you have to consider PLAs in the mix. And I urge us to reject the amendment.

Mr. BARTLETT. Mr. Chairman, maybe it's because I am a scientist, but I'm having some trouble understanding how an amendment that specifically says that it is nondiscriminatory, that it's going to be totally agnostic to whether an organization is PLA or not PLA, somehow excludes PLAs in contention. That is certainly not what the amendment does.

I think this is a very commonsense amendment. I think that very few Americans would like to exclude nearly 90 percent of American workers in contention for Federal contracts. This is a fair, commonsense amendment, and I urge it's acceptance by both sides.

I yield back the balance of my time.

Mr. COURTNEY. Mr. Chairman, to conclude, again, there is a myth that somehow President Obama's executive order has swept through all the Federal agencies, and PLAs are now a mandated requirement. The fact of the matter is that is not the way the executive order reads. The Department of Defense has, in fact, granted only one PLA since President Obama's executive order was issued in January of 2009. As Mr. LYNCH said, that executive order exempts projects $25 million or less.

I would be happy to invite Members to my district to a military base where there has not been one PLA contract; although, we've done a number of projects on our Navy base.

So the fact is that the option exists today. This amendment would remove that option to the Department of Defense, which, again, has obviously exercised it very judiciously because they've only done one PLA since January of 2009.

Again, I urge Members to reject this amendment which handcuffs the Department of Defense to set up prehiring agreements that can help veterans, the local workforce, and apprenticeship programs for young Americans who want to get an opportunity to learn a building trade.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. BARTLETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–485.

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title I, add the following new section:

**SEC. 132. TERMINATION OF THE F–35B AIRCRAFT PROGRAM.**

(a) TERMINATION.—

(1) PROCUREMENT.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2013 or any year thereafter may be obligated or expended to procure an F–35B aircraft, including through advance procurement.

(2) R&D.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwide made available for fiscal year 2013 or any year thereafter may obligated or expended for research or development of F–35B aircraft.

(b) F/A–18E/F.—In accordance with section 128 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2217), as amended by section 123, the Secretary may procure an additional number of F/A–18E or F/A–18F aircraft, or combination thereof, that is equal to the number of F–35B aircraft that the Secretary planned to procure as of the date on which the budget of the President was submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2013.

(c) CORRESPONDING FUNDING REDUCTION, INCREASES, AND DEFICIT REDUCTION.—

(1) REDUCTION.—

(A) PROCUREMENT.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in division D, is hereby reduced—

(i) by $1,404,737,000, with the amount of the reduction to be derived from F–35B aircraft under Line 007 JSF STOVL as set forth in the table under section 4101; and

(ii) by $106,199,000, with the amount of the reduction to be derived from F–35B aircraft under Line 008 Advance Procurement (CY) as set forth in the table under section 4101.

(B) R&D.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 201 for research, development, test, and evaluation, Navy, as specified in the corresponding funding table in division D, is hereby reduced by $737,149,000, with the amount of the reduction to be derived from under Line 133, Program Element 0604800M, Joint Strike Fighter (JSF) - EMD, as set forth in the table under section 4101.

(2) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in division D, for Line 003 F/A–18E/F (Fighter) Hornet is hereby increased by $459,645,614.

(3) BALANCE FOR DEFICIT REDUCTION.—Of the amounts reduced pursuant to subparagraphs (A) and (B) of paragraph (1), $1,788,439,386 may not be made available for any purpose other than deficit reduction.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I am joined on this amendment by my colleague from Minnesota, Mr. KEITH ELLISON.

This amendment is simple in that it merely terminates the most expensive weapons system of the Department of Defense in its history, that is, terminating the F–35B Joint Strike Fighter.

Well, why? Well, because there are many other planes that have capabilities that rival the F–35B and yet cost far less to buy and operate. Our amendment would save $50 billion over the life of this program.

The termination of this program has been recommended by so many groups. I will mention a few: The Project on Government Oversight, Taxpayers for Common Sense, the Cato Institute, the Center for American Progress, the Public Interest Research Group, the National Taxpayers Union, our colleague Senator TOM COBURN of Oklahoma, and the Bowles-Simpson Commission. Please join us in a very simple idea.

I reserve the balance of my time.

□ 1710

Mr. MCKEON. I rise, Mr. Chairman, to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I oppose the Conyers amendment. The F–35B is a short takeoff and vertical landing variant of the F–35 stealth fighter, and it's in the final stages of development and has entered low-rate initial production. The F–35B will operate from large deck amphibious ships as well as have the capability to operate from forward operating bases and damaged air strips to support Marine Corps ground maneuver forces ashore.

The Commandant of the Marine Corps, General Amos, wrote to the committee yesterday and said:

> The importance of the F–35B short takeoff vertical landing variant to the Marine Corps and the Nation cannot be overstated.

The F–35B has made significant progress in the last year, under General Amos' guidance, by completing all of the plan test points in 2011 and accomplishing 260 vertical landings. If passed, this amendment could have major negative impacts to our Nation's future combat power, increase the cost of the overall F–35 program, and negatively affect the eight international program partners in foreign military sales.

I urge my colleagues to vote ''no'' on the Conyers amendment.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to my cosponsor of the amendment, the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I don't stand up here before you representing myself as some great expert on airplanes, but I am a Member of this body who is very concerned about the deficit and about spending. And we must save money, particularly where we need to.

Now, when the Simpson-Bowles Commission says that this particular airplane is not necessary and should be cut—and recommendation 47, cancel the Marine Corps version of the F–35—I have to stop and take notice. When other organizations, many of which are fairly conservative groups—Taxpayers for Common Sense, the Cato Institute—no bleeding heart liberals there—the Project for Government Oversight, the National Taxpayers Union, the Project on Defense Alternatives, and the Center for American Progress, all agree that this is a wasteful program which we can save money with, I think we've got to stop and we've got to take notice.

Now I notice my colleague on the other side of the aisle was making very good points, and they sound very similar to some points I read earlier today from a memo from somebody from Lockheed Martin. Lockheed Martin is a private contractor who is making the program.

The talking points that they sent out are essentially arguing so that they can ensure a commercial success of their particular project, which they have a financial interest in. But they make no claim of cost. They do not say that this is an exorbitant expense that people who have an eye toward budget are saying is not worth the money.

We're not asking for the F–35A or F–35C to be cut. But we are saying that this particular program, where there is a diverse and broad range of parties who say that this is not a necessary program, should be cut and can be replaced by other good alternatives, and I think we have need to pay attention to that. I'm sure my friends who repeat constantly that, We're broke, we're broke, we're broke, would agree.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, a member of the committee and the chairman of the Veterans' Affairs Committee, the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. I first want to start off by inviting my colleagues that oppose the F–35B to visit Eglin Air Force Base in the Florida Panhandle, home of the 33rd Fighter Wing, where the sixth operational F–35B was recently delivered. The aircraft is performing well, and this year it is exceeding program expectations.

The F–35B is the tactical strike aircraft that will, in fact, enable our marines to defeat and deter advanced threats well into the future. The groups that you don't hear the opponents talk about is the fact that the President supports it, the Secretary of Defense says we need it, the chairman of the Joint Chiefs of Staff says we need it, the Commandant of the Marine Corps says we need it. Nobody is saying that the F–18 out there is not a highly capable fourth-generation aircraft, but it has been meeting our needs for three decades now. The F–35B is designed to defeat the threats of our adversaries that they are developing today.

If we are to maintain our air superiority and defeat 21st century threats, we need more than a 20th century aircraft.

Mr. CONYERS. I yield myself 1½ minutes.

An incredible number of organizations and people, both Democratic and Republican Members of the House and Senate, have called the F–35B program a scandal and a tragedy—and that is quoting the senior Senator from Arizona, Senator MCCAIN—and Under Secretary Frank Kendall has referred to the process of developing and producing the F–35 as ''acquisition malpractice.''

And then, even worse, the serious performance issues that caused in 2010 Secretary Gates to stop production and place the program on 2 years probation. And according to the Department's figures, the F–35B has driven cost overruns and is directly responsible for scheduled delays in the overall development program. And it isn't even qualified to participate in close air support mission for the Marine Corps' need. It's far too vulnerable for this role, which requires low, slow flying. The Marines would be much better served to utilize the Army's excess A–10s, which have a far superior range and payload capability.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCKEON. I yield 1 minute to my friend and colleague, the ranking member on the committee, the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Without question, the F–35 has been a troubled program. It's been more expensive than we would like it to be and has underperformed. It is getting better, as the chairman mentioned.

There are a number of problems with this amendment, however. First of all, in replacing the F–35B—that's the Marine Corps variant; it's a vertical takeoff plane. I know Mr. KLINE will do a much better job of explaining this in a moment than I will. The Marine Corps is an expeditionary force. They need to insert themselves. That's why they need a vertical takeoff plane. The F–18 that is proposed to replace it is not a vertical takeoff. It is not a replacement for the F–35B.

Second, the F–35 is a vastly more capable plane than the F–18. It is all about stealth and being able to get in on targets. The F–18 cannot get to the areas that the F–35 could get to to deal with adversaries like Iran or North Korea and those surface-to-air missiles. It is a much more capable plane.

If we cut this variant, we will also jeopardize the entire program, not just this variant. Our foreign partners are likely to withdraw. It will undermine our per-unit cost to the point where sustaining the program will be very difficult.

It is unfortunate at this point the degree to which we have to rely on this program. But it's going to be 95 percent of our fighter attack aircraft fleet in 10 years. We have to make it work. Therefore, I oppose this amendment.

Mr. MCKEON. I yield 1 minute to my friend and colleague, a member of the committee, chairman of the Education Committee, and a marine pilot, the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. I thank the gentleman for yielding.

Mr. Chairman, I rise today to oppose the gentleman's amendment and impress upon my colleagues the importance of the short takeoff vertical landing capability of the F–35B and its contribution to the continued success of the United States Marine Corps.

Mr. Chairman, so many years ago, as a young marine and a young marine pilot, I remember watching a jump jet—a Harrier—hovering over the ground. That Harrier, that AV–8A, went from being a novelty to growing and maturing to becoming an essential, integral part of the Marine air-ground team. That Harrier today is old and getting outdated and needs to be replaced.

Similarly, I've watched the magic of the FA–18, a fantastic, top-of the-line, frontline fighter. Terrific aircraft. It can't take off and land vertically. It doesn't have the capability. And we need those capabilities that the ranking member, Mr. SMITH, talked about—the stealth capability, the advanced capability—to become that integral part of the Marine air-ground team.

So I encourage my colleagues to support the continued development of the F–35B and oppose the gentleman's amendment.

The Acting CHAIR. The gentleman from California has one minute remaining.

□ 1720

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, a member of the committee, the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I thank the chairman for yielding me this 1 minute.

Again, all of the points about why this program, which was struggling a couple of years ago, has now really shown great promise in terms of the tests that show that a lot of the criticisms that we've heard on the floor are, to some degree, out of date, with all due respect to the proponents.

I think it is important for people to recognize that we made a decision as a

country a number of years ago to cancel the F–22 program, that the fifth generation program of the future is going to be the F–35. And there are many other nations around the world, frankly, that are watching this debate—Australia, our European allies—who are all going to participate in the Joint Strike Fighter program. I think it is critically important that we make a statement that we are going to move forward with this program. Their navies and their aircraft carriers are also going to be investing in these platforms. And, again, with the progress that is being made, I think it is important for us to send a strong signal internationally that this is a program that America is going to continue to invest in.

Again, I respectfully rise to oppose this amendment and urge a ''no'' vote.

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

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong opposition to the Ellison/Conyers amendment.

Simply put, if the goal is to deprive the Marine Corps of the Short Take-Off Vertical Landing variant of the F–35, designed to replace its aging Harriers and F–18's—while simultaneously increasing the per unit cost of Joint Strike Fighters—then this amendment achieves it.

The STOVL variant is desperately needed for the execution of short takeoffs and vertical landings in combat deployments aboard amphibious assault ships and in austere conditions ashore.

It will provide the Marines with a much more capable tactical fighter force that meets the future threats facing our nation.

This misguided amendment is opposed by the Department of Defense and the Marine Corps, not only because it would invest in yesterday's technology at the expense of tomorrow's, but because the F–35B has performed exceedingly well over the past 18 months, testing ahead of schedule in both 2011 and 2012.

Because the F–35B is urgently needed by the Marine Corps and our international partners, I urge my colleagues to defeat this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–485.

Mr. QUIGLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title I, add the following new section:

**SEC. 132. ELIMINATION OF AVAILABILITY OF FUNDS FOR PROCUREMENT OF V–22 OSPREY AIRCRAFT.**

Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Navy, as specified in the corresponding funding table in division D, is hereby reduced by $1,303,120,000, with the amount of the reduction to be derived from Line 009 V–22 (Medium Lift) as set forth in the table under section 4101. The amount of such reduction shall not be available for any purpose other than deficit reduction.

The Acting CHAIR. Pursuant to House Resolution 661, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Mr. Chairman, I rise to offer an amendment with my friend from Illinois (Mr. GUTIERREZ) to cut funding for the V–22 Osprey and put the savings toward deficit reduction.

As many know, the Osprey has a long and troubled past. According to a 2009 GAO report, the Osprey was not suited to fly safely in extreme heat, excessive sand, or under enemy fire. The GAO also found that the Osprey was 186 percent over budget, costing over $100 million per unit to produce, or five times more than the Sea Knight helicopter it was designed to replace.

More recently, the Pentagon testing found that the readiness rate of the V–22 was well below that of traditional aircraft, noting:

> Its average mission capable rate was 53 percent from June 2007 to May 2010, well below the required rate of 82 percent.

Sadly, due to these severe shortcomings, the V–22 has taken the lives of 36 individuals, including 31 servicemembers. Just last month, two marines lost their lives when an Osprey crashed in Morocco.

Now, I understand that since the 2009 report, a number of improvements have been made. Costs are being reduced and safety is being improved. I also understand the unique benefits the V–22 can provide to our servicemembers, especially for rescue operations. But these operations can be completed with less expensive helicopters. And here's the bottom line: we're emerging from a recession. We have a deficit topping $1 trillion for 4 straight years, and we have limited resources, which means we have to make choices.

As we look to reduce our deficit, we have to put everything on the table, including defense. Defense spending comprises close to 20 percent of our budget and yet this Defense authorization completely exempts any cuts from defense. In fact, it actually increases spending by over $4 billion over the President's request.

We have to take a hard look at what we are spending and ask ourselves: Is this essential? Given its continued cost overruns, poor safety record, and the fact that it can be replaced with less expensive helicopters, I think it is clear that the V–22 is not essential. At best it's suboptimal. It is certainly not essential. And I'm not alone. President George H.W. Bush tried to zero out funding for the V–22, but Congress wouldn't let him. Former Defense Secretary Dick Cheney tried to zero out funding for the V–22, but Congress wouldn't let him. And now the President's Bipartisan Fiscal Commission, the Bipartisan Policy Commission, and the Sustainable Defense Task Force have all recommended cutting the V–22 and replacing it with less expensive MH–60 helicopters.

But the reality is one of the reasons we block cuts to the V–22 is because 2,000 companies make supply parts for the Osprey from 40 States. I get it. The Department of Defense has become a jobs program. If all we're worried about is job creation, we'd be better off building bridges and transit programs because in the end we have to remember the big picture. Choosing to fund this over-budget, dangerous, nonessential plane means cuts in other vital areas such as education, infrastructure, and health care.

I encourage my colleagues to join me in scrutinizing this budget, setting priorities, and cutting programs that aren't essential in order to protect ones that are. This Defense authorization bill includes a long list of nonessential programs, all of which should be cut. But a vote for my amendment to cut the over-budget, under-performing V–22 Osprey is a step in the right direction.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. I yield 1 minute to my friend and colleague, a member of the committee, the gentleman from Maryland (Mr. BARTLETT).

Mr. BARTLETT. Mr. Chairman, if we don't buy these aircraft, it doesn't mean that we won't be buying other rotorcraft because there are missions that must be accomplished. This airplane will replace the CH–46E, and compared to the CH–46E, it has four times the range and carries twice as many combat-loaded personnel.

So the gentleman's goal of reducing spending, his amendment might result in exactly the opposite because obviously for many missions this will be far and away the most efficient aircraft.

Mr. Chairman, we need to reject this amendment because if we pass the amendment, it could very well result in increased costs to our military, not decreased costs, and less efficiency on many missions.

Mr. QUIGLEY. I continue to reserve.

Mr. MCKEON. Mr. Chairman, I yield at this time 1 minute to the ranking member of the committee, the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, the V–22 was a troubled program. Certainly before it was finally developed, it went through a number of difficulties. But as the gentleman mentioned in offering the amendment, it has gotten over those difficulties; and, in fact, has been deployed in Afghanistan for a very long time. I was in Afghanistan, and I rode on a V–22. And so

it obviously can perform in desert environments. I was down in the Helmand province, and it is a very capable plane.

Again it has to do with the Marine Corps and the Marine Corps' capabilities. They are an expeditionary force. The vertical takeoff and landing ability of the V–22 is critical to what they do. As Mr. BARTLETT pointed out, it has longer range and greater capacity, and properly deployed and properly used, can actually make it cheaper than buying more helicopters that are necessary to accomplish that mission. It is a necessary program, certainly necessary for the Marine Corps. I would urge opposition to the amendment.

Mr. QUIGLEY. I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Texas (Mr. THORNBERRY), the vice chairman of the committee.

Mr. THORNBERRY. Mr. Chairman, I have before me an article from defense.aol.com from just a few months ago which was written by Richard Whittle, who wrote a whole book on the V–22. And as the editor says, this is as close to ground truth on the V–22 as one can get.

What he says is the marines and the Air Force Special Operations Command have been flying it in combat zones for 4 years, and they love it. He goes on to talk about problems in the early years, but the critics went to sleep in the middle of the story. In other words, they have not recognized the significant improvements that several people have talked about.

Since October 1, 2001, the military has lost 405 helicopters, 99 percent of them have not been V–22s; and yet this amendment comes only against the V–22 when it turns out the redesigned, retested Osprey safety record is the safest rotorcraft the Marine Corps flies based on mishaps per 100,000 flight hours.

When it comes to cost, since 2008 they are under budget and are actually going to save the taxpayers over $200 million versus what was budgeted. This plane is working well. This amendment is behind the times.

Mr. QUIGLEY. I continue to reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Pennsylvania (Mr. MEEHAN).

□ 1730

Mr. MEEHAN. Thank you, Mr. Chairman, for yielding.

Mr. Chairman, I rise strongly to oppose the Quigley amendment in this particular matter.

I'm grateful for the opportunity to speak on behalf of the V–22, on behalf of the marines who are using it in the theater of battle where it has proven itself. Indeed, if this argument were taking place in 2009, there might be a case to be made, but it's being made in 2012, where, in fact, I've got the testimony of the Commandant of the Marine Corps.

The Osprey has given the United States unprecedented agility and operational reach, unmatched by any other tactical aircraft. The Osprey is the cornerstone of the Marine ground task force. More significantly, with regard to cost savings, it has—procured under a multiyear procurement contract, it will actually save a proposed $825 million over single-year contracts, providing required capability for the Marine Corps. In addition, if we tried to replace it, there would be 74 percent more cost associated.

Reliability, cost, dependability, proof. I urge my colleagues to support the retention of the V–22.

The Acting CHAIR. The gentleman from Illinois has 1 minute remaining. The gentleman from California has 1 minute remaining and the right to close.

Mr. QUIGLEY. Mr. Chairman, the fact remains, studies still show this a dangerous vehicle. Studies still show it is suboptimal. Studies still show it is wildly over cost.

I want to help marines. I want to save marine lives. That's why this amendment is appropriate. It is, in the end, still dangerous pork with wings.

I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Pennsylvania (Mr. BRADY), a member of the committee.

Mr. BRADY of Pennsylvania. Thank you, Mr. Chairman, for allowing me the time.

Mr. Chairman, I rise in opposition, along with my colleague, Mr. FATTAH, to this amendment.

The V–22 Osprey program is a truly revolutionary system that is being used around the world today by both our United States Marine Corps and the Special Operations Command in support of our Nation's missions.

This amendment would eliminate the only cost-effective way to replace the fleet of aging medium-lift aircraft in our inventory. Canceling V–22 does not remove the requirement to replace legacy CH–46 and HH–53 airframes. It would only interrupt the carefully planned transition to a more capable and more cost-efficient alternative—at an additional expense to the American taxpayer.

I quote the United States Air Force Special Operations Command Commander, Lieutenant General Donald Wurster:

> This aircraft is the single most significant transformation of Air Force Special Operations since the introduction of the helicopter. Nearly every mission we have faced in the last 20 years would have been done better and faster with the V–22.

Mr. Chairman, who are we, sitting here guarded and completely safe, to not listen to the brave men and women and their commander and not give them everything they need and request to keep them safe and give them the tools to do their job?

I urge you to support the President's budget request and vote ''no'' on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The amendment was rejected.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mrs. HARTZLER) assumed the chair.

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2415. An act to designate the facility of the United States Postal Service located at 11 Dock Street in Pittston, Pennsylvania, as the ''Trooper Joshua D. Miller Post Office Building''.

H.R. 3220. An act to designate the facility of the United States Postal Service located at 170 Evergreen Square SW in Pine City, Minnesota, as the ''Master Sergeant Daniel L. Fedder Post Office''.

H.R. 3413. An act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office''.

H.R. 4045. An act to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

H.R. 4119. An act to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels.

The message also announced that the Senate has passed with amendments a bill of the House of the following title:

H.R. 4849. Amendment.

The SPEAKER pro tempore. The Committee will resume its sitting.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The Committee resumed its sitting.

AMENDMENT NO. 11 OFFERED BY MR. MARKEY

The Acting CHAIR (Mr. SIMPSON). It is now in order to consider amendment No. 11 printed in House Report 112–485.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title II, strike section 211 and insert the following new section:

**SEC. 211. DELAY OF NEW LONG-RANGE PENETRATING BOMBER AIRCRAFT.**

(a) PROHIBITION ON FUNDS.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2013 through 2023 for the Department of Defense may be obligated or expended for the research, development, test, and evaluation or procurement of a long-range penetrating bomber aircraft.