United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, WEDNESDAY, DECEMBER 12, 2012 *No. 160*

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 12, 2012.

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

JOHN BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

GUN VIOLENCE ECLIPSES FISCAL CLIFF DEBATE

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

Mr. BLUMENAUER. It's difficult to focus on the task at hand in the aftermath of a shooting rampage in my district yesterday. With at least 10,000 people in a shopping mall, a young man allegedly, say some eyewitnesses, in body armor, and armed with a semi-automatic weapon discharged 60 or more shots. There were two people killed and a young 15-year-old girl seriously wounded.

Mr. Speaker, one is haunted by these events. We had one in Aurora, Colorado, at the theater where there were 12 people killed, 60 wounded; six people killed at the Sikh temple this summer; and the day spa in Milwaukee, where three women were killed before the shooter turned the gun on himself. We had a horrific episode earlier in my congressional career in Springfield, Oregon.

It is hard to have meaningful conversations on a variety of subjects. I was going to deal with that problem with the fiscal cliff today, but gun violence is another area in America where it seems we can't have a discussion without delusional claims of overreach and taking away hunting rifles. Congress won't even allow statistics on gun violence to be gathered, and we certainly have made no progress towards closing the gun show loophole.

Yet I come today, in the aftermath of this tragedy, with a small ray of hope. When nearly half of all military suicides are committed with privately owned weapons, the Pentagon and Congress are moving towards establishing policies to separate at-risk servicemembers from personal private weapons. Congress is poised to enact legislation to end a prohibition about the military collecting information about firearms kept at home. These are simple, commonsense steps for an armed services where more military personnel take their own life than who die in battle.

Perhaps if we can take these reasonable steps to protect our servicemen and their families, perhaps we can develop the courage to treat the epidemic of gun violence with the same thoughtful, small steps when it comes to protecting the rest of our families. Until then, we will mourn the victims and thank God that our families were not at that mall.

AFGHANISTAN

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

Mr. JONES. Mr. Speaker, in this very chaotic time for the House of Representatives and for the American people, we need to remain focused on the fact that our young men and women are still dying in Afghanistan. Our involvement in Afghanistan has become a confused strategy at best.

Mr. Speaker, I will submit a news article for the RECORD. The title of this article is: Afghan peace plan gives U.S. smaller role. With it, Mr. Speaker, I would like to submit 12 names of American servicepeople killed recently.

Mr. Speaker, it is time for Congress to listen to the American people and start acting on their wishes. Poll after poll shows that they want to get out of Afghanistan now, they want our troops home, they want to stop seeing our young men and women dying, and the American people want the $10 billion a month being spent in Afghanistan to be spent here in America to help all our economic problems. I do not understand why we in Congress seem to be without debate about this problem in Afghanistan.

We are currently in the process of a bilateral security agreement that will keep our troops in Afghanistan for 10 years after 2014. Where is the outrage by Congress? We are financially broke. We complain all the time about we can't reach this deal or that deal, we're going over the cliff, and yet our troops are dying in Afghanistan and we're spending money we don't have.

Mr. Speaker, the article states:

The Afghan Government is pursuing a peace initiative in which Pakistan would replace the United States in arranging talks between the warring sides and the Taliban would be granted government posts that effectively could cede to them political control of the southern and the eastern strongholds.

Printed on recycled paper.

Mr. Speaker, those areas are where we've lost most of our young men and women fighting the war in Afghanistan, and yet we are going to give those areas where our young men and women died to the Taliban so they can control it? Where is the outrage here in Congress? I do not know.

Mr. Speaker, in plain English, Afghanistan is allowing Pakistan and the Taliban to control half the country. And while the Taliban takes back Afghanistan, how does this make any sense? Where is the outrage? The American people are outraged, Mr. Speaker, but not Congress.

Mr. Speaker, I have beside me a poster that tells pain. There is this little girl sitting in her mother's arms. The mother is crying. The little girl is so young, she doesn't know why this Army officer is presenting her mother a flag. She doesn't know that her daddy has been killed. She will one day, and she'll ask her mom, What was my daddy like? And the mom will say, He was a great man. He would love to see you now as you've grown older, but he died in a country known as Afghanistan, a country that will never change, no matter how much blood or how much money is spent in Afghanistan.

Mr. Speaker, before closing, I have a Web site that if people would join and sign, and the Web site is www.bringthemhome2013.com.

It is time for this administration and Congress to say enough has been done. It is time to bring our young men and women home. If Pakistan is going to have more influence in Afghanistan than America, then let Pakistan send their soldiers to die in Afghanistan. Let Pakistan pay the $10 billion a month that America is paying right now—and it is borrowed money from the Chinese.

Mr. Speaker, with that, I will close by asking God to please bless our men and women in uniform, to please bless the families who have given a child dying for freedom in Afghanistan and Iraq, God to please bless the House and Senate that we will do what's right for the American people in the House and the Senate. I ask God to give strength, wisdom, and courage to President Obama that he would do what is right in the eyes of God, and I'll close by asking three times, God please, God please, God please continue to bless America.

[From the McClatchy Washington Bureau, Dec. 8, 2012]

AFGHANISTAN PEACE PLAN WOULD INCREASE PAKISTAN'S ROLE

(By Jonathan S. Landay)

The Afghan government is pursuing an ambitious new peace initiative in which Pakistan would replace the United States in arranging direct talks between the warring sides and the Taliban would be granted government posts that effectively could cede to them political control of their southern and eastern strongholds.

If implemented, the plan would diminish the role of the United States in the peace process, but would still leave Washington with input on a number of critical issues, including the terms for initiating negotiations. Saudi Arabia, Turkey and Great Britain also would be involved.

The plan envisions ending the war by 2015 through a ceasefire and negotiations in the second half of next year, most likely in Saudi Arabia. Pakistan would help select the leaders of the Taliban and other rebel groups who would take part in the negotiations with the Afghan government. The effort, the plan says, should be conducted ''through one consistent and coherent channel,'' a measure that would secure a role for Afghan President Hamid Karzai after the end of his term following April 2014 elections.

Another provision would give the insurgents a voice on ''issues related . . . to the withdrawal'' of the U.S.-led NATO force by the end of 2014.

The plan foresees the United States working with Kabul and Islamabad in determining which insurgent leaders would participate. The United States also would be critical to approving the removal of the insurgent negotiators from the U.N.'s list of terrorists.

Entitled ''Peace Process Roadmap to 2015,'' the blueprint represents a decision by Karzai—in close coordination with Pakistan—to assume the lead in peace-making efforts following the collapse earlier this year of an Obama administration bid to persuade the Taliban to participate in direct talks with Kabul.

The new initiative comes amid persistent distrust between Karzai and the Obama administration and deep insecurity in Kabul over future U.S. support. Those concerns and the U.S. failure to arrange peace talks appear to have pushed Karzai closer to Pakistan, whose army and main intelligence service are widely believed to exercise significant influence over Taliban and other militant leaders based in Pakistan's border areas with Afghanistan.

The plan also comes as the ongoing U.S. combat troop pullout and cuts in U.S. financial aid to Afghanistan are fueling fears in both countries that violence and instability could worsen, spurring them to take matters into their own hands.

The blueprint, a copy of which was obtained by McClatchy, officially is the work of Afghanistan's High Peace Council, which is charged with overseeing government peace efforts. But it was drafted by Karzai and his inner circle over the past six months in coordination with Pakistan, according to a person familiar with the document who requested anonymity because of the matter's sensitivity.

The plan was presented to Pakistan and the United States during visits last month by High Peace Council Chairman Salauddin Rabbani, who Karzai named to the post after Rabbani's father, former Afghan President Burhanuddin Rabbani, was assassinated in September 2011.

The State Department declined to comment on the plan, refusing even to confirm its existence. However, a State Department official, who requested anonymity because of the issue's sensitivity, was authorized to say that, ''The United States continues to support an Afghan-led peace process and welcomes initiatives through which Afghans sit down with other Afghans in pursuit of that goal.''

The Afghan embassy did not respond to a request to discuss the plan.

''By 2015, Taliban, Hezb-e-Islami and other armed groups will have given up armed opposition, transformed from military entities into political parties, and are actively participating in the country's political and constitutional processes, including national elections,'' says the plan's preamble. ''NATO/ISAF forces will have departed from Afghanistan, leaving the ANSF (Afghan National Security Forces) as the only legitimate armed forces delivering security and protection to the Afghan population.''

Despite that optimistic forecast, however, the plan may rest on shaky legs. Its far-reaching assumptions not only could doom it to failure, but risk an all-out civil war before the U.S.-led International Security Assistance Force, or ISAF, completes its pullout.

''This is living in a dream world of wishful thinking,'' said Marvin Weinbaum, a Middle East Institute scholar who served as a State Department intelligence analyst on Afghanistan. ''It is not based on anything that the Taliban has given us reason to expect.''

A major assumption is that all insurgent leaders and their fighters will participate even though the Taliban have consistently rejected negotiations with Karzai, who they denounce as an American puppet. Moreover, the insurgency is far from being monolithic and many leaders are known to distrust each other and Pakistan.

Taliban chief Mullah Mohammad Omar and other leaders based in Pakistan could come under pressure from the Pakistani military to take part if they balk. But such pressure could backfire, risking Afghan militants joining Pakistani Islamists fighting to topple their government.

In an incident underscoring the hurdles, two Taliban factions claimed responsibility for a suicide bomb attack on Thursday that wounded Asadullah Khalid, the chief of Afghanistan's intelligence service. Karzai on Saturday alleged that the attack was planned in Pakistan, but he denied that the Taliban were responsible.

The new plan would preserve Afghanistan as a parliamentary democracy, denying the militants the Islamic rule for which they've spent years fighting.

It also appears to ignore warnings from politicians of the former Northern Alliance against giving the Taliban and their allies power that they hadn't won in elections. The Northern Alliance, dominated by ethnic minorities, battled the Taliban, which is made up primarily of the dominant Pashtun ethnic group, until the 2001 U.S. invasion. Many former alliance members now head Karzai's political opposition and hold key army, police and intelligence posts.

''Any Afghanistan reconciliation effort will have to address varied and complex ethnic concerns,'' acknowledged a U.S. official, who requested anonymity in order to discuss the issue.

Finally, the key role that the plan confers on Pakistan could inflame suspicion among many Afghans that Islamabad plans to exert influence in a post-war Afghanistan—especially to block a pro-India tilt—by placing former insurgents in cabinet posts, ministries, provincial governorships and positions like police chiefs and district administrators.

''The northerners won't buy this,'' said Weinbaum, referring to former Northern Alliance leaders. ''So what you get then is the beginning of a civil war.''

Pakistan is widely despised in Afghanistan, particularly by minorities who dominate the country's north, because of its sponsorship of the Taliban's bloody nationwide takeover in the mid–1990s and the support and sanctuary that they and other insurgents allegedly still receive from the Pakistani army and the army-run Inter-Services Intelligence Directorate, or ISI.

In principles governing the new peace process, the plan reiterates Afghan and U.S. demands that the Taliban and other insurgents cut ties with al Qaida and renounce violence.

But in a shift that could raise concerns among human rights and women's groups, the plan changes what had been a demand for

the insurgents to ''accept'' the Afghan Constitution to one that they ''respect'' it.

''Any outcome of the peace process must respect the Afghan Constitution and must not jeopardize the rights and freedoms that the citizens of Afghanistan, both men and women, enjoy under the Constitution,'' the plan says.

The plan comprises five steps. The first step, which now appears underway, calls for Pakistan to end cross-border shelling of Afghan villages and to free Taliban detainees. Nine were released last month after Rabbani's visit, and Pakistan has agreed to free more.

In the first half of 2013, Afghan, U.S. and Pakistani officials are to agree on terms for removing Taliban leaders ''willing to engage in peace talks'' from a U.N. terrorism list and giving them safe passage. Pakistan would ''facilitate direct contact'' between Afghan officials ''and identified leaders of the Taliban and other armed opposition groups.''

Afghan, Pakistani and U.S. officials would ''explore and agree to terms for initiating direct peace talks'' between the sides ''with a focus on Saudi Arabia as the venue.''

The negotiations would begin in the second half of 2013 ''preferably through one consistent and coherent channel, with the aim of securing agreements on priority issues, such as ending violence, allowing space for the provision of basic public services, e.g. education, humanitarian aid, and security in the conduct of the upcoming elections,'' the plan says.

The sides would agree to a ceasefire and terms for the release of Taliban prisoners by the government ''in return for their agreement to disengage and renounce violence.''

The sides also would ''reach an understanding on issues related to security and the withdrawal of international forces.'' and agree on rules for the insurgents' participation in 2014 provincial council and 2015 parliamentary elections.

Another provision would confer considerable political power on the insurgents by allowing them to become cabinet members, provincial governors, district administrators, police chiefs and other key officials.

''The negotiating parties to agree on modalities for the inclusion of Taliban and other armed opposition leaders in the power structure of the state, to include non-elected positions at different levels with due consideration of legal and governance principles,'' the plan says.

That provision, combined with one for an agreement ''creating immediate space for education and humanitarian and development aid and public services,'' could effectively cede political control of the Taliban's southern and eastern heartland to the insurgents.

The agreements would be implemented in the first half of 2014, and the final phase, set for the second half of 2014, would be used to build international cooperation on preserving the long-term stability of Afghanistan and the region, the plan says.

Correction: Paragraph 10 of this version has been revised to provide the correct date for the assassination of former Afghan President Burhanuddin Rabbani.

LIST OF NAMES TO SUBMIT FOR THE RECORD

Sgt. 1st Class Darren M. Linde
Spc. Tyler J. Orgaard
Lance Cpl. Anthony J. Denier
Cpl. Christopher M. Monahan, Jr.
Petty Officer 1st Class Kevin R. Ebbert
Lance Cpl. Dale W. Means
Sgt. Channing B. Hicks
Spc. Joseph A. Richardson
Staff Sgt. Rayvon Battle, Jr.
Sgt. Matthew H. Stiltz
Capt. James D. Nehl
Kenneth W. Bennett

PAYING TRIBUTE TO ALABAMA STATE REPRESENTATIVE DR. YVONNE KENNEDY

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

Ms. SEWELL. Mr. Speaker, I rise today to recognize and pay tribute to the life and legacy of an Alabama State representative, Dr. Yvonne Kennedy, a lawmaker from Mobile, Alabama, who passed away, sadly, on Saturday at the age of 67.

Dr. Kennedy was a pillar in the community and a tremendous public servant. She was the epitome of a servant leader, and she blazed the trails in Alabama politics that so many of us now follow. She led by example and was motivated by a drive and a passion for public service and education.

□ 1010

I am deeply saddened by her passing and know that her legacy of service will live on.

Yvonne Kennedy was born on January 8, 1945, in Mobile, Alabama, to Leroy and Thelma Kennedy. At a young age, she displayed a commitment to academic excellence, and upon graduating from high school, she earned her bachelor's degree from Alabama State University, a master's degree from Morgan State University, and a Ph.D. from the University of Alabama. These early accomplishments were the beginning of an illustrious career both as a lawmaker and a community leader.

First elected to the Alabama State House of Representatives in a special election in 1979, Dr. Kennedy was one of the longest-serving members of the Alabama State legislature. She served the 97th District of Mobile for more than 33 years. She was a prominent lawmaker who fought against Alabama's egregious voter ID laws, and she also championed the restoration of voter rights for rehabilitated ex-felons. She was the former chair of Alabama's legislative black caucus and was well respected by her colleagues. Her tireless commitment to public service and her advocacy for quality education in Alabama was unparalleled.

In 1981, Dr. Kennedy became the president of Bishop State Community College in Mobile, Alabama, and she served in that role for over 25 years. Under her leadership, Bishop State expanded from one campus to three campuses, and flourished until her departure in 2007. Dr. Kennedy was a premier educator whose commitment to education knew no bounds.

Dr. Kennedy was a member of Delta Sigma Theta Sorority, Incorporated, and was their 19th national President from 1988 to 1992. She served on the boards of the Association of Higher Education, America's Junior Miss, was a trustee for Miles College, and she was a longstanding member of the Christian Methodist Episcopal Church. She was chairwoman of the Mobile County United Negro College Fund and youth director of the Board of Christian Education-Southeast Alabama Conference.

I know that my generation owes Dr. Kennedy a debt of gratitude. I know that my generation stands on the shoulders of trailblazers like Dr. Yvonne Kennedy. It was her light that guided the path that led me to become Alabama's first African American Congresswoman, and for that I am eternally grateful.

She left an indelible imprint on Alabama and across this Nation, and her legacy will live on. It is indeed a great privilege and an honor that I have today to recognize the legacy and contributions of Dr. Yvonne Kennedy with this tribute on the floor of the House of Representatives. Let her life stand as a testament to the courage and strength of one individual's ability to shape the lives of so many. On behalf of the Seventh Congressional District and the State of Alabama and a grateful Nation, I ask my colleagues to join me in honoring the life and legacy of Dr. Yvonne Kennedy.

THE FISCAL CLIFF

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

Mr. MCCLINTOCK. Mr. Speaker, to understand the Federal budget mess and the so-called fiscal cliff, it's important to know three numbers: 39, 37, and 64.

Thirty-nine percent is the combined growth of inflation and population over the last 10 years. Thirty-seven percent is the increase in revenues in the same period. That's despite the recession and the tax cuts. It's not quite keeping pace, but it's pretty close. Sixty-four percent is the number that is killing us. Sixty-four percent is the increase in Federal spending in that period. That's nearly twice the rate of inflation and population growth over the last 10 years.

The spending side of the fiscal cliff is the so-called ''sequester,'' automatic cuts in Federal spending. To hear some tell it, it is the end of Western civilization as we know it. That's hardly the case. After a 64 percent increase in expenditures during this decade, the sequester doesn't actually cut spending at all. It simply limits spending growth next year to about a half of a percent. I opposed the budget deal that created the sequester last year because it fell woefully short of what Standard & Poor's clearly warned was necessary to preserve the Nation's AAA credit rating. Sadly, that fear was borne out, but now the sequester is all we have.

It's true defense takes the brunt of it, but does our defense spending really need to be higher—inflation adjusted—

than it was at the height of the Vietnam War, when we faced down the Soviet Union and had 500,000 combat troops in the field? The sequester isn't stepping off a cliff; it is taking one step back from the cliff.

The tax increases, however, are a very different matter. Without intervention, the Federal tax burden will balloon 21 percent at the stroke of midnight on New Year's Eve, taking somewhere between $2,000 and $3,000 from an average family. This summer, the House passed legislation to protect our Nation from such a calamity, but Mr. Obama vowed to veto it, and the Senate killed it. Instead, Mr. Obama tells us that he'll veto any plan that stops taxes from going up on all of those very wealthy folks making over $200,000, who he says need to pay their fair share. I suppose fairness is in the eye of the beholder. The top 1 percent earns 17 percent of all income and pays 37 percent of all income taxes, but that's beside the point. The fine point of it is that a lot of these very wealthy folks making over $200,000 aren't very wealthy, and they aren't even folks. They're 1.3 million struggling small businesses filing under subchapter S. Our small businesses produce two-thirds of the new jobs in our economy. So this battle is very much for the middle class.

The Congressional Budget Office estimates that Mr. Obama's tax increase on the so-called ''wealthy'' will actually throw 200,000 middle and working class families into unemployment. That's 200,000 lost jobs. By the way, that is the optimistic estimate. An independent analysis by Ernst & Young puts that figure closer to 700,000 lost jobs. That's because the President's taxes would slam 84 percent of the net small business income in the country. That's precisely the income that is used to support and expand our labor force.

In their blind pursuit of an eat-the-rich ideology, Mr. Obama and his acolytes are imposing a policy that would utterly devastate hundreds of thousands of middle class families who depend upon the jobs that these small businesses provide. And for what? To wring enough money to fund Mr. Obama's spending spree for a grand total of 8 days. It's telling that three-fourths of the new taxes he's proposed would be used to finance the new spending that he's also proposed.

We Republicans don't want to see taxes go up on anyone, period. We don't want to see this government willfully throw hundreds of thousands of Americans out of work by this policy. The President obviously believes that in the eleventh hour Republicans will have no choice but ultimately to protect as many taxpayers as we possibly can since the only alternative would be tax increases on everyone, including those job creators. He may be right, but that would mean a bleak and bitter New Year for all of those families who will watch helplessly as their jobs evaporate before their eyes. Let us pray that this President has a change of heart before setting this calamity in motion.

THE REAL VICTIMS OF SEQUESTRATION

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

Mr. CONNOLLY of Virginia. Mr. Speaker, we just heard a terrible cry on behalf of the wealthy in the United States, that top 2 percent. Tax them, and it will kill jobs, put people out of work.

If you want to know the real victims of sequestration, the real victims of the Republican fight to protect that 2 percent at all costs, it's the homeless, it's the poor, it's the lower income, and it's the vulnerable amongst us.

Most of the debate up until now about the fiscal cliff has focused on defense cuts and expiring tax cuts justifiably, but the ramifications for local safety nets are equally portentous. In my district, for example, Fairfax County recently kicked off its annual hypothermia prevention program. During my tenure on the county board, I worked with faith, business, and community leaders to open houses of worship and other places to offer shelter from the cold and a hot meal for the homeless, individuals, and families. It saves lives.

Last winter, the program served more than 1,000 clients in one of the wealthiest districts in the United States. Sequestration threatens support for this and other Federal homeless prevention efforts. The McKinney-Vento homeless prevention program would be cut by as much as $156 million. You didn't hear anything about that just now.

□ 1020

You didn't hear anything about that just now, and it would leave more than 145,000 more people out in the cold and at risk of dying from hypothermia.

Similarly, families in every State rely on low-income heating assistance, which stands to lose as much as $270 million in sequestration. That may not seem like much, but that program has already been cut by the Republicans by 30 percent. Millions of Americans in every State rely on this support, including 145,000 in my home State of Virginia.

The picture gets even worse when you look at the looming cuts to Federal housing assistance. Programs like the Community Development Block Grants, section 8 housing, and rental assistance for the needy and senior citizens already have sustained dramatic cuts over the last 2 years under Republican control. The HOME Investment Partnership Program, which supports homeownership and rental assistance, was cut by more than $600 million, or 38 percent, last year alone. It faces another $82 million cut in sequestration. Prince William County, in my district, was one of the hardest-hit by foreclosures, and it has an acute shortage of affordable housing right now. Cuts in Federal housing support would further exacerbate that situation just as the local housing market is beginning to recover.

There is an old proverb about someone always getting ''left out in the cold,'' but in this case, people literally will be left out in the cold if we allow sequestration to go forward.

Mr. Speaker, the cuts in housing assistance are just one piece of the local safety net threatened by sequestration. I recently met with the disability community in my district, and they, too, are anxious about losing the vital support that allows disabled loved ones to live independently. One local organization, for example, is providing work opportunities and rehabilitative services to more than 650 disabled adults in our community. Whether it's performing custodial services, packing medical kits for our troops, working in food services or other duties, these Ability One workers are making a positive difference in providing autonomy for individuals in our community. I and many of my colleagues here in the House, both Democrats and Republicans, are Ability One champions, and we know firsthand the positive effect this program has had, not only on the individuals, but on their families and their friends.

Employment opportunities for the disabled and revenue from their work reached an all-time high last year, but that momentum is at risk because of looming cuts through sequestration. Community service boards, for example, could lose as much as $52 million, which would reduce services for more than 1.5 million people in America. You heard my colleague talk about maybe a few hundred thousand jobs being at risk if we cut taxes for the rich. What about these people? What about the real cuts and real effects on real people in America?

What has been troubling to the residents of my district is the fact that, up until now, the Republican alternative to these cuts has been to shift even more of the burden, not less, onto the social safety net programs. The sequestration replacement bill, which was pushed through earlier by House Republicans, cuts $261 billion from safety net programs. It eliminates social service block grants, which support Meals on Wheels for 1.7 million seniors. Where is the concern for that? It also provides child care assistance for low-income parents who are returning to work. That plan cut $36 billion in nutrition assistance for at-risk families. In my district, the demand for nutrition assistance has jumped by 135 percent since the recession, and it has gone up by 73 percent in the Commonwealth of Virginia during that same time period.

Mr. Speaker, we cannot afford to turn our backs on these families. Sequestration is a real threat. We need to

have a compromise and a deal now to help these families.

REVEREND JEROME R. MILTON

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

Mr. GOHMERT. Today, when the House opens for regular session, we will be led by visiting chaplain Reverend Jerome R. Milton. This extraordinary man is a friend, and he is an inspiration to me.

To borrow from a testimonial sermon of his, Reverend Milton, as a very small child, was left to die with his brother and sister in a rundown California motel. The San Diego County welfare department found them and placed them in a horrific orphanage, called the Hillcrest Orphanage, where abuse of all kinds imaginable and unimaginable were inflicted upon them. Many of the children in such terrible conditions committed suicide, which included his brother and sister. After the horrors of this orphanage, he was placed in 13 different foster homes, where he suffered more unfathomable abuse and inhuman treatment.

Finally, as Jerome says, ''God heard the cry of the lamb,'' and he was placed in his 14th home, that of Dadie Florence Johnson Brown. She could not read or write, but she was a good woman with a big heart and a stronger will. She took Jerome, and she said she could not imagine all the abuse he had been through, that it just sounded too unbelievable, but she looked him in the eye and said, Don't let your abuse be your excuse. She said, Someday, you can be a great juvenile judge or a case worker or something special.

But there was a lot of rebellion and anger in the young man. He hated lots of people and things, and especially God. Ms. Brown would not heed Jerome's pleas to leave him alone. She kept praying for him every single day by name. She said she knew there was good in him, but prayed that God would not let him end up in jail or in prison, because she knew God could do something very special with him.

He eventually tried the praying thing himself, but he was very cynical. He wanted to go to college, he wanted to be a coach, but he knew no one who had money. Then he found out he could run really fast, and he could play football really well. Though his teacher told him he was too black and too stupid to ever amount to anything, he proved her wrong when, just 4½ years later, he taught in a classroom right next to hers.

As Reverend Milton says, God moved him from foster care to people care. This angry, black, abused, hopeless shell of a downtrodden young boy had God-given potential. This is what Dadie Brown saw in him. Before she died, she told Jerome, All you can do for me is, if you can do for a group of children what I've done for you, then my living will not have been in vain. She said, I don't have $1 million, but I hope I made a $1 million difference. When she died, she had raised 44 children, giving hope to each one.

Jerome says she led him to Jesus and that Jesus opened his heart. He providentially met and married Charlene Olgis, and together, they have nine children. Six of them were adopted through the foster care program. Tyler, Texas, is where two Heisman Trophy winners grew up, Earl Campbell and Johnny Manziel, but it is also the mission field of Reverend Jerome R. Milton and his wife, Charlene, and that's where they've invested their lives.

He is the senior pastor of the Greater New Pleasant Hill Baptist Church in Tyler. He has been there for 25 years. He established the Dadie Florence Brown children's home for homeless mothers and abused children. He has been the head track and field coach at Bishop Gorman Catholic High School for 24 years, leading his team to 10 State track and field championships, and he has helped 150 athletes earn scholarships. He has also been the Tyler Citizen of the Year, winning the T.B. Butler Award. His work toward spanning race and religion and all types of barriers is boundless, and his list of accomplishments would take all day long to read.

He has blessed our town, our district, our State, and our country. It is an honor and an inspiration to know him and to count him as a friend. I so look forward to having my friend as a visiting chaplain today at noon eastern time when he opens the official part of this session in Congress.

God bless America, and God bless Jerome Milton.

THE WIND INDUSTRY AND OUR VETERANS

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

Mr. MCNERNEY. This morning, I rise to talk about two issues I care very passionately about: wind energy and veterans.

Mr. Speaker, I spent more than 20 years in the wind industry as a technology development engineer. In those early days, we saw some spectacular failures and dramatic failures, but every year, we put more into the technology development. We put a little bit this year in the gear box, in the foundations. Every year, we put a little increment of improvement in the control systems, in the field testing, in the power electronics so that we understood what was going on.

□ 1030

Today we have an industry that is a spectacular industry. The wind turbines now are hundreds of feet tall. They are extremely reliable. They produce power for 4 to 5 cents a kilowatt hour, depending on the resource. It's been a very successful business.

In the early days, the United States of America dominated that business because of consistent policies, consistent tax policies. We could rely on the policies being there year after year. Investors came in; engineers came in. But in the early 1980s, those policies began to change, and the technology began to leave our country.

We've seen, I've seen in my career, the incentives come and go over the years. I can tell you, it's devastating to the industry. It takes years to develop the infrastructure to produce wind turbines. The bearings are 20 feet in diameter. It takes expertise. In order to get a project in, you need to get a power purchase agreement. You need to get permits. You need to get investments, and then you need to order products. The products have a 1- to 2-year lead time they're so large. We're putting a lot at risk by ending the production tax credit.

And not only that, we'll see at least 40,000 jobs lost when the production tax credit expires at the end of this year. A lot of those jobs go to United States veterans, veterans of our armed services. And I can tell you what, when soldiers are trained, they're trained on large equipment. They're trained on big projects. They're well disciplined. They're reliable. They work in very adverse conditions. And that's exactly the kind of training you need to be a windsmith and a wind turbine installer, so it's been a very good fit.

There's one company in particular, Airstreams. They train wind turbine windsmiths, and 80 percent of their graduates are veterans. They get good jobs in this country. And when the production tax credit goes away, that removes the hope of many of our veterans.

Now, the veterans of our country were soldiers and sailors. They volunteered their time for our country. They put themselves in grave danger, and they came home and found a very bad employment situation. The wind energy has been a tremendous opportunity for them, and to take this hope away from our veterans is a travesty. Eliminating those jobs for veterans is absolutely unacceptable.

Now, the production tax credit, itself, is a very effective way to produce energy. You get paid for when you deliver energy in the production tax credit. In the early days, the credits went to investments, and a lot of investments were not so good. But today, the motive is to have a very reliable, a very productive set of equipment, and that's what happens when the production tax credit is extended. It creates jobs. It helps develop the manufacturing base in this country. And I can tell you, if you want to be a great country, you have to have a big manufacturing base. Of those things that are at risk of going overseas, our manufacturing base, our engineering expertise, jobs, investment, this will be a real loss for our country. It will hurt our veterans. And the last thing it will hurt is our climate.

Now, there are people who don't believe in climate change, but I can tell you what: The evidence out there is absolutely overwhelming, whether it's biological systems migrating to higher elevations, more northern latitude, whether it's the melting of our glaciers, whether it's Hurricane Sandy, event after event shows climate change is here; it's real; it's a threat, and we need to reduce our consumption of fossil fuels. Wind energy is a tremendous opportunity for us to do that.

So if we let the production tax credit expire, we are risking losing manufacturing. We're risking putting veterans out of work. We're risking climate change. This is something we can't afford to do as a Nation. The production tax credit is a very good investment in America and our future and our manufacturing base.

I urge all of my colleagues to consider helping to extend the production tax credits for our Nation and for our future.

TAKE THEM BACK HOME

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

Mr. POE of Texas. Mr. Speaker, according to the Boston Globe, Qian Wu was beaten, choked, punched, and held at knifepoint by Chinese national Huang Chen. That was in 2006.

Her attacker was sent to prison in Texas, supposedly never to be heard of again. Or so she thought. Four years later, Wu was sitting alone in her apartment when guess who shows up—the person who assaulted her to begin with—busting through her door. He reportedly said in a taunting voice, ''I bet you didn't expect to see me here.''

Wu called the police, and Chen quickly fled the scene, but 2 weeks later, he returned to finish what began 4 years before. Chen beat Ms. Wu to death with a hammer, stabbed her with a knife, leaving her to die in her own pool of blood.

Mr. Speaker, Ms. Wu's death did not have to occur. This crime could have actually been prevented. Chen should not have been back on the streets after serving time in prison, but he was, and here's why.

After he had served his initial sentence for assaulting Ms. Wu, he was ordered legally deported back where he came from, back to China. But his home country, our good old buddies the Chinese, refused to take him back. They didn't want him. And so they stalled and stalled and stalled, and over those 3 years of Chinese stalling and giving the runaround, Chen was eventually freed—free to kill, and kill he did.

Mr. Speaker, this tragedy is not an isolated phenomenon. Unfortunately, other Americans have died as a result of this gaping hole in the immigration system. It's no secret that everybody believes our immigration system is broken. Fixing it down the road will be complex and complicated. But there are some things that we can do about immigration right now to fix specific problems, and here's one.

Currently, Mr. Speaker, thousands of criminal aliens are in our country, just like Chen, who have committed a crime and gone to prison. Our immigration system worked to order them deported, but their country won't take them back. They refuse to do so. So those countries stall and delay and eventually never take back their outlaws. So by law, after the person serves the time in our prisons, we can't keep them indefinitely waiting on their country to take them back, and so they are eventually released. These countries know that, and that's why they stall.

Many of those criminals now are running around on American streets looking for more crime and up to malicious mischief.

The blood of American victims are not only on the hands of the felons who commit these crimes from foreign countries, but they're also the fault of those countries that refuse to take back these criminal citizens.

You know, the blood of Ms. Wu is on the hands of Chinese citizen Huang Chen, but it's also on the hands of the Chinese bureaucrats that would not take Chen back. Oh, Mr. Speaker, they may wear white gloves because they weren't the direct killer of Ms. Wu, but their delay allowed for that crime to be committed. And below those white gloves are the blood of this citizen who was killed in this country.

And it's not just China committing these acts of not taking back lawfully deported individuals; there are numerous countries. Vietnam, Jamaica, Pakistan, and Cuba are just a few.

So what should we do? Well, Mr. Speaker, there's already a law to require that there be some sanctions against these countries that refuse to take back their lawfully deported aliens, but the State Department doesn't enforce the law. The State Department says, well, we want to work diplomatically to get these people sent back. We don't want to require any sanctions. And so they talk and they talk and they talk. Meanwhile, more crimes are being committed by these people who are released, who should have been sent home, while the State Department continues to talk. Like my grandfather used to say: When all is said and done, more is said than done.

We need to get these people out of our country who have been lawfully deported. These countries need to take them back, or there ought to be a consequence.

I've introduced legislation that removes the uncertainty and the weak knees of bureaucrats and requires the State Department to follow through with visa sanctions against the countries that won't take back their lawfully deported criminals. I repeat, those visa sanctions should be primarily against, first, diplomats from these countries when they don't take back these individuals.

□ 1040

It's time to play a little bit of diplomatic hard ball with these nations. After all, Americans are dying because these criminals are illegally on the streets and our Nation does not insist on them being taken back.

It's time to make these crooks and misfits the problem of their home country, rather than continue to remain our problem. Otherwise, more Americans are going to die.

It's time to play a little hard ball with these countries.

And that's just the way it is.

FISCAL CONCERNS AND OTHER ISSUES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, I know that America watches as we deliberate—and I'd like to use that terminology—on facing the fiscal concerns of this Nation.

Let me quickly remind my colleagues, Mr. Speaker, that America is on the upswing, with increased manufacturing, more consumer confidence. We're moving forward. The economy is moving up. And so I believe it should be pronounced here today that the reform of the entitlements, based upon slipshod, reckless deliberations, or should I say actions, are a nonstarter.

There is no way, Mr. Speaker, that we should raise the eligibility age for Medicare, that we should not think carefully about how we approach the reform of Medicaid, and that we don't tell the American people that Social Security is solvent.

So I would say, move quickly to pass the middle class tax cuts that would be for all Americans, 100 percent, up to $250,000, and let's think about, moving into 2013, how we make this economy better by looking carefully at how we reform entitlements that are not handouts, but they are earned.

I wanted to move to something else, offer my deepest sympathy for those who lost their lives in the Oregon massacre, again, at the hands of a gun and a perpetrator that is now dead, and to say that I thank Bob Costa for having the courage to get on national TV and speak to those who are rabid sports fans and say it's time for some form of gun regulation.

The tragedy that occurred with the NFL player and his girlfriend speaks volumes to the idea of individuals who don't need to have guns in their hands. This phenomenon that guns don't kill, people do, is a trite and redundant and ridiculous statement.

We understand that guns have to have someone at their trigger; but the idea that with no regulations about those who've had previous offenses, no regulations dealing with those who've had mental health issues, no regulations for the gun show loophole, that

you can go in and buy guns on top of guns, it is time to reflect.

I think the sports community could work with us to ensure that America realizes that there's nothing wrong with standing up for gun regulation.

As well, let me offer my sympathy to the Brent and Brown families of the tragedy of the NFL players in Dallas. Let me ask the commissioner to work with those of us who are concerned about athletes in pro ball, that we can find a way to intervene. There should be intervention on a lot of these incidences of violence.

Let me close and speak well about the issue of millions of workers in the United States Postal Service, yes, government workers, public servants, who, over the decades, have made Americans' lives easier. Just yesterday we were speaking about another day of—or Monday I think it was, on online shopping.

I have small businesses who always say the post office is the most efficient and the, if you will, cheapest source of getting their business products where they need to be. It is a shame that we have not addressed the question of hardworking postal workers, rural post offices that are prolific in the State of Texas, rural postmasters who've come and said it'll be the death knell of their community.

Let us stand the post office up. Let us view it as a vital system. Oh, we are online, but there are individuals who depend upon this massive postal system. It can be made efficient. It can be made better. We can protect the workers.

Do we want to give a Christmas gift to hardworking postal workers, who as they are known to go through rain or snow or sleet, that is, give them a pink slip for no fault of their own?

This is not the American way. We create jobs; we don't destroy jobs. And it's time now for us to stand up and be heard before the deadline, that our postal workers who are always there, who are the ones that find the elderly and the sick in their home because they know their route and they find those persons if they're in need, they are the good-news people that come by the seniors and come by the disabled and come by the poor families.

I want to say that we can work together, bring our postal workers here to make a difference and to reform the postal system to keep it alive. It is a vital source of work, but it is a vital service to the American people.

CONGRATULATING JOHNNY MANZIEL

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

Mr. FLORES. Mr. Speaker, this is the second consecutive year that I have had the privilege to congratulate a Heisman Trophy winner from one of the two universities in the 17th Congressional District of Texas.

Today, I want to congratulate Johnny Manziel of Texas A&M University in College Station, Texas, as the 2012 recipient of the 78th annual Heisman Memorial Trophy.

On Saturdays, ''Johnny Football,'' as he is now known, wowed audiences across the Nation with his steady poise and his remarkable playmaking ability. As a freshman, he personifies the fighting Texas Aggie spirit, and he proves that the impossible is never out of reach.

Leading the Aggies in their inaugural season in the Southeastern Athletic Conference, Johnny threw for 3,419 yards and ran for 1,181 yards, and he garnered 43 touchdowns. He broke a multitude of A&M, SEC, and NCAA records along the way.

Johnny is the first freshman, and only the fifth player, in FBS history to have at least 3,000 yards passing and 1,000 yards rushing in a season. He holds FBS freshman records for both rushing yards by a quarterback and all-purpose yards by an individual.

He is the SEC record-holder for total yards in a season, at 4,600, breaking the previous record in two fewer games than the prior record-holder. He also achieved an SEC record for total yards in a single game, at 557 yards, only to break that record 2 weeks later with a 576-yard game.

Johnny has logged nine straight games with 300 or more yards and generated five or more touchdowns in six different games. He tied an 85-year-old A&M record with 19 rushing touchdowns in a season. And, oh, by the way, he still has one more game to play this season.

Johnny has many firsts among the awards and accolades he has garnered in 2012. He was the first player in the history of the SEC to win the Freshman of the Year and the Player of the Year in the same season. He is also the first freshman in FBS history to win the Davey O'Brien National Quarterback Award. Most notably, he is the first freshman in college football history to win the Heisman Memorial Trophy, awarded to the most outstanding player in college football each year.

Johnny not only shined on the field, but off it as well. Academically, he has successfully completed enough credit hours to be classified as a junior, even though he's just a redshirt freshman.

When he first addressed the media at the end of the regular season, Johnny remained humble and gave credit to his teammates, to his coaches, and to the Aggie 12th man, which is the greatest tradition in all sports. When he addressed the Nation after receiving the Heisman Trophy, he named his offensive line individually, and honored the 1-year anniversary of the passing of a beloved teammate.

Johnny knows where his talents and blessings come from; and he gave glory to God, most importantly.

What makes this year so special is how Johnny and the Aggie football team excelled in their first year playing in the SEC. Not too many people from outside their locker room gave them a fighting chance in their inaugural SEC season, but they believed in themselves.

I want to congratulate Texas A&M University and football coach Kevin Sumlin on a terrific 10–2 regular season. He and his coaching staff are doing extraordinary work down in Aggieland during their first year. Keep up the great work.

As Johnny said, leadership, respect and putting others first are what being an Aggie is all about. Aggies all across the world stand together, not only as fans, but as members of a team. I proudly echo Johnny's words when I say to the 12th man, to Texas A&M University and to Aggies everywhere, this honor is for you.

As an Aggie former student, I want to thank Johnny for an incredible season, and I look for more exciting seasons in the coming years.

Before I close, I ask all Americans to pray for our country during these difficult times and for our brave military men and women and first responders who are protecting us at home and abroad.

Thank you, Mr. Speaker, for allowing me to address the House today.

Gig 'em Aggies, God bless America, and Merry Christmas to all.

□ 1050

A LEGACY OF WORKING FOR PEACE AND A MORE PERFECT WORLD

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

Ms. WOOLSEY. Mr. Speaker, throughout my career in public life, and even before, nothing has motivated me more than a desire to end wars and violent conflicts. When I was a small girl saying bedtime prayers or making a birthday wish when blowing out the candles, I always asked for world peace. So it's no surprise that over a decade ago, I opposed the Iraq war before it even started. It was appalling that we would invade a nation that hadn't provoked us, had nothing to do with 9/11, and did not have weapons of mass destruction. It was a lonely fight at that time. But I didn't do it to be loved. It was a matter of principle.

BARBARA LEE, MAXINE WATERS, and I formed The Triad—WOOLSEY, WATERS, and LEE—to organize our opposition. We held forums, we developed an Out of Iraq Caucus, we traveled around the country, and in January 2005, I offered the first amendment here on the House floor calling for our troops to be brought home. Some in my own party thought that it was a mistake, that we wouldn't get any votes—or enough votes—and that we would be embarrassed. Well, I told them that even if I were the only one voting to bring our troops home, I would not be embarrassed.

Well, as it happened, we got 128 bipartisan votes that very first time. So you see, Mr. Speaker, when you lead, people follow. Because of a handful of progressive leaders and progressives in our country that were vocal and fearless, eventually public opinion turned. It turned against the Iraq war and turned towards peace. If we and other outspoken advocates hadn't ignored conventional wisdom and hadn't pressed for peace, the war in Iraq could still be going on today.

In April, Mr. Speaker, of 2004, I started speaking from this very spot on the House floor about my strong anti-Iraq war convictions. Eventually, these speeches focused on Afghanistan, where we've now been waging war for more than 11 years, despite more than 2,000 Americans dead and nearly $600 billion wasted and even though we are undermining our own interests in failing to bring security and stability to Afghanistan.

Over the last 8-plus years, I've spoken here nearly every day that I could to drive home what a moral disaster and strategic failure these wars have been. When constituents and others call or come up to me or write and thank me, I say, But we're still there. I don't deserve thanks until all of our troops are home.

You know, Mr. Speaker, because you've been here for many of them, that my speeches haven't just been about bringing our troops home. They've offered a new vision for global engagement. From here I've outlined my SMART Security platform, which calls for development and diplomacy instead of invasions and occupations; civilian surges instead of military surges. SMART Security means helping other nations educate their children, care for their sick, and strengthen their democratic institutions. SMART Security says we can make America safe by building international good will and by empowering people with humanitarian assistance instead of sending troops or launching drone attacks. It's the right thing to do. It's the smart thing to do. And it costs pennies on the dollar compared to military force.

So, Mr. Speaker, today I'm delivering that message for the 444th and final time on the House floor to speak on a 5-minute Special Order. This is the last of my Special Order speeches on war and peace and SMART Security. I'm retiring from Congress at the end of this year, and I believe part of my legacy will be that I worked diligently for peace and a safer world.

In closing, Mr. Speaker, I'd like to acknowledge that sometimes I've been accused of wanting a ''perfect world.'' But I consider that a compliment. Our Founders strove to form a ''more perfect Union.'' Why shouldn't we aim for a perfect world? You see, I'm absolutely certain that if we don't work toward a perfect world, we won't ever come close to providing a safe, healthy, and secure world for our grandchildren and their grandchildren.

I thank my wonderful staff who have helped me over the last 20 years to work for a perfect world, which means peace, health, and security for all.

SO-CALLED RIGHT TO WORK

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

Ms. KAPTUR. Mr. Speaker, as a Representative from Ohio, a State that borders Michigan, I rise to stand in solidarity with the workers of Michigan. Many Ohioans I represent actually drive to work in Michigan. And due to the high-handed actions of Michigan's Governor and its legislature, they actually railroaded legislation through Michigan, with no hearings, to take away the rights of Michigan workers to fund the collective bargaining process that results in living-wage worker contracts.

The workers of Michigan are fighting to maintain their rights to a fair day's wage for a fair day's work. I support their rights and the rights of every American to organize and negotiate by contract for proper pay and benefits, regardless of which State they live in. The rights of labor by contract are critical to growing our middle class, as opposed to rights by happenstance that are always up for grabs, where workers have no rights and live in fear of the future.

Michigan's Republican ideologues passed so-called ''right-to-work'' legislation. Well, let's be clear: the bill being pushed there by the far right should really be called the Right to Work for Less. And that is exactly what President Obama called it. To quote Bob King, the visionary president of the United Auto Workers of this country:

> Every right-to-work State has lower wages, lower benefits, less security for workers and more income inequality.

And they have a shrinking middle class. The UAW is right: if you happen to live and work in a State that has a so-called right-to-work law on the books, you earn an average of $5,000 less a year than if you lived in a worker rights State. The bill signed last night in Michigan strips labor organizations of their right to collect dues to cover the cost of negotiating a collective bargaining agreement.

The Michigan law is pure politics. No, it is more than that. It is an old-school union-busting technique, pure and simple. And in Michigan and Ohio, we know a lot about union busting. As a daughter of auto workers, I know the history of the hired goons who bludgeoned auto workers back in the 1930s at River Rouge as workers began to stand up for their human rights as they labored in the dungeons of the automotive production facilities at the time.

I actually would like to challenge the Governor of Michigan to come with me and let's work on the line for a month in one of those repetitive-motion jobs that make and characterize modern automotive production. They're not easy jobs. I would like him to install the windows on the right side of a vehicle as it moves down the line over and over and over and over and over again. Let's see how much fun he'll have.

A year ago, we in Ohio witnessed a similar effort to eliminate unions. Right-wing legislators moved through legislation that would have ended collective bargaining as we know it in Ohio for public sector workers. We're talking about firefighters, police, and teachers. Well, the people of Ohio broadly rejected that union busting earlier this year.

□ 1100

Citizens organized a ballot initiative to restore worker rights in Ohio, and they won. It was called Issue 2. The people of Ohio voted to overwhelmingly protect the rights of those who protect us and who teach our children.

While worker rights were protected in Ohio, up north, what was done in Lansing, intends to extend far beyond the borders of just Michigan. It will impact workers who commute from my State of Ohio and Indiana.

This is about more than just one State. In fact, this is a national issue, not a states' rights issue at all. The Michigan union-busting bill is a direct result of weak Federal legislation, and I'm talking about section 14(b) of the Taft-Hartley Act, which weakens the rights of labor. Congress should overturn that part of the law and reaffirm its role in protecting the internationally recognized labor rights of every American citizen.

That is why I have joined a number of my colleagues in introducing legislation, H.R. 2775, that would do just that. We should not have individual States competing against each other in a race to the bottom. Haven't we seen enough of that?

We need to support and build back the American middle class by creating good jobs, good-paying jobs, and secure benefits through secure contracts. I stand attired in red today in solidarity with the workers of Michigan, and I am proud to do so.

RECESS

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

Accordingly (at 11 o'clock and 1 minute a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Reverend Jerome Milton, Greater New Pleasant Hill Missionary Baptist

Church, Tyler, Texas, offered the following prayer:

Father God, how loving, how gracious, how wonderful, how good, how vast are Your methods for bringing us ever so close to You so that we might experience Your awesome power of love and care for us as a Nation.

Lord God, we pray today that You will let common ground and middle ground be the order of the day for the common good of our Nation.

Loving God, bless the Members of the people's House. Give them wisdom and understanding to be a blessing to our house.

Merciful God, in times like these, oh, precious Lord, take their hands, touch their hearts, speak to their souls, that the Members of this body may be bold servants of this Nation.

Our eternal God, may all that is done this day be for Your greater honor and glory, forever and ever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. SARBANES led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND JEROME R. MILTON

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

There was no objection.

Mr. GOHMERT. Mr. Speaker, our visiting chaplain today is Reverend Jerome R. Milton, pastor of the Greater New Pleasant Hill Missionary Baptist Church in Tyler, Texas.

As a small child, he was left with his brother and sister in a rundown motel in San Diego to die. They were placed in a horrific orphanage, where despicable abuses were inflicted, ultimately resulting in the suicide of his siblings.

Jerome was eventually placed in the home of Dadie Florence Brown, the 14th foster home. This uneducated but strong-willed lady told young Jerome that, despite all he'd been through, ''Don't allow your abuse to be your excuse.'' She knew God would make him something special, and she prayed for him every day.

Jerome could run fast and play football well and got a scholarship to do both at UCLA. As he says, God moved him from foster care to people care. He and his wife, Charlene, have nine children, six of them adopted.

In addition to being a pastor, he's the head track coach at Gorman Catholic High School, leading his teams to 10 State championships, and has been Tyler's Citizen of the Year with the T.B. Butler Award. His work has spanned race, religion, all types of barriers, and he has blessed so many lives, including mine.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. BASS of New Hampshire) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 12, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 12, 2012 at 11:08 a.m.:

That the Senate passed without amendment H.R. 4014.

That the Senate passed without amendment H.R. 4367.

That the Senate passed without amendment H.R. 2467.

That the Senate passed without amendment H.R. 3319.

That the Senate passed with an amendment H.R. 6328.

That the Senate passed S. 3564.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

PRESIDENT OBAMA'S FISCAL CLIFF PLAN CALLS FOR $1.2 TRILLION IN NEW SPENDING

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

Mr. WILSON of South Carolina. Mr. Speaker, during his campaign for reelection, the President called for a balanced approach to solve the fiscal cliff crisis. Unfortunately, the plan his administration submitted to Congress does not include the spending cuts necessary to address our Nation's $16 trillion national debt.

According to Senate Budget Committee Ranking Member JEFF SESSIONS' staff's calculation of data from the Congressional Budget Office and the Office of Management and Budget, the President's plan suggests that roughly 75 percent, or $1.2 trillion, in new revenue be directed to new spending instead of deficit reduction.

The fiscal cliff must be averted to protect our economy for future generations. Yesterday, House Speaker JOHN BOEHNER asked the President to identify specific cuts he is willing to make for a balanced approach. I hope the President will take immediate action so progress can be made for a bipartisan solution.

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

LESSONS LEARNED IN THE WAKE OF HURRICANE SANDY

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

Mr. HIGGINS. Mr. Speaker, there are many lessons to be learned in the wake of the hurricane that devastated parts of New York and New Jersey, one of which is the importance of electronic medical records and health information technology.

While many hospitals and medical centers were damaged by the storm, hospitals that employed electronic medical records were able to ensure that vital health information was maintained and not lost. Not only that, electronic medical records enabled continuity of care as patients were transferred between hospitals.

Mr. Speaker, this is just one example of how electronic health records can improve quality of patient care, integrate health systems, and ultimately, reduce unnecessary costs.

My western New York community was an early adopter of electronic medical records and has since been recognized nationally as a leader in health information technology. I urge the House to continue the widespread adoption of health information technology and to assist in its expansion across the country.

□ 1210

TOMBSTONE, ARIZONA, WATER SUPPLY FIASCO

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

Mr. GOSAR. Last week, the ninth circuit court heard a case regarding Tombstone, Arizona's right to access its water supply. Last year, a devastating combination of wildfires and monsoons struck Tombstone, leaving only 3 of its 25 springs in operation. Tombstone has been engaged in a yearlong standoff with the Federal Government over the repairs that will restore the town's water supply because those springs are in wilderness areas and they are prohibited from using mechanized equipment to make the necessary repairs.

This situation is not unique. A similar disaster occurred in northern Arizona after the 2010 Schultz Pass fire.

The Inner Basin pipeline, infrastructure that delivers water to Flagstaff, was severed during catastrophic floods that followed the fire. In our case, a lawsuit wasn't necessary, but it took my team and the city over a year to persuade multiple agencies to allow for repairs. Last month, I took the first sip of water out of the repaired infrastructure with Mayor Jerry Nabours.

Our communities shouldn't need their Congressman or a lawsuit to make basic repairs to infrastructure. The Federal Government should work with us, not against us, to preserve western water supplies.

FISCAL CLIFF

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

Mr. CICILLINE. Mr. Speaker, our country faces a critical financial deadline in just 19 days. While Democrats are offering solutions to raise revenue and cut government spending, the House Republican leadership still refuses to take action on something we all agree on—extending middle class tax cuts.

We need to give middle class families in my home State of Rhode Island and across our Nation the certainty that they will not see a tax increase at a time when they can least afford it. I've heard from hundreds of Rhode Islanders who want to know why we don't have a deal already. I've heard from seniors who want us to protect Social Security, working parents who want us to extend tax cuts for the middle class, and those still struggling to find work who rely on unemployment insurance to make ends meet.

It's time for the Republican leadership to work across the aisle to reach a deal that strengthens the middle class and responsibly addresses our debt.

ENDANGERED SPECIES ACT AND THE LESSER PRAIRIE CHICKEN

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

Mr. POMPEO. Today, I rise to talk about a bird, the Lesser Prairie Chicken. Actually, it's not about the bird; it's about jobs. I happen to represent Cassoday, Kansas, the American capital of the Lesser Prairie Chicken.

The Environmental Protection Agency and this administration are about to do great harm to the bird but, more importantly, present great risk to energy exploration all across America. They want to put the Lesser Prairie Chicken under the Endangered Species Act. The impact of this decision will be enormous on our burgeoning domestic energy industry. Millions of public acres could be closed to exploration, and a labyrinth of bureaucratic nightmares awaits any investor foolish enough to explore land that might be home to even one Lesser Prairie Chicken. The uncertainty that listing this bird would create will discourage investments where they are most needed in our country.

It's time to find a practical, realistic solution to protect our environment and spur economic growth, but manipulating the Endangered Species Act and exploiting the Lesser Prairie Chicken is simply wrong.

INQUIRY INTO THE MURDER OF PATRICK FINUCANE

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

Mr. NEAL. Mr. Speaker, hours ago, British Prime Minister David Cameron told the House of Commons that a report he commissioned acknowledged there was a ''shocking level of state collusion'' into the murder of Attorney Patrick Finucane in Belfast in 1989.

I appreciate Prime Minister Cameron's recognition that the agents of the British state were involved in the murder of Pat Finucane and his apology to the family, but I will continue to be a strong and outspoken advocate for a full, open, and transparent public inquiry into the case of British collusion in the murder of Pat Finucane. It is the only way to get to the truth and the only way we can convince the public that one of the most controversial murders during the Troubles has been thoroughly investigated.

I have known Geraldine Finucane and her family for more than two decades. Their campaign for justice and truth has been honorable and remarkable. The killing of Patrick Finucane was a dark stain in the north of Ireland, which has not gone away by today's report. The British Government agreed to conduct a full inquiry into the murder at Weston Park, and they should honor that commitment, as Prime Minister Enda Kenny of Ireland has suggested today as well.

As we've seen many times before during the Irish peace process, whether it was the Birmingham Six, the Guildford Four, or Bloody Sunday, the truth eventually emerges. Pat Finucane's family deserves to know the whole truth. That is why we will continue to demand that the British Government hold a full public inquiry into the murder of Patrick Finucane.

STOP FOREIGN AID TO TUNISIA

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

Mr. WOLF. Mr. Speaker, yesterday was the 3-month anniversary of the terrorist attack in Benghazi, Libya, where four Americans' lives were tragically lost, including U.S. Ambassador Chris Stevens. To date, none of the terrorists have been brought to justice. In fact, in the months following the attack, the Tunisian Government blocked the FBI from interviewing the only known detained suspect in the attack, a Tunisian man named Ali Harzi. The FBI team has been there for 5 weeks, and they will not make him available.

Since January 2011, the U.S. has given more than $320 million in taxpayer dollars to Tunisia. I rise to ask that all U.S. aid to Tunisia be immediately cut off, in light of the country's blocking the FBI's attempt to investigate the attack and interview Harzi.

Why are we giving any sort of aid to a country that has proven at this time it is no friend or ally of the United States? Why are we not doing everything in our power to investigate the events in Benghazi that killed four Americans?

Should Secretary Clinton fail to cut off aid to Tunisia, I will take legislative action to cut off the aid.

RECOGNIZING JEH JOHNSON, GENERAL COUNSEL OF THE DEPARTMENT OF THE DEFENSE

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

Mr. SMITH of Washington. I rise today to recognize the outstanding service of Jeh Johnson, general counsel of the Department of Defense.

In navigating a wide range of important legal issues, Jeh has been an invaluable partner to the House Armed Services Committee over the last 4 years, and he is respected by Members on both sides of the aisle. Over the last 4 years, Jeh has advised the committee on numerous national security challenges, including cyberwarfare, counterterrorism operations, the legal boundaries of the conflict against al Qaeda and its affiliates, sensitive intelligence matters, and detainee operations worldwide. Jeh was integral to our efforts to reform military commissions—where those accused of planning and executing 9/11 attacks will be prosecuted. He has regularly testified before Congress and provided briefings on the Don't Ask, Don't Tell law and policy, efforts to combat sexual assault in the military, changes to the combat exclusion policy, the membership of the Joint Chiefs, and the withdrawal of U.S. troops from Iraq.

There has been no shortage of very difficult and very controversial issues. Jeh has always approached them intelligently and professionally and served this country, the President and Congress well.

The one thing I always noticed about Jeh is he liked coming over and talking to Congress, which is not always the case in the executive branch. He recognized the importance of the relationship between the legislative branch and the executive branch. He has served our country very well.

I wish him well in private practice and thank him for his service.

TEXAS SENATOR KAY BAILEY HUTCHISON

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

Mr. POE of Texas. Mr. Speaker, KAY BAILEY HUTCHISON has been a fighter for the State of Texas long before she came to the U.S. Senate. As a graduate of the University of Texas and the University of Texas Law School, she first served in Austin, Texas, in the House of Representatives. She then served as State treasurer, and then she made up her mind to become the first woman to ever represent the great State of Texas in the United States Senate.

Texans have been fortunate to have KAY as a feisty advocate for them. She's been a leader here in the Senate for almost 20 years. My grandmother used to always say that there's nothing more powerful than a woman who has made up her mind. Senator KAY BAILEY HUTCHISON is one of those women. She is a leader and a role model for all of us. She will be missed.

Thank you, KAY, for your service to the great State of Texas and the United States.

And that's just the way it is.

□ 1220

PROTECTING CRITICAL PROGRAMS

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

Mr. SARBANES. Mr. Speaker, critical initiatives that help the Chesapeake Bay will be among the hardest hit by sequestration. These programs, including the Small Watersheds Program, the Clean Water State Revolving Fund, and the Section 319 Program, provide much needed resources for on-the-ground restoration and conservation efforts in the Chesapeake Bay watershed.

These programs are some of the most important tools we have for addressing pollution and storm water runoff in the bay. An 8 percent cut would cost thousands of jobs and exacerbate the already crumbling public water infrastructure that is so prevalent in Maryland and across the country, adding pressure to State and local governments to pay for Federal programs that have been slashed. As we all know, the budget process is entirely about choices. We must make clean water and clean air a priority. I urge my colleagues to protect these critical programs from reckless cuts that will destroy jobs and destroy the environment.

SEQUESTRATION IMPACT ON ENVIRONMENT

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

Ms. CHU. Sequestration wasn't written to be good fiscal policy. It was never intended to be policy, period. These automatic cuts would deeply hurt our environment. This Congress has already tried to roll back our strongest environmental laws. Now we're on the verge of setting a new low.

Sequestration could force the national parks and forests to turn away visitors. Our Forest Service, which fights wildfires, might not have enough money to put out all the flames. Agencies protecting us from harmful toxic waste may have difficulty going after our worst polluters. This is no solution to our deficit problems.

Now is the time for both sides to work toward a responsible compromise. As I said before, sequestration was never intended to happen, so let's not let it.

NATURAL DISASTER HELP

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

Mr. HIMES. Mr. Speaker, you can't walk two steps in this Capitol without getting into a discussion these days about the fiscal cliff. The fiscal cliff is comprised of a lot of very serious issues, but it is a metaphor. Meanwhile, tens of thousands of my constituents and hundreds of thousands of people in the States of Connecticut, New Jersey and New York are suffering as a result of a natural disaster which was anything but a metaphor. Hurricane Sandy devastated communities across those three States.

Traditionally, when our constituents were homeless, when they were hungry, when they were standing amidst the wreckage of their homes, they looked to this body for help and this body always said, yes, we will help. As we speak, there is a bill in the Senate that would provide that assistance to so many distressed constituents, Republican and Democrat, rural and urban. When that bill gets to this House, I urge my colleagues to remember that whether it was Hurricane Katrina or Andrew or the earthquakes of the west coast, we have always set aside considerations of the budget, or offsets, or whatnot, to do the decent and moral thing and help our constituents.

Let's do it again.

PAY AS YOU EARN PROGRAM

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

Mr. COURTNEY. Mr. Speaker, while the whole world is waiting to see whether the House Republicans say ''yes'' to extending middle class tax cuts, President Obama, on Friday, moved ahead with following through on a campaign promise to help people with student loan payments which are at record-high levels.

The Pay as You Earn program, starting next Friday, will accept applications to cap repayment at 10 percent of discretionary income. So, for example, an individual with $30,000 in income and $26,000 in debt will see their monthly payments drop from $166 a month to $110 a month.

Individuals can contact the U.S. Department of Education's Web site to apply for this assistance or call your Member of Congress. And while you're at it, tell them to extend middle class tax cuts, sign on to the Walz bill, and let's get away from this fiscal cliff.

Congratulations to the President for following through for young Americans to make sure that they're going to get needed help to pay for college.

PRODUCTION TAX CREDIT EXTENSION

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

Ms. SCHAKOWSKY. I rise today to highlight the critical importance of extending the Production Tax Credit for wind energy, which expires this month. The Production Tax Credit is essential for energy independence, the environment, and public health; and it is critical for job creation and our economy.

The Production Tax Credit has helped to create good-paying jobs across the country, including 7,000 in my home State of Illinois. Because of uncertainty, the wind industry is hurting and job losses have already begun. The failure to extend the Production Tax Credit will result in the loss of 37,000 of the 78,000 American wind jobs. Those are not just numbers on a sheet of paper; they represent people and families and communities.

This is not a partisan issue. Eighty-nine percent of Americans, including 84 percent of Republicans, want more wind power. We must act to extend the Production Tax Credit for wind without delay. The American people can't wait any longer.

SEQUESTRATION

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

Mr. LANGEVIN. Mr. Speaker, impending budget cuts under sequestration pose a serious risk to America's leadership in a variety of areas. The one in particular that I want to focus on today is the serious risk to America's leadership on a clean-energy economy and to developing grid-scale energy infrastructure, made possible in part by the Production Tax Credit. These investments help to ensure our Nation's energy security and independence while spurring growth in a wind industry that supports over 70,000 jobs nationwide, including hundreds in Rhode Island.

Mr. Speaker, Rhode Island receives 7 percent of its State revenue from Federal grants that are subject to sequestration. Unless averted by Congress, it

could threaten the health of Rhode Island's local economies and risk another national recession.

I know we have difficult choices ahead; but if there's one mandate both parties can claim from the November election, it is to solve our Nation's economic and fiscal challenges together. Although we may not agree on all aspects of a solution, we can all agree on the need to address the impending problem. The clock is ticking.

SUPPORTING RENEWABLE ENERGY RESEARCH PROGRAMS

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

Ms. LEE of California. Mr. Speaker, let me thank all of the members, first of all, of the Sustainable Energy and Environment Coalition for working so hard to protect vital funding for environmental programs, including renewable energy initiatives from the so-called fiscal cliff.

Renewable energy research is the first step for job creation and building up American manufacturing. I'm proud to say that in my own district we're leading the way with a vibrant renewable energy research industry led by the University of California at Berkeley, the East Bay Municipal Utility District, the PolyPlus Battery Company, and the Lawrence Berkeley National Lab. They and others work day and night on innovations that will power our future and fuel our economy.

Mr. Speaker, we must end the billions we give in special tax breaks and subsidies to Big Oil and instead invest in manufacturing and green renewable energy projects here at home. And ending the Bush-era tax cuts for millionaires and billionaires will create more revenue for ending our dependence on foreign oil.

DON'T RAISE ELIGIBILITY AGE FOR MEDICARE

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

Mr. COHEN. Mr. Speaker, we're in these fiscal cliff talks, and the President and the Speaker are trying to work out a solution. They're talking about tax rates for the top 2 percent and taxing their wealth. That's something they should do because it's fair and it gives the other 98 percent tax relief. But at the same time they're talking about increasing the Medicare age from 65 to 67. That's taxing the wealth of the less fortunate people who are 65 and 67. For them and for everybody, your health is your wealth. Jimmy Copeland, a friend and semi-philosopher, said that ''your health is your wealth.'' If you raise the Medicare age from 65 to 67, you're going to sacrifice the health of people who are not the most fortunate. So while we tax the income of the most wealthy, we'll be taxing what wealth the less wealthy have—their health. That's wrong. Mr. President and Mr. Speaker should not increase that age and tax the poor.

LET'S WORK TOGETHER

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Speaking in the instance of deliberations, redundancy is sometimes good. So I join my colleagues in again placing the defining word ''nonstarter'' on any idea to raise the eligibility age for Medicare for hardworking seniors, but hardworking Americans.

Let me clarify that Medicare is earned; it is not a handout. The word that we use as ''entitlement'' sometimes now has become on the order of what ObamaCare used to be. An entitlement is entitled because of earning it, and that goes to Social Security—which is solvent until 2037—and even Medicaid for seniors who are in nursing homes who have worked.

So if we move that aside to look long term at how we begin to look at entitlements, we're open-minded. But the bottom line is let's pass the middle class tax cuts that are for 100 percent of Americans. Let's join Senator TOM COBURN: I'm for raising revenue because we have to; or Senator CORKER: There's a growing body of folks who are willing to look at the rate on the top 2 percent; or KAY GRANGER: Extending middle class tax cuts is just the right thing to do.

Mr. Speaker, let's get busy in a bipartisan way.

□ 1230

MANTI TE'O

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

Ms. HANABUSA. Mr. Speaker, much of Hawaii was waiting this past Saturday for word of whether one of our own, Manti Te'o, would win the Heisman trophy. It would have been a first for Hawaii. Manti shares Punahou, the same high school alma mater as President Obama, and his story is compelling.

Manti is someone who has trained so hard with his parents solidly by his side to play football well. You should hear the stories by his father. He plays the game for the sense of camaraderie and the building of friendships. He is not only gifted, but a very humble young man. But many may not know that he may not have played his senior year because he lost his girlfriend and grandmother within 4 days of each other. He did play because he promised his girlfriend that he would.

Manti, you have made many of us all proud, especially those of us from Hawaii. And to you and your teammates from Hawaii, Robby Toma and Kona Schwenke, we say, go fighting Irish! Mahalo and aloha.

TAX CREDITS AND TAX CUTS

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

Mr. PERLMUTTER. Mr. Speaker, the permission I request is to make two simple requests to my friends in the Republican leadership and to the Rules Committee, and that is to bring to the floor two bills. One is to extend middle class tax cuts for 98 percent of the country. So that has been passed by the Senate. It provides relief to so many Americans. It should be done immediately, and it will be passed overwhelmingly here in the House of Representatives. So the request is the middle class tax cuts. Let's bring them to the floor. That deals with a big portion of the budget conversation that's going on today in Washington.

Second is for the production tax credit to be brought to the floor. Thousands of jobs all across the country are dependent upon that tax credit. Again, it would be passed overwhelmingly if it were brought to the floor. There's no reason to hold these up any longer. We need to pass these. I ask the Republican leadership and the Rules Committee to bring them to the floor.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 827 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 827

Resolved, That it shall be in order at any time through the legislative day of December 28, 2012, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this resolution.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Fairport, New York, my dear friend, the ranking member on the committee, Ms. SLAUGHTER, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. I rise today in support of this rule, which will provide this body the ability to consider legislation under suspension of the rules for

the remainder of this Congress. However, I would prefer not really to be here today talking about this resolution. I was speaking with the gentlewoman, Ms. SLAUGHTER, a few minutes ago, and we concluded that it sounds a lot like Christmas, and that's why we're all here. It must be Christmastime, and so we're going to work all the way through. But I'd like to be home with my constituents, I'd like to be home with the family, I'd like to be doing things. But the reality is that Congress will have to remain in session for the holiday season because we're the ones that said we would help solve the problems of this country, that we would step up to the plate on behalf of the American people and make sure we did what we said we'd do, and that is to make life better for people. We set the dates, we set the timing, and that's why we're here.

So while families all across the country are with their loved ones, we will be here working. We said we would, and what we're going to wait for is our two sides, our leaders, the President of the United States, Barack Obama, Speaker JOHN BOEHNER, certainly Senate Majority Leader HARRY REID, to lead those efforts to find a legislative deal that is designed to avoid America and this country, including our government, from going off the fiscal cliff. We have heard a lot about that. We are speaking about it. We've had discussions on the floor today about it. That's why we're here. And we're trying to make sure that we, as Members of Congress from both parties, are here trying to help resolve that so we can still do work in between that period of time.

So, 2 weeks ago, House Republicans proposed this solution of trying to make sure that we would have an answer. The President has come back with a solution, and we now know where to point where. Our friends, the Democrats, are insisting upon a tax increase to move forward, and Republicans are saying, hold on, hold on; we need new revenue, but we don't need new taxes, especially taxes on small business owners that are the creators of jobs in our economy. And so Republicans are saying, we're not going to fall victim for being for the President's ideas and the Democrats' ideas that destroy 700,000 American jobs.

So, here we are. We're here. We're going to stay here in town. Republicans have resolved to stay here. We said we'd sit at the table, we said we would do the American workers' and the American people's bidding at the table to make sure that we have a bipartisan answer, and that's what we are going to do.

So we all remember that following the election in November that our Speaker, JOHN BOEHNER, committed that this body would continue working with the President to reach a compromise that averts the fiscal cliff. Avoiding the fiscal cliff is what we should continue to do, and we should work very diligently. So for my friends that wonder why we're here, perhaps, Mr. Speaker, our families, we're here. We're going to keep working. We're going to work day in and day out, and we're going to hope that our leadership, including the President, is able to make counteroffers until we reach that exact point where a deal can be done.

This is not just about negotiating. It is about finding an answer for the American people. By the way, for people that think this is all about politics and the things that are going on, perhaps it is, but it's going to take both sides—two sides, two willing partners—to want to come to an agreement. That's why we're still in town.

To date, I know we've not seen a lot of progress, and I know we are worried about it. But I would remind us, and I believe this is true, that the President said he is going to stay at the table, he is going to work with Republicans, he is going to get a deal that's good for the American people, and the President said this during the election, and so I think we're here to make sure that is what happens.

Mr. Speaker, in less than 20 days, in addition to the beginning of the New Year, we're going to find out that we also have a new set of taxes that have already been agreed to by the Congress. Ms. PELOSI, when she was Speaker, and the President ran through something that the President likes to call ObamaCare. But there are massive taxes already ahead in law for the American people, many of which we're just now becoming aware of. I guess that's what happens when you don't read the bill before you pass it. But every single American will see their personal taxes already go up, and that's before we get to whatever happens with the fiscal cliff.

□ 1240

This is an arbitrary across-the-board tax increase, the combination of which will mean that if we are unable to resolve the fiscal cliff without raising taxes, we'll already see a lot of new taxes as a result of the health care law on financial transactions, on insurance programs, on every single working American. That's why we have Speaker JOHN BOEHNER trying to present President Obama with an alternative that says rather than raising taxes, which is already going to happen on January 1 from this massive new tax increase that was in the health care bill, why don't we find a way to understand and have the economy take that in hand first.

I know the President stood here at the State of the Union address and said we're not going to spend one dime of taxpayer money. I know the President stood here and said every single American can keep their own insurance plan. I know the President has made these promises to the American people, and these are the things that we're going to have to understand about January 1 of next year. I believe that's why we need to have JOHN BOEHNER be successful, and the President, to make sure we avoid further tax increases because we already have a massive tax increase that's going to take place. This would, in essence, be a double whammy on not just a fragile economy, but an economy that is in far worse shape with a country that is far more in debt and much more at risk today.

So you and I understand, the CBO has estimated some 2 million American jobs would be at risk because of the ObamaCare implementation and its massive impact on the free-enterprise system and taxation, combined with what would be this new—if the President gets his way—tax increase on working Americans and, in particular, small business.

While much has been made about the debates surrounding tax rates, there is, I think, a larger picture that we need to consider. We should focus on employment and jobs. Instead of trying to necessarily aim for fairness just by using this weapon against small business, we should focus, I think, on job creation.

We understand that if the President's bill passes, we will lose 700,000 jobs. That means 700,000 Americans and their families would then qualify, I presume, for unemployment, and it would mean that we begin the new year once again on a negative pathway. That's why we are here today talking and trying to have our leaders of this great Nation make sure that we avoid this.

This country is in desperate need of an economic kick-start. Lower taxes, we believe, through stimulating job creation and job investment and by stimulating the economy, will allow all Americans not only to keep their jobs but also to keep more of their own hard-earned pay. In fact, President John F. Kennedy, I think, agreed with us when he said:

> It is a paradoxical truth that tax rates are too high and tax revenues are too low, and the soundest way to increase revenues in the long run is to cut rates now.

That's exactly where we are. Republicans are arguing not to increase taxes at a time when the American economy is struggling, when families are struggling. Let's not ask them to go into their pockets and pay more to a government that simply wants to spend more of this money.

Mr. Speaker, my Republican colleagues and I remain committed to staying in Washington, D.C., to try and get this done. Between now and then, what this rule is all about is saying that we're going to put us to work on solving some of the ideas and issues that remain in the workplace where there are answers with suspension votes. So that's why we're here today pending conference reports and decisions that need to be made.

I encourage my colleagues to support this rule with a ''yes'' vote, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

I do want to thank my true and good friend, Mr. SESSIONS, for yielding this time; and I want to congratulate him on his ascension to the chair of the Rules Committee. I look forward to working with him.

I think, though, what we want to do this morning perhaps is debate the health care bill one more time. It's not enough that this House in the last term debated it 32 times at least to try to repeal all or part of it, and we know that not a single person on the other side voted for that bill. But as it gets more and more popular in the United States, I think sooner or later they'll wish that they had.

There is one comment I need to make before I get to the business at hand, and that is the notion that it was rammed through in the middle of the night. The health care bill went through the entire committee process. There are pieces in there that Republican members of committees put in. Although they may not want to admit it, they're there. In addition, the Democratic Caucus, under the leadership of NANCY PELOSI, went over that bill line by line three times. I remember it well.

But let me get to the business at hand because, Mr. Speaker, I haven't seen an honest day's work from Congress here in quite a while.

Earlier this year, the Columbia Broadcasting System News reported that it costs $24 million a week to run the House of Representatives. But for the last month, the majority has spent the money on shuttling us back and forth to Washington and then asking us to sit here and twiddle our thumbs. No more. It's time to get down to brass tacks and give the American people a return on their multimillion dollar investment. We need to start right here and right now by passing the tax cut for the middle class. We could do it tomorrow. All we have to do is take up the Senate bill. It's right there.

In addition to that, we ought to really take up the Violence Against Women Act from the Senate, not the House bill. The House bill did not include numbers of women in America under this act: Native American women, gay women, and immigrant women. We couldn't tolerate that. So let's take the Senate bill and pass it. That bill has reduced domestic violence 67 percent. We need to reduce it 100 percent, but we cannot do without that. It's terribly important.

The farm bill is important, but we'll get to more of that. I cannot say enough that we absolutely need—and I think so many people this morning on 1-minutes made the point clear. I know that numbers of Republicans want to do it in a bipartisan way. What we can do is what we've already agreed on, and that is that the middle class should not have a tax increase, but that the richer people in this country should be paying their fair share. There is simply no reason for this delay. Once those tax cuts are passed, then we can move on to the countless other issues that I've already mentioned that demand our attention. We can extend unemployment insurance. It's set to entire on January 1 and will affect millions and certainly affect our economy. We can give support to millions of Americans struggling to recover from Hurricane Sandy. We can begin an open debate, as I said, on the Violence Against Women Act.

Historians have said that this term of Congress these last 2 years has been the least productive in American history. That is not anything to be proud of, but the majority seems to be intent on keeping that title. They spent 2 years taking vote after vote to repeal health care and even more time to make sure that the $4 billion subsidy to the big oil companies stays intact. It's shameless, and we need to do more than that. The people who sent us here deserve more than that. We should not be crying out in the wilderness to work. We have been sent here to work, and we need to get down to it in the final hours of this Congress. We have always had the threat of a working Christmas. If we have to do it to get things done, I'm certainly willing to do that. But the majority should help solve the Nation's most pressing issues. That's why we're here. Do not actively choose—as that's what's going on—to leave the work unfinished.

As we sit and wait for the negotiations on the fiscal cliff, there is always other legislation that is ready, that could be done now, could help our markets, could relieve the minds of employer, could give security to the middle class and people below that; and we certainly ought to be doing it.

All we're doing now with today's rule is giving the majority the freedom to spend the rest of this month and the rest of this year on minor, noncontroversial legislation. I refuse to give this blank check to a majority that has yet to show any interest in completing outstanding work.

I urge my colleagues to join me in opposing today's rule so that we can try to get back to work. This Wednesday should be the day we start doing our job to provide real solutions to those we represent who have real problems.

With that, I reserve the balance of my time.

□ 1250

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

Mr. Speaker, the gentlewoman makes a number of good points. We did pass in the House the Violence Against Women Act. It passed on May 16 of this year, 222–205. The House has passed, by the way—256 of our colleagues to 171—what's called the Job Protection and Recession Prevention Act. It was passed on August 1.

Ms. SLAUGHTER. Will the gentleman yield?

Mr. SESSIONS. I will yield in just a second.

Mr. Speaker, this bill would have extended all current rates and would have compelled Congress to enact meaningful tax reform in 2013. We passed this. We've said we ought to do what we should do, and that was back in August.

I yield to the gentlewoman from New York.

Ms. SLAUGHTER. I thank you, Mr. SESSIONS, because I know you, and I know that you understand that I've already talked about this. That bill that passed this House excluded a large number of women. Basically, what this House said with that vote was to go ahead and beat them up, that we don't want them covered.

After the election, after what everybody has been through, after what the American public thinks about what a large number of our cohorts believe here, surely to goodness, you would not recommend that that bill become the law of the land. The simple thing we're asking for is to take up the Senate bill, which covers everybody in domestic violence.

Mr. SESSIONS. In reclaiming my time, I do appreciate the gentlewoman in that we will be engaged in many of these debates. We have been in the past, and we will be in the future. I think the gentlewoman makes a good point.

We offered this bill. We debated it. We passed it. We are waiting for the Senate to get to a point at which they can get to conference. I mean, this is how this thing works. We're not going to take the Senate bill and pass it. We passed our bill. Now, if we could get to conference, where the Senate and the House get together and they resolve their differences, then we can bring it back, and we'll have a bill. That's supposed to be how this place works. It's not where we pass our bill and then, all of a sudden, we decide we're just going to take the Senate bill and repass it and negotiate with ourselves. I think what we need to do is to stick to what we understand, and that is that we are waiting for the Senate to come and do business with us.

Mr. Speaker, at this time, I yield 5 minutes to a young, new member of the Rules Committee, the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank the gentleman from Texas for yielding. He will be our chairman next year, and I'm looking forward to his leadership.

We are kind of setting the tone for what's going to happen next year. I said all through the fall, Mr. Speaker, that this was going to be that opportunity, that we were going to have to kind of define where this Congress was going to go for the next 2 years.

I'd say to my friend from New York, for whom I have great respect and with whom I've enjoyed working on the Rules Committee for 2 years, Mr. Speaker, that this rule today does exactly what my constituents back home have asked me to come back to Washington to do. The gentlelady cited bill after bill after bill that I have been proud to support to try to rip the

President's health care bill out by its roots. We absolutely worked hard at that. Of course, the Senate hasn't cooperated with us and the President hasn't cooperated with us, so we weren't able to get that done.

What this rule does is to say let's move beyond those controversial topics, and let's move beyond those topics that we know we could jam through. For Pete's sake, there's a Republican majority in this House. We could jam through absolutely any piece of legislation we wanted to jam through. But what this rule says is that that's not the way to finish out the year. The way to finish out this year is to make sure that we're grabbing each piece of legislation out there that has bipartisan support. Let's grab each piece of legislation out there that folks have been laboring on for 2 years, that folks have brought together a consensus around and brought together a majority behind, and let's pass those things.

I think that's fantastic. I think that's fantastic that every single bill that Members have been investing their energy in they'll now have a chance to move to the floor. My frustration is, what about the bills that we've already worked on here in a bipartisan way that have yet to be taken up on the Senate side?

I heard from my constituents in a town hall meeting last night, and somebody said, Rob, why do you always put everything off until the last minute? Why didn't you deal with this sequester earlier?

I said, Do you mean like back in May when the U.S. House passed the only sequester replacement bill to have been passed in this town? It was back in May.

He said, Okay. Maybe that takes care of the sequester problem, but why didn't you fix these tax rates?

I said, Well, we did. As my friend from Texas just pointed out, what about back in August? In a bipartisan way, we passed a bill in this House to extend current tax rates for everyone in order to prevent tax rates from going up.

Then I took another question from one of the folks who said, But what about that Senate bill people keep talking about? What about the Senate bill? Why won't that get a vote in the House?

I said, Well, actually, it's quite unusual in the Rules Committee. You don't see it very often when a tax bill is coming to the floor. The Rules Committee back in August, when we were voting on taxes in general, waived all the points of order, took all the roadblocks out of the way, in kind of an unprecedented way, to allow what we call the Levin amendment, which was, basically, exactly the plan the President has been pushing, which is to raise taxes on family-owned businesses, to punish those job creators.

We took that vote here on the House floor, and I'm proud to say that, again, in a bipartisan way, Republicans and Democrats came together, rejected class warfare, and said let's get behind a program that expands the economy for everyone. We passed that tax bill back in August, then again in September. Again, in being worried about this defense sequester that's coming up, we took up the bill from the gentleman from Florida to say, how could we deal with these defense sequestrations in a responsible way?

So I go back to May when this House did its work. I go back to August when this House did its work. I go back to September when this House did its work. There is proposal after proposal after proposal that, as the gentleman from Texas said, we could take to conference tomorrow.

If I could ask the gentleman from Texas, because you know better than I: I know this rule allows for suspensions to come to the floor, but what about that? What about when the Senate decides to get to work and takes up the companion legislation to some of these bills that we've passed in the House? Will we be able to move to go to conference?

Mr. SESSIONS. I appreciate the gentleman's engaging me. I would say to you there is nothing in this rule that will preclude our taking a conference report or any business on what we might call ''regular order'' that would require a rule to come forth.

Mr. WOODALL. So, as the gentlelady from New York was talking about some of these important pieces of legislation coming to the floor, you're saying, if the House appoints conferees and if the Senate appoints conferees, we can get together and bring legislation back to the House for every piece of legislation that she has on her agenda?

Mr. SESSIONS. The gentleman would be correct, and we do expect those.

Mr. WOODALL. Mr. Speaker, I thank the gentleman from Texas.

This is exactly the kind of deliberative House that I came to be a part of just 2 short years ago. We have the ability to get these things done in the next few days. I reject the idea that I read over and over and over again, Mr. Speaker, that this House has been delaying action. This House got it right. We got it right in our budget in April of 2011. We got it right in our budget in 2012. We got it right when we passed a sequester replacement. We got it right when we passed a tax replacement—and we're getting it right with this rule today, Mr. Speaker.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to our leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Thank you very much, Ranking Member.

Mr. Speaker, why did I sort of smell smoke when I heard this debate? It's reminiscent of Nero fiddling while Rome burned. The American people are waiting for us to get the job done here, not to make a myriad of excuses about why stuff hasn't been done.

You're bringing up a rule that says we should have a suspension authority? Let's bring the middle-income tax cut up under suspension. I believe—and I am willing to take the chance—that this House would give over two-thirds of a vote to the middle-income tax cut.

Do I detect your smirk to mean that you don't think Republicans will vote for a middle-income tax cut, Mr. SESSIONS? Should I take it to mean that you will continue to hold middle-income tax cuts hostage, giving tax cuts to the wealthiest people in our country?

The unfairness of it is appalling. The fact that it increases the deficit is disgraceful, and that it does not create jobs is a big mistake for us to make.

What we are asking for in this rule is to say ''no'' to the previous question so that we can take up a rule that says that we cannot leave here until we and unless we pass the middle-income tax cut, whatever else happens on a whole myriad of other issues that relate to the cliff. This matters, what happens here. It matters that we get the job done. It is relevant to the lives of the American people.

□ 1300

As we gather here—we, a country of great family tradition, of family values, of commitment to faith, faith in ourselves, our families and our God, our country—we are away from home while people are lighting a Menorah candle, a Chanukah candle, while people are trimming trees and the rest of that. Okay, we're here to do our job. But we hear from the Republican side that they might not be ready to relieve the pain and curiosity that American families have about whether we are going to get this done. They are going to put this off until the very last minute, as to whether the markets will have confidence on how to grow the economy and create jobs and remove all doubt—remove all doubt in the full faith and credit in the United States of America.

Every time you come to this floor, it's an existential question: Why are we here? We are here to do the people's work. Let's sit down, get it done, and move forward, instead of filling the agenda, however worthy some of those initiatives may be; instead of, not along with, passing a middle-income tax cut.

This is also reminiscent of a year ago. The President proposed, the Senate Democrats and Republicans voted for the payroll tax holiday. The Republicans in the House resisted, painted themselves into a corner until they had no choice. The issue had been made too hot for them to handle, and they finally had to come around to supporting the payroll tax holiday.

And here we are again.

One hundred percent of the American people will receive a tax cut when we pass the middle-income tax cut. The wealthiest people in our country will receive a tax cut up to their income of $250,000. We're asking them to pay a little bit more for what they make over

$250,000 a year to help reduce the deficit, to help grow the economy. Grow the economy. That growth is what is essential. If you want to reduce the deficit, create jobs.

So why aren't we doing that? Why are we just having all this subterfuge and this, that, and the other thing? Why are we being told to make a reservation on Christmas Eve and one on the day after Christmas to come back. Is there not an appreciation for the Jewish holidays, the Christmas holidays, Kwanzaa, all the other things that families come together around, bonding rituals important to the strength of our society? Do we not care about that? Well, the American people do. And they want to shop for it. They want to have family dinners and they want to exchange gifts, as is the tradition. But they really don't know if they're going to be able to pay the bill in January for their purchases in December.

The President has been very clear: Democrats have agreed to $1.6 trillion in cuts, much of it voted on—all of it voted on already either in the Budget Control Act or in other actions taken by this Congress in the course of this Congress. We have already taken a savings of over a trillion dollars, redirected savings in Medicare to prolong its life and to increase benefits. That would be $700 billion in the Affordable Care Act and now another $400 billion or such in the President's budget. We're committed to that.

Where are the tax cuts? Where are the tax cuts for the middle class that would inject demand into the economy and would therefore create jobs and create growth? Where are the revenues that we would get if we did that and then had the additional participation of those who make over $250,000? Where is the revenue that the Republicans are willing to bring to the table? All we've seen from them is a letter. All we've heard from them is that they don't want to tax the rich. All we know is that the public is very much on board with everyone in our country paying his or her fair share.

And so this rule today that says give us authority to have other bills brought to the floor, well, if one of those bills is the middle-income tax cut, we're happy with that. But if that isn't the plan, then I urge my colleagues to vote ''no'' on the previous question because that will then enable us to bring a rule to the floor which calls for bringing forth the middle-income tax cut before we leave here.

Again, we support the President and his proposal, which is fair, which reduces the deficit, which creates jobs, and which will work for the American people.

Mr. SESSIONS. Mr. Speaker, with great respect to my dear friend, the gentlewoman from San Francisco and minority leader, I'm delighted that she came down to engage us on this very important issue. The gentlewoman does recognize and know that the House on August 1, in fact, did exactly what she is suggesting today, and that is to take action on what the future tax rates would be in this country. And on a bipartisan basis, 256–171, this House of Representatives said let's understand that now is a bad time to raise taxes on the American people; and let's extend for a period of time all of what are known as the tax cuts which allow America to keep working. We passed it 256–171.

Mr. Speaker, I'll insert into the RECORD a chart that exists on the House Budget Committee that shows the choice of the futures. And one future that was presented, this slide that I've got that's on the House Budget Committee is essentially about the current pathway as the President would choose as outlined in his budget that the gentlewoman, Ms. PELOSI, spoke of that got no votes in the United States Senate. Not one vote. No votes here, the plan that the President has presented which would substantially not just raise taxes, but substantially raise spending.

If you isolate the President's ideas of simply raising taxes on whatever he calls the top 2 percent, those who have a household income of $250,000 and above, what you essentially do, Mr. Speaker, is very quickly lose 700,000 American jobs. And that's the answer that this administration fails to include in their talking points, that there's a huge impact. And part of that impact, Mr. Speaker, comes from the problem where dividends, and dividends are that money that comes back as a result of an investment, would rise essentially from 15 percent to whatever a person's top tax rate is—meaning it could go, at least under the scenario that the President wants, to 39 percent. That means from 15 to 39 percent.

That window, that value in between is what people reinvest in their companies. They reinvest that many times in small business, and that's the job creation element. When you make this rate go up, you arbitrarily take away some 700,000 American jobs that need current capital every day, a small business owner, reputting that money, reinvesting that money for the life of their business.

And this is the part that we believe as Republicans, that we stand on the side of saying we shouldn't lose American jobs just for the sake of fairness, of what the President, what the minority leader is down arguing for, of increasing taxes.

□ 1310

So it's obvious to Republicans that what we believe we stand for is creation of jobs and making sure that that capital that's invested in the economy continues.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN), the assistant Democrat leader.

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

Mr. CLYBURN. Mr. Speaker, I thank the gentlelady for yielding me this time.

Mr. Speaker, when the so-called supercommittee failed last year to overcome the obstruction of the Tea Party Republicans and their leader, Grover Norquist, to achieve a fair and balanced plan for deficit reduction, economic growth, and job creation, I said it would take a decisive national election in order to settle the matter. I believe President Obama's victory on November 6 was very decisive and pretty definitive.

During the campaign, President Obama very clearly laid out his vision, and the American people strongly affirmed his position. The President won all but one of the swing States, 62 percent of the Electoral College, and carried the popular vote by more than 4½ million votes. Democrats added to our numbers in the House and Senate and captured a House popular vote by more than a million votes.

In February 2010, President Obama began the process to reduce our deficit by establishing the Simpson-Bowles Commission. Since that time, many bipartisan groups have made recommendations on how to reduce the deficit, and they have all been in agreement: We need a balanced deal that requires shared sacrifice from all Americans, including the wealthy.

In 2011, we began to reduce the deficit, but we did it entirely through spending cuts, over $1.5 trillion, and have asked nothing of the most fortunate.

In 2012, the American people spoke. It is time for balance and shared sacrifice, and the first step is to allow the Bush tax cuts for income over $250,000 to expire. But that is a debate for another day. Now we must do what we agreed on, extend the tax cuts for everyone on their first $250,000 of income.

The proposals put forth by the Republicans since the election and their refusal to extend the middle class tax cuts, which we all agree should be extended, are just more of the same obstructionism.

The time for posturing is over. It's time for our House Republicans to accept the express will of the American people and get beyond their pledge to a special interest lobbyist here in Washington, D.C.; although, frankly, I fail to see how voting to cut taxes violates a pledge to never raise taxes.

We need to defeat the previous question.

Mr. SESSIONS. Mr. Speaker, I'd like to remind the gentleman that Republicans have already passed the bill for the middle class tax cut on August 1 of this year, and it passed 256–171. We're now waiting for the Senate to act on that.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'll gladly yield 2 minutes to the gentleman from California (Mr. BECERRA), the vice chairman of the Democratic Caucus.

Mr. BECERRA. I thank the gentlelady for yielding.

If you're in the middle class, shouldn't it feel like you're in the middle of America? Yet the politics of extremism is pushing the middle class to the very edge—the very edge.

Our House Republican colleagues continue to ignore the calls from the American people to extend middle class tax cuts now. That politics of extremism is threatening to raise taxes on the middle class by the amount of about $2,200 starting January 1.

Republicans should, once and for all, join with Democrats and the American public to bring the bipartisan, Senate-passed middle class tax cut bill to a vote on the House floor. Passage of the bipartisan middle class tax cut bill ensures that 98 percent of Americans and 97 percent of small businesses don't see a single tax increase next year.

Democrats and two-thirds of the American people agree with a growing number of Republicans who are telling their Republican colleagues, Take the 98 percent deal; take the 98 percent deal.

My friends, this is not the time to put a foot on the brake of our economic recovery that we're beginning to experience. It's time to get our work done.

Remember, colleagues, where we were 4 years ago. Four years ago, November 2008, our country was hemorrhaging 800,000 American jobs. This November, we got the news, 146,000 new jobs. It's time to continue that progress.

Let's stop abiding by these pledges to special interests and start abiding by our pledge to the United States of America and to the people who elected us to serve the interest of all Americans, not those of special interests. Let's pass this middle class tax cut bill now.

Mr. SESSIONS. Mr. Speaker, I'd like to just make sure that the speaker that was up here, Mr. BECERRA, understands that on August 1 of this year we passed a bill to extend tax cuts for the middle class, 256–171. We've already done that, and it's now awaiting Senate approval.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I'd like to yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

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

Mr. HOYER. Mr. Speaker, I thank my friend for yielding. I want to thank the chairman of the Rules Committee for his efforts as well.

Ladies and gentlemen of this House, we talked a lot about, correctly, creating certainty, alleviating uncertainty, alleviating angst among our people and among our economy.

We have an opportunity to bring certainty to a large segment of the America that they will not receive a tax increase on January 1. We have that ability because the United States Senate has acted on a bill which will allow us to do that.

Even if we don't take their bill up, we could take a bill that TIM WALZ has introduced. Congressman WALZ has introduced a bill which will say to the 98 percent that we've talked about, You won't get a tax increase. I think that we have agreement on that. As the gentleman from Texas indicated, we have agreement on that.

I think there's not anybody here—or very, very few at least, on either side of the aisle—who doesn't say that those who are making $250,000 or less as families or $200,000 as individuals, or less, shouldn't get a tax increase.

Now, there are some who say that those above should not get a tax increase either. I understand that. But we have disagreement on that.

The American people are frustrated by the fact that even that on which we have agreement we can't move. That's their frustration. They understand that we have policy differences, but they are hopeful that when, at least, we have agreement on an issue that we can move it. And if we did so, think of the confidence.

Mr. COLE, former—had your job as the chairman of the Campaign Committee, said let's pass this. Let's give the middle class, the working people of America, a Christmas present, a sense of certainty, a sense of self-confidence, a sense of well-being. That will be good for our economy, but certainly good for them individually and as families as well.

So I would urge my colleagues on the Republican side and my colleagues on the Democratic side, vote against the previous question.

□ 1320

Now that's somewhat esoteric, Mr. Speaker. Those watching us say, What does that mean, voting against the previous question? What's the previous question? That's some sort of political jargon that they use in Washington.

What it means is, if we vote against the previous question, we will then be empowered to bring forward the middle class tax cut bill and we'll put it on the floor, and Mr. WALZ will be our leader on this because he's put it in the hopper.

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

Ms. SLAUGHTER. I yield the gentleman an additional 1 minute.

Mr. HOYER. We'll put that on the floor, and every Member of this House, all 435 Members, will have the opportunity to say to the American people, Yes, on December 12, we're going to tell you that on January 1 your taxes will not go up.

Give us that opportunity. Give us that opportunity to say ''yes'' to the American middle class. Give us the opportunity to say ''yes'' to certainty in our economy. Give us the opportunity to say ''yes,'' we agree on something, and aren't you proud of the fact that when we agree, your Congress can act? Let's say ''yes.''

Vote ''no'' on the previous question, and then vote ''yes'' for the middle class.

Mr. SESSIONS. Mr. Speaker, I do appreciate the gentleman, my dear friend from Maryland, whom I have not only regular conversations with but enjoy very much. I would once again remind the gentleman that on August 1 of this year we passed, 256–171, an idea that would be about not losing 700,000 jobs by doing it the way that our friends the Democrats want to do it.

Mr. HOYER. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman.

Mr. HOYER. It's never wrong to do the right thing twice.

Mr. SESSIONS. Reclaiming my time, it is wrong to lose 700,000 more American jobs, and that's the practical effect.

The minority leader and our speakers here all day want to talk about sequestration. The sequestration came as a result of a promise, a deal, an agreement that we as Republicans and House and Senate and the President agreed upon that we would come to an agreement upon how to cut some spending. The President says it's absolutely essential. Now they want to back away from the deal.

Well, here's what their deal is:

Their deal is, among other things, about the new taxes that will take place. Here's one of them that we know will happen already under law: Medicare DSH payments paid to qualifying hospitals that serve low-income patients will be reduced by 75 percent starting October 1, 2013, in addition to the $700 billion that will be transferred away from senior care. And I know we had an election where we talked about this. One person tried to explain, Well, that's not really right. Those were to a certain group of people that may be rich. But it's right here, to low-income hospitals. That means that we're going to have hospitals that no longer will serve seniors because their payment rate got cut by 75 percent. Tax increases, tax increases on health care; tax increases, as we learned last week, when it was announced that all insurance plans will now be paying an extra $63. Those are passed on to customers, consumers.

This is an outrageous government takeover of health care, and now what they want to do is diminish another 700,000 jobs. No, sir, we're not going to fall victim to that.

[From the House Committee on Small Business]

The Patient Protection and Affordable Care Act is currently being implemented. The following table lists some of the provisions affecting small businesses that take effect in 2013.

PATIENT PROTECTION AND AFFORDABLE CARE ACT—PROVISIONS EFFECTIVE IN 2013

Provision Law, Section (Effective date)	Description	Consequences for small businesses
Medicare Tax Increase P.L. No. 111–148, Sec. 9015 (January 1, 2013)	The Medicare Part A tax rate on wages increases from 1.45% to 2.35% for those single filers earning over $200,000 ($250,000 for married joint filers). A new and additional 3.8% tax will be assessed on unearned income such as taxable capital gains, dividends, rents, royalties, and interest for taxpayers with modified adjusted gross income (MAGI) over $200,000 single and $250,000 married joint filers.	Small businesses structured as pass-through entities that earn over the threshold amount will pay a significantly higher Medicare Part A tax rate. Small businesses relying on unearned income will be taxed an additional 3.8%
New Medical Device Tax P.L. No. 111–148, Sec. 9009 (January 1, 2013)	A 2.3% excise tax will be levied on manufacturers, producers, or importers on the sale of most medical devices that are not directly marketed to consumers.	Higher costs for the manufacturers of medical devices are likely to be passed on to health care entities (often small and solo practice physicians and hospitals) and patients who rely on them. Several device manufacturers have already announced job cuts in anticipation of this tax.
Decrease in Deductions for Medical Expenses P.L. No. 111–148, Sec. 9013 (January 1, 2013)	The threshold for claiming an itemized deduction on medical expenses rises from 7.5% to 10% of adjusted gross income for those under age 65 effective in 2013; for those 65 or older, the 10% threshold will be effective after 2016.	Given the increased qualifying threshold, fewer small business owners and workers may be permitted to claim itemized deductions for medical expenses.
Limit on Flexible Spending Account (FSA) Contributions P.L. No. 111–148, Sec. 9005 (January 1, 2013)	Caps FSA contributions at $2,500 per year	The new limit increases the tax burden for small business owners and employees with FSAs.
Elimination of Deduction for Employer Part D Subsidy P.L. No. 111–148, Sec. 9012 (January 1, 2013)	Prior to ACA, employers were able to deduct the cost of providing Medicare Part D to retirees and also were not taxed on the subsidy they received for providing this coverage. ACA eliminated the additional deduction employers receive for providing Part D coverage.	The number of employers offering prescription drug plans for Medicare-eligible retirees is likely to decrease, as there will be a reduced incentive to sponsor such plans.
Reduced Medicare Disproportionate Share Hospital (DSH) Payments P.L. No. 111–148, Sec. 3133 (October 1, 2013)	Medicare DSH payments, paid to qualifying hospitals that serve low-income patients, will be reduced by 75% starting October 1, 2013. A hospital will receive an additional payment based on three factors: 1) the remaining pool of DSH payments that would have been paid absent these changes; 2) current estimates of the uninsured compared to the estimate for 2013, the last year before the expansion of coverage; and 3) the hospital-specific share of uncompensated care. The estimate of the percentage of individuals who are uninsured will be decreased by 0.1 percentage points for FY2014 and by 0.2 percentage points for each year from FY2015–FY2019.	Small hospitals that currently receive Medicare DSH payments may find their DSH payments reduced.
Reduced Medicaid Disproportionate Share Hospital Payments P.L. No. 111–148, Sec. 2551 as modified by Sec. 10201(e); P.L. 111–152: Sec. 1203 (October 1, 2013)	In FY2012, Medicaid DSH allotments to states (i.e., the maximum amount of federal matching funds that each state is permitted to claim for Medicaid DSH payments) totaled $11.3 billion. Medicaid DSH allotments to states will be reduced by $500 million in FY2014, $600 million in FY2015, $600 million in FY2016, $1.8 billion in FY2017, $5.0 billion in FY2018, $5.6 billion in FY2019, and $4.0 billion in FY2020. The Secretary of Health and Human Services is responsible for determining how to distribute the aggregate DSH reductions among the states using some broad statutory guidelines.	Small hospitals that currently receive Medicaid DSH payments may find their DSH payments reduced.
Increase in Medicaid Medicaid Payments for Primary Care P.L. No. 111–418, Sec. 1202 (January 1, 2013)	Medicaid payments for primary care services furnished by physicians with a specialty designation of family medicine, general internal medicine, or pediatric medicine will increase to 100% of Medicare payment rates for CY2013 and CY2014 (i.e., January 1, 2013 and December 31, 2014).	Small and solo practices with physicians specializing in family medicine, general internal medicine, or pediatric medicine will receive larger Medicaid reimbursements (equal to 100% of Medicare payments) for primary care services for a 2-year period beginning in January 2013.
State Notification Regarding Exchanges P.L. 111–148, Sec. 1321 December 14, 2012, February 15, 2013)	States will have indicated to the Department of Health and Human Services by December 14, 2012 whether they will be creating a state-based American Health Benefit Exchanges and Small Business Health Options (SHOP) Exchanges. A state must declare its intention to create a partnership exchange by February 15, 2013..	Small businesses with 100 or fewer employees for 50 or fewer employees, at state option) may be able to purchase insurance through these exchanges. All non-grandfathered plans offered in the individual and small group markets (both inside and outside an exchange) must cover certain minimum benefits (the essential health benefits).

Prepared by Small Business Committee Republican staff.
Sources:
The Henry J. Kaiser Family Foundation, Health Reform Source, Implementation Timeline, 2012.
The Commonwealth Fund, Health Reform Resource Center, Find Health Reform Provisions Tool, 2012.
U.S. House of Representatives Committee on Ways and Means, Timeline of Major Provisions in the Democrats' Health Care Package, 2010.

I reserve the balance of my time.

Ms. SLAUGHTER. I yield myself 2 seconds to say it is not a government takeover of health care. It will be performed by private insurance companies.

I am delighted to yield 2 minutes to my colleague, the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. I thank my colleague from New York for yielding me this time.

Ladies and gentlemen of America, this is not a mirage. We are actually here in this building, the U.S. Capitol. America, your Congress is in session and we're here to work, yet my Republican colleagues refuse to bring up the middle class tax cut bill that is right behind me at this desk.

My colleague from Texas can continue to talk about what happened in August of this year—staging votes for the election that took place. And we know the results of that election. What our constituents are concerned about is what happens in January if and when we fail to do our work here, now, and also to expose that the vote that took place in August was a vote to continue the Bush-era tax cuts, the very same tax cuts that got us into the mess we're in right now. They're doing that because they're holding hostage the 98 percent of Americans who will receive a tax cut under Mr. WALZ's bill that's at the desk today. And they're holding them hostage to make sure that the wealthiest 2 percent continue to get that tax cut.

Our economy is 70 percent consumer-driven. That means when the middle class spends more, we all benefit. When the opposite takes place, when they spend less, we all are worse off for it. Holding the middle class hostage by threatening to raise their taxes not only hurts the American families, but it also hurts America's businesses.

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

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. CROWLEY. I think we owe it to our constituents to take this one single vote to ensure the middle class won't be held hostage any longer, one vote to give them the economic certainty that they so desperately need now, and one vote to keep our middle class spending and investing in creating jobs for American businesses. But we can't do that, ladies and gentlemen of America, unless our Republican colleagues allow Mr. WALZ's bill, which is at our desk right now behind me, up for a vote on this floor. That's why I will vote against the previous question, so that we can come back and have an opportunity to include Mr. WALZ's bill in that package.

We're here. We're ready. Let's vote.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to address their remarks to the Chair.

Mr. SESSIONS. The gentleman from New York, a very dear friend of mine, really, I think, got something wrong. What we're trying to extend is the law that President Obama signed into law as a result of bipartisan action 2 years ago, and the economy was better then than it is now. We were trying to extend the tax cuts that President Obama was asking us to do, and that's what we simply did in August again. So it is a President Obama last-signed bill that we're trying to offer an extension of.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the gentlelady.

Mr. Speaker, my discharge petition at the desk is really an approach that the American people spoke loudly in. Every single one of us just came through an election, and the message was abundantly clear to me: Why do you continue to bicker? Why do you continue to stand on the floor and make these ridiculous Kabuki-dance statements with one another when it shouldn't be that difficult? We came out of a Constitutional Convention, and when they asked James Madison

what the secret to this new government was: compromise, compromise, compromise.

Mr. Speaker, to sit here and do what we're doing—not bringing this forward and releasing the tension on the middle class, making sure the economy knows there's stability amongst taxes—is holding our economy back. And to be very honest, it's insulting to the American people. This is a Nation that won two world wars. This is a Nation that split the atom. This is a Nation that put a man on the Moon. This is a Nation sending pictures back from Mars from Curiosity.

Sign the discharge petition, bring it to the floor, get 435 votes, put it online for 24 hours, send it to the President, and by 3 o'clock tomorrow, the big chunk of the fiscal cliff is done. Don't insult the people with things that aren't true. Don't tell them that it's not about compromise, and don't sit here and pretend like we're working when we're not. They know better. They're smarter. They deserve better.

□ 1330

Bring the discharge petition to the floor, allow Members to vote for it, give the American people what they want—stability and a Congress that works—and let's move on to other pressing issues.

Mr. SESSIONS. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, there's a lot of disagreement about the future of our country. There's disagreement over how to handle spending—what should be cut, what should be reduced, what should be increased. There's disagreement over how much and when to raise the debt ceiling. These are very important questions.

There's a disagreement over whether taxes should or should not go up on income over $250,000 a year. Our friends on the other side in good faith believe that's a bad idea. We know the economic history tells us that the last time the rates were at the level of 39.6 percent, 600,000 new businesses were formed and 23 million new jobs were created, so we think it works.

But there's something that everyone says they agree on, and that is that income up to $250,000 a year should not have a tax increase. Everyone on both sides says that when January 1 shows up on the calendar there shouldn't be a tax increase on the middle class people of this country, that their first paycheck on the first Friday of the New Year should not have more taken out of it so as not to hurt our economy or hurt those families. Now, we all say we agree on this. It seems to me the right course is to put a bill on the floor that says exactly that, that says that for income of less than $250,000 a year, the tax rates for every American should stay where they are now and there should not be a tax increase.

My friend from Texas says that the majority did that in July. That's not quite right. What the majority did in July was to keep the rates low for people making less than $250,000, but also keep them low for people making more than $250,000. We just don't agree with that. Why don't we take the 98 percent that we agree on and vote on it right now?

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

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. ANDREWS. I thank my friend.

If we don't do this, 19 days from today 98 percent of the American people—really 100 percent of the American people—get a tax increase. They have more taken out of their checks. It will hurt shoppers in the stores, diners in the restaurants, it will hurt jobs across the country. So why don't we take the 98 percent that we agree on right now and put it on the floor right now. By voting ''no'' on the previous question, that's what we can do and should do.

Mr. SESSIONS. I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am delighted to yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. I thank the ranking member on the Rules Committee, Ms. SLAUGHTER, for yielding me the time.

Mr. Speaker, I regret that my Republican friends are turning this House of Representatives into a place where trivial issues get debated passionately and important ones not at all.

The bill that we are talking about right now on the House floor basically gives the majority who run this House the authority to bring up suspension bills from now until December 28. Suspension bills, for those who don't know, are bills really of not much consequence, by and large. They are bills that most of the time could pass by a voice vote.

Last night in the Rules Committee the distinguished ranking member, Ms. SLAUGHTER, suggested that instead of doing suspension bills we ought to be doing bills of some consequence, like reauthorizing the Violence Against Women Act, doing postal reform, doing a farm bill, or what we're talking about right now—passing a middle class tax cut extension. Those are real things that mean real things to real people in this country, and yet we're not talking about any of those things. We're talking today about basically doing not much of anything between now and December 28.

Last night in the Rules Committee we were told, well, we're trying to negotiate a deal on this fiscal cliff. Well, the reality is that there are a few Members of this House who are probably in discussions with the White House about trying to work out a deal, but the vast majority here, Democrats and Republicans, are being asked to do nothing. Last night we came back and we voted on one bill, to approve the Journal. That's all we had to do last night, to approve the Journal. We haven't reauthorized the Violence Against Women Act. We haven't extended the middle class tax cut. We haven't reauthorized the farm bill—I can go on and on and on—but we had to come back and have a Journal vote last night.

The time has come for us to get back to work. The election was clear: the views advocated by Governor Romney and the Republican majority were rejected. The President won comfortably. Democrats won more seats in the Senate, we won more seats here in the House. I think it's a pretty clear message that the American people think that we ought to do what's right in terms of balancing the budget, and that is ask the Donald Trumps of the world to pay a little bit more.

We have already cut, I should say to the gentleman, $1.5 trillion in discretionary spending. A lot of those cuts are in programs that I think help people. So, $1.5 trillion in discretionary spending we've already cut, and my friends on the Republican side are saying that Donald Trump can't pay one penny more. Give me a break. Give me a break.

This is about fairness. This is about justice. This is about doing the right thing. At the very minimum, we should be debating now not suspension bills, but we should be debating the extension of the middle class tax cut. That is why we need to vote ''no'' on the previous question, to allow us to bring this bill to the floor.

If my Republican friends say they agree with us on a middle class tax cut, fine, let's vote it, vote overwhelmingly for it. You don't have to agree on everything to agree on something. Let's give the middle class certainty. Let's vote ''no'' on the previous question.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman, my friend, who formerly was the vice chairman of the Rules Committee. I would like to remind him that when he was the vice chairman of the committee, almost half of the 3,075 bills considered under suspension in the 110th and 111th Congress were for post offices and Federal building namings, or resolutions, or things just like National Pollinators Week.

What we're trying to talk about is, at the end of the year, since we're going to be here waiting for the ''big deal,'' that we're going to make sure that we can take ideas that still exist and reside on a bipartisan basis.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 10 seconds to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. I just want to say when we were in charge, we were able to walk and chew gum at the same

time. We passed some pretty important and substantive legislation that I'm proud of. We should be talking about real things that matter to real people right now instead of just extending the suspension authority.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question.

The message from my constituents and from the American people is loud and clear, and that's to extend the middle class tax cuts now. Republicans are simply holding hostage tax cuts for 98 percent of Americans and 97 percent of small businesses to give more tax breaks to the wealthiest Americans.

Now, Democrats have a commonsense solution, and we can't wait around any longer as real proposals languish while the House GOP gets its act together. Spearheaded by Congressman WALZ, Democrats last week filed the Walz discharge petition to automatically bring to the floor the Senate-passed middle class tax cuts—which the President has said that he will sign immediately—and overwhelmingly Members have signed this discharge petition.

My point is we don't have any time to waste. We can pass this extension of the middle class tax cuts now as we find a bold and balanced and fair agreement to avoid the fiscal cliff. There is a consensus that we do this. So why are the Republicans holding this hostage?

Once again, let us vote ''no'' on the previous question. Let's bring this middle class tax cut up now. It is the solution.

Mr. SESSIONS. I reserve the balance of my time.

Ms. SLAUGHTER. I have no further requests for time, Mr. Speaker, and I wondered if my colleague is prepared to close.

Mr. SESSIONS. I thank the gentlewoman for asking. I have no further speakers and will allow her that opportunity, and then I will close.

□ 1340

Ms. SLAUGHTER. I thank the gentleman from Texas.

Mr. Speaker, we should be doing one thing today, and that's passing the continuation of tax cuts for the middle class. The American people couldn't be more united in their support for a tax cut, and there's no reason for delay. The Senate has already passed the bill that we could take up now. It's here at the desk. Members across our aisle agree, quite intelligently, that we must not let middle class taxes go up.

With such common ground, why would the majority waste another minute before ensuring that the taxes will not go up on the middle class? The answer isn't clear to me. I simply cannot fathom it. But if the majority won't take action, we will.

Mr. Speaker, if we defeat the previous question, I'm going to offer an amendment to the rule that says two things. One is first that we will pass a bill to extend the middle class tax cut, and second that we will pass legislation that will avoid the fiscal cliff and the chaos that would ensue.

I ask unanimous consent to insert the text of my amendment to the rule in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I urge my colleagues to vote ''no'' to defeat the previous question so that we may put our rule on the floor. I urge a ''no'' vote on the rule if we are unsuccessful, and yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I want to thank my friend, the gentlewoman from New York, for this vigorous debate that we had on the floor today.

Mr. Speaker, top to bottom, the leadership of the Democratic Party has been on record here again today saying they want to increase taxes on small business. They want to increase taxes on family-owned businesses and people who get up every day and want to employ people and work harder. Small business is the engine of our economy, and our friends, the Democrats, want to punish them through taxes for fairness issues.

Well, I'd like to say, Mr. Speaker, we've got a bunch of problems in this country, and that's why we're at the fiscal cliff. This thing is not as a result of taxes, it's as a result of spending and too many people not having jobs to be able to pay in not just their taxes, but to be able to sustain our economy.

So we have millions of people that are unemployed and drawing unemployment compensation. We're seeing disabilities rise at a rate of 16 percent every year. One thing which we note is that just before President Obama took effect, the White House figure showed the Federal budget was $2.9 trillion. Next year's estimate is going to be $3.8 trillion. This is a 31 percent increase in spending in just 4 years.

We have someone as President, our great President, who is hung up on taxing and spending. What we need is a House of Representatives that's hung up on jobs and job creation, the American product, entrepreneurship, creativity, and competition with the world. The next new great ideas will not come from this body but from the creativity of the American people.

This is what Republicans are trying to keep alive in our country, the idea of self-reliance and working hard and taking care of people that are not just in your house but are in your neighborhood, your cities, our States, the vibrancy of our country. We are headed over the fiscal cliff after 4 years of leadership from this President who is running—running—directly to the fiscal cliff, and he has even said, and his Secretary of the Treasury said, We don't mind jumping off this cliff.

Mr. Speaker, we should not be having that kind of attitude. We should have the attitude that we're for everybody. We want to be for American entrepreneurship and especially small business, because it's small business such as family farms, small business such as electrical companies and people who put their name on the buildings, the creative people who get up to go to work every day. That is who we're going to hurt.

We're not just going to hurt them, we're going to hurt their business families, the people they have had employed, small communities, large communities, but small business which is the engine of our economy. That's really who we're going to punish.

Lastly, we should not do it at this time, just like we should not have 2 years ago, but I guess we were aiming for an election at that time, and now the President does not have one ahead of him.

Mr. Speaker, I encourage a ''yes'' vote on the rule.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 827 OFFERED BY MS. SLAUGHTER OF NEW YORK

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

SEC. 2. It shall not be in order to consider a concurrent resolution providing for adjournment or adjournment sine die unless the House has been notified that the President has signed a bill to extend for one year certain expired or expiring tax provisions that apply to middle-income taxpayers with income below $250,000 for married couples filing jointly, and below $200,000 for single filers, and other provisions to address the so-called ''fiscal cliff.''

___

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

ELIMINATE PRIVACY NOTICE CONFUSION ACT

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5817) to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5817

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 ''Eliminate Privacy Notice Confusion Act''.

SEC. 2. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

''(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

''(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

''(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this subsection,

shall not be required to provide an annual disclosure under this subsection until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from California (Mr. SHERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia.

GENERAL LEAVE

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous materials on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

Mrs. CAPITO. Mr. Speaker, I yield myself such time as I may consume.

The amended version of H.R. 5817 represents compromise language that addresses concerns raised by some Members about the last section of the bill, which provided certain regulatory relief to State-licensed financial institutions. The bill before the House today is substantially the same as the legislation that passed the House by voice vote in April 2010, and we actually debated this bill a week ago.

I would like to thank the sponsors of H.R. 5817, Mr. LUETKEMEYER, Mr. SHERMAN, Mrs. MALONEY, Mr. CAPUANO, and Mr. FRANK, for agreeing to this compromise language.

With that, I reserve the balance of my time.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume.

I will be brief. We passed substantially the same language unanimously by voice vote 2 years ago. This bill has been amended by unanimous consent so as to be virtually identical with what was passed 2 years ago. It now has the support of the ranking member.

I urge an ''aye'' vote and reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I would like to yield as much time as he needs to consume to the gentleman from Missouri (Mr. LUETKEMEYER), who is the primary sponsor of this bill.

Mr. LUETKEMEYER. Thank you, Chairman CAPITO, for yielding.

I rise today in strong support of the amended version of H.R. 5817, the Eliminate Privacy Notice Confusion Act. Under current law, all financial institutions are required to provide annual privacy notices explaining information-sharing practices to customers. Banks and credit unions are required to give these notices each year even if their privacy notice has not changed. This creates not only waste for financial institutions but confusion among and increased costs to consumers.

In his book entitled ''The Financial Crisis and the Free Market Cure,'' John Allison reports that one bank offered at the end of its privacy notice to pay $100 to any customer that read its notice in full. Only one customer took the bank up on that offer.

Year after year, millions of dollars are spent on privacy notices that are either disregarded by or confuse the customers. Let's think about this cost for a second. This outdated requirement doesn't cost only in postage alone, but also costs in compliance costs, cost of supplies, printing fees, and man hours.

I talked to one community bank in my district that said they spent roughly 70 cents per disclosure. With a minimum of 250,000 accounts and customers, this one bank spends $175,000 a year on this requirement. It may not seem like a lot of money to some of my colleagues, but I can tell you that $175,000 is a lot of money for a small institution like this one in my district, especially when a lot of those costs are passed on to the customer.

There is some debate over what this legislation will do. Let me be completely clear: this legislation will only remove the Gramm-Leach-Bliley annual privacy notice requirement of an institution if an institution has not, in any way, changed its privacy notice or procedures.

□ 1350

This legislation does not exempt any institution from an initial privacy notice, nor does it allow a loophole for an institution to avoid issuing an updated notice.

We worked in a bipartisan fashion to amend this legislation to remove the stipulations for State-regulated financial institutions. The amended language is now identical to the legislation that passed the House by a voice

vote in the 111th Congress. Additionally, I would like to remind my colleagues that similar language, language that was the basis for the first version of legislation, passed in both the 109th Congress and the 110th Congress.

This language is not controversial, it does not jeopardize consumer privacy, and it does not exempt an institution from having to produce an initial or amended privacy notice. This legislation does eliminate millions of costly, confusing, and often ignored mailings. And, with the passage of this bill, the information included in these mailings would likely become more significant to the consumer because it would come only after a change in the privacy policy.

This legislation is supported by the Independent Community Bankers of America, the Credit Union National Association, the American Bankers Association, the National Association of Federal Credit Unions, and the Consumer Bankers Association, among others.

I'd like to thank the gentleman from California (Mr. SHERMAN) for his work on this bill. I would also like to thank Chairman BACHUS, Ranking Member FRANK, Chairman CAPITO, and Ranking Member MALONEY for their work with us toward swift passage of this legislation.

With that, Mr. Speaker, I ask my colleagues for their support.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Missouri for his work and leadership on this bill. I also want to thank the ranking member, Mr. FRANK, for his support, and, of course, the gentlelady from West Virginia.

If this bill becomes law, a written copy of the privacy policy will still go by postal mail to every customer when he or she becomes a customer of the financial institution. Another copy will go every time that policy is changed, and the policy will be available day and night on the Internet on the Web site of the financial institution. The privacy policy will be known to everyone who has an interest in reading it, whether $100 is paid as a bonus for reading it or not.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mrs. CAPITO. Mr. Speaker, I also urge passage of this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and pass the bill, H.R. 5817, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ASTHMA INHALERS RELIEF ACT OF 2012

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6190) to direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale, and consumption in the United States of remaining inventories of over-the-counter CFC epinephrine inhalers.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6190

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 ''Asthma Inhalers Relief Act of 2012''.

SEC. 2. DISTRIBUTION, SALE, AND CONSUMPTION OF REMAINING INVENTORIES OF OVER-THE-COUNTER CFC EPINEPHRINE INHALERS.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency—

(1) shall allow for the distribution, sale, and consumption in the United States of remaining inventories of CFC epinephrine inhalers manufactured pursuant to the exception for medical devices under section 604(d)(2) of the Clean Air Act (42 U.S.C. 7671c(d)(2));

(2) shall not take any enforcement action or otherwise seek to restrict the distribution, sale, or consumption of such inhalers on the basis of any Federal law implementing the Montreal Protocol; and

(3) shall, in response to any request of any distributor or seller of such inhalers, including any such request pending on the date of the enactment of this Act, issue a No Action Assurance Letter to the requesting party stating that the Environmental Protection Agency will not initiate an enforcement action relating to the distribution or sale of any such inhaler occurring prior to August 1, 2013.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit or otherwise affect the authority of the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) to ensure the safety and effectiveness of CFC epinephrine inhalers to be distributed, sold, or consumed pursuant to this Act.

(c) DEFINITIONS.—In this Act:

(1) The term ''CFC epinephrine inhaler'' means any epinephrine inhaler containing chlorofluorocarbons that was manufactured and classified as over-the-counter before January 1, 2012.

(2) The phrase ''Federal law implementing the Montreal Protocol''—

(A) means any provision of title VI of the Clean Air Act (42 U.S.C. 7671 et seq.) or other Federal law implementing the Montreal Protocol; and

(B) includes the final rule published by the Food and Drug Administration entitled ''Use of Ozone-Depleting Substances; Removal of Essential-Use Designation (Epinephrine)'' published in the Federal Register at 73 Federal Register 69532 (November 19, 2008).

(3) The term ''Montreal Protocol'' has the meaning given such term in section 601 of the Clean Air Act (42 U.S.C. 7671).

(4) The term ''over-the-counter'' means not subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)) or otherwise required pursuant to Federal law to be dispensed only upon issuance of a prescription.

(d) SUNSET.—This section ceases to be effective August 1, 2013.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. 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 this bill.

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

There was no objection?

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 6190, this is a bill that I honestly wish we did not have to consider today.

Over the past several years, I have repeatedly asked the Food and Drug Administration, the Environmental Protection Agency, and even the White House, the President himself, for answers to questions that I and other members of the committee have as to why the administration has refused to grant a waiver to sell the existing stock of over-the-counter epinephrine inhalers. Only last summer, and because the committee was moving legislation at the time, did the Food and Drug Administration finally provide at least some sort of response, albeit one that was entirely unsatisfactory.

Under the rules known as the Montreal Protocol, certain chemical propellants used in a number of medical and cosmetic devices were to be phased out over a number of years, the chlorofluorocarbons, CFC, used in the epinephrine inhalers. Here is one of the ones that was one of those propellants. One of the manufacturers of these over-the-counter inhalers has worked on a replacement inhaler only to meet with stonewalling through the Food and Drug Administration and requests for more studies into the device. Although the Food and Drug Administration claims they are awaiting an application from the company, the company counters that the Food and Drug Administration once again continues to move the goalpost. Regardless of the finger-pointing, Mr. Speaker—and there is much of it surrounding this issue—the fact remains that there is no viable alternative for the over-the-counter purchase by an asthmatic suffering from an acute emergency attack.

We've heard that a company is about to market a device, and indeed there is a device available without a prescription, but it's behind the counter. In other words, if the pharmacy is open but the pharmacist is not there, you cannot purchase this device. I know this firsthand because it happened to me one evening while we were home on one of the district work periods. The new product uses a nebulizer rather than a propellant. It's a little more complicated. In my experience, it's a little more difficult to use and less effective. Nevertheless, it is available, but the cost differential is significant

when compared with the old over-the-counter CFC propellant epinephrine inhaler.

The committee and the Congress should be on the side of putting more available products into the hands of patients and allowing them to effectively manage their medical issues. Instead, opponents of this legislation hide behind false claims of the safety and efficacy of epinephrine.

Mr. Speaker, I would point out that I've been an asthmatic my entire life. I have utilized rescue inhalers for a long time. Racemic epinephrine, the active pharmaceutical ingredient in an over-the-counter asthma inhaler, has been around for 60 years. There has not been a question of its safety and efficacy. If so, we know the FDA has the power to remove a drug or device that they think is unsafe or not effective. They have given their stamp of approval to racemic epinephrine again and again over the last 60 years. There continue to be dozens of epinephrine-based treatments for asthma-related issues that are used by doctors and medical professionals. Although opponents of this legislation will claim that they're opposed to the bill because epinephrine is not safe, this claim is simply not true.

There are currently over 1 million units of these inhalers sitting in a warehouse in California not helping patients currently suffering from an asthma attack, not available for a rescue treatment for someone who cannot get their breath. It's unconscionable to allow them to sit and gather dust when they could be used to provide relief to America's asthmatic patients. Moreover, the company is committed to donating any proceeds from the sale to charity to remove any possible profit motive from their request to sell these products.

This is not about allowing a company to continue to sell their product; it's about not allowing a regulatory agency to unreasonably restrict the access of America's asthmatics to a useful product. I wish more companies would come forward with a viable over-the-counter asthma inhaler so that asthmatics could have more and more choices instead of that costly emergency room visit at 2 a.m.

This bill is about allowing asthmatics to continue to get relief during an asthma attack, to continue to have an emergency rescue inhaler available when they deem that they need it, not when the Administrator of the EPA says they need it or not when the Administrator of the FDA says they need it.

Members of Congress spend a lot of time talking about how much they care about the plight of patients—and asthmatics in particular—and decrying the high cost of health care. Even if it is just for a limited time, this bill returns a safe, effective, and inexpensive treatment into the hands of patients suffering from asthma, one that has been in use for decades.

For me, at least, the issue is clear. Let's side with patients on this issue. Let's stop this senseless war on asthmatics the administration has waged for the last 3 years.

With that, I'll reserve the balance of my time.

□ 1400

Mr. WAXMAN. Mr. Speaker, I yield 4 minutes to the ranking member of the Health Subcommittee of Energy and Commerce, the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. I thank my colleague, the ranking member from California (Mr. WAXMAN).

Congress gave the FDA the responsibility of deciding whether specific types of inhalers containing ozone-depleting substances are essential uses and need to remain on the market, and the FDA has established an orderly and open process for making these determinations: 13 types of inhalers containing CFCs were phased out prior to the phase-out of Primatene Mist. The remaining two CFC-propelled inhalers are scheduled for phase-out at the end of 2013.

The FDA determined in 2008 that Primatene Mist was not an essential use. They concluded that there are no substantial technical barriers to developing epinephrine inhalers that do not release ozone-depleting substances. At the request of Armstrong, the manufacturer of Primatene Mist, the FDA set a phase-out date of December 31, 2011, which was 1 year longer than the FDA initially proposed. The FDA took steps to prepare the public for the phase-out. It approved a label for Primatene Mist which indicated to consumers that Primatene Mist would not be available after December 31, 2011, and Primatene Mist was phased out on that date. It has not been available for the past 11 months.

This bill would intervene to put Primatene Mist back on the market. It is a legislative earmark that directly benefits just one company—Armstrong. A long list of public health groups, physician organizations, and patient advocates oppose this bill. They do not believe that returning Primatene Mist to the market is in the best interest of patients with asthma or in the best interest of public health. The following organizations, Mr. Speaker, that oppose this bill wrote to Members of the House: the American Lung Association, the American Thoracic Society, the American Academy of Pediatrics, the Asthma and Allergy Foundation of America, Mothers of Asthmatics.

I could go on. There are eight other public health organizations on this one letter alone, and I am not aware of any public health organization that supports this bill. When FDA officials briefed Members, they expressed many of the same concerns about patient confusion and of Primatene Mist no longer being the standard of care for asthma patients.

Now, let's be clear, Mr. Speaker. Every public health group and patient advocacy group that has looked at this bill has concluded it is a bad idea. Congress shouldn't be overriding FDA's established regulatory process if doing so would pose significant patient confusion and undermine public health. That's just common sense.

Even if we pass this bill, it would not lead to the widespread availability of Primatene Mist that is sought by the proponents of the legislation. According to Armstrong, between 2 million and 3 million people used Primatene Mist before the phase-out, but fewer than 1.5 million Primatene Mist inhalers remain in Armstrong's inventory. That means that as many as half of all previous users of Primatene Mist would not be able to obtain even one inhaler if Armstrong were allowed to sell off its remaining inventory, and it assumes that pharmacies or drug stores would even carry it. Retailers may decide not to sell inventoried units of Primatene Mist because the units will start to expire in January, and that's only a few weeks from now.

So the real effect of this bill would be to provide a regulatory earmark to Armstrong rather than a rescue inhaler that would be available in the middle of the night to someone suffering from an asthma attack.

Mr. Speaker, I don't know what else I can say. This is a bad bill, and I urge my colleagues to oppose it.

Mr. BURGESS. I yield myself 1 minute.

I would point out that the FDA has not retracted the use of racemic epinephrine for the short-term use of a rescue inhaler in the treatment of an acute asthmatic attack. That just simply has not happened. Then to say that Congress is now seeking to overrule the FDA is preposterous because those are not the facts on the table right now.

A regulatory earmark? Come on, give me a break. I would welcome other companies into the marketplace that wanted to create a low-cost, effective, convenient treatment for asthmatics who need acute respiratory relief when their standard meds, when their meds that they take on a chronic basis, either are not working or when, for whatever reason, a flare-up has occurred.

Look, I'm an asthma patient—I'm on asthma medicine—but in the product information provided to patients on the long-term medicine is a statement that this is not intended as a rescue device for an acute attack. For that, you need something that was previously available over the counter. I've got to tell you that I was astounded by the elitism by the EPA at the table in front of us when they told us that they know better than America's asthma patients. Come on. This is the land of liberty. Let's give patients the devices they need to manage their illnesses.

I reserve the balance of my time.

Mr. WAXMAN. Madam Speaker, I yield myself such time as I may consume.

My colleagues, this is a bill that is special for one company in order for it

to sell off the batches of the Primatene Mist that it has on stock. This is a product that's not on the market now—it was taken off the market—and there are substitutes on the market that the public health and medical groups say are far better and are far safer.

There are a large number of organizations that have come to the floor on this bill to oppose it. The Energy and Commerce Committee heard expert medical testimony that Primatene Mist is not safe or recommended for treating asthma, and we have a chart here. These are the groups that oppose this bill and that would urge you to vote ''no'': the American Lung Association, the American Thoracic Society, the American Academy of Pediatrics, the Asthma and Allergy Foundation of America. All of the people involved in health are saying they don't want this drug on the market, that it will only confuse asthma patients, and that it is not the safest drug that they could have.

Now, the gentleman from Texas has said what we ought to do if it's not safe is to take it off the market. It is off the market. It hasn't been taken off because of safety, but it is not recommended by the medical community.

There is another group here called the Alliance for Responsible Atmospheric Policy, and I'd like to indicate some of the organizations that are part of that alliance, which are some of the major corporations in this country.

Lastly, I want to show a chart of those who are in favor of this bill: Armstrong Pharmaceuticals. It is the one company that will benefit from this bill because it will be able to sell off the reserves of its product.

Now, is that in the best interest of the patients? Is that what Congress ought to be doing, passing a special earmarked bill to favor one company in order for it to be able to take the rest of its stock and sell it to people?

We do have a Food and Drug Administration, and we do have an Environmental Protection Agency. We've delegated to them the responsibility to protect the public health, to make sure that drugs are safe and effective. This Primatene Mist was supposed to come off the market, and it was given an additional year. Other companies were also going to have to go off the market. They knew that, and they're not on the market now. So why should we take one company's drug and put it back on the market so that it could sell off the products that it still has in its backlog?

In fact, as you might imagine, those companies are against this bill. They say it would overturn an established regulatory framework to directly benefit just one company—Armstrong. Over the years, more than a dozen types of inhalers containing CFCs have been phased out, but these companies say: Why should we do something special for only one company? We're talking about not just the health groups, but drug companies like AstraZeneca and GlaxoSmithKline. They oppose this bill because it provides one company with the special treatment that none of these other companies receive.

There is no reason for this bill. This is a drug that is already off the market. There are substitutes that are being developed, and there are substitutes that are already on the market. I don't think we ought to be using the Suspension Calendar, of all procedures, to give a special deal to just one company.

I urge Members to oppose the bill, and I reserve the balance of my time.

□ 1410

Mr. BURGESS. I yield myself 1 minute.

The ranking member spoke of a group called the Alliance for Sensible Atmospheric Policy. I wish this were sensible, Madam Speaker. This is the most nonsensical thing I have ever encountered. Look, America's asthma patients are not blowing a hole in the ozone above Antarctica. I get the fact that Mr. WAXMAN and I have to give up our hair spray. I get that. Too much CFCs. You've got it.

I get the fact that our underarm deodorant had too many CFCs and we had to have a different propellant. But we're talking about an effective treatment for a very vulnerable group of patients—2 o'clock in the morning, someone who has asthma who might have run out of their medicine, or maybe they encountered something that caused their airways to react, what choice do they now have? They go to the emergency room, spend $1,500 for a breathing treatment.

This is not something that was held behind the counter by the pharmacist. This was out on the open shelf available to anyone at any hour of the day or night. Asthma patients need access to this type of medication. I would welcome the fact that other companies would want to create a low-cost, available product for asthmatics to use as a rescue inhaler.

I reserve the balance of my time.

Mr. WAXMAN. First of all, I want to address some of these issues myself, and then I will yield to others who want to speak.

There is an environmental problem along with this medical problem. The environmental problem is that there is a deterioration of the upper ozone layer. And the United States, under President George H.W. Bush, negotiated an international treaty called the Montreal Protocol to get those products off the market that add chlorofluorocarbons which cause this environmental damage.

And so my friend from Texas is right: we can't get hair spray or deodorant that has the propellent that has been taken off the market. But no one's arguing we should let them come back on the market to sell off their products. There are substitutes. My hair is in place because I don't need those products any longer. And my friend from Texas is handling his deodorant problem adequately. The fact of the matter is there are other products for asthma that the people in the medical professions say is superior; and they say that Primatene Mist can lead to damage and become a threat to health. So why are we going to take this one drug and put it back on the market?

With those comments, I now yield 3 minutes to my good friend from the State of Michigan (Mr. DINGELL), the dean of the House.

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

Mr. DINGELL. Madam Speaker, I thank my good friend for yielding me this time. Neither he nor I need hair spray, and so we can approach that matter with some serenity. But I want to say here, I yield to no one in this Chamber over what has been done or what I have done on food and drug safety for the American consuming public. I'm the author of the provisions that require Food and Drug to only market those things which are safe and effective. If Food and Drug doesn't like this, they can take it off the market on that ground. They have not chosen to do so. The only reason it is going off the market is because of the fact that it bothers the folks who want the Montreal Protocol to go into place.

Now, let's take a little bit of a look at it. There are 1.2 million issues of this particular pharmaceutical. A piddling amount of CFCs is going to be released in that these inhalers are very small. They have a few milliliters of propellent. It's not going to make any significant difference. Food and Drug can take it off the market. It is safe. It is efficacious.

Now I want to talk about a couple of other things. The gentleman from Texas has talked about what happens when you have these problem as an asthmatic. My old dad was a former tubercular. He lived through his life with about half a lung, and I listened to him every night, up walking around, gasping like a fish on a rock because he couldn't get air.

There are a lot of people who have used Primatene Mist because they thought it worked. And if that is so, in fact it does work because it gives relief to people who are sick. If it is bad, Food and Drug can take it off the market because it is unsafe. That is not the reason it is off the market; it is the Montreal Protocol.

Let us consider the fact that there are people out there who need this substance. Now, I hear that it is going to benefit one company, the current manufacturer. That manufacturer is not going to make 10 cents on this deal, and the reason is very simple: the profits and the benefits that are going to be generated by these sales of Primatene Mist are going to go—guess where—to charity. That's where they're going.

Who we are helping is the people who have need of this; and if you haven't

had a situation where you couldn't get your breath, you don't know the terrors that exist there. And you don't know the kind of terrors that my old dad had when I listened to him walking up and down at night, every night, gasping to get a breath of air. There was no Primatene Mist in those days, and so there was no relief for him.

Now, they say, well, you can go to the emergency room or somebody's going to develop relief, but there's nothing on the market that matches the price. Some of these things that they have that they are saying are going to be available are possibly going to be available in a little bit—possibly not. And they also are big, so big that they're not going to be readily available to somebody who has need. They might be helpful if they can put them on wheels so that the fellow can tow them around behind him. But the hard fact of the matter is that Primatene Mist is going to be there when it is needed, and it is going to provide the people who want their free choice to have that particular medication. It will be available to them.

I say make it available to the people. There's no rascality. This is a safe substance. If it weren't, Food and Drug wouldn't have taken it off the market because it was either unsafe or inefficacious.

So having said those things, let us support the bill. It's a good bill. The opposition of other manufacturers is to be expected. They simply want to cut a fat hog by making profits by selling their competitive devices.

Mr. BURGESS. I yield myself 1 minute.

The dean of the House described the amount of CFC released into the atmosphere as a ''piddling'' amount. Actually, the Food and Drug Administration has quantitated ''piddling'' for us in the Federal Register of November 19, 2008. They describe that as less than 0.1 percent of the total 1986 global production of CFCs. For the purpose of edification of the body, I did want to provide that information as to a definition of piddling.

I reserve the balance of my time.

Mr. WAXMAN. Madam Speaker, I'm pleased now to yield 5 minutes to the gentlewoman from Florida (Ms. CASTOR), an important member of the Energy and Commerce Committee.

Ms. CASTOR of Florida. I thank the ranking member for yielding me this time.

Madam Speaker, there are a number of reasons why H.R. 6190 is poor public policy, but I'd like to focus on just one, and that is the unfair advantage that this bill will grant to a single business to the detriment of other businesses and manufacturers. And, in fact, the Congress has received a letter from the International Pharmaceutical Aerosol Consortium:

On behalf of the International Pharmaceutical Aerosol Consortium—an association of companies that manufacture medicines for the treatment of respiratory illnesses, such as asthma and chronic obstructive pulmonary disease—I am writing to you today in opposition to H.R. 6190.

IPAC's members include AstraZeneca, GlaxoSmithKline, and a number of other manufacturers. They say that they strongly oppose efforts within the House of Representatives to lift the December 31, 2011, ban on the sale of CFC-based epinephrine Primatene Mist because such drastic reversal in settled law will be, one, unnecessary to protect the public health of asthma patients; and, two, it's contrary to the United States' important and long-standing commitment to international treaties.

They point out that this has been ongoing for two decades. The companies involved in international manufacture, national manufacturers, have known about this for a long time. They say the only possible beneficiary of a reversal of the ban on Primatene Mist would be its manufacturer, which stands to garner a financial windfall if its limited stocks are sold. Granting extraordinary, unwarranted special treatment to a single company would send an extremely negative signal to manufacturers that responded to the U.S. Government's call many years ago to be a partner in meeting our commitment. Similar prior requests for deadline relief have been firmly denied by all of the relevant agencies.

□ 1420

Now, here's the problem: I was contacted by a Florida company some months ago. Part of the early rationale for this bill was there was no alternative. But this Florida manufacturer that played by the rules called me up. They said, We hear about this hearing on Capitol Hill. Do you know that we are manufacturing an alternative to Primatene Mist that will be over-the-counter and that will be affordable?

Nephron Pharmaceuticals has developed such a product, Asthmanefrin, a handheld, battery-operated device that will allow asthma patients to inhale a drug similar to epinephrine in Primatene Mist. It is readily available at Walmart, CVS, Walgreens, Drugstore.com, Walgreens.com, CVS.com. It's also accessible through McKesson Drug, a national wholesaler; Smith Drug, a wholesaler covering the Southeast; and OptiSource. They are doing a national TV campaign now. They have starter kits. This is available. So that rationale, that early rationale that there is no alternative does not exist anymore.

But here's the important point: We can't have the Congress granting an advantage to a single company to the disadvantage of other companies that have played by the rules. This bill would seriously undermine the investment decisions of innovative companies like Nephron that have developed alternatives and solutions to short-term asthma relief. Congress should not pick winners and losers.

Colleagues, we repeatedly heard the rationale for this bill: there was no alternative. That rationale is incorrect. It's inaccurate. Congress should not pull the rug out from under companies that have followed the rules and expect regulatory certainty in order to benefit another single company.

I urge you to vote ''no'' on H.R. 6190.

Mr. BURGESS. Madam Speaker, I reserve the balance of my time.

Mr. WAXMAN. Madam Speaker, may I inquire how much time each side has and which side has the right to close?

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from California has 4½ minutes remaining. The gentleman from Texas has 12 minutes remaining, and the gentleman from Texas has the right to close.

Mr. WAXMAN. Madam Speaker, I yield the balance of my time to myself.

I just want to point out what the allergy and asthma networks, mothers of asthmatics, the people who are dealing with this problem, they say this act gives unprecedented preferential and exclusive exceptions and financial benefits to Armstrong Pharmaceuticals.

Primatene Mist is specifically not recommended for the treatment of asthma in the National Institutes of Health NHLBI asthma guidelines. They don't see a reason this ought to come back on the market. And the same point of view is expressed by the others that are the professionals that treat asthma patients.

The effect of this bill will be to take the inventory that this company has and allow it to go back on the market, from January to August of 2013, so they can sell it off. It's not going back to the market; it's just going to allow the inventory to be sold off. A lot of that inventory is expiring in terms of its efficacy; so a lot of people, we hope, will not get some Primatene Mist back on the market that's not going to do them any good.

And there are better alternatives. All the medical groups are telling us there are better alternatives.

This is a special interest bill. It's a bad bill. It's bad for public health. It will confuse asthma patients. It provides special treatment to one company at the expense of its competitors. It's opposed by the people involved in health, the people who have asthma, the people who treat asthma, the manufacturers of drugs for asthma.

We don't have to go back to a drug that's been outdated already and put it back on the market so this company can sell off their inventory. They say they're going to give all the money to charity. Well, I don't know what kind of tax breaks they get. I don't see why we should let them sell off their inventory, especially an inventory that's not going to be any good beyond August of next year.

This is a bill that we ought to oppose, and I urge all my colleagues to vote ''no'' on this legislation.

I yield back the balance of my time.

Mr. BURGESS. Madam Speaker, I yield myself the balance of the time.

If advocating for America's asthmatic patients is a special interest group, guilty as charged. But, Madam Speaker, we have heard so much stuff

today that it's almost difficult to refute every point that's been brought up.

Look, we heard from the ranking member of the Energy and Commerce Committee that the FDA had deemed the active pharmaceutical ingredient in Primatene Mist to be dangerous. What is the active ingredient in Primatene Mist? It's racemic epinephrine.

We heard from the gentlelady from Florida that a product manufactured in her district was a good product and was available. What's the active pharmaceutical in Asthmanefrin? Racemic epinephrine. It's exactly the same product. The difference, of course, is the propellant, and that's the object of our discussion here today.

Now, I will tell you, as an asthmatic patient, there are things that I know work better for me than others. I'm willing to go along with a lot of stuff from the EPA, but I will just tell you, the replacement propellant that is available in albuterol inhalers does not work nearly as well as CFC. You don't have to believe me. Go to the Facebook page that has been developed by asthma sufferers who, one after the other, will delineate why CFC worked for them when HFA-containing products do not.

Now, what about Asthmanefrin? There is no propellant. It is delivered because of an ultrasonic nebulizer, a unique approach and one that, quite frankly, I welcome.

But let me stress, Madam Speaker, although this product, Asthmanefrin, is available without a physician's prescription, it's not generally available over the counter, and I know this because of my own experience. Number 1, I had to call several pharmacies back in Texas before I found a Walmart that carried it. After finishing some event late at night in Fort Worth, I stopped by the Walmart near my home that I had already talked to that I knew they had the product there. I went in, but the pharmacy was closed. The pharmacist was gone.

Now, you can buy a vast panoply of almost anything else over the counter in the pharmacy, off the pharmacy shelves at Walmart—in fact, you used to be able to pick up two Primatene Mist inhalers for $30 before January 1 of this year—but no Asthmanefrin was available. When I questioned why, they said that is something that has to be dispensed by the pharmacist. In other words, it's behind the counter, not over the counter.

What does that mean as a functional issue?

If an asthmatic patient woke up at 2 that morning and said, Oh, my golly, I should have never ridden that horse, I should have never petted that cat, I guess the mountain cedar bloomed down by Waco because now I've got a snoutful and I cannot breathe, and they go down to the Walmart, the Walmart's open, the store's lit up, the shelves are full of product, but Asthmanefrin is not available to that patient. They'll have to come back at 9 in the morning when the pharmacist is on duty that can dispense the product to them.

Now, I would also point out that there is a cost differential between Asthmanefrin and Primatene Mist. We've heard a lot about costs and profits and who we're helping and who we're not. The cost for the starter kit for Asthmanefrin is right at $50. At Walmart in my district it was $49.96. A boxful of the packets of the medicine that is necessary to place into the machine to dispense costs $27 for a box of 30. And I'm not that good at math, but that's about 92, 93 cents per packet, one packet per treatment.

How many treatments are in this? I don't know. I've never used one completely. I always lose them before I get to the end. But it's advertised to be between 250 and 275 treatments.

The cost differential, a little bit less than 6 cents for this, 93 cents for this per treatment episode. Not a big deal in days you're talking about medicines that might cost $250, $280 a month for maintenance therapy for asthma. Yeah, the cost is negligible, but for some people it's not. For some people that represents a significant expenditure.

This, I can carry in my pocket. I can bring it to the House floor. If someone's smoking a cigar in one of the anterooms and I get a puff of that, I'll have this available when I get to the House floor.

This is harder to carry in your pocket, not impossible, but much harder to carry in your pocket.

There is a convenience factor. Dean of the House DINGEL mentioned that when he talked about his efforts to preserve products for patients with asthma. A little less user friendly to go through the multiple steps for Asthmanefrin as opposed to squeezing the Primatene Mist bottle and dispensing the medicine where it needs to go into a patient's chest.

The other over-the-counter products are absolutely not equivalent to Primatene. Primatene tablets are, indeed, still available. But what are Primatene tablets? They're ephedrine. That's the active ingredient in some of the diet pills that the FDA pulled off the market a few months ago. Yeah, ephedrine will help you if you're in a tight spot with your breathing, but it's not instantaneous. It's about 30 minutes away after you take the pill.

□ 1430

And you want to talk about something that makes your heart race, it's not Primatene Mist, but the Primatene tablets will do it every time it's tried.

Madam Speaker, here's the real issue: Should we let elites at the Federal agency dictate to our asthma patients in our districts what they can and can't have?

This is one of those instances where I say the Federal agency has gone too far. Ranking Member WAXMAN said that the FDA didn't need to ban Primatene Mist because the EPA had already done it. By what authority does the EPA regulate medicines that I prescribe for my patients? There is no such authority, unless I missed something and we gave them authority where none existed before.

This is about common sense. This is about doing the right thing for the American people. We took away their toilets. We took away their lightbulbs. For heaven's sake, let's not take away their asthma inhalers.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 6190.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CASTOR of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

NO-HASSLE FLYING ACT OF 2012

Mr. KING of New York. Madam Speaker, I move to suspend the rules and pass the bill (S. 3542) to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3542

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 ''No-Hassle Flying Act of 2012''.

SEC. 2. PRECLEARANCE AIRPORTS.

(a) IN GENERAL.—Section 44901(d) of title 49, United States Code, is amended by adding at the end the following new paragraph:

''(4) PRECLEARANCE AIRPORTS.—

''(A) IN GENERAL.—For a flight or flight segment originating at an airport outside the United States and traveling to the United States with respect to which checked baggage has been screened in accordance with an aviation security preclearance agreement between the United States and the country in which such airport is located, the Assistant Secretary (Transportation Security Administration) may, in coordination with U.S. Customs and Border Protection, determine whether such baggage must be rescreened in the United States by an explosives detection system before such baggage continues on any additional flight or flight segment.

''(B) AVIATION SECURITY PRECLEARANCE AGREEMENT DEFINED.—In this paragraph, the term 'aviation security preclearance agreement' means an agreement that delineates and implements security standards and protocols that are determined by the Assistant Secretary, in coordination with U.S. Customs and Border Protection, to be comparable to those of the United States and

therefore sufficiently effective to enable passengers to deplane into sterile areas of airports in the United States.

''(C) REPORT.—The Assistant Secretary shall submit to the Committee on Homeland Security of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report on the re-screening of baggage under this paragraph. Each such report shall include the following for the year covered by the report:

''(i) A list of airports outside the United States from which a flight or flight segment traveled to the United States for which the Assistant Secretary determined, in accordance with the authority under subparagraph (A), that checked baggage was not required to be re-screened in the United States by an explosive detection system before such baggage continued on an additional flight or flight segment.

''(ii) The amount of Federal savings generated from the exercise of such authority.''.

(b) CONFORMING AMENDMENTS.—Section 44901 of title 49, United States Code, is amended by striking ''explosive'' each place it appears and inserting ''explosives''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. KING of New York. Madam Speaker, I yield myself such time as I may consume.

I rise in support of S. 3542, the No-Hassle Flying Act of 2012.

At the outset, let me commend the gentleman from Illinois, Congressman WALSH, for introducing the House companion to this important measure. H.R. 6028 passed the House in September by voice vote.

Madam Speaker, this bill gives TSA the discretion to determine if checked luggage arriving from a foreign airport with an aviation security preclearance agreement must be rescreened before it continues on to a connecting flight inside the U.S. The bill explicitly defines such an agreement as one that delineates and implements security standards and protocols that are determined by TSA, in coordination with CBP, to be comparable to those of the U.S. and therefore sufficiently effective to enable passengers to deplane into sterile areas of airports in the United States.

This bill does not diminish aviation security but, rather, streamlines the security process and allows TSA to expend resources on baggage that has not already been screened to U.S. security standards. It also supports TSA's ongoing efforts to implement risk-based, intelligence-driven security initiatives.

TSA Administrator Pistole requested the new authority provided in this bill in order to go beyond our borders in establishing robust security measures and improving efficiency. I commend Administrator Pistole for his leadership and efforts to improve aviation security.

In addition to streamlining security, this bill will incentivize our foreign partners to improve the technology that they use to screen checked baggage, which ultimately should increase the level of security of inbound flights to the United States. The legislation will reduce the number of missed connections and other hassles with redundant baggage screening that can become barriers to international travel and tourism. It's a win-win for passengers, the airline industry, and TSA by shortening the time necessary for transit and transfer.

I urge the adoption of this bipartisan and commonsense bill, and I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of S. 3542, the No-Hassle Flying Act of 2012. I support this legislation because it represents a commonsense proposal to make air travel more convenient and has the potential to enhance efficiencies.

Currently, all baggage arriving at U.S. airports must be rescreened prior to being loaded on a connecting flight. This is true even for travelers arriving from designated preclearance airports where the passengers themselves do not need to be screened again because DHS has verified that screening at those airports is at least as effective as our own. This dynamic places an unnecessary burden on TSA screeners, the airlines, and the flying public who, on occasion, arrive at their final destination only to find that their baggage has not.

As I stated when we considered the House companion to S. 3542 in September, where we can eliminate duplicative screening without compromising security, I will lend my support.

I commend Senator KLOBUCHAR for her work on this legislation and thank her for including important provisions I requested that require TSA to coordinate with U.S. Customs and Border Protection when determining what baggage must be rescreened in the United States.

Accordingly, I support this legislation that the Obama administration proposed, and I reserve the balance of my time.

Mr. KING of New York. Madam Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. WALSH). Let me take this opportunity to commend him for the outstanding job he's done during his time of service on the committee.

Mr. WALSH of Illinois. I thank Chairman KING.

Earlier this year, I introduced the No-Hassle Flying Act, legislation brought to our attention by the Transportation Security Administration. Senators KLOBUCHAR from Minnesota and BLUNT of Missouri introduced my original language in the Senate, and this is the bill we're considering today.

Over the past decade, TSA has classified 14 foreign airports as ''precleared'' for security purposes. These airports are routinely checked by TSA to ensure their screening procedures for both people and bags meet the high standards of the United States, and, as such, passengers originating from these airports and returning to the United States are not required to go through physical security checks again. Unfortunately, their bags are not excluded and must be rescanned and rechecked. If you've ever had to do this during a layover at Chicago O'Hare; Newark, New Jersey; or even Miami International, you know it's not an easy task, especially in the middle of the night.

The bill before us allows TSA to waive the baggage screening requirements as well. Giving TSA this kind of flexibility will allow them to free up time and resources to focus on higher-risk baggage and passengers and will also make traveling easier for those coming in and out of the United States.

I want to thank my colleagues on the Homeland Security Committee—especially Chairman KING—and their staffs for the work they put into this bill, along with Senators KLOBUCHAR and BLUNT, and, of course, TSA for bringing this bill to our attention.

I urge all Members to vote in favor of this commonsense bipartisan bill.

□ 1440

Mr. THOMPSON of Mississippi. Madam Speaker, I yield such time as she may consume to the ranking member of the Subcommittee on Transportation Security of the Committee on Homeland Security, the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the ranking member of the committee. It's always good to be able to thank him, Madam Speaker, for his leadership and service. I think we are safer because Members of Congress like Congressman THOMPSON, the ranking member, and our chairman, Congressman KING, have, on a number of occasions, come together around the idea of America's security. I want to express my appreciation for having been able to serve on the committee for a number of years.

It gives me also a moment to say to the Speaker, or to acknowledge Congresswoman EMERSON, for her service as well and to thank you so very much for being a person who loves America. I think that should be our litmus test when we rise on this floor for those of us who love this country.

As the ranking member, and having served as the chairwoman of this committee in previous terms, I know how important it is to provide safety in the transportation modes for the United

States of America. This bill, the No-Hassle Flying Act of 2012—and I thank the sponsor both in the House and the Senate—provides a measure of recognition and acceptance of foreign countries that are making efforts to have consistent security procedures and technology to have an easier travel process for passengers who are deplaning in the United States but going on to another domestic destination. So I want to acknowledge the Senator from Minnesota, Ms. KLOBUCHAR, who had this legislation passed in the Senate, and our House sponsor as well.

What the basis of this legislation is, by relieving the need to rescreen every piece of baggage arriving in the United States from countries where we have strong bonds and screening agreements in place, efficiencies will be realized and our screeners can focus more attention on those items we know least about. And the term ''screeners,'' let me correct that and say the Transportation Security Administration personnel. That is probably the most maligned group of American public servants, those who work in the cause of the United States and the safety and security of the United States. But at their best, when they are trained, as I have worked so hard to insist on, to increase their professional development training—and we have made great strides with Administrator Pistole and previous administrators, so much so that as I travel through airports I can see the sense of pride and respect that this group of Americans have for their job. So when we speak of screening, we're talking about serious work that has to be done to ensure the safety and security of America.

We want to be able to work with our allies. This is not an immigration reform initiative, but it is similar to the visa waiver programs, where we have a list of countries that we feel confident that their procedures are not only equal to ours, but their policies, their alliance with us goes decades, and we believe that their citizens can come into the United States.

This particular legislation tries to get the personnel of the TSA to focus on race-based screening that many of my fellow members on the committee have been calling for, and of course that the administrator has listened to. This legislation represents the kind of commonsense security measure this Congress must focus on to make both the Department of Homeland Security and its components work more.

It is, of course, my hope that we can look forward to more work being done with transportation security, that we can look to providing, as I introduced legislation dealing with air marshals, both their funding and increased utilization on some of our flights coming into the United States; that we will have the opportunity to do a transportation authorization bill again like the one I joined with Chairman THOMPSON on and we reauthorized in the 111th Congress that drew bipartisan support. And of course Mr. KING has worked with us on this legislation.

So this particular No Fly for me has merit to it. But as I rise to support the thought behind the legislation passed by the Senate, I also remind our colleagues that air travel is still dangerous. Whether it is the shoe bomber, whether it is the Christmas day bomber, whether it is thwarted incidences that we will never hear about, whether it is the constant reporting of intelligence and classified information that suggests how vulnerable our airlines and airports are, whether it is an accidental or incidental intrusion on the tarmac or the perimeters of the airport, whether it is the accidental entry of a public person, either visitor or traveling public, that goes into an unauthorized area that causes airports to be shut down—incidences that occurred in Newark and other places—we have to realize that we have to be particularly sensitive to this question of securing the traveling public, and particularly Americans. That is why, in the wisdom of the Congress and others, we created the Transportation Security Administration that had a mandated and Federalized workforce of security screeners to inspect airline passengers and their baggage. It gave them broad authority to assess the vulnerabilities in aviation security and take steps to mitigate these risks. I'm glad that they exist.

So I have an acute understanding of TSA's role in aviation security, and I also appreciate congressional oversight. But I further appreciate that, even with that broad discretion, we have to be keenly aware that in the best of all circumstances some loophole, some misstep can occur.

I represent one of the largest systems, George Bush Intercontinental Airport, the William Hobby system. As I would want for that airport system, I would want a system of security for everyone. So this idea of allowing unfettered transfer of your bags coming from a nation that has been an ally, but that has put into place procedures that we can document that are in fact adequate, accurate, and superior, I'm going to raise it to that level, because adequacy is not a basis for fighting the dangers of terrorism.

I only raise a flag of caution—and maybe a red flag—that it is important that the Department of Homeland Security study this carefully. Make sure that they look at the technology and look at the process that in essence will be put in place. Because, again, all good things are meant for good, but we know what can happen if in some way we are in error. I don't want this to be a basis for error, I want this to be a basis for good. I want this to be the intention of the bill, which is to ameliorate some of those delays associated with the rescreening of bags transported on commercial flights from international locations.

I want those traveling to the United States to be welcomed with a smile who are here to do good, and I want them not to miss their connecting flight—and it might be one of us. But our main focus is to secure the homeland.

So to my colleagues, to the chairman and ranking member, I join you in supporting this legislation, but I ask that the Department of Homeland Security, the Assistant Secretary of Homeland Security, who is to give this discretion to waiving rescreening pursuant to a preclearance agreement between the United States and a foreign nation, that seeks to ensure this process works, be very keen and careful of reviewing the process, having the resources to ensure that the technology is superior and that we are constantly reviewing how this is working.

I'm sure that we will see many smiles of our traveling public. They will welcome that convenience. In the course of the convenience, I also argue for security. I know that that will be the case.

I will ask my colleagues to support this legislation, and as well, we continue to secure the homeland.

Mr. KING of New York. Madam Speaker, I have no further speakers. If the gentleman from Mississippi also has none, I'm prepared to close once the gentleman does.

□ 1450

Mr. THOMPSON of Mississippi. Madam Speaker, I have no more speakers, and I am prepared to close.

There are areas where TSA needs to improve its performance. On that we can all agree. Just last week, GAO released a report detailing TSA's failure to properly oversee privatized screeners and revealing that some airports with their privatized screeners do not perform as well as their federalized counterparts.

I look forward to addressing those issues with my colleagues on the Committee on Homeland Security in the 113th Congress.

Today, we have an opportunity to support legislation supported by industry, the Obama administration, and TSA that has the potential to enhance the efficiency and cost effectiveness of screening baggage.

With that, Madam Speaker, I urge my colleagues to support S. 3542 so it can be sent to the President for his signature and yield back the balance of my time.

Mr. KING of New York. Madam Speaker, I urge the adoption of this bipartisan, commonsense bill, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in strong support of S. 3542, the "No-Hassle Flying Act of 2012." This legislation, proposed by the Obama Administration and introduced by the Senator from Minnesota, Ms. KLOBUCHAR, was passed by the Senate with unanimous support and should receive the support of the House today.

By relieving the need to re-screen every piece of baggage arriving in the United States from countries where we have strong bonds

and screening agreements in place, efficiencies will be realized and our screeners can focus more attention on those items we know least about.

That is the kind of risk based screening that I and my fellow members of the Committee on Homeland Security have been calling for. Thankfully, under Administrator Pistole's leadership, are calls are being heeded.

This legislation represents the kind of common sense security measure this Congress must focus on to make both the Department of Homeland Security and its components work more efficiently and effectively.

It is my hope that in the next Congress we will see more proposals on the House floor regarding the Transportation Security Administration that can garner bipartisan support.

During the 111th Congress, during my tenure as Chair of the Committee on Homeland Security's Subcommittee on Transportation Security, the House considered and passed the TSA Authorization bill that I authored with overwhelming bipartisan support.

Unfortunately, no such legislation was produced for consideration by the House this Congress.

I look forward to working with my colleagues on the Committee in the next Congress to ensure we get back to the work of authorizing the critical programs of the TSA.

Our airports are a critical point of entry to our nation, and our airplanes remain vulnerable to terrorist plots as a result of their inherent potential to cause massive destruction and human casualties.

In the aftermath of the September 11, 2001 attacks, which exposed significant vulnerabilities in our airport security, the 107th Congress moved quickly to pass the Aviation and Transportation Security Act.

The Transportation Security Act created the Transportation Security Administration (TSA) and mandated a federalized workforce of security screeners to inspect airline passengers and their baggage. The act gave TSA broad authority to assess vulnerabilities in aviation security and take steps to mitigate these risks.

As Ranking Member of the Subcommittee on Transportation on the Committee on Homeland Security, I have an acute understanding of TSA's role in aviation security, which has been the subject of considerable congressional oversight.

Moreover, this issue is one that impacts my constituents immensely, as my district is home to the Houston Airport System, which is one of North America's largest public airport systems and includes George Bush Intercontinental Airport, William P. Hobby Airport, and Ellington Airport.

In 2010, the Houston Airport System served more than 49.5 million passengers, including more than 8.5 million international travelers.

The American people expect Members of Congress to ensure that when they board a plane for business or pleasure, all passengers and their accompanying baggage have been thoroughly screened so as to prevent terrorists and their tools of destruction from posing a danger to passengers.

This issue is something that we understand as Members of Congress; many of us, including myself, fly on commercial airlines when we travel to and from our respective districts. Like the rest of the public, we expect that when we board a flight, it is secure and that we will safely arrive at our destinations within a reasonable amount of time.

While we should balance the need for thorough screening with the ideals of speed and convenience, we must continue to ensure that we are doing whatever is necessary to protect passengers on commercial flights from the dangers of terrorism. We know that many Americans and others traveling to our country are often frustrated by the time it may take to have themselves and their baggage processed through airports.

This bill intends to ameliorate some of these delays associated with the rescreening of baggage transported on commercial flights originating from international locations.

This would be achieved by giving the Assistant Secretary of Homeland Security the discretion to waive rescreening pursuant to a preclearance agreement between the United States and a foreign nation that seeks to ensure that adequate screening procedures were undertaken at the point of origin.

The idea is that baggage that has already been adequately screened by one airport does not need to be screened again once it arrives at one of our airports.

As Members of Congress, we should continue to look for areas in our airport security procedures that we can modify in order to make travel more convenient for passengers that do not compromise their safety.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, S. 3542.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DHS AUDIT REQUIREMENT TARGET ACT OF 2012

Mr. KING of New York. Madam Speaker, I move to suspend the rules and pass the bill (S. 1998) to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1998

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 ''DHS Audit Requirement Target Act of 2012'' or the ''DART Act''.

SEC. 2. IMPROVING FINANCIAL ACCOUNTABILITY AND MANAGEMENT.

(a) DEFINITIONS.—In this section—

(1) the term ''Department'' means the Department of Homeland Security;

(2) the term ''financial management systems'' has the meaning given that term under section 806 of the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note);

(3) the term ''Secretary'' means the Secretary of Homeland Security; and

(4) the term ''unqualified opinion'' mean an unqualified opinion within the meaning given that term under generally accepted auditing standards.

(b) REACHING AN UNQUALIFIED AUDIT OPINION.—In order to ensure compliance with the Department of Homeland Security Financial Accountability Act (Public Law 108–330; 118 Stat. 1275) and the amendments made by that Act, the Secretary shall take the necessary steps to ensure that the full set of consolidated financial statements of the Department for the fiscal year ending September 30, 2013, and each fiscal year thereafter, are ready in a timely manner and in preparation for an audit as part of preparing the performance and accountability reports required under section 3516(f) of title 31, United States Code, (including submitting the reports not later than November 15, 2013, and each year thereafter) in order to obtain an unqualified opinion on the full set of financial statements for the fiscal year.

(c) REPORT TO CONGRESS ON PROGRESS OF MEETING AUDIT REQUIREMENTS.—In order to ensure progress in implementing the Department of Homeland Security Financial Accountability Act (Public Law 108–330; 118 Stat. 1275), and the amendments made by that Act, during the period beginning on the date of enactment of this Act and ending on the date on which an unqualified opinion described in subsection (b) is submitted, each report submitted by the Chief Financial Officer of the Department under section 902(a)(6) of title 31, United States Code, shall include a plan—

(1) to obtain an unqualified opinion on the full set of financial statements, which shall discuss plans and resources needed to meet the deadlines under subsection (b);

(2) that addresses how the Department will eliminate material weaknesses and significant deficiencies in internal controls over financial reporting and provides deadlines for the elimination of such weaknesses and deficiencies; and

(3) to modernize the financial management systems of the Department, including timelines, goals, alternatives, and costs of the plan, which shall include consideration of alternative approaches, including modernizing the existing financial management systems and associated financial controls of the Department and establishing new financial management systems and associated financial controls.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. KING of New York. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise in support of S. 1998, the DART Act, introduced by Senator SCOTT BROWN of Massachusetts. This important legislation will improve financial accountability and management at the Department of Homeland Security.

Since the Department opened its doors on March 1, 2003, financial management of all 22 merged agencies has

been one of the most significant challenges. Fiscal year 2012, over 9 years since DHS was created, was the first time the Department was able to complete a financial audit and receive a qualified opinion on all five financial statements covering the entire Department.

Unfortunately, DHS has been unable to get an unqualified, or clean, opinion stating that there are no material weaknesses in its financial systems. Until such time as there is confidence in the DHS financial structure, questions will remain on how DHS accounts for taxpayer money. This important legislation is needed because it will require the Department to create a plan to meet the audit requirements to reach an unqualified opinion.

Specifically, the bill requires the Secretary to take all necessary steps to ensure that all financial statements of the Department are consolidated and ready in a timely manner in preparation for an audit.

Second, the DHS CFO is to report to Congress on its efforts to reach an unqualified opinion. This legislation requires this reporting requirement until such time as the Department is able to reach an unqualified opinion.

Also, DHS is to report to Congress on its progress, including resources needed, plans to eliminate material weaknesses, deadlines for addressing deficiencies, and efforts to modernize DHS' financial management systems.

It is essential that DHS obtain control over its financial systems and address the identified weaknesses. This legislation sets the Department on the right path to obtain an unqualified opinion.

I would also like to thank Chairman ISSA and the Committee on Oversight and Government Reform for working with the Committee on Homeland Security in getting this important legislation to the floor.

I urge my colleagues to support S. 1998 and reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, December 7, 2012.

Hon. PETER T. KING,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On November 28, 2012, the Senate passed S. 1998, the ''Department of Homeland Security Improved Financial Accountability Act of 2011.'' Thank you for consulting with the Committee on Oversight and Government Reform with regard to S. 1998 on those matters within the committee's jurisdiction. I am writing to confirm our mutual understanding with respect to the consideration of S. 1998.

In the interest of expediting the House's consideration of S. 1998, I will forego consideration of the bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the Committee on Oversight and Government Reform's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request that you include our exchange of letters on this matter in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 7, 2012.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your letter regarding S. 1998, the ''DHS Audit Requirement Target Act of 2012.'' I appreciate your willingness to support expediting floor consideration of this legislation.

I agree that while you are waiving formal consideration of this bill, the Committee on Oversight and Government Reform is in no way diminishing its jurisdiction over the subject matter contained in this measure or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to your Committee in the future.

I will include our letter on S. 1998 in the Congressional Record during House floor consideration of the bill. I appreciate your cooperation regarding this legislation.

Sincerely,

PETER T. KING,
Chairman.

Mr. THOMPSON of Mississippi. Madam Speaker, I rise in support of S. 1998, the DHS Audit Requirement Target Act of 2012 and yield myself such time as I may consume.

Madam Speaker, since it was established nearly a decade ago, the Department of Homeland Security has been unable to obtain a ''clean'' or unqualified audit of its financial statements. This is simply unacceptable.

When I was chairman last Congress, the Committee on Homeland Security conducted significant oversight of the deficiencies that have plagued the Department's financial management efforts since its creation.

While we understand that DHS has taken many of the steps necessary to obtain a clean audit, more remains to be done. S. 1998 would direct DHS to take the necessary steps to obtain a clean audit by the end of fiscal year 2013. It also requires DHS to report to Congress on its plans to strengthen its financial controls and modernize its financial management systems.

Madam Speaker, S. 1998 helps put DHS on a path toward sound financial management, and for that reason, I plan to support the bill today.

With that, Madam Speaker, I reserve the balance of my time.

Mr. KING of New York. I continue to reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the gentleman, and I rise to support S. 1998 and commend the basis of this legislation, which will look for a clean audit report and in particular as it relates to Congress submit a report on the plan to obtain an unqualified opinion annually until an unqualified opinion is submitted, and submit to Congress and the Comptroller General a report on DHS' plans and resources needed to modernize DHS' financial system.

Let me be clear that we know that it takes resources to secure the homeland, but this is a Department that has $40 billion in the annual budget and 200,000 employees. DHS is the Nation's third-largest Federal Department. It demands a clean audit.

I would also indicate that one of the issues that we have continued to work on in the committee is to ensure the access of small, minority, and women-owned businesses to the vast contracting needs that DHS is engaged in. In particular, when there are natural disasters, we are often seeing where those who live in the area who would benefit from being able to be the contractors or to be able to work on the restoration and remove the debris cannot access DHS in a fair way to be able to secure a contract to put people to work.

So even as we are talking about audits, I'm talking about management processes, as well. And I would hope that this legislation, as it begins to look at audits and making sure that we have an unqualified audit, will also look at process as we go forward in the 113th Congress, because as we secure the homeland, we want to make sure that we have a Department of Homeland Security that has had very fine leadership in Secretary Napolitano to be able to assure that the infrastructure that runs this agency is parallel to the infrastructure that is securing America. I think that will be a perfect system.

So I do support this legislation, and I hope the comments about small, minority, and women-owned businesses are taken to heart and that we will find a way to ensure that our resources, tax dollars, are utilized by the American people in the right and appropriate way.

Mr. KING of New York. Madam Speaker, I have no further speakers. If the gentleman from Mississippi has no further speakers, I am prepared to close.

Mr. THOMPSON of Mississippi. Madam Speaker, I have no more speakers, and I am prepared to close.

In summary, S. 1998 is another step in Congress' effort to put DHS on a sound financial path.

Speaking of a path, Madam Speaker, this is probably the chair's last official act on the floor, and I want to just say to him today that I have enjoyed his chairmanship on the committee, and I'm certain whatever the future holds in Congress, he will be a worthy participant in the process.

I would like to personally say that I have enjoyed working with him.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. THOMPSON of Mississippi. I yield to the gentlelady from Texas.

Ms. JACKSON LEE of Texas. I thank the gentleman.

Mr. Ranking Member, I knew that Mr. KING would have other opportunities to be on the floor. We are going to be here through Christmas, but if that is not the case, then he has kind of a smile of Santa Claus, but I just want to say to Chairman KING, as well, just to thank you for your service. There is no doubt of your commitment to America's security, and I have enjoyed having the opportunity to work with you on the committee.

□ 1500

Mr. THOMPSON of Mississippi. Madam Speaker, reclaiming my time, I urge my colleagues to support the bill and yield back the balance of my time.

Mr. KING of New York. Madam Speaker, I yield myself such time as I may consume.

I would like to thank Senator BROWN for introducing this legislation to address the ongoing DHS financial management challenges. Also, let me thank the ranking member, Mr. THOMPSON, and the ranking member of the subcommittee, Ms. JACKSON LEE, for their kind words. This probably will be my last appearance on the floor as chairman of the committee.

I want to thank the ranking member. It has now been over 7 years we have worked together as chairman and ranking member. I enjoyed working with you. I enjoyed it a lot more when I was chairman, and I'm sure you enjoyed it a lot more when you were chairman. But no matter what our capacities were, I always found it a privilege to be able to work with you. When we could cooperate, we did. When we had honest differences, I think we expressed them in a very gentlemanly way. I certainly know that you did, and I want to thank you for that.

I want to also thank the committee staff, especially Mike Russell, Mandy Bowers, and Kerry Ann Watkins, for the tremendous job they did, and all the members of the staff of both the majority and the minority. And, Madam Speaker, I would like to thank you for your years of service in the House here as well.

Again, it's been a great privilege being chairman. I believe we achieved a lot. I think most importantly what the ranking member has tried to do and what I've tried to do is establish the significance of this committee and to prove that on major issues affecting the country, that both parties can work together in a bipartisan way. And I thank the gentleman for his cooperation on that.

Going back to business, I urge support of the bill, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in support of S. 1998, the "DART Act," the purpose of which is to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security.

The DART Act will permit Congress to effectively perform its oversight duties with respect to the Department of Homeland Security.

As a Member of the Committee on Homeland Security and Ranking Member of its Subcommittee on Transportation, tasked with oversight of the Department, I am a strong supporter of the work that the Department does on behalf of the American people.

It is important that the public understand the vital work that the Department has done and continues to do to assess and counter threats and to maintain the security of our homeland.

S. 1998 directs the Secretary of Homeland Security, in order to comply with the Department of Homeland Security Financial Accountability Act, to ensure that the balance sheet of the Department of Homeland Security (DHS) and associated statement of custodial activity for FY2012 and FY2013, and the full set of consolidated financial statements of DHS for FY2014 through FY2016, are ready in a timely manner and in preparation for an audit as part of preparing required performance and accountability reports.

Furthermore, S. 1998 directs the Chief Financial Officer of DHS to:

(1) Submit a report on the plans to obtain an unqualified opinion annually until an unqualified opinion is submitted, and

(2) Submit to Congress and the Comptroller General a report on DHS's plans and resources needed to modernize DHS's financial systems.

The Department of Homeland Security (DHS) was created in 2003, with the vital mission of ensuring that, in the wake of the September 11th, 2001 attacks, the American homeland is safe, secure, and protected against terrorists who would do us harm.

Our domestic security is our nation's top priority; a mission that includes terrorism prevention and security enhancements, border management and security, immigration administration and enforcement, cyberspace security, and disaster response.

With a $40 billion annual budget and more than 200,000 employees, DHS is the nation's 3rd largest federal department.

Consequently, this Congress must pay close attention and give careful consideration to the activities of the Department of Homeland Security as we assist it in becoming a more sound, lower-risk, more efficient, and more effective department.

Given the relatively new nature of the Department, along with the fact that it originated as an amalgamation of 22 federal agencies, it is no surprise that the Government Accountability Office (GAO) has consistently designated—as recently as December 2011—the implementation and transformation of the Department as high-risk with respect to waste, fraud, abuse mismanagement, or needing reform.

Unfortunately, since its inception, the Department has been unable to obtain what is known as a "clean" or "unqualified" audit of its financial statements (i.e. a finding by an objective reviewer that the Department's finances are in conformity with generally accepted accounting standards). The DART Act seeks to address this issue by directing the Department to take the steps necessary to obtain a clean audit by the end of fiscal year 2013.

In order for Congress to be able to effectively monitor and oversee DHS's efforts in this area, S. 1998 also requires DHS to provide Congress with specific details on its plans to achieve a clean audit, through eliminating material weaknesses in its internal financial controls and by modernizing its financial management systems.

While DHS has previously stated that it can obtain an unqualified opinion on all of its financial statements by the end of fiscal year 2013, the Government Accountability Office (GAO) has noted that "there is no clear plan for how auditability will be achieved" by the end of 2013.

As we evaluate the progress of the Department, I want to ensure that the Department has sufficient funding and its finances are managed and structured properly such that our nation is safe and secure from all threats.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, S. 1998.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FRANK BUCKLES WORLD WAR I MEMORIAL ACT

Mr. CHAFFETZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6364) to establish a commission to ensure a suitable observance of the centennial of World War I, to designate memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial on the National Mall in the District of Columbia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6364

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Frank Buckles World War I Memorial Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Establishment of World War I Centennial Commission.
Sec. 5. Duties of Centennial Commission.
Sec. 6. Powers of Centennial Commission.
Sec. 7. Centennial Commission personnel matters.
Sec. 8. Termination of Centennial Commission.
Sec. 9. Designation of National World War I Museum and Memorial in Kansas City, Missouri.
Sec. 10. Establishment of National World War I Memorial in the District of Columbia.
Sec. 11. Prohibition on obligation of Federal funds.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) From 2014 through 2018, the United States and nations around the world will mark the centennial of World War I, including the entry of the United States into the war in April 1917.

(2) America's support of Great Britain, France, Belgium, and its other allies in

World War I marked the first time in United States history that American soldiers went abroad in defense of liberty against foreign aggression, and it marked the true beginning of the ''American century''.

(3) Although World War I was at the time called ''the war to end all wars'', in fact the United States would commit its troops to the defense of foreign lands 3 more times in the 20th century.

(4) More than 4,000,000 men and women from the United States served in uniform during World War I, among them 2 future presidents, Harry S. Truman and Dwight D. Eisenhower. Two million individuals from the United States served overseas during World War I, including 200,000 naval personnel who served on the seas. The United States suffered 375,000 casualties during World War I, including 116,516 deaths.

(5) The events of 1914 through 1918 shaped the world, the United States, and the lives of millions of people.

(6) The centennial of World War I offers an opportunity for people in the United States to learn about and commemorate the sacrifices of their predecessors.

(7) Commemorative programs, activities, and sites allow people in the United States to learn about the history of World War I, the United States involvement in that war, and the war's effects on the remainder of the 20th century, and to commemorate and honor the participation of the United States and its citizens in the war effort.

(8) While the other great conflicts of the 20th century, World War II, the Korean War, and the Vietnam War, have national memorials on the Mall in Washington, DC, there currently exists no national memorial honoring the service of the United States and its citizens in World War I.

(9) In 1921, the people of Kansas City, Missouri, dedicated a site in that city for a memorial to the service of Americans in World War I, a ceremony attended by General John J. Pershing and military leaders of Great Britain, France, Belgium, and Italy. In 1924, the cornerstone of the 217-foot Liberty Memorial Tower was laid. On Armistice Day 1926, President Calvin Coolidge delivered the key note address at the Memorial's dedication ceremony. The Memorial and surrounding grounds were completed in 1938, with an inscription that reads ''In Honor of Those Who Served in the World War in Defense of Liberty and Our Country.''.

(10) The 106th Congress recognized the Liberty Memorial as a national symbol of World War I.

(11) The 108th Congress designated the museum at the base of the Liberty Memorial as ''America's National World War I Museum''. The museum preserves the story of World War I, and educates and enlightens people about this significant event.

SEC. 3. DEFINITIONS.

In this Act—

(1) AMERICA'S NATIONAL WORLD WAR I MUSEUM.—The term ''America's National World War I Museum'' means the Liberty Memorial Museum in Kansas City, Missouri, as recognized by Congress in section 1031(b) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2045).

(2) CENTENNIAL COMMISSION.—The term ''Centennial Commission'' means the World War I Centennial Commission established by section 4(a).

(3) MEMORIAL FOUNDATION.—The term ''Memorial Foundation'' means the World War I Memorial Foundation authorized to establish the National World War I Memorial in the District of Columbia under section 10.

(4) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 4. ESTABLISHMENT OF WORLD WAR I CENTENNIAL COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the ''World War I Centennial Commission''.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Centennial Commission shall be composed of 12 members as follows:

(A) Two members who shall be appointed by the Speaker of the House of Representatives.

(B) One member who shall be appointed by the minority leader of the House of Representatives.

(C) Two members who shall be appointed by the majority leader of the Senate.

(D) One member who shall be appointed by the minority leader of the Senate.

(E) Three members who shall be appointed by the President from among persons who are broadly representative of the people of the United States (including members of the Armed Forces, veterans, and representatives of veterans service organizations).

(F) One member who shall be appointed by the executive director of the Veterans of Foreign Wars of the United States.

(G) One member who shall be appointed by the executive director of the American Legion.

(H) One member who shall be appointed by the president of the Liberty Memorial Association.

(2) TIME FOR APPOINTMENT.—The members of the Centennial Commission shall be appointed not later than 60 days after the date of the enactment of this Act.

(3) PERIOD OF APPOINTMENT.—Each member shall be appointed for the life of the Centennial Commission.

(4) VACANCIES.—A vacancy in the Centennial Commission shall be filled in the manner in which the original appointment was made.

(c) MEETINGS.—

(1) INITIAL MEETING.—

(A) IN GENERAL.—Not later than 30 days after the date on which all members of the Centennial Commission have been appointed, the Centennial Commission shall hold its first meeting.

(B) LOCATION.—The location for the meeting held under subparagraph (A) shall be the America's National World War I Museum.

(2) SUBSEQUENT MEETINGS.—

(A) IN GENERAL.—The Centennial Commission shall meet at the call of the Chair.

(B) FREQUENCY.—The Chair shall call a meeting of the members of the Centennial Commission not less frequently than once each year.

(C) LOCATION.—Not less frequently than once each year, the Centennial Commission shall meet at the America's National World War I Museum.

(3) QUORUM.—Seven members of the Centennial Commission shall constitute a quorum, but a lesser number may hold hearings.

(d) CHAIR AND VICE CHAIR.—The Centennial Commission shall select a Chair and Vice Chair from among its members.

SEC. 5. DUTIES OF CENTENNIAL COMMISSION.

(a) IN GENERAL.—The duties of the Centennial Commission are as follows:

(1) To plan, develop, and execute programs, projects, and activities to commemorate the centennial of World War I.

(2) To encourage private organizations and State and local governments to organize and participate in activities commemorating the centennial of World War I.

(3) To facilitate and coordinate activities throughout the United States relating to the centennial of World War I.

(4) To serve as a clearinghouse for the collection and dissemination of information about events and plans for the centennial of World War I.

(5) To develop recommendations for Congress and the President for commemorating the centennial of World War I.

(b) REPORTS.—

(1) PERIODIC REPORT.—Not later than the last day of the 6-month period beginning on the date of the enactment of this Act, and not later than the last day of each 3-month period thereafter, the Centennial Commission shall submit to Congress and the President a report on the activities and plans of the Centennial Commission.

(2) RECOMMENDATIONS.—Not later than 2 years after the date of the enactment of this Act, the Centennial Commission shall submit to Congress and the President a report containing specific recommendations for commemorating the centennial of World War I and coordinating related activities.

SEC. 6. POWERS OF CENTENNIAL COMMISSION.

(a) HEARINGS.—The Centennial Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Centennial Commission considers appropriate to carry out its duties under this Act.

(b) POWERS OF MEMBER AND AGENTS.—If authorized by the Centennial Commission, any member or agent of the Centennial Commission may take any action which the Centennial Commission is authorized to take under this Act.

(c) INFORMATION FROM FEDERAL AGENCIES.—The Centennial Commission shall secure directly from any Federal department or agency such information as the Centennial Commission considers necessary to carry out the provisions of this Act. Upon the request of the Chair of the Centennial Commission, the head of such department or agency shall furnish such information to the Centennial Commission.

(d) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Centennial Commission, the Administrator of the General Services Administration shall provide to the Centennial Commission, on a reimbursable basis, the administrative support services necessary for the Centennial Commission to carry out its responsibilities under this Act.

(e) CONTRACT AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Centennial Commission is authorized—

(A) to procure supplies, services, and property; and

(B) to make or enter into contracts, leases, or other legal agreements.

(2) LIMITATION.—The Centennial Commission may not enter into any contract, lease, or other legal agreement that extends beyond the date of the termination of the Centennial Commission under section 8(a).

(f) POSTAL SERVICES.—The Centennial Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(g) GIFTS, BEQUESTS, AND DEVISES.—The Centennial Commission shall accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of covering the costs incurred by the Centennial Commission to carry out its duties under this Act.

SEC. 7. CENTENNIAL COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Members of the Centennial Commission shall serve without compensation for such service.

(b) TRAVEL EXPENSES.—Each member of the Centennial Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with the applicable provisions of title 5, United States Code.

(c) STAFF.—

(1) IN GENERAL.—The Chair of the Centennial Commission shall, in consultation with the members of the Centennial Commission, appoint an executive director and such other additional personnel as may be necessary to enable the Centennial Commission to perform its duties.

(2) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Chair of the Centennial Commission may fix the compensation of the executive director and any other personnel appointed under paragraph (1).

(B) LIMITATION.—The Chair of the Centennial Commission may not fix the compensation of the executive director or other personnel appointed under paragraph (1) at a rate that exceeds the rate of payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(C) WORK LOCATION.—If the city government for Kansas City, Missouri, and the Liberty Memorial Association make space available in the building in which the America's National World War I Museum is located, the executive director of the Centennial Commission and other personnel appointed under paragraph (1) shall work in such building to the extent practical.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Centennial Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any employee of that department or agency to the Centennial Commission to assist it in carrying out its duties under this Act.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chair of the Centennial Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(f) SOURCE OF FUNDS.—Gifts, bequests, and devises of services or property, both real and personal, received by the Centennial Commission under section 6(g) shall be the only source of funds to cover the costs incurred by the Centennial Commission under this section.

SEC. 8. TERMINATION OF CENTENNIAL COMMISSION.

(a) IN GENERAL.—The Centennial Commission shall terminate on the earlier of—

(1) the date that is 30 days after the date the completion of the activities under this Act honoring the centennial observation of World War I; or

(2) July 28, 2019.

(b) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities of the Centennial Commission under this Act.

(2) EXCEPTION.—Section 14(a)(2) of such Act shall not apply to the Centennial Commission.

SEC. 9. DESIGNATION OF NATIONAL WORLD WAR I MUSEUM AND MEMORIAL IN KANSAS CITY, MISSOURI.

(a) IN GENERAL.—The Liberty Memorial of Kansas City at America's National World War I Museum in Kansas City, Missouri, is hereby designated as the ''National World War I Museum and Memorial''.

(b) CEREMONIES.—The Centennial Commission may plan, develop, and execute ceremonies to recognize the designation of the Liberty Memorial of Kansas City as the National World War I Museum and Memorial.

SEC. 10. ESTABLISHMENT OF NATIONAL WORLD WAR I MEMORIAL IN THE DISTRICT OF COLUMBIA.

(a) AUTHORITY TO ESTABLISH COMMEMORATIVE WORK.—The World War I Memorial Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to consist of an appropriate sculptural or other commemorative elements to serve as the National World War I Memorial.

(b) LIMITATION ON SIZE OF MEMORIAL.—The National World War I Memorial may not exceed 0.5 acres in size.

(c) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—

(1) IN GENERAL.—Chapter 89 of title 40, United States Code, shall apply to the establishment of the National World War I Memorial in the District of Columbia and its environs.

(2) EXCEPTION FROM PROHIBITION ON ADDITIONAL COMMEMORATIVE WORKS IN RESERVE.—Section 8908(c) of title 40, United States Code, does not apply with respect to the selection of the site for the National World War I Memorial.

(3) NO INFRINGEMENT UPON EXISTING MEMORIAL.—The site selected for the National World War I Memorial may not infringe upon or adversely impact the District of Columbia War Memorial.

(d) LIMITATION ON TOTAL COST.—The total cost to design and construct the National World War I Memorial may not exceed $10,000,000.

(e) DEPOSIT OF EXCESS FUNDS.—

(1) UPON ESTABLISHMENT OF MEMORIAL.—If, upon payment of all expenses for the establishment of the National World War I Memorial (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the memorial, the Memorial Foundation shall transmit the amount of the balance to the account provided for in section 8906(b)(3) of such title.

(2) UPON EXPIRATION OF AUTHORITY TO ESTABLISH MEMORIAL.—If, upon expiration of the authority for the National World War I Memorial under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the memorial, the Memorial Foundation shall transmit the amount of the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or Administrator of General Services (as appropriate) following the process provided in section 8906(b)(4) of such title for accounts established under section 8906(b)(3) of such title.

(f) CEREMONIES.—The Centennial Commission may plan, develop, and execute ceremonies to recognize the establishment of the National World War I Memorial.

(g) MEMORIAL AREA DEFINED.—In this section, the term ''District of Columbia and its environs'' has the meaning given that term in section 8902(a)(2) of title 40, United States Code.

SEC. 11. PROHIBITION ON OBLIGATION OF FEDERAL FUNDS.

No Federal funds may be obligated to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. CHAFFETZ. Madam Speaker, we're about to come up on a very important date regarding World War I, and this bill, sponsored by the gentleman from Texas (Mr. POE), H.R. 6364, is a very worthy undertaking that the Congress, I believe, should enact.

So in the spirit of that, I would like to actually recognize and yield such time as he may consume to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. I appreciate the gentleman from Utah yielding time.

Madam Speaker, Frank Buckles was the epitome of an American hero and a man who would do anything for this great United States of America.

This is a photograph of him recently taken after he joined the United States Army. Frank Buckles wanted to be in the United States Army. He volunteered. No one would take him because, you see, he wasn't 18. He finally continued to lie about his age, convinced a recruiter he was 21, and at the age of 16 joined the United States Army in the great World War I.

He wanted to get to France as soon as he could, so he volunteered to be in the ambulance service. What he did when he got to Europe was rescue and pick up other doughboys in Europe out of those trenches and take them back behind American lines so their wounds could be taken care of. He also picked up many of our Americans—114,000 to be exact—that died in the great World War I.

He was able to come back to America alive. He made it through the war, although many, as I mentioned, did not. Many Americans when they came home from the great war over there, as Mr. COHEN said, died of the flu they picked up in Europe. In fact, a great number of them died from the Spanish flu, almost as many as died in Europe itself.

Frank Buckles then went to work. During his work, it took him to the Philippines; but when he was in the Philippines, the Japanese invaded in World War II and Frank Buckles again was captured by the Japanese in the Philippines and put in a prisoner-of-war camp for 3½ years. He was about to be executed, and the Americans came and liberated the camp; and he, along with the other prisoners of war, came back to America. Frank Buckles then went back to West Virginia where he worked his farm and drove the tractor until he was 107.

Madam Speaker, it was his decision and his life goal that he would be instrumental in helping build a memorial on the Mall for all of the veterans who served in the great World War I. I met him in 2007, and this project has been going on now for 5 years to try to get approval to build this memorial for all

veterans of World War I on the Mall, almost as long as the war took.

He came to Washington, D.C., a few years ago. This is a picture of him that was taken recently before he died at the age of 110 at the D.C. memorial on the Mall. That is a monument and a memorial to all of the veterans from the District of Columbia that served in World War I. I went with him to this memorial where we talked about expanding our honor of all veterans and having a memorial for everybody in the great World War I.

That was his goal, and he worked with many Members of Congress on this issue. Although he lived to 110, he didn't live long enough to see the memorial created. Madam Speaker, he was the very last American doughboy that lived in the great World War I. They're all gone, every one of them. So it is up to us, Members of Congress and the public, to speak for them and honor them on the Mall right across the street as would be appropriate. In the Mall, we have three of the four great wars of the last century that we honor. We honor those in World War II, the Korean war, and Vietnam. Now it's time to honor all of those who served in the great World War I.

I must compliment a little school down in Texas, Creekwood Middle School, and Jan York, who works there. It was the project of eighth graders years ago to find all of the World War I survivors and do a history project on them throughout the world from all countries; and they did a project, of course, on Frank Buckles, as well. In fact, we were able to get him on the phone, and the eighth grade class at Creekwood Middle School on one of his birthdays sang happy birthday to him.

Those kids who are seniors in high school now will be able to hopefully see this memorial built and the approval of it to be built on the Mall. But I want to thank her and her eighth graders for the history project concept and delving into American history in depth and finding out what had happened in our great American Nation.

I also want to thank my friend, EMANUEL CLEAVER from Missouri, for his help on this legislation; the gentlelady from D.C., Ms. NORTON; also the subcommittee chairman, Mr. BISHOP; and the committee chairman, DOC HASTINGS, as well.

It is important that we pass this legislation. If we get this legislation passed, it will do three things: it will build a memorial on the Mall, it will set up a commission to honor World War I; as this Nation is approaching the 100th year; and it will also recognize—which my friend, Mr. CLEAVER, will talk about—the work of the museum and the national work of the World War I memorial in Kansas City. It's time we passed this to honor those great World War I veterans.

□ 1510

Mr. CHAFFETZ. Madam Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. I appreciate my friend from Utah for yielding.

I'm glad we could keep this photograph up. Here is how I got involved and engaged in this. It's very personal. Actually, the man who took this photograph, David de Young, is a constituent and a friend of mine back from west Michigan. He was actually part of a project that went out to try to then photograph all of the remaining World War I survivors. He traveled to Europe, to Australia, and then had met Frank Buckles along the way and had gotten to know him very well.

Unfortunately, I was not able to meet him in person, but I attended his funeral in Arlington, where we said good-bye as a Nation. I can tell you that it was his desire—Frank's desire—and David's desire, his family's desire, my desire, and I think now, finally, this body's desire to properly say thank you.

The other reason this is very personal and very important to me is that I get to talk about a man named Bill Huizenga—not I, BILL HUIZENGA, but my grandfather, Bill Huizenga—who happened to fight in World War I. He was part of a group called the Polar Bears. They were men who were chosen from Wisconsin, Minnesota, and Michigan because they figured they'd be used to the cold, so they sent them all the way up around Norway to Archangel, Russia, to fight in an undeclared portion of World War I. In fact, Grandpa Bill was there after Armistice Day and where British, Canadian, and American troops remained well into the spring of that following year after Armistice. It wasn't until much, much later that we were actually even officially recognized as being part of that. I can tell you that one of my prized possessions is in having my grandfather's old doughboy helmet, which hangs in our family's home.

It's just a fitting, timely thing that we finally say thank you and that we finally recognize this group of men who fought a terrible war, who fought a war that so many had hoped would be the war to end all wars. Unfortunately, we know that isn't the case.

I would like to commend our friends across the aisle—the gentlelady from the District and the gentleman from Missouri—for working on this and led by my friend from Texas (Mr. POE) to get this done. This is an important statement for us and is a fitting tribute to that generation.

Frank, we thank you for your service, and we thank all of those families.

Ms. NORTON. I yield myself such time as I may consume.

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Madam Speaker, may I say that we will miss seeing you occasionally in that chair, and I know I speak for my colleagues on both sides of the aisle when I say we will especially miss you sitting in the chair as chair of Financial Services of the Appropriations Committee and as a Member of this body, which you have so graciously served.

I rise in support of this important legislation. H.R. 6364 establishes a commission to ensure the suitable observation of the centennial of World War I. It further provides for the designation of a memorial to the service of the members of the United States Armed Forces throughout the United States who participated in World War I, and it finally protects the District of Columbia World War I Memorial on The Mall.

This bill had to do three things, and I want to express my appreciation to all of the Members who were party to the agreement that finally resulted in this bill—my colleagues Mr. POE of Texas, Mr. CLEAVER of Missouri, Mr. BISHOP of Utah and Mr. GRIJALVA of Arizona—for working with me to preserve the District of Columbia World War I Memorial. In particular, the bill that is before us, Madam Speaker, is an example of what can be done when Members work together to achieve a resolution of their individual concerns.

Earlier in this Congress, the gentleman from Texas (Mr. POE) introduced H.R. 938. It would have, among other things, nationalized the DC war memorial by designating it as the District of Columbia and National World War I Memorial. We were all in agreement that there should be a suitable memorial on Federal land as we now approach this extraordinary anniversary in 2014; but of course, I had to oppose altering the integrity of the DC war memorial. That memorial was built with not one Federal dollar but, rather, with the blood and treasure of DC residents, including funds from school children. Of the more than 26,000 DC residents who served in World War I, the 499 who died—more than the number from three States—have their names individually carved on that memorial. Our memorial is deeply symbolic of the historic and continuing concerns of District residents, particularly of our veterans, who continue to serve without equal representation in the Congress, equal rights as citizens, and equal local government control.

I am very happy this afternoon to report that H.R. 6364 protects the integrity of the DC war memorial and goes further. It meets the concern for a World War I memorial here for all veterans, which is the concern that Mr. POE spoke of; and it meets Mr. CLEAVER's concern and the concern of Members from Missouri—like you, Madam Speaker—for a designation of that extraordinarily beautiful memorial there as a national World War I memorial.

The bill establishes a commission to ensure a suitable observance of the centennial of World War I, and it designates memorials to the service of members of the United States Armed Forces in World War I, including a national World War I Memorial.

H.R. 6364 protects the DC memorial because it complies with the provision of the Commemorative Works Act, which prohibits a new memorial from ''interfer[ing] with or encroach[ing] on, an existing commemorative work.'' The bill goes further by saying that the site of the national World War I Memorial on Federal land may not ''infringe upon or otherwise adversely impact the District of Columbia World War I Memorial.'' This preservation is, of course, critical to DC residents, who deserve to have a memorial dedicated to their veterans as, I might mention, every single State has as to its World War I veterans because, at that time, most Americans thought it preferable to have memorials in their own States, so each and every State has a World War I Memorial. Today, in contrast, people insist on memorials to their veterans on Federal land here.

It has always been our position that a national memorial dedicated to all Americans who served in World War I should be located in the Nation's Capital, and I have been committed and remain committed to working with my colleagues to find suitable locations in the District of Columbia for a national World War I Memorial. I am happy that H.R. 6364 allows for such a memorial, that it does not interfere with the DC war memorial, and that it appropriately commemorates the beautiful memorial in Missouri.

Madam Speaker, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. CHAFFETZ. I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. CLEAVER), who has worked so hard on this bill and has been so creative and diligent and committed.

Mr. CLEAVER. We are here today in an unprecedented show of bipartisanship with this piece of legislation. H.R. 6364 is the product of both sides of the aisle working together to do what is right to honor the memory of our veterans.

I especially want to thank Representative TED POE for his efforts in bringing this bill to the floor today as well as to thank Representative ELEANOR HOLMES NORTON for her work on the legislation. Of course, I'd also like to thank Majority Leader CANTOR for his support along the way.

□ 1520

Frank Buckles, who was on the stage of the Liberty Memorial in Kansas City just 4 years ago during the Veterans Day program, was the last surviving veteran from World War I, and he was from the State of Missouri. Unfortunately, he passed away during the drafting of this very bill. However, even with Mr. Buckles' passing, our commitment remains strong as it is never too late to demonstrate our appreciation to the veterans of the Great War for their service and sacrifices.

This bill will honor that service by establishing a centennial commission that would see to it that the 100th anniversary of the Great War did not slip away, as many things slip away in this place where there is sometimes more partisan bickering than is necessary. Not only does this bill serve to honor the memory of our great veterans; but it stands, I think, as a symbol that bipartisanship and cooperation are, indeed, possible.

The United States formally joined the war in April of 1917; and during that time, more than 4.7 million Americans served. Now it's our job to serve their memory.

The Fifth District of Missouri, which I proudly serve, includes Kansas City, the home of the Liberty Memorial. This is the Liberty Memorial. I think it is always important for people to see it because I think when people hear Liberty Memorial, if they are not from the area, if they are not visiting Kansas City, they may think it's just some little something. You can see it in terms of the Kansas City skyline, and I would also take this opportunity to remind people that this is the largest city in the State of Missouri.

This Liberty Memorial is one of the great treasures of our community and our State. It sits atop the World War I Museum. In 1919, the people of Kansas City raised $2.5 million, mainly through children, in 10 days to create the Liberty Memorial. The dedication ceremony was the only time in history that the Supreme Allied Commanders were together in one place. The dedication of this memorial was held on November 1, 1921.

In 1994, during my first term as mayor of Kansas City, the museum added greater majesty to the site with the construction of a municipally funded restoration project. The Liberty Memorial operates the only American museum solely dedicated to preserving the objects, history, and personal experiences of a war whose impact still echoes today. This bill would also redesignate this facility as the National World War I Memorial and Museum and give it the distinction it richly deserves.

Mr. CHAFFETZ. Madam Speaker, I would like to yield such time as he may consume to the distinguished gentleman from Kansas (Mr. YODER), one of the cosponsors of the bill.

Mr. YODER. I thank the gentleman from Utah, and I want to echo the comments of my friend and colleague from Missouri, across the Kansas City border, who so eloquently described the majesty and beauty of the World War I Museum and Memorial that we have in Kansas City. It is truly a national tribute. And to spend time today on the House floor, to take a moment to pay tribute to the men and women who sacrificed in World War I and to designate this World War I museum the National World War I Memorial is a wonderful moment that I have a chance to take part in, and I want to thank my colleague from Missouri, Mr. CLEAVER, and my colleague from Texas, Mr. POE, and others who have put so much time and work into this legislation.

As has been said, 2014 will mark the 100th anniversary, the centennial anniversary of the Great War. The Frank Buckles World War I Memorial Act establishes this centennial commission to ensure that those who served and sacrificed to promote the ideals of liberty and freedom are properly honored for their bravery, and to honor the World War I hero Frank Buckles that TED POE and others have so appropriately described today.

It's sometimes difficult for Kansas City and Missouri, as Madam Speaker knows, and my colleague from Missouri, Mr. CLEAVER, knows to agree on many things. But it's a nice opportunity for a Kansan to come down and join with my colleague from Missouri, Mr. CLEAVER, and others, to take this moment to honor the World War I Museum and Memorial in Kansas City which does such a great job of paying tribute to the service and sacrifice of the men and women in World War II.

I actually had a chance recently to join Mr. CLEAVER on Veterans Day when we addressed veterans from multiple wars to talk about the service and sacrifice and, really, the legacy that has continued on for generations in this country of serving our country and many people paying the ultimate sacrifice.

So to have a chance to take part in that on Veterans Day with Mr. CLEAVER was great, and to be here today to recognize the Kansas City memorial and museum as the National World War I Memorial is a great opportunity. And I want to encourage all of my colleagues to take the time to go out to Kansas City and see this museum. It is top-notch quality; I think you all will be very impressed. I'm pleased to support this legislation today and to recognize that museum and memorial and to ultimately recognize the service and sacrifice of the men and women who served in World War I.

Ms. NORTON. Madam Speaker, I am not only pleased with the outcome of this bill; I am proud of the way it was achieved. This bill about war dead, about war heroes, had emotional content. But the Members reasoned together and in a collegial fashion agreed upon an outcome that is satisfactory to all of us.

There are going to be three ways in which World War I heroes are remembered: for sure here in the District of Columbia with the existing memorial, and now in Kansas City with the majestic memorial that is there, and of course this bill authorizes a second memorial here in the District of Columbia, the Nation's Capital.

The Members cooperated and achieved the kind of resolution that we hope will, during this lame duck session, become a model for how to reach the ultimate agreement this year and start off next year.

Without any more speakers, Madam Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I yield myself such time as I may consume.

I appreciate Ms. NORTON and Mr. CLEAVER for this very bipartisan approach to something that should live in the memories of all Americans, the sacrifices that were given in this country to provide so much for us. As you know, the United States entered World War I in April of 1917 to support Great Britain, France, Belgium, and other allies. It was the first time that American soldiers went abroad in defense of liberty against foreign aggression. More than 4 million men and women served in uniform during the Great War. There were 375,000 American casualties during World War I, including 116,516 fatalities.

The upcoming centennial is an opportunity for the United States to honor the sacrifices of these great Americans. H.R. 6364 creates a World War I commission to commemorate the upcoming centennial. The bill would establish a memorial in the District of Columbia to honor those who fought during the Great War. I would also note that there are no Federal funds that are attached to the building of this. H.R. 6364 was favorably reported by unanimous consent in the Committee on Natural Resources last week, and I again want to thank Congressman POE from the State of Texas for introducing this piece of legislation and the numerous individuals on both sides of the aisle. It is a very bipartisan approach, and I urge all of my colleagues to support this piece of legislation.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, H.R. 6364 would authorize the World War I Memorial Foundation to create a commemorative work on federal land in the District of Columbia. From 1914 to 1918, World War I took 116,516 American lives. However, despite the existence of memorials to the fallen of World War II, the Korean War and the Vietnam War on the National Mall, a national WWI memorial has never been authorized.

The author of this legislation, Mr. POE, has worked for many years to construct a proposal that adequately recognizes Americans who served in the Great War and addresses the concerns of a multitude of stakeholders.

This proposal is modest, will have a minimal footprint, and expressly prohibits federal funds. The memorial needs a specific exemption from current law to be permitted on the National Mall. This is not something this Congress should take lightly. The Natural Resources Committee held two hearings on this specific memorial and another hearing on the overall future of the National Mall to better understand the short-term and long-term implications of granting this authorization.

As with other commemorative works, the World War I Memorial will pass through a rigorous, public approval process which may place it on the National Mall. However, it is not the intention to undermine the current prohibition under the Commemorative Works Act, but instead close the book on the collection of war memorials and proceed with a careful examination of what the future holds for the mall.

To reiterate, approval of this legislation is not a signal that the Mall should be opened up for construction. The existing prohibition has served us well for the last decade and will serve us in the future. With this authorization we will raise the bar higher, even beyond the standard of the Great War.

Ms. NORTON. Madam Speaker, I rise today in support of H.R. 6364, the Frank Buckles World War I Memorial Act, as amended. I would like to thank my colleagues, Representatives TED POE, EMANUEL CLEAVER, RAÚL M. GRIJALVA, and Chairman ROB BISHOP for working with me to preserve the District of Columbia War Memorial.

Earlier this Congress, Representative TED POE introduced H.R. 938, which would have nationalized the D.C. memorial by re-designating it as the ''District of Columbia and National World War I Memorial.'' While I very much support commemorating all of the service men and women who fought in World War I, I had to oppose altering the integrity of the D.C. memorial. The D.C. memorial was built with the blood and treasure of D.C. residents, including funds from school children. Of the more than 26,000 D.C. residents who served in World War I, the 499 who died, more than the number from three states, have their names engraved on the memorial. Our memorial is deeply symbolic of the historic and continuing concerns of District residents, particularly our veterans, who continue to serve without equal congressional representation, equal rights as citizens, and equal local government control.

I am happy to report that H.R. 6364 protects the integrity of the D.C. memorial, and I believe it identifies the desires of the other members involved. The bill establishes a commission to ensure a suitable observance of the centennial of World War I and designates memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial. H.R. 6364 protects the D.C. memorial because it complies with the provision of the Commemorative Works Act (40 U.S.C. § 9505 (b)(2)) that prohibits a new memorial from ''interfere[ing] with, or encroach[ing] on, an existing commemorative work,'' and the bill goes further by saying that the site of the national World War I memorial on federal land may not ''infringe upon or adversely impact the District of Columbia War Memorial.'' This preservation is critical to D.C. residents, who deserve to have a memorial dedicated to their veterans.

It has always been my position that a national memorial dedicated to all Americans who served in World War I should be located in the Nation's capital, and I have been committed to working with my colleagues to suggest suitable locations in D.C. for a national World War I memorial. I am happy that H.R. 6364 allows for such a memorial while not interfering with the integrity of the D.C. memorial.

Madam Speaker, I urge my colleagues to join me in supporting this bill.

Madam Speaker, I rise today in support of the House Amendment to H.R. 6364, the ''Frank Buckles World War I Memorial Act,'' which establishes the World War I Centennial Commission to oversee projects and programs which commemorates the centennial of World War I and to establish a commemorative work in the District of Columbia to serve as the National World War I Memorial.

As an experienced legislator representing the people of Houston I have fought hard to protect the honor and the rights of our veterans. I hold our men and women of the armed services in the highest regard. As one of the bloodiest wars of the 20th century, World War I represented the entrance of the United States onto the international stage as the champion of the West, western ideals such as security, liberty, and democracy.

We still mourn the loss of the 115,000 American soldiers who died during the war and extend our deepest gratitude to 205,000 who returned home with serious injuries. Frank Buckles was one of the fine men and women who survived the war.

Born on February 1st, 1901, Frank Woodruff Buckles was the last surviving American veteran of the First World War. In 1917, he enlisted in the Army and served with a detachment from Fort Riley. He drove ambulances and motorcycles near the front lines.

He served in both World War I and II. In World War II he became a prisoner of war (POW) and for 39 months was held captive in the Philippines.

Mr. Buckles was a quiet hero, he moved to West Virginia, married, and tended to his farm until the age of 105. In the twilight of his life, Mr. Buckles never forgot the men and women who served in World War I.

He became the honorary Chairman of the World War I Memorial Foundation. He strongly advocated for establishment of a World War I memorial in our Nation's Capital.

Mr. Buckles was World News Tonight's 'Person of the Week' in 2009, in recognition for his efforts to establish the World War I memorial. This quiet hero became the oldest person to speak before Congress. On December 3, 2009, he implored Congress to honor the sacrifice of the brave men and women of World War I. He stated:

> We still do not have a national memorial in Washington, D.C. to honor the Americans who sacrificed with their lives during World War 1 . . . I call upon the American people and the world to help me in asking our elected officials to pass the law for a memorial to World War I in our Nation's capital. These are difficult times, and we are not asking for anything elaborate. What is fitting and right is a memorial that can take its place among those commemorating the other great conflicts of the past century . . . it is time to move forward with honor, gratitude, and resolve.

Frank Buckle asked this country to honor those who fought to protect our way of life. This bill, named in his honor, will serve to ensure that these men and women will never be forgotten and will continue to receive the respect and honor they deserve from future generations.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 6364, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: ''A bill to establish a commission to ensure a suitable observance of the

centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes.''.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 12, 2012.

Hon. JOHN BOEHNER,
Speaker of the House,
U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 3(b) of the Public Safety Officer Medal of Valor Act of 2001 (42 U.S.C. 15202), I am pleased to appoint Joanne Hayes-White of San Francisco, CA, to the Medal of Valor Review Board.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

RECESS

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

Accordingly (at 3 o'clock and 29 minutes p.m.), the House stood in recess.

□ 1634

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOLD) at 4 o'clock and 34 minutes p.m.

RETURNING SEVERAL MEASURES TO THE SENATE

Mr. CAMP. Mr. Speaker, I offer a resolution constituting a question of the privileges of the House.

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

The Clerk read as follows:

H. RES. 829

Resolved,

SECTION 1. (a) Each bill and amendment of the Senate specified in subsection (b)—

(1) in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House; and

(2) shall be respectfully returned to the Senate with a message communicating this resolution.

(b) The bill and amendment of the Senate referred to in subsection (a) are as follows:

(1) S. 3254.

(2) The Senate amendment to H.R. 4310.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

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

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

There was no objection.

DESIGNATING THE RANKING OF A CERTAIN NAMED MEMBER OF A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 830

Resolved, That Mr. Michaud shall rank above Ms. Brown of Florida on the Committee on Veterans' Affairs

The resolution was agreed to.

A motion to reconsider was laid upon the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order: ordering the previous question on House Resolution 827; adopting House Resolution 827, if ordered; and suspending the rules and passing H.R. 6190.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 827) providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 224, nays 183, not voting 24, as follows:

[Roll No. 621]

YEAS—224

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

NAYS—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeLauro
DelBene
Deutch
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.

Kaptur	Moran	Schiff
Keating	Murphy (CT)	Schrader
Kildee	Nadler	Schwartz
Kind	Napolitano	Scott (VA)
Kissell	Neal	Scott, David
Kucinich	Olver	Serrano
Langevin	Owens	Sewell
Larsen (WA)	Pallone	Sherman
Larson (CT)	Pascrell	Shuler
Lee (CA)	Pastor (AZ)	Sires
Levin	Payne	Slaughter
Lewis (GA)	Pelosi	Smith (WA)
Lipinski	Perlmutter	Speier
Loebsack	Peters	Stark
Lofgren, Zoe	Peterson	Sutton
Lowey	Pingree (ME)	Thompson (CA)
Luján	Polis	Thompson (MS)
Lynch	Price (NC)	Tierney
Maloney	Quigley	Tonko
Markey	Rahall	Towns
Matheson	Rangel	Tsongas
Matsui	Richardson	Van Hollen
McCarthy (NY)	Richmond	Velázquez
McCollum	Rothman (NJ)	Visclosky
McDermott	Roybal-Allard	Walz (MN)
McGovern	Ruppersberger	Wasserman Schultz
McIntyre	Rush	Watt
McNerney	Ryan (OH)	Waxman
Meeks	Sánchez, Linda T.	Welch
Michaud	Sanchez, Loretta	Wilson (FL)
Miller (NC)	Sarbanes	Woolsey
Miller, George	Schakowsky	Yarmuth
Moore		

NOT VOTING—24

Akin	Dicks	Nunnelee
Austria	Gallegly	Pence
Bartlett	Griffin (AR)	Pitts
Bono Mack	Holden	Reyes
Burton (IN)	Johnson (IL)	Ross (AR)
Conyers	King (IA)	Schmidt
Costello	Mack	Stutzman
DeGette	McCarthy (CA)	Waters

□ 1659

Messrs. LUJÁN, RANGEL, FRANK of Massachusetts, PETERSON, BERMAN, WELCH and SHULER changed their vote from ''yea'' to ''nay.''

Mrs. HARTZLER changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

MOMENT OF SILENCE FOR VICTIMS OF CLACKAMAS MALL SHOOTING

Mr. BLUMENAUER. Mr. Speaker, yesterday afternoon, in my district at the Clackamas Town Center, a masked gunman with a stolen semi-automatic rifle discharged some 60 shots. He killed two people, wounded a 15-year-old girl, and then took his own life. This terrible tragedy could have been far worse, as the gunman had several fully loaded magazines and there were over 10,000 people shopping and working in the shopping center.

The police were on the scene in 1 minute. Countless lives were saved due to careful preparation, emergency procedures, and the courage and foresight of law enforcement and the General Growth Properties mall management.

My colleagues from Oregon and I would ask that the House observe a moment of silence in the memory of the victims, Steve Forsyth and Cindy Ann Yuille, and their families.

The SPEAKER pro tempore (Mr. WALDEN). Members will rise, and members in the gallery, please rise, and the House will observe a moment of silence.

The SPEAKER pro tempore (Mr. DOLD). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 178, not voting 27, as follows:

[Roll No. 622]

YEAS—226

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

NAYS—178

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

NOT VOTING—27

Akin	DeGette	McCarthy (CA)
Austria	Dicks	Nunnelee
Bartlett	Duffy	Pence
Bono Mack	Gallegly	Peterson
Burton (IN)	Griffin (AR)	Pitts
Calvert	Holden	Rangel
Carson (IN)	Johnson (IL)	Reyes
Conyers	Luján	Ross (AR)
Costello	Mack	Waters

□ 1709

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ASTHMA INHALERS RELIEF ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6190) to direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale, and consumption in the United States of remaining inventories of

over-the-counter CFC epinephrine inhalers, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 182, not voting 20, as follows:

[Roll No. 623]

YEAS—229

Aderholt	Garrett	Olson
Alexander	Gibbs	Palazzo
Altmire	Gingrey (GA)	Pascrell
Bachmann	Gohmert	Paul
Bachus	Goodlatte	Pearce
Barletta	Gosar	Peters
Barrow	Gowdy	Peterson
Barton (TX)	Granger	Petri
Bass (NH)	Graves (GA)	Platts
Benishek	Graves (MO)	Poe (TX)
Berg	Green, Gene	Pompeo
Biggert	Griffith (VA)	Posey
Bilbray	Grimm	Price (GA)
Bilirakis	Guinta	Quayle
Bishop (UT)	Guthrie	Reed
Black	Hall	Rehberg
Blackburn	Hanna	Reichert
Bonner	Harper	Renacci
Boren	Harris	Richmond
Boustany	Hartzler	Rigell
Brady (TX)	Hastings (WA)	Rivera
Brooks	Hensarling	Roe (TN)
Broun (GA)	Herger	Rogers (AL)
Buchanan	Herrera Beutler	Rogers (KY)
Bucshon	Huelskamp	Rogers (MI)
Buerkle	Huizenga (MI)	Rohrabacher
Burgess	Hultgren	Rokita
Calvert	Hunter	Ros-Lehtinen
Camp	Issa	Roskam
Campbell	Jenkins	Royce
Canseco	Johnson (OH)	Runyan
Cantor	Johnson, Sam	Ryan (OH)
Capuano	Jones	Ryan (WI)
Carter	Kelly	Sanchez, Loretta
Chabot	Kildee	Scalise
Clay	King (IA)	Schilling
Cleaver	King (NY)	Schmidt
Clyburn	Kingston	Schock
Coble	Kinzinger (IL)	Schweikert
Coffman (CO)	Kissell	Scott (SC)
Cole	Kline	Scott, Austin
Conaway	Lamborn	Sensenbrenner
Costa	Lance	Sessions
Cravaack	Landry	Shimkus
Crawford	Lankford	Shuler
Critz	Larson (CT)	Shuster
Crowley	Latham	Simpson
Cuellar	LaTourette	Smith (NE)
Culberson	Latta	Smith (NJ)
Curson (MI)	Lewis (CA)	Smith (TX)
DeFazio	LoBiondo	Southerland
Denham	Long	Stearns
Dent	Lucas	Stivers
DesJarlais	Lungren, Daniel E.	Stutzman
Diaz-Balart	Manzullo	Sullivan
Dingell	Marchant	Terry
Donnelly (IN)	Marino	Thompson (PA)
Doyle	Massie	Thornberry
Dreier	Matheson	Tiberi
Duffy	McCaul	Tipton
Duncan (SC)	McClintock	Towns
Duncan (TN)	McHenry	Turner (NY)
Ellmers	McIntyre	Turner (OH)
Emerson	McKeon	Upton
Engel	McKinley	Walberg
Farenthold	McMorris Rodgers	Walden
Fincher	Mica	Walsh (IL)
Flake	Miller (MI)	Webster
Fleischmann	Miller, Gary	West
Fleming	Mulvaney	Whitfield
Flores	Murphy (PA)	Wilson (SC)
Forbes	Myrick	Wittman
Fortenberry	Neugebauer	Wolf
Foxx	Noem	Womack
Franks (AZ)	Nunes	Yoder
Frelinghuysen	Olver	Young (AK)
Gardner	Owens	Young (IN)

NAYS—182

Ackerman	Gutierrez	Pallone
Adams	Hahn	Pastor (AZ)
Amash	Hanabusa	Paulsen
Amodei	Hastings (FL)	Payne
Andrews	Hayworth	Pelosi
Baca	Heck	Perlmutter
Baldwin	Heinrich	Pingree (ME)
Barber	Higgins	Polis
Bass (CA)	Himes	Price (NC)
Becerra	Hinchey	Quigley
Berkley	Hinojosa	Rahall
Berman	Hirono	Rangel
Bishop (GA)	Hochul	Ribble
Bishop (NY)	Holt	Richardson
Blumenauer	Honda	Roby
Bonamici	Hoyer	Rooney
Boswell	Hurt	Ross (FL)
Brady (PA)	Israel	Rothman (NJ)
Braley (IA)	Jackson Lee (TX)	Roybal-Allard
Brown (FL)	Johnson (GA)	Ruppersberger
Butterfield	Johnson, E. B.	Rush
Capito	Jordan	Sánchez, Linda T.
Capps	Kaptur	Sarbanes
Carnahan	Keating	Schakowsky
Carney	Kind	Schiff
Carson (IN)	Kucinich	Schrader
Cassidy	Labrador	Schwartz
Castor (FL)	Langevin	Scott (VA)
Chaffetz	Larsen (WA)	Scott, David
Chandler	Lee (CA)	Serrano
Chu	Levin	Sewell
Cicilline	Lewis (GA)	Sherman
Clarke (MI)	Lipinski	Sires
Clarke (NY)	Loebsack	Slaughter
Cohen	Lofgren, Zoe	Smith (WA)
Connolly (VA)	Lowey	Speier
Conyers	Luetkemeyer	Stark
Cooper	Luján	Sutton
Courtney	Lummis	Thompson (CA)
Crenshaw	Lynch	Thompson (MS)
Cummings	Maloney	Tierney
Davis (CA)	Markey	Tonko
Davis (IL)	Matsui	Tsongas
DeGette	McCarthy (NY)	Van Hollen
DeLauro	McCollum	Velázquez
DelBene	McDermott	Visclosky
Deutch	McGovern	Walz (MN)
Doggett	McNerney	Wasserman Schultz
Dold	Meehan	Watt
Edwards	Meeks	Waxman
Ellison	Michaud	Welch
Farr	Miller (FL)	Westmoreland
Fattah	Miller (NC)	Wilson (FL)
Fitzpatrick	Miller, George	Woodall
Frank (MA)	Moore	Woolsey
Fudge	Moran	Yarmuth
Garamendi	Murphy (CT)	Young (FL)
Gerlach	Nadler	
Gibson	Napolitano	
Gonzalez	Neal	
Green, Al	Nugent	
Grijalva	Nunnelee	

NOT VOTING—20

Akin	Eshoo	Pence
Austria	Gallegly	Pitts
Bartlett	Griffin (AR)	Reyes
Bono Mack	Holden	Ross (AR)
Burton (IN)	Johnson (IL)	Waters
Costello	Mack	
Dicks	McCarthy (CA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1716

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

APOLOGY TO MR. HENSARLING

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

Mr. FRANK of Massachusetts. Mr. Speaker, earlier this year I was very critical of some actions that were taken by the Republican leadership involving sponsorship of a bill. It is not my intention to rehash that. But in the course of a discussion, which was fairly spirited, I accused the gentleman from Texas (Mr. HENSARLING) of having said something that wasn't accurate. I have had a conversation with Mr. HENSARLING, and I believe I said that unfairly to him.

I continue to be critical of what happened, and again I don't want to get into it, but I now believe that I inaccurately imputed the complaints that I had and the actions to the gentleman from Texas (Mr. HENSARLING). So I wish to apologize to him for having inaccurately accused him of doing something that he informs me that he did not do, and I believe him.

AMERICA'S SUPPORT SHOULD LIE WITH THE SAHRAWI PEOPLE

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

Mr. RIVERA. Mr. Speaker, like all of us in Congress, I believe in the greatness of the American people and the preeminence of our principles and rights that have made America a beacon of hope and freedom, but there are still many around the world who yearn for basic human liberties.

The Sahrawi people of Western Sahara have been trapped in oppressive conditions for over 30 years, with the support of the corrupt Algerian Government and its puppet regime, the Polisario Front.

The Polisario Front has instituted mass kidnappings of Sahrawis from their homes into the Tindouf region in western Algeria. The majority of these refugees have remained warehoused and imprisoned in Tindouf's sprawling camps for 35 years.

The Polisario collaborates with the likes of Cuba, whose military rations food in the camps in exchange for loyalty to the regime and indoctrinates children who have been stolen from their parents, all while partnering with al Qaeda and the Maghreb.

The Government of Morocco has advanced an autonomy plan, which I will submit at a later time, that addresses these issues with a clear and democratic solution to the long, drawn-out Sahara crisis. This is where America's support should lie.

Mr. Speaker, the United States can and must continue to advance fundamental human rights, freedom, and democracy as we, in this Chamber, continue to work together for peace, justice, and human dignity in the Western Sahara.

RECOGNIZING DEPARTING MEMBERS OF THE CALIFORNIA DELEGATION

The SPEAKER pro tempore (Mr. PALAZZO). Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GEORGE MILLER) is recognized for 60

minutes as the designee of the minority leader.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today with my colleagues to pay special tribute to several members of the California Democratic delegation whose service in Congress is shortly coming to an end.

These six members served this House and their constituents with distinction and dedication, and they deserve our admiration and gratitude for the hard work that they have done on behalf of California and our country: Representative JOE BACA, who was elected in 2002, served for 10 years from the 43rd Congressional District; Representative HOWARD BERMAN, who was elected in 1982, served for 30 years, most recently from the 28th District; Representative Bob Filner, sworn in this month as mayor of San Diego, was elected in 1992 and served for 20 years from the 51st District; Representative LAURA RICHARDSON was elected in 2007 and served for 5 years from the 37th District; Representative PETE STARK, the outgoing dean of our delegation, was elected in 1972, and served for more than 40 years from the 13th District; and Representative LYNN WOOLSEY, who was elected in 1992 and served for 20 years for the Sixth Congressional District.

□ 1730

There is much that can be said about the distinguished careers of our departing colleagues, but I'd like to offer a few remarks about the work that I have personally joined them in during their time here in the Congress.

Representative HOWARD BERMAN has served in the House for 30 years, and I am honored to name him among my closest friends in this body. During his service, he has worked on a wide variety of issues, but he was especially known as the champion of human rights and for standing up for the middle class, for the working class, and for the poor in our country.

As the chair of the Foreign Affairs Committee from 2007 to 2010, Mr. BERMAN made great progress on behalf of the less fortunate. He was a leader in securing the reauthorization of our global HIV/AIDS program to help provide access and preventative services and treatment for millions around the globe. He also authored legislation removing Nelson Mandela and other members of the African National Congress from the U.S. terrorism list, on which they had been unjustly placed for many years. Finally, he was a leader in raising concerns about human rights abuses by autocratic governments around the world. Particularly, he was a key leader in bringing additional disclosure to the trade in conflict minerals that has financed the ongoing violence in the Congo.

Mr. BERMAN will be remembered as a strong friend of Israel. He was passionate about the need to achieve a lasting peace in the Middle East, and through his work, he forged a broader coalition on behalf of Israel in the House of Representatives.

Also, I want to recognize Mr. BERMAN's work on behalf of immigration and the treatment of those who have immigrated to this country and his work on behalf of migrant workers and farm workers all across the United States. For that effort, he received the first annual Farmworker Justice Award by the Farmworker Justice Fund in 2000.

Like Mr. BERMAN, our dean, Congressman PETE STARK, has spent his entire distinguished career in Congress advocating on behalf of those whose voices were often drowned out in Washington by the influence of the moneyed interests.

Over the last 40 years, Congressman STARK has been one of the foremost advocates in the effort to ensure that all Americans are able to access quality, affordable health insurance. I am honored to have been one of the three principal coauthors in the House of the historic Affordable Care Act, which will provide access to quality insurance for nearly every single American. I can personally attest to the critical and key role that Mr. STARK played in drafting that law and making sure that the law provides needed relief for working families.

This was a crucial accomplishment, yet it was far from Mr. STARK's only accomplishment in the field of health care. As the former chair and ranking Democrat on the Ways and Means Health Subcommittee for many years, he was a leader on health care reform.

He was the lead author of the original COBRA insurance bill, which ensured that workers faced with losing their jobs would not also immediately lose access to needed health insurance. Those of us who have gone through this recent downturn and recession in this country know from the testimony of our constituents how vital the access to COBRA health insurance is to the health security of their families and to the financial security of their families. He also pioneered the efforts to make modern IT systems available and acquired within the health care systems of this country that will help us improve the outcomes of health care and that will, hopefully, drive down the cost of health care, allowing for the provision of better care for patients.

He, I think along with Sam Gibbons from Florida, pioneered the idea that there should be Medicare for all. He beat on that drum for a very long time, and it was the right drum to beat on. It wasn't achieved, but it did lead to the improvement of health care and to the passage of the Affordable Care Act.

He has also been, obviously, a fearless campaigner on behalf of fairness in our Tax Code. It's unfortunate that he is retiring from the Congress. Since 1986, we've addressed this issue, and maybe there will finally be a chance to get something done in the next Congress, but he paved the way on so many of these issues.

Finally, in my remarks at this moment, I would like to highlight the work of an outstanding Democrat on the Subcommittee on Workforce Protections of the Education and the Workforce Committee, Congresswoman LYNN WOOLSEY.

Congresswoman WOOLSEY is a friend of working families everywhere. She knows her struggles. Four decades ago, she was a single working mother who was supporting three children. She knows what it is like to worry about the economic security of families. Later, as a human resources manager, she saw how important employee benefits were to workers in good times and in bad—things that working families are still fighting for, like paid leave, paid sick leave, a secure retirement, and health care.

Serving as chair and ranking member of the Workforce Protections Subcommittee, LYNN WOOLSEY was instrumental in helping to get the Lilly Ledbetter Fair Pay Act signed into law, and she successfully fought for new family leave protections for military families dealing with a military deployment or injury. LYNN WOOLSEY was a partner to ensure that coal miners are kept safe and healthy on the job. She even went underground in the coal mine with our late colleague Donald Payne in order to acquire firsthand knowledge of how the workplace works and the environment in which those miners go to work every day.

In the classroom, LYNN WOOLSEY continued to fight for women and working families. She was a tough advocate, making sure that women were represented in the STEM field careers and that young women had access to the sciences and to technology and to math and to engineering. LYNN WOOLSEY worked to ensure that kids had access to an early education, to a well-rounded curriculum, and to services that met their social and emotional needs.

American families have benefited from LYNN WOOLSEY's fierce advocacy. That's our advocate, LYNN. I will miss her contributions on the Education Committee in the years to come.

She has also fought tirelessly to protect the environment, most especially the Marin and Sonoma Coast and the San Francisco Bay. Hopefully, the President will follow her lead and will designate further protections of our ocean and marine habitat in that area of our very precious coast.

I, for one, am very grateful to these Members for the work that they have done for America's middle class and for those who struggle to join our middle class, for the work that they have done on behalf of their constituents and on behalf of the citizens of this country. They all came here to achieve success on behalf of their constituents and on behalf of this country, and they have succeeded. I want to thank them so very much for their service, for their sacrifice, for their ingenuity, for their innovation, and I would say, with regard to these three, for their spirited, tough, harsh, relentless pursuit of what they believed in terms of public policy.

On my own behalf, on behalf of our delegation, and on behalf of the tens of millions of constituents that we represent in California, I want to thank Representatives BACA, BERMAN, Filner, RICHARDSON, STARK, and WOOLSEY for their service and their dedication.

Mr. Speaker, I rise today with my colleagues to pay a special tribute to several members of the California Democratic Congressional Delegation whose service in Congress is shortly coming to an end.

These six Members served this House and their constituents with distinction and dedication and they deserve our admiration and gratitude for the hard work that they have done on behalf of California and our country.

Rep. JOE BACA, who was elected in 2002 and served for 10 years from the 43rd Congressional District; Rep. HOWARD BERMAN, who was elected in 1982 and served for 30 years, most recently from the 28th District; Rep. Bob Filner, sworn in this month as mayor of San Diego and who was elected in 1992, served for 20 years from the 51st District; Rep. LAURA RICHARDSON, who was elected in 2007 and served for five years from the 37th District; Rep. PETE STARK, the outgoing dean of our delegation, who was elected in 1972 and served for 40 years from the 13th District; and Rep. LYNN WOOLSEY, who was elected in 1992 and served for 20 years from the 6th Congressional District.

There is much that could be said about the distinguished careers of these departing colleagues, but I would like to offer a few remarks about the work that I have personally joined them in doing.

Mr. BERMAN has served in the House for 30 years and I am honored to name him among my closest friends in this body.

During his service, he has worked on a wide variety of issues, but he is especially known as a champion for human rights and for standing up for the middle class, for the working class and for the poor in our country.

As the Chair of the Foreign Affairs Committee in 2007 through 2010, Mr. BERMAN made great progress on behalf of the less fortunate. He was a leader in securing reauthorization of our global HIV/AIDS program to help provide access to preventative services and treatment for millions around the globe.

He also authored legislation removing Nelson Mandela and other members of the African National Congress from the U.S. terrorism list, on which they were unjustly placed on for many years.

Finally, he has been a leader in raising concerns about human rights abuses by autocratic governments around the world. In particular, he was a key leader in bringing additional disclosure to the trade in conflict minerals that have financed ongoing violence in the Congo.

Mr. BERMAN will be remembered as a strong friend of Israel who was passionate about the need to achieve a lasting peace in the Middle East. His vast knowledge of and experience with world affairs has been an asset to Congress and the Administration and the American people and I expect that we will continue to benefit from his experience in the years to come.

Meanwhile, Mr. BERMAN has also been a leader on a number of issues through his long tenure on the Judiciary Committee. I would particularly like to call attention to his efforts to establish a more humane immigration system. He has fought to ensure that people who come to our country in search of a better life and to achieve the American Dream are treated with respect and are given the opportunity to use their talents to better themselves and their communities.

For these efforts, he was appropriately awarded the First Annual Farmworker Justice Award by the Farmworker Justice Fund in 2000.

Like Mr. BERMAN, our Dean, Mr. STARK has spent his entire distinguished career in Congress advocating on behalf of those whose voices are too often drowned out in Washington by the influence of the moneyed interests.

Over the last 40 years, Mr. STARK has been one of the foremost advocates in the effort to ensure that all Americans are able to access quality, affordable health insurance. I am honored to have been one of the three principal co-authors in the House of the historic Affordable Care Act, which will provide access to quality insurance for nearly every single Americans. I can personally attest to the critical and key role that Mr. STARK played in drafting that law and making sure that the law provides needed relief for working families.

That was a crucial accomplishment, yet it was far from Mr. STARK's only accomplishment in the health care field. As the former chair and ranking Democrat on the Ways and Means Health Subcommittee for many years, he has been a leader on health care reform.

He was the lead author of the original COBRA insurance bill, which ensured that workers faced with losing their jobs would not also immediately lose access to needed health insurance. Additionally, his legislation to improve our health IT system was incorporated into the 2009 Recovery Act, which is already helping improve the cost and quality of health care in communities across the country.

And he founded the idea of using Medicare as a model for national health insurance for all Americans, not just for seniors. He was ahead of his time when he first proposed this idea but he was right on track.

Mr. STARK has also been a champion on the Ways and Means Committee for tax fairness. He was one of the leaders in shaping the bipartisan, landmark 1986 tax reform bill. Ever since, he has been a leader in keeping up the fight to see that that our tax code does not benefit Wall Street CEOs at the expense of working families. He will be the first to admit that he has not always won those fights, and any examination of the tax code that needs to be reformed is proof of that. But he always fought for average Americans and he deserves our appreciation for doing so.

Finally, I want to highlight the work of the outstanding Senior Democrat on the Subcommittee on Workforce Protections, Ms. WOOLSEY.

Congresswoman WOOLSEY is a friend of working families everywhere. She knows their struggles. Four decades ago, she was a single-working mother, supporting three children. She knows what it's like to worry about the economic security of families. Later as a human resource manager, she saw how important employee benefits were for workers in good times and bad. Things that working families are still fighting for, like paid leave, paid sick days, a secure retirement and health care.

Serving as the chair and ranking member of the Workforce Protections Subcommittee, Rep. WOOLSEY was instrumental in helping to get the Lilly Ledbetter Fair Pay Act signed into law and successfully fought for new family leave protections for military families dealing with a military deployment or injury.

Rep. WOOLSEY was a partner to ensure miners are kept safe and healthy on the job. She even went underground in a coal mine with our late-colleague Rep. Donald Payne to acquire first-hand knowledge of how that workplace works.

In the classroom, Rep. WOOLSEY continued to fight for women and working families. She advocated for women to be represented in STEM careers. And, Rep. WOOLSEY worked to ensure kids had access to an early education, a well-rounded curriculum, and services that met their social and emotional needs.

American families have benefited from Rep. LYNN WOOLSEY's fierce advocacy but I will miss her contributions on the Education and Workforce Committee in the years to come.

She has also fought tirelessly to protect the environment, most especially the Marin and Sonoma coast and the San Francisco Bay. She worked to protect our oceans and marine habitat—and to support all of the jobs that are associated with a healthy ocean and thriving fisheries. And she has been a great partner in our efforts to ensure that California's rivers and the Bay-Delta are managed sustainably.

I, for one, am grateful to these Members for the work they have done for America's middle class and for those who struggle to join it.

The wealthy and powerful have always had a lot of friends in Washington. Apparently it is not hard to be on their side. But the middle class and the working class and the poor have not always been so lucky, not always ending up on the winning side of the ledger in Washington Policy fights. But they should know that these departing Members have always fought for what is right for our economy and for our country.

On my own behalf, and on behalf of our delegation and the tens of millions of constituents we represent in California, I thank Reps. BACA, BERMAN, Filner, RICHARDSON, STARK and WOOLSEY for their service and their dedication.

It is my pleasure to recognize other members of our delegation who wish to speak this afternoon.

Now I would like to recognize other members of our delegation for the purposes of receiving their remarks.

Mr. Honda.

Mr. HONDA. Thank you, Mr. Chairman.

Mr. Speaker, it is with a heavy heart but with great admiration that I rise today to remember and to thank my departing California Democratic colleagues whose service will be concluded at the end of the 112th Congress.

PETE STARK, the outgoing dean of our delegation, is well-known for speaking his mind and for standing up for what he believes in while giving a voice to the concerns of many who often feel as though they have none.

He has helped millions of Americans keep their health insurance coverage after leaving their jobs. He ensured that people who visit emergency rooms receive help regardless of their ability

to pay, and he promoted innovations in health information technology and the Affordable Care Act. He enacted legislation to increase the number of computers in our schools. He has been a champion on broad environmental issues, such as battling ozone depletion and carbon emissions, and he has been a committed proponent of peace. I am honored to be inheriting portions of PETE'S district in Newark and Fremont, and hope to continue his legacy of service to those communities.

A brief word on his son, ''Fish,'' who wrote and had published an op-ed piece which indicated to the constituents the true side, the real side, of PETE STARK, his father.

HOWARD BERMAN is widely known as a leader on Foreign Affairs. What will stand out in my mind, however, is his help, while chairman of the Committee on Foreign Affairs, in moving through the committee and the House H. Res. 121. It was a resolution calling upon Japan to apologize and to acknowledge the tragedy endured at the hands of its Imperial Army during World War II by over 200,000 women in Asia who were forced into sexual slavery. HOWARD shares my commitment to achieving justice for those who have suffered atrocities in the past. His leadership will be missed. I also want to thank him for his leadership on the issue of Pat Tillman, a soldier who, it was said, lost his life in a firefight when, in fact, he was killed through fratricide. I appreciate that.

□ 1740

LYNN WOOLSEY came to Congress with a compelling story about how, with a helping hand from her government, she was able to raise three children by herself and have a successful career serving the people of Marin and Sonoma counties. She has been a tireless voice for family-friendly policies, for protecting the coastline of northern California, and for bringing our troops home and ending the misguided wars in Iraq and Afghanistan. LYNN was a leader of the Congressional Progressive Caucus, and I call her the mom of the Progressive Caucus. With her passionate voice on progressive issues, she will be missed. Her leadership will be missed, and there will be a great vacuum for us to fill in the future.

Bob Filner played a central role in the years-long odyssey to secure a measure of justice for Filipino veterans who fought alongside U.S. troops in World War II but were denied benefits they earned through their service. After the war, the United States Congress broke the promise it had made to these veterans. For decades to follow, they struggled to secure fair treatment similar to that afforded to the men who fought alongside them. As chairman of the Veterans' Affairs Committee, Bob Filner was in the middle of this fight. I wish him well as he moves on to a new phase of his service to the people of San Diego.

JOSE BACA, or JOE BACA, has been a friend of mine for a long time, since school boards and other elected offices, but especially since we served together in the California State Assembly to the Halls of Congress. JOE was chairman of the Congressional Hispanic Caucus while I was chairman of CAPAC, Congressional Asian Pacific American Caucus, and we stood together to fight against harmful English-only and anti-immigrant legislation and amendments. We also share a commitment to protecting the rights of Native Americans, particularly tribal sovereignty. JOE has been a good friend, and I'll miss seeing him regularly on the House floor, but perhaps in a couple of years, we may see him again.

I will also miss LAURA RICHARDSON, whom I have had the pleasure of working with as a member of CAPAC on anti-bullying issues and in the fight to ensure that LGBT families are recognized in our immigration laws.

Dennis Cardoza, our friend who had the dubious honor of taking over my office in 503 Cannon when he first got here as I moved to slightly larger accommodations. He was a strong voice on behalf of his Central Valley constituents.

We also are bidding farewell to a large number of our California Republican colleagues who have served for many years—BRIAN BILBRAY, MARY BONO MACK, DAVID DREIER, ELTON GALLEGLY, WALLY HERGER, JERRY LEWIS, and DAN LUNGREN. While we all certainly haven't agreed on many policy issues over the years, I know that they were as committed to their constituents as I am. And I thank all of them, my California colleagues who will be leaving at the end of the 112th Congress, for their service and I wish them well.

Mr. GEORGE MILLER of California. If I might inquire of the Chair as to the time remaining.

The SPEAKER pro tempore. The gentleman has 46 minutes remaining.

Mr. GEORGE MILLER of California. Thank you, and I now recognize Congresswoman LOIS CAPPS.

Mrs. CAPPS. I would like to thank my colleague, GEORGE MILLER, for setting aside this hour. He just asked about the amount of time, and I will take that to heart as I make my comments because we could all go on for great lengths about all of these dear people who won't be with us in the next Congress. And I add my congratulations for their service, Republicans and Democrats, all of us alike, but I will speak now for the six of our Democratic colleagues who will not come back.

I want to start with our dear friend, LYNN WOOLSEY, to whom I get compared. My progressive constituents often say to me, Now, LOIS, why don't you vote more like LYNN WOOLSEY?

She was one of the first people I met. Her story is compelling as a woman Member of Congress. I don't know how it would be to raise kids by yourself. She is a good voice and advocate for all mothers, all working families, and particularly those who carry extra burdens themselves. She's put her heart and soul into her work in Congress, and it shows.

As I met you early on when I came here, you were kind and befriended me. I know that you have served your constituents in the same passionate way, and I thank you for the role model you've provided me.

HOWARD BERMAN has provided another kind of role model for me. My husband, before me, came to Congress, in part, to work on Middle Eastern issues; and there's a go-to person in this Congress that I have always relied upon for advice and support in that area, and that's HOWARD BERMAN. He's a Congressperson's Congressman, in my opinion. My Human Rights Watch folks have held him in such high esteem.

It has been a very great honor to serve almost as a neighbor to him. With his district in the Central Valley, San Fernando Valley, and mine on the coast, it has been a real joy to have him as a colleague here. I will treasure always his role in getting me elected and also keeping me here.

I also came to Congress from the health care field, and so the name I heard often was Congressman PETE STARK. He's been here since the seventies, knows all about health care and through all of the intricacies.

I'm pleased, Mr. STARK, that you have been here through the passage of the Affordable Care Act. That's a crowning jewel for you and for all of us. But you've been through many health care ups and downs through the years. You've been a role model for me being on the Ways and Means Committee and in my role on the House Energy and Commerce Committee. Thank you for your service and your friendship.

It's hard to go through this list, Mr. MILLER. This is a wonderful privilege to say thank you. The countless hours that you could add up for the service to constituents and the tremendous leadership within this body and these Members who have given their all and now will not be back in the 113th, it's important to say their names and to honor them and give them credit for what they've done.

JOE BACA has been a fixture for the Central Valley and agriculture, as someone who has agriculture number one in my district as well, but we can't say his name without thinking of the baseball team. There's much to remember JOE BACA for, such as his contributions in agriculture and on the Financial Services Committee as well.

My former colleague now, Bob Filner, who has already assumed another position within our government as mayor of San Diego. When I think of Bob Filner, I think of veterans' issues, and also the fact that he was a college professor before he came to Congress, as my husband was, and they reached out to each other in that capacity. He has worked hard on veterans' issue. I have about 50,000 veterans in my district. So

the GI bill is often something I can give him credit for but also work with my veterans with.

Finally, LAURA RICHARDSON. When I think of LAURA, it's my daughter's name, but I also think of her beautiful singing voice. I know that I shouldn't say that first to my colleague who has shown tremendous leadership within Congress as well, but she'll take her beautiful voice with her. I have been able to work with LAURA on transportation issues as they relate particularly to our ports because she is known for her work with the Port of Long Beach, and I have ports in my district as well. She also will be missed on the women's softball team.

We are friends here. We are colleagues here. We bring our human qualities, and we bring our leadership skills. The California delegation makes me proud every day, and in the next Congress, it will be the memories and the service that has been given to us from these colleagues of ours. That's why I thank you, Mr. MILLER, for setting aside this hour for us to share our thoughts. Thank you.

Mr. GEORGE MILLER of California. Thank you.

Before I yield, I turned around and saw that Andrew and Fish and Hannah are here, so welcome the Stark kids.

I yield now to Congresswoman BARBARA LEE.

Ms. LEE of California. Thank you very much. I, too, want to thank you, Congressman MILLER, for yielding me time and for organizing this Special Order tonight.

First to Congressman PETE STARK, who's our departing dean of the California delegation, Congressman STARK represents a district right next door to my district in the East Bay of California, northern California. I have to say that I have known Congressman STARK since I was the president of the Black Student Union at Mills College in the early seventies. I'll never forget this. I wrote my then-Congressman STARK a letter on behalf of the students at Mills College with a request, and he responded so quickly and adhered and replied to that request in a positive way. So on behalf of all of those students then, Congressman STARK, and on behalf of myself today, I just want to say thank you. Thank you for demonstrating what exemplary constituent service was all about.

□ 1750

I think I've known Congressman STARK probably longer than most Members here because I had the privilege to work with the great statesman, Congressman Ron Dellums, and got to know Congressman STARK during that period.

Our districts, we're so proud to represent. We always say we have some of the most outspoken and well-informed and engaged people in this Nation. And Congressman STARK certainly has been at the forefront of making sure that his district became closer to our Federal Government and brought the government to the people of his district.

So the East Bay thanks you, Congressman STARK, northern California thanks you, and our entire delegation thanks you for so many years of great public service.

I was fortunate to be on the House Foreign Affairs Committee with Chairman HOWARD BERMAN, and I tell you, HOWARD BERMAN's understanding of global affairs is unmatched.

Also, I just have to say, he was such a tremendous asset in our global fight against HIV and AIDS, and really got it so early and helped us negotiate and put together the bills that have been so successful in moving us towards an AIDS-free generation.

I just also have to say with regard to Chairman BERMAN, I appreciate his fairness and his objectivity and his commitment to global peace and security. It's really an honor to have served with him, and I'm going to miss him because I truly honor him as my friend. And I know all of us are going to miss him, but I know that we will work with him in the future on so many issues that he cares about.

Congressman Filner is leaving a strong legacy of support for our Nation's veterans, who have benefited tremendously from his intricate knowledge and impassioned advocacy. Also, I just have to remind us that Congressman Filner was a Freedom Rider during the civil rights movement, and he brought the spirit of justice to his work here in Congress.

Congressman Filner has done an exemplary job as ranking member and chair of the Veteran's Affairs Committee, as we have heard earlier. And our entire caucus can be proud of his outstanding leadership on that committee. As the daughter of a veteran, you know, I understand very deeply those obligations that our Nation has to those men and women who have served.

I had the privilege and the honor to help Bob in his campaign, so I've been in San Diego with Bob. And I tell you, the love and the affection that his constituents have for Congressman Filner is just really unparalleled.

I want to congratulate him for his magnificent win. It was a tough campaign, but he did an unbelievable job, and that's because people in his district really knew him, and he had provided the level of services that allowed him to be elected now, as we will call him very soon, Mayor Filner.

JOE BACA, Congressman BACA really has been a voice for the poor and the underserved during his entire career, not only here in Congress, but in the California legislature. I was privileged to work with JOE on many, many issues, and he has been a consistent voice, both in the California legislature and now here in Congress, for protecting low-income families from unfair, predatory credit practices.

He's used his seat on the House Agriculture Committee and the House Financial Services Committee to advance the needs of the most vulnerable Americans. He also consistently has played a role in raising funding levels for food stamps and nutrition programs to feed over 44 million hungry Americans.

As a member and former chair of the Congressional Hispanic Caucus, he was a powerful voice against anti-immigrant laws and always worked to build bridges on the reality of our history as a Nation of immigrants and not based on ideology and rhetoric.

We'll all miss his principled leadership and his passion for serving as a voice for the voiceless in Congress.

And my fellow Congressional Black Caucus member, Congresswoman LAURA RICHARDSON. She has many accomplishments in her brief time here in Congress. She's worked so hard to improve our Nation's transportation infrastructure, has been an advocate for the inclusion of minority and women-owned businesses, and has opened up economic opportunities and strengthened our schools.

I know that she's going to move forward to make more contributions in public service because she's focused and a dedicated elected official.

Finally, I just have to pay tribute to my sister-in-arms, Congresswoman LYNN WOOLSEY. And I can't say what a bittersweet season this is in seeing you leave after so many years of working hand-in-hand on behalf of peace.

I just have to say that LYNN WOOLSEY has finally made sure that this body recognizes that peace is patriotic, and she's spoken 444 times on the floor as it relates to the need to bring our young men and women home, and I look forward to our continuing work.

She's been a role model for me, and I just have to say, finally, in conclusion, that she understands personally the importance of safety nets. And she brought the House the perspective that comes from relying on public assistance during lean times in her life.

She gave me the courage to talk publicly about my time on public assistance, which was so difficult for me before LYNN'S encouragement.

So, to all of our departing California Members, I'm going to miss all of you so much, but I know we'll see you at home, and you're going to continue to fight the good fight.

Mr. GEORGE MILLER of California. I'd like now to recognize Congresswoman DORIS MATSUI.

Ms. MATSUI. I'd like to thank the gentleman from California (Mr. MILLER) for yielding time to me and for bringing us together.

Mr. Speaker, when the 113th Congress starts next year we'll be greeting many new colleagues, and that means we'll have to say goodbye to some of our current colleagues, both Republican and Democrat.

The California Democratic Congressional Delegation is saying goodbye to six members: Representatives STARK, BERMAN, WOOLSEY, Filner, BACA, and RICHARDSON. While in Congress, these

Members served as strong advocates for their constituents, for California, and for our country.

For their many years of service, these six Members have amassed a depth of institutional knowledge that will be missed come next Congress.

First of all, I want to pay tribute to my good friend, Congressman HOWARD BERMAN. HOWARD BERMAN has served for 30 years. I first met HOWARD when he was living in my hometown of Sacramento. He was serving in the State legislature at the time. His daughter, Brinley, and my son, Brian, were in prekindergarten together, so we would see each other as we dropped off our kids. Little did we know then that we would end up being friends, both serving here in Congress.

You know, we've all learned a lot from HOWARD. We've learned to depend on him, his counsel, and his advice. His knowledge and leadership, particularly on foreign affairs, have been invaluable to Congress. His absence from this Chamber will be strongly felt, and he will be sorely missed, but will forever be a friend.

Congresswoman LYNN WOOLSEY has been a strong advocate—I wouldn't say harsh—strong, for families during her time in Congress. She was also one of the founding members of the Out of Iraq Caucus, where she acted as a leading proponent of bringing our brave servicemen and -women home from war. Congressman WOOLSEY fought for those whose voices were often not heard, and her advocacy and spirit will be very much missed.

As the dean of the California Democratic Congressional Delegation, Congressman PETE STARK has been a leader and a mentor to many Members from California over the years. He has been a champion on health care issues for a very long time, and his work on the Affordable Care Act improved the law and helped ensure all Americans access to quality, affordable health care. We'll always remember his very important contribution.

Congressman Bob Filner was the ranking member of the Committee on Veterans Affairs and dedicated his career to helping ensure our returning veterans have the services they need and were promised before serving our country. We'll miss him here in Congress, but I know he'll make a mark as mayor in the city of San Diego.

JOE BACA has been a strong advocate for California's expansive agriculture industry while in Congress. He has worked tirelessly on behalf of the workers themselves, making sure they receive the civil and legal rights they deserve.

Congresswoman LAURA RICHARDSON has worked hard to keep America safe as a member of the Homeland Security Committee. Her commitment to the safety and security of our country and her constituents was unwavering, and she will be missed next year.

California is a large State with many needs and priorities, but our delegation is strong. During their time in office, these Members have been esteemed colleagues, and it has been an honor to work alongside of them. Their knowledge, passion, and commitment to public service will be greatly missed in these Halls. And I wish to thank each of them for their service and wish them the best in their next adventure.

□ 1800

Mr. GEORGE MILLER of California. I now yield to Congresswoman ANNA ESHOO.

Ms. ESHOO. I want to thank the gentleman from California, my dear friend Mr. MILLER, for organizing this Special Order tonight so that we can take some time, which is the most precious thing, really, that God gives us, is time, and pay tribute to our colleagues who have spent their time being giants in terms of representation and fighting on behalf of their constituents, bringing honor to the House of Representatives and to our country—some of the best exports of the Bay Area and our State of California.

I want to start with the dean of our delegation, Congressman PETE STARK. We salute you, PETE, for all that you have given and done. It's an extraordinary record of 40 years in the House of Representatives. Your name has been synonymous with health care consistently for all of that period of time; for fighting for a place in that health care system for people that are unknown to so many in our society and rejected. You have made room for them in the emergency room and wrote a law that no one would be mistreated. In fact, they had to be treated before they were asked whether they had health insurance or not.

Your record is replete with great and good things. On behalf of your constituents, on behalf of those that so much of society has overlooked, I know that those blessings will come back to you in a very rich and meaningful way as you depart this place. We will miss you. I thank you for your personal kindnesses and for all the wonderful things that you have done. The Bay Area delegation will miss you enormously.

Next, I want to pay tribute to Congressman HOWARD BERMAN. This is really hard to do. Congressman BERMAN's name is synonymous with the following: with farm workers and their rights and with human rights around the world. Anyone that has met and worked with him respects him. It matters not what side of the aisle they have ever come from or what country they come from or what agency they have worked in. HOWARD BERMAN has been an indispensable Member of this Chamber. When he took over the leadership of the Foreign Relations Committee, we saw a new and inspired leadership there demanding a recognition of the Armenian genocide. He served as the original cosponsor of that legislation. His record is replete with distinction.

HOWARD, we will all miss you in a very, very deep and special way. This House will miss you because you brought honor to it in everything that you have done. So it is bittersweet. No, it's just bitter. There isn't any sweetness to it. When I speak of you, I really can't bring enough words to one of the most distinguished records over 30 years that any Member of Congress could ever put together, and that the American people thank you and freedom-lovers and human rights advocates around the world appreciate and bless your name. And I know that, together with Janis, Brinley, and Lindsey, you haven't seen the last of us. We're going to keep coming after you.

To LYNN WOOLSEY, my classmate, we came here and we couldn't even find our way to the credit union, we were so terrified. But together we came. LYNN has brought an exceptional voice to families and to women, so often women heading up those families. And she spoke through the prism of her own experience, which is the most powerful story that anyone can ever tell. No one could ever say to LYNN WOOLSEY, You don't know what you're talking about. Because they knew that she lived it, that she had experienced it. And she came here to change so many women's lives and the lives of families in terms of education for women and girls and for stronger family benefits.

I could go on and on. She brought great voice and vision to the unfortunate policy—the march to folly—when we invaded Iraq. She came to this floor over 100 times to speak against that invasion. We are all in her debt for her conscience, for her integrity, for her wonderful voice, for her friendship, and for her love of the environment of the coast of California, which if there is ever the magical touch of Almighty God, you see it there. She has called on the President and the Congress to make sure the protections will be there in perpetuity. We will remember you in perpetuity. I ask that every blessing you have brought to your constituents in this House will come back to you.

To Bob Filner, to JOE BACA, LAURA RICHARDSON, Dennis Cardoza, and to our Republican colleagues JERRY LEWIS, ELTON GALLEGLY, WALLY HERGER, MARY BONO MACK, BRIAN BILBRAY, DAN LUNGREN, and DAVID DREIER, we thank you. I thank you for your service to the people of this country in this, the House of the people, the magnificent House of Representatives.

Mr. GEORGE MILLER of California. I would like to now to yield to the Democratic leader, Congresswoman NANCY PELOSI.

Ms. PELOSI. I thank you for yielding, Mr. MILLER. I know that we have a time limitation so I will begin by associating myself with the remarks of Congresswoman ANNA ESHOO, who spoke so beautifully and knowledgeably about our colleagues from California who are leaving.

I rise today to thank all my colleagues who are our friends and our

partners from the great State of California. The Members we honor in this Special Order demonstrate the extraordinary diversity of our great Golden State. They hale from northern and southern California, from the Bay Area to the greater Los Angeles area to San Diego. They bring California's wide range of interests and aspirations to the floor of the House every day. Working side by side with the entire California delegation, their service has strengthened the Golden State. The commitment of our departing Members has strengthened the Congress. Their achievements have advanced the character of our country. Each of these Members has brought a unique voice to the table. Yet each shares the same core values: a devotion to public service, a dedication to opportunity, a belief and a promise of America.

Congresswoman LYNN WOOLSEY spent her career fighting to improve the education of our children, the economic security of their families, and the protection of our workers, as well as our coastline, as Congresswoman ESHOO mentioned. With her departure—I won't say retirement, because she is not a retiring person—the Bay Area loses a powerful advocate in Congress and the Nation loses a tireless progressive leader. It was, I think, Mr. MILLER said 400 times that LYNN WOOLSEY came to the floor to speak against our involvement in the war in Iraq.

Thank you, Congresswoman WOOLSEY.

So it's about the patriotism of this Congress and of the participation as patriots of our colleagues from California, whether it's the education of our children, whether it's the health of our people, as demonstrated by Congressman PETE STARK. We all owe you, PETE STARK, a great debt of gratitude. He has been a fixture in the fight to build and strengthen the pillars of health and economic security for the American people. From his seat on the Ways and Means Committee, to the House floor, he always remained a fierce fighter for Medicare and a passionate advocate for the Affordable Care Act because he believes that health care is a right for all Americans, not a privilege just for the few.

□ 1810

His legacy will live on in stronger support for the well-being of our seniors, our families, and our middle class. I hope it is a source of pride—I know it is to your family—that so many of your colleagues respect you so much and honor your leadership and service here.

As has been mentioned, Congressman Filner left us. He is already the mayor of San Diego. He was a Freedom Rider, who fought for civil rights and equality. He was a Representative of San Diego, who never wavered in support of our veterans, and he served as the chair of that committee. We wish him well as mayor of San Diego.

Congresswoman RICHARDSON has dedicated her time in Congress to rebuilding our infrastructure, advancing the dream of high-speed rail, securing our borders, and protecting our environment. We wish her well as she goes forward.

Congressman BERMAN—we go from B to W, BERMAN to WOOLSEY, and every wonderful thing in between. Congressman BERMAN's imprint can be found on legislation across the broad spectrum of issues before the House. Many of us knew him long before he came to Congress, knew of his work, working with the farmworkers, working in labor law to protect the rights of workers.

In two particular areas, his expertise is simply unsurpassed. He is a true expert on international relations, a past chairman of the Foreign Affairs Committee, ranking member now; a champion of aid to Israel; the fight against HIV/AIDS; and the toughest Iran sanctions in the history of our country. He is a senior member of the Judiciary Committee who, it is safe to say, understands intellectual property, understands its importance. It is even mentioned in our Constitution. He understands the challenges and the opportunities it presents. In every venue and every arena, he has been a proud advocate for Los Angeles and California, a cherished leader for the entire House.

JOE BACA is a lifelong public servant. He was a paratrooper in the U.S. Army's 101st and 82nd Airborne Divisions. He served in the California State Legislature. In Congress, he made his mark in standing firm against harmful anti-immigrant measures and in leading the effort to expand food stamps and nutrition assistance for those who need it most. That is such a simple sentence, but it's fraught with meaning. He put a lot of work and leadership into the farm bill. JOE BACA came from humble beginnings, yet his accomplishments are truly significant.

The list goes on and on of our colleagues that Congresswoman ESHOO mentioned. For all of these Members, public service has been a calling, a cause, and a core facet of their character. California has been proud to have them as our Representatives in Congress. For those of us who served with them, it is an honor for each of us to call you ''colleague''; for some of us a very, very special honor to be considered your friend.

We all wish each of you much success in the years ahead. We look forward to continuing our work together on behalf of our great Golden State of California. Your service in Congress added to the luster of our Golden State.

Thank you, and congratulations.

Mr. GEORGE MILLER of California. I thank the Leader.

If I might inquire of the Chair of the time remaining.

The SPEAKER pro tempore. The gentleman has 15 minutes remaining.

Mr. GEORGE MILLER of California. Next I would like to recognize Congressman SAM FARR.

Mr. FARR. Thank you very much, Mr. Speaker, and thank you, GEORGE MILLER, for setting aside this time.

You've heard from a lot of my colleagues. I think what is interesting about this moment in history is this is probably the largest retirement ever of any delegation at any one time. California is losing 25 percent of its incumbent delegation, seven Republicans and seven Democrats. That's 14 people that have been here. Of the seven Democrats, they were here for historical moments—of electing NANCY PELOSI from California, the first woman Speaker of the House of Representatives; and here to pass the first-in-history comprehensive health care bill, led by Californians, I might add, and led by the dean of our delegation, PETE STARK.

PETE STARK is one of the oldest, longest serving Members of Congress. He has been here 40 years. I think there are only two, three people that have served here longer. He's watched this delegation come and go since 1973. He is here tonight with his beautiful family.

PETE, of all the people coming into Congress, is the only one that just came right from the private sector. Most of us got elected to the local and State governments, but PETE came here with a background in MIT, in engineering, and then a degree from Berkeley in business administration. In 1963, he founded the Security National Bank of Walnut Creek, which became, during the war years, known as the progressive bank and the bank that was going to loan to people that weren't otherwise getting loans. He became a very popular leader in his community and built the bank into a $1 billion financial institution. Having a background in the Air Force and other civic activities, he ran for Congress and got elected and has been here, as I said, for 40 years.

He is here tonight with his children. He has four daughters, three sons, and eight grandchildren. He is married to Deborah Roderick, also of California. We're going to miss PETE. He's been a fixture for this Congress through all the big issues.

He is followed by HOWARD BERMAN from southern California, with a background in UCLA, a law degree from UCLA. I was a staff member when he was a California State legislator. He came there for the background in VISTA. After the assembly, he got elected to the House and has been the leading ranking Democrat, probably the most trusted person in all of Congress for foreign affairs; and with his background in labor, in issues for farmworkers in California and the advancement they've made under Federal law. But also, as the Leader pointed out, he's one of the few persons that really understands the intricacies of patent law, copyright, trademark, all those things very vitally important to the entertainment industry, the electronics industry, and the information technology industry. He's been a senior member on all of that. We're going to miss him deeply, deeply. I feel like a son of HOWARD BERMAN. I supported his

speakership way back when he ran for the State assembly. I'm going to miss him.

LYNN WOOLSEY has served 10 terms. She is senior to me. I got elected 6 months after LYNN got sworn into office. I remember how proud I was of her background in local government, in roles that she's played in Sonoma County, in Marin County. She's been, I think, on the floor speaking more than anybody else—as pointed out, 440 times speaking for peace. She's going to leave this body known as the ''lady of peace'' and will be here in history forever and ever. I remember the night that Bill Clinton gave his State of the Union address and recognized the backgrounds, the humble and unusual backgrounds of people that get here, that LYNN WOOLSEY was the first woman elected to Congress who, as a single mom, had to be on welfare and how she had worked her way out of that, and was a leading role model to show that there are opportunities for you, for all people in this great country. But the lady of peace is the most important of all.

Bob Filner, he had a background in local government. He went back to local government. After being involved in school districts, he is now the mayor of San Diego. He came here with his background of being a Freedom Rider and in the civil rights movement and led the Veterans' Committee here.

As we pointed out, JOE BACA will always be known as the captain of our baseball team. He did so well in that, but he also had a proud background, as the Leader said, in the Army as a paratrooper. The list goes on and on.

LAURA RICHARDSON is leaving us. I would also mention before this, the early resignation of Dennis Cardoza.

That's seven Democrats. We're going to miss them greatly. Thank you for allowing me to speak in favor of their great service to the United States Congress.

CONGRESSMAN PETE STARK

Congressman PETE STARK has served in Congress since 1973. A senior member of the powerful Ways and Means Committee, he is currently the Ranking Minority Member of its Health Subcommittee. STARK previously served as the subcommittee's Chairman from 2007 to 2010 and 1985 to 1994, and previously as Ranking Minority Member from 1995 to 2006.

Before being elected to Congress in 1972, STARK was a successful businessman and banker. Upon entering Congress, he served on the House Banking and Currency Committee. After completing his first term, STARK was named to the Ways and Means Committee, whose scope includes taxes, Medicare, Social Security, trade and public assistance.

From 1981 to 1984, STARK served as Chairman of the Ways and Means Subcommittee on Select Revenue Measures. As Chairman, STARK became known as one of the Nation's foremost advocates of tax reform. He later served a critical role in shaping the historic tax reform act of 1986. In the years since, he has been a vocal voice for tax fairness and opposed the addition of corporate loopholes to our Nation's income tax laws.

In January of 1985, STARK became the Chairman of the Ways and Means Health Subcommittee. As Chairman, he presided over major reforms to the Medicare system. While cutting billions of dollars in waste, fraud, and abuse, STARK expanded benefits for tens of millions of Medicare beneficiaries, provided COBRA health continuation benefits to workers, and made numerous improvements in the quality of our Nation's care.

As Chairman of the Ways and Means Health Subcommittee from 2007 to 2010, STARK helped write the health reform law that is bringing quality, affordable health care to millions of Americans.

STARK champions universal health care, and speaks out for peace, freedom of choice, and protecting our environment. He is a tireless advocate for children, families, senior citizens, and people with disabilities, as well as the residents of the 13th Congressional District.

A diverse area stretching along the east side of the San Francisco Bay, the 13th Congressional District runs from Alameda to Fremont.

STARK is a graduate of the Massachusetts Institute of Technology, MIT, with a degree in engineering and the University of California, Berkeley with a Master's degree in Business Administration, MBA.

In 1963, he founded Security National Bank in Walnut Creek. The bank grew from a small storefront operation to a a $1 billion financial institution with branches in Alameda and Contra Costa Counties. STARK sold his interest in the bank after his election to Congress.

Before his business career, STARK served in the U.S. Air Force. His other civic activities have included: Director, Common Cause; Chairman, Board of Trustees, Starr King School of Ministry; Board Member, Housing Development Corporation; Board Member, Council for Civic Unity, and many others.

STARK has four daughters, three sons, and eight grandchildren. He is married to Deborah Roderick Stark of San Lorenzo.

CONGRESSMAN HOWARD L. BERMAN

Born in Los Angeles, California, HOWARD BERMAN attended U.C.L.A., where he received his B.A. in 1962 and his LL.B in 1965.

Upon his graduation from law school, HOWARD BERMAN began his career in public service with a year's work as a VISTA volunteer. From 1967 until 1973, he practiced law in Los Angeles, specializing in labor relations. In 1973, he was elected to the California State Assembly.

In his first term in the state legislature, then-Assemblyman BERMAN was named Assembly Majority leader, the youngest person ever to serve in that leadership capacity. He also served as Chair of the Assembly Democratic Caucus and the Policy Research Management Committee of the Assembly. In 1982, BERMAN was elected to Congress, where he was named to the Foreign Affairs and Judiciary Committees.

Congressman BERMAN is the Ranking Democrat on the House Committee on Foreign Affairs, meaning he is the most senior Democrat serving on the committee. During his tenure on the Foreign Affairs Committee, BERMAN negotiated a five-year, $50 billion reauthorization of our global HIV/AIDS programs, authored legislation that removed Nelson Mandela and other members of the African National Congress from the U.S. terrorism list, and passed a bill to strengthen U.S. assistance to Israel. His top priorities include improving America's diplomatic strength through a reauthorization of the State Department, assistance to fight terrorism in Pakistan, and improving the efficiency of U.S. foreign aid.

As the second highest ranking Democrat on the Judiciary Committee, BERMAN plays a key role in shaping the copyright, trademark, and patent laws that are of vital importance to the entertainment, biotechnology, broadcasting, pharmaceutical, telecommunication, consumer electronics, and information technology industries. BERMAN is a member of the Subcommittee on Intellectual Property, Competition, and the Internet.

BERMAN is particularly well-known for his ability to form bipartisan coalitions. Together with Republican Henry Hyde, BERMAN wrote a law authorizing embargoes on nations that support terrorism. With Republican Senator CHUCK GRASSLEY, he wrote amendments to the False Claims Act that have saved over $20 billion in taxpayer money since 1986.

''There a few House members who have made such an imprint on legislation in so many areas as Howard Berman,'' says the Almanac of American Politics. The Almanac goes on to call BERMAN ''one of the most aggressive and creative members of the House and one of the most clear-sighted operators in American politics.''

Congressman BERMAN and his wife, Janis Gail Berman, have two daughters, Brinley and Lindsey.

CONGRESSWOMAN LYNN WOOLSEY

Congresswoman LYNN WOOLSEY is in her 10th term as the representative from California's 6th District, just north of San Francisco. Her district includes all of Marin, and most of Sonoma County.

As president of Americans for Democratic Action, Congresswoman WOOLSEY is a vocal and visible leader on progressive issues, particularly those dealing with education, children and families. A passionate and outspoken opponent of the Iraq war, she helped move public opinion against President's Bush's failed Iraq policy. She introduced the first resolution calling for our troops to be brought home and has been called the ''the unofficial matriarch of the [antiwar] movement in Congress,'' by the San Jose Mercury News.

Congresswoman WOOLSEY is also active on labor and education issues. She is a senior member of the Committee on Education and the Workforce and the ranking member on the Subcommittee on Workforce Protections. She also serves on Subcommittee on Early Childhood, Elementary, and Secondary Education.

Congresswoman WOOLSEY was the author of a recent law authorizing workers six months of job protected leave in order to care for injured family members serving in the armed forces, as well as legislation to protect workers from exposure to dangerous chemicals.

One of Congresswoman WOOLSEY's top priorities is a legislative package called ''The Balancing Act,'' which aims to help parents balance their work and family responsibilities. Her proposal calls for: paid family leave; public universal pre-school; major investments in child care; universal school breakfast; benefits for part-time workers; and telecommuting incentives.

Congresswoman WOOLSEY is also a senior member of the Committee on Science, Space and Technology, and serves on the Subcommittee on Energy and the Environment, where she works to reduce our dependence

on foreign oil and promote the use of clean, efficient energy sources. In the current Congress, she has reintroduced her legislation to add the Sonoma coastline to the National Marine Sanctuary Program, thus protecting it from oil and gas drilling.

Having lived and raised her family in California's North Bay for over 40 years, Congresswoman WOOLSEY understands the concerns of Sonoma and Marin County residents. She frequently says they are the most important voice she listens to; and she not only listens, she responds. Her Washington office alone receives and answers over three thousand letters, phone calls, and emails from constituents each week.

Congresswoman WOOLSEY dedication to family issues and her belief in a strong social safety net are rooted in her personal history. As a young mother struggling to raise three children by herself, she needed public assistance just to make ends meet, even though she was employed.

The experience of needing a helping hand from her government has shaped her commitment to family-friendly policies.

WOOLSEY was born on November 3, 1937 in Seattle, Washington. Now living in Petaluma, California, she is the mother of four grown children and a grandmother of five.

CONGRESSMAN BOB FILNER

Bob Filner's adult political career began when he was 18 years old during the Civil Right Movement. He spent several weeks in the Mississippi State Penitentiary as a Freedom Rider. ''My political optimism stems from those times. I believe by our individual involvement, we can change history! And, my commitment to a world free of racism and discrimination continues today.''

Just after receiving a Ph.D. in the history of science from Cornell University, he moved to San Diego and began a 20 year long teaching career at San Diego State University. Always the activist, he challenged his college students that their ''grand'' thoughts were futile unless they put them into action in order to help people and make the world a better place. And it's a lesson he continues to impress on others while in the United States Congress.

In the late 1970s Filner was frustrated with the local school board after announcing that his children's school was going to close (daughter, Erin and son, Adam). He felt his children weren't getting the education and attention they deserved. This led to his first run for San Diego School Board Member in 1979.

Filner's ''back to basics'' approach toward education—including mandatory homework—won wide support among parents all across San Diego. During his time the board hired a more responsive Superintendent, test scores went up, and million of dollars in bureaucratic waste was eliminated.

Therefore it was no surprise that under his leadership on these issues he was selected as School Board President in 1982.

This increasing civic involvement led to his election to the San Diego City Council in 1987 where he began taking on issues such as bringing good jobs to San Diego and broadening its economic base. He created the city's first Economic Conversion Committee and wrote the city's Economic Conversion Plan. He found creative ways to fight neighborhood crime, including the introduction of Police Walking Patrols and a Citizen Graffiti Patrol with the area's first 24-hour graffiti hotline.

Recognizing his ability to work with his colleagues, the council members selected him as Deputy Mayor in 1991.

In 1992, Filner was elected to the United States House of Representatives. In his first term in Congress, he was one of only a handful of freshman legislators to get legislation passed—for example a critical law amending the Clean Water Act, allowing San Diego to save billions of dollars.

Almost immediately upon his arrival in Washington, his request for an appointment to the Veterans' Affairs Committee was granted. And in 2006 was elected by his Democratic colleagues as Chairman of the House Veterans' Affairs Committee.

Since January 2007, Congress has increased the Veterans Healthcare budget by 60%—the largest increase since the VA was created 79 years ago. Other victories include VA Home loans increased by 50%; the G.I. Bill was reinstated to meet the same level of education benefits, adjusted for cost-of-living increases, as that offered by the original World War II-era bill; benefits for Filipino-American veterans granted and legislation is pending for Merchant Marine veterans of World War II benefits. Filner says, ''This is the least we can do for our men and women in uniform who have sacrificed so much for us—we owe it to them!''

The 51st District—stretching the whole California/Mexico border, from San Diego to Yuma, Arizona—is one of the most diverse regions in the nation! It encompasses the southern portion of the City of San Diego, the South Bay cities of Chula Vista and National City, and all of Imperial Valley. The district's population is approximately 55% Latinos, 15% African-Americans, 15% Anglos and 15% Filipinos.

For 9 terms now, he has worked hard to both enhance his district's advantages while meeting its challenges. For example since many families in his district, and across the nation, suffer from sub-standard medical treatment, he has worked to provide affordable healthcare for border communities and all Americans.

While always looking for ways to embrace the opportunities the region provides, he does not back down from challenges specific to border communities.

His work on U.S.-Mexico relations led President Clinton to ask Filner to join him on an international mission to meet with former Mexican President Ernesto Zedillo. Again in 2004, with President Vicente Fox, he stepped forward to encourage increased cooperation and collaboration between the two nations. He took the lead in securing critical funding and support for the International Waste Water Treatment Plant in the Tijuana River Valley, as well as the New River in the Imperial Valley with the Water Resources Development Act of 2007.

He serves on the House Transportation and Infrastructure Committee as the Senior Democratic Member of the Subcommittee on Coast Guard and Maritime Transportation, a member of the Highway and Transit, Water Resources and Environment, and Aviation subcommittees. As Congressmen, he has brought home billions of dollars to improve roads, bridges and other critical infrastructure. At the same time he is constantly looking to the future in support of high-speed rail projects that would link San Diego with other areas of the state and Arizona and he secured funding to study suitable locations in Imperial Valley for the site of a new regional airport. Although these forward looking projects have been in the works for a long time, how appropriate they're labeled the ''Jobs Train.'' Not only would San Diego become a major national distribution hub, thousands of jobs in San Diego and Imperial Valley would be created!

Congressman Filner has built his career by ''walking his own talk''—''Grand thoughts are futile unless they are put into action in order to help people and make the world a better place.'' Help him to continue this work for a better California—and a better America! He cannot go it alone!

CONGRESSMAN JOE BACA

Rep. JOE BACA has represented California's Inland Empire in the House of Representatives since winning a special election in 1999. He serves on the House Agriculture Committee, and is Ranking Member of the Subcommittee on Nutrition and Horticulture. He also serves on the House Financial Services Committee.

Rep. BACA served as Chair of the Congressional Hispanic Caucus, CHC, during the 110th Congress (2007–2008). During this time, he successfully blocked harmful English-only and anti-immigrant amendments offered in the House. He also guided the CHC in its efforts to ensure the contributions of Latino and Native America veterans were recognized in the PBS documentary ''The War.'' In addition, Rep. BACA used his leadership position to pass record breaking funding levels for food stamps and nutrition programs to feed over 44 million hungry Americans; and helped secure new funding for minority serving institutions, including over $200 million in new grant funding. He currently chairs the CHC Corporate America Task Force.

Rep. BACA continues to advocate in Congress on issues that impact the poor and underserved, including nutrition, housing, health, veterans' affairs, and issues affecting the Hispanic and Native American communities. He has used his experience in Congress to help secure over $154 million in federal appropriations assistance for education, public safety, transportation, and water projects. Congressman BACA is also the primary sponsor of the PROUD Act, legislation that puts responsible immigrant high school graduates on an expedited path to U.S. Citizenship.

Personal History—JOE was born in Belen, New Mexico, the youngest of 15 children in a house where little English was spoken. JOE worked shining shoes at age 10 and later worked as a laborer for the Santa Fe Railroad. He served in the U.S. Army as a paratrooper with both the 101st and the 82nd Airborne Divisions from 1966–68. Following military service, JOE earned his associates degree from Barstow Community College and his bachelor's degree in sociology from California State University, Los Angeles. In 1979, he became the first Latino elected to the board of Trustees for the San Bernardino Valley College District. He was elected to the State Assembly in 1992, where he became the first Latino Speaker pro Tempore, and was elected to the State Senate in 1998.

JOE and his wife, Barbara, began their own business, Interstate World Travel, in 1989. They have four children—Rialto City Councilman Joe Baca Jr., Jeremy, Natalie and Jennifer.

Awards—Rep. BACA has received many honors for his public service. Recent awards

include the U.S. Hispanic Leadership Institute Edward R. Roybal/Henry B. Gonzalez award for Public Service, the U.S. Hispanic Chamber of Commerce President's Achievement Award, the National Farmers Union Presidential Award for Leadership, the Walter Kaitz Foundation Diversity Advocate Award, and the U.S. Department of Agriculture Coalition of Minority Employees Award of Excellence. He has been listed as one of the top 100 most influential Hispanic leaders in America by Latino Leaders Magazine. He also has two local parks named after him: the Joe Baca Senior Field at the Empire Center in Fontana and the Joe Baca Field at the Rialto Boys and Girls Club. In addition, the "Joe Baca Middle School" at 1640 S. Lilac Avenue in Rialto, California, is expected to open its doors in 2013.

CONGRESSWOMAN LAURA RICHARDSON

Congresswoman LAURA RICHARDSON represents California's 37th District, which includes the communities of Long Beach, Compton, Carson, Watts, Willowbrook and Signal Hill, as well as parts of the City of Los Angeles and Los Angeles County. She was sworn in to Congress in 2007 and is currently serving her 3rd term.

Congresswoman RICHARDSON served the Long Beach community as a city councilwoman for six years before being elected to the California State Assembly in 2006. Following a special election in 2007, she immediately began serving in the House of Representatives, and as such, Congresswoman RICHARDSON has the rare distinction of having served in government at the local, state, and federal level in the span of less than one year.

The Congresswoman currently sits on the House Committee on Transportation & Infrastructure, where she works to improve the Nation's highways, railways, airports, and seaports while overseeing the Coast Guard, Army Corps of Engineers, and Federal Emergency Management Agency, FEMA. She is a member of the Water Resources and Environment Subcommittee, the Highways & Transit Subcommittee and the Railroads, Pipelines & Hazardous Materials Subcommittee.

Congresswoman RICHARDSON is also on the House Committee on Homeland Security. In this role, she works to protect America's borders and ensure the Nation is prepared for and able to effectively respond to any disasters that may arise. She is the Ranking Member for the Emergency Preparedness, Response, and Communications Subcommittee and also sits on the Cybersecurity, Infrastructure Protection, and Security Technologies Subcommittee.

In addition to her House Committee assignments, the Congresswoman is a founding member of the California High-Speed Rail Commission, where she has worked to secure funding for a project that has the potential to create 450,000 permanent jobs statewide over the next 25 years.

In January of 2011, President Barack Obama signed into law the Diesel Emissions Reduction Act of 2010, DERA, which Congresswoman RICHARDSON authored. The legislation extends a voluntary national and state-level grant and loan program that creates jobs, saves lives and significantly improves the Nation's air quality. DERA is widely considered one of the most cost-effective federal programs in the Nation. The EPA has estimated that in California alone, the program averages more than $13 in health and economic benefits for every $1 in funding. Without the signing of RICHARDSON's bill, the authorization for DERA would have expired at the end of the fiscal year.

Congresswoman RICHARDSON graduated from UCLA with a Bachelor of Arts in Political Science and received an MBA from the USC Marshall School of Business. She spent 14 years working in the corporate sector at Xerox.

Mr. GEORGE MILLER of California. I thank the gentleman from California (Mr. FARR).

I want to, also, as Congresswoman ESHOO and Congressman FARR acknowledged, that there's others in our delegation from the other side of the aisle who will also be leaving after this session of Congress: BRIAN BILBRAY, MARY BONO MACK, DAVID DREIER, ELTON GALLEGLY, WALLY HERGER, JERRY LEWIS, and DAN LUNGREN. I've been here long enough that I've fought with all of them, I've legislated with all of them, and we've had accomplishments together.

I think JERRY LEWIS and I had the longest floor debate in the modern Congress over the creation of the desert national parks, the Mojave Desert national parks. When we were all done, we immediately turned around. He was opposed to it, I was for it, but he immediately turned around and made sure that the public had access to it, that there would be improvements, visitor centers. And that's the way legislation goes.

□ 1820

I think very often the public doesn't understand, but Members of Congress do, that this isn't just a working relationship. Over time you get to know one another's families, you know their children's successes, their children's desires, their illnesses and the troubles that befall families, because we're like all other American families. It happens here. People don't think of that when they think of the Congress. And you build relationships, friendships and dependencies on one another's expertise to help guide us through all of the issues that we will confront in a congressional year.

Congressman STARK and I entered public life together by running against one another back in 1969, man against machine. You figure it out: I don't know who was the man and who was the machine, but I knew then who it was, this very popular banker and this law school dropout, but other than that I was doing well. But it's a long span and a lot of friendships, and it's about family and our ability to talk with one another.

I would like, at this moment, to yield to Congressman STARK for any remarks that he might have.

Mr. STARK. I want to thank the gentleman for yielding. One of the previous Speakers, Mr. O'Neill, mentioned that, and you forgot to mention this, but Tip O'Neill said that I probably had one of the best 5-minute speeches of any new Member of Congress, and if I could only learn to deliver it in less than 20 minutes, I'd have a great career here.

GEORGE is right: we ran against each other. And when you grow up in the Bay Area and you have people like BARBARA LEE who leads in courage in being the lone vote against one of the unpopular wars, you learn what courage is and you learn with people who fight for children, for minorities, for all of the people in our area who need help. I'm just proud to have worked with them.

They've said that I'm the fifth oldest Member of Congress. That's absolutely wrong. I am the 430th youngest Member of Congress, and I just want to make sure that you get that straight in the RECORD.

Thank you, GEORGE. I'm honored, and I am particularly honored to be part of this great Bay Area delegation. In our 10 districts surrounding the Bay Area, we have, I think, the finest legislative group in the United States. Thank you very much.

Mr. GEORGE MILLER of California. Thank you very much. I know, as we all know in this life, Members leave the Congress, they don't leave public policy, they don't leave public life, and I expect we will be hearing from them as they leave the Congress in their future endeavors. I know that Mr. BILBRAY still wants to clean up the salt in the Salton Sea, and I know that DAN LUNGREN probably still wants to take down Hetch Hetchy. I'll be glad to join him on both efforts on that one, and I know WALLY HERGER still brings the concerns about the watersheds of the great northern parts of our State. So this relationship goes on, their advocacy goes on, and that's true on both sides of the aisle.

Ms. WOOLSEY, if you would like to say anything.

Ms. WOOLSEY. Thank you, GEORGE, for doing this. Thank you for honoring those of us that have been here and now are leaving.

I arrived feeling very green and feeling very good 20 years ago. I had no idea how little I knew about how to get something done in the Congress. I knew where I had burned in my belly, I knew what issues were important to me, and those issues have stayed important to me for the last 20 years. But I had the advantage of working with some very wonderful senior Members who generously helped me along, and I had the privilege of having very talented staff who built the stage that I could dance on. You can't do that unless it's teamwork, and I thank everybody that has been a part of these last 20 years. It's been quite a ride, and I'm glad I did it. Thank you very much, GEORGE.

Mr. GEORGE MILLER of California. Thank you so much. Thank you for your service.

Mr. Speaker, that brings to a conclusion our delegation's honoring those Members who are leaving. I would just say, and this is not news to Members of

the House, but on a bipartisan basis, this is a very, very spirited and rambunctious delegation on both sides of the aisle, and a lot of seniority is leaving the Congress with this delegation, a lot of expertise. But I'm very proud to have served with all of them and for their contributions and the sacrifices they made in public office on behalf of public policy that they strongly believe in and became advocates for.

With that, I yield back the balance of my time. I want to recognize Mr. BERMAN who is here and thank him again for his service.

PUTTING OUR NATION'S FISCAL HOUSE IN ORDER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Tennessee (Mrs. BLACKburn) is recognized for 60 minutes as the designee of the majority leader.

Mrs. BLACKBURN. Mr. Speaker, I appreciate the designation of the time and appreciate the opportunity to come to the floor tonight and discuss the issues, the very serious issues, that are in front of us. Now, this is something that we Republicans have talked about for quite a period of time, that we had to get the Nation's fiscal house in order.

The reason we had to do this was because we had a spending issue that was in front of us. Many of us felt that running deficits of several hundred billion dollars a year was not acceptable, and we've watched what has transpired through the years as this has continued to grow. And we all know that the last few years of the Obama administration has run deficits, annual deficits, of well over $1 trillion.

Now, I am constantly hearing from people, How did this seem to happen so quickly? Well, it's been decades in the making. And as I said, indeed, many of us have come to the floor regularly, we've talked about it, and we've offered bills that would address this. A great example of this, every year I've offered bills that call for 1, 2 and 5 percent across-the-board spending reductions. Little bits add up over a period of time.

We have the appropriations process where Members have come to the floor and they've offered amendment after amendment that would reduce what we are spending.

We on this side of the aisle also believe that you have to have a budget. Now, the President had a proposed budget, and nobody wanted to vote for that. We put it on the floor, and I think it got one or two votes from the Democrats. The country has not had a budget in over 1,300 days, and there's a reason for this. It is because the budget that we have passed out of this House has gone to the Senate each and every year, and it sits on HARRY REID's desk, and he does not take it up.

We have passed this budget, and I commend Congressman RYAN who leads our Budget Committee. We passed it because we think you've got to tackle the drivers of the debt. You've got to bring out-of-control spending under control. You have to restore economic freedom and ensure a level playing field for everybody by putting an end to special interest favoritism and corporate welfare.

We feel as if it is imperative to reverse this administration's policies that are driving up the cost of gas at the pump, that we need to be promoting an all-of-the-above energy strategy unlocking American energy production to help lower costs, to create jobs, to reduce dependence on foreign oil, and to strengthen our health care and our retirement security by taking power away—away—from government bureaucrats and empowering patients and letting patients and doctors make the decisions that are important to them.

Now, as I said a moment earlier, so many times people will say, How in the world did we get here? Well, as I said decades—decades—in the making.

Then we went through the Budget Control Act exercise a year before last in August. We had a select committee that was put in place. That didn't work out. So we ended up with the sequesters. And many of my constituents—and I'm sure other Members are seeing this too—they are saying, Tell me what the sequester is all about.

□ 1830

This is what it is. It's going to take place on January 2, 2013, and the defense budget is going to see the brunt of these spending reductions. Most everything gets 2 percent across the board. With defense, you're going to see additional cuts of $55 billion per year. That is going to give them a total of $492 billion additional cuts. This is going to leave our military with the smallest ground force since 1940, the smallest naval fleet since 1915, and the smallest tactical fighter force in the history of the Air Force. Medicare could see $16.4 billion in annual cuts, leading to the elimination of 496,000 jobs in 2013. There will be 62,000 physicians that will be adversely impacted. We know that the sequester cuts are not fair to everybody.

As I said, we've been taking steps. Every year for several years, we've talked about getting the fiscal house in order and cutting spending and fighting the growth in the debt. We've also passed some bills this year. And I would like to remind the Members of the body, Mr. Speaker, of these pieces of legislation that this House of Representatives has already passed, and that are sitting on the desk over in the Senate.

On August 2 of this year, by a vote of 232–189, we passed the Pathway to Job Creation through a Simpler, Fairer Tax Code Act of 2012. That was H.R. 6169. It would provide an expedited pathway to pro-growth tax reform in 2013. To deal with the spending issues, to deal with the deficit, to deal with the debt, yes, you have to cut spending, you have to reform your Tax Code, and you have to have a pro-growth agenda. That legislation, as I said, was passed on August 2.

On September 19 of this year, we passed the National Security and Jobs Protection Act that would deal with the sequester that I spoke about a few minutes ago. That passed with 223 votes. We also had on May 10 the Sequester Reconciliation Act of 2012, H.R. 5652, which passed with 218 votes. We then had the Job Protection and Recession Prevention Act passed on August 1, and that was H.R. 8. It passed with 256 votes. H.R. 8 is the 1-year extension of all the tax rates.

We keep hearing that the President wants to extend the tax cuts for those making $250,000 a year and less. What that would do is catch a lot of our small businesses. About 20 percent of our small businesses have already said that this would adversely impact them to the point that they would be cutting jobs, not growing, but actually cutting jobs. So I would point out that 256 Members of this Chamber, on a bipartisan basis, voted to extend the tax cuts for everybody.

When people say, Why can't the House and the Senate get together, Mr. Speaker, our bills—as I've just mentioned, these bills are sitting on the Senate leader's desk dealing with the sequester, dealing with taxes, dealing with the reform issues that we have in front of us. These four bills are sitting there waiting for action. The House has done its job. We've agreed to not raise taxes on anybody. That's only one part of this issue.

Certainly, with the way the President is wanting to approach tax reform, his proposals would raise enough revenue to run the Federal Government for about 8 more days. He's going to raise taxes on the top 2 percent basically to pay for 2 percent of next year's spending. This is not sustainable. We do not have a revenue problem in this town, we have a spending problem. We have a crushing burden of debt. And now I've got some posters that I would like to show regarding that.

This first poster that I want to call your attention to points out exactly what we have in this crushing burden of debt. You will see that in World War II, it lays out our country's long history with this debt and shows where this burden has been passed. As I said, it's been decades in the making. Take a look at this. In 1940, the percentage of our gross Federal debt was 52.4 percent. That's where we were. By the end of World War II, the debt had skyrocketed. It was up to 117.5 percent of our GDP in 1945, and then it peaked in 1946 at 121.7 percent of our GDP. That was through the war. But you know what? We did what Americans generally do. When you have got a problem, you get behind it and you get it solved. So we doubled down on getting the spending under control, and you can see what happened. Then our Federal debt pretty much stabilized in the

mid-30 percent range. And during the Reagan administration in 1981, the gross Federal debt was 32.5 percent of GDP.

Well, those old spending habits kind of die hard around this place. The Federal Government and the bureaucracy never gets enough of the taxpayers' money. When the President took office, our gross Federal debt was 84.2 percent of the GDP. This takes us back to swearing-in day in 2009. That's the figure that neither party could celebrate, and both parties share responsibility.

This Federal Government spends too much money and has for decades. Today, according to OMB, our projected gross Federal debt is 105.3 percent of our GDP. These are just simple facts. You can see what is going to happen if you look at where we are headed. Now we are over 100 percent. Look at how quickly we're going to get to 200 percent, then 300 percent, and 400 percent.

This points out how unfair this debt is to our children and grandchildren. Indeed, Mr. Speaker, I think the debt that we have in this country is the ultimate cap-and-trade. What is happening? We are capping our children's futures, and we're trading it to the countries that own this debt.

Let me point out who owns this debt. I've got another chart that I want to show you on this specific issue. A lot of people will ask about this. And of course last year during the debates on the debt, we had so many discussions about this. A couple of my colleagues and I went down, and we asked who owned our publicly traded debt. We wanted to know who was buying this American debt. Of course, we've been frustrated with the Fed monetizing some of this debt and running the printing presses. We know that devalues it. We're frustrated that we are running about $4 billion worth of debt a day, and that is adding to the annual deficit, which accrues to the Nation's debt. That frustrates us. So what we've done periodically in my office, Mr. Speaker, is to go back in and check with Treasury and see who owns our debt.

As of right now, China owns $1.15 trillion of our debt. Then number two on the list is Japan with $1.13 trillion of our debt. This is interesting. Out of this debt, number three on the list is OPEC. OPEC is an entity. That's the countries of Ecuador, Venezuela, India, Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, the UAE, Algeria, Gabon, Libya, and Nigeria. Guess what? They now are number three on the list, and they own $267 billion of our debt. Brazil comes in at number four, $250.5 billion. And then number five on the list—new to the top five list—the Caribbean Banking Centers, who now own $240.4 billion of U.S. debt. By the way, the Caribbean Banking Centers are the Bahamas, Bermuda, Cayman Islands, Netherlands Antilles, and Panama. This is who owns us. This is who owns our debt. This is why on this side of the aisle what we continue to say is the spending has to be dealt with.

We've heard from everybody. We are hearing from economists all around the globe, and they repeatedly say what we are saying, what we've been saying for years as we've come to this floor, that we have a spending problem. The spending has to be dealt with. We are drowning under a mountain of debt. You cannot continue to borrow nearly 50 percent of what you are spending. We think that it is problematic, if you will, Mr. Speaker.

It is disconcerting that the President doesn't want to talk about the spending, but is instead offering to raise enough taxes to fund additional spending for 2 percent of the year by raising taxes on the top 2 percent. I guess he's not worried about the other 98 percent of the year. This is how we have to get this under control, by reducing this spending.

I'm so pleased to be joined by my colleagues who share a passion for freedom and for economic freedom, and understand that economic freedom and political freedom are linked, and that this is a task that we are passionate about, we are given to solving this problem so that we remain a free Nation.

□ 1840

At this time, I want to recognize the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Thank you, Congresswoman.

I rise today in a belief that America can handle the truth. Abraham Lincoln said, ''I am a firm believer in the people. If given the truth, they can be depended upon to meet any national crisis. The great point is to bring them the real facts.'' To that end, Speaker BOEHNER has been candid about the fiscal challenges facing our Nation and has put forth a balanced plan. However, as the President continues to promote his own plan, he seems to be deliberately not sharing key details with the public.

First, the plan will hurt nearly a million small businesses by treating them the same as the wealthy Americans. Secondly, the plan ignores the central driver of our deficit—government spending. It ignores that.

On the first matter, why should we lump the owner of a hardware store together with Wall Street executives and tax them at the same rate? When the President talks about the rich paying their fair share, he fails to mention that he also raises the same rate of taxes on small businesses. Earlier this week, the President told factory workers that his plan is to ''ask the wealthiest Americans to pay a slightly higher tax rate.'' Previously, he said, ''Millionaires and billionaires can afford to pay a little bit more.'' But not once did the President publicly acknowledge his plan will raise taxes on owners of small family businesses.

I'd like to give you an example of a small business owner who would fill out the tax form here, a 1040. This form is for a single woman, Mary Workman, who is in software development. She makes $50,000 in wages, and the company makes $150,000. She picks up some dividends and capital gains, so she has a total family income of $210,000. Under the President's proposal, Mary would be hit with the same tax rate equal to those of millionaires—at $50,000 in wages.

Where is the fairness in that, Mr. President?

It's one thing to ask Bill Gates, Warren Buffett, or Donald Trump to pay more in taxes, but it's something else to penalize the small businesses of Main Street, like the software developer, for example.

This is not an isolated case. According to the Joint Committee on Taxation, 940,000 small businesses will face higher taxes under this President's plan. These are not the wealthiest Americans, but they're proprietors of small, family-owned businesses that are located in every town across America. According to the report by Ernst & Young this summer, 710,000 jobs will be lost by these companies if they're taxed at the same rate as corporate America.

The President's proposal, curiously, would raise taxes on small businesses to as high as 39 percent, but for larger, mature corporations, the President is seeking to lower their tax rate to 25 percent. Although reforming and lowering the corporate tax rate is a worthy goal, neither Congress nor the President should give tax advantages to large corporations at the expense of the owners of small, family businesses.

Generally, Mr. Speaker, I am opposed to raising taxes. However, if in the spirit of compromise Congress is forced to adopt new revenue in order to achieve reductions, then Congress should insist that personal wages be separated from small business income and taxed differently. This could be done by using the information already filed on the 1040, which is just like they do on capital gains, dividends, and interest payments.

Now on to the second matter, the spending side of the equation. Surely, the President understands that raising taxes on small businesses and Wall Street executives won't sufficiently cover the deficit. Despite this reality, he consistently confuses the public by ignoring the role that reducing government spending would and should play in deficit reduction.

According to the Office of Management and Budget, this administration's plan to raise the top rates generates an average of $43 billion a year, yet we are faced with a deficit of $1.1 trillion. This new revenue, as you pointed out, Madam Congresswoman, is only enough to fund the government for 8 days. During the campaign, the President proposed that there should be $2.50 in new spending reductions for every dollar in

new revenue, but now that the campaign is over, his latest plan calls for just the opposite—an unacceptable ratio of $4 in new revenue and only $1 in spending cuts.

Speaker BOEHNER is right: America has a spending problem, not a taxing problem. While the President has consistently told the American public that he is merely asking the wealthy to pay just a bit more in taxes, when was the last time the President also reminded the American public that we borrow 46 cents out of every dollar we spend? Congress is chasing the wrong rabbit. Raising taxes on small businesses is no more a solution to fixing the deficit than is cutting worthy social programs. The problem lies much deeper than that.

Federal Reserve Chairman Ben Bernanke admitted that the spending levels of this administration are unsustainable. Just as President Clinton declared years ago that the era of Big Government is over, this Congress needs to man up and declare the era of taxing, spending, and borrowing into perpetuity is over as well. Now is the time for the President to provide leadership, to level with the American people, and to set aside the campaign rhetoric of class warfare, division, and envy.

Small, family-owned businesses cannot and should not be painted with the same broad brush as millionaires, billionaires, and Wall Street executives. We must protect our small businesses and stop promoting the treatment of their income to be the same as that of the wealthy.

□ 1850

At the same time, this administration needs to admit that raising taxes on businesses will not pay the excesses of spending that has occurred over the last 4 years. We must prioritize our fiscal negotiations by putting spending reductions before addressing new revenues.

Mr. Speaker, I came to Washington 2 years ago to get something done. Speaker BOEHNER has shown that he understands the gravity of the situation and wants to find a solution that is balanced and realistic. I stand solidly behind him. Protecting small businesses and addressing our spending problems are too important to the economy to ignore. The situation demands that we deal in reality. Once again, Mr. Speaker, America can handle the truth if given all the facts.

Mrs. BLACKBURN. I thank the gentleman, Mr. MCKINLEY, for his well-thought-out presentation and for putting this 1040 form up here from the IRS. And it reminds me, we're coming up on the 100th anniversary of the income tax, the Federal income tax, which was to be a 1 percent tax on the top 1 percent for 1 year. Now the 100th anniversary of that is going to be February 25, 2013.

Mr. Speaker, I think this is a grand time to say let's totally overhaul this Tax Code here in the United States. Let's make certain that, indeed, it is fair. The gentleman talked about the small businesses that he interfaces with. My goodness, a convenience store operator, a female that runs a seven-person service shop, a medical application device creator—I've met with all of them in the last couple of days. They can't afford to stay in business because, guess what, they will not be able to make a profit by the time they pay escalated tax rates and are treated, as the gentleman said, like they're some Wall Street business.

Also the $63 per health insurance fee that goes on this next year, driving their health care cost up, the $3 medical device fee that is going to be applied to our mobile medical applications. You know, they're taxing every single thing they can find to tax. There are 21 new taxes in ObamaCare, plus all of this we have. This is why we are so passionate about solving this spending issue.

I want to welcome to the floor the gentlelady from Wyoming (Mrs. LUMMIS) who has been a stalwart in making certain that we cut what we are spending. Cut, make some cuts, so that we're wise stewards of the taxpayers' money. I yield to the gentlelady.

Mrs. LUMMIS. Mr. Speaker, I want to compliment the gentlelady from Tennessee for organizing this group to talk about this essential issue that is coming before the people of this country as described to be a fiscal cliff. Quite frankly, we need to look back at Alice in Wonderland to see from whence we have come.

In the case of Alice in Wonderland, there's a line that says if you don't know where you're going, any road will get you there. Certainly in the case of Congress, the Republicans have laid out a road. It's a road map for America's future. It was designed by our House Budget Committee chaired by Congressman PAUL RYAN from Wisconsin, and it lays out a plan for spending. It lays out a plan to sustain the viability and vitality of Social Security and Medicare and Medicaid into the future, to make sure that seniors now can enjoy the benefits that they've earned through Social Security, Medicare and Medicaid. And the young people who are paying for it now will have those benefits available to them when they retire or when they need them.

That is our road map to America's future. That is our budget. It passed this House unanimously through Members of Congress who are of the Republican persuasion.

By contrast, the Democrats have not tendered or put forward a budget for over 1,300 days. Now, Tim Tebow was a quarterback at the University of Florida 1,300 days ago before his career at the Denver Broncos, before his career now in New York. So many things have happened in those 1,300 days in America. How could one important political party in this country not put forward a budget, a road map, to where we want to go with our spending and to retire our debt?

Something that our budget, the Paul Ryan/Republican budget, put forward is a pathway to eliminate our debt and our deficit without raising taxes and while preserving America's social safety net. And yet the other side of the aisle put forth nothing in response. And the answer is because, I believe, they don't know where we're going so any road will get them there.

The President's budget was presented by Timothy Geithner to the House Budget Committee. We asked him: When does it balance? At what point out in the future does it eliminate our debt and our deficit? And the answer was, Never. Never.

Our country needs direction right now; and the people who are here tonight want to make sure that the people of America know where we're going and yet our President put forward a budget that never balances. And his answer now on this road to however and wherever we're going is, I want to tax people who can provide enough income for our Nation to fund it for 8 days. That's not a budget. That's not an answer. That's not an American value. That is not where we should be going.

Our own Government Accountability Office has put together three volumes of reports that contain in them ways that we can consolidate spending, create efficiencies in government, save money, and make our government smaller, more robust, serve the people, and yet save $900 billion a year. Now, that is three-fourths of the way to solving our entire deficit, and yet why aren't we grabbing that and running with it? Why are we talking about raising taxes on the American people, on our small businesses?

I come from a State where there are no big cities, Madam Chairman. I come from a State where the largest town has less than 60,000 people. I come from a State where there are no Big Four, too-big-to-fail banks. A place where you go to your local Main Street banker if you want to borrow money and present a plan to pay it back, a secured loan that comes to you and that you do pay back, from people who know you, that know your reputation and your ability to repay. And yet laws like Dodd-Frank and this mysterious creation called Basel III will put global banks and my little banks on Main Streets in Wyoming on the same capital plan. That was never intended. That's so irrational.

Let's work together, Republicans and Democrats, to help our country rationalize and put things back on the right track and focus on our spending problems.

□ 1900

Use the nonpartisan Congressional Budget Office reports to eliminate even half of the items that we're overspending. It would be a stunning victory for the American people, and we know how to get there.

Mr. Speaker and Madam Chairman, you are leaders in this caucus, this conference, this country. We, in this House, know how to solve these problems. What we lack is gumption. What we lack is the relationship with the President of the United States to sit down and talk to him about these issues.

One more thing, Madam Chairman. I realize we have very important remarks to be made from others here tonight, but I want to tell you a story. There is a group here in the House that gets together once a week. And one day we had Bob Schieffer come in and speak to us, Bob Schieffer of CBS News, a long time, highly respected journalist.

And I had the chance to ask him, When you look at the crises in negotiations that are occurring now, between Members of Congress and the President, why are we having so much trouble communicating? Who have you witnessed in your lengthy, illustrious career that did it better? Who would you hold up as an example?

Well, Bob Schieffer first started covering Lyndon Baines Johnson in Texas many years ago, and he told a story about how LBJ would have handled this. He mentioned that LBJ would religiously watch the Sunday morning talk shows. He would watch ''Meet the Press,'' and he would watch the shows that were on the networks because that's all we had back then was networks.

He would watch the Speaker of the House on those programs. And if the Speaker would give an avenue for compromise, he had him on the telephone before the Speaker of the House left the studio. And he'd say, Mr. Speaker, why don't you come over to the White House tonight?

Lady Bird and I'll put on some fried chicken and we'll just sit around in the kitchen and talk this over. I see an avenue for us to agree on 10 percent or 20 percent of where we need to go to solve this Nation's problems.

He would connect, on a personal level, and on a level that found that crack in the armor of failure to communicate. And that's how he solved the problems.

What we find now is that if the Speaker goes on television and leaves a crack in the armor, say an offer to come up with $700 billion or $800 billion in new revenue, something that this President campaigned on, instead of having the President call the Speaker and say, Mr. Speaker, I think we're getting somewhere. Why don't you come over. We'll get together around the kitchen table and just talk about this. I think we're getting somewhere. Instead, the Speaker is blasted by the press shop at the White House within hours of his making a presentation on the Sunday morning talk shows. And people wonder why we can't solve these problems?

There is a way to solve these problems. We know what to do to solve these problems.

I compliment the gentlelady from Tennessee for her hard work to solve these problems, to illustrate for the American people that there's room for compromise in Washington. And I salute your efforts to reach out to everyone, to the American people, and across the aisle to make that happen.

Madam Chairman, I yield back with my compliments.

Mrs. BLACKBURN. I thank the lady for yielding back, and I have to tell you, I loved her Alice in Wonderland example. Sometimes I feel like we should read the ''Emperor Has No Clothes'' because we're spending money we don't have, or maybe ''Goldilocks and the Three Bears'' because it's never quite right what seems to be presented.

By the way, Mr. Speaker, I know our colleagues appreciate Mrs. LUMMIS and what she does; but when she talks about the Nation's Treasurer coming forward and having something that never comes into balance, she knows what she was talking about. She was a State treasurer in Wyoming before she came to Congress. She knows these issues. She knows how you balance a governmental budget. She's an expert in these issues.

And to have a budget where you say you never plan for it to balance? Well, when my children were growing up and they were struggling and something was going to be too much of a heavy lift or too hard, I would say, if you fail to plan, then you plan to fail.

For this great Nation, for the endurance of freedom, failure is not an option; and it is imperative that the fiscal house of this great Nation be put in order.

Someone who knows how to do that so very well, who has done it as a wife, a mother, a State legislator and a small business owner is Mrs. HARTZLER from Missouri, and I yield to you.

Mrs. HARTZLER. Thank you. I sure appreciate your leadership on this issue and drawing attention to the very real crisis that we have in this country and the very real opportunity we have.

You know, the real issue that is before us today is that it's time for Washington to stop spending money it doesn't have and the fact that Washington has a spending problem, not a taxing problem.

The President's proposal is a nonstarter, and it's a red herring. It might sound good to some, but it doesn't solve the problem, and we are problem solvers and that's what we're here to do.

Even if we gave the President what he wants and raised taxes on family business owners in America, it would only generate enough revenue to fund the government for 8 days. It would not make a dent in our yearly deficit or reduce our national debt.

Only by creating jobs and reducing spending will we balance our budget, and the American people understand that.

I would love to share with you a few comments that I received. I don't know about you and your office, but I've received hundreds of emails and phone calls from people at home who want to weigh in on this very important issue, and I love their commonsense advice. You know, the best knowledge and expertise on these issues is from the people. It's not from the bureaucrats here in Washington, D.C.

Here's just a few of the comments that I've received this week from people back home. Mike in Sedalia says: The issue is not the raising of taxes, but good solid budget cuts.

Curtis from Lebanon said: There are still a bunch of us out here that do not want a spend and tax government. New taxes mean new spending.

And I thought that was a great comment, especially with the President's proposal that he brought forth the other day when he wanted more stimulus spending. So the cuts that he was proposing, just like Curtis said, were just going to be immediately funneled over to new wasteful stimulus spending. They would have nothing to do with reducing the debt or the deficit. I thought Curtis was right on.

We have Lawrence from Pleasant Hill. He said: Good morning Representative HARTZLER. I know we are being told we are at the edge of a fiscal cliff. We did not arrive there by not paying enough taxes. The Federal Government spends insane amounts of money, and even by reducing us all to serfs, the taxes will not cover the spending.

Well said.

Here's Jerri from Lamar. She said: Please stop spending our money. Walk away from the table if they are not willing to stop wasting our hard-earned money. Reform the entitlements and lower the taxes. Nothing else, in my opinion, is acceptable. Do not go back to the Clinton era. That administration led us into a recession. And do not raise the inheritance tax.

And then listen to this. She said: I am from a family of farmers. That will kill our family and many others and make it impossible to keep farms that have been in our family for generations. That is the most unfair tax there is. This country will not survive more blows to small business and the middle class. Stop the insanity and stop it soon.

And finally, from Patricia in Jefferson City, she said: I want to voice my opinion on what has happened in Washington right now. Politicians have put us in this mess with excessive spending. I want to see huge spending cuts out of the Federal spending before I see any taxes.

Now, that's common sense. That's the voice of the American people.

You know, Missouri is the Show Me State, and I believe it's time for Washington to show the hardworking taxpayers of my State and every State that they understand it's time for Washington to do what we do at home, and that's live within our means by cutting spending, tightening our belts, and not raising taxes on any American.

□ 1910

Washington would be better off focusing on job creation to raise revenue rather than taking more money from its citizens.

So that's the common sense from Missouri I wanted to share tonight, gentlelady, and I sure appreciate your leadership on this issue.

Mrs. BLACKBURN. I thank the gentlelady. And I know that you're doing a telephone town hall with your constituents tonight. I know you'll probably hear some of the same things that you've said. I've heard from my constituents, too.

I heard from one lady who is a small business owner, and she said, I wouldn't mind if my taxes went up and it helped pay down the debt; but she was astounded when she found out that the President wanted to spend this much, and more, and that her taxes would not go down. The money raised from the tax hike would be spent, plus another trillion dollars, and she was not going to see the debt paid down. She was very concerned about that.

Well, coast-to-coast we're hearing the same thing. The gentleman from Colorado (Mr. TIPTON) is also on the phone with his constituents, and we appreciate that you're on the floor with us.

I yield to the gentleman.

Mr. TIPTON. I thank the gentlelady from Tennessee for this time and for her leadership on this important issue for every American.

I'm glad to hear my colleagues continue to talk about the real issue that we face in this country. We did not tax our way to a $16.3 trillion debt in this Nation. The Federal Government spent its way into that debt. The responsibility that we need to have that comes from the Show-Me State of Missouri in terms of commonsense proposals is something that needs to be heard in Washington, D.C.

This President has been focused on raising taxes. He is implying that Washington, D.C., needs the money more than our people at home. Well, if you come into my district, the Third Congressional District of Colorado, we go to Pueblo, and the real unemployment rate is now at better than 20 percent. My second largest community, Grand Junction, Colorado, the real unemployment level is at 19.5 percent.

My folks aren't looking for an unemployment check. They're looking for a paycheck. They're looking for responsibility out of Washington. And when we are looking at this fiscal challenge that we face, this fiscal abyss, a fiscal black hole which is engulfing the economy of the United States, we need that responsibility out of Washington.

But how are our dollars being spent? Are they being spent wisely or does Washington continue to waste the efforts and the hard-earned capital of the American people? Let me give you a few examples.

We had $700,000 that came out of the pockets of hardworking Americans to be able to conduct a study on methane gas from dairy cows. Now, the gentlelady from Tennessee, you've got a few dairy operations in your State. I think we could have saved $700,000. It comes naturally. We need common sense when it comes to handling the American taxpayers' dollars.

We had another $137,530 of American taxpayer dollars that was used to be able to create a video game called ''Layoff.'' That's what the policies of this administration have literally yielded. We are not growing the economy, putting people back to work.

As we approach this Christmas season, we have families across the country right now that are hoping to be able to provide for their children. We can create that certainty by addressing an unwieldy regulatory process that's inhibiting our ability to be able to create jobs. And if Washington needs revenues—and we know that government needs revenue to carry out specific functions—let's get the American people back to work, those folks in Pueblo and Grand Junction, Colorado, who actually want to be able to have a job.

But we need to be very concerned, once again, about where's that waste of the Federal dollars going. The gentlelady from Tennessee noted that $1.5 trillion of the debt of this country is owed to China. So what did the United States do? We sent 17.8 million American dollars for China to be able to study environmental programs and social programs in China. So effectively, what we did, we borrowed money from China to be able to send it back to China to be able to study problems there. Let's get Americans back to work.

We took another $2.6 million to be able to train Chinese prostitutes not to drink too heavily. I think we have a better use for American dollars.

Right now, America is facing a fiscal challenge, a fiscal abyss. The problem resides not with Americans being taxed too little but government spending too much. We have a caucus that's dedicated to getting Americans back to work, to bring fiscal sanity into the process, and to never, ever forget it is not Washington, D.C.'s money. It's the American people's money. Let's stand up for them first rather than for more and bigger government.

Mrs. BLACKBURN. I thank the gentleman. So well said—jobs, the economy, economic growth. We have to have economic growth. And continuing to raise tax rates, continuing to escalate spending doesn't do that. What we want to see is a healthy economy for our future because we know a healthy economy is going to give us jobs growth. Jobs are going to give us the economic growth and prosperity that is necessary for today, for tomorrow, for a healthy economy in this Nation.

We know that a healthy economy is going to lead to continued economic freedom and, thereby, political freedom. We know that freedom leads to brighter futures for our children and our grandchildren, and that's what we want. We want these children to dream big dreams and to live in an America where they can come true.

Someone who shares the passion on this issue is STEVE SCALISE, a Congressman from Louisiana, who has recently been elected as chairman of the Republican Study Committee for the next Congress.

I yield to the gentleman from Louisiana.

Mr. SCALISE. I want to thank the gentlelady from Tennessee for her leadership and for hosting not only this hour, but for being so passionate about the need to control spending and to get our economy back on track. I know she was on one of the Sunday talk shows just this weekend talking about this issue and talking about conservative solutions to avert this so-called fiscal cliff. And if you look at how we got here and what American families are facing starting January 1, if nothing gets resolved out of Washington, it's an abyss that doesn't need to happen.

If you just go back and look at some of the promises made by President Obama when he was running for office, when he was running for reelection, he talked about working across the aisle. He talked about bipartisan solutions. He talked about it a lot, and the American people expected that the President would keep that promise. But before the ink was even dry, before some of the States had even confirmed and finalized their vote totals for this last election, the President comes out with a hyperpartisan solution. That's his approach.

First of all, when the President comes out with his plan to raise taxes on some and to not renew others and to threaten, literally, middle class families with a tax increase if some people don't get their taxes raised—there already was a bipartisan solution to avert this cliff.

Just a few months ago, here in this House, we passed a bill with 19 Democrat votes—a strong bipartisan vote—to make sure nobody sees their taxes go up, completely avoiding this coming crisis. We passed that bill and sent it over to Senate. Of course, the Senate has refused to take any action on it because President Obama, and his Treasury Secretary I think has confirmed this, they're eager to go off the cliff. They think they'll get political points by doing this. This is a political calculation by them to try to blame the other party, and let's have this crisis and then go and push more taxes on the American people.

I think if you look at what the message of this campaign was—there were a lot of messages. One was people wanted us to work together on bipartisan solutions. And we've got those bipartisan solutions to avert this crisis but also to avert so many of the other crises facing our Nation.

But another thing they said—and probably the loudest thing people said—is they wanted us to focus on the

economy and creating jobs. That's the biggest concern for most families across this country. People I talk to in southeast Louisiana, they're concerned about a sluggish economy, and, in many cases, it's some of the policies coming out of Washington that are creating all of these problems.

□ 1920

If you want to say, will tax increases solve any of these problems, first of all, let's go back and look at history. We've gone and combed through and there has never been a time in modern history where raising taxes got you to a balanced budget. Never. It's never happened. The last time that a Republican House has balanced a Federal budget was back in the year 2000. Not that long ago. It seems like a long time ago. Washington has balanced its budget. We were living within our means back then, and we weren't doing it through tax increases. It was done through controlled spending.

The last time a Democrat House has balanced a Federal budget was 1969. So maybe there aren't many people around here on the Democrat side that know how to balance a budget. But you don't do it by raising taxes. In fact, John F. Kennedy when he pushed through his economic plan that got growth going in the mid-1960s, it was through tax cuts. Go back and look at the quotes. Some of the best quotes against growth in government, against tax increases were made by John F. Kennedy when he pushed for a tax cut that ultimately was passed by President Johnson.

So where do you get economic growth? Go back and look at those years. In the 1960s when they cut taxes, there was tremendous economic growth. A lot of jobs were created. In the 1980s when Ronald Reagan cut taxes, there was tremendous economic growth, one of the greatest times in history. Ultimately, if you look at the deficits in those periods, it came because you had a Congress that didn't control spending even with more money.

And then you look at the Bush tax cuts, because that's what we're talking about here today: the expiration of the 2001 and 2003 tax rates. When those tax cuts were put in place in 2003, after that happened, within 3 years of tax cuts, the Federal Government took in 40 percent more money. Now, you wouldn't believe that if you listen to some of the mainstream media. You would think that cutting taxes takes money away from government and you need to raise taxes to bring in revenue. The opposite is true when you look at history. Forget about what politicians in Washington tell you who want to take more of your money to go and spend it on Big Government. When they cut taxes in 2003, within 3 years the Federal Government took in 40 percent more money.

Mrs. BLACKBURN. If the gentleman would yield, I think that is such an important point to make, that when you raise the rates, which is a regressive action as you look at tax policy, what you do is to drive down the revenues. If what the President says, Mr. Speaker, is that he wants more revenue, the way to get to more revenue is to clean up the Code, to actually lower your tax rates and to generate more economic activity and growth so that we can begin to grow and reshape our way out of this. You're never going to tax your way out of it. You can't spend your way out of it.

I want to invite the gentlelady from New York into this because she is a physician. She knows, with all the ObamaCare taxes, that you're not going to be able to deliver health care with escalating the taxes that are on the books pertaining to ObamaCare.

I yield to the gentlelady.

Ms. HAYWORTH. I thank the gentlelady from Tennessee for leading this session and our chairman of the RSC. Indeed, it's true: as of January 1, 2013, in fact, Congresswoman, there will be five new burdens, new tax burdens, on the American people related to the enormous cost of the Federal takeover of our health insurance and in certain respects of our health care.

For one thing—and this is really, really a sad thing—right now, families with special needs children can use pretax dollars. They can protect those dollars to spend them on care and even education for their special needs children in flexible savings accounts. As of January 1, 2013, one of the new tax burdens on those families and on every family that relies on a flexible savings account will be that they will be limited to $2,500 per year. That's it.

Now, tuition at some of the schools for our special needs children run to many thousands of dollars a year, $10,000 or more. It used to be that families could use those dollars for their special needs children. Now they won't be able to. Does that seem fair? It certainly doesn't to me.

Mrs. BLACKBURN. You said there are five taxes that go on January 1. If our colleagues want to look at this list of taxes, are they listed on your Web site?

Ms. HAYWORTH. We will post a link, because I'm not sure they are right, but we will post a link. Dividend taxes are going to go up on our seniors, on our fixed income families, on our savers. That's another burden, the new taxes that are going to be related to health care, and there are three others other than the flexible savings.

Mrs. BLACKBURN. As the gentlelady yields back, to the gentleman from Louisiana, I would think that the Republican Study Committee has this linked on their Web site so people can see the taxes that are already going to go up on them because of ObamaCare. We reiterate that what we want to do is lower the spending and get the fiscal house in order.

I yield to the gentleman from Louisiana.

Mr. SCALISE. I thank the gentlelady from Tennessee again for yielding and the gentlelady from New York for pointing those important facts out, because if you look at an important point that was just brought up, under ObamaCare, there were more than 20 different tax increases in ObamaCare, many of which, by the way, hit the middle class. Sure, in ObamaCare the President went after those rich people that he despises so much. He's happy to take their campaign cash during elections, but he went after them in ObamaCare with tax increases. But he also went after middle class families. This medical device tax that hits January 1 hits every single American that has medical procedures.

Mrs. BLACKBURN. To the gentleman from Louisiana, I hate to interrupt, but the Speaker is telling me that our time has expired. We have so much to cover. We were joined by the gentleman from Tennessee (Mr. DESJARLAIS) who's been on the phone. I regret that we are out of time. He has been doing a telephone town hall.

We have solutions. The fiscal house has to be brought into order. I thank my colleagues for joining me on the floor tonight to help make the point to the American people. We are going to stay with this fight and solve the problem. Our children and grandchildren deserve it.

I yield back the balance of my time.

INVESTING IN THE AMERICAN ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from New York (Mr. HIGGINS) for 30 minutes.

Mr. HIGGINS. Thank you, Mr. Speaker.

We hear a lot of the rhetoric on debt and deficit, and I think it requires a recent review of history.

Less than 12 years ago, the United States had a $258 billion budgetary surplus, meaning that we were taking in $258 billion more each year than we were spending. That budget surplus 12 years ago was a direct result of having created 22 million private sector jobs in the previous 8 years, underscoring the fact that the best tax policy is bringing back lost taxpayers to productivity, more people contributing to the Federal Treasury and less people dependent on governmental programs.

That $258 billion budgetary surplus was used as justification to enact tax cuts in 2001 and in 2003. Those tax cuts disproportionately benefited the wealthy. The supply side theory, if you ascribe to it, says that if you give large tax cuts to the very wealthy, that money will find its way back into the economy in new business investment and job growth. Eight years later, we had the worst recession in the history of this Nation, and we had the worst job loss in 60 years.

This economy is not growing to the extent that it needs to in order to

produce employment. It's growing at about 1½ to 2 percent, which is not enough to sustain the current level of employment today, meaning that without additional growth in this economy, we will have increases in unemployment in this Nation.

So what do we need to do? We need to invest in the American economy. We need to nation-build, not in Iraq, not in Afghanistan but right here at home, in America. After the tragedy of September 11, 2001, we were chasing the losers of globalization, al Qaeda, bin Laden, two bad elements that had to be dealt with.

□ 1930

But we should have been also chasing the winners of globalization, those economies like China and India that were investing in their own economies and their own people to produce job growth. That's what's needed here.

Those who do all the complaining about spending around here are those who are responsible for all the spending. In fact, in fiscal year 2013, we will have a $900 billion budget deficit attributable to the Bush tax cuts, $137 billion for the cost of war, and $354 billion in the lingering impact from the recession.

What we need to do is invest in America, in infrastructure, in scientific research and in education. It's a different world. We need to compete more effectively and do what other countries are doing. Why is it that Germany, a country that has one-fourth of the population of the United States, exports more than what the United States does? Because if you look at our Tax Code, it's broken and it needs reform. Industries in the United States that are employing Americans are given 2-year tax credits, and we expect those American companies to make generational commitments on a 2-year tax credit. Look at places like Germany. They're providing 10-year tax credits. That sends a signal, a signal of certainty and a signal of clarity to businesses in Germany that there is a commitment to embrace innovation and technology to remain competitive in the manufacturing economy.

Manufacturing today is not labor intensive. It's capital intensive. You always have to be in a continuous improvement mode. But that requires one thing. It requires a confidence in the American people, a confidence in the American worker in making the kind of commitments that are necessary to compete with China. I often hear people on this floor every day whining about China. Yeah, China cheats on their currency. They treat their workers poorly, and they destroy their environment. But the best response to China's growth is to stand up and compete with China and not whine about China.

Most American jobs are not outsourced to China. They're outsourced to the past because we failed to make the kinds of investments that are necessary to keep the economy growing.

So what's the answer to all of this? Every economist that you talk to, regardless of their political persuasion, will tell you that we have a growth problem. So how do you grow your economy? You invest in it. The New America Foundation, a centrist, prestigious think tank here in Washington, says that we should spend—that's right, we should spend—and invest $1.2 trillion in a 5-year nation-building program right here in America. That nation-building program will create 27 million jobs over the next 5 years, adding 5.2 million in the first year alone—5.2 million jobs in the first year alone, or 433,000 jobs each month.

Can you imagine if in the spring of 2013 that we had jobs reports that were showing that we were adding 400,000 to 500,000 jobs each month? This economy would soar. Unemployment would be reduced in the first year alone to 6.2 percent and in the second year to 5.6 percent. This added growth in the economy would return $592 billion to the Treasury in increased tax receipts.

So the $1.2 trillion that you invest in rebuilding this Nation, that you invest in putting unemployed people back to work, returning veterans from Iraq and Afghanistan, will produce almost $600 billion in economic growth while we're rebuilding the infrastructure of this Nation. And I will tell you, we need to rebuild the infrastructure of this Nation.

The American Society of Civil Engineers gives us a D rating for the quality of our infrastructure. The World Economic Forum says that we are 24th—24th—in structurally deficient infrastructure. In 2001, when we made all those investments in the American economy, we were number two in the quality of our infrastructure.

Transportation for America says that there are 63,000 structurally deficient bridges in this Nation. In New York State alone, there are over 2,000 bridges that are structurally deficient. In my hometown in western New York, there are over 99 bridges that are structurally deficient. Every second of every day, seven cars drive on a bridge carrying our families that is structurally deficient. This is pathetic.

The electricity grid in this Nation ranks 32nd in the world in reliability—an embarrassment. The United States Chamber of Commerce, which should be leading this effort, which should be leading this effort to invest in American infrastructure by investing in American businesses and investing in American workers, says that we lose because of the poor quality of our infrastructure—$336 billion in lost growth over the next 5 years alone.

The United States Department of Transportation says that freight train bottlenecks cost our economy $200 billion a year, or 1 percent of our economy. The Federal Aviation Administration says air traffic delays cost $33 billion last year. We need to double spending on ports by the year 2020 or lose another $270 billion in exports.

China—keep complaining about China. But do you know what? They spend about 9 percent of their economy on infrastructure, on roads and bridges, on doing nation-building right in their home. Europe spends 5 percent. The United States spends less than 3 percent of its economy on infrastructure improvements.

So the need is very clear. So is this Congress, is Washington responding to the need? Well, not really. Not really. Think about this for a moment: This Congress will spend $105 billion next year on rebuilding the roads and bridges of this Nation, a nation of 300 million people, where every objective observer understands the need for infrastructure investment. So less than $53 billion in each of the next 2 years. You can't spend any more, right? Well, wait a minute. You just spent $89 billion rebuilding the roads and bridge of Afghanistan. You just spent $67 billion rebuilding the roads and bridges of Iraq. Those nations are 30 million and 26 million respectively. Yet, for a nation of 300 million people, you could only come up with less than $53 billion in each of the next few years?

When the American Society of Civil Engineers says just to bring your infrastructure to a state of good repair it will cost you $2.2 trillion, it's weak. In fact, it's pathetically weak.

So, the lessons about economic growth are found in our recent history. And the lessons of austerity, unfortunately, are right in front of us. In 1937, when the American economy was coming out of the Great Depression, we showed signs of anemic growth, and as opposed to spending more to invest in that growth, the President and Congress pulled back in 1937, and what happened? The economy went back into recession again. In the 1990s in Japan, they tried extensive austerity measures only to put that economy into a recession for an entire decade. In Europe today and over the past 2 years, austerity measures have prolonged, not taken that area out of recession. In Greece—we often hear Members of this House who say the United States economy is going to be like Greece.

□ 1940

Oh, really? Greece is not growing. Greece has lost 25 percent of its economy in the past 5 years. Greece's economy shrunk by 7 percent this year alone. There is a 20 percent unemployment rate in Greece, and it's even higher for younger people. Greece doesn't make anything that the rest of the world wants. The American economy is dynamic, but the American economy always needs to be improving with education, scientific research, and infrastructure investment.

A rational political system would respond much differently than what is going on here in this Congress. We're talking about spending cuts and tax cuts to be extended that haven't produced economic growth. All the people that are talking about spending did all

the spending. They're the debt and deficit creators. If we want to experience economic growth, we have to invest in this economy. It is critically important to the future of this Nation.

Medical research. We need to enhance, not cut, funding to the National Institutes of Health and the National Cancer Institute. Thirty years ago if you were diagnosed with cancer, fewer than 50 percent of those who were diagnosed lived beyond 5 years of their diagnosis. Because of a robust commitment to cancer research in the 1990s, under a Democratic administration, the survival rate now beyond 5 years for adults is 60 percent and for kids it is 80 percent. You're investing into medical research, into scientific research to create the jobs of the 21st century. I know that for my community in Buffalo in western New York, that gave the Nation and the world cancer research, that gave the Nation and the world chemotherapy in 1904. Making those investments has created a dynamic new economy in downtown Buffalo, which used to be a manufacturing economy. It's called the Buffalo-Niagara Medical Campus. The Roswell Park Cancer Institute, the first comprehensive cancer institute in the entire Nation, is leading the job growth there with 12,000 new jobs and is projected to grow another 4,000 over the next 5 years because you had a Nation that had the confidence in our scientific community to make the kinds of investments that create a diversified and strong economy so that we're not outsourcing jobs to the past but investing to create jobs for the future.

Manufacturing in this Nation is not dead. It will die if you continue to simply whine about China. You need to make the investments in worker training, in new technology, in innovation to ensure that the workers that will require 20 years, that go four or five on one piece of machinery—now you've got one worker on four pieces of machinery. This is what you have to do in order to remain competitive in this world economy.

All the books have been written. In Fareed Zakaria's ''The Post-American world,'' he doesn't argue that the American economy is slipping quickly or deeply. He calls it ''the rise of the rest,'' that other economies are investing in their people and in their future. Tom Friedman and Mike Mandelbaum, who wrote the book ''That Used to Be Us: How America Fell Behind the World it Invented,'' say that because of information technology, regardless of size, distance, and increasingly language, every country now can participate in a global platform to realize the great economic benefits of globalization. You can't compete in the new world, in the new economy without making investments in your people, your infrastructure, and the scientific research that's important.

China over the next couple of years will catch up to us in terms of the number of patents it produces. Patent production is an indication of future economic growth. For the past 75 years, we've lead the world in the number of patents that we produced. China will overtake us. That is a direct result of not investing in your own people and in scientific research.

As I have said throughout this discussion tonight, there are many other areas that we can go into. The bottom line is this: all this talk about debt and deficit—12 years ago we had a budgetary surplus in this Nation of $258 billion. Now we have record deficits. That surplus was created because we had the confidence to invest in the American people, to do nation-building right here at home.

A strong prosperous America is the best America in terms of our foreign policy, as well. We become the aspiration for the rest of the world when America is doing what it ought to be doing, when it doesn't fear its own people, when it seeks not to divide the Nation, but bring it together. Hubert Humphrey once said that the greatest foreign policy initiative of the Johnson administration was the Civil Rights Act. Although it was a domestic policy, what he was saying was that when America acknowledges its mistakes, when America lives up to its ideals, it becomes an inspiration for the rest of the world.

All of those areas of the economy that Tom Friedman writes about in ''That Used to Be Us'' and ''The World is Flat,'' America used to lead. We don't any more. We cultivated great artists, but we also cultivated the greatest economy in the history of the world. People that couldn't demonstrate—Rostropovich couldn't conduct an orchestra in his motherland. He came to America because we are a free Nation that celebrates and embraces the arts, and at the same time produces economic growth and opportunity for generations of people.

Tonight, I challenge my colleagues in the United States Congress to stand up for America, to do nation-building right here at home by investing in our own people, not $89 billion in rebuilding the roads and bridges of Afghanistan, but a trillion dollars to rebuild the roads and bridges of America; not $67 billion to rebuild the roads and bridges of Iraq, but a trillion dollars to rebuild the roads and bridges of America.

Everybody here talks a great game about thanking our veterans for their service, but you know what the problem is? We have returning veterans from Iraq and Afghanistan who are experiencing an unemployment rate of 30 percent. If you want to say thank you on behalf of a grateful Nation, you create an economy that gives them an opportunity to realize their full potential as individuals.

□ 1950

Sixty-seven percent of the deaths of American soldiers in Afghanistan are attributed to improvised explosive devices. Sixty-four percent of the deaths in Iraq are attributed to improvised explosive devices. Do you know how you defeat an IED? Don't be there. So we need to do nation-building right here at home. We need to grow this economy by investing in it in order to reduce debt and deficit and create employment and opportunity for future generations.

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

IN THE CLOSING OF THE 112TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Illinois (Mr. DOLD) for 30 minutes.

Mr. DOLD. Thank you, Mr. Speaker.

Mr. Speaker, this institution, the United States House of Representatives, enjoys a rich heritage that continues to inspire. Through these magnificent Halls and this great Chamber, celebrated American leaders have walked. Presidents have rallied a Nation, and monumental policy debates have echoed throughout the night to forge America's great history. This building right here is the fulfillment of what our Founding Fathers sought when skirmishes first broke out on the fields of Lexington and Concord nearly two-and-a-half centuries ago. It's what each succeeding generation of Americans has stepped forward to safeguard in its own way, and it is what we have been entrusted to build on and ultimately gift to our children. Here we are, working each and every day, to prove ourselves worthy of the country we inherited, the people we are here to represent, and the limitless future we hope to build.

Mr. Speaker, I decided to run for Congress just over 3½ years ago, the basement of my home serving as our team's first office. We didn't have much space or even a sign on the street, but we were all driven by the idea and firm belief that our country's best days are in front of us, that we can get our economy roaring again, that we can continue confidently as the best hope for leading the world. It has been quite a journey from that humble start to working here in the United States Capitol each and every day. But the great thing about America is that this story isn't so unique. Since our Nation's very inception, we have always been a place where what starts out as small gatherings of concerned citizens, of individuals getting together to discuss and plan how to make our country even better, can grow with hard work and dedication to actually achieve some of those very things.

I first ran for Congress, not because I wanted to be somebody, but because I wanted to do something. In fact, I wanted to do a great many ''big'' things. With so many millions of Americans struggling to find a job and economic security, I wanted to get this

economy growing and get our country back to work. With so many small businesses finding it harder and harder to keep their doors open each and every day, I wanted to fight for small business owners, like myself, and make sure that the Federal Government did a better job of helping to create an environment where small businesses and entrepreneurs can succeed.

With our country buried in debt and the problem only scheduled to get worse, I wanted to rein in the reckless overspending in Washington, D.C., and advance big solutions so that my children, so that our children, could be free to reach their potential without previous generations' debt obligations holding them back.

With threats to our national security growing by the day and with an Iranian regime defiantly pursuing its nuclear ambitions, I wanted to be not just a vote in the United States Congress but a leading voice. I wanted to be a true champion, advancing vital measures to keep our Nation and our allies strong and secure.

With the 10th District serving as home to so many great communities, great businesses, great schools, passionate leaders throughout our communities, bright people, and treasured natural resources, I wanted to provide the thoughtful, independent leadership in Congress that our district has had and so richly deserves. Then with our Nation seemingly torn apart by hyperpartisan politics and gridlock, I wanted to prove that we could still get things done if we were serious about working together in good faith and finding common ground solutions to move our country forward.

We've certainly gone through tough times recently, but I've always believed in the resiliency of the American people to make things better. We have been able to achieve great things because our natural instinct is to aspire to achieve great things. This is why I am here, and this is what I have worked to accomplish each and every day while I've been in office.

Now, these past years, we've made sure to hit the ground running because that's what the 10th District expects. Stretching north along Lake Michigan from the New Trier Township, Wilmette, Kenilworth, Winnetka, and Glencoe to North Chicago and Waukegan, from Libertyville south to Glenview and Wheeling, Arlington Heights and Palatine east to Lake Forest and Lake Bluff, and Highland Park west through Deerfield, Buffalo Grove, and Long Grove, I've been fortunate to represent a diverse congressional district that asks its leaders in Washington to tackle a wide-ranging and ambitious agenda. With the help of so many good people and coalitions both at home in the 10th District and here in the United States Congress, we've been able to achieve a number of things that I will forever be proud of.

In the House of Representatives, we've kept a sustained focus on job creation and on creating a climate that better helps the private sector grow. I believe that this represents the best path to ensuring sustained economic opportunity and upward mobility for millions of Americans. The House has passed over 30 bills that have focused on job creation, and I am pleased that the House unanimously passed a jobs-focused initiative that I introduced, the Global Investment in American Jobs Act. This bill earned strong bipartisan support, and I look forward to its, hopefully, getting signed into law before year's end. But our efforts to help get people back to work most obviously don't start and end with legislation in Washington, D.C. Washington doesn't create jobs. The private sector, entrepreneurs, and small businesses do.

That's why, over the course of the last 2 years, we've put together a 10th District task force that is focused on jobs and have also hosted several highly successful jobs fairs back at home. These jobs fairs brought together local hiring employers with hundreds of job seekers and made a real impact on people's lives. We also organized and hosted educational events with local exporters and manufacturers, exposing them to how they can leverage the Export-Import Bank and new markets opened up by the passage of new trade agreements so as to grow their businesses and create new jobs right here at home.

I supported these things because I want to do everything I can to help businesses and workers in the 10th District and around the country succeed. I've been proud that my time in Congress has allowed me to continue to champion the cause of small business growth, to make sure that small businesses know that they always have a strong advocate for their issues with me in the United States Congress. Over the past few years, I've had the pleasure of touring and visiting literally thousands of small businesses in the 10th District of Illinois. I do this so that I can hear directly from our local business community, and more importantly from the thousands of constituents who work in these businesses, about what Washington can do better to help them.

We did employee town halls in places like the DoALL Company in Wheeling, at the Colbert Packaging in Lake Forest, and at Hollister in Libertyville. We talked ideas with business leaders like Steve Capp of Laserage Technology, Richard Zic of Dynomax, Inc., Jerry Larsen of Larsen Marine, and Matt Eggemeyer of Keats Manufacturing; and I always enjoyed visiting with our community's many storefront business owners, whether on Milwaukee Avenue in Libertyville, in downtown Arlington Heights, or on one of the many beautiful main streets throughout the district.

To some, the big issue was making sure that we had smarter, better crafted regulations that take into account the unique nature of a particular industry. On this front, we've passed regulatory reform bills to improve the quality of this process and have written letters directly to Federal agencies to ensure that the rules are responsible and not excessively burdensome. We need regulation. We just want that regulation to be smart regulation and tailored regulation, not simply more of it.

Many employers talked to me about the importance of increasing manufacturing and trade opportunities. I've been very happy to advance these issues in Congress as part of a trade working group. I know that the trade agreements we passed with South Korea, Panama, and Colombia are already having and will continue to have a positive impact on manufacturers in the 10th District and around the country. I am also pleased that we recently made progress on improving opportunities with Russia, but we have much more work to do in order to level the playing field regarding trade.

Other small businesses talked to me about the need to have a highly skilled workforce that is better trained and prepared to take jobs in the 21st century. Out of this grew my legislation, the Back to Work Blueprint Act, which would inject a new idea into improving the Federal workforce training program and would ensure that skills developed by workers match with the needs of the employer.

These conversations with small business owners also strengthened my belief that we need to continue the promotion of STEM education in America's schools—science, technology, engineering, and mathematics—skills necessary to make sure students are prepared to take jobs in the 21st century.

Nearly every business owner shared the importance, Mr. Speaker, of access to capital and credit for their businesses. Capital is the lifeblood of our economy, and I am pleased that we focused in on this in this Congress with the passage of the JOBS Act and other legislation that came out of the Financial Services Committee. Of course, many employers and small business owners and individual workers talked with us about the importance of keeping the tax burden low and about making sure that our Tax Code was fairer and simpler. Over the past 2 years, I've been proud to champion this through my active support for comprehensive reform that is focused on low rates, eliminating the lobbyist loopholes, broadening the base, and focusing on economic growth.

□ 2000

I am confident that this will better help small businesses compete and create additional jobs.

We also heard from many small business owners—like Rick Woldenberg of Learning Resources in Vernon Hills—on the need to repeal the expensive and burdensome 1099 provision, which would have placed another unwelcome hardship on small businesses. I was

proud to get behind this issue very early on and was a cosponsor of the legislation and saw its passage through into law.

And finally, something that we've frequently heard from both workers and employers is the need for payroll tax relief. This is something which I proposed in legislation of my own, and which I was pleased to support in a different piece of legislation, to put more money into the pockets of hardworking Americans.

In essence, what we heard from our local businesses over the past few years developed into what was my Main Street Jobs Agenda, which I've talked at length about in this Chamber. With it's focus on pro-growth tax reform, increasing exports in manufacturing, access to capital for small businesses, making investments in infrastructure, utilizing domestic energy resources, STEM education, and implementing smarter regulations, I believe, Mr. Speaker, that this remains the best recipe for getting our country back to work.

Beyond our job creation efforts, I'm also proud of our leadership on confronting the Nation's debt crisis. Though not always popular, I refuse to accept the status quo of no budgeting, skyrocketing debt, and a sustained indifference to the reality that ignoring the problem only makes it worse.

With over 40 cents now borrowed on every dollar spent by the Federal Government, this is both a current crisis and a future one as well. Last year alone, we spent more paying the interest on the debt than we spent on the domestic priorities of education, transportation, and natural resource protection combined. This is unequivocally unsustainable, which is why I have dedicated much of my time and effort into reining in spending in Washington and championing a big, bipartisan debt reduction agreement.

I'm very proud of our efforts to introduce the first bipartisan budget in a generation. I want to thank STEVE LATOURETTE and JIM COOPER for their efforts and leadership on this. I also want to thank Congressman QUIGLEY for working with me to cosponsor and advance this legislation, which is based on the bipartisan Simpson-Bowles framework. Mr. Speaker, this budget ultimately failed to pass the House, but I remain proud of our bipartisan effort—for which the USA Today called us the ''Brave 38''—and I believe this type of thoughtful, independent leadership, this is the type of leadership that the 10th District deserves.

I also believe that the courage and leadership shown by the House to take on the difficult but necessary position of reining in entitlement spending deserves recognition. We know that Medicare stands out as a primary driver of our debt in the future. And, unfortunately, this future is not so far off. With one of Medicare's key programs scheduled to go bankrupt in the next 10–12 years, sustaining the status quo unavoidably means dramatic cuts down the road on those vulnerable Americans who need the program the most, crippling increases to the debt, and most likely both.

Instead, I believe we have a generational obligation to ensure that our children's potential is not crushed by a debt burden born out of the inability to govern responsibly. Ultimately, something as big as Medicare reform requires broad bipartisan support, so we're not there yet. We're not, but I do want to express my appreciation to Democratic Senator RON WYDEN and the House Budget Committee Chairman PAUL RYAN for recognizing that a solution must be found if we ever want to get this country on stable financial ground.

While many can find fault and issues with any proposal, we as Americans must applaud and encourage bipartisan solutions. We must strengthen our social safety net and ensure its long-term viability.

Of course, getting our debt under control impacts more than just what we do domestically. It impacts our ability to keep our homeland safe and free, and it impacts our power to provide leadership on the international stage.

The 10th District has a history and tradition of thoughtful global outlook and a special appreciation for the positive role American leadership can and must play in the world. This is a responsibility that I fully embrace and advanced.

I have been honored to work with the Armenian-American community to advance the Armenian Genocide Recognition Resolution here in this Congress. I want to especially thank Ken Kachigian, Ari Killian, and Greg Bedian, and all the people at All Saints Church and the Armenian Cultural Center in Glenview, Illinois, for their support in educating me about their key issues and concerns.

I also want to recognize the Bahai community in the 10th District, which helped me build support for the resolution I introduced bringing attention to the horrible mistreatment and atrocities of the Bahai people persecuted in Iran.

We put together a Human Rights Advisory Board which allowed us to better speak out about the mistreatment of religious minorities in Pakistan and Bangladesh, especially in the Hindu community. And we supported numerous initiatives aimed at addressing human rights abuses taking place in Africa. I especially want to thank Dr. Richard Benkin for his commitment and help with regard to this area.

And of course we also focused on human rights and democracy promotion inside of Iran. But our work on Iran obviously did not stop there.

Mr. Speaker, in my very first speech on this House floor, I said that Iran posed the number one security threat to the United States. And thanks to the advice and counsel of so many good people in the 10th District of Illinois—community leaders like Sandy Perl, Keith Shapiro, the late Richard Schoenstadt, Janet and Gadi Cohen, Caryn Garber, Morrie Silverman and Lori Komisar, Richard Stein, Andy Hochberg, Steve Lavin, Rick Bachrach, Rabbi Aaron Melman, Peggy Shapiro, Rabbi Victor Weissberg, Marc Sacks, Steve Hefter, Andy Lappin, and so many more. Thanks to their passion, we continue to work on preventing this Iranian regime from acquiring a nuclear weapons capability. We advanced many vital measures in this Congress on this issue, and I've been pleased to have the opportunity to act as a leading voice and a champion in Congress for strengthening the sanctions on Iran. So much energy has gone into these efforts, not just from me, but from many Members, and I will continue to urge that the United States ratchet up the pressure on Iran's nuclear ambitions until the threat is affirmatively and effectively dismantled.

Another focus of mine has been finding ways to strength the United States-Israel relationship. Whether it has been delivering speeches from the floor of the House Chamber, drafting and introducing resolutions affirming Israel's right to a secure border, traveling to Israel and meeting with Israeli officials, authoring letters and recruiting other Members to sign on in support, such as an early effort we led to show the commitment of House freshmen to fully fund our foreign aid commitment to Israel, including Iron Dome, in a tough budget climate, or cosponsoring and voting for critical legislation, I have looked to provide true leadership in support of our ally Israel's long-term security.

Finally, I've looked to provide the 10th District with thoughtful, independent leadership in Congress which it has had and I believe deserves. Our district is bound by deep-routed characteristics—namely, a desire for pragmatic, effective leadership, vigorous independence, and the ability to work with the other side of the aisle in a civilized and bipartisan manner.

On this, I'd like to especially recognize my two most recent predecessors for this seat, Senator MARK KIRK and John Porter. These men have served as valued mentors and friends. I've worked to carry on the proud legacy that they burnished for the 10th District. John Porter and now-Senator KIRK have helped me in ways greater than they even know, and I'm deeply honored to consider them my friends. To this day, they continue to care deeply about the people of the 10th District of Illinois. The quality of who they are and what they achieved is reflected in the appreciation that our area still has for these two incredible men. They set the standard by which the 10th District leadership is measured, and I cannot thank them enough.

The thoughtful, independent leadership that John Porter and MARK KIRK embodied are the same virtues that I

pledged to advance as I began my service to the people of the 10th District. I'm proud to stand here today and say that I believe that I've made good on this commitment.

On a number of issues, ranging from the environment, education, stem cell research, title X funding and women's health, gun control, and transportation infrastructure, I've never been afraid to break from any party and do what I believe is best for my constituents and district.

□ 2010

This is why I've consistently been ranked and considered as one of the most independent and bipartisan Members of this body.

Mr. Speaker, as an Eagle Scout, my Scoutmasters, Lee Getschow, Charlie Barnes and Artie Bergman, taught me to respect and love the outdoors, which is why I especially want to highlight our work to protect Lake Michigan.

Beginning with the first bill I introduced in the House, the Great Lakes Water Protection Act, along with my good friend, DAN LIPINSKI, Senators MARK KIRK and DICK DURBIN, I'm proud of our efforts to keep Lake Michigan clean. This legislation would prohibit wastewater pollution from running into the Great Lakes, but our work to protect the 10th District's most cherished natural resource did not stop there.

We focused on supporting the Great Lakes Restoration Initiative through authoring and supporting funding amendments and advocating for the GLRI's importance in testimony before the House Budget Committee, all to make sure that this important program to protect the Great Lakes is adequately funded.

On a more local level, I'm proud that we've finally been able to facilitate the clean-up of Waukegan Harbor. The Superfund site which our community has been trying to restore and clean up for more than 20 years has finally started under our watch. So much work that went in to getting this accomplished has happened, and I particularly want to highlight and thank Susie Schreiber, Gerry Larsen and Cam Davis for their dedicated service to cleaning up Waukegan Harbor, getting, finally Lake County's gateway to the Great Lakes delisted as an area of concern by the EPA.

I also want to quickly highlight another cause which I've been proud to champion, and that's STEM education. Science, Technology, Engineering and Mathematics, these are critical educational fields that we need to make sure our young students are not only exposed to but have the tools to excel and compete in the global marketplace. This means giving these core areas extra attention.

And on that, I'd like to highlight the great work and dedication that Dr. Laz Lopez has given. As the principal of Wheeling High School, Dr. Lopez is ahead of the curve in advancing STEM education among his student, and I believe he's a model for students around the country. He's helped me greatly and has taken on the task of heading up my Educational Advisory Board, and for that I will forever be grateful.

In closing, it has been one of the greatest honors of my life to represent the people of the 10th Congressional District in the 112th Congress. I've never forgotten where I came from and what I came here to accomplish and the importance of governing for the people.

And while I'll miss many things, Mr. Speaker, I will miss most of all the many friends that I've made on both sides of the aisle, and my dedicated and talented staff, some of whom are here this evening: Eric Burgeson, my chief; Kelley Folino; Kim Brisky; Philippe Melin; David Stern; Kris Denzel; Eric Disilvestro; Heb Siam; Eric Miller; Daniel Serota; Mona Dooley; Stefani Zimmerman; Mike Traikovich; Jack Heyden; and Bryan Reed. They all worked tirelessly for the constituents of the 10th District, and I'm proud to call them my friends.

Mr. Speaker, I look forward to seeing this next Congress address some big things, some big issues because there's simply too much at stake. As I think about our Nation's future, I'm reminded of a Winston Churchill quote: Success is not final; failure is not fatal. But it is the courage to continue that counts.

Each Congress brings a new opportunity to write the next chapter in America's exceptional story, but we must always remember that nothing is given. America's greatness must continue to be earned.

Our Nation has been built, generation by generation, through hard work and resiliency of the American people; and our generation must do our part to live up to this awesome responsibility. We must always be a country that stands for freedom and liberty, economic growth and opportunity for every American. And I remain optimistic that we can continue to make this country even better if we stay committed to these principles.

Mr. Speaker, I want to thank the people of the 10th District for the opportunity and honor to represent them in the United States Congress.

I yield back the balance of my time.

THE GIANT VS. THE MIDGETS

The SPEAKER pro tempore (Mr. DOLD). Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 30 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, I was thinking to myself earlier today, what happens when you put in a cage fight a giant with a midget?

Well, the midget will not win the fight. I'm going to tell you that. Why?

He just doesn't carry enough weight to do so. But if you put 30 midgets in with that giant, then the midgets have a chance.

Now, they have weight classes in cage fighting, so you're not going to find a situation where you have two or three against one. You'll just have equal weights. You'll have equally weighted combatants, and then they will go at each other, and the best man will win, or woman.

But we don't have that kind of set up when it comes to relations between employers and employees. There are no weight classes. And so what generally happens is whoever's paying the workers is usually the giant.

And so giants are in business to make a profit. That's how they became big and muscular. But they need those midgets, they need the midgets out there, they need the workers to actually produce the goods or service that is traded in return for the money, which strengthens the giant.

So in an employment relationship, employer/employee, you've got the giant, you've got the midget. Because there are no weight classes in that situation, you have an inherent imbalance. Whoever has the most money has the most clout. They can give you a job, or they can decide that they don't want to hire you. That's not your call. You don't have a right to work. You can offer yourself out for employment, but you don't have a right to work.

So with no weight classes in this employment relationship, where the employer is the giant and the worker is the midget, how do you go about making it a fair fight?

Well, that's where you put the midgets together. You put 30 midgets in with the giant, and the midgets then have a chance, collectively. And so that is how the situation has unfolded here in America.

Seventy-five years ago, almost 75 years ago, Congress passed the National Labor Relations Act, which helps to protect American workers' rights to organize and negotiate the terms of employment with corporations. The midgets get a chance to speak with one voice to the giant. The midgets collectively have the ability to stand somewhat equal to the giant. They have a possibility of winning.

It's never going to be an employee win everything and employer goes down in defeat.

□ 2020

No. The thing is the workers get together. The midgets get together to try to get as strong as they can so that they can then deal with that giant in a more productive way. And the giant, wanting to avoid the fight, decides to speak eye-to-eye with the midgets—with the workers—and work it out to where everybody can win. That's what it's all about.

So the National Labor Relations Act, which protected American workers' rights to organize and negotiate the terms of employment, this actually leveled the playing field between the giant and the midget. It leveled the playing field.

Now, how was it set up that the collective body of workers could stand together and negotiate fair wages and fair employment conditions; things like paid holidays, things like health care benefits, things like retirement, things like number of days off, things like how much do you make, pay? So workers stood together. They had the ability to stand together, and they were protected by Federal law in standing together to be able to bargain with the mighty giant, the employer, to bring about some equity and a balance to that inherently unfair relationship. I won't say ''unfair,'' but inherently unbalanced, out-of-balance relationship.

So we passed that law. It's been working well almost 75 years. But, ladies and gentlemen, in the course of just 7 days, what has happened in Michigan is a blow to crush unions, to crush collective bargaining, and to crush the power of individual workers to stand together, pool their resources so that they can support public policy workers—in other words, politicians—so that they could support those politicians who support their interests. It's been working that way for almost 75 years.

During that time, we went from a Nation where so many people were in poverty, lived in poverty, had no benefits, made slave wages, worked 20 hours a day, and went from that kind of situation into where most workers had obtained middle class status, where workers could afford to go out and buy the house, buy the two cars, send the kids to college and take a vacation and have nice clothes and all of the things that middle class people want. That's what the union movement produced for America by being in a strong position to be able to demand fairness and equity from the employer.

So the employers, let's say General Motors, Ford, Chrysler, the automobile manufacturers, since we're talking about Michigan, they all made lots of money and the workers who work for those companies were middle class and their children went to college and became lawyers and doctors and accountants, and some of them even went back to work in the factories. But now, 7 days it took to crush the ability of workers to stand together financially. They'll never crush the spirit of the workers. But they have used the law with no public hearings, no committee action, no regular course of action during the legislative session—which is a lame duck legislative session, by the way—no regular order, just a sneak attack.

Thursday morning, the 6th of November, 1 month after the landslide election in Michigan and throughout this country that turned back the corporate money that was a raid against the Democrats and a raid against President Obama, it turned that back. A resounding victory on November 6. On December 6, a sneak attack during a lame duck session, with no public hearings, no committee action. A sneak attack. They announced it that Thursday morning, the 6th, and by 8 p.m., action to crush the union laws had passed both houses, house and senate, in Michigan. Less than 10 hours it took to bring down 75 years of prosperity for all.

Now, why would anyone want to crush the union? And I'm not calling them right-to-work laws because, as I told you earlier, there is no right to work. So let's get rid of that misnomer and let's call the legislation what it is. It's not right-to-work legislation. It is crush-the-union legislation. Who would want to crush the unions? It certainly wouldn't be the union members themselves. It must be, by process of elimination, the folks that they work for.

Now, in Michigan, who did they work for? They used to work for GM and Ford and Chrysler, but due to all of those hefty bonuses and corporate greed that consumed the corporate leaders, they were so busy getting those bonuses and million-dollar bonuses, multimillion-dollar bonuses and salaries and whatnot, that they took their hand off of the wheel and they allowed competition from foreign automakers to overtake their competitive position. And so, as a result, they ended up needing a bailout.

Ford didn't need a bailout. They went and borrowed some money. They did it the right way. They also did some things to make their business more competitive in terms of the products, and so they were able to weather the storm without a government bailout. But Chrysler and General Motors took money from the people to be able to sustain themselves.

□ 2030

Both corporations were close to being crushed themselves, and the workers would have gone down with them. So we did the right thing here and we provided funds to bail out GM and Chrysler.

As a result of that, and as a result of the workers' union getting together with the fallen giant to help pick that giant back up, what they did was they reached a deal, they cut back on some of the vacation days and some of the benefits, they lowered the wages. They did a lot to pick the giant up. The giant was awakened and ended up getting back on his feet, and now General Motors has become, once again, the number one automobile manufacturer in the world. That shows you the American spirit, and it was those workers who were instrumental in making it happen.

Where were the auto manufacturers on December 6? Where were they? I've seen reports that say that, well, you know, they are just kind of staying in the background, but they really don't support this legislative effort to crush the unions. They say that we don't really need that right now. But there's nobody from the company getting up in front of the microphone and saying, ''Don't pass this law. This is wrong. Governor, don't sign this law.''

So in the absence of any manifestations of support for the workers, I've got to suspect that General Motors, Chrysler, Ford, are feeling pretty good about how things have worked out so far. In the absence of somebody telling me different, I've got to believe that they see where that level playing field has now been tilted in their favor, and despite the fact that the midgets helped them get up when they had fallen, now they're going to crush the midgets. That's what it looks like to me.

Especially when I think back on this organization which is known as ALEC. ALEC is the American Legislative Exchange Council. That's ALEC. When I look back and think back on the history of that organization, and when I ponder who their corporate members have been, I'm brought to the realization that those auto manufacturers are longtime members of ALEC.

Now, what is ALEC? ALEC is an organization that brings public officials, mainly State legislators, together for quarterly meetings at luxurious locations throughout the country. About 80 percent of the State legislators in America belong to ALEC. They pay dues. It used to be $50 a year. Now I understand it's $100. You pay dues, $100. The citizens actually pay the dues for the politicians. That comes out of the State treasury. They join ALEC and they go to the quarterly meetings and they participate in the legislative efforts of that organization, which also includes, in addition to legislators, corporations, big business, some small businesses, but it's basically an organization of big business. They wished that they could pay only a hundred dollars. They might pay $25,000 or more for a year as a member of ALEC.

You've got corporate members, you've got legislators who are members, you've got individuals and you've got corporations. You've got midgets against giants, who are not against giants but with giants in ALEC. And the giants take real good care of the midgets, as long as the midgets do what the giants want them to do.

So, what am I talking about? At these quarterly events, the legislators are invited, as well as the representatives of the corporate interests. They come together. They talk about the concerns of the business community. The business community has the legislators there who make the laws. So they talk to those legislators. They're being wined and dined the whole time. And you're able as a legislator to join a committee of ALEC. That committee could be the public safety committee. It could be the committee that deals with voting issues. It could be the criminal justice committee.

Now, why would ALEC be involved in criminal justice? Well, you have private prisons. The private prison industry is booming. They are members of ALEC. They get those captive legislators to introduce bills or legislation,

such as, let's say, let's target the undocumented immigrants. Let's target them. Let's create some State laws, and Federal laws, also, to make it convenient, make it attractive for law enforcement to go in there and bring those folks to the private detention center and house them down there and pay them government money, $70, $80 a bed.

Why would ALEC have a committee dealing with voting rights? Well, to produce legislation that makes it more difficult for people who support the opposition, makes it easy to deny those folks their right to vote. And so you have those voter suppression laws. They came out of ALEC.

□ 2040

Then you have the commercial committee, let's call it, of ALEC. They produce legislation such as crush-the-union legislation, also misnamed right-to-work legislation. It is not right-to-work, it is crush-the-union.

So the bill, or the bills, that have been passed out of the Michigan assembly in both their house and senate are products of ALEC, the American Legislative Exchange Council, almost word for word. I challenge anyone to go look on the Internet, look at, if you will, go look up prwatch, PR, Paul Robert, prwatch, W-A-T-C-H.org, prwatch.org.

Go there and put in the letters A-L-E-C in their search button. Go there and find out about ALEC. Find out. Go look at the draft legislation that was produced by the corporations who are members of ALEC which then, after wining and dining the legislators, the legislators then went back home and introduced that legislation which benefits the very corporations that wined and dined them and gave them the legislation.

And guess what? Those corporations, pursuant to Citizens United, can participate in the campaign process. They can do electioneering. They can influence elections. They can give money to organizations that support candidates. And so it's an ugly lobbying situation when you put corporations with legislators in a wining-and-dining setting with added benefit of campaign contributions. They can't lose. That's what ALEC is all about is putting legislators with businesses. And then those legislators, who tend to be Republican, then carry out the wishes of the big business.

Who suffers? The middle class. So just 30 days after, the middle class, the people, rue the day we still have ALEC and the corporations that fund it out there trying to destroy the middle class by crushing the union.

How do they crush the union? Because they know that the union doesn't have a situation like ALEC where you are putting the legislator with the corporation or the corporate interests. You're putting them together, you're wining and dining the legislators, and then you are also pushing your legislation on them; and as an added bonus, you're giving them campaign contributions so that they can get reelected. You got it going on.

Unions don't have that kind of set up. There is no ALEC of unions. But unions do participate in the political process. They get behind candidates who support working people.

I see my time has come to an end, and I would love to discuss this more. In fact, I believe that I will because this time last year I was on the floor for an hour talking about the Koch brothers. I want so much to be able to bring the Koch brothers into this discussion to see how Sheldon Adelson and Karl Rove come into this equation going all the way back to the Lewis Powell memo. So we will be back. We will talk about those things as soon as possible. Thank you very much.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFIN of Arkansas (at the request of Mr. CANTOR) for the week of December 11 on account of illness.

Mr. REYES (at the request of Ms. PELOSI) for today and the balance of the week on account of medical reasons.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3564. An act to extend the Public Interest Declassification Act of 2000 until 2014 and for other purposes; to the Committee on Oversight and Government Reform.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3187. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

H.R. 6582. An act to allow for innovations and alternative technologies that meet or exceed desired energy efficiency goals, and to make technical corrections to existing Federal energy efficiency laws to allow American manufacturers to remain competitive.

ADJOURNMENT

Mr. JOHNSON of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 13, 2012, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8707. A letter from the Director, Regulatory Mangement Division, Environmental Protection Agency, transmitting the Agency's final rule — Clodinafop-propargyl; Pesticide Tolerance [EPA-HQ-OPP-2012-0202; FRL-9371-6] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8708. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Picoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2010-0458; FRL-9370-8] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8709. A letter from the Director, Regulatory Management Divsion, Environmental Protection Agency, transmitting the Agency's final rule — Dodine; Pesticide Tolerances [EPA-HQ-OPP-2011-0743; FRL-9364-7] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8710. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program [Docket ID: ED-2012-OPE-0010] (RIN: 1840-AD05) received December 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8711. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Uniform Compliance Date for Food Labeling Regulations [Docket No.: FDA-2000-N-0011] received December 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8712. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval, Disapproval and Promulgation of State Implementation Plans; State of Utah; Regional Haze Rule Requirements for Mandatory Class I Areas under 40 CFR 51.309 [EPA-R08-OAR-2011-0114; FRL-9751-6] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8713. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans: State of Washington; Regional Haze State Implementation Plan [EPA-R10-OAR-2012-0078; FRL-9722-9] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8714. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations Consistency Update for California [EPA-R09-OAR-2004-0091; FRL-9750-6] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8715. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; South Coast Air Quality Management District; Prevention of Significant Deterioration; Greenhouse Gases [EPA-R09-OAR-2012-0513; FRL-

9749-6] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8716. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; California; Eastern Kern, Imperial, Placer, and Yolo-Slano; Prevention of Significant Deterioration [EPA-R09-OAR-2012-0732; FRL-9739-5] received December 4, 2012], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8717. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2011-0876; FRL-9736-6] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District [EPA-R09-OAR-2012-0808; FRL-9750-4] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8719. A letter from the Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band [WT Docket No.: 07-293; IB Docket No. 95-91] received December 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8720. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. [Docket No.: FAA-2012-0342; Directorate Identifier 2011-SW-028-AD; Amendment 39-17216; AD 2012-21-01] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8721. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0491; Directorate Identifier 2011-NM-265-AD; Amendment 39-17207; AD 2012-20-01] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8722. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0588; Directorate Identifier 2012-NM-017-AD; Amendment 39-17210; AD 20121-20-04] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8723. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney (P&W) Division Turbofan Engines [Docket No.: FAA-2012-0060; Directorate Identifier 2012-NE-02-AD; Amendment 39-17123; AD 2012-14-09] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8724. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2012-0589; Directorate Identifier 2011-NM-189-AD; Amendment 39-17199; AD 2012-19-04] received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8725. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30858; Amdt. No. 3493] received December 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8726. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. Airplanes [Docket No.: FAA-2011-0639; Directorate Identifier 2011-CE-016-AD; Amendment 39-17169; AD 2012-17-06] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8727. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BRP-Powertrain GmbH & Co KG Rotax Reciprocating Engines [Docket No.: FAA-2012-0603; Directorate Identifier 2012-NE-17-AD; Amendment 39-17160; AD 2012-16-13] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8728. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes [Docket No.: FAA-2012-0633; Directorate Identifier 2012-CE-018-AD; Amendment 39-17170; AD 2012-17-07] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8729. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Restricted Category Helicopters [Docket No.: FAA-2010-0488; Directorate Identifier 2008-SW-20-AD; Amendment 39-17126; AD 2012-14-12] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8730. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines [Docket No.: FAA-2006-24785 Directorate Identifier 2006-NE-20-AD; Amendment 39-17196; AD 2012-19-01] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8731. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives [Docket No.: FAA-2010-0217; Directorate Identifier 2009-NE-23-AD; Amendment 39-17194; AD 2012-18-17] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8732. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Goodyear Aviation Tires [Docket No.: FAA-2012-0881; Directorate Identifier 2012-CE-029-AD; Amendment 39-17164; AD 2012-17-01] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8733. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; M7 Aerospace LLC Airplanes [Docket No.: FAA-2012-0917; Directorate Identifier 2012-CE-030-AD; Amendment 39-17177; AD 2012-18-01] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8734. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2012-1017; Directorate Identifier 2012-NE-30-AD; Amendment 39-17203; AD 2012-19-08] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8735. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2011-0115; Directorate Identifier 2010-NE-40-AD; Amendment 39-17195; AD 2012-18-18] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8736. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0996; Directorate Identifier 2011-NM-040-AD; Amendment 39-17202; AD 2012-19-07] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8737. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2012-0724; Directorate Identifier 2012-NM-043-AD; Amendment 39-17215; AD 2012-20-09] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8738. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0338; Directorate Identifier 2009-SW-51-AD; Amendment 39-17172; AD 2012-17-09] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8739. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-1018; Directorate Identifier 2011-SW-052-AD; Amendment 39-17204; AD 2012-19-09] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8740. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes [Docket No.: FAA-2012-0638; Directorate Identifier 2011-NM-266-AD; Amendment 39-17201; AD 2012-19-06] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8741. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Turbofan Engines [Docket No.: FAA-2010-1095; Directorate Identifier 2009-NE-40-AD; Amendment 39-17104; AD 2012-13-02] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8742. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1167; Directorate Identifier 2011-NM-058-AD; Amendment 39-17189; AD 2012-18-12] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8743. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Univair Aircraft Corporation Airplanes [Docket No.: FAA-2011-0360; Directorate Identifier 2010-CE-061-AD; Amendment 39-17023; AD 2012-08-06] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8744. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0659; Directorate Identifier 2011-SW-061-AD; Amendment 39-17101; AD 2012-12-21] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8745. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Restricted Category Helicopters [Docket No.: FAA-2012-0896; Directorate Identifier 2010-SW-070-AD; Amendment 39-17173; AD 2012-17-10] (RIN: 2120-AA64) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8746. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Stormwater Regulations to Clarify that an NPDES Permit is not Required for Stormwater Discharges from Logging Roads [EPA-HQ-OW-2012-0195; FRL-9758-9] (RIN: 2040-AF42) received December 4, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of rule XII the following action was taken by the Speaker:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 6364. A bill to establish a commission to ensure a suitable observance of the centennial of World War I, to designate memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial on the National Mall in the District of Columbia, and for other purposes, with amendments (Rept. 112–701, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BURTON of Indiana:

H.R. 6650. A bill to amend title 39, United States Code, to allow the United States Postal Service to provide nonpostal services, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ENGEL:

H.R. 6651. A bill to impose requirements with regard to border searches of digital electronic devices and digital storage media, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 6652. A bill to authorize assistance to United States independent music label companies to facilitate exports of recorded music by such companies; to the Committee on Foreign Affairs.

By Mr. PAULSEN:

H.R. 6653. A bill to amend the Internal Revenue Code of 1986 to provide standards for determining employment status, and for other purposes; to the Committee on Ways and Means.

By Mr. CAMP:

H. Res. 829. A resolution returning several measures to the Senate; considered and agreed to. considered and agreed to.

By Mr. LARSON of Connecticut:

H. Res. 830. A resolution designating the ranking of a certain named Member of a certain standing committee of the House of Representatives; considered and agreed to.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BURTON of Indiana:

H.R. 6650.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7, which empowers Congress ''To establish Post Offices and post Roads

By Mr. ENGEL:

H.R. 6651.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. NADLER:

H.R. 6652.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 3 and 18 of the United States Constitution.

By Mr. PAULSEN:

H.R. 6653.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Mr. AL GREEN of Texas.

H.R. 111: Ms. WILSON of Florida.

H.R. 493: Mr. MICHAUD.

H.R. 1546: Mr. NUNES.

H.R. 2069: Mr. PASCRELL and Mr. STIVERS.

H.R. 2775: Mr. NADLER and Mr. DINGELL.

H.R. 2931: Ms. SCHAKOWSKY, Mr. WELCH, and Mr. HONDA.

H.R. 3102: Ms. TSONGAS and Mr. SHERMAN.

H.R. 3269: Ms. NORTON.

H.R. 3510: Ms. ZOE LOFGREN of California.

H.R. 3600: Mr. GOHMERT.

H.R. 3769: Ms. SLAUGHTER.

H.R. 3790: Mr. DAVID SCOTT of Georgia.

H.R. 4209: Mr. DEFAZIO.

H.R. 6256: Mr. LEWIS of Georgia.

H.R. * * *: Mr. BISHOP of New York, Mr. THOMPSON of Pennsylvania, and Mr. HOLT.

H.R. 6446: Mr. PAULSEN.

H.R. 6572: Mr. BARLETTA, Ms. TSONGAS, Mr. ENGEL, Mr. NEAL, Mr. LATHAM, and Mrs. LOWEY.

H.R. 6590: Mr. MORAN.

H.R. 6615: Mr. CROWLEY.

H.R. 6616: Mr. STIVERS.

H.R. 6628: Mr. KEATING.

H.R. 6632: Ms. RICHARDSON and Mr. CLAY.

H.R. 6633: Mr. PAUL, Mr. GOHMERT, Ms. GRANGER, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. CULBERSON, Mr. HENSARLING, and Mr. MARCHANT.

H.R. 6646: Mr. PEARCE, Mr. WEST, Mr. GOHMERT, Mr. BERG, Mr. NUGENT, Mr. FINCHER, Mr. ROKITA, Mr. SENSENBRENNER, Mr. RIVERA, and Mr. MARINO.

H. Con. Res. 141: Ms. LINDA T. SÁNCHEZ of California, Mr. HOLT, Ms. TSONGAS, Mr. MURPHY of Connecticut, and Mr. MORAN.

H. Con. Res. 143: Mr. LARSEN of Washington, Mr. BRADY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. RYAN of Ohio, Mr. TURNER of Ohio, Ms. BORDALLO, and Mr. HARPER.

H. Res. 732: Mr. DUNCAN of South Carolina and Mr. CUMMINGS.

H. Res. 736: Ms. LORETTA SANCHEZ of California and Ms. ZOE LOFGREN of California.

H. Res. 760: Mr. COHEN, Mr. SMITH of Washington, Mr. THOMPSON of Mississippi, Mrs. MALONEY, Ms. BROWN of Florida, and Ms. VELÁZQUEZ.

H. Res. 824: Mr. OLSON and Mr. SCHWEIKERT.

H. Res. 826: Mr. ROE of Tennessee, Mr. WILSON of South Carolina, Mrs. HARTZLER, Mr. MCKINLEY, Mr. CHABOT, Mr. JORDAN, Mr. BILBRAY, Mr. HUELSKAMP, Mr. BROOKS, and Mr. STUTZMAN.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *112th* CONGRESS, SECOND SESSION

Vol. 158 WASHINGTON, WEDNESDAY, DECEMBER 12, 2012 *No. 160*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You provide for us light and salvation; whom shall we fear? You provide strength for our lives; of whom shall we be afraid?

Provide our lawmakers this day boundless energy to accomplish Your purposes. Lift them over the hurdles of fear and panic as You energize them with kindness, peace, and patience. Lord, astound them with the many ways You can help them find solutions to the problems that beset our land. Help them to consider any indecision that may bring catastrophic consequences. May the tone and tenor of their words and deeds this day build bridges of cooperation for the good of our Nation and world.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 12, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business until 2 p.m. today. The Republicans will control the first 30 minutes and the majority the final 30 minutes.

The time from 11:30 until 2 p.m. will be for remarks by our retiring Senators.

Following morning business, we will resume consideration of S. 3637, the TAG extension legislation. The filing deadline for first-degree amendments to that legislation is 1 p.m. today.

FISCAL CLIFF

Mr. REID. Madam President, the headline news for the last many weeks has been the fiscal cliff. In speaking to the President 6 months before the election, a few weeks before the election, a few days before the election and immediately after the election, he indicated we needed to get our financial house in order, and that his goal—to do just that.

But to do that, and because of past experiences, he laid out what he wanted, and it is very simple: The rates for those who have been blessed with economic security in this country will have to be a little higher and middle-class Americans will keep the same tax structure they have had for the last many years. He will not raise taxes on the middle class, but those people who have done well will have to pay a little bit more. The American people think this is the way it should be.

Now just a little bit of history. I have said this before, but I will go into a little more detail today. When I first became the leader, I took a trip with a number of Senators to South America, countries that we American Senators had never been to, such as Bolivia. It was a wonderful trip. It was great for our country and good for the Senators to learn more about that most important part of the world to America.

I was very fixed on who I wanted to go on that trip with me, but the two I asked to go were Judd Gregg of New Hampshire, who had been chairman of the Budget Committee, and KENT CONRAD, who was the chairman of the Budget Committee at the time. Those two fine Senators spent about 18 hours seated side by side, both having tablets to write on, and they were working on the No. 1 issue they thought important for this country, which was what we should do about the future of our country economically. They came up with an idea that was very good. It had worked before on closing military bases.

We had military bases that we had been trying to close since World War I, and we couldn't do it. We didn't have the political will to do it. So we had a base closing commission. With the base closing commission we said: OK, we are going to have a commission that will work on this and they will report back to us. There will be no filibusters, no amendments, just an up-or-down vote. We did that. We had two rounds of those, and we closed scores of bases and saved the country hundreds of billions of dollars.

That is what Judd Gregg and KENT CONRAD patterned their legislation on. They would have an appointed commission that would report back to us, no

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

amendments, no filibusters. I thought it was novel, a great idea. So the legislation was drafted and I brought it to the Senate floor. Seven Republicans who had cosponsored the legislation wouldn't vote for it. We couldn't get 60 votes to bring it to the floor. So a number of us asked President Obama if he would do a commission and he did. It was the Bowles-Simpson Commission.

The Bowles-Simpson Commission didn't have the potential the Judd Gregg-KENT CONRAD work had, because although they would send us something here, we could amend it and filibuster it. But we didn't have to worry about that, because we couldn't get enough votes from the commissioners to do that. So that was a failure.

Then President Obama entered into negotiations with the Speaker and they had talks that went on for weeks. They failed. They had another round of talks. That failed. JOE BIDEN, our Vice President, met with the majority leader of the House of Representatives, the Republican ERIC CANTOR. CANTOR walked out of those meetings.

After all that, there was an agreement made here that we would have a supercommittee. It would work under the same terms and conditions as the program Judd Gregg and KENT CONRAD came up with. The supercommittee would have 3 members appointed by me, Senator MCCONNELL, the Speaker, and Leader PELOSI—12 in all. Then we would bring their work to the floor, with no amendments, no filibusters. About a week before they were ready—they had to report by statute—I got a letter signed by virtually every Republican Senator saying: No revenue.

So the President is not going to fall for that again. Because every time we have done this—and I just went over what has happened, and we can add to that the Gang of Six, the Gang of Eight, and other well-intentioned Senators—never, ever could they agree on revenue. So the President is not going to fall for that again. He is not going to do that again.

It is as though we are going to have a card game and they say, you show us all your cards and then we will show you ours. But when it comes time to show the cards of the person you are playing against—nope. It reminds me of the ''Charlie Brown'' cartoon. How many times is Charlie Brown going to try to kick that football? Because we know every time he approaches that football it will be taken away from him. He can't do it. That is what has happened here, and we are not going to fall for that again.

The American people aren't going to be under the illusion the Republicans will, sometime in the future, come up with revenue. They are either going to agree to raising the rates or we are going over the cliff. How many times do we have to go through this drill to know it is an unfair game? So President Obama is not going to fall for that again. He has been very, very clear.

I heard Leader PELOSI say on the news this morning she has hopes Speaker BOEHNER will come around. I hope that, in fact, is the case. But to this point there hasn't been a lot of progress, and I am very disappointed.

TRIBUTES TO DEPARTING SENATORS

JOE LIEBERMAN

Mr. REID. Madam President, I want to talk this morning about JOE LIEBERMAN.

The very modest apartment, with no hot water, where JOSEPH LIEBERMAN was raised has long since been demolished, but the values he learned in that little apartment—in the flat above his grandparents' house—are still there. They are the same values of devotion and public service that have driven him not only to overcome humble beginnings but to serve the country for 24 years here in the U.S. Senate.

Two years ago, on the day he announced his retirement from the Senate, JOE LIEBERMAN described his rise from cold-water flat to Congress as follows:

> My four grandparents . . . came to America seeking freedom and they found it. They came to America hoping for opportunities and they got them. But even they could not have dreamed that their grandson would end up a U.S. Senator.

JOE was always a natural-born leader. He was president of his high school graduating class. He got undergraduate and law degrees from Yale—one of the most prestigious universities in the world—where he was chairman of the Yale Daily News.

He was a civil rights activist early on as a young man. He was inspired, as many of us were, by the words of John Kennedy. JOE defeated an incumbent to win a seat in the Connecticut State Senate, where he served for 10 years, including 6 as the majority leader of the Connecticut State Legislature.

After returning to private practice for 2 years, he served as the first full-time Connecticut attorney general. It was during his years as attorney general that he met the love of his life, Hadassah. Today, they have 4 children and 12 grandchildren.

In 1988, he again took on one of the giants of politics in the State of Connecticut in a race no one thought he could win, but he did. He defeated an incumbent U.S. Senator, and for the last 24 years he has served the people of Connecticut and this country with honor and distinction.

I was pleased to have had an opportunity to support Senator LIEBERMAN's historic candidacy for Vice President in 2000. JOE was the first Jewish major party candidate for Vice President.

Senator LIEBERMAN is a devout and observant Jew. He has even written a book about the importance of keeping the Sabbath as a day of rest. I read the book. I was so impressed with that book. Our Sabbaths may be on different days, but the solemnity of the Sabbath is important to both of us. I was so impressed by that book I bought 20 of them and sent them to my friends and my family, who I thought would gain a great deal by learning from this book that JOE had written.

JOE LIEBERMAN says his faith is the basis for his strong desire to serve the State of Connecticut and our country. During his four terms representing Connecticut in the Senate, JOE LIEBERMAN played a key role in drafting and passing many different pieces of legislation, including the 1990 Clean Air Act amendments, which have literally saved lives by eliminating harmful smog, acid rain, and other toxins in our air and water. He has been chairman of the very important Homeland Security and Governmental Affairs Committee. He is a powerful voice on security issues, and he has been exemplary in working on a bipartisan basis with Senator SUSAN COLLINS, who has been the ranking member of that committee.

JOE led the charge to create the 9/11 commission and to implement its recommendations. He was a leading voice for the creation of that department, Homeland Security, which we now look to for keeping this country safe.

As a member of the Senate Armed Services Committee, Senator LIEBERMAN was a strong advocate for repeal of the discriminatory don't ask, don't tell policy that unjustly forced gay and lesbian servicemembers into the closet. He fought to ensure our military is the best prepared and best equipped fighting force in the world. We have much in common. We don't always agree on policy issues, but we do 90 percent of the time. Regardless of the few differences we have, I have never, ever doubted JOE LIEBERMAN's principles or his patriotism, and I respect his independent streak as it stems from strong convictions. JOE said it best himself:

> I have not always fit comfortably into conventional political boxes. Maybe you've noticed that. Democrat, Republican, liberal, conservative. Because I've always thought my first responsibility is not to serve a political party, but to serve my constituents, my state and my country. . . . Whatever the partisan or policy differences that divide us, they are much less important than the shared values and dreams that unite us.

I have watched up close. He has been a wonderful Member of the Democratic caucus. I so admire and respect him. I agree with Senator LIEBERMAN's values. He has been an asset to the Democratic caucus and our country. I am pleased to have shared the dream of serving in the Senate with such an extraordinary man and exceptional Senator. I congratulate JOE and Hadassah on their years of dedicated service because they have worked together. I wish them both happiness.

The ACTING PRESIDENT pro tempore. The Republican leader.

THE FISCAL CLIFF

Mr. MCCONNELL. Madam President, yesterday I came to the floor to point out something that shouldn't need repeating but does: Any agreement on

debt and deficit reduction has to include cuts on government spending.

The reason I shouldn't have to repeat this is because the President himself has been running around the country for 2 years saying any agreement has to be balanced—meaning both revenue and cuts. This was the message he ran on, and it also happens to be one that the overwhelming majority of Americans actually support, especially the part about cuts, which more than three-fourths say they support. If you heard some of the wasteful projects I detailed yesterday, you would see why.

I don't think there is a single person outside of Washington who doesn't think we waste massive amounts of money in this town and who doesn't wonder why it is so hard for us to agree to cut back. Yet now, with the election behind him, President Obama is suddenly silent on the need for spending cuts. He keeps talking about balance. That polls well, but when it comes to specific cuts he is largely silent. All of a sudden it is all tax hikes all the time. Forget balance. Just raise taxes and spend even more.

The President and his allies have taken so many things off the table, the only thing left is the varnish. The President now seems to think, after his reelection, if all he talks about is the need for tax hikes and that is all reporters write about, we will all magically forget the part about needing balance. It is a classic bait-and-switch, and we are seeing new versions of it nearly every day now.

Democrats campaigned for 2 years saying we needed to take a balanced approach to our problems. Yet now that the President has been reelected, they are walking back, and the only thing left are the taxes. What the President should be doing after his reelection is bringing people together and showing that he has the desire and the ability to lead the two parties to an agreement that is good for the economy and good for the country.

So far, at least, he has chosen a different path—a path aimed at pleasing the most partisan elements of his base. A month after his reelection and weeks before the fiscal cliff, he would still rather campaign than cooperate. We will find out this week if he has the will to change paths and get something done or just double down on the campaigning.

Look, the election is over. The President may enjoy these political rallies, but it is time to get serious. The American people are gravely concerned about the Nation's future. They are counting on us to prevent the kind of crisis that we have seen unfolding all across Europe.

Republicans have engaged in these discussions in good faith. We have agreed to make tough choices. The question is, Where is the President? Where is the President? Where is the only man in the country who can make it happen?

Well, it appears that with just a couple weeks left to resolve this crisis, he is busy moving the goal posts. Instead of leading as he was elected to do, he is out campaigning and playing games with the Nation's future.

So my sincere plea this morning is that the President get serious; that he put the campaign behind him and lead. If he does, he will have willing partners. The first sign is seriousness—seriousness about spending cuts.

OLYMPIA SNOWE

Madam President, yesterday I began the difficult task of saying an early good-bye to now six Members of our conference who will be leaving the Senate at the end of the year. This morning I would like to say a few words about my friend and longtime colleague, Senator SNOWE.

She has devoted the last 40 years of her life to serving the people of Maine. It has been an honor to work alongside this remarkable woman for the last 18 years and to see up close her tenacity and tough-mindedness in the service of her constituents. Some have described Senator SNOWE's advocacy for Mainers as ferocious, and I think there are few better examples of that than the fight she waged on behalf of Maine after the BRAC recommendations of 2005.

When the list of targeted facilities came out, Senator SNOWE mounted what has been described as a relentless months-long campaign akin to a defense at a trial. She marshaled all the data and the best arguments. When decision day finally arrived, not only were two of the three Maine facilities told to remain open, one of them was actually expanded. It is stories such as this that help explain why OLYMPIA's constituents keep sending her back to Washington by such wide margins and why so many were shocked to hear that she would be leaving at the end of the year.

As one shipyard worker in Portsmouth whose job she helped save put it:

> We love her, and she loves us. [And] I can't recall ever saying that publicly about a U.S. Senator, but truly she's such a wonderful person.

As Senator SNOWE will tell you, many of her political views solidified during her modest Maine upbringing. Her parents ran a diner near Augusta. While they didn't have much, her father was adamant she receive a good education. So much so that he was dismayed to learn her kindergarten only lasted half the day. ''He was convinced,'' she once said, ''that I was getting off on the wrong foot.''

It was at school that OLYMPIA first discovered her passion for politics. At St. Basil's Academy, a Greek Orthodox girls' school she attended until she was 15, she won her first election—as dorm president. She later graduated from Edward Little High School in Auburn, ME, and subsequently attended the University of Maine where, in 1969, she earned a degree in political science. It was also in college that she met Peter Snowe. Peter shared OLYMPIA's passion for politics. They married shortly after graduation. In 1972, Peter was elected to the State legislature, while OLYMPIA went to work as a legislative staffer for Maine Congressman Bill Cohen.

The young couple seemed well on their way to building a life together, but in 1973, in the midst of a winter snowstorm, tragedy struck. Peter was killed in a car crash, and at a still young age OLYMPIA was left to build a life for herself.

What could have marked the end of her political aspirations became a new beginning instead. As OLYMPIA once put it, she resolved to ''make a positive out of a terrible negative.'' She ran for office in the special election held to fill her late husband's seat, and she won. It was the start of a long and distinguished career in public service.

OLYMPIA was subsequently reelected to the Maine House in 1974 and elected to the Maine Senate in 1976. In 1978, when Bill Cohen, her friend and former boss, ran for the U.S. Senate, she ran for his seat in the House of Representatives and won again.

At the age of 31, she was at the time the youngest Republican woman ever elected to Congress and 1 of just 16 women in the House. OLYMPIA served eight terms in the House. She was a member of the House Budget Committee, the House Foreign Affairs Committee, and the former House Select Committee on Aging. Working with an Arizona lawyer named JON KYL and a Mississippi whip named Trent Lott, she helped turn minority Republicans into a potent legislative force, ensuring some of the biggest legislative victories of the Reagan era.

It was while serving in the House that OLYMPIA met Jock McKernan, who was a rising political star in his own right. Elected as Maine's second Congressman in 1982, Jock served alongside OLYMPIA in the House and was later elected Governor of Maine. The two were married in 1989, and they have been a great team since. As OLYMPIA puts it:

> I have a wonderful partner in life. We've been able to ride the waves together.

When George Mitchell announced his retirement in 1994, OLYMPIA threw her hat into the ring and won by a landslide with 60 percent of the vote against her opponent's 36 percent and carrying every county in the State. Believe it or not, it was the smallest margin of victory she has enjoyed in three Senate races. With this victory, OLYMPIA became the only woman in history to serve in both houses of her State legislature and both Houses of Congress.

In the Senate, OLYMPIA has worked tirelessly as a member of the Finance Committee, the Armed Services Committee, the Committee on Commerce, Science, and Transportation, the Select Committee on Intelligence, and as chair of the Committee on Small Business and Entrepreneurship.

A lot of people like to focus on OLYMPIA's independent streak, but my experience is that she herself has always

cared most deeply about the people of Maine. She has gone through great efforts over the years to talk to her constituents directly. She once said:

I've made main street tours across this state a hallmark of my tenure in public office. They are like my secret poll.

It is through these tours that OLYMPIA decides which problems to fix—whether it was storm relief after the 1998 ice storm, the fight I already mentioned to keep Maine's military facilities open, or reauthorization of the Northeast Dairy Compact on behalf of Maine's dairy farmers.

Of course, this isn't to downplay OLYMPIA's penchant for independence or for joining gangs. Senator SNOWE's maternal grandparents immigrated to the United States from Sparta, which may help explain her fighting spirit. Just like the Spartan King Leonidas, she has never been afraid of a fight—even with members of her own party.

She headed the Centrist Coalition with Senator Breaux. She cochaired the Common Ground Coalition with Senator LANDRIEU. In 1999 she was one of five Republicans to vote to acquit President Clinton of both articles of impeachment. And in 2005 she joined the bipartisan Gang of 14, which helped defuse an earlier dispute about threats to change the Senate rules.

Yet what many fail to mention is that despite her vaunted independence, OLYMPIA has always been a very proud Republican. She recently said:

We believe as Republicans that the individual is more important than the state. We believe that the great days of our past can be a stepping stone to an even greater future. We believe a job is preferential to a handout and independence is better than dependence. We believe that the private sector is more productive than big government will ever be.

When it comes to a balanced budget—a top priority for the party—Senator SNOWE has been a true leader. She has been a long-time supporter of a balanced budget amendment. As far back as 1993, when she was still serving in the House, she was one of four initial sponsors of the legislation that would have mandated a balanced budget. One of her first acts as a Senator was to deliver a speech before a Senate committee in support of a balanced budget amendment.

OLYMPIA's many accomplishments have attracted broad notice outside of Washington. In 2004 Forbes named her ''one of 100 most powerful women in the world,'' rating her even more influential than J.K. Rowling or Oprah. In 2006 Time named her one of the ''ten best senators,'' noting that she is ''in the center of every policy debate in Washington.''

I do not think anything compares with the honor that was bestowed on Senator SNOWE by the townspeople of Bethel, ME, who, in 1999, created the ''Olympia SnowWoman,'' a 122-foot tall snowman that still ranks as the tallest snowman—or woman—ever built. It required 13 million pounds of snow, took more than 1 month to build, wore a 100-foot-long scarf, had two entire 27-foot evergreen trees for arms, and required 16 pairs of skis for eyelashes.

''It's just my luck,'' Senator SNOWE said of the monument, ''I'd have a world record breaking monument named after me, and it will be gone by summer.''

OLYMPIA, you have had a truly remarkable career. We thank you for your service to this Chamber and most especially to the people of the great State of Maine. We wish you all the best in the next phase of your life and, as you think of what to put in your memoir, I would only ask one thing: Please, go easy on us.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under previous order, the Senate will be in a period of morning business until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

Mr. BROWN of Massachusetts. Madam President, I commend the minority leader for his nice tribute to Senator SNOWE.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

FAREWELL TO THE SENATE

Mr. BROWN of Massachusetts. Madam President, I rise to give my closing floor speech for this session of the Senate.

From the date of my swearing in on February 4, 2010, until the last day I serve in this great Chamber, which is 1 month shy of 3 years serving, I still say and believe that, aside from my marriage to my wife Gail of 26 years and the birth of my two children, Ayla and Arianna, serving in the greatest deliberative body for the Commonwealth of the Massachusetts, in the people's seat, has been the greatest honor I ever had in my life. I thank the people of Massachusetts for that opportunity. To think that someone such as myself, whose parents were married and divorced 4 times each, who lived in 17 houses by the time he was 18 and was subjected to various forms of abuse growing up, still has the honor to serve in one of the greatest deliberative bodies, as I said, in the world is something I will not soon forget.

To the young people sitting here and who may be watching, take it from me that in this country, even when it seems that you are fighting against all odds, anything is possible for you. There are no obstacles that cannot be overcome so do not give up and always follow your dreams.

As I have said before, people have no business in politics unless they respect the judgment of the voters. If you run for office, you have to be able to take victory or defeat in a gracious manner. I do respect the judgment of the voters. I accept their decision in this election with the same attitude and sense of appreciation I held when I arrived in this Chamber almost 3 years ago.

When I was sworn in, I was the 1,914th Senator accepting the oath of office by signing the book right up at the clerk's table. There were many Senators who served before me and there will be many Senators who serve after my service is over. That my name is listed amongst them is very humbling.

To all the people of Massachusetts, I greatly appreciate the confidence you placed in me for the past 3 years in allowing me to represent them in the Senate. To my colleagues, I thank them for the courtesy and friendship they afforded me during my time here. When I arrived, I promised I would read the bills, see how they affected Massachusetts, see how they affected our country, our debt and our deficit and I would vote in an independent manner based on the merits of that issue rather than political partisan politics. I am proud I did keep that promise to be independent. I am proud my voting record has identified me as the second most bipartisan Senator in the Senate, as referenced by Congressional Quarterly, and that I was named as the least partisan Senator in the Senate by Washingtonian magazine.

It was that independent and bipartisan approach that provided me with an opportunity to stand with the President at the White House on three separate occasions in the past 2 years to see bills I had either sponsored or played a key role in securing their passage signed into law. I was honored to work with my colleagues—many who are here today and many who are listening—on both sides of the aisle on legislation that was signed into law to move our country forward, including the STOCK Act to ban insider trading by Members of Congress—I know the Presiding Officer played a key role in that as well—the hire a hero veterans bill to help our veterans who are fighting for jobs actually have opportunities to be hired by employers who are looking for those heroes; the crowdfunding legislation which will help young entrepreneurs get access to new capital and create jobs, something I hope the SEC will immediately come up with a rule on so these people can start creating jobs and raising money; legislation to reform Wall Street, where I was the deciding vote to strengthen our country's financial system; legislation to eliminate an onerous 3-percent withholding tax; eliminating a stealth tax that would have affected government contractors—that is also gone; legislation to ensure our fallen heroes receive the dignity and respect they deserve at the Arlington National Cemetery, that

is something now that is also fixed; and many other congressional actions that have made a difference not only in Massachusetts but in this great country. These are all shared successes, and I was proud to be part of each and every one of them.

I have always said in order to do our business as our country's leaders we must do our work in a bipartisan, bicameral manner to ensure the actions taken by Congress benefit all Americans, not just those of one political party or one political ideology. During my time here and now as I am leaving, I have been and still am deeply concerned about the lack of bipartisan efforts to solve our country's most pressing economic challenges and in turn move our country forward. Many times political party and personal gain is put before the needs of our country. I know we can do it better. The American people expect us to do it better. As I leave, I challenge the leadership on both sides of the aisle to make the process more open and transparent. I challenge Members to work with each other in a more open and honest manner, and I challenge the President and the congressional leadership to also work together immediately to address the concerns and needs of our country because, after all, we are Americans first and our country deserves better.

In closing, I see my staff here. Many of them were here from the beginning. They came from applicants, over 4,000, for a very select few jobs. I thank Vanessa Sinders, my chief of staff, and each and every one of the staff for the amazing work they have done in very interesting times. To come here as the 41st or the 60th Senator and have the media scrutiny and all the commentary from every special interest group around the country, in the middle of a Senate that was gridlocked—to come here and have an opportunity to make a difference and do it well without making any mistakes is something I think benefited Massachusetts but also benefited this great country. It allowed for the debate to resume once again to eliminate a supermajority so one side could ram through things in which the other side had no play or no involvement.

That is not what our country is about. That is not what this Chamber is about. We deserve better. The people of Massachusetts and the people of this country deserve better. They deserve to have their voices heard. Every person in this Chamber has one vote. To think that one side or the other, depending on who is in charge, is going to stifle that one Senator, from whatever part of the country, not to let him or her have their moment to express their views on something that is important to them and their constituency, to shut that off and put your thumb on it is not the way we should be doing it.

I am deeply concerned about any changes in the rules that are being proposed to eliminate the ability for both sides to do battle in a thoughtful, respectful manner. If you see the movie ''Lincoln,'' you see that even back then they were battling most of the time to convince each other to go one way or the other. Since when has it been a problem to have vibrant debate in the Senate, in this great Chamber? Since when? What is everybody scared about? I don't understand that. I am hopeful the leaders will come together and recognize we need to have that vibrant debate. That is what makes this Chamber unique among any other form of government around the world. To take that away and limit it I think is a big mistake.

I wish to say thank you, obviously, to the people of Massachusetts for entrusting me to sit in the people's seat for the past 3 years. I thank my colleagues who are here, with whom I have had some great friendships and opportunities to work together. As I said many times before, victory and defeat is temporary depending on what happens and where we go. All of us, obviously, may meet again, but I am looking forward to continuing on with those friendships, continuing on working with my staff.

I thank you for this opportunity to speak.

Mr. CONRAD. Mr. President, I rise today to honor my colleague, Senator SCOTT BROWN, who will leave the Senate at the conclusion of the 112th Congress. Senator BROWN won a special election in 2010 to fill the seat of the late Senator Edward Kennedy, but his service to the State of Massachusetts began many years ago.

Senator BROWN began his career in public service in 1992, working as a real estate assessor for the town of Wrentham, MA. In 1998, he was elected to the Massachusetts House. Six years later, he was elected to the State senate, where he was known as a strong advocate for veterans issues. As a State senator, he championed legislation that created a check-off box on State income tax forms for veterans to indicate service in Iraq or Afghanistan so that they could be efficiently notified of benefits.

His work on behalf of veterans is not surprising considering Senator BROWN has proudly served in the Army National Guard since enlisting at age 19 when he attended college at Tufts University. Once elected to the U.S. Senate, his commitment to military and veterans issues continued as he served on the Homeland Security & Governmental Affairs, Armed Services, and the Veteran's Affairs Committees.

Although his time in the Senate was short, Senator BROWN advanced several initiatives, including several that assist servicemembers and their families. He successfully included a provision in the 2012 National Defense Authorization Act, which made certain that members of the National Guard and their families receive a fair housing allowance when deployed overseas. Senator BROWN also worked across the aisle on legislation that demonstrated his commitment to our troops. He fought to provide greater oversight at Arlington National Cemetery, ensuring proper burials of America's fallen heroes and secured a provision to create the Office of Service Member Affairs at the Consumer Financial Protection Bureau to help returning servicemembers avoid financial fraud.

The hard work and dedication that Senator BROWN has shown during his years of public service will surely bring him continued success in the future. I thank Senator BROWN for his service in the Senate and wish him the best.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MIDDLE-CLASS TAX RATES

Mr. DURBIN. Madam President, the House of Representatives is back, and we welcome them. It is good to have them back in business in Washington. I hope the first order of business this week is to pass a bill that we enacted in July of this year which would protect 98 percent of American families from any increase in income taxes because of the fiscal cliff. I hope both Democrats and Republicans in the House agree these working families don't need a tax increase. Those who should pay an additional amount are those in the highest income categories. That is what President Obama said.

When we voted in the Senate, we said those families making $250,000 or less should have no increase in income tax. I appeal to Speaker BOEHNER—before he takes another recess in the House—please call this measure and pass it. It will give peace of mind to literally millions of American families who are wondering what is going to happen January 1. These are many families who struggle from paycheck to paycheck. I have several letters.

From Lansing, IL, Linda wrote:

> Please vote to keep middle class taxes from rising. $2,000 will help me to keep food on the table and gas in my car. It could even help me help someone else. Please vote for the middle class.

I will.

This letter is from Jeremy in Princeville, IL:

> I am reaching out to you to ask you to continue to push for extensions of middle class tax cuts. We are a family of four making one hundred thousand annually. A two thousand dollar increase will hurt our family in many ways. Our family is trying to better ourselves but a $2,000 tax increase will hurt our bottom line and the chances of enhancing our children's lives.

Joan from Naperville writes:

Very high earners should pay more in taxes. And as a former small business owner, I know this will not hurt small businesses—very, very few of us make over $250,000 a year . . . I know the gap between the rich and everyone is the greatest it's been since the Gilded Age. Smart, brave politicians helped give the middle class a chance—and we need that from you now.

She wrote that to my office. I support her, and I think she and the President are right. I am waiting for Speaker BOEHNER to finally break out of this back-and-forth as to whether the wealthy in America should pay a little bit more in taxes. For goodness' sake, that is obvious to everybody in America but the Speaker.

Mr. Speaker, get back to Ohio and ask some of those families about whether middle-income families should pay higher taxes come January 1. The answer is clear: They should not. It is within the power of Speaker BOEHNER to bring to the floor of the House today a measure that passed the Senate in July that will protect families making $250,000 a year or less.

What I hear from the Speaker is, We won't protect middle-income families until you agree to raise the eligibility age for Medicare.

I have said to all who have asked, I believe in entitlement reform. I believe Medicare going broke in 12 years is a serious challenge to all of us, but I am loathe to see us make a policy change in Medicare in the closing days of this month that we have to live with and cannot explain.

Here is the part we cannot explain: If we increase the eligibility age for Medicare from 65 to 67, what is a person to do who retires at 63 or 64 with a medical condition? Where are they going to go for health insurance, the insurance exchanges created by health care reform? Remember the Republicans and their blood oath to kill that the first chance they got? Is that going to be the only rescue, the only option for a senior waiting for Medicare eligibility? Are the Republicans prepared to say they will now stand behind the insurance exchanges and make sure there is an affordable, accessible health insurance plan that covers seniors until they are Medicare eligible? That is the key question. Until they answer that, I basically think the proposal of raising that Medicare retirement age is one that cannot be supported in good conscience.

Let's get down to business. Let's protect the middle-income families in America. Let's do it now. Let's do it before January 1. Let's make sure they have the confidence of knowing their income taxes are not going up. One person has the power to do it, and that is Speaker JOHN BOEHNER. If he calls the bill that passed the Senate, as he is being urged to even by Members of his own party, we can give a good holiday gift—if not a gift, at least a holiday reference—to families all across America who are looking for some help not only in this holiday season but beyond.

VOTING RIGHTS

Mr. DURBIN. Madam President, after a prolonged debate, a lot of television commercials, robo-calls, and literally tons of political literature, the 2012 campaign is finally over. America can breathe a sigh of political relief. When it was all said and done, more than 120 million Americans participated.

As we know, the American people have returned a divided government to Washington. We have a Democratic Senate with an increased majority, a Democratic President, and a Republican House of Representatives. Yet by a margin of 3.4 million popular votes and 126 electoral votes, President Obama was reelected.

Now that the dust has settled, we begin the time-honored tradition of inaugurating the President, swearing in new Members of Congress, and beginning a new session. The peaceful transfer of power and start of a new legislative session are what we are all about in a democracy. We don't anticipate any new obstacles with new Members of Congress assuming power. However, we can't say the same about many citizens who tried to vote in this election. Unfortunately, we know there were far too many voters who ran into obstacles and obstruction and unreasonable delays at the polls.

In his address to the Nation on the night of the election, President Obama said: ''We have to fix that.'' He is right. As we move forward, we must look back and thoroughly examine the problems so many Americans have encountered when they tried to exercise their legal, constitutional right to vote. Many of these problems were traceable to new voting laws enacted by Republican-controlled legislatures across the country who were trying to make it harder for Americans to vote.

The ALEC, American Legislative Exchange Council, is a group of businesses that put millions of dollars together to create obstacles and obstructions for people to vote. Their idea was to diminish the vote among the poor, minorities, and the elderly because they believed those groups leaned Democratic. So if they could keep them away from the polls and discourage them from voting, it would help the Republican candidates.

It didn't work, but they sure tried, and they made life miserable on election day for millions of Americans who were just trying to do their civic duty. Too many people stood in long lines. Too many people were unable to vote because they could not wait in long lines.

For example, in Florida published reports indicate some voters waited in line for as long as 7 hours. They could not cast their ballots until 2:30 in the morning. Why would a voter hang in there? Some of them were just mad. They were mad that the State of Florida and this Republican-inspired organization, ALEC, were doing everything they could to deny their right to vote. They were darned determined to vote even if it meant staying there 7 hours to vote.

Too many people were required to cast provisional ballots when they were, in fact, eligible and should have received a regular ballot. For example, Pennsylvania issued double the number of provisional ballots than it did in 2008. The provisional ballot is given to a voter when there is some question as to their eligibility. In many cases that question was raised because voters showed up at their polling place only to find their name missing from the registration books.

In Arizona more than 174,000 provisional ballots were cast. That is 7.4 percent of all ballots. That is higher than any previous election. According to a recent analysis by a leading Arizona paper, minority precincts—those with African Americans and Hispanics—submitted a disproportionately high number of provisional ballots. Arizona has declared war on those minorities who were voting, and they saw it when many of them could not get their ballot counted on election day. It was put in a separate box to be looked at later.

Across the States with new voter ID requirements, hundreds of thousands of people could not vote because they didn't have or could not obtain the required ID.

In Pennsylvania, South Carolina, and Wisconsin many voters were confused by these new ID requirements and the extent they were enforced on election day.

In Pennsylvania, for example, even though a court ruled that the State's voter ID law could not be enforced during this election, some voters were still asked for an ID, and in some cases they were denied the right to vote.

Too many eligible voters were unable to register. On election day too many voters who thought they were registered learned that their names were not actually on the voter rolls. For example, Florida imposed owners' requirements on third-party groups, such as the League of Women Voters and individuals who traditionally have conducted voter registration drives. Those penalties were so awful, the League of Women Voters in Florida stopped registering voters for the first time in more than 70 years.

High school teachers faced fines of $1,000 under the law if they helped their students to register for the first time and didn't follow the exact letter of their new statutory law. As a result, new voter registration in Florida actually dropped 14 percent. That is bad news. Overall voter turnout was down compared to 2008.

If this is going to be a healthy, growing, vibrant democracy, people who are eligible to vote should be given that opportunity, not penalized and denied. These problems—and other problems—encountered by voters at the polls were not limited to one State or region. These problems were experienced by voters across the country. Many of the problems that voters encountered on

election day were foreseeable and could have been prevented.

Last year I started raising concerns about these new State voting laws and what they were going to do. As chairman of the Judiciary Subcommittee on Constitution, Civil Rights, and Human Rights, I chaired the first hearing to examine the potential impact of these laws in both Florida and Ohio. In both States we heard from experts and election administrators who warned that these new State laws would result in fewer registered voters, long delays on election day, confusion about ID requirements, and an increase in provisional ballots. This is just plain wrong.

In a country where we want every eligible American to get out and vote and we want higher percentages of participation, we have State legislatures inspired by ALEC dreaming up obstacles and ways to discourage voters. It is sickening to think of how many lives have been lost by patriotic Americans to protect our right to vote, and then to have these lobbyists, for their own political purposes, denying that right over and over to thousands of eligible American voters.

One of the strongest tools we have to ensure the right to vote and to make sure it is not denied on account of a voter's race, sex, or any other discriminatory basis is the Voting Rights Act. As we work to continue to perfect our Union, the importance of this law cannot be overstated. That is why the Voting Rights Act enjoys a broad spectrum of support.

In 2006 the Senate voted unanimously, 98 to 0, to reauthorize it. Just this year the Department of Justice used its authority under section 5 of the Voting Rights Act to object to new voter identification laws that threaten to disenfranchise hundreds of thousands of voters.

In Texas, according to the State's own data, more than 795,000 registered voters did not have the ID required under their brand-new law. In South Carolina the State's data indicated 240,000 registered voters were without the required ID and would not be able to vote under the State's law. In those two States alone, over 1 million people were going to be denied the right to vote, even though they were registered voters, because they didn't possess the newly defined voter ID in each of those States. That is more than 1 million registered voters, I repeat, who would have been turned away. Well, thanks to the Justice Department and court decisions, that didn't happen, but it would have. That was the plan.

Since the civil rights movement, women's suffrage movement, and other historic fights to expand the right to vote are now in the history books, some people think our generation's responsibility to protect the right to vote is over. They are just plain wrong. When groups such as the ALEC, with businesses, corporations, and conservative groups behind them, have an all-out effort to deny and discourage the right to vote, we have a job ahead of us. We shouldn't be surprised that people all across America are angry about what happened in this election. These State legislatures, instead of encouraging people to exercise their civic duty, were doing their best to discourage them. It is time for us to get serious about this. So next Congress, after the first of the year, I am going to hold additional hearings on voting rights in my Judiciary subcommittee.

I am committed to thoroughly examining this issue. There is no excuse in America for standing in line 7 hours to vote, for goodness sake. Other countries that do this by paper ballot don't make people stand in lines that long and they calculate the results the same night. We should be embarrassed by what is going on, and the States should grow up and pay attention to what they are doing to this great democracy in America. They are undermining the right to vote just as surely as if they attacked it openly, by using these new obstacles they are creating—these IDs, limiting the early voting.

Listen, States such as Oregon and others have figured out people can vote by mail without fraud, people can have opportunities to vote extended through early voting and absentee voting and give people their voice in this democracy. If we want to restore the confidence of the American people in our government, we have to give them their voice on election day. Standing in line 7 hours is an embarrassment in every State where it happened, and we have to make sure it doesn't occur when it applies to Federal elections.

I know the tradition. State laws determine election standards. That is the way it goes. But when it comes to Federal elections, we have a voice in the process and we have to make sure we come together on a bipartisan basis to deal with it. I am pleased Chairman LEAHY and I are going to be able to work together to hold a hearing of the full Judiciary Committee next Wednesday, December 19, to continue to explore this issue, and then into the new Congress we will be proposing specific legislation to deal with this issue. Although another election season may have ended, our work to protect our Union and preserve our democracy has not.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

RECOGNIZING THE LIFE OF RANDY ATKINSON

Mr. UDALL of Colorado. Madam President, I rise today to first recognize the life of a very unique and remarkable Coloradan, and then I will speak to a cause that is near and dear to me, as it is I think to the Presiding Officer as well, and that is our wind energy industry and the threat it faces.

I wish to speak about a man by the name of Randy Atkinson whom we lost this year on October 9, 2012, at the way-too-young age of 60. He was a firefighter. He dedicated himself to serving his community and, as he put it, brothers and sisters in Colorado's fire departments.

Randy was an example to all of us because he dedicated his entire adult life to helping others. He started at the age of 19, in 1972, by joining the Denver Fire Department and Denver Firefighters Local 858. Not long after that, he took a more active role in representing his fellow firefighters as an advocate and a legislative consultant for the Colorado Professional Firefighters and Denver Local 858. He was held in high esteem not just by his fellow firefighters but by Colorado legislators on both sides of the aisle. Why was that? He was intelligent. He was caring. He had a great sense of humor. We all appreciated that when we came into contact with him, whether we were Democrats or Republicans.

He was a leader and because of that he kept rising through the ranks. In 1995, he was elected president of the Colorado Professional Firefighters. In 2007, he was elected as vice president for the International Association of Firefighters in the 9th District. When he died, he was serving in both of those positions.

I know the Presiding Officer has a phenomenal crew of firefighters in her home State. We know what they did on 9/11 and what they do every day. Randy was a man who served in that spirit. While he represented firefighters, he always was fighting for fair pay and making sure those who stand up for us in times of hazard and emergency have the best possible safety equipment to carry out their dangerous and often unsung responsibilities. While at times Randy had to be pretty hard-nosed when it came to negotiating and standing up for firefighters, he always had a positive relationship with policymakers, even when he was tangling with them. I have to say I am glad we agreed more often than we disagreed.

Randy Atkinson was truly an admired figure. As I think about him, I wish we had more people such as Randy right here in Washington, DC. We would certainly get more done and we would have stronger relationships with one another.

Late this fall more than 500 of us gathered to celebrate his life, including family members, friends, and work associates. We laughed and we cried and showed our appreciation for his life and service. I was honored that day to be a part of that celebration.

I want to extend my sincerest condolences to his family, including his son Randy, Jr., and his two daughters, Brenda and Denisa. We all loved him, as I have said. I hope the viewers all understand how much I admired him, how hard he worked, and how grateful we are to have known him. I am honored to be able to stand here on the floor of the Senate, remembering Randy smiling, to recognize his life and his accomplishments and, above all, his

enduring spirit and his strong character. I think we have to keep his spirit alive in our attitudes and in our actions.

I thank the Chair for her interest in another firefighter.

WIND ENERGY TAX CREDIT

Mr. UDALL of Colorado. Madam President, I now wish to turn to the wind production tax credit. The Presiding Officer has been in the chair listening on a number of occasions and she has been gracious in her interest and support of what we are trying to do.

This is my 26th speech urging all of us to extend the wind production tax credit. It is known simply as the PTC in the abbreviated form. It is going to expire in 4 weeks—less than 4 weeks, actually—if we don't extend it. I am so worried about what is going to happen to this important industry.

The PTC has created good-paying middle-class jobs in the wind energy industry not only in my own State—I have a bias about my own State—but all across the Nation. Almost every State has a stake in the wind energy industry. When we think about what the PTC has done, we realize it has also stimulated the growth of our clean energy economy as well as promoted clean energy security. The Presiding Officer serves on the Armed Services Committee so she knows the importance of energy to national security.

We have 75,000 jobs in the wind industry right now in Colorado. We are on track to produce 20 percent of our electricity through the wind, by harvesting the wind, by 2030. But if we let the PTC expire, estimates suggest we will lose half of those jobs. We would be down to 37,000 jobs. We also undermine our Nation's pursuit of true energy security.

Our inaction, although the tax credit hasn't expired, has halted further development in the wind energy industry because that set of leaders can't in good faith bring that capital to bear and make those investments if they think the wind energy credit will truly expire. We have had hundreds of layoffs in Colorado. The business has nearly ground to a halt, and we see that all over the country. Then we get a ripple effect in those communities because tax receipts go down, people aren't as upbeat about the future, and it is a downward spiral we have to end. We should be doing everything we can coming out of this tough economic recession—the great recession—to make strategic investments in our economy and in our energy portfolio.

So with that general outline of what we face, I wish to turn to the State of Maine today. The Presiding Officer and I have great respect for both of our Maine Senators. We are going to miss Senator SNOWE, and Senator COLLINS has been a strong supporter as well.

Maine is well positioned to become a major player in the wind energy industry going forward. Maine has the potential for significant economic development and environmental benefits. In 2011, wind energy provided 2.9 percent of the Pine Tree State's power and Maine's wind farms power the equivalent of about 100,000 homes. The outlook for their wind energy industry is bright. The State has another 34 megawatts of wind power under construction and enough untapped potential to power three times the State's current electricity needs. Three times their needs will be powered by harvesting all the wind resources there. So I will say the PTC is crucial to their continued growth and the capacity they have to tap into their available wind resources.

Maine, of course, has a vast interior, but it also is on the coast. Right now Maine is New England's leading land-based wind producer, and experts predict it could become the leading offshore wind producer in the coming years. The University of Maine has a center called the Advanced Structures and Composites Center, and their research and development is paving the way for this additional offshore development.

There is also an expiring tax credit called the investment tax credit—the ITC—and that provides additional incentives. The ITC will be vital to the growth of offshore and distributed wind power development as well. It is also at risk. We need to include a discussion of the ITC as we consider the extenders package.

I have mentioned that what the wind projects do is to lift local economies. The Presiding Officer has a lot of rural economies in the north and the west of New York, a lot of agricultural-based economic activity. Wind power, when it is properly developed, is a cash crop that always comes in. As we face the consequences of this economic slowdown, wind power has helped a lot of local economies have additional revenue, economic activity, and jobs.

In that context, I wanted to talk about the Bull Hill Wind Project in Maine. It is in Hancock County, down here on the coast. I think it is called down east if one is from Maine. That project was just completed. It will generate $100,000 annually in tax revenue, and it has supported about 100 jobs during the peak of the construction. That is a significant number of jobs in a rural county in a State such as Maine.

I have to put a pitch in for Colorado. This project uses wind turbines which are made by Vestas which manufactures blades, nacelles, and towers in Colorado.

Much like in Colorado, the production tax credit creates and sustains manufacturing jobs, and it is creating growth in Maine. I know we have some job numbers in the manufacturing sector that I will share with my colleagues. There are four facilities in Maine that produce components for the wind energy industry and the installed wind projects across the State to which I have alluded. Those jobs number about 500—500 being actual jobs. Speaking of tax payments, property tax payments, about $6 million comes in from those wind projects to local governments. That money helps infrastructure improvements and other vital services for local Maine communities.

So it is obvious that the growth of our domestic wind energy industry, aided by the wind production tax credit, has helped create jobs, encouraged energy security, and grown a clean energy economy in Maine and all across our country. It is really that simple. The wind energy PTC powers good-paying middle-class jobs. However, if we do not extend it—it is a bipartisan policy, by the way, and the father of the wind PTC is our own Senator GRASSLEY from Iowa—if we do not extend this, we are going to lose thousands of jobs. At a time when our economy is still in imbalance, that is not acceptable. It cannot happen in Maine, it cannot happen in Colorado, and it should not be happening to thousands of families across our country. So it is simple.

The PTC equals jobs. We need to pass it ASAP. Let's work together. Our inaction is stunting the growth of a 21st-century clean energy economic opportunity for us. Those jobs are not necessarily going to be lost if we do not do what we should do, but they are going to go to places such as China, Europe. The world is investing in big numbers in wind energy because of all the possibilities for economic development.

So let's, in sum, remember that the production tax credit equals jobs. The PTC equals jobs. Let's pass it as soon as possible. Time is running out. The clock is ticking.

I thank the Acting President pro tempore for her interest and for her support. New York has great wind energy potential.

With that, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE FISCAL CLIFF

Mr. CORKER. Madam President, I notice the Chamber is empty today, and I guess most of us are waiting to see if there is going to be an arrangement made between the President and Speaker BOEHNER on our fiscal cliff that is coming up in just a few weeks. I know all of us want to see that happen. I think each of us knows the very best thing that can happen for the economy in New York or Tennessee or any other place is for us to get this behind us and for businesses to begin this next year knowing that Congress and the White House have worked out an arrangement to put this fiscal issue in

the rearview mirror. I know we are moving, hopefully—what we would like to do is move not just beyond the fiscal cliff but have a fiscal reform bill in place that is in the $4, $4.5 trillion range so we can at least for a period of time put this issue in the rearview mirror.

So, Madam President, I want to tell you that I am hopeful that is going to occur. I know there have been a lot of discussions in our caucus, in the Acting President pro tempore's caucus about that happening. On the other hand, it is my understanding that these negotiations really are not moving along very rapidly. We only have a few weeks left in this year, and it is beginning to look as though, at a minimum, if there is an arrangement made, it is not going to be one of the size that all of us would like to see happen.

I know one of the issues all of us have talked about is the middle-income citizens in our country. I know at some point both Chambers will come to the rescue of 98 percent of the people in our country and pass some resolution dealing with the tax issues for 98 percent of our people. I would say, the sooner we do that, the better. Actually, that alone would move us beyond this fiscal cliff at year end. Again, I know there are a lot of discussions taking place in both Chambers about the best way for that to happen.

But what I guess I am leading to is that it looks as though, based on where the negotiations are right now, this issue is going to move into next year and that we are still not going to be at the dollar amount I know the Acting President pro tempore has talked about and I have talked about and that we are still going to have this issue to deal with. As a matter of fact, what it looks like may well happen is that all we do this year is, hopefully, move beyond the fiscal cliff.

I know over in the House there are discussions about, when do you do this? Do you do it on January the 3rd or do you do that in this calendar year?

I would argue the very best way for us to deal with this would be to deal with it prior to year end and go ahead and take our responsibility seriously, make sure we rescue the 98 percent of the people in our country before year end so they go into the new year knowing that has been dealt with, and then there are other ways we can deal with the other 2 percent.

I know in New York, for instance, $250,000 a year is not considered to be extremely wealthy. So it may be that we deal with the other machinations other than what has been laid out in public by the President. But I think we are going to deal with this issue.

I wish to come to the debt ceiling. Everyone in this country knows what damage was done to our country when we pressed right up against the debt ceiling two Augusts ago. I do not want to see that happen again. I do think the arrangement that has been created between the White House and Congress during this fiscal dilemma, where we raised the debt ceiling by $1 for every $1 in cuts that are made—I think that is an appropriate arrangement for us until we get through this fiscal issue.

Again, what I would rather see happen is that we just deal with that all right now, and we start off next year with people knowing that is done. Since it looks like every day that goes by, it looks like it is increasingly unlikely that is going to happen, I wanted to offer a proposal for the leadership of the Senate; that is, since it looks like the debt ceiling could be coming up early next year—as a matter of fact, it may coincide very closely with the continuing resolution. There are two, if you will, moments in time where we have to make big decisions for our country.

I would offer that we go ahead and begin the process of the debt ceiling. I would make the proposal that the first roughly $1 trillion—$900 billion to $1 trillion in raises in the debt ceiling are accompanied by $900 billion to $1 trillion in cuts in entitlement spending to actually cause those programs to be solvent. I think all of us want to make sure seniors in this country are protected. We know we have to make some adjustments to Medicare, Social Security, and Medicaid, which deal with the poor, to make sure these programs over time are solvent, are not a huge drain on the States that support them in the case of Medicaid.

What I am saying is why do we not go ahead and get started. I know most of us did not particularly like the process last time, where basically these discussions took place in private and at the last moment we understood what the deal was. Then, after that, if you remember, we had a process, a supercommittee that was put in place, six Republicans, six Democrats, highly qualified folks. But they did not come to a resolution so we have ended up with sequestration.

What I would propose is instead of doing things in private such, let's go ahead and address the issue now in regular order. What I would like to propose to the leadership of the Senate and offer to the House also is that since we know the debt ceiling is coming up and since none of us—none of us wants to jeopardize the credit rating of this country, I would propose we finish our work at least 1 month in advance of the debt ceiling needing to be raised.

That way everyone in the world knows we have solved this problem. I would also propose we do it through regular order in the committee process so people can see how we are moving along. Are we making progress? Are we doing the things that are necessary to be able to raise the debt ceiling during this period of time when we have so many fiscal issues?

My third suggestion is that 100 percent of the first raise all be oriented toward entitlements. We all are taught to lead by example. My daddy used to tell me: Son, never ask someone to do something you would not do yourself. What I plan to do over the next couple days is to offer a piece of legislation that would cut and reform Medicare, Social Security, and Medicaid by $900 billion to $1 trillion. I hope to do that over the next couple days, offer that as one suggestion as to how we raise the debt ceiling by $900 billion to $1 trillion.

I know that again is going to be coming up in February or March. I know we are going to have the issue of the CR coming up. But if the President and Speaker BOEHNER are unable to come to an arrangement, I do not think there is any question that people around here are going to become very focused on the debt ceiling and certainly the continuing resolution.

What I would say is let's get busy. Let's not wait until the last minute. Let's not have closed-door meetings. Let's work this through the committee process. Then, when the Senate passes their bill and the House passes their bill, let's have a conference and let's deal with the legislation that is necessary to make sure we continue the precedent that, by the way, the President set this last time with Congress; that is, for every $1 we raise the debt ceiling, we reduce spending by $1.

We know this precedent is not going to continue forever. But I think that where we are in the country, we know we have tremendous fiscal issues. We have $16 trillion of debt right now, and it is rising. I know all of us know that is the No. 1 threat to our Nation. In fact, every developed country in the world knows the greatest threat to America and, candidly, to the world right now is our solvency. Economists on both sides of the aisle have said the greatest threat to our country is solvency.

Let's face it. We are probably going to deal with the revenue at year end. We all know that. We can kid around, we can put our heads in the sand, but we know we are going to be dealing with a portion of the revenue issue at year end. At some point we have to rescue the 98 percent. What I would say to my friends in the House is that, candidly, if we are able to rescue the 98 percent and then we dealt with the other 2 percent either with rates or by tax deductions—I am open to both, and we even protect the small businesses as so many people on both sides of the aisle have suggested—I would say to my friends in the House that the revenue figure that would accompany these changes is much smaller, candidly, than maybe the first offer that was made from the House to the President.

This is actually a better way for those of us who believe spending is the issue. There is a better way to cause revenue to be at the appropriate mix level, if you will, in solving our fiscal issues. We have had a lot of talk about entitlement reform. Let me stop for a minute before I go there.

People all over the world know this is the No. 1 threat to our country.

Economists on both sides of the aisle know it is the No. 1 threat to our country. I think for that reason, what we have been doing is saying we are not going to voice vote debt ceilings any more. I know we have a lot of people on Wall Street and other places who talk about how the credit rating of our country is so important. Believe me, I know that well. I could not agree more. So the last thing we need to do again is to get in a situation where we wait until the last minute and the whole world is wondering whether we are going to default on our debt and people are all shaken up about where America is.

I would say, since we know that if the President and the Speaker do not agree to a large deal, since we know the debt ceiling is likely to be the next event, if you will, the next forcing event that causes us to come to terms with the solvency of this Nation—the way I know the White House has said certain things about the debt ceiling, what we may want to do is make sure the CR and the debt ceiling stay tied together and working along together at the same time so we have both those forcing moments happening together.

But in order to make sure we do not threaten the credit of this great Nation, let's go ahead and work now. As a matter of fact, what I am going to do in the next couple days is I am going to offer a bill to raise the debt ceiling of our Nation. Think about that. A Republican, I am going to offer a bill to raise the debt ceiling of our Nation. I am going to offer a bill that is going to raise the debt ceiling by $900 billion to $1 trillion. I am going to offer that bill in December.

The debt ceiling is probably not coming until maybe February or March. In order to raise that debt ceiling by that amount, it is going to be accompanied by entitlement changes in equal amounts. It is the same precedent the President and the Speaker agreed to last year and this body agreed to. I think we are going to follow that formula likely into this next year, unless there is a large deal announced soon.

What I would say to other Members in the House: Look, I am just one Senator. I am just one Senator. There are other Senators here who certainly have as good or better ideas. So why do we not start the process of formally offering on the floor entitlement reforms. I would suggest that is the place we start. I mean, what we have done around here is we have done discretionary cuts. We created sequestration.

At the end of this year, in some form or fashion, whether we embarrass ourselves and wait and go over the cliff in the next year or before this year ends, we are going to offer revenues. I do not know how anybody can believe revenues are not coming. What I would say to everyone here: Let's move to entitlement reform. That is the only thing, candidly, that has not been talked about in this debate.

No one—no one—has offered publicly concrete entitlement reform in legislative language in the Senate. Nobody has done that in the House. That is what has been missing in this debate. In order to kick off this debate in what I consider to be an appropriate way, I am going to offer a debt ceiling increase bill. I am going to offer it in the next 24 to 48 hours. I may offer it today.

It is going to have dollar-for-dollar entitlement reforms. That will save this Nation from catastrophe and make sure seniors have these benefits down the road. What I would ask the leaders to do is to consider putting in place a process through regular order to consider these bills, to deal with the debt ceiling so we can do it way in advance and everybody can see the process and see the debate and watch our Nation function in an appropriate way so we get this done well in advance of the Treasury Secretary telling us the debt ceiling needs to be raised.

Let me close by saying, the best thing that can happen to this Nation, even though it is odd, I have to tell you it is odd, is we turn on the television at night or we read the paper in the morning, we see where the President called Speaker BOEHNER or maybe Speaker BOEHNER called the President, and there is drama. None of us knows what is said. I have a pretty good idea.

But our Nation is sitting here while this silly debate—here is the Senate, the greatest deliberative body in the world. What are we doing? We are hearing about the discussions on the telephone. By the way, if that solves the problem, I am all for it. I am all for a solution that comes that way. Candidly, I hope it is a big solution. I hope it is a $4½-trillion solution that they come to. But I am doubtful that is going to happen based on where we are today on December 12.

So I am going to offer a debt ceiling bill to move us on. It will move us toward fiscal solvency. It will keep us from jeopardizing the credit of this Nation. We can move those things through regular order. I ask the leadership of the Senate, Majority Leader REID, to hopefully set up a process soon. Because, candidly, we are probably going to need to drop debt ceiling bills soon, probably January 3, to make the dates that are necessary to actually raise our debt ceiling and not have the credit implications we had last August.

I have been a little bit despondent about this process because it just feels as though things are not moving ahead in a way that we are going to be able to put this in the rearview mirror and start this year—this next year with tremendous economic growth because people know we have solved this problem. I have been despondent about that.

But I woke this morning with almost a eureka moment thinking that, you know what, if they are not going to deal with this issue, we know we have to deal with the debt ceiling, we know we have to deal with the CR, there is great opportunity for all of us to put out entitlement reforms on the floor, for all of us to debate in committee and to pass legislation so, dollar for dollar, we can raise the debt ceiling way in advance of any time to cause any kind of credit problems for our country.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTES TO DEPARTING SENATORS

OLYMPIA SNOWE AND KAY BAILEY HUTCHISON

Ms. MIKULSKI. Madam President, I rise during this morning business hour to speak—particularly during this time of tension as we are looking at the fiscal cliff—to really use a few minutes to pay a tribute to two wonderful, outstanding Senators with whom I have served and who will be leaving us at the end of this term. They are wonderful women named Senator OLYMPIA SNOWE of Maine and Senator KAY BAILEY HUTCHISON of Texas, dear friends across the aisle. Although they were on the other side of the aisle, there was no great divide between us. We have known each other for many years.

I would like to say a few words about my very dear friend, Senator OLYMPIA SNOWE. I served with Senator OLYMPIA SNOWE in the U.S. House of Representatives and then in the U.S. Senate. Wow. What an outstanding Senator and Congressperson she has been, and I know we will continue to see Senator SNOWE in some type of role in public service because that is just the kind of person she is. She is deeply, in her DNA, a public servant.

Senator SNOWE has served her State of Maine and our Nation so well. She is one of our most respected Members of Congress, known for her civility, her sensibility, and her mastery of the issues. I might add that she brings that New England sense of a more frugal government but at the same time shows that you can do it in a compassionate, smart way.

I know her as a cherished friend, a dear colleague, and a crucial partner on so many issues. As I said, we served in the House and the Senate together. We worked on those issues I talk about, the macro issues and the macaroni-and-cheese issues. We fought for a better economy, particularly in the area of small business; a safer country, as we worked on the Intelligence Committee together; and a more efficient government. Also, we worked together on many issues pertaining to women. In the area of small business, she is

currently the ranking member on the Small Business Committee, with our other colleague, Senator MARY LANDRIEU. She knows the backbone of Maine's economy is small business, and she also knows it is the backbone of the American economy.

I have watched her day in and day out being concerned about her fishermen who were out there working in the cold waters off of Georges Bank for lobsters and the small shop owner on Main Street. From the potato fields and lumber yards to L.L. Bean, OLYMPIA SNOWE has stood for them but also for the big issues in terms of jobs in the Bath shipyards.

In national security, we have worked together to look out for our troops over there and to protect our communities from predators back here. She has been steadfast and true. It is a committee that meets often behind closed doors, but I will tell you, this is a Senator who continually looks after the safety of the American people.

One of the areas in which I have worked the closest with her is the area of women's health. You might be interested to know that Senator SNOWE and I received the Good Housekeeping Outstanding Achievement Award for what we did to advance the cause of finding a cure for breast cancer. Now, when I called my sister and told her I was getting a Good Housekeeping award, she thought it was the funniest thing she had ever heard. When I told her I was getting it with OLYMPIA SNOWE, she knew it had credibility. I say that because what we did in working together was in medical research and in clinical trials.

You might be interested to know that when I came to the Senate, the only other woman Senator was Nancy Kassebaum—another wonderful person across the aisle. Women were not included in the protocols at NIH. Can you believe that? That famous study—take an aspirin a day, keep a heart attack away—was done with 10,000 male medical students. Not one woman was there. They regarded including women in research as presenting deviant results. We were known as the deviant results. Well, Pat Schroeder; OLYMPIA SNOWE; another Republican Congresswoman, Connie Morella from Maryland—we said this couldn't continue. So we organized across the dome, across the aisle, and we went across the beltway to NIH. We pulled up and we demanded answers, scientific answers, on why we weren't included.

The day we pulled up in our cars on a bipartisan basis, George Bush the elder appointed Bernadine Healey to head NIH. Then, again working together across the aisle and across the dome, working with Senators Kennedy and HARKIN, we established the Office of Research on Women's Health at NIH. The famous hormonal replacement therapy study was done. It resulted in massive change in the way doctors treated women, and it has reduced breast cancer rates 15 percent.

So I say to all, when you ask, what did OLYMPIA SNOWE do, she would say: I worked on a bipartisan basis. And because of what she did, we did, we all did working together, men and women, House and Senate, we have saved the lives of women 1 million at a time. I think that is a terrific accomplishment. And no matter what Senator SNOWE does, she can cherish in her heart that she did that.

But while we were busy doing the big picture, she helped me with an individual picture. We went to the refugee camps of Cambodia together, along with the Congresswomen. It was when the killing fields were at that time the highest. We saw the horrible consequences of war. We worked together to feed the children. We worked together to feed the children and care for the children.

I met a young girl in a refugee camp, in the Catholic Relief feeding camp. Working with Senator SNOWE, we brought that little girl to the United States of America. She is alive here today, married and living as an American citizen.

So what did OLYMPIA SNOWE do? She saved jobs and she saved lives. I am proud to work with her, and we are going to miss her.

Then there is my good friend KAY BAILEY HUTCHISON, who has just come to the floor. I am glad she is going to be here to hear what I am going to say about her. I hold her in such enormously high esteem.

Senator KAY BAILEY HUTCHISON is known for her competence, her strong character, and being an outstanding champion for Texas, an advocate for women, and a real patriot dedicated to serving our Nation. I too know her as a dear friend, someone deeply committed to creating that zone of civility among the women in the Senate.

When Senator HUTCHISON arrived in the Senate in 1983, there were prickly politics beginning to emerge. She came from the Texas Legislature and knew the dynamics of a rough-and-tumble legislative body. But as we worked together on something called the homemaker IRA, we said: Why don't we just get together to see if we can create a zone of civility? That was when we brought the women together for those monthly dinners. The rules were no staff, no leaks, and no memos. We talked about everything from hairdos to the hair-raising and how we could stop the global war on terror and fight the deadly scourge against breast cancer. We worked together, again across the aisle.

In 1992 we also worked to hold these power workshops to make sure every woman would know how to get started in the Senate, and we worked together on that.

The other thing Senator KAY BAILEY HUTCHISON and I helped establish was that we could disagree without being disagreeable. We, the women of the Senate, do not have a caucus because we represent States. That is what the Constitution says is our job—we are here to represent States. We also have different philosophies and viewpoints on governance. But we also know we can disagree without being disagreeable.

A story I like to tell is that during debate on the Lilly Ledbetter Fair Pay Act, Senator HUTCHISON and I agreed on absolutely the same goal: equal pay for equal or comparable work for women. However, we disagreed on the means. Senator HUTCHISON had about nine amendments, and we duked it out here. We went earring-to-earring in terms of our debate, and the Senate commented on what intellectual rigor it had, what a sense of comity and exchanging of ideas. At the end of the day, we not only passed the legislation, but we did it in a way where everybody could feel proud of the process. Why can't we do that every day? Gee, I wish we could.

Then working with Senator HUTCHISON—and this is how we got started, was on the homemaker IRA. This was Senator HUTCHISON's idea. She came to me and she said: You know, Senator BARB, they are stay-at-home moms, and they are limited to only $500 that they can contribute to an IRA. If they have the money and if they have the will and the wallet, we should give them the same tax opportunities as if they were working in the marketplace because their work at home should be valued as well.

Absolutely. We changed that legislation. I have pending here legislation to permanently change the name of that homemaker IRA to the Hutchison IRA because she really did lead the way. I was an able ally, and we made a difference.

So I could go through item after item—the way we have worked on breast cancer together, the way we have worked on appropriations. She was my ranking member on Commerce-Justice-Science. We have worked together on the space program. We have worked together to keep our areas safe. From the start, we shared a personal commitment that technology and space could help America remain exceptional, a belief in supporting research and science, leading to new ideas that would be not only new areas that we would explore but new technologies for new products and new jobs. Yes, I visited her down at mission control, and I have been there during the great research we were able to see being done in that area.

Remember, the home of the Komen foundation is in Texas. Senator HUTCHISON was very clear that she wanted to be sure that she too was an advocate for women's health. We worked together on mammogram quality standards. Were you aware that in the early days—and I know that sometimes we sound like we built the Pyramids together when I tell these stories; it is both ancient history and a recent reality. If you went into a doctor's office 10, 12 years ago for a mammogram,

you might have gotten a chest X ray and they would have called it a mammogram. It was often given by untrained technicians. There were no standards for the equipment that it would really work the way it was supposed to work, and it was often uncalibrated and ineffectual.

Senator HUTCHISON and I worked using sound science, thorough hearings, working with the Institute of Medicine, FDA, and the National Institute of Standards. Now if you go into your doctor's office for that mammogram, you will see a certificate from your government that says this is a place where you know the technology will work and the people who will be giving it will be trained. You know, once again, this is early detection and screening, saving lives a million at a time. Isn't that fantastic? Again, across the aisle, we were able to do that.

We also did a book together. She was the leader in helping us publish our famous book, ''Nine and Counting.'' Maybe there will be time for another book, but when the chapter of the history of the Senate is written, we want to be sure that the chapter really includes a big statement to the work of Senator KAY BAILEY HUTCHISON.

Again, in this institution it is the personal relationships built often on policy. I went to Texas to tour the space program with Senator HUTCHISON. That is where we heard about the National Space Biomedical Research Institute at Baylor. When I was there, I met Senator HUTCHISON's brother, who faced the same blood cancer disease Geraldine Ferraro faced. Gerry and her brother became fast friends, so KAY and BARB teamed up. Again we pushed research at NIH. You know, cancer knows no party. It knows no ZIP Code. It knows no ideology. But it knows that we need to work together to be able to do it. On that wonderful day of friendship, where we learned the best ideas that will come out of our work in the space program to deal with the dread cancer word, the kinds of things that we study in space will help us be more effective here on Earth.

KAY invited me to the Houston livestock show and rodeo. Now, I grew up in Baltimore, and you have been there many times yourself. You know it is a city known for its row houses, not for its rodeos.

KAY invited me to come to the rodeo in the Astrodome. Well, I showed up, to her surprise. I had little boots, a cowboy hat, and a vest. She put me in a buckboard, and, to ''Deep in the Heart of Texas,'' we circled the Astrodome together. I was in a buckboard, and she was on a palomino next to me. The American flags were waving, and so was I, yelling ''giddy up, little doggie.'' At the end of the evening, I was there munching on barbecue, affectionately called Buckboard BARB—and I have the pictures to show it. They are locked up. I don't widely distribute them. But it was a heck of an evening.

I say that because, again, out of that comes great friendships that also lead to paving the way to where we put our heads together to solve our national problems and to do it in a way where we get the best ideas from a variety of government approaches. And at the end of the day, we feel better, but America is better off.

I am pretty emotional, actually, when I think about OLYMPIA and KAY. We have been together a long time. We welcome the Acting President pro tempore and your generation, but for those of us who maybe didn't build the pyramids—and I hope Senator HUTCHISON can say the same—there is a lot of meaning in a Latin phrase I learned in Catholic girls school many years ago: Exegi aere perennius: We will build a monument more lasting than bronze.

When Senator HUTCHISON returns to Texas again to find a new way to serve the people of this country, she will know that here in this institution, along with Senator OLYMPIA SNOWE, they built monuments to last far longer than any statues made of bronze. They made a difference in the lives of people, and they have done it in a way they can be proud of and for which we can all be grateful.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. I am so touched by the comments of my colleague Senator MIKULSKI about myself and OLYMPIA. I appreciate so much that she has singled us out because Senator MIKULSKI is a pioneer. She didn't build the pyramids, I might say, but it was close. She was in the House first and then came to the Senate. She is our longest serving woman Senator and she will probably be dean of all the Senate at some point because she is a legend. She is a legend in the Senate, she is a legend in Maryland, and she is a legend in our country.

I think back now on the things we have been able to accomplish—and it was not just because we were women—here in this deliberative body where we have 100 people representing 50 very different States. It is not that the men were against anything we have teamed up to do, but it is because of our experiences that we brought to the table. Sometimes it wasn't thought of before, before Senator MIKULSKI and other women came.

I will point out a couple of things and embellish a little on what the Senator said. When we wrote the book ''Nine and Counting,'' there were nine women in the Senate at the time. But it came from something much bigger. It came from a meeting Senator MIKULSKI pulled together of the women of Ireland and Northern Ireland. It was the Catholics and the Protestants who were trying to probe the women Senators, the nine of us who were here, about how they could be effective in making peace in Northern Ireland.

When we started telling our stories to them, to encourage them that they could make a difference in Northern Ireland, BARBARA MIKULSKI and I looked at each other and we said: You know, there is a book here. There is a book about the obstacles women have faced getting to the U.S. Senate and a book that can encourage our girls and young women to play a part in settling the major issues of our country.

From that background, we contacted Bob Barnett, who was an agent of Senators and House Members who write books, and also Cabinet members and Presidents, and we said we would like to get together and write a book. He immediately got to work. It was Claire Wachtel at HarperCollins who said: ''Oh, I love this. I love it.'' She got a writer who went to each of us and interviewed us and then wrote our stories, which were in our own words.

Afterward, we got together and decided to give all of the proceeds to the Girl Scouts of America, which was a common organization that had affected almost every one of the women at the time. The Girl Scouts were giving leadership capabilities to the girls in our country. I had been a Girl Scout and so had BARBARA. Our book is still in print and it has raised tens of thousands, if not hundreds of thousands, of dollars for the Girl Scouts to continue their leadership programs. And it all came from something we learned about each other.

I think the multiple myeloma disease, which my brother has, and which Geraldine Ferraro had, was another area where BARBARA and I bonded. I bonded with Geraldine Ferraro too, who was a champion for women up and coming in our political system. She encouraged me a lot.

But together with BARBARA MIKULSKI, who was a dear friend of Geraldine Ferraro's, and who spoke at her funeral—we both went to that funeral—we were able to pass legislation that provided funding for research and education for multiple myeloma. We named it the Geraldine Ferraro Multiple Myeloma Education Program so that more could be learned about this very rare disease.

Gerri was a fighter and she only died a year and a half ago. My brother is a fighter and he is still doing great. And now, because of our research, we are maintaining and we are letting people live a quality life because we teamed up.

BARBARA told the story, but I will tell the other side—the rest of the story—about the Houston rodeo, because they still talk about Buckboard BARB. She came to the rodeo from her ethnic background in Baltimore, and she was such a great sport. I was riding my horse in the grand entry and BARB was in the buckboard. She was waving and having the best time, and of course all of us were in our rodeo attire, which was sort of foreign to BARB, I have to say. But she was right in there with her boots and her big cowgirl hairdo. And BARBARA leaned over to me at one of the rodeo events and she said: OK,

KAY, if we were here Monday morning and we went to a chamber of commerce meeting, would these people look like this?

I still tell that story in Houston, TX, which they love, and, of course, I said: Oh, yeah. Which wasn't true. But I loved it. She was the best sport, and they still talk about her. They did give her a cowboy hat that was to die for.

Let me mention one other thing. I know Senator AKAKA is here, so I won't take up much more time. We teamed up on the issue of single-sex schools. The Senator from Maryland mentioned her Catholic girls school upbringing. Well, Hillary Clinton, BARBARA MIKULSKI, SUSAN COLLINS, and myself teamed up to ensure that every girl in this country has the opportunity, if their school board decides to offer it as an option, to go to a girls school. And likewise for every boy whose school board decides that it would be better for boys—in middle school especially and high school. We teamed up after about 15 years of trying, starting with Jack Danforth from Missouri. He started the effort to allow single-sex schools in our public entities in America. When I came here in 1993, we finally passed it with our coalition saying: We know this can be better for some girls and some boys. Not all.

I will say to the distinguished Acting President pro tempore that it was the Young Women's Leadership Academy in Harlem, NY, that gave us the courage to say this can be done, because they fought all the efforts to not allow it; all the lawsuits. They stood up. Hillary Clinton went to visit the Young Women's Leadership Academy, and I took Rod Paige, the Secretary of Education, right there to New York and I said: Secretary Paige, we can do this for all Americans. We can. Hillary and I and BARBARA and SUSAN said: We are going to do it. We did, and it was a great accomplishment.

I just want to end by saying that I so appreciate BARBARA MIKULSKI and JOHN CORNYN introducing the bill to name the Homemaker IRA for me. It means so much to me, because I experienced as a young single woman starting an IRA, getting married, and being told I couldn't provide any more for my own retirement security. And I knew there were so many women who, through divorce or the death of a husband, had gone in and out of the workforce or never been in the outside workforce, couldn't save for their own retirement security. When I went to BARBARA, I said: BARBARA, it is a Democratic Senate, so I will make this bill the Mikulski-Hutchison bill to get it passed. Senator MIKULSKI said: Not on your life, it will be Hutchison-Mikulski because it is your idea. And she worked just as hard as if it were the reverse. That says more about the Senator from Maryland than anything I could say. So thank you, BARBARA, for introducing the bill that would name it for me because I know it will help women long after I leave.

I yield the floor.

Mr. CONRAD. Mr. President, I rise today to honor my colleague, Senator KAY BAILEY HUTCHISON, who will be leaving the Senate at the end of this term. Senator HUTCHISON has represented the State of Texas in the Senate since her election in 1993.

Senator HUTCHISON has deep Texas roots, with her great-great-grandfather signing Texas Declaration of Independence in 1836. Growing up in La Marque, TX, Senator HUTCHISON has represented her State as only a true Texan could. Senator HUTCHISON attended the University of Texas at Austin, graduating with bachelor of arts degree. She then went on to earn her J. D. from the University of Texas Law School in 1967. Senator HUTCHISON began her career as a political and legal reporter for KPRC in Houston.

In 1972, Senator HUTCHISON began her long career of public service by twice being elected to represent Houston in the Texas House of Representatives. In 1990, Senator HUTCHISON was elected Texas State treasurer. In 1993, Senator HUTCHISON won a special election, becoming the first and only woman to date to represent Texas in the U.S. Senate. She has continued to represent Texas for almost 20 years in the Senate, repeatedly winning her seat by overwhelming margins, including her reelection in 2000 with more votes than any statewide candidate in Texas history.

Throughout her Senate career, Senator HUTCHISON has been known as a strong leader on defense issues. In 1993, Senator HUTCHISON became the first woman to serve on the Senate Armed Services Committee since 1974. In 2003, Senator HUTCHISON introduced the legislation creating an overseas basing commission, which ensured our forces were capable of meeting the threats we face in the 21st century. Following the September 11 attacks, Senator HUTCHISON was instrumental in securing provisions to increase air cargo screening as part of the National Intelligence Reform Act.

Senator HUTCHISON has also been a champion of education during her time in the Senate. She has used her firm belief that every child is deserving of a quality education to advocate for increased investments in science, technology, and education.

Senator HUTCHISON has served the people of the State of Texas with integrity. I wish her success in whatever she chooses to do in the next chapter of her life.

DAN AKAKA

● Mr. INOUYE. Mr. President, today I would like to honor the legacy and service of my colleague and dear friend, Senator DANIEL K. AKAKA.

My brother, Senator DANIEL AKAKA, has been my friend and partner in Washington for 36 years.

During that time, he has fought hard for Native Hawaiians, veterans, and the needs of Hawaii.

I am sad at the thought of the Senate without him and I am sorry I am unable to join him on the floor today.

DAN AKAKA is the spirit of Aloha.

I have always relied on his even keel and hard work to help me represent the people of Hawaii. And I have never, ever heard him utter a harsh word or do anything to harm another person.

There are few words to describe a kind man of his stature, but I assure you, Hawaii and this Nation are better because of his work.

On behalf of the people of Hawaii, thank you DANNY. There will never be another like you.●

Mr. CONRAD. Mr. President, I rise today to pay tribute and recognize the accomplishments of a colleague and dear friend who will be retiring from the U.S. Senate at the end of the term. Senator AKAKA has represented the State of Hawaii with distinction for 36 years. He has been a firm advocate for his constituents, especially for Native Hawaiians.

I have had the honor and privilege to work alongside Senator AKAKA on the Indian Affairs Committee. During this time and throughout his tenure as chairman, I have witnessed his commitment to improving the overall well-being of Native Hawaiians as well as all indigenous people. He has been a tireless advocate for their rights, and, with his leadership and bipartisan dedication, he has brought many issues they confront to the forefront. For more than a decade, Senator AKAKA has championed the Native Hawaiian Government Reorganization Act, which establishes a process for Native Hawaiians to gain Federal recognition. He has also been the driving force in advancing the Native Hawaiian language movement. His dedication and leadership has ensured survival of the language.

As part of the greatest generation and a veteran, Senator AKAKA also used his time as chairman of the Committee on Veterans' Affairs to champion laws to improve health care and benefits for countless veterans, servicemembers, and their families.

Known for breaking down barriers and building relationships, Senator AKAKA has served the people of Hawaii with integrity and humility. He is a true statesman, gentleman, and patriot, and our country is better for his service. He leaves a distinguished legacy and will be greatly missed by us all. I thank Senator AKAKA for his friendship and service to our Nation, and I wish him and his wife Millie all the best for the future.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

FAREWELL TO THE SENATE

Mr. AKAKA. Madam President, I rise to give my remarks and my aloha to the U.S. Senate.

Before I begin, I would like to take a moment to wish my good friend, my colleague of 36 years, my brother, DAN

INOUYE, Hawaii's senior Senator, a speedy recovery and return to the Senate.

I rise today to say aloha to this institution. I have been honored to be a Member of the U.S. Senate for 22 years. It has been an incredible journey that I never imagined.

As a senior in high school going to Kamehameha School for Boys, which was noted as a military school, my life was changed forever when I saw Japanese fighter planes attacking Pearl Harbor. Like most men in my generation, I joined the war effort. My path was forever altered.

When the war ended, I believe I was suffering from PTSD. It was an act of Congress that allowed me, and the veterans of my generation, to build a successful new life. Congress passed the GI bill, and I say with certainty that I would not be standing before you today without the opportunity the GI bill gave me, not only to get an education but to have structure and a path forward—and the feeling that there was a way for me to help people. This proved to me that when Congress acts responsibly, it can build a better America.

That is why, when I was blessed with the opportunity to lead the Senate Committee on Veterans' Affairs, I dedicated myself to helping our servicemembers and veterans and their families, and worked with my colleagues to expand VA services and pass a new 21st-century GI bill.

So I want to take this moment to urge all of my colleagues and all of the incoming Senators and Representatives to do everything they can for our veterans and their families because we ask them to sacrifice so much for us. They put their lives on the line while their wives and husbands watch over their families. Caring for them is one of our most sacred obligations as a nation.

Not everyone on the front lines making our Nation stronger wears a uniform. In many critical fields the Federal Government struggles to compete with the private sector to recruit and retain the skilled people our Nation needs: experts in cyber security and intelligence analysis, doctors and nurses to care for our wounded warriors, and accountants to protect taxpayers during billion-dollar defense acquisitions. These are just a few examples. After I leave the Senate, it is my hope other Members will continue to focus on making the Federal Government an employer of choice. We need the best and brightest working for our Nation.

The work of the Congress will never end, but careers come to a close. Like the great men whose names are etched in this desk, I am humbled to know I have left my mark on this institution. I am proud to be the first Native Hawaiian ever to serve in the Senate, just as I am so proud to be one of the three U.S. Army World War II veterans who remain in the Senate today.

The United States is a great country. One of the things that makes us so great is that though we have made mistakes, we change, we correct them, we right past wrongs. It is our responsibility as a nation to do right by America's native people, those who exercised sovereignty on lands that later became part of the United States. While we can never change the past, we have the power to change the future.

Throughout my career I have worked to ensure that my colleagues understand the Federal relationship with native peoples and its origins in the Constitution. The U.S. policy of supporting self-determination and self-governance for indigenous peoples leads to native self-sufficiency, resulting in our continued ability to be productive and to contribute to the well-being of our families, our communities, and our great Nation. That is why I worked to secure parity in Federal policy for my people—the Native Hawaiians.

The United States has recognized hundreds of Alaska Native and American Indian communities. It is long past time for the Native Hawaiian people to have the same rights, same privileges, and same opportunities as every other federally recognized native people.

For more than 12 years now, I have worked with the Native Hawaiian community and many others to develop the Native Hawaiian Reauthorization Act, which has the strong support of Hawaii's Legislature and Governor as the best path forward toward reconciliation.

My bill has encountered many challenges, but it is pono—it is right—and it is long overdue. Although I will not be the bill's sponsor in the 113th Congress, it will forever bear my highest aspirations and heartfelt commitment to the Native Hawaiian people, the State of Hawaii, and the United States of America.

I know I am just one in a long line working to ensure that our language, our culture, and our people continue to thrive for generations to come. I believe Hawaii has so much to teach the world and this institution. In Congress and in our Nation, we are truly all together, in the same canoe. If we paddle together in unison, we can travel great distances. If the two sides of the canoe paddle in opposite directions, we will only go in circles.

I urge my colleagues to take this traditional Hawaiian symbol to heart and put the American people first—by working together.

I want to say mahalo nui loa—thank you very much—to my incredible staff. After 36 years there are far too many individuals to name, so I will just thank all of my current and former staff members in my Senate and House offices and on my committees, including Indian Affairs, Veterans' Affairs, and the Subcommittees on Oversight of Government Management, the Federal Workforce, and the District of Columbia.

I want to thank the hundreds of employees who work for the Architect of the Capitol and the Sergeant-at-Arms. Without the hard work they do every day, we could not do what we do in the Senate. Mahalo. Thank you to the floor and leadership staff as well.

I also want to thank Senate Chaplain Barry Black, who has provided me so much guidance and strength and has done more to bring the two sides of the Chamber together and find common ground than just about anyone. I want to thank our colleagues who join together every week for the Prayer Breakfast and Bible study as well. All of these have helped to shape me and the things I do here.

There is no one I owe more to than my lovely wife of 65 years, Millie. She is literally there for me whenever I need her. Nearly every day that I have served in the Senate for the past 22 years, Millie has come to the office with me. She helps me greet constituents, she makes me lunch, she keeps me focused, and she makes sure I know what is happening back home. She means the world to me. Every honor I have received belongs to her and to my family, my children, my grandchildren, and great-grandchildren. This speech is their farewell speech too. So mahalo, Millie and my ohana, my family.

In life there are seasons. While leaving Congress is bittersweet, I am looking forward to spending more time with our five children and getting to know our 15 great-grandchildren, and—can you believe this—we are expecting our 16th great-grandchild next year, and I will be home to see it.

I am looking forward to speaking with students and mentoring up and coming leaders and visiting places in Hawaii that I have worked for over my career. My goal was to bring the spirit of aloha to our Nation's Capital in everything I do. In Hawaii, we look out for one another, we work together, and we treat each other with respect. I hope I succeeded in sharing a little bit of Hawaii with all of you.

As I come to the end of 22 years in this Chamber, and a total of 36 years serving in Congress, I offer my profound gratitude and humble thanks to the people of Hawaii for giving me the opportunity to serve them for so many years. It truly was an experience of a lifetime. All I ever wanted was to be able to help people, and you gave me that opportunity. So mahalo nui loa. Thank you very much.

In Hawaii, when we part, we don't say goodbye. Instead, we say a hui hou, which means until we meet again.

Although I am retiring, I see this as the start of a new chapter, a new season. And I am blessed to have made friendships and partnerships that will last forever.

God bless Hawaii, and God bless the United States of America with the spirit of aloha. A hui hou.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

FAREWELL TO THE SENATE

Mr. LUGAR. Madam President, I rise today to address my colleagues on a

number of issues important to the future of the United States and to offer some perspective on Senate service.

In a few weeks, I will leave the Senate for new pursuits that will allow me to devote much deeper attention to a number of issues that have been a part of my Senate service. Among these are preventing the proliferation of weapons of mass destruction and developing more efficient ways to feed the world. I am especially pleased that I will be serving on the faculty of the University of Indianapolis and helping that institution establish a Washington internship program. I look forward to announcing additional endeavors of service in coming weeks.

My service in the Senate would not have been possible without the encouragement and constant support of my loving wife Char, our four sons—Mark, Bob, John, and David—and the entire Lugar family. Their strength and sacrifices have been indispensable to my public service. I also am indebted to a great number of talented and loyal friends who have served with me in the Senate, including more than 300 Senators, hundreds of personal and committee staff members, and more than a thousand interns. In my experience, it is difficult to conceive of a better platform from which to devote oneself to public service and the search for solutions to national and international problems. At its best, the Senate is one of the Founders' most important creations.

A great deal has been written recently about political discord in the United States, with some commentators judging that partisanship is at an all-time high. Having seen quite a few periods in the Congress when political struggles were portrayed this way, I hesitate to describe our current state as the most partisan ever. But I do believe that as an institution we have not lived up to the expectations of our constituents to make excellence in governance our top priority.

Many of us have had some type of executive experience as Governors, mayors, corporation chiefs, and cabinet officials. I had the good fortune of serving two terms as the Mayor of Indianapolis prior to my Senate service. For the last 36 years, I have attempted to apply lessons learned during those early governing experiences to my work in the Senate. As mayor, my responsibility for what happened in my city was comprehensive and inescapable. Citizens held the mayor's office accountable for the prosaic tasks of daily life, like trash collection and snow removal, but also for executing strategies for the economic and social advancement of the city.

In legislative life, by contrast, we are responsible for positions expressed through votes, cosponsorships, interviews, and other means. It takes courage to declare dozens or even hundreds of positions and stand for office, knowing that with each position, you are displeasing some group of voters. But we do our country a disservice if we mistake the act of taking positions for governance. They are not the same thing. Governance requires adaptation to shifting circumstances. It often requires finding common ground with Americans who have a different vision than your own. It requires leaders who believe, like Edmund Burke, that their first responsibility to their constituents is to apply their best judgment.

It is possible to be elected and reelected, again and again and gain prominence in the Senate while giving very little thought to governance. One even can gain considerable notoriety by devoting one's career to the political aspects of a Senator's job—promoting the party line, raising money, and focusing on public relations. Responsibility for legislative shortcomings can be pinned on the other party or even intractable members of one's own party. None of us are above politics, nor did the Founders expect us to be. But, obviously, we should be aspiring to something greater than this.

Too often in recent years, Members of Congress have locked themselves into a slate of inflexible positions, many of which have no hope of being implemented in a divided government. Some of these positions have been further calcified by pledges signed for political purposes. Too often we have failed to listen to one another and question whether the orthodox views being promulgated by our parties make strategic sense for America's future. The result has been intractably negative public perceptions of Congress. A Rasmussen Reports poll conducted this month found that only 10 percent of likely voters gave Congress a rating of ''excellent'' or ''good.''

For me, the irony is that having seen several generations of lawmakers pass through this body, I can attest that the vast majority are hardworking, genuinely interested in public service, and eager to contribute to the welfare of our country. Often, the public does not believe that. It is easier to assume that Congressional failings arise from the incompetence or even the malfeasance of individual legislators. Or perhaps, as some believe, Washington, D.C. itself is corrupting. It is far more disconcerting to think that our democracy's shortcomings are complex and defy simple solutions, but the Founders were realists who understood the power of factionalism, parochialism, and personal ambition. They understood that good intentions would not always prevail. Accordingly, they designed a system to check abuse and prevent power from accumulating in a few hands. But they knew that the efficient operation of such a republic would require a great deal of cooperation. They knew that it would require most elected officials to have a dedication to governance, and they trusted that leaders would arise in every era to make their vision work.

The Senate has a unique role to play in good governance. We have attributes not possessed by the executive branch, including staying power. Administrations turn over every 4 or 8 years. But Senators can have careers spanning decades that allow them to apply expertise and political understanding to problems over many years, even as administrations come and go. We also can confer a bipartisan framework on a policy. Even a small bipartisan group of Senators cooperating on a difficult problem is a powerful signal of the possibility for a unifying solution.

My hope is that Senators will devote much more of their energies to governance. In a perfect world, we would not only govern, we would execute a coherent strategy. That is a very high bar for any legislative body to clear. But we must aspire to it in cooperation with the President because we are facing fundamental changes in the world order that will deeply affect America's security and standard of living.

The list of such changes is long, but it starts in Asia with the rise of China and India as economic, political, and military powers. The Obama administration has conspicuously announced a ''pivot'' to Asia. At the center of this pivot is China, which exists as both an adversary to certain U.S. interests, and a fellow traveler sharing mutual goals and vulnerabilities on others. The ongoing challenge will be for the United States to discern, sometimes issue by issue, whether China is an adversary or a partner. This calibration will impact America's relations with the rest of Asia and may ultimately determine prospects for war or peace in this world.

While visiting Indonesia, Thailand, and the Philippines in October, I was reminded of the economic vitality of Southeast Asia and the fact that the ten countries comprising ASEAN represent the fourth largest export market of the United States. These countries are center stage to the circumstances with China. We must stand firm with our friends throughout Asia and actively pursue prospects for free trade with open sea lanes and other policies that will strengthen America's economic growth.

More broadly, we face the specter of global resource constraints, especially deficiencies of energy and food that could stimulate conflict and deepen poverty. We have made startling gains in domestic energy production, but we remain highly vulnerable to our dependency on oil. Perhaps equally important, even if we are able to produce more energy at home, we cannot insulate ourselves from energy-driven shocks to the global economy. In other words, we have to cooperate with other nations in improving the global system of manufacturing and moving energy supplies. Currently, a key to this is helping to ensure the completion of the southern energy corridor serving Central and Southeastern Europe and unleashing our own liquified natural gas exports to address the energy vulnerabilities of our closest allies.

The potential global crisis over food production is less well understood.

Whereas research is opening many new frontiers in the energy sphere, the productivity of global agriculture will not keep up with projected food demand unless many countries change their policies. This starts with a much wider embrace of agriculture technology, including genetically modified techniques. The risks of climate change intensify this imperative.

Even as we deal with potential resource constraints, our country remains vulnerable to terrorism and asymmetric warfare. Access to the internet and social media has deeply altered international politics, in most cases for the better. But it also has contributed to instability through sudden upheavals like the Arab Spring; it has allowed destructive terrorist movements like al Qaida to franchise themselves; and it has intensified risks of cyber-attacks, espionage, and the proliferation of weapons of mass destruction. The potential catastrophe remains of a major terrorist attack on American soil employing weapons of mass destruction. If that happens, in addition to the lives lost, our expectations for economic growth and budget balancing could be set back by a decade or more. Having devoted considerable time to this problem, my experience is that there are no silver bullets. Protecting the United States from weapons of mass destruction is a painstaking process that every day must employ our best technological, diplomatic, and military tools.

Amidst all these security risks, we must maintain the competitiveness of the United States in the international economy. We should see education, energy efficiency, access to global markets, the attraction of immigrant entrepreneurs, and other factors as national security issues. My own view is that the fundamentals of American society still offer us the best hand to play in global competitiveness. No other country can match the quality and variety of our post-secondary education. We have the broadest scientific and technological base and the most advanced agricultural system. Our population is younger and more mobile than most other industrialized nations. We still can flourish in this global marketplace if we nurture the competitive genius of the American people that has allowed us time and again to reinvent our economy.

But we must deal with failures of governance that have delayed resolutions to obvious problems. No rational strategy for our long term growth and security, for example, should fail to restrain current entitlement spending. And no attempt to gain the maximum strategic advantage from our human resource potential should fail to enact comprehensive immigration reform that resolves the status of undocumented immigrants and encourages the most talented immigrants to contribute to America's future.

Faced with immense responsibilities, there is a need to elevate our Senate debate. It is vital that the President and Congress establish a closer working relationship, especially on national security. This is not just a matter of process. It is necessary to undergird national unity in the event of severe crises, such as war with Iran or another catastrophic terrorist attack.

This cooperation depends both on Congressional leaders who are willing to set aside partisan advantage and on administration officials who understand that the benefits of having the support of Congress is worth the effort it takes to secure it. Currently, the national security dialog between the President and Congress is one of the least constructive that I have ever witnessed. There is little foundation for resolving national security disputes or even the expectation that this can occur. Before the next 9/11, the President must be willing to call Republicans to the Oval Office to establish the basis for a working partnership in foreign policy. And Republicans must be willing to suspend reflexive opposition that serves no purpose but to limit their own role in strategic questions and render cooperation impossible. All parties should recognize the need for unity in the coming year when events in Iran, Syria, Afghanistan, North Korea, and other locations may test American national security in extreme ways.

I commend each of you, my Senate colleagues, for the commitment that led you to stand for election to the United States Senate. Running for office is a difficult endeavor that is usually accompanied by great personal risk and cost. Each one of you is capable of being a positive force for changing the tone of debate in our country. Each one of you has a responsibility not only to act with integrity and represent your constituents, but also to make the informed and imaginative choices on which good governance for our country depends.

I am optimistic about our country's future. I believe that both internal divisions and external threats can be overcome. The United States will continue to serve as the inspiration for peoples seeking peace, freedom and economic prosperity. And the United States Senate should and will be at the forefront of this advancement.

May we seek each day from God our creator, the wisdom and the will to do our best in the governance of our country. And may God continue to bless the United States of America.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Indiana.

Mr. COATS. Mr. President, I rise today to honor the service of Senator RICHARD LUGAR and to pay tribute to his legacy. I served alongside Senator LUGAR as the junior Senator of Indiana during my two tours of service in the Senate. All of us who seek public service want to make a difference, and most certainly Senator LUGAR has done that.

At an early age DICK LUGAR developed a passion for knowledge. A native of Indianapolis, he was valedictorian at Shortridge High School. It was then and is still a distinguished institution where knowledge is at the forefront of everything done in that school. One of our former Members, Ted Stevens, was also a graduate of Shortridge High School.

DICK LUGAR went on then to become valedictorian in college when he graduated from Denison University with a bachelor's degree in economics. He went on to attend Pembroke College at Oxford University as a Rhodes Scholar and obtained a second bachelor's degree and master's degree in politics, philosophy, and economics. Today he is one of the most decorated scholars in the Senate with 46 honorary degrees from 15 States and the District of Columbia.

Following these most impressive academic achievements, Senator LUGAR spent several years in the U.S. Navy ultimately serving as an intelligence briefer for ADM Arleigh Burke, Chief of Naval Operations. The Navy and Admiral Burke chose the best person they could for that particular job. DICK LUGAR quickly became well known for not only his hard work but his leadership ability and his intellectual prowess. Senator LUGAR then returned to Indiana where at the young age of 35 he became the mayor of Indianapolis, serving two terms from 1968 to 1975. There is no question that DICK LUGAR is recognized as one of the most influential and visionary mayors Indiana has ever seen, and maybe the country has ever seen.

Having just left military service myself, I was working full time attending Indiana Law School at night. That didn't leave much time for Marsha and me to enjoy the amenities of Indianapolis but, frankly, there were very few amenities to enjoy at that particular time. It was then that our newly elected mayor began a remarkable transformation of Indianapolis into now what has become one of the most attractive and livable cities in America.

As mayor, DICK LUGAR worked carefully with the Indiana General Assembly and then-Governor Ed Whitcomb to extend the boundaries of the city and merge the governments of Indianapolis and Marion County to provide common essential services more efficiently—a concept then called Unigov. Unigov wasn't without controversy, but because of DICK LUGAR's vision, careful negotiations, and decisive action, Indianapolis became a model for other cities across the Nation.

When the law took effect in 1970, Indianapolis's population rose from 476,000 to 793,000. Indianapolis moved from the 26th largest city to one of the Nation's largest dozen cities literally overnight. When I think of the numerous positive changes in Indianapolis over the past 40 years, I see the fulfillment of the vision of then-Mayor DICK LUGAR.

The Midwest has a way of producing men and women of sense and decency. However, not all of us fall into that category. Sometimes that sense is questioned, but we do have individuals who have the ability to see to the heart of the matter and to find a way to resolve a problem. Such skill is extremely valuable in the U.S. Senate, a body that by its very design is supposed to foster compromise between legislators on issues before the Nation. So it was a natural progression that following his success as mayor, DICK LUGAR's next job would be serving Hoosiers as a U.S. Senator.

Since 1977, Senator LUGAR has represented Hoosiers and served our Nation admirably. Without question, Senator LUGAR is the type of lawmaker and leader who works hard to bring both parties together, find common ground, and pass needed legislation. Although his contributions are many—including his long and valued service on the Senate Agriculture Committee—Senator LUGAR's most important role in the Senate has to be his leadership on the Senate Foreign Relations Committee. As a two-time chairman of this committee, he has been one of the most influential minds on foreign policy in the Senate's history. He has worked tirelessly on policies and legislation to promote arms control, control and dismantle nuclear arms, and to address the global food crisis.

Among his many accomplishments in the field of foreign relations, his signature piece of legislation, no doubt, is the Cooperative Threat Reduction Program, more commonly known as Nunn-Lugar. When Senator LUGAR joined the Foreign Relations Committee in 1979, he traveled to the former Soviet Union on multiple occasions to gain a better understanding of how the United States could secure and dismantle weapons of mass destruction.

His experiences led him to champion the landmark legislation that successfully resulted in the deactivation of nuclear warheads, making this world a safer place. To date, the Nunn-Lugar program has deactivated more than 7,500 nuclear warheads that were once aimed at the United States. It is a contribution to which Americans can never give enough thanks.

Over his 36 years in this institution, Senators from both sides of the aisle have considered DICK LUGAR a trusted resource when it comes to foreign policy and many other important issues. He has been a consistent resource for those who seek thoughtful answers to difficult political questions.

When I first arrived here in 1989, Senator LUGAR and I operated a unique joint office arrangement in Indiana. We shared office space and staff in our State. Many of our colleagues were surprised by this arrangement, but DICK LUGAR and I like to tell Hoosiers that they are getting twice the service for half the price. All those who work in this Chamber can learn from DICK LUGAR's passion for public service. His sincere desire to reach across the aisle and find common ground complements his unique talent for forging coalitions and bringing people together to accomplish big things.

A tribute to Senator LUGAR would be incomplete without recognizing the support of his wife Charlene, his four sons, and his extended family. Public service places unique demands on our families, and their sacrifice and support plays an important role in any Senator's success.

It has been an honor for me to work with Senator LUGAR. I am thankful for his service to Indiana and to our country.

My wife Marsha and I wish Senator LUGAR, Char, and his family nothing but the best as my dear friend begins this next chapter of his life. Senator LUGAR has dedicated so much of his service to our country. He has outlined many other ways in which he will be continuing to do that and that is a great benefit to our Nation and to our State. I am certain we will continue to learn and benefit from the Senator's lifetime of public service.

I know my colleagues join me in thanking Senator LUGAR for his many years of dedicated and distinguished service. It has been a pleasure to serve as a junior Senator from Indiana under the Senator's leadership.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me add my words of commendation to those of Senator COATS for Senator LUGAR. I have often joked with him that he has been my Secretary of State while I have served here in the Senate. We could count on Senator LUGAR to give good, unbiased advice on complicated foreign relations issues, and we will very much miss Senator LUGAR's voice here in the Senate, and also his better half, Char Lugar, who I think we all know is a bright light. It has been an honor and a privilege to serve with Senator LUGAR, and I know his voice will continue to be heard on the important issues of the day.

In both Indiana and North Dakota, agriculture is a pillar of the economy. Senator LUGAR fully understands the importance of farming, and it has always been near his heart. He still manages a 600-acre corn, soybean, and tree operation back home. Here in the Senate, he has been a champion for his State's farmers, serving on the Agriculture Committee since his first term. I have worked with him as a member of that committee since I joined the Senate a decade later. He twice served as chairman, most notably during the passage of the 1996 farm bill.

I had the privilege to work with Senator LUGAR in crafting numerous farm bills. During the Agriculture Committee's debate of the last farm bill, Senator LUGAR and I teamed up to fund rural energy programs. We both understand the importance of getting more energy from the Midwest instead of the Middle East. Rather than sending our dollars outside of the country to buy oil, we can invest in renewable energy that is produced at home. Without DICK's support, the Senate's version of the farm bill would have lacked these important provisions.

When the history books are written about our era, Senator LUGAR will be remembered as one of the Senate's leading voices on foreign policy. A proven leader, DICK has been recognized by his colleagues for his clear-eyed analysis and practical solutions to global problems. His expertise has been invaluable to the Senate, whether it was regarding the threats of the Soviet Union during the Cold War or Islamic terrorism today. One of Senator LUGAR's brightest achievements was the creation of the Cooperative Threat Reduction Program, commonly known as Nunn-Lugar. Through this program, the United States helps partner countries destroy and secure weapons of mass destruction. It has deactivated over 7,600 nuclear warheads that once threatened our Nation. Our world is undoubtedly a safer place because of Senator LUGAR's unwavering commitment to secure nuclear material.

DICK has been one of the most pragmatic Members of the Senate. He understood that compromising with others does not mean betraying one's beliefs. He was willing to work with Members on both sides of the aisle to achieve sensible solutions to our Nation's problems. At a time when our country desperately needs to set aside inflexible partisan rigidity in order to advance the common good, Senator LUGAR will be greatly missed.

I thank Senator LUGAR for his service in the Senate, to his State and the country. I thank him for being a friend to me, and I wish him and his family the very best in the future.

FAREWELL TO THE SENATE

Mr. President, we have this long tradition in the Senate of Senators giving farewell remarks. I want to alert colleagues that mine will be especially long, so they might want to go have lunch and then come back. I don't consider this my final speech because I am still hopeful we will reach an agreement on the farm bill. The distinguished Chair is here. I hope we can reach agreement on averting the fiscal cliff because that is important to the country. I hope we will have additional chances to communicate with colleagues and the public before we are done.

These are my farewell remarks and observations of 26 years of service here, and it has been an incredible experience.

The first thing I want to do is say thank you to the people of North Dakota for having confidence in me when I was only 38 years old in sending me to represent them in the Senate. I was 38, but I looked about 25, and the people of North Dakota elected me in a stunning upset of a long-established incumbent. I treasure the confidence they have had in me.

I also want to thank my colleagues for the responsibilities they have given me. I also want to thank the leadership team of Senator REID, Senator DURBIN, Senator SCHUMER, and Senator MURRAY and the confidence they have had in me. I have been so blessed to have people who have been with me on my staff in many cases for more than 20 years. My chiefs of staff, include Jim Margolis, who is one of the top media gurus in the country. He has done much of the advertising for the President in this last campaign. Also, my thanks to David Herring and Mary Wakefield, as well as Kent Hall, who died an untimely death while working for me.

Thank you to Sara Garland, Bob Van Heuvelen, and Wally Rustad. Thanks also to Tom Mahr, who was my legislative director for than 20 years.

I also wish to thank my executive assistant, who has been with me more than 20 years; Geri Gaginis, who we all fondly call Mom in my office because she cracks the whip and makes sure the trains run on time; Mary Naylor, my long-time director on the Budget Committee and who has also been with me more than 20 years.

My Budget Committee deputies John Righter and Joel Friedman have done extraordinary work on behalf of the people of this country. Stu Nagurka is here with me today and is going to help me with charts and has been my long-time communications director.

There are so many more people I want to thank. Most of all, I want to thank my family. My wife Lucy, who has been my great partner through all of this. She was my campaign manager when I first ran for the Senate. My daughter Jessie, who has in many ways, perhaps, sacrificed the most, because when a person is in this job they miss birthdays and other important events. She has been a great daughter. She was here last night for our farewell party and we had a lovely time. Our son Ivan and his wife Kendra, who are in Oregon where they have a small farm called Tipping Tree Farm. We wish they could be here today. Our grandson Carter, who is a proud member of the University of Oregon marching band, The Ducks, and who served as an intern for me—not at government expense, by the way, it was at our expense; and our little dog Dakota who has become sort of a mascot of the U.S. Senate. Brian Williams, when he did a show on ''A Day in the Life of the Senate,'' concluded that program by calling Dakota the ''101st Senator.'' I think he will be missed perhaps more than I am as I leave the Senate.

In 1964, I came here. I sat up in the gallery—in fact, it was the gallery right up there—I was 16 years old, and I watched a debate on civil rights. Hubert Humphrey was leading that debate. It so inspired me that I thought, you know, someday I would like to be down on that floor and I would like to debate the great issues of the day and I would like to represent the people of North Dakota. So I went home and wrote out on the back of an envelope that I would run for the U.S. Senate in 1986 or 1988, and I ran in 1986 and was successful. That is the power of a plan. To the young pages who are here, if any of you seeks to be in the U.S. Senate someday, have a plan, because there are so many people who sort of drift through life without one. If you have a plan, you will be light years ahead.

In that race, as I indicated, my now-wife Lucy was my campaign manager. We won what was then believed to be the biggest political upset in the history of our State. I was proud of that victory and proud to have a chance to represent North Dakota here.

I think we all know our country needs a plan now, and we know plans have worked before. I was here in 1993 when we had just come off the largest deficit in the history of the United States. The country was in the doldrums. The economy was just plugging along, not doing very well, we had a weak recovery from a deep recession, and we passed a plan to get the country back on track. We did it the old-fashioned way. We made tough decisions, some that were unpopular, but it was the right thing to do and it worked. We balanced the budget. We had the longest period of uninterrupted economic growth in the Nation's history. Twenty-three million jobs were created, and we were actually paying down the debt of the United States at the end of the Clinton administration.

We did it again when disaster struck my State in 1997. We had one of the worst disasters ever in North Dakota, a 500-year flood that followed the worst winter storm in 50 years. Many of my colleagues may recall the images from that disaster when firemen were fighting an enormous conflagration in downtown Grand Forks in the middle of a blizzard and there was also a massive flood. Grand Forks was devastated.

Again, we had a plan, a $500 million disaster recovery plan that became a $1 billion plan, and it worked, and we did it the old-fashioned way. We made tough decisions, some that were unpopular, but it was the right thing to do and it worked. The community held a recognition event for me last weekend. The leadership of the community was there, and many people from of the community reported on the remarkable recovery in Grand Forks. It is, I think, an example of what can be done when government responds and does so intelligently and effectively.

Now we face a new challenge. We have a fiscal cliff or a fiscal curb or whatever one terms it, but what we know is that if we fail to act, we could be pushed back into recession. Our country needs a plan—a plan to get us back on track, to revitalize economic growth, to secure our long-term economic future, and to get the country moving again, and we can do it. We have done much tougher work in the past.

Sometimes I hear people being critical of this institution when they leave here. Let me say I am not in their ranks. I leave this institution with enormous respect. The U.S. Senate is the greatest deliberative body in the world, and I sincerely believe the vast majority of my colleagues are serious-minded and have the best interests of the country at heart. I believe the vast majority of my colleagues want to do what is right for the country. We have differences—enormous differences—about what is the right thing to do, but I have no doubt most of our colleagues are well intentioned.

In many circles it is fashionable now to bash government and play down its importance. I personally think we would do well to remember what it has accomplished. I can remember so clearly being called to an emergency meeting in this building in the fall of 2008. I was handed a note saying I was urgently requested to come here. It was about 6 o'clock in the evening. I was the last one to arrive. When I walked into the leader's office, there were the leaders of the House and the Senate, Republicans and Democrats, the Secretary of the Treasury from the Bush administration, and the Chairman of the Federal Reserve. I instantly understood something very serious was afoot. They closed the door and told us they were going to take over AIG, the large insurance company, the next day. They weren't there to ask for our approval or seek our agreement; they were there to tell us they were taking this step and they told us they were taking this step because they believed if they did not, there would be a financial collapse in this country within days, and they gave great specificity as to what would happen if there was a failure to take the action they were about to take.

The public reaction was harshly negative. The notion of the Government of the United States bailing out a large private insurance company created controversy and criticism from almost every corner. Ultimately, the rescue of that company cost $180 billion—a staggering sum. But do my colleagues know what. We have learned this week that the taxpayers will make money on the deal. Yes, it cost us $180 billion, but the taxpayers are going to make $22 billion on the transaction. If we hadn't done it, we would have risked going into a depression.

So when people say there is no role for government or it should be a limited, shrunken roll, I say, Really? Would we have wanted to stand by and risk this country going into another Great Depression? Let's recall what that was like. More than 20 percent of the people in this country were out of work. I know my own grandfather, who refused to take bankruptcy, owned stock in the local bank. In those days people had unlimited liability if they owned stock in a bank. So when there was a run on the bank, as there was, he was called to bring money to the bank,

which he did. He did it over and over, and it took him 9 years to recover. People were hungry. People were desperate. That is what a depression is about.

So when I reflect back to those decisions, I believe they were the right decisions to make. It is not just my view; that is the view of two of the most distinguished economists in this country, Mark Zandi, who was a key economic adviser to Senator JOHN MCCAIN in his Presidential race, and Alan Blinder, the former Deputy Chairman of the Federal Reserve. Here is what they say: Without that Federal response, we would have had 8 million fewer jobs and a 16-percent level of unemployment in this country, and we would have been in the second Great Depression. They call it ''Depression 2.0.''

So let's remember where we were when President Obama came to office. The Nation was facing the worst economic catastrophe since the Great Depression. In the fourth quarter of 2008, the economy shrank at a rate of almost 9 percent. After the Federal actions, positive economic growth returned in the third quarter of 2009 and we have now had 13 consecutive quarters of economic growth. We have come a long way. This is a remarkable turnaround in a very short time, measured against previous financial crises. In fact, there has been an academic study just completed that suggests typically it takes 8 to 10 years to recover from a financial crisis. So the recovery here, while not everything we would have hoped, is a dramatic turnaround.

At the same time, our constituents know, and we know, the price has been high. We know we are currently borrowing 31 cents of every dollar we spend. That is somewhat of an improvement, because we were borrowing 40 cents of every dollar we spend. So this is an improvement, but we have a long way to go. And the public understands we face both a spending and a revenue problem. Spending is near a 60-year high, as this chart shows. The red line is the spending line; the green line is the revenue line. But for those who say it is just a spending problem, I don't think the facts bear that out, because the revenue is near a 60-year low. I think most logical people would say we have to work both sides of this equation.

When we look at our debt, we see that our gross debt has now surpassed 100 percent of our gross domestic product. There was a landmark work done a couple of years ago by Rogoff and Reinhart. They looked at 200 years of economic history and they concluded that once our debt exceeds 90 percent of GDP, our future economic prospects are reduced, and reduced quite significantly: future economic growth reduced by 25 to 33 percent. So this is not just numbers on a page; this is a question of future economic opportunity.

This growing debt is why many of us called for action a long time ago. In fact, it was 6 years ago this month that Senator Gregg and I came up with the idea of a commission to tackle the debt. That idea ultimately led to the President appointing the Bowles-Simpson Commission. Its bipartisan report recommended $4 trillion in deficit reduction in a balanced way, and I think in a fair way. It protected low-income programs, it actually improved the progressivity of the tax system quite significantly, and it was balanced between revenue and spending. Other bipartisan groups have concluded the same, that we need spending restraint and we need revenue. So there is a critical role for government here. We have seen it in the past and we will find it in the future.

But I think we also have to acknowledge there are problems here. There are problems in this Chamber. As proud as I am of this institution, and I will forever be, I have detected over the 26 years I have been here, a change. It has happened kind of gradually, but it has clearly happened. We now spend too much of our time seeking partisan advantage, and it happens on both sides, and it is all understandable. I understand it. I am not being critical of individuals. We spend too little time trying to solve problems. We spend too little time in our caucuses, in our meetings, focused on how to solve the problems facing the country. I deeply believe this observation is true.

I believe we can do better than this. The institutions of our government have a proud history. The genius of our Founding Fathers can be found in every part of our history. Whether it was conquering the last Great Depression or winning World War I and World War II or launching a man into space or conquering dread diseases, over and over our country has organized to better the plight of mankind. We need that same kind of focus and effort now to address our challenges. I am confident we can do this, but it is not enough to be confident. It is not enough to be hopeful. It requires a plan, and I would like to take the next few minutes to lay out my belief of what that plan should include.

Much of what I will talk about reflects the work of the Bowles-Simpson Commission, the Group of 6 that I have been a part of, and the Group of 8.

It starts by looking at what both sides have laid down. Republicans have laid down the spending cut plan; the President has laid down a revenue plan. My own belief is we should take them both. We should take what the Republicans have proposed on spending, with some modest modifications which I will discuss, and we should take the President's plan on revenue.

The President laid down a plan that said we ought to raise $1.6 trillion over the next 10 years. Boy, that sounds like an awful lot of money, doesn't it—$1.6 trillion. Not billion, not million, trillion. And people will be quick to say: Oh, my God, that is the biggest tax increase in the history of mankind. Terrible. We cannot do that.

Well, we need to put it in perspective. The first thing we should recognize is this will take us to a revenue level that is 19.9 percent of our GDP. The last five times we have balanced the budget in this country, going back to 1969, we have been at 19.7 percent, 19.9 percent, 19.8 percent, 20.6 percent, and 19.5 percent. Does 19.9 percent fit in? These are the only times we balanced the budget going back to 1969.

To put it in even more perspective, how much revenue are we going to raise over the next 10 years without any change? Well, here is the number: $37.4 trillion. Nobody ever puts these things in perspective. These big numbers are in relationship to what; $1.6 trillion is what in relationship to $37.4 trillion? As a percentage that is an increase of 4.3 percent. My goodness, we cannot increase the revenue by 4.3 percent in this country over the next 10 years? Of course we can. Of course we can, especially if it means we get our house in order and put the country on a more firm fiscal footing.

It does not just matter how much money we raise; it also matters how we raise it. We have a Tax Code now which I cannot defend. I cannot defend it. I took a study that was done by a man named Martin Sullivan last year. He did a very interesting thing. He looked at one building on Park Avenue in New York, and he was able to do it because they happened to have the statistics that isolated that one building. Do you know what he found? The average income in that building was $1,167,000 for the year—$1,167,000. The average tax rate of the people in that building was 14.7 percent.

The janitor in that building had an income of $33,000. He paid a tax rate of 24.9 percent. Is this fair? Is it fair that people making $1.1 million paid a tax rate of 14.7 percent, and the janitor who served them earning $33,000 a year paid a tax rate of 24.9 percent? Well, I personally do not think so.

I know all of the arguments. I have served on the Finance Committee. I have heard it all. The biggest reason for this differential, by the way, is not the earned-income tax rate, which has had almost all of the attention in this national discussion. Almost all of the attention has been on the earned-income tax rate and raising it from 35 percent to 39.6 percent.

Almost no attention has been paid to the unearned-income tax rate on capital gains and dividends. The unearned rate is currently at 15 percent. That is what allows very wealthy people to pay a tax rate that is a fraction of those who work full time and are paying rates of 25 percent.

So I hope as we move to conclusion we will pay a little more attention to the unearned rates. The truth is, we would not have to have as much of an increase as is being proposed on the earned-income side and have more of an increase on the unearned-income side, and we would make the Tax Code fairer and we could raise the same

amount of revenue. That is the revenue side.

But the spending side Republicans have down. They have put out a proposal that asks for savings out of entitlements and other discretionary spending. And if we look at their proposal and break it down—again, let's look at health care. We are going to spend $11 trillion over the next 10 years on health care. Republicans are proposing saving $600 million. If we had a compromise between Republicans and Democrats let's say at $500 million, that would be a savings of, again the magic, 4 percent.

We are going to increase revenue 4 percent. If we had savings in health care of 4½ percent, we would save $500 billion. Now, I have had conversations with colleagues who tell me we cannot possibly save $500 billion out of health care, just like people say, well, we cannot possibly increase revenue $1.6 trillion.

Really, we cannot save $500 billion out of a pot of money where we are going to spend $11 trillion? I do not think that is true. I think we can save $500 billion. And I will tell you, there is someone sitting on this floor who has a pretty good idea of how to do it. Senator SHELDON WHITEHOUSE has said to us over and over and over: We are spending more than any other country in the world as a share of our national income on health care. We are spending 18 percent of our GDP on health care. No other country spends more than 11½ percent.

The best minds in this country have told us we are wasting hundreds of billions of dollars in health care that do not improve health care outcomes at all. If we would save money in overall health care, 40 percent of that savings would flow through to the Federal Government. Senator WHITEHOUSE is right about this. We ought to focus like a laser on where the waste is.

We do not need to increase the eligibility age for Medicare. We absolutely do not have to do it to save $500 billion. But what it would do, if we save $500 billion, is it would keep the growth in health care spending about equal to the growth in the overall economy. That would stabilize the growth of health care spending. That would be a huge contribution to the economic competitive position of the United States.

Republicans have also said: Hey, let's save $300 billion on domestic discretionary savings. Now, I will be the first to say we have already had lots of savings on the discretionary accounts. We have saved over $1 trillion in the discretionary accounts. But they say, ok, let's save another $300 billion. I think we should say we will do it if they go with us on the revenue. We will do it because that represents a savings of 2.6 percent of the $11.6 trillion we are going to spend in the discretionary accounts over the next 10 years.

Now, I think we have gotten into a situation where we use numbers that are absolutely big numbers, but we do not put them in perspective. We cannot save 2.6 percent out of discretionary accounts. Well, I believe we can. I absolutely believe we can. I believe we can save more out of defense.

I have supported every penny—I did not vote for going to war in Iraq. I thought that was a huge mistake. But I have supported every dollar of spending for our troops in the field. I can tell you as the Budget Committee chairman, we can save more money in defense. There are lots of Republicans who know we can do it too.

Other mandatory. That is another category the Republicans said to save $300 billion there. I think they are $100 billion too high because we are already saving over $100 billion out of other mandatory programs to offset the cost of extending certain policies just last year. So let's save $200 billion. That would represent, again, 4 percent of what we are projected to spend over the next 10 years in other mandatory spending; $5.1 trillion is what we are programmed to spend. Two hundred billion dollars of savings there would represent 4 percent.

Again, I have had colleagues tell me we cannot possibly save $200 billion. I have had staff people tell me we cannot save $200 billion. So I say, how much are we going to spend? How much are we going to spend? That $200 billion represents 4 percent of what we are going to spend. We cannot save 4 percent? Yes, we can. Yes, we can.

I was elected on the slogan, in 1986, of ''Yes We Can.'' And somebody else used that slogan a few years later. President Obama used that slogan, ''Yes We Can.'' He called me up.

He said: Do I owe you royalties?

I said: No, I am glad you are using it.

But, yes we can. We need more of a yes-we-can attitude around here.

So when I rack it all up and I look at what we have already done, we have saved $1 trillion in the Budget Control Act of last year. Here is other mandatory savings I just talked about: more than $100 billion that we have already done to offset the cost of extending certain policies, $900 billion of other discretionary savings already done. So we put that in the bank. We use that as the base.

We put it all together and here is what we have: We save another $200 billion on defense; we have revenue of $1.6 trillion, which is the President's proposal; we have $100 billion of nondefense. That gets us the $300 billion the Republicans have asked for.

On health care we do $500 billion. That is close to what they have asked for, $100 billion less. Other mandatory, $200 billion; that is close to what they asked for. The $100 billion difference reflects what we have already done.

Interest savings. Because we are spending less and we have more revenue, we save interest, $400 billion. That gives us a total of spending cuts of $1.4 trillion. We add in what has already been done $1.050 trillion, and we have a total of $2.450 trillion. We add that to the $1.6 trillion of revenue, we have $4.050 trillion of savings.

Then I personally would extend the payroll tax holiday because CBO tells us, on the tax side, that holiday is the biggest bang for the buck in giving a lift to the economy. It will cost us $200 billion, for a net deficit reduction of $3.850 trillion. For those wondering what happens to AMT and what happens to the doc fix, we have those in the baseline so they are covered in this proposal. We can correct the alternative minimum tax. We can eliminate the doc fix and be done with them.

This magnitude of package is precisely what was called for in the fiscal commission. In The Moment of Truth report, this is what they called for. I think they were right to call for it. I was proud to be part of that effort. I believe this is precisely what we need to do now. So that is the plan. Now we need action. We should do it the old-fashioned way. We should make tough decisions, even some that will be unpopular.

It will be the right thing to do, and it will work. It will stabilize our debt and begin to bring it down. It will provide certainty to our economy. I believe it will unleash the $1.7 trillion that is in the balance sheets of our corporations, and it will unlock the investment potential that lies all across this country.

Let me end as I began by simply saying thank you. Thank you to the people of North Dakota, thank you to my colleagues, thank you to my staff and, most of all, thanks to my family—to my wife Lucy, to my daughter Jessie, to our son Ivan and his wife Kendra, and to our grandson Carter. To all my family members, my cousins, who have been with me in every campaign, I will never forget your support and your help. I will always consider serving here the honor of my life.

I also thank my colleague Senator HOEVEN, who, in the 2 years he and I have overlapped, has been a good colleague. I have enjoyed working with him very much.

I just close by noting, because as many of you know, I am sort of a numbers guy, that I started these remarks in the 12th hour of the 12th day of the 12th month of 2012. I am sure numerologists will make much of those relationships. I began this speech in the 12th hour of the 12th day of the 12th month of 2012, and I leave here forever grateful for the opportunity to serve.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Michigan is recognized.

Ms. STABENOW. I wish to take a moment to thank our distinguished colleague and my dear friend for his wonderful service. We serve on three committees together. It has been my honor to serve on the committee Senator CONRAD chairs, the Budget Committee, and to have him serve as a senior member of the Agriculture Committee, which I chair. Both of us sit on the Finance Committee together.

Today he has done what he has always done for us, which is to provide vision, common sense, intelligence, and a lot of numbers. They add up, and they make sense. In listening to Senator CONRAD's farewell speech, I want to thank him again for giving us a path forward. He is someone who will forever be in Senate history as one of the great statesmen of our country, someone with intelligence, respect on both sides, compassion, and a fighter from North Dakota like I have never seen. He is someone who serves in the best tradition of what it means to be an honorable public servant.

He has been a role model for me all the way through to this point and a dear friend. I wish him, Lucy, and Dakota—he is, in fact, the 101st Senator—wonderful opportunities going forward in the future. The Senator from North Dakota will be greatly missed, but his contributions will forever be a part of the positive tradition of this great body.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I yield to the distinguished chairman of the Judiciary Committee, the Senator from Vermont.

Mr. LEAHY. I thank the Senator. I will be speaking later on to the senior Senator from North Dakota.

Mr. President, I have had the privilege to serve with several hundred Senators since coming here. I have put in a very small list those who are extraordinary both for their talents and for our personal friendship, and KENT CONRAD is in that short list very easily. In fact, he defines it in many ways. Because of what we heard here, as I whispered to him a minute ago, it was nice to hear a grownup speak on the floor.

I have seen him reach across the aisle. We have been privileged, both of us have been privileged to serve with fine Senators from both parties. But KENT CONRAD is unique. Marcelle and I value more than I could possibly say here our friendship with Kent and his wife Lucy and the 101st Senator, Dakota.

As I said, I will speak later about this Senator, but what we heard today was a real giant of the Senate speaking, and I hope all Americans will listen to the lesson he gave us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Before the junior Senator from North Dakota speaks—and I appreciate his courtesy in allowing us to make a few brief, personal remarks before he speaks—I wanted to say to my friend and my chairman, the senior Senator from North Dakota, that, yes, in the most obvious respect, he is leaving the Senate, and we will be a smaller Senate for his departure. But in some very important ways, KENT CONRAD is not leaving the Senate. I can assure him that for as long as I remain a U.S. Senator and have the privilege to serve in this body, KENT CONRAD will remain in this Senate as an example that I will never forget as a young Senator tutored by him in the Budget Committee. I can speak for myself when I say that, and I will only speak for myself when I say that, but I am absolutely confident there are dozens of other Members of this body who can say exactly the same thing. In that sense, KENT CONRAD will continue to be an important part of this Senate, and the effect he will have in those years through the example he has set, echoed down the hallways of time by people who had the opportunity to serve with him, is going to be an immensely valuable one.

He displays the characteristics of diligence—an underrated attribute but an important one—of courtesy, of determination. It is an interesting combination, courtesy and determination, but Chairman CONRAD knows very well when to yield and when to fight. There was a politician hundreds of years ago in another country who said, ''One ought not to be obstinate,'' and then he continued, ''unless one ought to be, and then one ought to be unshakable.'' On the things that count, Senator CONRAD has always been unshakable. Where progress can be made, he has never been obstinate. It has been my honor to serve with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. HOEVEN. I rise to speak on behalf of the senior Senator from North Dakota and to thank him for his dedicated service on behalf of the people of North Dakota and on behalf of the people of this great Nation.

I think this is 26 years that he has served in the Senate, and he has always served with great distinction and great commitment. He has been a leader in agriculture, in energy, and in fiscal efforts and many other areas.

I have to say on a personal note that since I came to the Senate last year, he has reached out to me and to my family in a very warm and positive way, both personally and professionally, and I would say the same about his wife Lucy. I think this is in the finest tradition of the Senate, in the tradition of bipartisanship, in the tradition of working together, and in the tradition of truly caring and being committed to getting things done. It wasn't just that he reached out on a personal level and said: All right, how can I be helpful, how can we work together; when I had questions or needed assistance, he was there. He was more than helpful.

In terms of working on legislation that matters, a farm bill, working together on the Agriculture Committee—Senator CONRAD has an amazing knowledge of agriculture and obviously incredible experience over the past 26 years building good farm policy for this Nation. So to work with him on the Agriculture Committee was not only rewarding but really an opportunity to craft good long-term policy for this country that will make a difference.

I start with that example because when you look at it, here we are at a time when we need good policy for our country, but at the same time we need to find savings, real savings that will help us address the deficit and the debt. So we went to work on a farm bill—a farm bill that is not only responsive to the farmers, the ranchers, and the producers of this country who produce the highest quality of food supply in the world at the lowest cost—every American benefits from that. They wanted more crop insurance, and we went to work. We improved the farm bill in terms of the kind of crop insurance it provides, but at the same time we saved $23 billion to help with the deficit and the debt. That is doing it the right way.

If you think about it and you went across all aspects of what we are doing here, all of the different types of policies that we have, if we could do the same—craft good policy and find real, meaningful savings on a bipartisan basis that empowers the very people who are impacted by that policy, the farmers and the ranchers who do such a great job producing food, fuel, and fiber, but at the same time grow our economy, create a favorable balance of trade and an incredible number of jobs—that is what we have to do, whether it is agriculture, whether it is energy, whether it is disaster assistance when we have floods and hurricanes, whether it is our military.

I am very pleased and honored to have had the opportunity to work with Senator CONRAD on those types of issues to try to make a real difference for the people of this country. As Senator CONRAD departs the Senate after 26 years—think about it: 26 years here, conducting himself in a professional manner with respect to this institution. He built relationships with Senators on both sides of the aisle but always with a commitment to the people of North Dakota and this country.

As I look at the legacy he leaves, I think one of the most important right now is his willingness to work in a bipartisan way to get things done. He brings a practical, pragmatic approach that recognizes solutions are imperfect but that we have an obligation in a bipartisan way to come together and find real solutions for the people of the greatest Nation on Earth. It is that legacy, that willingness to be bipartisan and work together that I saw up close and personal here every day. I believe it is that legacy, as well as many others, that will continue here in this body when we think about Senator KENT CONRAD and his service to North Dakota and his service to this great country.

I rise to say thank you on behalf of the people of North Dakota and this country to my distinguished colleague for 26 years of dedicated service. Thank you, good luck, and God bless in your future endeavors.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. I want to thank Senator HOEVEN, my colleague, for his

kind words. I have really enjoyed the relationship. I think you can tell we worked together very well, and I hope that serves as an example to others of our colleagues. Even if you are on other side of the political aisle, you can work together, and you can get things done.

I also thank Senator LEAHY, my dear friend. He and his wife are very close friends of mine and my wife's.

To Senator STABENOW, the distinguished chairman of the Agriculture Committee, and Senator WHITEHOUSE, who served with me on the Budget Committee, I want to take special note of the friendships we have enjoyed. Senator STABENOW and Senator WHITEHOUSE will be friends of ours for as long as we are on this Earth.

I look forward to our continuing relationship with the Leahys, who, as I have indicated, have become very dear personal friends.

In closing, to Senator HOEVEN, the best part of service here is getting things done. And Senator HOEVEN has come with that attitude to this Chamber—to get results for the people we represent—and I appreciate that attitude, and I appreciate the friendship.

Finally, I say to the distinguished occupant of the chair, we have had a very good relationship as well. I thank him for his service and for this opportunity to have my farewell remarks before the Senate on this the 12th day of the 12th month of 2012. That is a remarkable set of coincidences.

I thank the Chair. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAREWELL TO THE SENATE

Mr. LIEBERMAN. Mr. President, my fourth and final term as a U.S. Senator will soon come to an end. As I reflect on that reality, I am, of course, filled with many emotions, but the one I feel most is gratitude—gratitude first to God, creator of life and law, without whose loving kindness nothing would be possible; gratitude to America, the extraordinary land of opportunity which has given someone like me so many opportunities; gratitude to the people of Connecticut, who have entrusted me with the privilege of public service for 40 years, the last 24 in the Senate; gratitude to my Senate colleagues, whom I have come to know as friends and with whom it has been such an honor to serve; gratitude to all the people without whose help, hard work, and support I never would have made it to the Senate or stayed here, the gifted and hard-working staff in Connecticut and Washington who supported, informed, and enriched my service here, and the volunteers in my campaigns who gave so much and asked for nothing in return except that I do what I believed was right; gratitude to all those who labor out of view in the corridors of this Capitol Building, from the maintenance crews to the Capitol Police and everybody else anywhere in this building—thank you for keeping our Capitol running and keeping us safe; and gratitude most of all, of course, to my family for the love, support, and inspiration they have given me every day of my life—my parents, grandparents, and siblings, my children and grandchildren, and Hadassah, my wife of almost 30 years now, the love of my life, who has been my constant companion, supporter, and partner through this amazing adventure.

So I want to begin this farewell speech by simply saying thank you all. I have a lot to be grateful for. But, Mr. President, being a Senator, and since this is my farewell speech, I do have a few more things I would like to say.

I am leaving the Senate at a moment in our history when America faces daunting challenges both domestic and foreign and when too often our problems seem greater than our government's ability to solve them. But I can tell you I remain deeply optimistic about America's future and constantly inspired by the special destiny I am convinced is ours as Americans.

My optimism is based not in theory or hope but in American history and in personal experience. I think particularly about my time in public life and especially the changes I have witnessed since I took the oath of office as a Senator on January 3, 1989. The fact is that over the past quarter century, America and the world have become freer and more prosperous. The Iron Curtain was peacefully torn down, and the Soviet empire defeated. The eternal values of freedom and opportunity, on which America was founded and for which we still stand, have made global gains that were once unimaginable. We have seen the spread of democracy from Central Europe to Southeast Asia and from Latin America to the Middle East. Hundreds of millions of people have been lifted out of poverty in places such as China, India, and just about every other corner of the globe, and technological advances have transformed almost every aspect of our daily lives.

When I started in the Senate, a BlackBerry was a fruit and tweeting was something only birds did. No more. None of these extraordinary developments happened by accident. In fact, to a significant degree, I would say they were made possible by the principled leadership of the United States, by the global economy and international system America created with our diplomacy and protected with our military and by the unique culture of freedom, innovation, and entrepreneurship that flourishes in our country and that remains the model and inspiration for the rest of the modernizing world.

We have every reason to be proud of the progress of humanity that has happened on America's watch and here at home to be grateful for the countless ways in which our own country has been benefited in the process. We live in a world whose shape and trajectory the United States, more than any other nation, is responsible for. It is certainly not a perfect world. I know that. But it is a better world than the one we inherited. In my opinion, it is actually in so many ways a better world than has ever existed before.

Here at home, over the past quarter century, we have moved closer to the more perfect union our Founders sought—becoming a more free and open society, in ways I would guess those same Founders never could have imagined.

Barriers of discrimination and bigotry that just a few decades ago seemed immoveable have been broken, and the doors of opportunity have been opened wider for all Americans—regardless of race, religion, gender, ethnicity, sexual orientation, age or disability.

During my time in Washington, we have had our first female Secretary of State nominated and confirmed and our first African-American President elected and reelected. It will forever remain one of my deepest honors that—thanks to Vice President Gore—I was given the opportunity to be the first Jewish American nominated by a major political party for national office—and, incidentally, thanks to the American people, grateful to have received one-half million more votes than my opponent on the other side. But that is a longer story.

While there is still much work to do and many problems to be solved, I believe we can and should approach our future with a confidence that is based on the real and substantial progress we have made together. What is required now to solve the real urgent problems we still have is leadership—leadership of the kind that is never easy or common but which we as Americans know we can summon in times of need because we have summoned it before.

Today, I regret to say, as I leave the Senate, the greatest obstacle I see standing between us and the brighter American future we all want is right here in Washington. It is the partisan polarization of our politics which prevents us from making the principled compromises on which progress in a democracy depends and which right now prevents us from restoring our fiscal solvency as a nation.

We need bipartisan leadership to break the gridlock in Washington that will unleash all the potential that is in the American people. So I would respectfully make this appeal to my colleagues—especially the 12 new Senators who will take the oath of office for the first time next month. I know how hard each of you has worked to get elected to the Senate, and I know you worked so hard because you wanted to

come here to make a difference for the better. There is no magic or mystery about the way to do so in the Senate. It requires reaching across the aisle and finding partners from the opposite party. It means ultimately putting the interests of country and constituents ahead of the dictates of party and ideology.

When I look back at my own career, the legislative achievements I am proudest to have been part of—such as passing the Clean Air Act of 1990, stopping the genocide in the Balkans, creating the 9/11 Commission and the Department of Homeland Security, reforming the intelligence community, reorganizing FEMA, and repealing don't ask, don't tell—all were achieved only because a critical mass of Democrats and Republicans found common ground. That is what is desperately needed in Washington now to solve our Nation's biggest problems and address our biggest challenges before they become crises or catastrophes.

Our future also depends on our Nation continuing to exercise another kind of leadership; that is, leadership beyond our borders. This too has never been easy or popular. Americans have rarely been eager to entangle ourselves abroad, especially at times when we have faced economic difficulties at home, as we do now. There has been the temptation to turn inward, to tell ourselves that the problems of the world are not our responsibility or that we cannot afford to do anything about them. In fact, the prosperity, security, and freedom of the American people depend more than ever before on what is happening in the rest of the world—and so, too, does the rest of the world depend especially on us.

I know we can't solve all the planet's problems by ourselves, nor should we try. But the fact is that none of the biggest problems facing the world can or will be solved in the absence of American leadership. Here, too, I appeal to my Senate colleagues—and, again, especially those who will take the oath of office for the first time early in January—do not listen to the political consultants or others who tell you that you shouldn't spend time on foreign affairs or national security. They are wrong. The American people need us, the Senate, to stay engaged economically, diplomatically, and militarily in an ever smaller world. Do not underestimate the impact you can have by getting involved in matters of foreign policy and national security, whether by using your voice to stand in solidarity with those who are struggling for the American ideal of freedom in their own countries across the globe or working to strengthen the foreign policy and national security institutions of our own country or by rallying our citizens to embrace the role that we as a country must play on the world stage, as both our interests and our values demand.

None of the challenges we face in a still dangerous world is beyond our ability to meet. Just as we ended the ethnic cleansing in the Balkans, we can stop the slaughter in Syria. Just as we nurtured the democratic transitions after communism fell in Central and Eastern Europe, we can support the forces of freedom in the Middle East today. Just as we were able to prevail in the long struggle against the Soviet Union during the Cold War, we can prevail in the global conflict with Islamist extremism and terrorism we were forced into by the terrorist attacks of September 11, 2001.

But all that too will require leadership in the Senate. It will require leaders who will stand against the siren song of isolationism, who will defend our defense and foreign assistance budgets, who will support, when necessary, the use of America's military power against our enemies in the world, and who will have the patience and determination when the public grows weary to see our battles through until they are won.

I first set foot in this Chamber almost exactly 50 years ago, in the summer of 1963, inspired like so many of my generation by President John F. Kennedy and his call to service. I spent that summer right here in the Senate as an intern for my home State Senator, Abe Ribicoff. He was and remains another personal hero of mine. Although I never would have admitted so publicly back then, because it was so presumptuous, I came away from that experience with the dream that I might someday, somehow return to serve in this place.

I have been blessed to live that dream, and that is what America is all about. We have always been a nation of dreamers whose destiny is determined only by the bounds of our own imagination and by our willingness to work hard to realize what we have imagined. Indeed, long before the United States came into being as a government of institutions and laws, it was a dream—a dream, an implausible, incredible dream, animated by faith of a country defined not by its borders nor by its rulers nor by the ethnicity of its Founders but by a set of eternal and universal principles—that life, liberty, and the pursuit of happiness are God's endowment to each of us.

That was the dream that gave us our existence and our purpose as a nation, and it is the dream that for more than 200 years, through every passing generation, has been reinventing, renewing, enthralling, and surprising us—the very dreamers who are living that dream.

I leave this Chamber as full of faith in the dream called America as when I stood here nearly one quarter century ago to take the oath of office for the first time—and as when I first came here nearly one-half century ago as a 21-year-old, the grandchild of four immigrants to America, the son of wonderful parents who never had the opportunity even to go to college but made sure my sisters and I did and gave us the confidence to pursue our dreams, which was their American dream for us.

America remains a land of dreams and a nation of dreamers. I know my own story repeats itself today in millions of American families and their children. As long as that is so, I know our best days as a country are still ahead of us.

So I will end my remarks where our country began a long time ago—with a dream and a prayer that God will continue to bless the United States of America.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I will have a lot more to say about my friend from Connecticut in the next few days. In the meantime, I wish to thank him for a very important, a very visionary, and very wonderful statement. We thank him for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I wish to thank my colleague and friend from Connecticut on behalf of all the people of our State for his lifetime of public service.

Our lives have been intertwined personally and professionally for almost 40 years.

I had the privilege of coming to know Senator LIEBERMAN's family, his parents who gave him the values and ideals he has expressed so eloquently and powerfully repeatedly throughout America as he did today on the floor of the Senate. That dream, which they inspired, is indeed a uniquely American dream, but it is rooted also in the Stamford and Connecticut community that we share, those ideals of faith, education and intellect and those qualities of independence and courage and perseverance in the face of adversity which he has embodied and taught to so many young people and others around our State and around the country and, of course, the ideals and goals of civility and, maybe most important for this body, the ideal of public service, which he has exemplified through all of these years, an unremitting, unstinting, and unwavering commitment to making the world a better place, person by person, individual by individual, helping make America equal to that great ideal and dream he has articulated so eloquently.

I have been privileged, also, to know JOE'S wife Hadassah, who has added so extraordinarily to his life and made possible so many of his achievements. This tribute is to her and his family as well as to him.

For the past 2 years I have had the privilege of working with Senator LIEBERMAN, it has been a real honor, and I look forward to continuing my work with him, although it will no longer be in this Chamber, just as I worked with him before reaching here. In a sense, I

followed his professional path as a State senator, as attorney general, and now here.

Many of our colleagues will come to the floor in these remaining days of this session to commemorate the tremendous legacy he leaves. It is a legacy of action, not just of words as we have heard today, but action and achievement. He has been a steadfast supporter of family planning and a woman's right to choose, raising awareness and garnering commitment of congressional colleagues for that cause. He has been a champion of equality and justice, exemplified, for example, in his advocacy of the repeal of don't ask, don't tell. He has been a leader on environmental conservation as attorney general of our State, as well as in this body, especially in the fight to protect Long Island Sound, a treasure of Connecticut and the entire Nation.

He was a leader in bringing to the floor of this Chamber one of the first bills on climate change. His legacy will live on in these efforts: the clean air and water he has helped to protect, the urgency with which he has fought to protect our natural treasures in Connecticut and around the country. His spirit of environmental stewardship will inspire generations to come. That ideal of stewardship is also articulated by his remarks here, the stewardship of democracy, of our Republic.

One of Senator LIEBERMAN's signature accomplishments has been the creation of the Department of Homeland Security in which he aimed to consolidate disparate agencies to facilitate interagency communication. In the wake of 9/11, he made that a mission and achieved it as chairman of the Committee on Homeland Security and Government Affairs as well as a leader on the Armed Services Committee. And on that committee, Armed Services, he has championed a strong and vital national defense. That remains essential now as it has been throughout his career.

I am grateful to Senator LIEBERMAN's support for a bill I recently introduced, the End Trafficking in Government Contracting Act, which addresses the serious problem of human trafficking by Federal contractors and subcontractors. I think his support for that measure demonstrates, again, his commitment not only to equality but helping and working with others in this body on a bipartisan basis who share his goals, as that measure has been and was and will be, as is the cause of ending human trafficking and achieving human rights.

Most recently, in a very personal way I observed Senator LIEBERMAN's deep empathy for people who are victims of natural catastrophes. When the recent spate of storms struck Connecticut, Irene and Sandy, I toured with him stricken places, seeing in his eyes and hearing in his voice his sense of how individuals and their families are affected by any kind of natural disaster. He is a person of heart and of soul—a big heart and a soul that reaches out to people.

I thank him for his great work, his contribution, his unstinting generosity to the people of our State, Connecticut, through all of his years of service in many different positions, in many different ways, in a myriad of places throughout the State and throughout our Nation.

I thank my Connecticut colleague for dedicating his life to public service. I look forward to being with him, if not in this Chamber, in many other places around the country. I continue to admire his great contributions to our country as well as to our State. Thank you, Senator LIEBERMAN.

Mr. CONRAD. Mr. President, I rise today to honor my colleague, Senator JOE LIEBERMAN, who will be leaving the Senate at the end of this term. Senator LIEBERMAN's long career in public service began in the Connecticut State Senate, where he served for 10 years, including three terms as the majority leader. JOE then put his Yale law degree to good use as the attorney general for the State before winning his bid for the U.S. Senate in 1988. He has served in this esteemed body for 24 years, and I am grateful for his dedication and service to our country.

JOE is a true patriot. As Senator, he has made ensuring the security and safety of our Nation his priority. He spearheaded the creation of the Department of Homeland Security in 2002 and has served honorably as the chairman of the Homeland Security and Governmental Affairs Committee. In this position, Senator LIEBERMAN promoted a forward-thinking security strategy of preparing our military to respond to the unique security threats posed in the 21st century. In particular, he has worked to address cyber security issues and prepare our military to respond to evolving warfare tactics.

Senator LIEBERMAN has also worked to ensure that our Nation can stand strong in the face of natural disasters. In 2006, he worked with Senator COLLINS to make the Federal Emergency Management Agency, FEMA, more effective and responsive to communities suffering from the effects of natural disasters. He insisted that FEMA centralize and upgrade its information technology, IT, system to better respond to disasters and the needs of the public.

JOE and I have worked together as members of the Anti-Meth Caucus to fight the methamphetamine epidemic. Senator LIEBERMAN recognizes the threat drugs like methamphetamine pose to the security of our borders, the health of our citizens, and the economic prosperity of our Nation. I was proud to work with him on this important issue.

In 2000, Senator LIEBERMAN ran as the Vice Presidential candidate, becoming the first person of the Jewish faith to represent a major political party on a national ticket. Despite rising to the top of the ticket as a representative of the Democratic Party, Senator LIEBERMAN has frequently demonstrated his willingness to work across the aisle to achieve his vision.

I respect JOE's commitment to his personal convictions and his hard work on behalf of the people of Connecticut. I thank him for his service to our country and wish him all the best.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Nebraska. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

FAREWELL TO THE SENATE

Mr. NELSON of Nebraska. Mr. President, I rise today to thank the people of Nebraska. It is a tremendous honor to have had the opportunity to serve the state for 20 years—8 as Governor and 12 as Senator. The people of Nebraska are generous and hardworking and it has been a true privilege to represent them.

I also want to thank my parents—Birdella and Benjamin. Raising me in McCook, NE they instilled in me the values I have tried to embrace and which serve as guiding principles for me in both public and private.

I especially want to thank my family for their unwavering love and support. As my colleagues know, public service requires our families to sacrifice—sacrifice privacy and sacrifice the ability to determine their own schedule among many other things. And so I sincerely thank my wife Diane, our four kids and five grandkids for their patience and understanding. While it is hard to walk away from this body, I look forward to getting to spend a lot more time together.

As a public official the lens through which I have always tried to view decisions is: how will this policy, this vote or this decision impact my community, my State and my country? This focus and advocacy for my home State has resulted in both praise and criticism at various times but I stand before you today proud of the accomplishments achieved over the last 12 years and grateful for the opportunities afforded to me by the people of Nebraska. Arriving in the Senate in 2001 I recall thinking about what one of my predecessors in this body, Ed Zorinsky, used to say. Senator Zorinsky said that the biggest problem in Washington, D.C. is there are too many Democratic Senators and there are too many Republican Senators. There are not enough U.S. Senators. Unquestionably my proudest moments in the Senate are those efforts that were bipartisan and pursued by a collective motive to get the best possible result while maintaining the dignity of this institution.

Probably the most straightforward example of this work is the compromise achieved by the Gang of 14. As many of my colleagues will recall, in 2005 there were several judicial nominees presented to the Senate for its consideration but which had not yet received an up or down vote. The majority leader at that time, Senator Frist of Tennessee, was considering what became known as the so-called ''nuclear option'' which would have changed the Senate's rules so that the minority party couldn't filibuster a judicial nominee.

There was a great deal of concern about how this would impact the Senate's longstanding tradition of majority rule while recognizing minority rights—and what this would mean to the way the Senate conducted its business in the future. At that time, myself and Senator Lott convened 12 of our colleagues—6 additional Democrats and 6 additional Republicans. Together we met and exchanged ideas about how to find a sensible way forward that would satisfy all 14 Senators such that each would agree the Senate was dutifully carrying out its ''advise and consent'' responsibility without unduly restraining the ability of the minority to assert itself in instances when it found a nominee truly and substantively objectionable or unfit to serve.

Ultimately an agreement was reached by this bipartisan group, there was not a rules change and in the midst of a highly partisan environment, the Senate moved forward in a positive way and I believe we did the right thing. Senator Robert Byrd of West Virginia was a critical member of the Gang of 14. In addition to his many, many, many accomplishments—everyone knew then and knows now that there is not anyone more well versed in the history of the Senate or who was more protective of it as an institution. I will never forget after the agreement was finalized Senator Byrd said that he was proud of the work accomplished and that we had ''saved the Senate.''

Hearing those words from Senator Byrd was undoubtedly one of the proudest moments of my career. Besides Senator Byrd, I have had the opportunity to serve with so many public servants in this body, and I thank all of them. I would start naming names, but I know I will leave someone out. So I want to thank all present and past Members of the Senate that I have worked with for the occasions we have had to work together so closely.

I also share the sentiment that many of my colleagues have noted in their farewell addresses, and that is the appreciation for the efforts of staff. Over the last 12 years I have worked with an incredibly dedicated and talented collection of individuals. We call on our staff to do a lot of work, often in a very stressful environment. I thank everyone in my office back home and at the office in DC for the work they have done on behalf of the State of Nebraska.

If I were to leave this body with one thought and hope for the future, it would be this: Congress needs to change its math, and by that I mean the Members of Congress should be more concerned about addition and multiplication and less involved in division and subtraction which seems to overtake this institution at times. My hope is that in the process of doing this, Congress and our Nation will have a stronger desire to find solutions for the country's greatest challenges more so than any effort to try to drive our citizenry apart.

With that, I will say one more time: Thank you to my family, my staff, my colleagues, and most especially to the people of Nebraska.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNS. Mr. President, I rise today to pay tribute to my colleague BEN NELSON. In fact, when we visited with each other last night, I said to Senator NELSON that I have spent a significant part of my career following jobs he had done. I was the mayor of Lincoln when BEN NELSON was the Governor of Nebraska, I became the Governor of Nebraska as he was completing his two terms, and then I joined him in the U.S. Senate. Before all of that, I worked with BEN as the Secretary of Agriculture.

I can say from first-hand experience that BEN NELSON always had the best interests of our State at heart. He was enormously hardworking. In fact, I don't hesitate to admit for a second that when I came to the Governor's office, I found the State to be in excellent shape. He often joked about how he was tighter than three coats of paint, and I think that is absolutely true.

He tended to business, balanced the budget, and made sure that money was set aside in the rainy day fund because we in Nebraska know there are going to be days where it might rain. He did a great job as Governor. We worked hand in hand on a number of issues when I was Governor and he was a U.S. Senator. When we became colleagues in the Senate, that working relationship continued.

I am very pleased to rise today and say to the people of Nebraska that there was never a time where partisan differences ever impacted or interfered with our ability to work together. Senator NELSON was always looking for a way to move the State forward and move our country forward.

I just wanted to come to the floor today and thank my colleague BEN NELSON for his service. We appreciate everything he has done. We wish the Senator the very best, and I have a sense we are going to have an opportunity to work together in future years.

Mr. CONRAD. Mr. President, I rise today to pay tribute to and recognize the achievements of Senator BEN NELSON, who, like me, will be leaving the Senate at the end of this year. I consider Senator NELSON, who has represented Nebraska in the Senate since 2000, a friend and an excellent colleague.

Senator NELSON has had a long and impressive career, spanning both the private sector as well as State and Federal Government service. After graduating from law school at the University of Nebraska, Senator NELSON spent roughly two decades working in the insurance industry, both as a legal practitioner and in leadership roles at the Central National Insurance Group, the National Association of Insurance Commissioners, and the Nebraska Department of Insurance.

It was upon this impressive background that Senator NELSON launched his career in public service when, in 1990, as a moderate Democrat, he was elected Governor of Nebraska. As a testament to his dedicated service and popularity, he was reelected to a second term in 1994 after garnering nearly three-quarters of the vote. Nebraskans then sent him to the U.S. Senate in 2000. Senator NELSON was reelected in 2006 in a landslide.

Nebraska and my State of North Dakota share a great deal in common. Both States are populated by residents who value hard work and who possess an independent streak that places pragmatism above partisan politics. Senator NELSON is a product of his Nebraska roots—he brought those same characteristics to Washington and, as a direct result, was able to work across the aisle and within his party to benefit his State in ways more partisan legislators likely never could have done.

Rural States such as ours also face unique challenges, particularly those involving the agriculture industry, which often go unnoticed by those who live in densely populated areas. I have worked closely with Senator NELSON over the years on farm legislation and know firsthand his passion for the industry and his drive to see family farmers succeed. Nebraskans should be very proud of Senator NELSON's hard work on the Agriculture, Appropriations, and Armed Services Committees.

I will greatly miss having Senator NELSON as a colleague, but I also know that his wife Diane as well as his children and grandchildren will be excited to have him back home in Nebraska. My wife Lucy and I wish Ben and his family many happy years ahead.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, there are many signs of the fundamental, measurable changes we are causing in the Earth's climate, mainly through our large-scale emission of carbon dioxide from fossil fuels. These are irreversible changes, at least in the short run, so we should take them very seriously.

Over the last 250 years, the global annual average concentration of carbon dioxide in the atmosphere has increased from 280 parts per million to 390 parts per million. That is a 30-percent increase. We have recent direct measurements that the carbon dioxide concentration increased by 15 percent since 1980 when it was 339. In 1980 it was 339 and now it is 390. That is just a dozen years in which the concentration of CO_2 in our atmosphere has increased by more than 50 parts per million. Fifty parts per million is a big shift if one is not aware of the scales we are talking about here. For 8,000 centuries—800,000 years—longer than homo sapiens have existed on the face of the Earth, we can measure that the carbon concentration in the atmosphere has fluctuated between 170 and 300 parts per million. A total range of 130 parts per million has been the total range for 8,000 centuries. We are now outside of that range up to 390, and we have moved 50 points since 1980, in a number of decades. So the consequences are going to be profound, and perhaps no consequence of that carbon pollution will be as profound as the increasing acidification of the world's oceans.

Science, of course, has known since the Civil War era, and most of us understand, that excess carbon dioxide in the atmosphere creates a warmer atmosphere known as the greenhouse effect. There is nothing new about that. But not all of the carbon dioxide emitted by human activity—by our use of fossil fuels—stays in the atmosphere. Carbon dioxide is soluble in water and the oceans cover 70 percent of the Earth. Where the atmosphere is in contact with the oceans, a portion of the carbon dioxide in the atmosphere dissolves into the oceans, reacts with the sea water to form carbonic acid and increases the overall acidity of the oceans.

There is sometimes quarrel and debate about complex modeling of climate and atmospheric projections, but evidence of ocean acidification is simple to measure and understand. Indeed, even the small noisy chorus of climate change deniers and corporate polluters is noticeably quiet on the issue of ocean acidification because they simply cannot explain away the facts.

National Oceanic and Atmospheric Administration scientists gauge that over the past 200 years, hundreds of billions of tons of carbon dioxide have been absorbed into the oceans. NASA, which is able to put, for instance, a man on the Moon and a Rover on Mars and has reasonably good scientists working there who can accomplish those achievements, reports that:

> The amount of carbon dioxide absorbed by the upper layer of the oceans is increasing by about 2 billion tons per year.

NOAA scientists say the oceans are taking up about 1 million tons of carbon dioxide per hour. So in more or less the time my remarks are concluded, the equivalent of more than the weight of the Washington Monument of carbon will have been dumped into our oceans. All of the extra carbon dioxide humans have pumped into the oceans has caused the global pH of the upper ocean water to change—a nearly 30-percent increase in the acidity of the oceans.

As my colleagues can see, the curve is not only moving upward but is steepening. Where is it headed? By the end of this century, it is projected we will have a 160-percent rise in ocean acidity. As we can see, not only are the oceans becoming more acidic, but they are becoming more acidic at a very rapid pace. The rate of change in ocean acidity is already thought to be faster than at any time in the past 50 million years.

I talk, when I give this weekly speech from time to time, about the 800,000 years our planet has had a carbon dioxide concentration between 170 and 300 parts per million and how long a time period that is compared to say humankind having the mastery of fire, humankind having engaged in agriculture, humankind even existing as homo sapiens. It is longer than all of those things. But that is just measuring in the hundreds of thousands of years. We are talking about a rate of increased carbon concentration and ocean acidity climbing faster than at any time in the past 50 million years.

What does that mean? Well, a paper published in the journal Science, which is a mainstream, noncrank publication, earlier this year concluded that the current rate of carbon dioxide emission could drive chemical changes in our oceans that are unparalleled in at least the last 300 million years. We are back into geologic time now since we saw that kind of an effect. The authors warn that we may be ''entering an unknown territory of marine ecosystem change.'' Well, when our range of review is in the hundreds of millions of years and the authors are talking about entering unknown territory, that is really saying something.

Here is what Dr. Peter Brewer, the senior scientist at the Monterey Bay Aquarium Research Institute, has to say. Let me quote him:

> The outcome is very clear that we are in uncharted territory in the entire span of Earth history. The primary cause of this is simply the rate of CO_2 change; we are changing Earth far, far faster than any recorded geologic shift ever.

Repeat: ''We are changing Earth far, far faster than any recorded geologic shift ever.''

What does this mean for marine life? Well, as the pH of sea water drops, so does the saturation of calcium carbonate, which is the compound found in the sea water that aquatic animals use for the construction of their shells and of their skeletons. Some sea creatures absorb calcium carbonate directly from the water; others ingest it as food and then through their bodies it works out to build their shells. At lower saturations of calcium carbonate, calcium carbonate is not as available to these species, and it becomes more difficult for them to make their shells; species such as oysters, crabs, lobsters, corals, and the plankton that comprises the very base of the oceanic food web. We have seen this happen in real life already with the disaster that befell the Pacific Northwest oyster hatcheries when acidic water came in and killed off all the juveniles that were being grown.

Over 1 billion people on this planet rely on marine protein as their primary source of protein, and then, of course, there are the countless jobs that depend on fisheries, on tourism, on restaurants, boat building, maintenance, shipping, and the list goes on. The Presiding Officer is from Maryland, which is another ocean State. He is clearly aware of the importance of that ocean economy.

As things get harder for the species to survive and thrive, sooner or later it will get harder for the economies they support. Let me give my colleagues a specific example: the tiny pteropod, a type of snail, which is about the size of a very small pea. It is also known as the sea butterfly because its foot has adapted into two butterfly-like wings which allows it to propel itself around in the ocean. These images show what can happen to the pteropod's shell when the creature's underwater environment is lacking in those compounds and becomes more acidic. That is not good for the pteropods.

Another study compared pteropods incubated in sea water with today's pH to pteropods incubated in water with the acidity and chemical conditions projected for the year 2100. The study found a 28-percent decrease in shell growth. Maintaining their shells against that acidity requires energy—energy that would otherwise go into other biologic processes such as growth or reproduction. So increasing ocean acidity is an external stress that makes it harder for species such as the pteropod to survive.

Who cares about the lowly pteropod? Well, salmon do. Forty-seven percent

of the diet of some salmon species in the Pacific is pteropods. The salmon fisheries that support coastal jobs and economies also care about the salmon. Ocean fishing in the United States overall is a multibillion-dollar industry connected to hundreds of thousands of livelihoods, and we should care about our fisheries industry, even if one doesn't care about the salmon or the lowly pteropod.

These unprecedented changes in ocean acidity are not happening alone, unfortunately.

These changes come along with dramatically changing ocean temperature, which is also driven by the same carbon pollution. Just recently, NOAA proposed listing 66 species of coral as endangered or threatened, citing climate change as the driver of those species' three key threats: disease, warmer seas, and greater ocean acidification. When you add to those three conditions the preexisting stressors, such as nutrient pollution and destructive fishing practices, well, 35 percent of the world's reefs are classified as in a critical or threatened stage.

Scientific projections indicate that coral reef ecosystems could be eliminated in 30 to 50 years. The young pages who are on the floor of the Senate listening to this speech may very well live into a time when coral reefs and the ecosystems surrounding them are extinct. The death and decline of coral reefs, which are the most diverse ecosystems on the planet, in turn wounds hundreds of other species that call the reefs home. When a reef ecosystem collapses and does not recover, it quickly becomes dominated by algae, and the rich mix of species developed over hundreds of millions of years that was once present there then disappears.

Scientists think the coral reefs off the coast of Papua, New Guinea offer a window into future effects of ocean acidification because there are natural emissions of carbon dioxide which bubble up from the sea floor through the ocean and raise the concentration making the sea water more acidic. Researchers have found that many species, especially the more complex framework-building corals, which provide shelter to other organisms, do not thrive where the pH is lower.

These are two photographs taken in the same reef. We see how rich and vibrant this reef looks away from the carbon dioxide. Here, near the carbon, where the acidification is higher, it is a shadow of the healthy reef. The human-driven acidification of the ocean is capable of causing—indeed is destined to cause if we do nothing—a serious imbalance in the ocean's complex ecology. The external stress of carbon pollution will result in a new equilibrium in ocean ecosystems.

When we consider what this portends for our food security, for our planet's biodiversity and economically for ocean-based industries, we cannot afford to ignore these changes that are happening, that are measurable in our oceans.

Unfortunately, ignoring it is exactly what we are doing by failing to curb carbon pollution. There are high stakes involved. Our oceans cover 70 percent of the planet. We cannot change their chemistry without expecting profound consequences. It is time we realize we are, in fact, part of the very food chain being disrupted by the mounting acidification of the ocean.

The disruption of international fishing due to climate change and acidification threatens to destabilize local and global economies and compromise a major basic food source. How much? How much are we willing to sacrifice for the luxury of letting corporate polluters foul our planet with unchecked CO_2 emissions? Carbon pollution from fossil fuels is depleting the health of the oceans as well as affecting the atmosphere. Unless we take serious action to reverse course, the consequences may be dire. We are sleepwalking through history. I implore my colleagues to heed the clear and persistent warnings that nature is giving us: to acknowledge the responsibility presented to us in this moment and to respond appropriately before it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

THE FISCAL CLIFF

Mr. GRASSLEY. Mr. President, a week ago I visited with my colleagues about the necessity of taking a closer look at the problems of Medicare and taking advantage of the opportunity we have now with the fiscal cliff debate, to bring attention to it because I do not think it was getting enough attention.

There is no greater threat to America's growth and prosperity than our uncontrolled national debt. Currently, the country's debt exceeds $16 trillion. We face the so-called fiscal cliff that could send our economy into another recession. In these difficult times, we are challenged by the people we represent to find real solutions, not short-term bandaids.

As we move forward, it is clear that we must discuss spending. I emphasize that word, ''spending.'' I know President Obama is hyperfocused on increasing taxes as part of his deficit reduction proposal. I think the election shows he is legitimate in doing that, but he could have declared victory about 3 weeks ago. And in the 3 weeks since then he could have spent time talking about the expenditure side of the ledger because if we are going to be serious about reducing our debt, we must talk about spending—not sometime next year, not only after we talk about taxes, we must talk about spending and talk about it now.

We need to have a thoughtful conversation that focuses on where Federal spending most calls for control and containment. That is the purpose of my charts today. That is the purpose of my remarks. We must have a thoughtful conversation about where our Federal spending is taking us. It is past time for the President to engage on health care entitlements with proposals that affect the long-term growth of health care costs. I am going to try to dissect this issue into 3 divisions and point out where the problems are.

The first division I will do, as shown in this chart, is the total government spending with everything except the interest on the national debt. By the way, this chart is from the Congressional Budget Office. It is not something I put together. It details, as I said, noninterest spending as a percentage of the gross domestic product.

We can see the percentages of GDP of health care, Social Security, and other noninterest spending. So we can see over the period of the next 25 years fairly level noninterest spending. We can see that Social Security, even though it has funding problems over the next 25 years, is going to be fairly constant as well. But when we get to health care costs, we can see a very dramatic rise. I suppose I should have had this on bigger charts so it would be more dramatic than it shows.

So this is the problem I want to address today. The driver of the cost is health care. And even though this chart only goes out 25 years, the board of trustees focuses 75 years ahead on Social Security and Medicare. So if this chart went out 75 years on Medicare, it would show about a $40 trillion deficit.

So it is a very dramatic increase compared to other parts of Federal Government spending. I want you to look closely at these longer term projections as I proceed with some other divisions of this problem and segmenting the issue of health care, Medicare and Medicaid.

It is pretty clear that we must address the growth of health care as well as entitlements. I do not think my colleagues on the other side of the aisle can walk away from the issue. We should start by looking at where we are spending the most money in our health care entitlements.

This next chart that we will put up divides this into three categories: Medicare-only health care costs, Medicaid-only health care costs, and then what we call the duals. The duals are people who qualify for both Medicaid and Medicare.

The middle group, as I said dual eligible, account for just over 10 percent of the entire Medicare-Medicaid population. But we can see by the chart that the amount of money that is spent on that 10 percent is much greater than either Medicare only or Medicaid only. When we talk about the need to find ways to control spending for these dual eligibles, it is for a good reason. They are poorer, they are sicker, and more often they are in need of more extensive, as well as expensive, coordinated care.

The inefficiency created in the misaligned incentives of Medicare and Medicaid is frequently cited as one of the areas in health care in the greatest need of improvement, not only for the quality of health care but also maybe a better caretaker of the taxpayers' money.

ObamaCare created an office in CMS charged with creating demonstration projects to allow for greater coordination of dual eligibles. Those demonstration projects have been moving forward at breakneck pace, with nearly half of the States looking to participate. Essentially, all demonstrations under ObamaCare seek to give States greater control of the acute care of the dual eligibles—in other words, of this group here. CMS has the incredibly broad legal authority under ObamaCare to take these demonstrations nationally if they are successful.

No one argues that the way Medicare and Medicaid coordinate the dual eligibles works very well. The coordination today is akin to asking me and somebody else to compose a letter with the other person writing the consonants and my writing the vowels. Giving the States greater control over duals may be a good answer. Some States might do a good job.

But when we consider the fiscal challenges faced by the States, this should be a decision considered by Congress examining all possible alternatives and in consultation with States rather than something occurring through this regulatory action that we are seeing under ObamaCare and what CMS is doing with those demonstration projects.

Furthermore, moving more responsibility to the States may miss a real opportunity to address an even larger cost problem. While some dual eligibles are expensive and need extensive long-term support and services, there are dual eligibles who, in fact, are relatively low cost. More importantly, though, is that not all the expensive Medicare beneficiaries are dually eligible.

Take a look at this chart. In this chart we see the most expensive individuals in the Medicare Program.

These are beneficiaries who have multiple, chronic conditions and functional impairments. Fifty-seven percent of them are eligible for Medicare only, and 43 percent of them are dually eligible for Medicare and Medicaid.

We have numerous studies showing that the care for high-cost, Medicare-only beneficiaries is just as complex, and the quality of care calls for as much attention as that of the dual-eligibles.

So, then, legitimately ask the question of, Why are we splitting these two groups? These are two groups of similarly situated individuals. They all have need for improved care. They all have multiple conditions that are very expensive. Why do we tell some people: You get Medicare solely because you have income—income that doesn't qualify for Medicaid—and then we tell some people: You should get Medicaid solely because you don't have enough income. Why is it a good idea to give States control of poor beneficiaries? Why should low-income beneficiaries get one of 50 different models to coordinate their care and people with higher incomes get Medicare only? Why is CMS pushing States to take a greater role with a complex, expensive population when they are also being asked to find the resources to cover poor individuals in Medicaid and develop exchanges to cover people in the private market?

Congress should consider what States should do in health care and what are reasonable expectations in those States. Congress should involve States in this conversation. If Congress wants States to administer benefits for the aged, the blind, the disabled, and low-income individuals, along with managing the exchanges for individuals with incomes over or up to 400 percent of poverty, Congress can do so.

If health care is the primary responsibility of States, it is because of decisions made by this Congress. States are being asked to do so much in health care while also overseeing education, public safety, roads, bridges, and meet, in most cases, a balanced budget requirement.

So I think Congress needs to step back and ask where the States are best able to focus on health care. We should ask States.

When we look at the long-term spending growth of our health care entitlement, we should use this as an opportunity to reconsider the role of the States in providing health care coverage. What we ask of the States should be thoughtfully considered in any discussion.

I know there are people telling us we shouldn't talk about health care entitlements now. President Obama hasn't come to the table yet on this issue. We don't have a choice. All you have to do is look at the numbers I have given you. Look at the spending. We only make the problem worse by putting it off.

We can save Federal dollars by extracting more from beneficiaries, providers, and States, but that is not going to do the same thing we need to do when we talk about health care changes. It is the very same thing we went through when Obamacare was being considered by a bipartisan group.

We need to do things to change the long-term growth curve of Medicare and Medicaid costs generally. That needs to be done right now. We need to talk about solutions to actually lower the growth curve and do it sooner than later.

We are $16 trillion in debt. One of every $4 we will spend in this next decade will be on Medicare and Medicaid. When you get further down the road than 10 years, it is going to grow even more dramatically. We will see health care entitlements double as a percentage of GDP in the next 25 years. I said the trustees look ahead 75 years, and it is even a bigger problem 75 years out.

If we want Medicare and Medicaid to not only survive—and I do—but also to thrive for the next generation, we need to be willing to ask fundamental questions and seek solutions that can affect the growth curve. I sincerely hope we are able to look for solutions that can make a real difference.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

THE FISCAL CLIFF

Mr. CARDIN. Mr. President, I take this time to share the views of many people who I have talked to in Maryland, and I am sure the same has been said in Oregon and around the Nation. People are frustrated by the inability of Congress to come together on solving the so-called fiscal cliff. We understand this needs to be avoided. Going off the fiscal cliff could cause major damage to our economy.

If we take no action by January 1, as I am sure most people are now aware, tax rates will revert back to the pre-Bush tax rates. The alternative minimum tax that shields tens of millions of Americans from paying extra income taxes will expire and tens of millions of Americans will be subject to extra taxes. The unemployment insurance program, the extended benefit program, will come to a halt. The payroll tax holiday will end, and individuals' take-home pay will be reduced. We would have a serious problem on Medicare reimbursement to our physicians. They would be subjected to a significant cut, close to 30 percent, which would have an impact on seniors and our disabled population having access to physician care, and we would go through what is known as sequestration, which is across-the-board cuts to almost all Federal programs, ranging from 8 percent to about 10 percent. That would have a major impact on our entire country. We have looked at the numbers in Maryland, and it could mean as many as 60,000 jobs lost in our own State of Maryland. We have a large Federal workforce, with 5.6 percent of our workers working for the Federal Government. That type of across-the-board cut would have an incredibly negative impact on the people of Maryland and throughout the entire country.

We have to avoid that. The impact on our economy is estimated to be about 3 percent. We would go from a positive growth to a negative growth, throwing us into a recession. I understand the

frustration of why so close to the end of the year we haven't resolved these issues. We should have resolved them. We should come together, work together to get it done. But I want to point out to the people I represent in Maryland and to the people of this Nation that we have to get this done right. There is a lot at stake.

We have to make sure our country can grow, that we can create the jobs we need to be competitive in the future. We must make sure we deal with this budget crisis in a way that allows us to invest in education, in job training and in rebuilding our highways, our bridges, and our energy grids. We have to make sure we can compete as a nation. That is why so many of us have said we have to have a balanced approach to dealing with the fiscal cliff.

This morning, I listened to Speaker BOEHNER say the ball is in the President's court. I couldn't disagree more with the Speaker of the House. I think it is important to point out that since we have been working on trying to deal with this deficit issue, we have already agreed to over $1 trillion in spending cuts—in discretionary domestic spending—in some of the most challenging areas that affect our most vulnerable people. We have implemented that, and this is since the recommendations of the Simpson-Bowles Commission came out. We took action and we imposed caps on discretionary domestic spending.

Our Federal workforce has been through years, a couple years of pay freezes. We have seen programs that have been cut back and the support they give to people who need help. We have already contributed on the spending side. Is it enough? No. Do we need to do more? Absolutely. But we have done that.

The next piece that must be done is the revenue piece. We can't have a balanced approach unless we have the revenues. So many of my colleagues have talked about this. Historically, our revenues are around 20 percent of our economy. They are now in the 15-percent range.

We have a way to do this. The Senate has come together on a way to do this. The Senate passed legislation that has been in the House of Representatives where Speaker BOEHNER is the Speaker of the House. It has been in the House now for months. What that legislation does, first, it gives predictability to the taxpayers of this country. It says the first $250,000 of taxable income will be subject to the current tax rates and will not go back to the pre-Bush tax rates. That gives certainty to the taxpayers in this country.

I have heard people say: That affects 98 percent of the taxpayers in this country. You know what. It affects 100 percent of the taxpayers of this country. I wish to stress that. If we pass the bill that was sent by the Senate to the House that continues in January the current tax rates for those with taxable incomes up to $250,000; yes, for the typical taxpayer in Baltimore City earning $20,000 to $30,000 of income, they will save $1,400 in taxes; and, yes, for a taxpayer earning $40,000 to $65,000 of taxable income, they will save $2,000. But guess what. A person with $250,000 of taxable income will save about $7,000; and if they earn $500,000 in taxable income, they will save that same $7,000. If they earn $1 million of taxable income, they will get that tax break also. It affects 100 percent of the taxpayers of this country.

What we are saying is we have to have some revenue in this equation. We understand that. Those who are the most well off, do they truly deserve larger tax breaks than that? I would suggest not.

It is not just the tax rates we sent over to the House of Representatives, we also corrected the marriage penalty so that wouldn't change on January 1, the child tax credit, and the AMT—the alternative minimum tax I mentioned earlier. As to the alternative minimum tax, if we don't correct that, tens of millions of Americans will pay extra taxes in the thousands of dollars starting January 1.

I have heard many debates on the floor of the Senate and in the House where no one wants that to happen. Then pass the bill we sent over from the Senate. If we do that, taxpayers don't have to worry about those rates going up and it gives them a little bit of confidence, hopefully, before Christmas, which would make the season a happier season for all.

This is a balanced approach. As I said before, we started with spending cuts. We have done that. The next step, Speaker BOEHNER has to deal with the revenue side. If the House passes the Senate bill, it provides about $850 billion in revenue from not extending additional tax relief for those whose incomes are above $250,000. I mentioned we already did over $1 trillion of discretionary domestic spending cuts, which would give us $850 billion of revenue, and that is not enough. We are going to need more revenue. It is not going to be easy to find. But by closing loopholes, we can get some additional revenues. We have all talked about tax reform. We can get some additional revenue from tax reform.

That brings us to additional savings, and we agree we can get additional savings. I have taken to the floor and talked about the fact that we are bringing our troops home from Afghanistan. I applaud the efforts of the chair to try to get those troops home sooner, and I agree with him. But our troops are coming home and our baseline budget reflects a much higher Active troop level than we need. It is called the overseas contingency accounts. We know there are savings there that can be achieved and we can use in that balanced approach to bring our budget under better control.

Just as we have gone through base realignment and closures in the United States, we believe we can do that throughout the world and that can also save us some money in the military budget. So there are military savings that can be achieved.

Yes, we can and must achieve savings on the entitlement side. I was listening to my friend from Iowa talking about the cost of health care. I agree with him. Health care costs have gone up too dramatically in this country. We have to bring down the cost of health care. We started doing that with the Affordable Care Act by investing in prevention—preventing readmissions to hospitals and dealing with high-cost interventions. That will help us bring down the cost of health care. We have to do more in that regard. If we bring down the cost of health care, we save money in Medicare and Medicaid, and we save taxpayer costs, but we also help our economy. What a lot of us are concerned about is just trying to shift the cost to beneficiaries. That doesn't help our economy and that doesn't help solve the problem.

I take the floor now just to challenge Speaker BOEHNER and say to him it is time to act on the bill we sent over months ago. Let us take the next step and let us work together and develop a framework so our committees can work and achieve policy changes that can bring in the additional revenues we are going to need and the additional savings we know we can achieve. We can do that working together.

I started by saying there are many people in our communities who are frustrated we haven't gotten this done by now. I share that frustration. We should have gotten this done a long time ago. I agree with them. But let's now move this week with the House passing the Senate bill we sent them providing predictability for the taxpayers of this country going into this holiday season. Let's reassure them that next year their rates will not be increased, particularly in this fragile economy. Let's set up a framework where we can responsibly work to reduce health care costs—in greater amounts, I agree—reduce some military spending, and do what is right in a real balanced approach to get our budget in better balance so our economy will grow and create the jobs we need.

It is most important for us to have a climate where we can create more jobs and the type of jobs we want—invest in education, construction, et cetera. That is what we need to do. That is where we need to come together as Democrats and Republicans to get the job done. I urge my colleagues, let's work and get this done as soon as possible.

EXTENSION OF MORNING BUSINESS

Mr. CARDIN. Mr. President, I ask unanimous consent that morning business be extended until 4 p.m., with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I see my distinguished colleague from Utah is on the floor, so I yield the floor and look forward to listening to his comments.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank my good colleague, and I enjoyed listening to his comments.

PROPOSED SMALL BUSINESS TAX HIKES

Mr. HATCH. Mr. President, one thing people admire about firefighters is that when others are running away from a burning building, they run toward it. Conversely, while most people prudently avoid cliffs, President Obama and the congressional Democratic leadership are racing to go over the fiscal cliff ''Thelma and Louise'' style.

Absent action by Congress and leadership by the President, at the end of the year almost every Federal income tax payer in America will see an increase in their rates. Some will see a rate increase of 9 percent, while others will see a rate increase of 87 percent.

Although not often discussed—and although the President likes to avoid discussing it—the impact of these rate hikes will have a uniquely damaging impact on small businesses and the jobs they provide. Small businesses are the engine of job creation in our economy, and the rate hikes the President insists on will hit them hard, undermining economic growth and hampering innovation and job creation. Whether we go over the fiscal cliff or whether the President gets his way on raising rates, taxes will go up significantly on small businesses.

The President would like us to think that raising these taxes is no big deal; it will just hit people who already have a lot of money and who can ''afford to give a little more.'' As President Obama put it in using his own finances as an example, absent tax increases, ''I'm able to keep hundreds of thousands of dollars in additional income that I don't need . . . ''

With due respect, this is an amazingly naive understanding of tax rates and their impact on economic growth. It assumes that all the people hit by these higher tax rates are wealthy wage earners, CEOs, and financiers. It completely negates the impact on small business income that will be subject to these individual rate hikes.

Here we are at Christmastime and the Democrats want Santa to put coal in the socks of all the small businesspeople. Even President Obama acknowledges that two-thirds of the new jobs in our economy are created by small businesses. The vast majority of small businesses are organized as what we call flowthrough business entities, such as partnerships, S corporations, limited liability companies, and sole proprietorships. In other words, these small businesses pay the individual income tax rates.

Because the vast majority of small businesses are flowthrough business entities, the income from these businesses flows through the business directly onto the small business owners' individual tax returns. Therefore, any increase in individuals' tax rates means those small businesses get hit with a tax increase. This tax increase lands on those small business owners even if they do not take one penny out of their business's profits and they put it all back in to be able to hire more people or to get more inventory or whatever that helps their business along. Even if a small business reinvests all its income to hire more workers, pay the workers they already have, or purchase equipment, they will still get hit with this looming tax hike.

The President and those in his party who support these rate hikes owe it to the American people to explain why their proposal will not adversely impact small businesses and those who depend on them for their livelihoods because the data suggests the impact will be severe. There is no question about that. Why can't we get the real facts here?

First, according to the Congressional Budget Office, 80 percent of the revenue loss from extending the 2001 and 2003 tax relief provisions is found among those making less than $200,000 per year if single and $250,000 if married—the President's threshold.

Second, the nonpartisan official scorekeeper for Congress on tax issues, the Joint Committee on Taxation, tells us that 53 percent of all flowthrough business income would be subject to the President's proposed tax hikes. This is our Joint Committee on Taxation, which is a nonpartisan committee: 53 percent of all flowthrough business income is subject to tax hikes on the top two rates.

Given the agreed-upon importance of small businesses to our economic recovery, it is a mystery to me why the President and his Democratic allies would pursue tax increases on these job creators. We simply cannot afford to raise taxes on over half of all this small business income.

President Obama and congressional Democrats defend their plan by claiming that only 3 percent of small businesses would get hit with this tax increase, so we should not fear raising taxes on them. However, they are misreading the Joint Committee on Taxation's letter on this issue. That letter only talks about the percentage of taxpayers affected, not the percentage of businesses affected.

For instance, if 10 people own one business, President Obama and congressional Democrats count that one business as 10 businesses when they make their statement about a small percentage of businesses affected. Obviously, that is not the right way to look at this. The truth is, they don't know what percentage of businesses they are proposing to raise taxes on and, what is worse, they don't seem to care.

The IRS publishes its Statistics of Income Data on its Web site providing the most recent available tax data, which is currently tax year 2010. According to that official IRS data, when looking at the entire United States, 21 percent of owners of S corporations and partnerships, including limited liability companies, make $200,000 or more.

Since President Obama's proposed rate hikes occur on singles making $200,000 or more and married couples making $250,000 or more, the vast majority of this 21 percent would get hit with a tax increase. The only portion of this 21 percent of S corporation and partnership owners who would not be hit with a tax hike are those who are married and make between $200,000 and $250,000.

According to a 2011 Ernst & Young study entitled ''The Flow-Through Business Sector and Tax Reform,'' citing 2007 data from the U.S. Census Bureau, over 44 million workers employed by S corporations and partnerships, including limited liability companies—over 60 percent of the 69 million employees who work for flowthrough businesses—are going to get hurt. So almost 21 percent of S corporations and partnership owners will be subject to the tax hikes on the top two rates, and over 64 percent of the workers in flowthrough businesses are found in these types of businesses. This is before we even consider the impact on owners of sole proprietorships, which employ the remaining 36 percent of employees in the flowthrough sector.

When the Federal Government takes an additional 5 percent of the money that these small businesses earn, the effects are clear. Far from this being—as the President suggests—money business owners don't need, it will, in fact, lead to lost jobs, stagnant or reduced wages, and a decrease in investment.

The President campaigned on raising the top rates, and he seems bent on doing so. But he owes it to the American families to come clean about the impact these hikes will have on the economy and on jobs. He should come clean and admit his desire for redistribution trumps all other considerations.

The debate over the fiscal cliff has been quite discouraging for me. The President knows why it is that Republicans support full extension of current tax policy, and it is not because we are trying to defend the so-called rich. It is because we have a genuine and empirically grounded concern about the impact of marginal rate hikes on small businesses, the jobs they create, and the men, women, and families who depend on them. I couldn't care less about the truly rich.

Instead of acknowledging that marginal rate hikes would have an outsized impact on small businesses, the President has decided instead to demagog this issue, paint Republicans as out of touch, and put political points ahead of

jobs. It is well past time for a grownup conversation about tax policy. Our door remains open, and we look forward to having the President walk through it.

TAJIKISTAN WTO ACCESSION

Mr. HATCH. Mr. President, I would like to take a few minutes to discuss a matter of great importance in the trade arena.

Last week, the Senate approved legislation granting permanent normal trade relations to Russia and Moldova by a vote of 92 to 4. Such a strong vote would not have been possible without bipartisan cooperation from my Senate colleagues. I would once again like to express my appreciation to all the Republican members of the Finance Committee who worked with me and my staff in good faith to develop a strong enforcement package which addresses many of the concerns we all have with our bilateral trade relations with Russia.

I also want to again express my appreciation for the hard work and cooperation of Senator BAUCUS, the chairman of the Finance Committee. The process we undertook in the Finance Committee is emblematic of how the Finance Committee should work. It is my sincere hope this will be a model for future legislation.

Unfortunately, things don't always work so smoothly. In fact, I was quite disturbed to receive a letter earlier this week from Ambassador Kirk, our trade ambassador, informing me that the Obama administration intends to support approval of the proposed terms for Tajikistan's accession and the invitation for Tajikistan to become a member of the WTO at the upcoming WTO General Council meeting.

Let me be clear. I support efforts to help advance the rule of law by bringing countries such as Tajikistan into the World Trade Organization. What disturbs me is that the administration had been negotiating the WTO accession package for over 1 year and failed to even mention it to anyone on the Senate Finance Committee.

Even more troubling is the fact that the final WTO working party meeting took place on October 26, 2012, at which Tajikistan's proposed protocol of accession was completed. Yet no one in the Senate received any information about the accession until last week. Why the Obama administration waited 5 additional weeks after completing Tajikistan's WTO accession negotiations before notifying the committee is a mystery for me.

For an administration that touts its commitment to transparency and unprecedented consultations with Congress, their failure to consult with the Finance Committee and the Senate on the terms of Tajikistan's proposed accession protocol reveals that the administration's bold pronouncements about their excellent consultations are nothing more than empty rhetoric.

Moreover, section 122 of the Uruguay Round Agreements Act requires the administration to consult with the Senate Committee on Finance before any vote is taken by the WTO relating to the accession of a new member. While sending a letter to the committee 1 mere week before a vote is taken in the WTO and after the terms of the accession are already completed might technically comply with the letter of the law, it in no way complies with the spirit of the law.

Had Congress been notified of Tajikistan's pending invitation to join the WTO earlier, it might have been possible to include provisions granting Tajikistan permanent normal trade relations along with the Russia and Moldova bills. But that was not possible. Instead, the Obama administration's lack of transparency and failure to meaningfully consult with Congress rendered that impossible.

As we continue to try to work with the Obama administration to develop policies and advance legislation which create economic growth and open new markets for U.S. workers and job creators, the administration must engage in meaningful consultations. Accordingly, I would expect the way the Tajikistan accession has been handled by the Obama administration will be an exception and not the norm regarding future consultations.

To help ensure that is the case, I will soon be sending a letter to the Office of the U.S. Trade Representative with some detailed questions regarding their consultations with Congress and the private sector trade advisory committees. It is vitally important that we bring more transparency to this process, so I sincerely hope we receive a detailed and substantive response soon.

I also hope we can soon begin to have a meaningful discussion with the administration about their plans for renewing trade promotion authority.

As most of my colleagues know, trade promotion authority is an important tool which helps us pry open foreign markets to U.S. exports. Every President since FDR has sought trade promotion authority from Congress. Despite its critical importance, the administration keeps putting off any meaningful discussion of renewal. In fact, when Ambassador Kirk testified before the Finance Committee last March, I offered to sit down with him that day to start talking about TPA renewal. He declined my offer. Instead, he simply said he would be happy to sit down and talk with me and members of the Finance Committee about TPA renewal ''at the appropriate time.''

Since that time, there has been no administration dialog with me or with the Finance Committee about TPA, even though the Obama administration intends to conclude the trans-Pacific partnership negotiations by October of next year and is considering launching negotiations for a free-trade agreement with the European Union as early as next month.

Frankly, both of these initiatives are going to require TPA in order to be successful. While TPA should have been renewed long ago, we currently cannot wait any longer. If these trade initiatives are going to succeed we cannot continue to keep putting them off.

The time for the administration to start meaningful consultation with Congress on TPA renewal is now and I would like to see more cooperation. In this Congress we have seen the Korean Free Trade Agreement, we have seen the Colombian Free Trade Agreement, and we have seen the Panamanian Free Trade Agreement. We have seen the PNTR with Russia. Those would not have happened if we had not been pushing on the Finance Committee to get them done.

In my opinion, the administration has been slow-walking all of those. Those mean balance of trade positives for our companies here in America and I hate to see us playing around in deleterious ways with these types of agreements. I have suggested some other agreements here that need to be entered into. We need to get real on international trade. We need to be able to compete with anybody in this world, and we are able to if we are given the chance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

REDUCING REGULATORY BURDENS ACT OF 2011

Mr. ROBERTS. Mr. President, I have come to the floor to discuss legislation we could actually pass. I am not talking about the fiscal cliff or sequester or anything quite so heavy, but nevertheless very important. It has bipartisan support, sort of, been passed out of the Senate Agriculture Committee, passed out of the House of Representatives by over 300 votes, but it has yet to be brought to the Senate floor for debate. That debate could be over within a half hour.

The majority leader talks about bipartisan support for legislation and hurdles to bring the bipartisan legislation to the floor. Obviously we have them. But I want to remind the Senate that this bill has already passed the House, as I have said, with broad bipartisan support and, again, with over 300 votes. That does not happen often in the House of Representatives these days. It passed out of the Senate Agriculture Committee with bipartisan support. It did not even have to have a hearing. Yet the majority leader has not allowed this bill to come to the floor for a vote. I urge him to do that.

I am talking about H.R. 872. What is that? That is the Reducing Regulatory Burdens Act of 2011. How could anybody be opposed to that? It has been pending before the Senate for 17 months. That is long enough. That is certainly long overdue. This bill was placed on the Senate Calendar on June 21 in 2011. We need to pass this bill. We

need to debate it very quickly and pass this bill. It is a short bill but it is very critical to address a court decision that endangers the public health and places additional paperwork burdens on States that are facing very difficult budget times.

Let me be clear. This is a pesticide safety bill, pesticides that are used to protect our crops and to protect our public safety. I am not saying, nobody is saying, nobody ever will say, pesticides should never be regulated. I just do not think it needs to be done twice. H.R. 872 does not alter pesticide regulation. Pesticide applications are subject to the terms that are printed on a product label as approved by the Environmental Protection Agency. It is against the law to apply pesticides in a manner that does not comply with the EPA's approval.

Last December, 25 of our colleagues wrote to our majority leader and our Republican leader requesting an open debate on H.R. 872, a bipartisan bill. I ask unanimous consent to have a copy of the letter printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ROBERTS. Despite bipartisan requests for consideration, the bill failed to be considered before regulatory requirements went into effect last year. We are already seeing costs to States, to communities, and to businesses that total up millions of dollars. Regulations now in effect are duplicative—a Senate word, a 35-cent word. That means we do not need it. We already have a bill in place. We already have regulation in place. This regulation requires businesses to undertake what amounts to a paperwork exercise. These requirements can slow responses to real public health crises such as West Nile virus.

The Centers for Disease Control and Prevention report over 5,000 cases of West Nile virus this year and sadly over 230 deaths. That is not right. Pesticide applications are currently and should continue to be regulated under FIFRA, the Federal Insecticide, Fungicide and Rodenticide Act. This bill does what all of our constituents are telling us to do and that is to protect human health and eliminate duplicative, unnecessary regulatory actions.

The additional paperwork and permitting processes that States and pesticide applicators must undertake provide no additional environmental protection, zip, zero. It is just additional environmental review. The EPA estimates that approximately 365,000 pesticide applicators will need permits to cover about 5.6 million applications per year. Public health officials, farmers, other pesticide applicators under this regulatory impact would not be facing these requirements if the administration had chosen to vigorously defend its longstanding policy that the protections under the Federal pesticide law were sufficient to protect the environment.

Again, estimates suggest this duplicative regulation will require 365,000 individuals—a requirement that will cost $50 million and require 1 million hours per year to implement—just to fill out the paperwork. Bottom line, it will not add any environmental protection. This layer of redtape will place a huge financial burden on the shoulders of cities, of counties, farm families all across the country as well as State governments responsible for enforcement while at the same time facing dire budget situations.

Beyond agency enforcement, they will also now be exposed to the threat of litigation under the clean water law's citizen suit provisions. I think you have the real key as to where this bill was headed. Some of you might say there are special exemptions for public health emergencies, but environmental groups are challenging emergency actions taken this summer to address the mosquito-borne illnesses such as eastern equine encephalitis—not something to take an action against if you are faced with one of these kinds of threats. Yet we have not been able to move H.R. 872, to come up for a vote despite clear bipartisan support.

It seems to me Congress must act to end this regulatory duplication and clarify that they do not need this additional burden when they are trying to prioritize staffing and resources.

I ask my colleagues to join me in supporting this bill to protect human health and put an end to this very costly regulation. With regard to the bill again, it is 872, passed the House by over 300 votes, bipartisan support in the Agriculture Committee, didn't even have to have a hearing. Let's move this bill. It is something we can do. It makes sense.

EXHIBIT 1

U.S. SENATE,
Washington, DC, December 8, 2011.

Hon. HARRY REID,
Senate Majority Leader, The Capitol, Washington, DC.

Hon. MITCH MCCONNELL,
Senate Minority Leader, The Capitol, Washington, DC.

DEAR SENATORS REID AND MCCONNELL: We request your leadership in helping to resolve the following issue at the earliest possible opportunity.

As you are aware, the Environmental Protection Agency (EPA) recently finalized its Pesticide General Permit (PGP) under the Clean Water Act (CWA), pursuant to a ruling by the Court of Appeals for the 6th Circuit in National Cotton Council v. EPA. Under this new permitting system, certain pesticide applicators will be required to meet PGP or other permitting requirements in addition to regulation under the Federal Insecticide, Fungicide and Rodenticide Act.

On March 31, the House of Representatives passed H.R. 872, the Reducing Regulatory Burdens Act of 2011, which would address National Cotton Council v. EPA. This legislation then passed the Senate Committee on Agriculture, Nutrition and Forestry on June 21 by voice vote.

We are aware that efforts had been made to come to a bipartisan resolution before these new permitting requirements went into effect. However, we believe there is still an opportunity to resolve this matter in a way that will protect the environment while avoiding undue costs on rural communities and municipalities nationwide. Thus, it is our sincere hope that you will allot floor time for the Senate to have a full, open debate on this matter.

While we recognize that many important legislative items vie for limited floor time, this is a rare opportunity to demonstrate to the American public that Democrats and Republicans are capable of working together to address important issues.

Sincerely,

Mike Crapo, Kay Hagan, Richard Burr, Marco Rubio, David Vitter, James Risch, John Boozman, Mike Johanns, Roy Blunt, Rob Portman, Richard Lugar, Mary Landrieu, Kent Conrad, Tom Carper, Chris Coons, Ben Nelson, Max Baucus, Claire McCaskill, Tim Johnson, Amy Klobuchar, John Hoeven, John Thune, Orrin Hatch, Lamar Alexander, Joe Manchin.

The PRESIDING OFFICER. The Senator from Iowa.

THE FISCAL CLIFF

Mr. HARKIN. Mr. President, I come to the floor today to give some perspective on the debate going on in Washington about the so-called fiscal cliff. The so-called fiscal cliff is a misnomer, but what it reflects is the concern that unless we act our economy is going to be hit by significant austerity in 2013. Not at 12:01 on January 1, but over the course of the year. So it is not a cliff, it is more like if we do not do something we are going to start on a slope. But we are not falling off any cliff at 12:01 on January 1.

Fortunately there is an easy way to address one of the major parts of this puzzle. The Senate earlier this year passed a tax relief bill for the middle class. It would extend for 1 full year all of the Bush-era tax cuts on middle-class families. That is sitting in front of the House of Representatives. President Obama has said, If they pick it up and pass it tomorrow I will put my pen to it immediately. That is one thing that could be done right now. But the House Republicans will not take it up. I say if they were to take it up today, pass it, the President signs it, I think you are going to see a lot of middle-class families maybe even do a little bit more Christmas shopping because they know their taxes are not going up next year and that will help spur our economy.

Again, I point out some of my friends on the other side of the aisle, here and in the House, have been talking about doing that very thing. So there are some Republicans who recognize that this would be one of the best things we can do, and that is pass the middle-class tax cut that we passed here in July.

Nonetheless, I keep hearing what we really need to do to address the so-called fiscal cliff is to enact significant entitlement reform. What does that mean, entitlement reform? Let's be upfront with the American people. When you hear our friends the Republicans

and others talk about entitlement reform, they are talking about three things: cutting Social Security, cutting Medicare, and cutting Medicaid. That is it. That is what they are talking about.

For example, let's take a look at Social Security. It has become an article of faith, almost, among a lot of people around this city that one of the ways to reduce the national debt is to ''reform Social Security.''

That is really fishy because Social Security can pay full benefits, 100 percent, until 2033, and by law it is not allowed to add to the deficit or debt. So, therefore, it is not driving our long-term debt.

What is really going on here? I think one of the ways to figure it out is a close look at the proposals under consideration. If you look closely you will find almost all of these serious proposals to save Social Security purport to do so by cutting it.

For instance, one proposal is to raise the retirement age so that hard-working Americans, including nurses, cashiers, carpenters, mechanics, truck-drivers, have to work even longer before they can retire with full benefits.

I remind people we already raised the retirement age. We did that in the 1980s, from 65 to 67. That is being phased in right now. The Bowles-Simpson Commission, what did they want to do? They wanted to raise it to 69. I remind people that life expectancy at age 65—that is the amount of time you are going to live after you reach 65—has not grown equally among all Americans. Not surprisingly, higher income Americans have seen much larger gains in life expectancy after 65 than low- and moderate-income families. So you raise the retirement age for Social Security, you help those who have money and you hurt those who do not. That is exactly what it is. You hurt low- and moderate-income Americans who work at some of the most physically demanding jobs in our economy. It hits them the hardest. So we can dismiss that.

I was looking at the list of people proposing that we raise the retirement age—Bowles-Simpson; the Third Way; Lloyd Blankfein—CEO of Goldman Sachs, how about that—Senator COBURN, the American Enterprise Institute, Cato Institute, Republican Study Committee. Oh, yes, the Ryan budget, by the way. We know what the voters of America thought about that Ryan budget.

Anyway, there is a whole list of people there who are saying we have to raise the retirement age. Let's see what kinds of jobs they have, what kind of work they do during their lifetime.

Another proposal we have heard about to kind of ''fix'' Social Security is to base future cost-of-living adjustments, the COLAs, on the so-called chained CPI. That is a phrase you are hearing more and more of. What it does is basically it reduces annual cost-of-living adjustments. It is nothing more than a benefit cut by using a measurement of inflation that reflects the costs faced by seniors even more poorly than the current measurement. In terms of take-home benefits for an individual beneficiary, the chained CPI will result in a benefit cut of $136 per year for a 65-year-old. However, because of the compounding, the benefit cut would increase to an average of $560 per year less for a 75-year-old retiree. That is a severe benefit cut, particularly for the oldest Americans who are the most likely to have gone through all their own retirement savings and must rely totally on Social Security. Furthermore, the chained CPI is simply not a more accurate way to measure inflation. Rather, it more accurately measures the degree to which people are reducing their costs and as a result it can mask big changes in the quality of life for Americans.

I have talked to people in town meetings about chained CPI. If an elderly person is on Social Security and due to heating costs or perhaps some medical bills that person's budget is pretty tight, instead of buying beef for dinner, he decides to buy chicken. This decreases his costs a little bit. Chained CPI would look at that and say that since his costs have gone down, we should reduce his COLA. Now that his COLA is reduced, he is sort of locked in there. Now his budget is a little tighter so he decides to go to beans. In this scenario, he has gone from beef to chicken and is now eating beans. The chained CPI said his costs went down further so we will reduce his COLA even more. Pretty soon he is reduced to drinking warm water for soup and the COLA keeps going down even more. That is what the chained CPI does to an elderly person.

Don't be fooled by a fancy CPI. Chained CPI is akin to being on a boat and you have to swim to shore and someone puts a big log chain around your ankle and tells you to swim. It is going to drag you to the bottom. Chained CPI chains you and drags you down.

There are long-term challenges confronting the Social Security system, and we know that. The baby boomers are retiring and we have fewer workers contributing to the system. Fortunately, we knew this has been coming for decades, and that is why we have the trust fund in the first place. The trust fund pays 100 percent of the benefits until 2033. What happens in 2033? A lot of people say Social Security is going to go belly-up. No, it doesn't. Unless changes are made, the Social Security trust fund will pay out 75 percent of anticipated benefits in 2033. What happens if we reduce unemployment? What if we reduce unemployment from its present 7.7 percent down to 4 percent? Guess what. That 2033 now goes up because there are more working people paying into the system.

So one of the best ways to fix Social Security is to get jobs back for people in this country. That is why those of us who are committed to honestly strengthening Social Security will resist any effort to cut Social Security and are saying, no, don't make it any part of a grand bargain. It should have no part of it whatsoever. There are approaches that can strengthen Social Security. To do so, I introduced legislation earlier this year that would provide seniors with greater economic security.

My proposal does it three ways. First, we actually raise the amount of Social Security that people get by $65 a month. Some might ask how can that save money. I thought we were supposed to cut benefits not increase them. I say there is a way. We can increase it by $65 a month. Others might say that to an upper income person, $65 is not much. To some who have paid in the minimum amount to Social Security, they have had minimum-wage-type jobs most of their lives, so $65 a month over 1 year can be quite a bit.

Secondly, my proposal ensures that COLAs better reflect the cost of living for seniors than what we presently do right now, and we certainly don't do chain CPI.

Finally, how do we do this? By applying the payroll tax to every dollar of eligible earnings by removing the so-called wage cap. We don't do it over 1 year; we phase it in over 10 years. For the life of me, I have never been able to understand why it is equitable for someone who is making $50,000 a year to pay their payroll taxes on every $1 they earn, but for someone who is making $500,000 a year, they only pay payroll taxes on the first 20 cents of every $1 they earn. The rest of the 80 cents they pay no payroll taxes on.

We talked about this for a long time and we have never done it. It is time to remove the wage cap which will allow us to pay $65 more per month per person. According to the actuaries of Social Security, the 100-percent benefit that would expire in 2033 goes to 75 percent and would be extended beyond 2050. Just by doing that, we will extend the life past 2050, pay $65 more a month per person, and make it fair for everyone by ensuring that everyone pays into the trust fund on every $1 they earn. These are the kind of changes we should consider as part of any effort to reform Social Security. Regrettably, I don't hear from those who want to put Social Security on the table as part of a debt reduction package calling for these type of reforms. They want to just cut benefits, that is all.

As we work to resolve the fiscal cliff on our long-term deficits, our core principle should be that we need a resolution that is good for the middle class, and that starts with strengthening and protecting programs such as Social Security. It also means we should take this opportunity to continue to support hard-working families and create jobs, particularly through programs such as infrastructure investment. We should also continue to provide help, such as

the middle-class tax cut, to working Americans by giving them more money to put in their pocket to spend and drive the economy forward.

However, we must not continue the payroll tax cut of the last 2 years because of the threat it poses to the integrity of Social Security. Two years ago, to help middle-class families through tough times, we reduced the amount they paid into Social Security by 2 percent, from 6.2 percent to 4.2 percent. In order to make up for that, we put money from the general fund into the Social Security trust fund. It is the first time we have ever done that. I said it was wrong, and I still say it is wrong. We then extended it for 1 year until the end of this year. I thought that would be the end of it. Now I am hearing voices say we ought to extend this payroll tax cut.

Two of the critical strengths of Social Security are that it is universal and it is self-funded. No dollar paid in benefits comes from any source other than the payroll tax. As such, Social Security does not add one dime to our deficit. Again, that fact alone is a strong argument for those of us defending Social Security from misguided attempts to cut the system in the name of deficit reduction.

I have often argued that Social Security doesn't add one dime to the deficit. It never has. However, if we are taking money out of the general fund, which we know is borrowed money, and we are putting that into the trust fund, then the trust fund is now taking money that is borrowed. No longer can we say every dime paid out of that is from the payroll tax since it is coming from the general fund. I think we made a mistake 1 year ago by extending it. Now it is the time to end it. It must not be extended. I, for one, will do whatever I can as a Senator to stop the extension of the payroll tax cut in order to help solve the deficit and in order to help middle-class families.

How can we help middle-class families? It is very easy. First of all, pass the tax cut extension that we have sitting before the House. Secondly, rather than cutting payroll taxes by 2 percent, we should put in place a modified version of the Making Work Pay tax credit that we did under the American Recovery Reinvestment Act. That credit provided working Americans with $400 per person, $800 per couple in 2009 and in 2010. We can adjust that credit and double it to $1,600 per couple to replace the payroll tax cut. So as we put the 2 percent back to where everyone pays back in at 6.2 percent, what we do on the other side is provide for a Making Work Pay tax credit that goes to people who are working. Obviously, no one gets the 2-percent payroll tax cut if they are not working. The Making Work Pay tax credit would also go to those who are working and make it a similar amount of money as they had on the Social Security payroll tax fund. This would have a greater bang for the buck because it would better target working Americans of modest means who tend to spend more of what they get back.

I will clarify what I mean by that. Under the Social Security payroll tax cut—the 2-percent cut—the maximum amount of money someone would get would be at the highest level they paid into Social Security, which is approximately $110,000 on a payroll of $110,000. So that person would get $2,200 back. That is for someone making at least $110,000 a year. If someone is making $20,000 a year, they would only get $400 back. So the higher your income, the more they get back; the lower the income, the less they get back. It is just topsy-turvy. It should be the other way around. There should be more benefits to lower income and less benefits to higher income.

With this tax credit, that is what we do. More would go to people who are making $40,000, $50,000 $60,000, $70,000, $80,000 a year than to those higher income people. That is why the Making Work Pay tax credit is much better than extending the Social Security payroll tax.

We are at a turning point in our economy. We can either move forward with an agenda that will strengthen the middle class or be dragged backward by misguided policies that consign us to additional decades of unequal growth and stagnant wages for working families.

I stand ready to work with my Senate colleagues to reduce the deficit and debt but not at the expense of hard-working, middle-class families who make this country the great country it is.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CORKER pertaining to the introduction of S. 3673 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. CORKER. So I thank the chair. I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon will suspend.

The majority leader is recognized.

Mr. REID. Madam President, I ask my friend to yield for a unanimous consent request and then he can have the floor as soon as I am finished.

Mr. MERKLEY. Absolutely.

UNANIMOUS CONSENT AGREEMENT—H.R. 4310

Mr. REID. Madam President, I ask unanimous consent that when the Senate receives the papers with respect to H.R. 4310, the Senate's passage of H.R. 4310, as amended, be vitiated; that adoption of the Senate amendment be vitiated; that the amendment, the text of S. 3254, as amended by the Senate, be modified with the changes that are at the desk; that no other amendments be in order, and the Senate proceed to vote in relation to the amendment, as modified; that if the substitute amendment, as modified, is agreed to, H.R. 4310, as amended, be read a third time and passed; finally, that the previous request with respect to the Senate's request for conference, including the appointment of conferees, be agreed to; with all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we be in a period of morning business until 5 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, of course, Senators should be allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I extend my appreciation to my friend, the Senator from Oregon.

THE FARM BILL

Mr. MERKLEY. Madam President, I rise today to address a critical issue for Oregon's farmers and ranchers.

If we turn the clock back from the most recent national disaster; that is, this terrible Hurricane Sandy that impacted New York and New Jersey and other areas, last summer we had another significant disaster, the worst wildfires to hit the State of Oregon since the 1800s and the worst wildfires in over a century. These wildfires devastated land and livestock. Yet our communities have been left stranded, without the protections they normally have, because of the inaction of the House and the Senate.

The Long Draw Fire in Malheur County burned 557,000 acres. Let's translate that. That is 900 square miles of land. The Miller Homestead Fire burned 160,000 acres or 250 square miles.

We have had many folks coming to the floor to discuss the terrible consequences of natural disasters. It was not long ago that I was on this floor, before Hurricane Sandy, calling for urgent, immediate action. But the challenge is that these emergency programs designed to respond to the ranchers and farmers who have lost so much land, so much forage in Oregon, those measures are in the farm bill.

Never before has the farm bill been unfinished, unaddressed, while Congress took their month-long break in August. Yet there it is. We came back and here we are and we still have no action from the House. We can't have a conference committee because the House hasn't acted. We can't address the changes in the House bill because the House hasn't acted. And who is paying the price? Farmers and ranchers, devastated by the worst wildfires in over 100 years.

Now, let me be clear. I would prefer that we pass the farm bill. But we have not. And we cannot control what the other Chamber is doing. If we do not get these key disaster relief programs, ranchers and farmers who have lost livestock or grazing land in these wildfires will be left with few options. That is wrong. A rancher in southeast Oregon who has already been devastated by the wildfire should not pay the price because the U.S. House of Representatives will not bring the farm bill to the floor. There are farmers all across the country who have been hit hard by drought. They, too, are held hostage. They need disaster assistance.

Well, very soon we are going to be talking about a very substantial disaster bill, and it is appropriate that we will be doing so. I will be supporting it because the devastation that has been wrought in States such as New Jersey and New York is exceptional, and we as a nation need to hold hands with the citizens of these States. We need to help them restore their lives and rebuild. But we need to hold hands in partnership with the ranchers and farmers in Oregon who have been devastated by these wildfires as well.

So if the House has not acted on the farm bill when we come to this floor to address relief for those impacted by Hurricane Sandy, then I am going to ask all my colleagues to work with me in the same partnership in which we supported folks in the South after Katrina, the same partnership we will have in supporting the folks in the Northeast due to the consequences of Hurricane Sandy, to support the ranchers and farmers of Oregon who have been so devastated by these worst ever fires.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ISAKSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. I defer to the lovely lady from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

TRIBUTES TO DEPARTING SENATORS

Ms. MIKULSKI. Madam President, I rise to comment about some wonderful men in the Senate who are retiring on both sides of the aisle. Earlier today I spoke about my deep affection and sorry-to-see-go friends OLYMPIA SNOWE and KAY BAILEY HUTCHISON, but I want to rise as the dean of the women in the Senate to say some very special words about very special men on both sides of the aisle. Because when I came to the Senate, it was only Nancy Kassebaum and myself, and yet we worked on so many issues together. There are really wonderful men here who supported me, supported our issues, but really stood up for those States and their communities.

DANNY AKAKA

I want to say goodbye, aloha, to my very good friend DANNY AKAKA, a wonderful man with whom I have served in both the House and the Senate. He has been a real advocate not only for the people of Hawaii but, wow, the way he stood up for the Federal workforce, the civil servants who do such a great job, the outstanding job he has done on the Veterans' Committee.

Lives are better off, particularly for our veterans. I want to say a wonderful goodbye and give a hug to him because he demonstrates that you do not have to be loud to be powerful.

DICK LUGAR

I also wish to pay tribute to someone on the other side of the aisle, my very good friend and someone I admire tremendously, Senator DICK LUGAR from Indiana. Who does not admire Senator LUGAR, a gentleman, a scholar, I might even add a Rhodes Scholar, a definite advocate for Indiana, an incredible thought leader on foreign policy.

I am so proud of him and the work he did and the way he reached across the aisle to work with our colleague Senator Sam Nunn on their famous Nunn-Lugar Cooperative Threat Reduction Program. They truly worked together to begin to end the threat of weapons of mass destruction in the former Soviet Union and made the world a better and safer place.

We want to wish Senator LUGAR a fond farewell and let him know he will be deeply missed. I certainly will miss him. I valued his thought, his counsel, his observations, particularly in the area of foreign policy. He taught me a little bit about foreign policy too.

JEFF BINGAMAN

I also want to say a goodbye to our friend JEFF BINGAMAN of New Mexico, someone who has also brought intellectual rigor, a lawyer's insistence on thoroughness, and a real commitment to people. It has been an honor and a pleasure to work with him on the HELP Committee, especially on the Affordable Care Act. I was proud to support all that he did, particularly in developing and focusing on the health workforce for the future.

I knew I could count on JEFF in the committee and on the floor as one of those men whom I refer to as a Gallahad, where men of quality always supported us women as we sought equality. Our initiatives to end discrimination against women in health care and in the workplace were some of our proudest achievements in working together.

JON KYL

I also wish to comment about JON KYL. I have worked across the aisle from JON KYL and I have been seated across the table from him at everything from Bible study groups to the Senate Intelligence Committee. We studied the words of the Bible together to make ourselves better, and we worked in our committees to make the world better.

We lived through September 11 and the terrible attacks that occurred in our country and the anthrax attacks in our offices. With his steady leadership, his resourceful mind, his can-do know-how, we worked together to get the job done. I was delighted to be able to work with him in a way that called forth our highest and better selves to look out for our country. I wish him the best in his journey.

KENT CONRAD

I wish to comment too about KENT CONRAD. Wow, what a numbers guy. Those charts—I loved those charts. But we have many other things in common besides a love of charts. We love baseball. We love the Baltimore Orioles and, I might add, an occasional polka at Blob's Beer Garden in Maryland. Now you know KENT. He looks like Clark Kent. And he is a Superman when it comes to the budget. But, wow, when they played ''Roll Out the Barrel,'' he was quite a hoofer.

Most of all, what I admired about him is the way he breathed life into the numbers. He not only wanted a more frugal government, but he was also passionate and compassionate about how we could use the power of the purse to improve the world and at the same time maintain sensible spending standards.

I am going to look forward to seeing him with or without his charts and maybe in a dugout.

BEN NELSON

I wish also to say goodbye to BEN NELSON of Nebraska, a brother appropriator. We salute him for his work for the people of Nebraska and the Nation. Using those committee assignments on Appropriations, Agriculture, and Armed Services, he looked out for rural communities and he stood up for men and women in the military. I knew he took it as a personal responsibility, the issues around personnel for our military, that they had the right pay, the right equipment, and we protected their benefits.

HERB KOHL

A comment about HERB KOHL, another brother appropriator, the very essence of civility. He brought a businessman's savvy with a deep compassion and commitment to the people of Wisconsin. Now we all know the Kohl family. They own basketball teams, they own department stores. I tell you,

that HERB, he understood retail, whether it was in politics fighting for the people and their day-to-day needs or the national policy of looking out for working families as they build their lives. He stood up for Wisconsin cheese, the Green Bay Packers, his basketball team. But most of all, he stood up for the people. With HERB, what a sense of honor. His handshake was always good. You could count on him. It was a binding contract.

SCOTT BROWN

I wish also to say a word about Senator SCOTT BROWN. Many of you know that I was a social worker and a child abuse worker. I want to say personally, I so admire Senator BROWN's candor and being forthcoming when he shared with the world his own child abuse experience in his book, ''Against All Odds.'' He not only experienced the terrible thing that happened to him, but he went on to talk about how he handled this terrible tragedy. I must say, I compliment him. It was a model, that as a young boy this terrible event would not hold him back. I am sure his powerful words helped many others come into the light. As a former child abuse social worker, I want to thank him publicly for what he has done not only in this institution but to help other boys—and even girls—who also faced a terrible tragedy and refused to be a victim but went on to do well. I wish him well.

JIM WEBB

Senator JIM WEBB, the Senate's own marine and former Secretary of the Navy, I have known him for more than 20 years, since he was Secretary of the Navy under Ronald Reagan. Well, in the beginning we fought on many issues, particularly gender equality. When Senator WEBB was the new Secretary of the Navy and I was a new Senator, we had a different view on where women should be in the military, and we duked it out. But you know what. Over the years we came to know each other, respect each other, and appreciate each other's views. I so appreciate the fact that he is an unabashed, unrelenting fierce fighter for our men and women in uniform, fighting for them when they are on the front lines and when they return to the homefront.

I am so proud of the fact that I could vote for the 21st century GI bill for those serving in the military, to make sure that when they are on the front line, they get the education here so they will not be on the unemployment line. His bill was the most significant legislation for veterans since World War II. So I say to Senator WEBB, semper fi, and God bless you.

JOE LIEBERMAN

Then to my good friend, JOE LIEBERMAN—my friend JOE, a true Independent. We have worked together on issues related to the Middle East and the safety and security of Israel. We worked to bring character education into our schools because we do believe that character counts.

Working with JOE—whether it was to help create national service, move national legislation, or to say that in our schools we should come to understand the need to teach respect, responsibility, fairness, caring, and citizenship—wow, these were values that should be not only in our schools but throughout our country.

JOE has been so faithful to his religious beliefs. He has also been faithful to the Constitution he was sworn to uphold and to the people of Connecticut. I want him to know we so appreciate his service to Connecticut and to the country.

I wanted to be sure that the day would not end without me acknowledging these wonderful people who have given a big part of their lives to making this country a better place. I want to, in the most heartfelt way—I am so sorry we did not have a bipartisan dinner or party to be able to express this. I would have liked to have been in the same room, breaking bread with them, in order to be able to tell them how much we appreciate them, across party lines, across those lines that ordinarily divide us. They came from different parts of the country, they arrived in the Senate with different objectives, they will leave under different circumstances. But I want to again let them know that each and every one of them had a positive impact on me and I think a wonderful impact on the future of this country. So I wish them well. God bless and Godspeed.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILIBUSTER REFORM

Mr. MCCONNELL. Madam President, over the past few weeks, we have been discussing a plan by the Democratic leadership to break the rules of the Senate in order to change the rules of the Senate; in other words, the nuclear option. This plan would break their very clear commitment, which was given at the end of 2006 when they were still serving in the minority, to respect the rights of the minority. It would break their promise to follow the Golden Rule, and it would break their pledge to never, ever use the nuclear option to break the Senate rules.

They have governed in a much different way. Their actions yesterday on the pending bill related to the Transaction Account Guarantee Program illustrate well the heavyhanded ''my way or the highway'' manner of running the Senate.

Senate Republicans voted overwhelmingly to get on this bill—voted overwhelmingly to get on the bill. We soon found out, however, that no good deed goes unpunished. Less than a minute after agreeing to adopt a motion to proceed to the bill, the Democratic majority filled the amendment tree to prevent any Senator, Republican or Democrat, from offering any amendments.

Republicans have significant, on-point amendments we would like to offer. For example, Senator CORKER has an amendment that requires the FDIC to charge the full premium necessary to cover the cost of this insurance. Senator VITTER has a similar amendment. Senator CORKER also has an amendment that would make participation in the TAG Program voluntary so banks don't have to pay premiums for insurance they don't use. Senator WICKER has an amendment that would limit the term and exposure of the extension of the TAG Program.

Other Members on both sides of the aisle have additional amendments that are relevant to this bill. No Senators, however, Republican or Democrat, will get to offer any of these amendments because of the autocratic manner in which the Democratic majority is handling this legislation, which is, by the way, the same way they have handled the previous bills nearly 70 times.

Within 2 minutes, after blocking out all amendments, the Democratic leadership filed cloture on the bill so our friends could end debate on this legislation before it even began. This procedural hard ball, like blocking out all amendments by filling the amendment tree, is all too common.

This is the 107th time the Democratic majority has moved to cut off debate on a matter, be it a bill, an amendment, or a conference report, on the very same day—the very same day the Senate began considering the matter. And to boot, this is a bill that never went through committee. Like so many other bills the Senate has considered under the Democratic majority, it was written behind closed doors. This has happened nearly 70 times as well.

In short, what happened on this bill is a prime example of the Democratic leadership's hat trick: bypass the committee process to write a bill behind closed doors; prevent anyone, Republican or Democrat, from representing their constituents by offering an amendment; and then move to end debate on the bill—again, this is a bill that never went through committee and that no one was allowed to amend—on the very same day the Senate takes up the bill. The Democratic leadership, no doubt, likes running the Senate this way because it gives them nearly total control—nearly total control—or, as they prefer to describe it, this approach is ''efficient.'' Efficient. Now that they are no longer in the minority, this is what they believe the Senate should aspire to be.

One can describe this heavyhanded approach in a lot of ways, but you can't say it comports with their promise to

respect minority rights. You certainly can't say it is an example of the golden rule, and you can't say it resembles anything like how the Senate used to be run, how the Senate is supposed to be run, and how our Democratic colleagues promised they would run it. The heavyhanded way the Democratic majority is handling this bill is a prime example of the fact that we don't have a rules problem around here, we have an attitude problem around here.

So I would call on my Democratic colleagues—especially those who are not in the leadership and who have the experience and wisdom that comes from serving in the minority—to work with us to get the Senate back to how it is supposed to function. I urge them not to be complicit in irreparably changing the Senate as an institution that respects the rights of the minority and the views of the constituents whom the minority represents.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE TAX HIKES

Mr. BARRASSO. Madam President, I rise today to talk about the tax hikes that are going to be hitting middle-class families all across this country, and it is going to do so in a way that many Americans do not realize. Everyone in Washington is talking about the fiscal cliff and the tax increases that might come from that, but today I wish to talk about something different; that is, the tax increases that are coming regardless of what happens with the fiscal cliff. Those are the tax hikes we are seeing because of President Obama's health care law.

People who have been following this closely know that President Obama's health care law guarantees that middle-class families will pay higher taxes. The President promised repeatedly that he would not raise taxes on the middle class. As a matter of fact, he said, ''If you're a family making less than $250,000 a year,'' referring to his health care plan, ''my plan won't raise your taxes one penny—not your income taxes, not your payroll taxes, not your capital gains taxes, not any of your taxes.'' That is what the President said. But once he got into office, President Obama arranged for his health care plan to be written behind closed doors. Democrats in Congress passed it, and they did it strictly along party lines.

This law included more than 20 different tax increases. These tax increases amount to more than $1 trillion over the next 10 years. Of those, a dozen taxes specifically targeted middle-class taxpayers. The most famous, of course, is the individual mandate tax. That is the one which requires that all Americans buy a government-approved health insurance plan. If they don't for even 1 single month out of the year, then they have to pay the tax. Members of the Senate ought to remember this one. This is the one the American public still finds very unfavorable, to the point that still a majority of Americans want to change or either completely eliminate and repeal the President's health care law.

The law continues to be very unpopular. One of the main reasons has to do with this tax. It is a tax that is going to hit families harder than single people, and it is going to hit the middle class harder than wealthier Americans. You know what. That is the way it was designed, amazingly. That is the way the Democrats in this body designed the tax—to hit the middle class harder than wealthier Americans. By 2016, 4.7 million low- and middle-income households will face a tax for not buying government-approved health insurance. It was entirely predictable. In fact, a lot of us on the Republican side of the aisle did predict it right here on the floor of the Senate.

Well, this leads me to another aspect of the health care law that the White House and the Democrats have not been eager to talk about, and it is the role specifically related to this tax, and that is the role of the IRS, the Internal Revenue Service. The law gives the IRS unprecedented new powers to do what? To probe into taxpayers' lives.

Right after the election—and they waited until after the election—the Obama administration started releasing a wave of new health care regulations. These include new rules on how the IRS plans to implement the new health care taxes. Just last week, they put out proposed rules on how they are going to enforce the new Medicare payroll taxes. They still haven't said exactly how they plan to enforce the individual mandate tax.

But we do know IRS agents are going to be verifying who bought health insurance and taxing everyone who didn't. We know the IRS will be doing more tax audits for health care spending. We know the IRS will be able to confiscate Americans' tax refunds. Why? Well, to pay for health care taxes—not to pay for health care but to pay for health care taxes and to assess interest and late fees on people without insurance.

We know we are going to see an army of new IRS agents and auditors—to do what? They are going to investigate the health insurance choices of Americans and their families. The agency is going to have to collect a huge amount of data not just from insurance companies but from the American people. The IRS is going to want to know details such as the cost and the benefit structure of every person's health insurance policy. They are going to want to know who in each household is covered and how long they have been covered. They will want to know the incomes people reported to their insurance company and what other kind of coverage their employer may have offered.

To get all of this information, the Internal Revenue Service will have to develop new layers, additional layers of redtape for businesses and for families, new forms, new filing procedures, and new instructions. It is going to have to come up with some way for taxpayers to resolve any discrepancies, and there are going to be a lot between what their tax returns say and the data the insurance companies report. It is going to be a nightmare. It is not clear how the IRS is going to do this, but people are certainly going to need to keep very careful records. It is also clear that a lot of Americans are going to be defending themselves against audits.

All of that is work the IRS is going to have to do just to get ready for this massive amount of new bureaucracy. The problem is that several independent reviews have found that the agency is seriously unprepared. In one, the Treasury Inspector General for Tax Administration found that the IRS is not equipped—not equipped—to implement the law contained in what is called the ''largest set of tax law changes in more than 20 years.'' The IRS hasn't even conducted a thorough review of the law that it is required to execute. As a result, the Inspector General's Office said it wasn't able to determine whether the IRS had adequately planned for the workforce it will need.

There was a separate analysis done. There was an analysis done by the House of Representatives. They found that the IRS could need more than 16,000 new IRS agents, new IRS examiners, new IRS support employees. Well, you know as well as I that the American taxpayers will get hit with the bill to pay for the salaries of all of those new IRS employees—the agents, the examiners, and the support employees.

The American people knew what they wanted from health care reform. What they asked for was the care they need from the doctor they choose at a lower cost. That is what the President and Democrats promised them. It turns out that what the American public has gotten is fewer choices, more regulations, and higher taxes.

In meeting after meeting, when visiting with constituents in Wyoming, I said, ''How many of you believe that under the President's health care law, you are going to pay more for your health insurance?'' All of the hands went up.

I said, ''How many of you think that the quality and availability of your care because of the President's health

care law is going to go down or it is going to get worse?'' Again, all of the hands went up.

Now what these same people are learning is that the IRS is the chief Federal enforcer for key parts of President Obama's health care law. The people of my State and the people around the country do not like it at all.

What we are going to have as a result of the health care law is a much larger Internal Revenue Service. They are going to have broad new powers—powers to investigate, powers to monitor, and powers to tax the American people. At the same time, there is real doubt about whether the agency is even up to the job.

America's middle-class families don't want, don't need, and cannot afford more taxes. They don't want, they don't need, and they cannot afford a more powerful Internal Revenue Service, with more agents looking into the details of their health care choices, but that is exactly what President Obama and every Democrat in this body have given to the American people.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO DR. SANDY GREENBERG

Mr. COONS. Mr. President, I rise today to join with my colleague, Senator PAUL, to discuss the life and work of an exceptional American, Dr. Sandy Greenberg, who is here with us today, along with his wife Sue and his sister Brenda.

Sandy, in my view, is an honorary Delawarean because he spends a month every year at one of our most beautiful beaches, Rehoboth Beach. But he is much more than that. A successful businessman and philanthropist, Sandy has a wide variety of interests and life experiences. He has founded and run software and technology companies, he is a pioneer in the use of technology in medicine, and helped bring telemedicine to rural health care facilities as chairman of the Rural Health Care Corporation.

He was appointed by President Clinton to the Board of the National Science Foundation. As a young man he took a break from his studies at Columbia, where he roomed with Art Garfunkel—a well-known musician—to work as a fellow in Lyndon Johnson's office.

All of this on its own merits would make for a life well-lived and a substantive, meaningful contribution to our country. But there is one thing I have not yet mentioned. At the young age of 19, Sandy went blind. He lost his sight, and with that all likely hope of the successful completion of his college career or a successful career in life. He was told by the social workers who met with him after glaucoma stole his sight from him that his future would likely consist of assembling screwdriver kits in a sheltered workshop in his hometown in upstate New York.

But because of the kindness and the intervention of his roommates—Art Garfunkel and Jerry Spire—and others who volunteered—Marc Mukasey—who dedicated countless hours reading to him, he was able to finish his class work, to be successful in completing his studies at Columbia, and then to go on to Harvard Law School and to Oxford, and then to go further and further.

He has lived his entire adult life and achieved a career most of us can only dream of while also plunged in darkness. His exceptional courage and his perseverance don't end there. Today he wants to serve others and catalyze a transformative shift in the health of our Nation by ending blindness by the end of this decade.

Is this outrageous? Is this audacious? Maybe. But that is what experts said when President Kennedy stood before this Congress—in the same year, 1961, that Sandy lost his sight—and challenged our Nation to put a man on the Moon by the end of that decade. The best and brightest minds, the top scientists and researchers of Kennedy's generation rose to that challenge and achieved his impossible dream. Now, for this generation, Sandy and his wife Sue have once again raised our sights and challenged the best scientific and medical researchers in the world to rise to an enormous challenge—a challenge that has been with us from the beginning of mankind.

In the Bible itself we hear of blindness, of people who could not see with their eyes but only their hearts. For millennia, humanity has struggled to understand and overcome blindness. Yet today we have the scientific tools necessary to reach for a cure—to restore the physical sight so many of us take for granted to those who otherwise live in darkness; to bring to life the 39 million people in this world who live without sight, many in the world's poorest countries, at a time when experts already believe 80 percent of blindness can be prevented or cured.

We know we can do it. Just think of what an awe-inspiring accomplishment this would be, what a triumph of the human mind, of individual initiative, of collaborative efforts of the scientific method, of modern technology, and of our investment in the belief that America can and should be a world leader in curing the diseases that have ailed humanity for generations.

Mr. President, a majority of all research scientists in human history are alive today. That remarkable fact alone carries with it great potential. That is why Sandy and his wife Sue created the Prize to End Blindness by 2020, to take advantage of this incredible historic opportunity to bring together scientists and researchers and end blindness by the end of this decade. To inspire them, the Greenbergs have provided a prize of more than $2 million in gold. Why gold? Well, it is a reminder of the color of the beautiful shimmering sunsets Sandy and Susan enjoyed together in the waning days of Sandy's sightedness, and it is a reminder of the beauty of the challenge of a prize to restore sight to millions who live in blindness.

Mr. President, I am no expert on the health or science of the eye, but we are blessed to have in this Senate two Members who are. We had some supportive comments that will be given by Senator BOOZMAN of Arkansas, but I am particularly glad and honored to be joined today by Senator PAUL, by Dr. PAUL, who is not only a tireless advocate for the people of Kentucky, but who, by professional training and background, is an ophthalmologist.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. I thank Senator COONS for inviting me, both figuratively and literally, across the aisle to join him on this side—I am glad to be here today—and for introducing me to this prize that Sandy Greenberg has brought forward to end blindness.

I am an eye surgeon. I have also done research on glaucoma and have been a longtime member of Lions Club International, whose primary research and goal is the prevention of blindness.

One of the heroes to the Lions' eye movement and to our work worldwide on blindness has been Helen Keller who, at the age of 19 months, lost not only her vision but her hearing. In 1925, she came to the Lions Club International with this mandate—and this is part of her speech from that day:

> You have heard how through a little word dropped from the fingers of another, a ray of light from another soul touched the darkness of my mind and I found myself, found the world, found God. It is because my teacher learned about me and broke through the dark, silent imprisonment which held me that I am able to work for myself and for others. It is the caring we want more than the money. The gift without the sympathy and interest of the giver is empty. If you care, if we can make the people of this great country care, the blind will indeed triumph over blindness.
>
> The opportunity I bring to you, Lions, is this: To foster and sponsor the work of the American Foundation for the Blind. Will you not help me hasten the day when there shall be no preventable blindness; no little deaf, blind child untaught; no blind man or woman unaided?

There is a long history, both in our country and in other countries around the world, of private philanthropy and these prizes. Going back to the early 18th century, there was a prize for longitude. The Harrisons, father and son, worked for nearly 40 years to develop a clock to precisely measure where they were on the Earth, to measure longitude.

We currently have something called the X Prize, which gave money last year to a company that developed a technology to speed up the cleanup of oil in the ocean after BP's disaster.

Siemens Foundation gives a $100,000 prize. That was given last year to a 17-year-old girl from California who developed a nanoparticle that, with a chemotherapy agent, goes directly to treat tumors. A prize from Siemens was also given to 15-year-old Benjamin Clark, who won the prize for his work in how stars are born.

I love the idea, and I think it is underappreciated, of private philanthropy. Today, I am happy to be here with you to congratulate Sandy Greenberg for putting forward this prize, and I hope it will bring some results.

I think there is within our grasp the ability to treat and, hopefully, prevent blindness.

Mr. COONS. I thank Senator PAUL. I ask unanimous consent to enter into a colloquy with my colleague from Kentucky.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, it certainly hasn't escaped the expert knowledge of my colleagues here today that 2020—the date of the prize of Sue and Sandy whom we have spoken about—is also the numerical indication of perfect vision. So the goal to end blindness by 2020—which is what the Sandy and Sue Greenberg prize is calling us toward—is also a year on the calendar, a year just over 7 years away. In those 7 years, Sandy Greenberg has the courage, the audacity, the strength to believe we can end blindness, working together, by 2020. It is a goal that could transform our society, our world, and the lives of millions who live in darkness today. We can do it.

At earlier times in our history, as Senator PAUL has just reflected, we have come together in response to audacious goals or inspiring prizes to conquer other debilitating diseases. One that Sandy Greenberg shared with me when we sat together and first talked about this was polio, a crippling disease that struck terror into the hearts of parents every summer.

Dr. Jonas Salk convinced medical researchers at charities such as the March of Dimes to instead turn their focus from treatment, with devices such as the iron lung, to ending the disease itself. Because of that kind of forward thinking, polio has now been largely eradicated and does not threaten children in the United States, although it remains in a few isolated outposts around the world.

We can see even more cutting-edge examples today in my home State of Delaware. Just earlier this week, I met with scientific researchers Dr. Kmiec from Delaware State University and the leaders of a company called Orthogenics, who are taking on the audacious goal of ending sickle cell anemia. That particular effort—banishing this disease from bodies around the world through research and development—is something supported by public-private partnership.

In the end, private contributions, extraordinary generosity by Sandy and Sue Greenberg and his family, are critically important.

I happen to believe there is also a vital role for a partnership with the National Institutes of Health, Centers for Disease Control, and others that have the unique ability to bring researchers together, hopefully for efficient and effective advances in medicine.

To continue the citations of the great disability rights advocate Helen Keller: ''Alone, we can do little; together, we can do so much.''

Even in this era of austerity, these times of budget crunching and belt-tightening, in my view there are few areas more important for our sustained investment than the development of treatments and cures for a devastating, life-changing health condition such as blindness.

In my view, there is also a pressing economic element to this humanitarian equation. Economists have said that most of the new wealth created in this country in the last century came from biomedical research and its application to fighting and changing the human condition. They have told us that curing and treating ancient diseases and conditions is a lot of what has driven the extraordinary economic growth of this country in the last century.

We know that when we as a nation invest in making possible cutting-edge advances, interconnected networks of learning make possible the next gigantic leap. I am so grateful to Sue and Sandy for making possible this challenge, for putting out this pot of gold to literally lift the sights of teams all over the world, of individuals, of communities of effort. It is an effort that could literally bring sight to the blind.

Senator PAUL, any closing thoughts?

Mr. PAUL. I think what is great about the prize is it didn't set a short and limited goal. It goes for the whole thing: They want to prevent and cure blindness.

I think we need more big thinking. We need to talk about let's cure diabetes, let's cure AIDS. Sometimes it takes an incremental approach. But sometimes it takes a big, grand or bold vision.

The Senator mentioned Dr. Salk. In the early days, with the polio vaccine, some actually died from the vaccine. He had to move forward despite some obstacles and despite some setbacks.

Originally, the whole idea of vaccination came from Dr. Boylston in Boston, preceding the time of our Revolutionary War. There, it was a live vaccine taken from the actual pustules of someone who had smallpox, lanced it, stuck it into the pustules, and then cut into a person who did not have smallpox and gave them the disease. He tried to give them a mild variant of this. For this, Dr. Boylston was hounded through the streets and mobs came to the house. The persons he chose to vaccinate first were his kids. That took a very bold step forward to vaccinate his kids. His kids survived, and the rest is history.

George Washington had his family inoculated. Back at the time of the Revolutionary War, more people died from communicable diseases than died from actual bullets. This was true in most wars up until this century.

I think it takes bold vision, and I think Sandy Greenberg will help to move this along with this prize. I love the idea of incentives. We are a country built on incentives. I don't think any scientist is going to jump forward and say, I am doing it only for the prize. But prizes don't hurt, and we should acknowledge that these scientists who can come forward and may come forward with a great cure should be rewarded.

I would like to thank Sandy Greenberg and his family for setting up this prize. I hope that out of this some great good will come for those who have gone blind and for prevention.

Mr. COONS. I thank, Senator PAUL. I, like the Senator, am confident that some great good will come out of this bold vision, out of this clear initiative.

As we look forward at the health care debates that have raged throughout this Chamber and this country in the last few years, I will simply say in closing, as we look to the future of the United States, there is a path forward that says the right way to deal with skyrocketing health care costs and the fiscal challenges they provide is to simply crunch down, to limit, to narrow, to cut off access, and to manage downward.

A competing and I think a more compelling and I think, frankly, a more American view is we should take bold risks. We should innovate. We should dare to speak of curing diseases that are immensely harmful and expenses that are challenges and burdens for our whole country and the world.

This prize—this challenge from Sue and Sandy Greenberg—is something I think should lift the sights of all of us in this country to the very real possibilities of working together to find exceptional cures.

I thank the Presiding Officer for letting us speak about this extraordinary American, his wife and his family and his quest to end blindness by the end of this decade.

I urge anyone interested in this topic and interested in working with us further to visit the Web site endblindnessby2020.com. I thank Sandy and Sue Greenberg for their courage, their perseverance, and their commitment to bringing light to millions of their fellow men and women around the globe.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

EXTENSION OF MORNING BUSINESS

Mr. COONS. Mr. President, I ask unanimous consent that morning business be extended until 6 p.m., with all the provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

We are in morning business.

THE FISCAL CLIFF

Mr. COATS. Mr. President, the clock continues to tick away while we wait for the descent from the summit, when the President and Speaker BOEHNER walk out, with tablets in hand, saying we have a deal. Many of us are beginning to wonder if that is going to be achievable. We are holding our breath. But as we near the end of the year, clearly as has been stated repeatedly on the floor, the necessity of putting something together to avoid the so-called fiscal cliff, the disastrous consequences of our not acting, is clear. Tax increases for every American taxpayer, massive cuts to defense at a time when the threats around the world are as varied and as great as we have seen in a long time, other essential programs of the Federal Government being affected by that—that is the last thing we need. In this tepid economy with a lot of people out of work we are hoping for some consensus to come together to provide a long-term solution to our fiscal problem that continues to have a negative effect on our economy and, more importantly, keeps people out of work.

As that clock ticks, some are saying partisanship is too great in Washington; the country is too divided; we are not going to be able to reach a consensus here in terms of how to address this problem.

I disagree with that. Over the last 2 years and more, we have had a number of proposals brought forward on a bipartisan basis. It started with Simpson-Bowles; Bowles, the former Chief of Staff to President Clinton, and Al Simpson, a Member of this body for a long time, recognized as two individuals who can take a look at the situation we are in and make a proposal. That has been running 2-and-some years now. That was presented, the President's own commission, yet that was rejected by the President.

Then of course there was the Gang of Six, later the Gang of Eight, which met on a bipartisan basis for a number of months, both sides contributing to an attempt at a package put together to submit to the Congress and to the White House. That was a bipartisan effort. The supercommittee of 12, 6 Democrats, 6 Republicans—they were unfortunately unable to come to an agreement.

That has brought us to this particular point in time because failure of our effort to do this ended up in a procedure which drives us here at the end of the year toward this so-called cliff. I have been talking to a number of my colleagues, Republicans and Democrats and others, and there is a majority consensus here for putting together a credible long-term package to deal with our fiscal situation. That would send a message to the world and send a message to our citizens that the Congress and the government are serious about addressing our fiscal situation and putting us on a path to fiscal health. In doing so, it would restore the confidence of the American people. It would restore the confidence of investors around the world that America is getting its act together at a time when Europe is struggling, at a time when Japan is struggling, when China's growth is slowing down. The world is looking to the United States to take the lead as it has so many times and in so many crises before. Yet all they see is a standoff and the inability to do what I think we all know we need to do.

The choice is very clear. We have come to the point where I think most people looking at this understand that if we do not act now, the so-called kicking the can down the road no longer is a viable opportunity. It no longer is something we can afford to do. There is a group called The Can Kicks Back. I can see why the American people are frustrated over our inability to come to some agreement on this.

Obviously we hope the President and Speaker BOEHNER will bring us that grand bargain which we can evaluate and address before the end of the year. I have frequently said from this podium and back to the people I represent in Indiana, if we do not start addressing the spending problem, it doesn't matter how much we raise in taxes or revenue, it doesn't matter how much else we do to address our problem—if we do not address the out-of-control Federal spending, we cannot get from there to here. We cannot put forward a credible package.

It is no secret that over the years—without laying the blame on one party or another—our spending has exceeded our revenues now to the extent that we are plunging into serious debt and serious deficit; over $1 trillion a year accumulated over the last 4 years, and a significant amount of money before that. It is unsustainable. Whether you are a liberal economist or conservative economist, whether Democrat, Republican, Independent, or Libertarian, just do the math—and it is simple math; it is not calculus, it is third-grade math. You cannot keep spending $1 trillion a year more than you collect without having severe consequences.

The consequence we have had is a very slow recovery from a very deep recession that has stifled job growth, stifled innovation, kept people out of work. The latest statistics are that over 23 million Americans are either unemployed, underemployed, or have simply given up looking for a job, frustrated trying to find any work whatsoever, and a staggering percentage of those unemployed is young people, people under 30.

Robert Samuelson wrote an article a couple of days ago asking, is this the lost generation, basically saying that those in the under-30 category may have lost—we may lose a whole generation, those who will not have the opportunity to gain meaningful employment, to realize their dreams, to participate in the American dream of getting a good job, of marrying and having a family, of buying a house, paying the mortgage—doing the things which our generation has enjoyed. We have been given that opportunity, but a generation behind us is being denied that opportunity, and will it be the lost generation.

The answer to that question falls on the shoulders of those of us here—not only at the White House with the President and his advisers but with the Congress, the Senate and the House. We now have an opportunity, maybe an historic opportunity—I do believe it is an historic opportunity—to right the wrong and to put in place something that, yes, will have an impact on us. Yes, it is medicine we will have to take for our excessive spending, but it will bring about the cure.

How many of us are thinking about the future for our children, our grandchildren, the Nation's children, the Nation's grandchildren? How many of us can stand here and simply say we are doing OK at our level, our generation, but we are not willing to make any sacrifice whatsoever to ensure that this country can provide for future generations? Most agree if we do not have a package that has $4 to $4.5 trillion of spending reduction over the next 10 years it will not be a credible package. There is also now almost universal agreement that we must incorporate long-term entitlement reform. Mandatory spending—over which we have no control of spending levels—and interest costs now eat up 64 percent of our budget and denies those who come to us about improving our roads, providing medical research, supporting education, whatever your interest—those interests are receiving less support than they have before. They will continue to see less support to the

point they may receive no support because the mandatories projected with the baby boom retirement accelerate to points which our country can simply not afford. It will drive us into bankruptcy.

If the package that is brought down hopefully from the White House does not address that, or if we do not address in this body the spending issue that incorporates the restructuring for the preservation of Medicare, Medicaid, and Social Security but also with a realization that unless we do something those programs are going to go bankrupt and have severe impacts on those currently receiving those benefits—unless we do that, we will not have a credible package.

Senator WYDEN and I have proposed comprehensive tax reform as something that needs to be done. Regulatory reform has been suggested by others, which I support. But if we do not acknowledge that the final package presented to us incorporates those long-term solutions, we will simply be back here in the next debt limit crisis. We will be back here in the next fiscal crisis. We will continue to see our country languish in terms of providing growth and job opportunities for our people, and we will not have addressed the problem of kick the can down the road one more time—I think to the disgust and displeasure of the American people.

They are cynical enough about our ability to do something as we speak, let alone what might happen if we cannot come to an agreement that everybody knows we need to come to.

When I decided to run again in 2010 after being out of the Senate for more than a decade, I did not do it just to regain the title of Senator. I did not put retirement on hold and more time with my family aside because I thought it would be fun to be back here. I did it because I want to be able to leave a stronger country for my children and grandchildren and for others' children and grandchildren. I did it because I want to restore this country so that America's future generations can enjoy the kind of life full of promise and opportunity that our generation has been able to enjoy.

I look back over the history of our country and see the sacrifices being made—from the Revolutionary War all the way through the two-plus centuries—the world wars, the fiscal crises, the Depression—the sacrifices that have been made by former generations so that future generations can enjoy the promise of America, unique of any country in the world in terms of providing opportunities for individuals and their families.

All of us have experienced that moment back home when a man or woman looks us in the eye and tells us they are putting their trust in us to do the right thing when we get back to Washington. They are putting their trust and faith in us to make sound decisions; that the votes we take on the Senate floor will strengthen our economy so they can make their mortgage payments, get a job, send their kids to college, and enjoy the opportunities and benefits that have been beneficial to so many of us.

This is a great challenge. It is a historic moment. It is an opportunity to transcend politics, to rise above the petty, partisan decisions and join together to do what is right for the future of this country. We cannot do this without Presidential leadership.

The President seems to have an obsession with raising taxes. We have not heard much from the White House in terms of addressing the spending issues or the issues that are driving our deficit forward. Unless these issues are addressed, it will not result in a credible solution to our problem.

We are asking you, Mr. President, to join us in making the tough decisions, to do what I think we all know needs to be done and not push this into the future anymore. We cannot keep people out of work. There are over 23 million Americans who, on average, were considered underemployed over the past year. Of those underemployed Americans, 41 percent were 30 or under. We need to give them hope for the future and a light at the end of the tunnel. We are asking that you join us, and we are asking you to do a grand bargain and talk more than just about tax increases, which we know can impact our job opportunities and our economy.

The Republicans have put forth ideas in terms of the revenue portion of that without raising rates and destroying the opportunities for the nearly 1 million businesses and others who don't fall in the corporate category.

As David Brooks said recently in the New York Times:

> It's pointless to cut a short-term deal if entitlement programs are still structured to bankrupt our children. Republicans and Democrats could make 2013 the year of the truly Grand Bargain.

So that is what we are imploring to you, Mr. President, and that is what we are asking all of our colleagues to consider. This historic opportunity is going to be our legacy. It is not about a vote we made in the past, and it might not be about a vote we make in the future. We will be judged at a time when the clock has run out, and there is an absolute necessity for a package that is grand enough to achieve credibility, and go forward to restore the confidence of the American people and the investment community and lead the world to recovery.

This is our chance, Mr. President, and I hope we take that chance.

With that, I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

The PRESIDING OFFICER. Under the previous order, the Senate having received the papers from the House with respect to H.R. 4310, passage of the measure, as amended, is vitiated, the adoption of the Senate amendment is vitiated, and the amendment is modified with the changes at the desk.

The amendments (Nos. 3332 and 3333) are as follows:

AMENDMENT NO. 3332

On page 728, of the Senate amendment to H.R. 4310, strike line 4 through page 730, line 18 and insert the following:

SEC. 12__ IMPOSITION OF SANCTIONS WITH RESPECT TO SUPPORT FOR THE REBEL GROUP KNOWN AS M23.

(a) BLOCKING OF ASSETS.—

(1) IN GENERAL.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or Executive Order 13413 (74 Fed. Reg. 64105; relating to blocking property of certain persons contributing to the conflict in the Democratic Republic of the Congo), block and prohibit all transactions in all property and interests in property of a person described in subsection (c) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCEPTION.—The authority to block and prohibit all transactions in all property and interests in property under paragraph (1) does not include the authority to impose sanctions on the importation of property.

(b) VISA BAN.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a person described in subsection (c).

(c) PERSONS DESCRIBED.—A person described in this subsection is a person that the President determines provides, on or after the date of the enactment of this Act, significant financial, material, or technological support to M23.

(d) WAIVER.—The President may waive the application of this section with respect to a person if the President determines and reports to the appropriate congressional committees that the waiver is in the national interest of the United States.

(e) TERMINATION OF SANCTIONS.—Sanctions imposed under this section may terminate 15 days after the date on which the President determines and reports to the appropriate congressional committees that the person covered by such determination has terminated the provision of significant financial, material, and technological support to M23.

(f) TERMINATION OF SECTION.—This section shall terminate on the date that is 15 days after the date on which the President determines and reports to the appropriate congressional committees that M23 is no longer a significant threat to peace and security in the Democratic Republic of the Congo.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) M23.—The term ''M23'' refers to the rebel group known as M23 operating in the Democratic Republic of the Congo that derives its name from the March 23, 2009, agreement between the Government of the Democratic Republic of the Congo and the National Congress for the Defense of the People (or any successor group).

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States.

AMENDMENT NO. 3333

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The question is on adoption of the Senate amendment, as amended.

The amendment, as amended, was agreed to.

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

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, the question is on passage of the bill, as amended.

The bill (H.R. 4310), as amended, was passed as follows:

Resolved, That the bill from the House of Representatives (H.R. 4310) entitled ''An Act to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.'', do pass with the following Amendment:

Strike out all after the enacting clause and insert:

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 seven 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.

(5) Division E–Housing Assistance for Veterans.

(6) Division F–Stolen Valor Act.

(7) Division G–Miscellaneous.

(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.
Sec. 4. Scoring of budgetary effects.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for Army CH–47F helicopters.

Subtitle C—Navy Programs

Sec. 121. Refueling and complex overhaul of the U.S.S. Abraham Lincoln.
Sec. 122. Ford class aircraft carriers.
Sec. 123. Limitation on availability of amounts for second Ford class aircraft carrier.
Sec. 124. Multiyear procurement authority for Virginia class submarine program.
Sec. 125. Multiyear procurement authority for Arleigh Burke class destroyers and associated systems.
Sec. 126. Authority for relocation of certain AEGIS weapon system assets between and within the DDG–51 class destroyer and AEGIS Ashore programs in order to meet mission requirements.
Sec. 127. Designation of mission modules of the Littoral Combat Ship as a major defense acquisition program.
Sec. 128. Transfer of certain fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds.
Sec. 129. Transfer of certain fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles.
Sec. 130. Sense of Congress on Marine Corps amphibious lift and presence requirements.
Sec. 131. Sense of Senate on Department of Navy fiscal year 2014 budget request for tactical aviation aircraft.
Sec. 132. SPIDERNet/Spectral Warrior Hardware.

Subtitle D—Air Force Programs

Sec. 141. Reduction in number of aircraft required to be maintained in strategic airlift aircraft inventory.
Sec. 142. Treatment of certain programs for the F–22A Raptor aircraft as major defense acquisition programs.
Sec. 143. Avionics systems for C–130 aircraft.
Sec. 144. Procurement of space-based infrared system satellites.
Sec. 145. Transfer of certain fiscal year 2011 and 2012 funds for Aircraft Procurement for the Air Force.

Subtitle E—Joint and Multiservice Matters

Sec. 151. Multiyear procurement authority for V–22 joint aircraft program.
Sec. 152. Limitation on availability of funds for full-rate production of Handheld, Manpack, and Small Form/Fit radios under the Joint Tactical Radio System program.
Sec. 153. Shallow Water Combat Submersible program.
Sec. 154. AC–130 aircraft electro-optical and infrared sensors.

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 Foundry for the Defense Microelectronics Activity.
Sec. 212. Advanced rotorcraft initiative.
Sec. 213. Transfer of certain fiscal year 2012 Navy research, development, test, and evaluation funds.
Sec. 214. Authority for Department of Defense laboratories to enter into education partnerships with educational institutions in United States territories and possessions.
Sec. 215. Transfer of certain fiscal year 2012 Air Force research, development, test, and evaluation funds.
Sec. 216. Relocation of C–band radar from Antigua to H.E. Holt Station in Western Australia to enhance space situational awareness capabilities.
Sec. 217. Detailed Digital Radio Frequency Modulation Countermeasures Studies and Simulations.

Subtitle C—Missile Defense Matters

Sec. 231. Homeland ballistic missile defense.
Sec. 232. Regional ballistic missile defense.
Sec. 233. Missile defense cooperation with Russia.
Sec. 234. Next generation Exo-atmospheric Kill Vehicle.
Sec. 235. Modernization of the Patriot air and missile defense system.
Sec. 236. Medium Extended Air Defense System.
Sec. 237. Availability of funds for Iron Dome short-range rocket defense program.
Sec. 238. Readiness and flexibility of intercontinental ballistic missile force.
Sec. 239. Sense of Congress on the submittal to Congress of the homeland defense hedging policy and strategy report of the Secretary of Defense.

Subtitle D—Reports

Sec. 251. Mission Packages for the Littoral Combat Ship.
Sec. 252. Comptroller General of the United States annual reports on the acquisition program for the Amphibious Combat Vehicle.
Sec. 253. Conditional requirement for report on amphibious assault vehicles for the Marine Corps.

Subtitle E—Other Matters

Sec. 271. Transfer of administration of Ocean Research and Resources Advisory Panel from Department of the Navy to National Oceanic and Atmospheric Administration.
Sec. 272. Sense of Senate on increasing the cost-effectiveness of training exercises for members of the Armed Forces.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environmental Provisions

Sec. 311. Department of Defense guidance on environmental exposures at military installations.
Sec. 312. Funding of agreements under the Sikes Act.
Sec. 313. Report on property disposals and additional authorities to assist local communities around closed military installations.

Subtitle C—Logistics and Sustainment

Sec. 321. Repeal of certain provisions relating to depot-level maintenance.
Sec. 322. Expansion and reauthorization of multi-trades demonstration project.
Sec. 323. Rating chains for system program managers.

Subtitle D—Reports

Sec. 331. Annual report on Department of Defense long-term corrosion strategy.
Sec. 332. Modified deadline for Comptroller General review of annual report on prepositioned materiel and equipment.

Subtitle E—Other Matters

Sec. 341. Savings to be achieved in civilian workforce and contractor employee workforce of the Department of Defense.
Sec. 342. NATO Special Operations Headquarters.
Sec. 343. Repeal of redundant authority to ensure interoperability of law enforcement and emergency responder training.
Sec. 344. Sense of the Congress on Navy Fleet requirements.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Additional Marine Corps personnel for the Marine Corps Security Guard Program.

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 Policy

Sec. 501. Extension of relaxation of limitation on selective early discharges.

Sec. 502. Exception to 30-year retirement for regular Navy warrant officers in the grade of chief warrant officer, W–5.

Sec. 503. Modification of definition of joint duty assignment to include all instructor assignments for joint training and education.

Sec. 504. Sense of Senate on inclusion of assignments as academic instructor at the military service academies as joint duty assignments.

Subtitle B—Reserve Component Management

Sec. 511. Authority for appointment of persons who are lawful permanent residents as officers of the National Guard.

Sec. 512. Reserve component suicide prevention and resilience program.

Sec. 513. Report on mechanisms to ease the reintegration into civilian life of members of the National Guard and the Reserves following a deployment on active duty.

Subtitle C—General Service Authorities

Sec. 521. Diversity in the Armed Forces and related reporting requirements.

Sec. 522. Modification of authority to conduct programs on career flexibility to enhance retention of members of the Armed Forces.

Sec. 523. Authority for additional behavioral health professionals to conduct pre-separation medical examinations for post-traumatic stress disorder.

Sec. 524. Quarterly reports on involuntary separation of members of the Armed Forces.

Sec. 525. Review of eligibility of victims of domestic terrorism for award of the Purple Heart and the Defense Medal of Freedom.

Sec. 526. Extension of temporary increase in accumulated leave carryover for members of the Armed Forces.

Sec. 527. Prohibition on waiver for commissioning or enlistment in the Armed Forces for any individual convicted of a felony sexual offense.

Sec. 528. Research study on resilience in members of the Army.

Subtitle D—Military Justice and Legal Matters Generally

Sec. 531. Clarification and enhancement of the role of the Staff Judge Advocate to the Commandant of the Marine Corps.

Sec. 532. Additional information in reports on annual surveys of the committee on the Uniform Code of Military Justice.

SubtitleE—SexualAssault,Hazing,andRelated Matters

Sec. 541. Authority to retain or recall to active duty reserve component members who are victims of sexual assault while on active duty.

Sec. 542. Additional elements in comprehensive Department of Defense policy on sexual assault prevention and response.

Sec. 543. Hazing in the Armed Forces.

Sec. 544. Retention of certain forms in connection with Restricted Reports on sexual assault involving members of the Armed Forces.

Sec. 545. Prevention and response to sexual harassment in the Armed Forces.

Sec. 546. Enhancement of annual reports regarding sexual assaults involving members of the Armed Forces.

Subtitle F—Education and Training

Sec. 551. Inclusion of the School of Advanced Military Studies Senior Level Course as a senior level service school.

Sec. 552. Modification of eligibility for associate degree programs under the Community College of the Air Force.

Sec. 553. Support of Naval Academy athletic programs.

Sec. 554. Grade of commissioned officers in uniformed medical accession programs.

Sec. 555. Authority for service commitment for Reservists who accept fellowships, scholarships, or grants to be performed in the Selected Reserve.

Sec. 556. Repeal of requirement for eligibility for in-State tuition of at least 50 percent of participants in Senior Reserve Officers' Training Corps program.

Sec. 557. Modification of requirements on plan to increase the number of units of the Junior Reserve Officers' Training Corps.

Sec. 558. Consolidation of military department authority to issue arms, tentage, and equipment to educational institutions not maintaining units of the Junior ROTC.

Sec. 559. Modification of requirement for reports in Federal Register on institutions of higher education ineligible for contracts and grants for denial of ROTC or military recruiter access to campus.

Sec. 560. Comptroller General of the United States report on the Reserve Officers' Training Corps.

Sec. 561. Report on Department of Defense efforts to standardize educational transcripts issued to separating members of the Armed Forces.

Sec. 562. Comptroller General of the United States reports on joint professional military education matters.

Sec. 563. Troops-to-Teachers program enhancements.

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

Sec. 571. Impact aid for children with severe disabilities.

Sec. 572. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 573. Amendments to the Impact Aid program.

Sec. 574. Military spouses.

Sec. 575. Modification of authority to allow Department of Defense domestic dependent elementary and secondary schools to enroll certain students.

Sec. 576. Sense of Congress regarding support for Yellow Ribbon Day.

Sec. 577. Report on future of family support programs of the Department of Defense.

Subtitle H—Other Matters

Sec. 581. Family briefings concerning accountings for members of the Armed Forces and Department of Defense civilian employees listed as missing.

Sec. 582. Enhancement of authority to accept gifts and services.

Sec. 583. Clarification of authorized Fisher House residents at the Fisher House for the Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware.

Sec. 584. Report on accuracy of data in the Defense Enrollment Eligibility Reporting System.

Sec. 585. Posthumous honorary promotion of Sergeant Paschal Conley to second lieutenant in the Army.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Rates of basic allowance for housing for Army National Guard and Air National Guard members on full-time National Guard duty.

Sec. 602. Payment of benefit for nonparticipation of eligible members in Post-Deployment/Mobilization Respite Absence program due to Government error.

Sec. 603. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.

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 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

Sec. 631. Permanent change of station allowances for members of Selected Reserve units filling a vacancy in another unit after being involuntarily separated.

Sec. 632. Authority for comprehensive program for space-available travel on Department of Defense aircraft.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

Sec. 641. 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 termination of payment of Survivor Benefit Plan annuity.

Sec. 642. Repeal of automatic enrollment in Family Servicemembers' Group Life Insurance for members of the Armed Forces married to other members.

Sec. 643. Clarification of computation of combat-related special compensation for chapter 61 disability retirees.

Subtitle E—Military Lending Matters

Sec. 651. Enhancement of protections on consumer credit for members of the Armed Forces and their dependents.

Sec. 652. Additional enhancements of protections on consumer credit for members of the Armed Forces and their dependents.

Sec. 653. Relief in civil actions for violations of protections on consumer credit extended to members of the Armed Forces and their dependents.

Sec. 654. Modification of definition of dependent for purposes of limitations on terms of consumer credit extended to members of the Armed Forces and their dependents.

Sec. 655. Enforcement of protections on consumer credit for members of the Armed Forces and their dependents.

Subtitle F—Other Matters

Sec. 661. Transitional compensation for dependent children who are carried during pregnancy at time of dependent-abuse offense.

Sec. 662. Report on issuance by Armed Forces Medical Examiner of death certificates for members of the Armed Forces who die on active duty abroad.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program

Sec. 701. Extension of TRICARE Standard coverage and TRICARE dental program for members of the Selected Reserve who are involuntarily separated.

Sec. 702. Inclusion of certain over-the-counter drugs in TRICARE uniform formulary.

Sec. 703. Expansion of evaluation of the effectiveness of the TRICARE program.

Sec. 704. Report on the future availability of TRICARE Prime throughout the United States.

Sec. 705. Certain treatment of developmental disabilities, including autism, under the TRICARE program.

Sec. 706. Sense of Congress on health care for retired members of the uniformed services.

Subtitle B—Other Health Care Benefits

Sec. 711. Use of Department of Defense funds for abortions in cases of rape and incest.

Sec. 712. Availability of certain fertility preservation treatments for members of the Armed Forces on active duty.

Sec. 713. Modification of requirements on mental health assessments for members of the Armed forces deployed in connection with a contingency operation.

Subtitle C—Health Care Administration

Sec. 721. Clarification of applicability of certain authority and requirements to subcontractors employed to provide health care services to the Department of Defense.

Sec. 722. Research program to enhance Department of Defense efforts on mental health in the National Guard and Reserves through community partnerships.

Subtitle D—Reports and Other Matters

Sec. 731. Reports on performance data on Warriors in Transition programs.

Sec. 732. Report on Department of Defense support of members of the Armed Forces who experience traumatic injury as a result of vaccinations required by the Department.

Sec. 733. Plan to eliminate gaps and redundancies in programs of the Department of Defense on psychological health and traumatic brain injury among members of the Armed Forces.

Sec. 734. Report on implementation of recommendations of the Comptroller General of the United States on prevention of hearing loss among members of the Armed Forces.

Sec. 735. Sense of Senate on mental health counselors for members of the Armed Forces, veterans, and their families.

Sec. 736. Prescription drug take-back program for members of the Armed Forces and their dependents.

Subtitle E—Mental Health Care Matters

Sec. 751. Enhancement of oversight and management of Department of Defense suicide prevention and resilience programs.

Sec. 752. Comprehensive program on prevention of suicide among members of the Armed Forces.

Sec. 753. Quality review of Medical Evaluation Boards, Physical Evaluation Boards, and Physical Evaluation Board Liaison Officers.

Sec. 754. Assessment of adequacy of mental health care benefits under the TRICARE program.

Sec. 755. Sharing between Department of Defense and Department of Veterans Affairs of records and information retained under the medical tracking system for members of the Armed Forces deployed overseas.

Sec. 756. Participation of members of the Armed Forces in peer support counseling programs of the Department of Veterans Affairs.

Sec. 757. Research and medical practice on mental health conditions.

Sec. 758. Disposal of controlled substances.

Sec. 759. Transparency of mental health care services.

Sec. 760. Expansion of Vet Center program to include furnishing counseling to certain members of the Armed Forces and their family members.

Sec. 761. Authority for Secretary of Veterans Affairs to furnish mental health care through facilities other than Vet Centers to immediate family members of members of the Armed Forces deployed in connection with a contingency operation.

Sec. 762. Organization of the Readjustment Counseling Service in Department of Veterans Affairs.

Sec. 763. Recruiting mental health providers for furnishing of mental health services on behalf of the Department of Veterans Affairs without compensation from the Department.

Sec. 764. Peer support.

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

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

Sec. 801. Limitation on use of cost-type contracts.

Sec. 802. Acquisition strategies for major subsystems and subassemblies on major defense acquisition programs.

Sec. 803. Management structure for developmental test and evaluation.

Sec. 804. Assessments of potential termination liability of contracts for the development or production of major defense acquisition programs.

Sec. 805. Technical change regarding programs experiencing critical cost growth due to change in quantity purchased.

Sec. 806. Repeal of requirement to review ongoing programs initiated before enactment of Milestone B certification and approval process.

Subtitle B—Acquisition Policy and Management

Sec. 821. One-year extension of temporary limitation on aggregate annual amount available for contract services.

Sec. 822. Prohibition of excessive pass-through contracts and charges in the acquisition of services.

Sec. 823. Availability of amounts in Defense Acquisition Workforce Development Fund for temporary members of workforce.

Sec. 824. Department of Defense policy on contractor profits.

Sec. 825. Modification of authorities on internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies.

Sec. 826. Extension of pilot program on management of supply-chain risk.

Sec. 827. Sense of Senate on the continuing progress of the Department of Defense in implementing its Item Unique Identification Initiative.

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

Sec. 841. Applicability of Truth in Negotiations Act to major systems and related subsystems, components, and support services.

Sec. 842. Maximum amount of allowable costs of compensation of contractor employees.

Sec. 843. Department of Defense access to and use of contractor internal audit reports.

Sec. 844. Enhancement of whistleblower protections for contractor employees.

Sec. 844A. Whistleblower protections for nondefense contractors.

Sec. 845. Extension of contractor conflict of interest limitations.

Sec. 846. Repeal of sunset for certain protests of task and delivery order contracts.

Sec. 847. Reports on use of indemnification agreements.

Sec. 848. Contracting with small business concerns owned and controlled by women.

Subtitle D—Provisions Relating to Wartime Contracting

Sec. 860. Short title.

Sec. 861. Responsibility within Department of Defense for contract support for overseas contingency operations.

Sec. 862. Annual reports on contract support for overseas contingency operations involving combat operations.

Sec. 863. Inclusion of contract support in certain requirements for Department of Defense planning, joint professional military education, and management structure.

Sec. 864. Risk assessment and mitigation for contractor performance of critical functions in support of overseas contingency operations.

Sec. 865. Extension and modification of reports on contracting in Iraq and Afghanistan.

Sec. 866. Extension of temporary authority to acquire products and services in countries along a major route of supply to Afghanistan.

Sec. 867. Compliance with Berry amendment required for uniform components supplied to Afghanistan military or Afghanistan National Police.

Sec. 868. Sense of Senate on the contributions of Latvia and other North Atlantic Treaty Organization member nations to the success of the Northern Distribution Network.
Sec. 869. Responsibilities of inspectors general for overseas contingency operations.
Sec. 870. Agency reports and inspector general audits of certain information on overseas contingency operations.
Sec. 871. Oversight of contracts and contracting activities for overseas contingency operations in responsibilities of Chief Acquisition Officers of Federal agencies.
Sec. 872. Reports on responsibility within Department of State and the United States Agency for International Development for contract support for overseas contingency operations.
Sec. 873. Professional education for Department of State personnel on acquisition for Department of State support and participation in overseas contingency operations.
Sec. 874. Database on price trends of items and services under Federal contracts.
Sec. 875. Information on corporate contractor performance and integrity through the Federal Awardee Performance and Integrity Information System.
Sec. 876. Inclusion of data on contractor performance in past performance databases for executive agency source selection decisions.
Sec. 877. Public availability of database of senior Department of Defense officials seeking employment with defense contractors.

Subtitle E—Other Matters

Sec. 881. Requirements and limitations for suspension and debarment officials of the Department of Defense, the Department of State, and the United States Agency for International Development.
Sec. 881A. Additional bases for suspension or debarment.
Sec. 882. Uniform contract writing system requirements.
Sec. 883. Comptroller General of the United States review of use by the Department of Defense, the Department of State, and the United States Agency for International Development of urgent and compelling exception to competition.
Sec. 884. Authority to provide fee-for-service inspection and testing by Defense Contract Management Agency for certain critical equipment in the absence of a procurement contract.
Sec. 885. Disestablishment of Defense Materiel Readiness Board.
Sec. 886. Modification of period of wait following notice to Congress of intent to contract for leases of certain vessels and vehicles.
Sec. 887. Extension of other transaction authority.
Sec. 888. Subcontractor notifications.
Sec. 889. Report by the suspension and debarment officials of the military departments and the Defense Logistics Agency.
Sec. 889A. Study on army small arms and ammunition acquisition.
Sec. 889B. Annual report on defense contracting fraud.
Sec. 889C. Plan to increase number of contractors eligible for contracts under Air Force NETCENTS-2 contract.
Sec. 889D. Inclusion of information on common grounds for sustaining bid protests in annual Government Accountability Office reports to Congress.
Sec. 889E. Small business HUBZones.

Subtitle F—Ending Trafficking in Government Contracting

Sec. 891. Short title.
Sec. 892. Definitions.
Sec. 893. Contracting requirements.
Sec. 894. Compliance plan and certification requirement.
Sec. 895. Monitoring and investigation of trafficking in persons.
Sec. 896. Notification to inspectors general and cooperation with Government.
Sec. 897. Expansion of fraud in foreign labor contracting to include attempted fraud and work outside the United States.
Sec. 898. Improving Department of Defense accountability for reporting trafficking in persons claims and violations.
Sec. 899. Rules of construction.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Definition and report on terms ''preparation of the environment'' and ''operational preparation of the environment'' for joint doctrine purposes.
Sec. 902. Expansion of duties and responsibilities of the Nuclear Weapons Council.
Sec. 903. Failure of the Department of Defense to obtain audits with an unqualified opinion on its financial statements by fiscal year 2017.
Sec. 904. Information for Deputy Chief Management Officer of the Department of Defense from the military departments and Defense Agencies for defense business system investment reviews.

Subtitle B—Space Activities

Sec. 911. Operationally Responsive Space Program Office.
Sec. 912. Commercial space launch cooperation.
Sec. 913. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs.
Sec. 914. Department of Defense representation in dispute resolution regarding surrender of Department of Defense bands of electromagnetic frequencies.

Subtitle C—Intelligence-Related and Cyber Matters

Sec. 921. Authority to provide geospatial intelligence support to security alliances and international and regional organizations.
Sec. 922. Army Distributed Common Ground System.
Sec. 923. Rationalization of cyber networks and cyber personnel of the Department of Defense.
Sec. 924. Next-generation host-based cyber security system for the Department of Defense.
Sec. 925. Improvements of security, quality, and competition in computer software procured by the Department of Defense.
Sec. 926. Competition in connection with Department of Defense data link systems.
Sec. 927. Integration of critical signals intelligence capabilities.
Sec. 928. Collection and analysis of network flow data.
Sec. 929. Department of Defense use of National Security Agency cloud computing database and intelligence community cloud computing infrastructure and services.
Sec. 930. Electro-optical imagery.
Sec. 931. Software licenses of the Department of Defense.
Sec. 932. Defense Clandestine Service.
Sec. 933. Authority for short-term extension of lease for aircraft supporting the Blue Devil intelligence, surveillance, and reconnaissance program.
Sec. 934. Sense of Senate on potential security risks to Department of Defense networks.
Sec. 935. Sense of Congress on the United States Cyber Command.
Sec. 936. Reports to Department of Defense on penetrations of networks and information systems of certain contractors.

Subtitle D—Other Matters

Sec. 941. National Language Service Corps.
Sec. 942. Report on education and training and promotion rates for pilots of remotely piloted aircraft.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization.
Sec. 1003. Audit readiness of Department of Defense statements of budgetary resources.
Sec. 1004. Report on effects of budget sequestration on the Department of Defense.
Sec. 1005. Report on balances carried forward by the Department of Defense at the end of fiscal year 2012.
Sec. 1006. Transfer of certain fiscal year 2012 and 2013 funds.

Subtitle B—Counter-Drug Activities

Sec. 1011. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.
Sec. 1012. Requirement for biennial certification on provision of support for counter-drug activities to certain foreign governments.
Sec. 1013. Authority to support the unified counterdrug and counterterrorism campaign in Colombia.
Sec. 1014. Quarterly reports on use of funds in the Drug Interdiction and Counter-Drug Activities, Defense-wide account.

Subtitle C—Naval Vessels and Shipyards

Sec. 1021. Retirement of naval vessels.
Sec. 1022. Termination of a Maritime Prepositioning Ship squadron.
Sec. 1023. Sense of Congress on recapitalization for the Navy and Coast Guard.
Sec. 1024. Notice to Congress for the review of proposals to name naval vessels.

Subtitle D—Counterterrorism

Sec. 1031. Extension of certain prohibitions and requirements relating to detainees at United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1032. Prohibition on use of funds for the transfer or release of individuals from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1033. Prohibition on the indefinite detention of citizens and lawful permanent residents.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 1041. Enhancement of responsibilities of the Chairman of the Joint Chiefs of Staff regarding the National Military Strategy.
Sec. 1042. Modification of authority on training of special operations forces with friendly foreign forces.
Sec. 1043. Extension of authority to provide assured business guarantees to carriers participating in Civil Reserve Air Fleet.
Sec. 1044. Participation of veterans in the Transition Assistance Program of the Department of Defense.
Sec. 1045. Modification of the Ministry of Defense Advisor Program.
Sec. 1046. Interagency collaboration on unmanned aircraft systems.
Sec. 1047. Sense of Senate on notice to Congress on unfunded priorities.
Sec. 1048. Enhancement of authorities on admission of defense industry civilians to certain Department of Defense educational institutions and programs.
Sec. 1049. Military working dog matters.
Sec. 1050. Prohibition on funds to enter into contracts or agreements with Rosoboronexport.
Sec. 1051. Sense of Congress on the Joint Warfighting Analysis Center.
Sec. 1052. Transition Assistance Advisor program.

Subtitle F—Reports

Sec. 1061. Report on strategic airlift aircraft.
Sec. 1062. Repeal of biennial report on the Global Positioning System.
Sec. 1063. Repeal of annual report on threat posed by weapons of mass destruction, ballistic missiles, and cruise missiles.
Sec. 1064. Report on program on return of rare earth phosphors from Department of Defense fluorescent lighting waste to the domestic rare earth supply chain.
Sec. 1065. Report on establishment of joint Armed Forces historical storage and preservation facility.
Sec. 1066. Study on Bradley Fighting Vehicle industrial base.
Sec. 1067. Report on military resources necessary to execute United States Force Posture Strategy in the Asia Pacific Region.
Sec. 1068. Report on planned efficiency initiatives at Space and Naval Warfare Systems Command.
Sec. 1069. Study on ability of national air and ground test and evaluation infrastructure facilities to support defense hypersonic test and evaluation activities.
Sec. 1069A. Report on simulated tactical flight training in a sustained gravity environment.
Sec. 1069B. Report on Department of Defense support for United States diplomatic security.
Sec. 1069C. Comptroller General of the United States report on Department of Defense spending for conferences and conventions.

Subtitle G—Nuclear Matters

Sec. 1071. Strategic delivery systems.
Sec. 1072. Requirements definition for combined warhead for certain missile systems.
Sec. 1073. Congressional Budget Office estimate of costs of nuclear weapons and delivery systems.
Sec. 1074. Briefings on dialogue between the United States and the Russian Federation on nuclear arms, missile defense, and long-range conventional strike systems.

Subtitle H—Other Matters

Sec. 1081. Redesignation of the Center for Hemispheric Defense Studies as the William J. Perry Center for Hemispheric Defense Studies.
Sec. 1082. Technical amendments to repeal statutory references to United States Joint Forces Command.
Sec. 1083. Sense of Congress on non-United States citizens who are graduates of United States educational institutions with advanced degrees in science, technology, engineering, and mathematics.
Sec. 1084. Sense of Senate on the maintenance by the United States of a triad of strategic nuclear delivery systems.
Sec. 1085. Plan to partner with State and local entities to address veterans claims backlog.
Sec. 1086. Sense of the Senate on protection of Department of Defense airfields, training airspace, and air training routes.
Sec. 1087. Extension of authorities to carry out a program of referral and counseling services to veterans at risk of homelessness who are transitioning from certain institutions.
Sec. 1088. Sense of Congress that the bugle call commonly known as Taps should be designated as the National Song of Military Remembrance.
Sec. 1089. Reports on the potential security threat posed by Boko Haram.
Sec. 1090. National Veterans Business Development Corporation.
Sec. 1091. White Sands Missile Range and Fort Bliss.
Sec. 1092. Transport for female genital mutilation.
Sec. 1093. Renewal of expired prohibition on return of veterans memorial objects without specific authorization in law.
Sec. 1094. Transfer of excess aircraft to other departments.
Sec. 1095. Reauthorization of sale of aircraft and parts for wildfire suppression purposes.
Sec. 1096. Protection of veterans' memorials.
Sec. 1097. Transportation of individuals to and from facilities of Department of Veterans Affairs.
Sec. 1098. National public awareness and participation campaign for Veterans' History Project of American Folklife Center.
Sec. 1099. Technical amendments relating to the termination of the Armed Forces Institute of Pathology under defense base closure and realignment.
Sec. 1099A. Improved enumeration of members of the Armed Forces in any tabulation of total population by Secretary of Commerce.
Sec. 1099B. State consideration of military training in granting certain State certifications and licenses as a condition on the receipt of funds for veterans employment and training.
Sec. 1099C. Amendments to law enforcement officer safety provisions of title 18.
Sec. 1099D. Modernization of absentee ballot mail delivery system.
Sec. 1099E. State Trade and Export Promotion Grant Program.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Authority for transportation of family household pets of civilian personnel during evacuation of nonessential personnel.
Sec. 1102. Expansion of experimental personnel program for scientific and technical personnel at the Defense Advanced Research Projects Agency.
Sec. 1103. One-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.
Sec. 1104. Federal Employees Retirement System age and retirement treatment for certain retirees of the Armed Forces.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Extension of authority to build the capacity of foreign military forces and modification of notice in connection with initiation of activities.
Sec. 1202. Extension of authority for non-reciprocal exchange of defense personnel between the United States and foreign countries.
Sec. 1203. Authority to build the capacity of certain counterterrorism forces in Yemen and East Africa.
Sec. 1204. Limitation on availability of funds for State Partnership Program.

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

Sec. 1211. Commanders' Emergency Response Program in Afghanistan.
Sec. 1212. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.
Sec. 1213. One-year extension and modification of authority to use funds for reintegration activities in Afghanistan.
Sec. 1214. One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan.
Sec. 1215. Extension of Pakistan Counterinsurgency Fund.
Sec. 1216. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
Sec. 1217. Extension and modification of logistical support for coalition forces supporting certain United States military operations.
Sec. 1218. Strategy for supporting the achievement of a secure presidential election in Afghanistan in 2014.
Sec. 1219. Independent assessment of the Afghan National Security Forces.
Sec. 1220. Report on Afghanistan Peace and Reintegration Program.
Sec. 1221. Completion of accelerated transition of United States combat and military and security operations to the Government of Afghanistan.
Sec. 1222. Sense of Congress commending the Enduring Strategic Partnership Agreement between the United States and Afghanistan.
Sec. 1223. Congressional review of bilateral security agreement with Afghanistan.
Sec. 1224. Authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan and certain other countries.

Subtitle C—Reports

Sec. 1231. Review and reports on Department of Defense efforts to build the capacity of and partner with foreign security forces.

Sec. 1232. Additional elements in annual report on military and security developments involving the People's Republic of China.
Sec. 1233. Report on implementation by Government of Bahrain of recommendations in Report of the Bahrain Independent Commission of Inquiry.
Sec. 1234. Reports on Syria.
Sec. 1235. Report on military activities to deny or significantly degrade the use of air power against civilian and opposition groups in Syria.

Subtitle D—Other Matters

Sec. 1241. Improved administration of the American, British, Canadian, and Australian Armies' Program.
Sec. 1242. United States participation in Headquarters Eurocorps.
Sec. 1243. Department of Defense participation in European program on multilateral exchange of air transportation and air refueling services.
Sec. 1244. Authority to establish program to provide assistance to foreign civilians for harm incident to combat operations of the Armed Forces in foreign countries.
Sec. 1245. Sustainability requirements for certain capital projects in connection with overseas contingency operations.
Sec. 1246. Efforts to remove Joseph Kony from power and end atrocities committed by the Lord's Resistance Army.
Sec. 1247. Imposition of sanctions with respect to support for the rebel group known as M23.
Sec. 1248. Program on repair, overhaul, and refurbishment of defense articles for sale or transfer to eligible foreign countries and entities.
Sec. 1249. Plan for promoting the security of Afghan women and girls during the security transition process.
Sec. 1250. Sense of Congress on the Israeli Iron Dome defensive weapon system.
Sec. 1251. Sense of the Senate on the situation in the Senkaku Islands.
Sec. 1252. Bilateral defense trade relationship with India.

Subtitle E—Iran Sanctions

Sec. 1261. Short title.
Sec. 1262. Definitions.
Sec. 1263. Declaration of policy on human rights.
Sec. 1264. Imposition of sanctions with respect to the energy, shipping, and shipbuilding sectors of Iran.
Sec. 1265. Imposition of sanctions with respect to the sale, supply, or transfer of certain materials to or from Iran.
Sec. 1266. Imposition of sanctions with respect to the provision of underwriting services or insurance or reinsurance for activities or persons with respect to which sanctions have been imposed.
Sec. 1267. Imposition of sanctions with respect to foreign financial institutions that facilitate financial transactions on behalf of specially designated nationals.
Sec. 1268. Inclusion of the Islamic Republic of Iran Broadcasting on the list of human rights abusers.
Sec. 1269. Imposition of sanctions with respect to persons engaged in the diversion of goods intended for the people of Iran.
Sec. 1270. Waiver requirement related to exceptional circumstances preventing significant reductions in crude oil purchases.
Sec. 1271. Statute of limitations for civil actions regarding terrorist acts.
Sec. 1272. Report on use of certain Iranian seaports by foreign vessels and use of foreign airports by sanctioned Iranian air carriers.
Sec. 1273. Implementation; penalties.
Sec. 1274. Applicability to certain natural gas projects.
Sec. 1275. Rule of construction.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. National Defense Sealift Fund.
Sec. 1403. Defense Health Program.
Sec. 1404. Chemical Agents and Munitions Destruction, Defense.
Sec. 1405. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1406. Defense Inspector General.

Subtitle B—National Defense Stockpile

Sec. 1411. Release of materials needed for national defense purposes from the Strategic and Critical Materials Stockpile.

Subtitle C—Chemical Demilitarization Matters

Sec. 1421. Supplemental chemical agent and munitions destruction technologies at Pueblo Chemical Depot, Colorado, and Blue Grass Army Depot, Kentucky.

Subtitle D—Other Matters

Sec. 1431. Authorization of appropriations for Armed Forces Retirement Home.
Sec. 1432. Additional Weapons of Mass Destruction Civil Support Teams.
Sec. 1433. Policy of the United States with respect to a domestic supply of critical and essential minerals.

TITLE XV—AUTHORIZATION OF APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

Sec. 1501. Purpose.
Sec. 1502. Procurement.
Sec. 1503. Research, development, test, and evaluation.
Sec. 1504. Operation and maintenance.
Sec. 1505. Military personnel.
Sec. 1506. Working capital funds.
Sec. 1507. Defense Health Program.
Sec. 1508. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1509. Defense Inspector General.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.
Sec. 1522. Special transfer authority.

Subtitle C—Limitations and Other Matters

Sec. 1531. Afghanistan Security Forces Fund.
Sec. 1532. Joint Improvised Explosive Device Defeat Fund.
Sec. 1533. Plan for transition in funding of United States Special Operations Command from supplemental funding for overseas contingency operations to recurring funding under the future-years defense program.
Sec. 1534. Extension of authority on Task Force for Business and Stability Operations in Afghanistan.
Sec. 1535. Assessments of training activities and intelligence activities of the Joint Improvised Explosive Device Defeat Organization.
Sec. 1536. Submittal to Congress of risk assessments on changes in United States troop levels in Afghanistan.
Sec. 1537. Report on insider attacks in Afghanistan and their effect on the United States transition strategy for Afghanistan.

TITLE XVI—MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

Sec. 1601. Short title.
Sec. 1602. Purpose.
Sec. 1603. Definitions.
Sec. 1604. Military Compensation and Retirement Modernization Commission.
Sec. 1605. Commission hearings and meetings.
Sec. 1606. Principles and procedure for Commission recommendations.
Sec. 1607. Consideration of Commission recommendations by the President and Congress.
Sec. 1608. Pay for members of the Commission.
Sec. 1609. Executive Director.
Sec. 1610. Staff.
Sec. 1611. Contracting authority.
Sec. 1612. Judicial review precluded.
Sec. 1613. Termination.
Sec. 1614. Funding.

TITLE XVII—NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE

Sec. 1701. Short title.
Sec. 1702. Establishment of Commission.
Sec. 1703. Duties of the Commission.
Sec. 1704. Powers of the Commission.
Sec. 1705. Commission personnel matters.
Sec. 1706. Termination of the Commission.
Sec. 1707. Funding.
Sec. 1708. Limitation on availability of funds for reductions to the Air National Guard and the Air Force Reserve.
Sec. 1709. Funding for maintenance of force structure of the Air Force pending Commission recommendations.
Sec. 1710. Retention of core functions of the Electronic Systems Center at Hanscom Air Force Base pending future structure study.
Sec. 1711. Air Force assessments of the effects of proposed movements of airframes on joint readiness training.

TITLE XVIII—FEDERAL ASSISTANCE TO FIRE DEPARTMENTS

Subtitle A—Fire Grants Reauthorization

Sec. 1801. Short title.
Sec. 1802. Amendments to definitions.
Sec. 1803. Assistance to firefighters grants.
Sec. 1804. Staffing for adequate fire and emergency response.
Sec. 1805. Sense of Congress on value and funding of Assistance to Firefighters and Staffing for Adequate Fire and Emergency Response programs.
Sec. 1806. Report on amendments to Assistance to Firefighters and Staffing for Adequate Fire and Emergency Response programs.
Sec. 1807. Studies and reports on the state of fire services.

Subtitle B—Reauthorization of United States Fire Administration

Sec. 1811. Short title.
Sec. 1812. Clarification of relationship between United States Fire Administration and Federal Emergency Management Agency.
Sec. 1813. Modification of authority of Administrator to educate public about fire and fire prevention.
Sec. 1814. Authorization of appropriations.
Sec. 1815. Removal of limitation.

TITLE XIX—MEMORIAL TO SLAVES AND FREE BLACK PERSONS WHO SERVED IN THE AMERICAN REVOLUTION

Sec. 1901. Finding.
Sec. 1902. Definitions.
Sec. 1903. Memorial authorization.
Sec. 1904. Repeal of joint resolutions.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.
Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Authorization of appropriations, Army.
Sec. 2104. Modification of authority to carry out certain fiscal year 2010 project.
Sec. 2105. Extension of authorizations of certain fiscal year 2009 projects.
Sec. 2106. Extension of authorizations of certain fiscal year 2010 projects.
Sec. 2107. Additional authority to carry out certain fiscal year 2013 project.

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Modification of authority to carry out certain fiscal year 2012 project.
Sec. 2206. Extension of authorizations of certain fiscal year 2009 projects.
Sec. 2207. Extension of authorizations of certain fiscal year 2010 projects.
Sec. 2208. Realignment of Marines in the Asia-Pacific Region.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Extension of authorizations of certain fiscal year 2010 projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Authorized energy conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Extension of authorization of certain fiscal year 2010 project.
Sec. 2405. Modification of authority to carry out certain fiscal year 2012 project.
Sec. 2406. Additional authority to carry out certain fiscal year 2013 project.

Subtitle B—Chemical Demilitarization Authorizations

Sec. 2411. Authorization of appropriations, chemical demilitarization construction, defense-wide.
Sec. 2412. Modification of authority to carry out certain fiscal year 1997 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

Sec. 2611. Extension of authorization of certain fiscal year 2009 project.
Sec. 2612. Extension of authorization of certain fiscal year 2010 projects.
Sec. 2613. Modification of authority to carry out certain fiscal year 2011 project.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 1990.
Sec. 2702. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account 2005.
Sec. 2703. Technical amendments to section 2702 of fiscal year 2012 Act.
Sec. 2704. Criteria for decisions involving certain base closure and realignment activities.
Sec. 2705. Modification of notice requirements in advance of permanent reduction of sizable numbers of members of the Armed Forces at military installations.
Sec. 2706. Report on reorganization of Air Force Materiel Command organizations.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Authorized cost and scope variations.
Sec. 2802. Comptroller General report on in-kind payments.
Sec. 2803. Extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Authority to accept as consideration for leases of non-excess property of military departments and Defense Agencies real property interests and natural resource management services related to agreements to limit encroachment.
Sec. 2812. Clarification of parties with whom Department of Defense may conduct exchanges of real property at military installations.

Subtitle C—Energy Security

Sec. 2821. Guidance on financing for renewable energy projects.
Sec. 2822. Continuation of limitation on use of funds for Leadership in Energy and Environmental Design (LEED) Gold or Platinum certification.

Subtitle D—Land Conveyances

Sec. 2831. Land conveyance, local training area for Browning Army Reserve Center, Utah.
Sec. 2832. Use of proceeds, land conveyance, Tyndall Air Force Base, Florida.

Subtitle E—Other Matters

Sec. 2841. Clarification of authority of Secretary to assist with development of public infrastructure in connection with the establishment or expansion of a military installation.
Sec. 2842. Petersburg National Battlefield boundary modification.
Sec. 2843. Congressional notification with respect to oversight and maintenance of base cemeteries following closure of overseas military installations.
Sec. 2844. Additional exemptions from certain requirements applicable to funding for data servers and centers.

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

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.
Sec. 3112. Submittal to Congress of selected acquisition reports and independent cost estimates on nuclear weapon systems undergoing life extension.
Sec. 3113. Two-year extension of schedule for disposition of weapons-usable plutonium at Savannah River Site, Aiken, South Carolina.
Sec. 3114. Program on scientific engagement for nonproliferation.
Sec. 3115. Repeal of requirement for annual update of Department of Energy defense nuclear facilities workforce restructuring plan.
Sec. 3116. Quarterly reports to Congress on financial balances for atomic energy defense activities.
Sec. 3117. Transparency in contractor performance evaluations by the National Nuclear Security Administration leading to award fees.
Sec. 3118. Expansion of authority to establish certain scientific, engineering, and technical positions.
Sec. 3119. Modification and extension of authority on acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
Sec. 3120. Cost containment for Y–12 Uranium Processing Facility, Y–12 National Security Complex, Oak Ridge, Tennessee.
Sec. 3121. Authority to restore certain formerly Restricted Data to the Restricted Data category.
Sec. 3122. Renewable energy.

Subtitle C—Reports

Sec. 3131. Report on actions required for transition of regulation of non-nuclear activities of the National Nuclear Security Administration to other Federal agencies.
Sec. 3132. Report on consolidation of facilities of the National Nuclear Security Administration.
Sec. 3133. Regional radiological security zones.
Sec. 3134. Report on legacy uranium mines.

Sec. 3135. Comptroller General of the United States review of projects carried out by Office of Environmental Management of the Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009.

Subtitle D—Other Matters

Sec. 3141. Sense of Congress on oversight of the nuclear security enterprise.

Subtitle E—American Medical Isotopes Production

Sec. 3151. Short title.
Sec. 3152. Definitions.
Sec. 3153. Improving the reliability of domestic medical isotope supply.
Sec. 3154. Exports.
Sec. 3155. Report on disposition of exports.
Sec. 3156. Domestic medical isotope production.
Sec. 3157. Annual Department reports.
Sec. 3158. National Academy of Sciences report.
Sec. 3159. Repeal.

Subtitle F—Other Matters

Sec. 3161. Congressional advisory panel on the governance structure of the National Nuclear Security Administration and its relationship to other Federal agencies.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Short title.
Sec. 3502. Container-on-barge transportation.
Sec. 3503. Short sea transportation.
Sec. 3504. Maritime environmental and technical assistance.
Sec. 3505. Identification of actions to enable qualified United States flag capacity to meet national defense requirements.
Sec. 3506. Maritime workforce study.
Sec. 3507. Maritime administration vessel recycling contract award practices.
Sec. 3508. Requirement for barge design.
Sec. 3509. Eligibility to receive surplus training equipment.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.
Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.
Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

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

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.
Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.
Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security authorizations.

DIVISION E—HOUSING ASSISTANCE FOR VETERANS

TITLE L—HOUSING ASSISSTANCE FOR VETERANS

Sec. 5001. Short title.
Sec. 5002. Definitions.
Sec. 5003. Establishment of a pilot program.

DIVISION F—STOLEN VALOR ACT

TITLE LI—STOLEN VALOR ACT

Sec. 5011. Short title.
Sec. 5012. Findings.
Sec. 5013. Military medals or decorations.
Sec. 5014. Severability.

DIVISION G—MISCELLANEOUS

TITLE LII—MISCELLANEOUS

Sec. 5021. Public Safety Officers' Benefits Program.
Sec. 5022. Scientific framework for recalcitrant cancers.
Sec. 5023. United States Advisory Commission on Public Diplomacy.
Sec. 5024. Removal of action.

TITLE LIII—GAO MANDATES REVISION ACT

Subtitle A—GAO Mandates Revision Act

Sec. 5301. Short title.
Sec. 5302. Repeals and modifications.

Subtitle B—Improper Payments Elimination and Recovery Improvement Act

Sec. 5311. Short title.
Sec. 5312. Definitions.
Sec. 5313. Improving the determination of improper payments by Federal agencies.
Sec. 5314. Improper payments information.
Sec. 5315. Do not pay initiative.
Sec. 5316. Improving recovery of improper payments.

Subtitle C—Sense of Congress Regarding Spectrum.

Sec. 5317. Sense of Congress regarding spectrum.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

SEC. 4. SCORING OF BUDGETARY EFFECTS.

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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

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–47F HELICOPTERS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Army may enter into a multiyear contract or contracts, 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.

Subtitle C—Navy Programs

SEC. 121. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. ABRAHAM LINCOLN.

(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion as specified in the funding table in section 4101, $1,613,392,000 is authorized to be available for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Abraham Lincoln (CVN–72) during fiscal year 2013. The amount authorized to be made available in the preceding sentence is the first increment in the two-year sequence of incremental funding planned for the nuclear refueling and complex overhaul of that vessel.

(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. 122. FORD CLASS AIRCRAFT CARRIERS.

(a) CONTRACT AUTHORITY FOR CONSTRUCTION OF AIRCRAFT CARRIERS DESIGNATED CVN–78, CVN–79, AND CVN–80.—In the fiscal year immediately following the last fiscal year of the contract for advance procurement for a CVN–21 class aircraft carrier designated CVN–78, CVN–79 or CVN–80, the Secretary of the Navy may enter into a contract for the construction of such aircraft carrier to be funded in the fiscal year of such contract for construction and the succeeding four fiscal years, in the case of the vessel designated CVN–78, and the succeeding five fiscal years, in the case of the vessels designated CVN–79 and CVN–80.

(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 any subsequent fiscal year is subject to the availability of appropriations for that purpose for such subsequent fiscal year.

(c) REPEAL OF SUPERSEDED PROVISION.—Section 121 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104) is repealed.

SEC. 123. LIMITATION ON AVAILABILITY OF AMOUNTS FOR SECOND FORD CLASS AIRCRAFT CARRIER.

(a) LIMITATION.—Of the amount authorized to be appropriated for fiscal year 2013 by section 101 and available for shipbuilding and conversion for the second Ford class aircraft carrier as specified in the funding table in section 4101, not more than 50 percent of such amount may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees a report setting forth a description of the program management and cost control measures that will be employed in constructing the second Ford class aircraft carrier.

(b) ELEMENTS.—The report described in subsection (a) shall include a plan to do the following with respect to the Ford class aircraft carriers:

(1) To maximize planned work in shops and early stages of construction.

(2) To sequence construction of structural units to maximize the effects of lessons learned.

(3) To incorporate design changes to improve producibility for the Ford class aircraft carriers.

(4) To increase the size of erection units to eliminate disruptive unit breaks and improve unit alignment and fairness.

(5) To increase outfitting levels for assembled units before erection in the dry-dock.

(6) To increase overall ship completion levels at each key construction event.

(7) To improve facilities in a manner that will lead to improved productivity.

(8) To ensure the shipbuilder initiates plans that will improve productivity through capital improvements that would provide targeted return on investment, including—

(A) increasing the amount of temporary and permanent covered work areas;

(B) adding ramps and service towers for improved access to work sites and the dry-dock; and

(C) increasing lift capacity to enable construction of larger, more fully outfitted super-lifts.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2014 program year, for procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarine program.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2013, for advance procurement associated with the vessels and equipment 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.

(d) LIMITATION ON TERMINATION LIABILITY.—contract for construction of vessels or equipment, entered into in accordance with subsection (a) shall include a clause that limits the liability of the Government to the contractor for any termination of the contract. The maximum liability of the Government under the clause shall be the amount appropriated for the vessels or equipment covered by the contract. Additionally, in the event of cancellation, the maximum liability of the Government shall include the amount of the unfunded cancellation ceiling in the contract.

(e) AUTHORITY TO EXPAND MULTIYEAR PROCUREMENT.—The Secretary may employ incremental funding for the procurement of Virginia class submarines and Government-furnished equipment associated with the Virginia class submarines to be procured during fiscal years 2013 through 2018 if the Secretary—

(1) determines that such an approach will permit the Navy to procure an additional Virginia class submarine in fiscal year 2014; and

(2) intends to use the funding for that purpose.

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

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into multiyear contracts, beginning with the fiscal year 2013 program year, for the procurement of up to 10 Arleigh Burke class Flight IIA guided missile destroyers, as well as the AEGIS Weapon Systems, MK 41 Vertical Launching Systems, and Commercial Broadband Satellite Systems associated with those vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, 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. AUTHORITY FOR RELOCATION OF CERTAIN AEGIS WEAPON SYSTEM ASSETS BETWEEN AND WITHIN THE DDG–51 CLASS DESTROYER AND AEGIS ASHORE PROGRAMS IN ORDER TO MEET MISSION REQUIREMENTS.

(a) AUTHORITY.—

(1) TRANSFER TO AEGIS ASHORE SYSTEM.—Notwithstanding any other provision of law, the Secretary of the Navy may transfer AEGIS Weapon System (AWS) equipment with ballistic missile defense (BMD) capability to the Missile Defense Agency for use in the AEGIS Ashore System of the Agency for installation in the country designated as Host Nation #1 (HN–1) by transferring to the Agency such equipment procured with amounts authorized to be appropriated to the SCN account for fiscal years 2010 and 2011 for the DDG–51 Class Destroyer Program.

(2) ADJUSTMENTS IN EQUIPMENT DELIVERIES.—

(A) USE OF FY12 FUNDS FOR AWS SYSTEMS ON DESTROYERS PROCURED WITH FY11 FUNDS.—Amounts authorized to be appropriated to the SCN account for fiscal year 2012, and any AEGIS Weapon System assets procured with such amounts, may be used to deliver complete, mission-ready AEGIS Weapon Systems with ballistic missile defense capability to any DDG–51 class destroyer for which amounts were authorized to be appropriated for the SCN account for fiscal year 2011.

(B) USE OF AWS SYSTEMS PROCURED WITH RDTE FUNDS ON DESTROYERS.—The Secretary may install on any DDG–51class destroyer AEGIS weapon systems with ballistic missile defense capability transferred pursuant to paragraph (3).

(3) TRANSFER FROM AEGIS ASHORE SYSTEM.—The Director of the Missile Defense Agency shall transfer AEGIS Weapon System equipment with ballistic missile defense capability procured for installation in the AEGIS Ashore System to the Department of the Navy for the DDG–51 Class Destroyer Program to replace any equipment transferred to Agency under paragraph (1).

(4) TREATMENT OF TRANSFER IN FUNDING DESTROYER CONSTRUCTION.—Notwithstanding the source of funds for any equipment transferred under paragraph (3), the Secretary shall fund all work necessary to complete construction and outfitting of any destroyer in which such equipment is installed in the same manner as if such equipment had been acquired using amounts in the SCN account.

(5) SCN ACCOUNT DEFINED.—In this subsection, the term ''SCN account'' means the Shipbuilding and Conversion, Navy account.

(b) RELATIONSHIP TO OTHER LAW.—Nothing in this section shall be construed to repeal or otherwise modify in any way the limitation on obligation or expenditure of funds for missile defense interceptors in Europe as specified in section 223 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 Public Law 111–383; 124 Stat. 4168).

SEC. 127. DESIGNATION OF MISSION MODULES OF THE LITTORAL COMBAT SHIP AS A MAJOR DEFENSE ACQUISITION PROGRAM.

(a) DESIGNATION REQUIRED.—The Secretary of Defense shall—

(1) designate the effort to develop and produce all variants of the mission modules in support of the Littoral Combat Ship program as a major defense acquisition program under section 2430 of title 10, United States Code; and

(2) with respect to the development and production of each variant, submit to the congressional defense committees a report setting forth such cost, schedule, and performance information as would be provided if such effort were a major defense acquisition program, including Selected Acquisition Reports, unit cost reports, and program baselines.

(b) ADDITIONAL QUARTERLY REPORTS.—The Secretary shall submit to the congressional defense committees on a quarterly basis a report on the development and production of each variant of the mission modules in support of the Littoral Combat Ship, including cost, schedule, and performance, and identifying actual and potential problems with such development or production and potential mitigation plans to address such problems.

SEC. 128. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS FUNDS.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds, $88,300,000 to other, higher priority programs of the Navy and the Marine Corps.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2012 Procurement of Ammunition, Navy and Marine Corps funds'' means amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1317) and available for Procurement of Ammunition, Navy and Marine Corps as specified in the funding table in section 4101 of that Act.

(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) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 129. TRANSFER OF CERTAIN FISCAL YEAR 2012 PROCUREMENT, MARINE CORPS FUNDS FOR PROCUREMENT OF WEAPONS AND COMBAT VEHICLES.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Navy may transfer from fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles, $135,200,000 to other, higher priority programs of the Navy and the Marine Corps.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2012 Procurement, Marine Corps funds for procurement of weapons and combat vehicles'' means amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1317) and available for Procurement, Marine Corps for the procurement of weapons and combat vehicles as specified in the funding table in section 4101 of that Act.

(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) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 130. SENSE OF CONGRESS ON MARINE CORPS AMPHIBIOUS LIFT AND PRESENCE REQUIREMENTS.

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

(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) Due to fiscal constraints 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 30 operationally available vessels and has submitted a shipbuilding and ship retirement plan to Congress which will reduce the force to 28 vessels.

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

(1) the Department of Defense should carefully evaluate the maritime force structure necessary to execute demand for forces by the commanders of the combatant commands;

(2) the Department of the Navy carefully evaluate amphibious lift capabilities to meet current and projected requirements;

(3) the Department of the Navy should consider prioritization of investment in and procurement of the next generation of amphibious assault ships, as a component of the balanced battle force;

(4) the next generation amphibious assault ships should maintain survivability protection;

(5) operation and maintenance requirements analysis, as well as the potential to leverage a common hull form design, should be considered to reduce total ownership cost and acquisition cost; and

(6) maintaining a robust amphibious ship building industrial base is vital for the future of the national security of the United States.

SEC. 131. SENSE OF SENATE ON DEPARTMENT OF NAVY FISCAL YEAR 2014 BUDGET REQUEST FOR TACTICAL AVIATION AIRCRAFT.

It is the sense of Senate that, if the budget request of the Department of the Navy for fiscal year 2014 for F–18 aircraft includes a request for funds for more than 13 new F–18 aircraft, the budget request of the Department of the Navy for fiscal year 2014 for F–35 aircraft should include a request for funds for not fewer than 6 F–35B aircraft and 4 F–35C aircraft, presuming that development, testing, and production of the F–35 aircraft are proceeding according to current plans.

SEC. 132. SPIDERNET/SPECTRAL WARRIOR HARDWARE.

(a) ADDITIONAL AMOUNT FOR OTHER PROCUREMENT, NAVY.—The amount authorized to be appropriated for fiscal year 2013 by section 101 is hereby increased by $2,000,000, with the amount of the increase to be available for amounts authorized to be appropriated by that section and available for other procurement, Navy, Satellite Communications, line 085, Satellite Communications Systems, as specified in the funding table in section 4101.

(b) AVAILABILITY OF AMOUNT.—To the extent provided in appropriations Acts, the amount authorized and made available by subsection (a) may be obligated and expended for a new program to procure SPIDERNet/Spectral Warrior Hardware and installation in order to provide a cloud network for Spectral Warrior terminals in support of requirements of the commanders of the combatant commands.

Subtitle D—Air Force Programs

SEC. 141. REDUCTION IN NUMBER OF AIRCRAFT REQUIRED TO BE MAINTAINED IN STRATEGIC AIRLIFT AIRCRAFT INVENTORY.

(a) REDUCTION IN INVENTORY REQUIREMENT.—Section 8062(g)(1) of title 10, United States Code, is amended—

(1) by striking ''Effective October 1, 2011, the'' and inserting ''The''; and

(2) by striking ''301 aircraft'' and inserting ''275 aircraft''.

(b) MODIFICATION OF CERTIFICATION REQUIREMENT.—Section 137(d)(3)(B) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2221) is amended by striking ''316 strategic airlift aircraft'' and inserting ''275 strategic airlift aircraft''.

(c) PRESERVATION OF CERTAIN RETIRED C–5 AIRCRAFT.—The Secretary of the Air Force shall preserve each C–5 aircraft retired by the Secretary after September 30, 2012, such that the aircraft—

(1) is stored in flyable condition;

(2) can be returned to service; and

(3) is not used to supply parts to other aircraft unless specifically authorized by the Secretary of Defense upon a request by the Secretary of the Air Force.

SEC. 142. TREATMENT OF CERTAIN PROGRAMS FOR THE F–22A RAPTOR AIRCRAFT AS MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall treat the programs referred to in subsection (b) for the F–22A Raptor aircraft as a major defense acquisition program for which Selected Acquisition Reports shall be submitted to Congress in accordance with the requirements of section 2432 of title 10, United States Code.

(b) COVERED PROGRAMS.—The programs referred to in this subsection for the F–22A Raptor aircraft are the following:

(1) Any modernization program through Increment 3.2A.

(2) The Reliability and Maintainability Maturation Program (RAMMP) and the Structural Repair Program (SRP II).

(3) The modernization Increment 3.2B and any future F–22A Raptor aircraft modernization program that would otherwise, if a standalone program, qualify for treatment as a major defense acquisition program for purposes of chapter 144 of title 10, United States Code.

SEC. 143. AVIONICS SYSTEMS FOR C–130 AIRCRAFT.

(a) LIMITATIONS.—

(1) AVIONICS MODERNIZATION PROGRAM.—The Secretary of the Air Force shall take no action to cancel or modify the Avionics Modernization Program (AMP) for the C–130 aircraft until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(2) CNS/ATM PROGRAM.—

(A) IN GENERAL.—The Secretary shall take no action described in subparagraph (B) until 30 days after the date of the submittal to the congressional defense committees of the report required by subsection (b).

(B) COVERED ACTIONS.—An action described in this subparagraph is an action to begin an alternative communication, navigation, surveillance, and air traffic management (CNS/ATM) program for the C–130 aircraft that is designed or intended—

(i) to meet international communication, navigation, surveillance, and air traffic management standards for the fleet of C–130 aircraft; or

(ii) to replace the current Avionics Modernization Program for the C–130 aircraft.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees report on the results of a study to be conducted by the Office of Cost Assessment and Program Evaluation of the Department of Defense on the following:

(1) The costs and schedule to complete the current program of record for the Avionics Modernization Program for the C–130 aircraft, as anticipated at the time of the last certification on that program under section 2433a of title 10, United States Code.

(2) The total cost and schedule, from start to completion, of any proposed alternative communication, navigation, surveillance, and air traffic management program for the C–130 aircraft.

(3) The projected manpower savings to be derived from the current program of record for the Avionics Modernization Program for the C–130 aircraft in comparison with the projected manpower savings to be derived from any proposed alternative communication, navigation, surveillance, and air traffic management program for the C–130 aircraft.

SEC. 144. PROCUREMENT OF SPACE-BASED INFRARED SYSTEM SATELLITES.

(a) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Secretary of the Air Force may procure two space-based infrared system satellites by entering into a fixed-price contract for such procurement.

(2) COST REDUCTION.—The Secretary may include in a contract entered into under paragraph (1) the following:

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

(B) Cost reduction initiatives.

(3) USE OF INCREMENTAL FUNDING.—The Secretary may use incremental funding for a contract entered into under paragraph (1) for a period not to exceed six fiscal years.

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

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

(B) the total liability of the Federal Government for the termination of the contract shall be limited to the total amount of funding obligated at the time of the termination of the contract.

(b) LIMITATION OF COSTS.—

(1) LIMITATION.—Except as provided in subsection (c), and excluding amounts described in paragraph (2), the total amount obligated or expended for the procurement of two space-based infrared system satellites 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-related support costs.

(D) Technical support for obsolescence studies.

(c) ADJUSTMENT TO LIMITATION AMOUNT.—

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

(2) INCREASE DESCRIBED.—An increase described in this paragraph is one of the following:

(A) An increase in costs that is attributable to economic inflation after September 30, 2012.

(B) An increase in costs that is attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2012.

(C) An increase in the cost of a space-based infrared system satellite that is attributable to the insertion of a new technology into the satellite that was not built into such satellites procured before fiscal year 2013, if the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology into the satellite is—

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

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

(d) REPORTS.—

(1) REPORT ON CONTRACTS.—Not later than 30 days after the date on which the Secretary enters into a contract under subsection (a), the Secretary shall submit to the congressional defense committees a report on the contract that includes the following:

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

(B) The type and duration of the contract.

(C) The total value of the contract.

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

(E) 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.

(2) PLAN FOR USING COST SAVINGS.—Not later than 90 days after the date on which the Secretary enters into a contract under subsection (a), the Secretary shall submit to the congressional defense committees a plan for using the cost savings described in paragraph (1)(A) to improve the capability of military infrared and early warning satellites that includes a description of the following:

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

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

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

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

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

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

(G) 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.

(e) USE OF FUNDS AVAILABLE FOR SPACE VEHICLE NUMBER 5 FOR SPACE VEHICLE NUMBER 6.—The Secretary may obligate and expend amounts authorized to be appropriated for fiscal year 2013 by section 101 for procurement for the Air Force as specified in the funding table in section 4101 and available for the advanced procurement of long-lead parts and the replacement of obsolete parts for space-based infrared system satellite space vehicle number 5 for the advanced procurement of long-lead parts and the replacement of obsolete parts for space-based infrared system space vehicle number 6.

(f) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should not enter into a fixed-price contract under subsection (a) for the procurement of two space-based infrared system satellites unless the Secretary determines that entering into such a contract will save the Air Force not less than 20 percent over the cost of procuring two such satellites separately.

SEC. 145. TRANSFER OF CERTAIN FISCAL YEAR 2011 AND 2012 FUNDS FOR AIRCRAFT PROCUREMENT FOR THE AIR FORCE.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2011 and 2012 Aircraft Procurement, Air Force funds, an aggregate of $920,748,000 to other, higher priority programs of the Air Force.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2011 and 2012 Aircraft Procurement, Air Force funds'' means—

(1) amounts authorized to be appropriated for fiscal year 2011 by section 103(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4152) for aircraft procurement for the Air Force; and

(2) amounts authorized to be appropriated for fiscal year 2012 by section 101 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1317) and available for Aircraft Procurement, Air Force as specified in the funding table in section 4101 of that Act.

(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) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

Subtitle E—Joint and Multiservice Matters

SEC. 151. MULTIYEAR PROCUREMENT AUTHORITY FOR V–22 JOINT AIRCRAFT PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into a multiyear contract or contracts, 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. 152. LIMITATION ON AVAILABILITY OF FUNDS FOR FULL-RATE PRODUCTION OF HANDHELD, MANPACK, AND SMALL FORM/FIT RADIOS UNDER THE JOINT TACTICAL RADIO SYSTEM PROGRAM.

Amounts available for the Joint Tactical Radio System (JTRS) program may not be obligated or expended for full-rate production of the Handheld, Manpack, and Small Form/Fit (HMS) radios under that program until the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to the congressional defense committees that the acquisition strategy for such radios provides, to the maximum extent practicable, for full and open competition in the acquisition of such radios.

SEC. 153. SHALLOW WATER COMBAT SUBMERSIBLE PROGRAM.

(a) INITIAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Commander of the United States Special Operations Command shall submit to the congressional defense committees a report setting forth the following:

(1) A description of the efforts of the contractor under the Shallow Water Combat Submersible (SWCS) program and the United States Special Operations Command to improve the accuracy of the tracking of the schedule and costs of the program.

(2) The revised timeline for the initial and full operational capability of the Shallow Water Combat Submersible.

(3) A current estimate of the cost to meet the basis of issue requirement under the program.

(b) SUBSEQUENT REPORTS.—

(1) QUARTERLY REPORTS REQUIRED.—The Commander of the United States Special Operations Command shall submit to the congressional defense committees on a quarterly basis updates on the metrics from the earned value management system with which the Command is tracking the schedule and cost performance of the contractor of the Shallow Water Combat Submersible program.

(2) SUNSET.—The requirement in paragraph (1) shall cease on the date the Shallow Water Combat Submersible has completed operational testing and has been found to be operationally effective and operationally suitable.

SEC. 154. AC–130 AIRCRAFT ELECTRO-OPTICAL AND INFRARED SENSORS.

(a) ADDITIONAL AMOUNT FOR PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2013 by section 101 is hereby increased by $6,000,000, with the amount of the increase to be available for amounts authorized to be appropriated by that section and available for procurement, Defense-wide, other procurement programs, line 079, Combat mission requirements, as specified in the funding table in section 4101.

(b) AVAILABILITY OF AMOUNT.—To the extent provided in appropriations Acts, the amount authorized and made available by subsection (a) may be obligated and expended for a new program to procure color electro-optical and infrared imaging sensors for AC–130 aircraft used by the United States Special Operations Command in ongoing contingency operations.

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 FOUNDRY FOR THE DEFENSE MICROELECTRONICS ACTIVITY.

Amounts authorized to be appropriated for fiscal year 2013 by section 201 and available for research, development, test, and evaluation for the Next Generation Foundry for the Defense Microelectronics Activity (DMEA) (PE #603720S) as specified in the funding table in section 4201 may not be obligated or expended for that purpose until 60 days after the date on which the Assistant Secretary of Defense for Research and Engineering—

(1) develops a microelectronics strategy as described in the Senate report to accompany S. 1235 of the 112th Congress (S. Rept. 112–26) and an estimate of the full life-cycle costs for the upgrade of the Next Generation Foundry; and

(2) submits the strategy and cost estimate required by paragraph (1) to the congressional defense committees.

SEC. 212. ADVANCED ROTORCRAFT INITIATIVE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the military departments, the Defense Advanced Research Projects Agency, and industry (including the Vertical Lift Consortium (VLC)), submit to the congressional defense committees a report setting forth a strategy for the use of integrated platform design teams and agile prototyping approaches for the development of advanced rotorcraft capabilities.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) Mechanisms for establishing agile prototyping practices and programs, including rotorcraft X-planes, and an identification of the resources required for such purposes.

(2) A restructuring of the Joint Multi-role (JMR) development program of the Army to include more technology demonstration platforms with challenge goals of significant reductions in cost and time to flight.

(3) A restructuring of the X-Plane Rotorcraft program of the Defense Advanced Research Projects Agency to develop performance objectives beyond the Joint Multi-role development program, including at least two competing teams.

(4) Approaches, including competitive prize awards, to encourage the development of advanced rotorcraft capabilities to address challenge problems such as nap-of-earth automated flight, urban operation near buildings, slope landings, automated autorotation or power-off recovery, and automated selection of landing areas.

SEC. 213. TRANSFER OF CERTAIN FISCAL YEAR 2012 NAVY RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Navy

may transfer from fiscal year 2012 Navy research, development, test, and evaluation funds, $8,832,000 to other, higher priority programs of the Navy.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2012 Navy research, development, test, and evaluation funds'' means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Navy as specified in the funding table in section 4201 of that Act.

(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) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 214. AUTHORITY FOR DEPARTMENT OF DEFENSE LABORATORIES TO ENTER INTO EDUCATION PARTNERSHIPS WITH EDUCATIONAL INSTITUTIONS IN UNITED STATES TERRITORIES AND POSSESSIONS.

(a) AUTHORITY.—Subsection (a) of section 2194 of title 10, United States Code, is amended by inserting '', the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any possession of the United States'' after ''institutions of the United States''.

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

SEC. 215. TRANSFER OF CERTAIN FISCAL YEAR 2012 AIR FORCE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.

(a) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from fiscal year 2012 Air Force research, development, test, and evaluation funds, $78,426,000 to other, higher priority programs of the Air Force.

(b) COVERED FUNDS.—For purposes of this section, the term ''fiscal year 2012 Air Force research, development, test, and evaluation funds'' means amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force as specified in the funding table in section 4201 of that Act.

(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) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

SEC. 216. RELOCATION OF C–BAND RADAR FROM ANTIGUA TO H.E. HOLT STATION IN WESTERN AUSTRALIA TO ENHANCE SPACE SITUATIONAL AWARENESS CAPABILITIES.

To the extent provided in appropriations Acts, of the amounts authorized to be appropriated for fiscal year 2013 by section 201 and available for research, development, test, and evaluation for Space Situation Awareness Systems (PE 0604425F) for System Development and Demonstration as specified in the funding table in section 4201, $3,000,000 may be obligated and expended for a new program for the relocation and research and development activities to enhance Space Situational Awareness capabilities through—

(1) the repurposing of the C–Band Radar at Antigua;

(2) the relocation of that radar to the H.E. Holt Station in Western Australia;

(3) upgrades of the hardware and software of that radar to meet Space Situational Awareness mission needs;

(4) operational testing of that radar; and

(5) transfer of jurisdiction of that radar to the Air Force Space Command for operations and sustainment by September 30, 2016.

SEC. 217. DETAILED DIGITAL RADIO FREQUENCY MODULATION COUNTERMEASURES STUDIES AND SIMULATIONS.

(a) ADDITIONAL AMOUNT FOR RDT&E, ARMY.—The amount authorized to be appropriated for fiscal year 2013 by section 201 is hereby increased by $38,000,000, with the amount of the increase to be available for amounts authorized to be appropriated by that section and available for research, development, test, and evaluation, Army, for system development and demonstration (PE 0605457A) Army Integrated Air and Missile Defense (AIAMD), as specified in the funding table in section 4201.

(b) AVAILABILITY OF AMOUNT.—To the extent provided in appropriations Acts, the amount authorized and made available by subsection (a) may be obligated and expended for a new program to conduct detailed digital radio frequency modulation (DRFM) countermeasures studies and simulations to develop algorithms to address this threat change in support of the accelerated fielding of a new capability in Patriot, Sentinel, and Integrated Air and Missile Defense (IAMD) for the requirements of the commanders of the combatant commands.

Subtitle C—Missile Defense Matters

SEC. 231. HOMELAND BALLISTIC MISSILE DEFENSE.

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

(1) The Ballistic Missile Defense Review of February 2010 stated as its first policy priority that ''the United States will continue to defend the homeland against the threat of limited ballistic missile attack'' and that ''an essential element of the United States' homeland ballistic missile defense strategy is to hedge against future uncertainties, including both the uncertainty of future threat capabilities and the technical risks inherent to our own development plans''.

(2) The United States currently has an operational Ground-based Midcourse Defense (GMD) system with 30 Ground-Based Interceptors (GBIs) deployed in Alaska and California, protecting the United States against the potential future threat of limited ballistic missile attack from countries such as North Korea and Iran.

(3) As Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley Roberts testified before the Committee on Armed Services of the Senate on April 25, 2012, ''[w]ith 30 GBIs in place, the United States is in an advantageous position vis-à-vis the threats from North Korea and Iran,'' and ''neither has successfully tested an ICBM or demonstrated an ICBM-class warhead''.

(4) Deputy Assistant Secretary Roberts testified that maintaining this advantageous position ''requires continued improvement to the GMD system, including enhanced performance by the GBIs and the deployment of new sensors. It also requires the development of the Precision Tracking Space System (PTSS) to handle larger raid sizes and the Standard Missile-3 (SM–3) Block IIB as the ICBM threat from states like Iran and North Korea matures. These efforts will help to ensure that the United States possesses the capability to counter the projected threat for the foreseeable future''.

(5) As its highest priority, the Missile Defense Agency is designing a correction to the problem that caused a December 2010 flight test failure of the Ground-based Midcourse Defense system using the Capability Enhancement II (CE–II) model of exo-atmospheric kill vehicle, and plans to demonstrate the correction in two flight tests before resuming production or assembly of additional Capability Enhancement II kill vehicles.

(6) The Department of Defense has a program to improve the performance and reliability of the Ground-based Midcourse Defense system, including a plan to test every component of the Ground-Based Interceptors for reliability. According to Department of Defense officials, the goal of the Ground-Based Interceptor reliability program is to double the number of threat Intercontinental Ballistic Missiles (ICBMs) that our current inventory of Ground-Based Interceptors could defeat, thereby effectively doubling the capability of our current Ground-based Midcourse Defense system.

(7) The Missile Defense Agency, working with the Director of Operational Test and Evaluation and with United States Strategic Command, has developed a comprehensive Integrated Master Test Plan (IMTP) for missile defense, with flight tests for the Ground-based Midcourse Defense system planned through fiscal year 2022, including salvo testing, multiple simultaneous engagement testing, and operational testing.

(8) The Director of Operational Test and Evaluation, who must review, approve, and sign each semi-annual version of the Integrated Master Test Plan, testified that the Test Plan is ''a robust and rigorous test plan''. He also testified that the current pace of Ground-based Midcourse Defense system testing of one flight test per year is the ''best that we've been able to achieve over a decade''.

(9) The Director of the Missile Defense Agency testified before the Committee on Armed Services of the Senate on April 25, 2012, that flight testing the Ground-based Midcourse Defense system more often than once per year could cause ''greater risk of further failure and setbacks to developing our homeland defense capability as rapidly as possible''.

(10) As part of its homeland defense hedging strategy, the Department of Defense has already decided upon or implemented a number of actions to improve the missile defense posture of the United States in case the threat of Intercontinental Ballistic Missiles from North Korea or Iran emerges sooner or in greater numbers than anticipated. These include the following actions:

(A) The Missile Defense Agency has completed construction of Missile Field-2 at Fort Greely, Alaska, with eight extra silos available to deploy additional operational Ground-Based Interceptors, if needed.

(B) With its request for 5 additional Ground-Based Interceptors in the budget of the President for fiscal year 2013, the Missile Defense Agency plans to have enough test and spare Ground-Based Interceptors to emplace in the 8 extra silos from 2014 through 2025, and will keep the Ground-Based Interceptor production line active for 5 additional years, thus allowing additional Ground-Based Interceptor purchases in the future, if needed.

(C) The Department has decided not to decommission prototype Missile Field-1 at Fort Greely but, instead, to keep it in a storage status that would permit it to be refurbished and reactivated within a few years if future threat developments make that necessary.

(D) The Missile Defense Agency plans to build an in-flight interceptor communications terminal at Fort Drum, New York, to enhance the performance of Ground-Based Interceptors defending the eastern United States against possible future missile threats from Iran.

(E) The Missile Defense Agency is continuing the development and testing of the two-stage Ground-Based Interceptor for possible deployment in the future, if needed.

(F) The Missile Defense Agency is upgrading early warning radars in Clear, Alaska, and Cape Cod, Massachusetts, to enhance the ability to defend against potential multiple future Intercontinental Ballistic Missile threats from North Korea and Iran.

(G) The Missile Defense Agency is pursuing development of the Standard Missile-3 Block IIB interceptor for Phase 4 of the European Phased Adaptive Approach. It is intended to augment the Ground-based Midcourse Defense system as a cost-effective first layer of defense of the homeland against a possible future Intercontinental Ballistic Missile threat from Iran.

(H) The Missile Defense Agency is pursuing development of the Precision Tracking Space System, a satellite sensor system to provide persistent tracking of large numbers of missiles in flight, and fire-control quality targeting data to various missile defense interceptor systems. According to the Director of the Missile Defense Agency, ''the greatest future enhancement for both homeland and regional defense in the next ten years is the development of the Precision Tracking Space System satellites''.

(11) As part of its homeland defense hedging strategy review, the Department of Defense is considering other options to enhance the future United States posture to defend the homeland, including the feasibility, advisability and affordability of deploying additional Ground-Based Interceptors, either in Alaska or at a missile defense site on the East Coast of the United States.

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

(1) it is a national priority to defend the homeland against the potential future threat of limited ballistic missile attack from countries such as North Korea and Iran;

(2) the currently deployed Ground-based Midcourse Defense system, with 30 Ground-Based Interceptors deployed in Alaska and California, provides protection of the United States homeland against the potential future threat of limited ballistic missile attack from North Korea and Iran;

(3) it is essential for the Ground-based Midcourse Defense system to achieve the levels of reliability, availability, sustainability, and operational performance that will allow it to continue providing protection of the United States homeland against limited ballistic missile attack;

(4) the Missile Defense Agency should, as its highest priority, correct the problem that caused the December 2010 Ground-based Midcourse Defense system flight test failure and demonstrate the correction in flight tests before resuming production of the Capability Enhancement-II kill vehicle, in order to provide confidence that the system will work as intended;

(5) the Department of Defense should continue to enhance the performance and reliability of the Ground-based Midcourse Defense system, and enhance the capability of the Ballistic Missile Defense System, to provide improved capability to defend the homeland against possible increased future missile threats from North Korea and Iran;

(6) the Missile Defense Agency should continue its robust, rigorous, and realistic testing of the Ground-based Midcourse Defense system at a pace of one flight test per year, as described in the Integrated Master Test Plan, including salvo testing, multiple simultaneous engagement testing, and operational testing;

(7) if successfully developed, the Standard Missile-3 Block IIB interceptor would provide an essential first layer of defense of the homeland against an emerging Intercontinental Ballistic Missile threat from Iran, using a cost-effective forward-based early intercept system that could permit holding Ground-Based Interceptors in reserve, and if such interceptor could be deployed on ships, it would also provide a significant enhancement to defense against possible future threats from North Korea;

(8) the Precision Tracking Space System has the potential to improve dramatically the capability of homeland and regional missile defense systems against large numbers of missiles launched simultaneously, and should remain a high priority for development;

(9) the Department of Defense has taken a number of prudent, affordable, cost-effective, and operationally significant steps to hedge against the possibility of future growth in the missile threat to the homeland from North Korea and Iran; and

(10) the Department of Defense should continue to evaluate the evolution of the long-range missile threat from North Korea and Iran and consider other possibilities for prudent, affordable, cost-effective, and operationally significant steps to improve the posture of the United States to defend the homeland against possible future growth in the threat.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of efforts to improve the homeland ballistic missile defense capability of the United States.

(2) ELEMENTS OF REPORT.—The report required by paragraph (1)) shall include the following:

(A) A detailed description of the actions taken or planned to improve the reliability, availability, and capability of the Ground-based Midcourse Defense system.

(B) A description of any improvements achieved as a result of the actions described in subparagraph (A).

(C) A description of the results of the two planned flight tests of the Ground-based Midcourse Defense system (Control Test Vehicle flight test-1, and GMD Flight Test–06b) intended to demonstrate the success of the correction of the problem that caused the flight test failure of December 2010, and the status of any decision to resume production of the Capability Enhancement-II kill vehicle.

(D) A detailed description of actions taken or planned to improve the homeland defense posture of the United States to hedge against potential future Intercontinental Ballistic Missile threat growth from North Korea and Iran.

(E) Any other matters the Secretary considers appropriate.

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

SEC. 232. REGIONAL BALLISTIC MISSILE DEFENSE.

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

(1) In the introduction to the Ballistic Missile Defense Review of February 2010, Secretary of Defense Robert Gates states that ''I have made defending against near-term regional threats a top priority of our missile defense plans, programs and capabilities''.

(2) In describing the threat of regional ballistic missiles, the report of the Ballistic Missile Defense Review states that ''there is no uncertainty about the existence of regional threats. They are clear and present. The threat from short-range, medium-range, and intermediate-range ballistic missiles (SRBMs, MRBMs, and IRBMs) in regions where the United States deploys forces and maintains security relationships is growing at a particularly rapid pace''.

(3) In testimony before the Committee on Armed Services of the Senate on April 25, 2012, Dr. Bradley Roberts, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy stated, with respect to regional missile defense, that ''the need arises from the rapidly emerging threats to our armed forces in Europe, the Middle East, and East Asia from regional missile proliferators and the basic challenge such proliferation poses to the safety and security of our forces and allies and to our power projection strategy''.

(4) Iran has the largest inventory of regional ballistic missiles in the Middle East, with hundreds of missiles that can reach southeastern Europe and all of the Middle East, including Israel. Iran is improving its existing missiles and developing new and longer-range missiles.

(5) North Korea has a large and growing inventory of short-range and medium-range ballistic missiles that can reach United States forces and allies in South Korea and Japan. North Korea is improving its existing missiles and developing new and longer-range missiles.

(6) In September 2009, President Barack Obama announced that he had accepted the unanimous recommendation of the Secretary of Defense and the Joint Chiefs of Staff to establish a European Phased Adaptive Approach to missile defense, designed to protect deployed United States forces and allies and partners in Europe against the large and growing threat of ballistic missiles from Iran.

(7) In November 2010, at the Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to adopt the core mission of missile defense of its population, territory and forces. The North Atlantic Treaty Organization agreed to enhance its missile defense command and control system, the Active Layered Theater Ballistic Missile Defense, to provide a North Atlantic Treaty Organization command and control capability. This is in addition to contributions of missile defense capability from individual nations.

(8) During 2011, the United States successfully implemented Phase 1 of the European Phased Adaptive Approach, including deployment of an AN/TPY–2 radar in Turkey, deployment of an Aegis Ballistic Missile Defense ship in the eastern Mediterranean Sea with Standard Missile-3 Block IA interceptors, and establishment of a missile defense command and control system in Germany.

(9) During 2011, the United States successfully negotiated all the international agreements with North Atlantic Treaty Organization allies needed to permit future phases of the European Phased Adaptive Approach, including agreements with Romania and Poland to permit the deployment of Aegis Ashore missile defense systems on their territory, an agreement with Turkey to permit deployment of an AN/TPY–2 radar on its territory, and an agreement with Spain to permit the forward stationing of four Aegis Ballistic Missile Defense ships at Rota.

(10) Phase 2 of the European Phased Adaptive Approach is planned for deployment in 2015, and is planned to include the deployment of Standard Missile-3 Block IB interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Romania.

(11) Phase 3 of the European Phased Adaptive Approach is planned for deployment in 2018, and is planned to include the deployment of Standard Missile-3 Block IIA interceptors on Aegis Ballistic Missile Defense ships and at an Aegis Ashore site in Poland.

(12) Phase 4 of the European Phased Adaptive Approach is planned for deployment in 2020, and is planned to include the deployment of Standard Missile-3 Block IIB interceptors at Aegis Ashore sites. This interceptor is intended to protect both Europe and the United States against potential future long-range ballistic missiles from Iran.

(13) At the North Atlantic Treaty Organization Summit in Chicago in 2012, the North Atlantic Treaty Organization plans to announce it has achieved an ''interim capability'' for the North Atlantic Treaty Organization missile defense system, including initial capability of its Active Layered Theater Ballistic Missile Defense system at a command and control facility in Germany.

(14) The United States has a robust program of missile defense cooperation with Israel, including joint development of the Arrow Weapon System and the new Arrow-3 upper tier interceptor, designed to defend Israel against ballistic missiles from Iran. These jointly developed missile defense systems are designed to be interoperable with United States ballistic missile defenses, and these interoperable systems are tested in large military exercises. The United States has deployed an AN/TPY–2 radar in Israel to enhance missile defense against missiles from Iran.

(15) The United States is working with the nations of the Gulf Cooperation Council on enhanced national and regional missile defense capabilities against growing missile threats from Iran. As part of this effort, the United Arab Emirates plans to purchase two batteries of the Terminal High Altitude Air Defense (THAAD) system, as well as other equipment.

(16) The United States has a strong program of missile defense cooperation with Japan, including the co-development of the Standard Missile-3 (SM–3) Block IIA interceptor for the Aegis Ballistic Missile Defense system, intended to be deployed by Japan and in Phase 3 of the European Phased Adaptive Approach, Japan's fleet of Aegis Ballistic Missile Defense ships using the SM–3 Block IA interceptors, and the United States deployment of an AN/TPY–2 radar in Japan.

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

(1) the threat from regional ballistic missiles, particularly from Iran and North Korea, is serious and growing, and puts at risk forward-deployed United States forces and allies and partners in Europe, the Middle East, and the Asia-Pacific region;

(2) the Department of Defense has an obligation to provide force protection of forward-deployed United States forces, assets, and facilities from regional ballistic missile attack;

(3) the United States has an obligation to meet its security commitments to its allies, including ballistic missile defense commitments;

(4) the Department of Defense has a balanced program of investment and capabilities to provide for both homeland defense and regional defense against ballistic missiles, consistent with the Ballistic Missile Defense Review and with the prioritized and integrated needs of the commanders of the combatant commands;

(5) the European Phased Adaptive Approach to missile defense is an appropriate and necessary response to the existing and growing ballistic missile threat from Iran to forward deployed United States forces and allies and partners in Europe;

(6) the Department of Defense—

(A) should, as a high priority, continue to develop, test, and plan to deploy all four phases of the European Phased Adaptive Approach, including all variants of the Standard Missile-3 interceptor; and

(B) should also continue with its other phased and adaptive regional missile defense efforts tailored to the Middle East and the Asia-Pacific region;

(7) European members of the North Atlantic Treaty Organization are making valuable contributions to missile defense in Europe, by hosting elements of United States missile defense systems on their territories, through individual national contributions to missile defense capability, and by collective funding and development of the Active Layered Theater Ballistic Missile Defense system; and

(8) the Department of Defense should continue with the development of the key enablers of enhanced regional missile defense, including the Precision Tracking Space System.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the status and progress of regional missile defense programs and efforts.

(2) ELEMENTS OF REPORT.—The report required by paragraph (1) shall include the following:

(A) An assessment of the adequacy of the existing and planned European Phased Adaptive Approach to provide force protection for forward deployed United States forces in Europe against ballistic missile threats from Iran, and an assessment whether adequate force protection would be available absent the European Phased Adaptive Approach.

(B) An assessment whether the European Phased Adaptive Approach and other planned regional missile defense approaches of the United States meet the integrated priorities of the commanders of the regional combatant commands in an affordable and balanced manner.

(C) A description of the progress made in the development and testing of elements of systems intended for deployment in Phases 2 through 4 of the European Phased Adaptive Approach, including the Standard Missile-3 Block IB interceptor and the Aegis Ashore system.

(D) A description of the manner in which elements of regional missile defense architectures, such as forward-based X-band radars in Turkey and Japan, contribute to the enhancement of homeland defense of the United States.

(E) A description of the current and planned contributions of North Atlantic Treaty Organization allies, both collectively and individually, to missile defense in Europe.

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

SEC. 233. MISSILE DEFENSE COOPERATION WITH RUSSIA.

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

(1) For more than a decade, the United States and Russia have discussed a variety of options for cooperation on shared early warning and ballistic missile defense. For example, on May 1, 2001, President George W. Bush spoke of a ''new cooperative relationship'' with Russia and said ''it should be premised on openness, mutual confidence and real opportunities for cooperation, including the area of missile defense. It should allow us to share information so that each nation can improve its early warning capability, and its capability to defend its people and territory. And perhaps one day, we can even cooperate in a joint defense''.

(2) Section 1231 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 1654A–329) authorized the Department of Defense to establish in Russia a ''joint center for the exchange of data from systems to provide early warning of launches of ballistic missiles and for notification of launches of such missiles'', also known as the Joint Data Exchange Center (JDEC).

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

(4) On July 6, 2009, President Barack Obama and Russian President Dmitry Medvedev issued a joint statement on missile defense issues, which stated that ''Russia and the United States plan to continue the discussion concerning the establishment of cooperation in responding to the challenge of ballistic missile proliferation. . . We have instructed our experts to work together to analyze the ballistic missile challenges of the 21st century and to prepare appropriate recommendations''.

(5) The February 2010 report of the Ballistic Missile Defense Review established as one of its central policy pillars that increased international missile defense cooperation is in the national security interest of the United States and, with regard to cooperation with Russia, the United States ''is pursuing a broad agenda focused on shared early warning of missile launches, possible technical cooperation, and even operational cooperation''.

(6) at the November 2010 Lisbon Summit, the North Atlantic Treaty Organization (NATO) decided to develop a missile defense system to ''protect NATO European populations, territory and forces'' and also to seek cooperation with Russia on missile defense. In its Lisbon Summit Declaration, the North Atlantic Treaty Organization reaffirmed its readiness to ''invite Russia to explore jointly the potential for linking current and planned missile defence systems at an appropriate time in mutually beneficial ways''. The new NATO Strategic Concept adopted at the Lisbon Summit states that ''we will actively seek cooperation on missile defense with Russia'', that ''NATO-Russia cooperation is of strategic importance'', and that ''the security of the North Atlantic Treaty Organization and Russia is intertwined''.

(7) In a December 18, 2010, letter to the leadership of the Senate, President Obama wrote that the North Atlantic Treaty Organization ''invited Russia to cooperate on missile defense, which could lead to adding Russian capabilities to those deployed by NATO to enhance our common security against common threats. The Lisbon Summit thus demonstrated that the Alliance's missile defenses can be strengthened by improving NATO-Russian relations. This comes even as we have made clear that the system we intend to pursue with Russia will not be a joint system, and it will not in any way limit United States' or NATO's missile defense capabilities. Effective cooperation with Russia could enhance the overall efficiency of our combined territorial missile defenses, and at the same time provide Russia with greater security''.

(8) Section 221(a)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4167) states that it is the sense of Congress ''to support the efforts of the United States Government and the North Atlantic Treaty Organization to pursue cooperation with the Russian Federation on ballistic missile defense relative to Iranian missile threats''.

(9) In a speech in Russia on March 21, 2011, Secretary of Defense Robert Gates cited ''the NATO-Russian decision to cooperate on defense against ballistic missiles. We've disagreed before, and Russia still has uncertainties about the European Phased Adaptive Approach, a limited system that poses no challenges to the large Russian nuclear arsenal. However, we've mutually committed to resolving these difficulties in order to develop a roadmap toward truly effective anti-ballistic missile collaboration. This collaboration may include exchanging launch information, setting up a joint data fusion center, allowing greater transparency with respect to our missile defense plans and exercises, and conducting a joint analysis to determine areas of future cooperation''.

(10) In testimony to the Committee on Armed Services of the Senate on April 13, 2011, Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy Bradley H. Roberts stated that the United States has been pursuing a Defense Technology Cooperation Agreement with Russia since 2004, and that such an agreement is necessary ''for the safeguarding of sensitive information in support of cooperation'' on missile defense, and to ''provide the legal framework for undertaking cooperative efforts''. Further, Dr. Roberts stated that the United States would not provide any classified information to Russia without first conducting a National Disclosure Policy review. He also stated that the United States is not considering sharing ''hit-to-kill'' technology with Russia.

(11) In a March 2012 answer to a question from the Committee on Armed Services of the Senate on missile defense cooperation with Russia, Acting Under Secretary of Defense for Policy Jim Miller wrote that ''I support U.S.-Russian cooperation on missile defenses first and foremost because it could improve the effectiveness of U.S. and NATO missile defenses, thereby improving the protection of the United States, our forces overseas, and our Allies. Missile defense cooperation with Russia is in the security

interests of the United States, NATO, and Russia, first and foremost because it could strengthen capabilities across Europe to intercept Iranian missiles''. He also wrote that ''[t]he United States has pursued missile defense cooperation with Russia with the clear understanding that we would not accept constraints on missile defense, and that we would undertake necessary qualitative and quantitative improvements to meet U.S. Security needs''.

(12) In February 2012, an international group of independent experts known as the Euro-Atlantic Security Initiative issued a report proposing missile defense cooperation between the United States (with its North Atlantic Treaty Organization allies) and Russia. The group, whose leaders included Stephen Hadley, the National Security Advisor to President George W. Bush, proposed that the nations share satellite and radar early warning data at joint cooperation centers in order to improve their ability to detect, track, and defeat medium-range and intermediate-range ballistic missiles from the Middle East.

(13) In a letter dated April 13, 2012, Robert Nabors, Assistant to the President and Director of the Office of Legislative Affairs, wrote that ''it is Administration policy that we will only provide information to Russia that will enhance the effectiveness of our missile defenses. The Administration will not provide Russia with sensitive information that would in any way compromise our national security, including hit-to-kill technology and interceptor telemetry''.

(14) The United States and Russia already engage in substantial cooperation on a number of international security efforts, including nuclear nonproliferation, anti-piracy, counter-narcotics, nuclear security, counter-terrorism, and logistics resupply through Russia of coalition forces in Afghanistan. These areas of cooperation require each side to share and protect sensitive information, which they have both done successfully.

(15) The United States currently has shared early warning agreements and programs of cooperation with eight nations in addition to the North Atlantic Treaty Organization. The United States has developed procedures and mechanisms for sharing early warning information with partner nations while ensuring the protection of sensitive United States information.

(16) Russia and the United States each have missile launch early warning and detection and tracking sensors that could contribute to and enhance each others' ability to detect, track, an defend against ballistic missile threats from Iran.

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

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

(1) it is in the national security interest of the United States to pursue efforts at missile defense cooperation with Russia that would enhance the security of the United States, its North Atlantic Treaty Organization allies, and Russia, particularly against missile threats from Iran;

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

(3) missile defense cooperation with Russia should not ''in any way limit United States' or NATO's missile defense capabilities'', as acknowledged in the December 18, 2010, letter from President Obama to the leadership of the Senate, and should be mutually beneficial and reciprocal in nature;

(4) the United States should not provide Russia with sensitive missile defense information that would in any way compromise United States national security, including ''hit-to-kill'' technology and interceptor telemetry; and

(5) the United States should pursue missile defense cooperation with Russia in a manner that ensures that—

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

(B) prior to sharing classified information with Russia, the United States conducts a National Disclosure Policy review and determines the types and levels of information that may be shared and whether any additional procedures are necessary to protect such information;

(C) prior to entering into missile defense technology cooperation projects, the United States enters into a Defense Technology Cooperation Agreement with Russia that establishes the legal framework for a broad spectrum of potential cooperative defense projects; and

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

SEC. 234. NEXT GENERATION EXO-ATMOSPHERIC KILL VEHICLE.

(a) PLAN FOR NEXT GENERATION KILL VEHICLE.—The Director of the Missile Defense Agency shall develop a long-term plan for the Exo-atmospheric Kill Vehicle (EKV) that addresses both modifications and enhancements to the current Exo-atmospheric Kill Vehicle and options for the competitive development of a next generation Exo-atmospheric Kill Vehicle for the Ground-Based Interceptor (GBI) of the Ground-based Midcourse Defense (GMD) system and any other interceptor that might be developed for the defense of the United States against long-range ballistic missiles.

(b) DEFINITION OF PARAMETERS AND CAPABILITIES.—

(1) ASSESSMENT REQUIRED.—The Director shall define the desired technical parameters and performance capabilities for a next generation Exo-atmospheric Kill Vehicle using an assessment conducted by the Director for that purpose that is designed to ensure that a next generation Exo-atmospheric Kill Vehicle design—

(A) enables ease of manufacturing, high tolerances to production processes and supply chain variability, and inherent reliability;

(B) will be optimized to take advantage of the Ballistic Missile Defense System architecture and sensor system capabilities;

(C) leverages all relevant kill vehicle development activities and technologies, including from the current Standard Missile-3 Block IIB (SM–3 IIB) program and the previous Multiple Kill Vehicle technology development program;

(D) seeks to maximize, to the greatest extent practicable, commonality between subsystems of a next generation Exo-atmospheric Kill Vehicle and other exo-atmospheric kill vehicle programs; and

(E) meets Department of Defense criteria, as established in the February 2010 Ballistic Missile Defense Review, for affordability, reliability, suitability, and operational effectiveness to defend against limited attacks from evolving and future threats from long-range missiles.

(2) EVALUATION OF PAYLOADS.—The assessment required by paragraph (1) shall include an evaluation of the potential benefits and drawbacks of options for both unitary and multiple Exo-atmospheric Kill Vehicle payloads.

(3) STANDARD MISSILE-3 BLOCK IIB INTERCEPTOR.—As part of the assessment required by paragraph (1), the Director shall evaluate whether there are potential options and opportunities arising from the Standard Missile-3 Block IIB interceptor development program for development of an exo-atmospheric kill vehicle, or kill vehicle technologies or components, that could be used for potential upgrades to the Ground-Based Interceptor or for a next generation Exo-atmospheric Kill Vehicle.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report setting forth the plan developed under subsection (a), including the results of the assessment under subsection (b), and an estimate of the cost and schedule of implementing the plan.

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

SEC. 235. MODERNIZATION OF THE PATRIOT AIR AND MISSILE DEFENSE SYSTEM.

(a) PLAN FOR MODERNIZATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a prioritized plan for support of the long-term requirements in connection with the modernization of the Patriot air and missile defense system.

(b) ADDITIONAL ELEMENTS.—The report required by subsection (a) shall also set forth the following:

(1) An assessment of the integrated air and missile defense capabilities required to meet the demands of evolving and emerging threats.

(2) A plan for the introduction of changes to the Patriot air and missile defense system program to achieve reductions in the life-cycle cost of the Patriot air and missile defense system.

SEC. 236. MEDIUM EXTENDED AIR DEFENSE SYSTEM.

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 (MEADS).

SEC. 237. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.

Of the amounts authorized to be appropriated for fiscal year 2013 by section 201 for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency, $210,000,000 may be provided to the Government of Israel for the Iron Dome short-range rocket defense program as specified in the funding table in section 4201.

SEC. 238. READINESS AND FLEXIBILITY OF INTERCONTINENTAL BALLISTIC MISSILE FORCE.

The Secretary of Defense may, in a manner consistent with the obligations of the United States under international agreements—

(1) retain intercontinental ballistic missile launch facilities currently supporting deployed strategic nuclear delivery vehicles within the limit of 800 deployed and non-deployed strategic launchers;

(2) maintain intercontinental ballistic missiles on alert or operationally deployed status; and

(3) preserve intercontinental ballistic missile silos in operational or warm status.

SEC. 239. SENSE OF CONGRESS ON THE SUBMITTAL TO CONGRESS OF THE HOMELAND DEFENSE HEDGING POLICY AND STRATEGY REPORT OF THE SECRETARY OF DEFENSE.

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

(1) Section 233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1340) requires a homeland defense hedging policy and strategy report from the Secretary of Defense.

(2) The report was required to be submitted not later than 75 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, namely by March 16, 2012.

(3) The Secretary of Defense has not yet submitted the report as required.

(4) In March 2012, General Charles Jacoby, Jr., Commander of the United States Northern Command, the combatant command responsible for operation of the Ground-based Midcourse Defense system to defend the homeland against ballistic missile threats, testified before Congress that ''I am confident in my ability to successfully defend the homeland from the current set of limited long-range ballistic missile threats'', and that ''[a]gainst current threats from the Middle East, I am confident we are well postured''.

(5) Phase 4 of the European Phased Adaptive Approach (EPAA) is intended to augment the

currently deployed homeland defense capability of the Ground-based Midcourse Defense system against a potential future Iranian long-range missile threat by deploying an additional layer of forward-deployed interceptors in Europe in the 2020 timeframe.

(6) The Director of National Intelligence, James Clapper, has testified to Congress that, although the intelligence community does ''not know if Iran will eventually decide to build nuclear weapons'', it judges ''that Iran would likely choose missile delivery as its preferred method of delivering a nuclear weapon''. He also testified that ''Iran already has the largest inventory of ballistic missiles in the Middle East, and it is expanding the scale, reach, and sophistication of its ballistic missile forces, many of which are inherently capable of carrying a nuclear payload''.

(7) The 2012 Annual Report to Congress on the Military Power of Iran by the Department of Defense states that, in addition to increasing its missile inventories, ''Iran has boosted the lethality and effectiveness of its existing missile systems with accuracy improvements and new submunitions payloads'', and that it continues to develop missiles that can strike Israel and Eastern Europe. It also states that ''Iran has launched multistage space launch vehicles that could serve as a testbed for developing long-range ballistic missiles technologies'', and that ''[w]ith sufficient foreign assistance, Iran may be technically capable of flight-testing an intercontinental ballistic missile by 2015''.

(8) Despite the failure of its April 2012 satellite launch attempt, North Korea warned the United States in October 2012 that the United States mainland is within range of its missiles.

(9) The threat of limited ballistic missile attack against the United States homeland from countries such as North Korea and Iran is increasing.

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

(1) the homeland defense hedging policy and strategy report required by section 233 of the National Defense Authorization Act for Fiscal Year 2012 is necessary to inform Congress on options to protect the United States homeland against the evolving ballistic missile threat, including potential options prior to the deployment of Phase 4 of the European Phased Adaptive Approach to missile defense; and

(2) the Secretary of Defense should comply with the requirements of section 233 of the National Defense Authorization Act for Fiscal Year 2012 by submitting the homeland defense hedging policy and strategy report to Congress.

Subtitle D—Reports

SEC. 251. MISSION PACKAGES FOR THE LITTORAL COMBAT SHIP.

(a) REPORT REQUIRED.—Not later than March 1, 2013, the Secretary of the Navy shall, in consultation with the Director of Operational Test and Evaluation, submit to the congressional defense committees a report on the mine countermeasures warfare (MCM), antisubmarine warfare (ASW), and surface warfare (SUW) Mission Packages for the Littoral Combat Ship.

(b) ELEMENTS.—The report required by subsection (a) shall set forth the following:

(1) A plan for the Mission Packages demonstrating that Preliminary Design Review for every capability increment precedes Milestone B or equivalent approval for that increment.

(2) A plan for demonstrating that the capability increment for each Mission Package, combined with a Littoral Combat Ship, on the basis of a Preliminary Design Review and post-Preliminary Design Review assessment, will achieve the capability specified for that increment.

(3) A plan for demonstrating the survivability and lethality of the Littoral Combat Ship with its Mission Packages sufficiently early in the development phase of the system to minimize costs of concurrency.

SEC. 252. COMPTROLLER GENERAL OF THE UNITED STATES ANNUAL REPORTS ON THE ACQUISITION PROGRAM FOR THE AMPHIBIOUS COMBAT VEHICLE.

(a) ANNUAL GAO REVIEW.—The Comptroller General of the United States shall conduct on an annual basis a review of the acquisition program for the Amphibious Combat Vehicle (ACV).

(b) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than March 1 of each year beginning in 2013, the Comptroller General shall submit to the congressional defense committees a report on the review of the acquisition program for the Amphibious Combat Vehicle conducted under subsection (a).

(2) MATTERS TO BE INCLUDED.—Each report on the review of the acquisition program for the Amphibious Combat Vehicle shall include, to the extent appropriate and feasible, the following:

(A) An assessment of the extent to which the program is meeting development and procurement cost, schedule, performance, and risk mitigation goals.

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the Amphibious Combat Vehicle, an assessment of the progress and results of—

(i) developmental and operational testing of the vehicle; and

(ii) plans for correcting deficiencies in vehicle performance, operational effectiveness, reliability, suitability, and safety.

(C) An assessment of procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance in connection with the Amphibious Combat Vehicle.

(D) An assessment of the acquisition strategy for the Amphibious Combat Vehicle, including whether the strategy complies with acquisition management best-practices and the acquisition policy and regulations of the Department of Defense.

(E) A risk assessment of the integrated master schedule and the test and evaluation master plan of the Amphibious Combat Vehicle as it relates to—

(i) the probability of success;

(ii) the funding required for the vehicle in comparison with the funding programmed for the vehicle; and

(iii) development and production concurrency.

(3) ADDITIONAL INFORMATION IN FIRST REPORT.—In submitting to the congressional defense committees the first report under paragraph (1), the Comptroller General shall include, with respect to the Amphibious Combat Vehicle program, an assessment of the sufficiency and objectivity of the following documents:

(A) The analysis of alternatives.

(B) The initial capabilities document.

(C) The capability development document.

(4) INFORMATION IN SUBSEQUENT REPORTS.—

(A) CERTAIN INFORMATION REQUIRED ONLY FOLLOWING SIGNIFICANT CHANGES.—A report under this subsection after the first report under paragraph (1) shall address the matters identified in subparagraphs (C), (D), and (E) of paragraph (2) only to the extent that the Comptroller General determines that there have been significant changes to the applicable plans, strategies, or schedules since the last report under this subsection addressing such matters.

(B) ADDITIONAL INFORMATION AFTER APPROVAL OR CHANGE OF DOCUMENTS.—If any document specified in paragraph (3) is approved or changed after the first report under paragraph (1), the Comptroller General shall provide an assessment of the sufficiency and objectivity of that document in the report to the congressional defense committees under paragraph (1) submitted immediately following such approval or change.

(5) TERMINATION.—No report is required under this subsection after the first report following the award of a contract for full rate production of the Amphibious Combat Vehicle.

SEC. 253. CONDITIONAL REQUIREMENT FOR REPORT ON AMPHIBIOUS ASSAULT VEHICLES FOR THE MARINE CORPS.

(a) IN GENERAL.—If the ongoing Marine Corps ground combat vehicle fleet mix study recommends the acquisition of a separate Marine Personnel Carrier, the Secretary of the Navy and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report that includes the following:

(1) A detailed description of the capability gaps that Marine Personnel Carriers are intended to mitigate and the capabilities that the Marine Personnel Carrier will be required to have to mitigate such gaps, and an assessment whether, and to what extent, Amphibious Combat Vehicles could mitigate such gaps.

(2) A detailed explanation of the role of the Marine Personnel Carriers in fulfilling the forcible entry requirement for the two Marine Expeditionary Brigades (MEBs) that make up the assault echelons of the three Marine Expeditionary Brigade force required to meet applicable war plans of the combatant commands.

(3) A description of the fraction of the assault echelon of the brigades referred to in paragraph (2) that would be comprised of Marine Personnel Carriers.

(4) An assessment of the direct operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers to shore in an amphibious assault.

(5) An assessment of the indirect operational risk associated with using ship-to-shore connectors to deliver Marine Personnel Carriers rather than tanks and artillery and other tactical vehicles.

(6) A comparative estimate of the acquisition and life-cycle costs of a split fleet of Amphibious Combat Vehicles and Marine Personnel Carriers with the acquisition and life-cycle costs of a pure fleet of Amphibious Combat Vehicles.

(b) SUBMITTAL DATE.—If required, the report under subsection (a) shall be submitted not later than the later of—

(1) the date that is 60 days after the date of the completion of the study referred to in subsection (a); or

(2) February 1, 2013.

Subtitle E—Other Matters

SEC. 271. TRANSFER OF ADMINISTRATION OF OCEAN RESEARCH AND RESOURCES ADVISORY PANEL FROM DEPARTMENT OF THE NAVY TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) IN GENERAL.—Subsection (a) of section 7903 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting '', through the Administrator of the National Oceanic and Atmospheric Administration,'' after ''The Council'';

(B) by inserting ''and Resources'' after ''Ocean Research'';

(C) by striking ''Panel consisting'' and inserting ''Panel. The Panel shall consist''; and

(D) by striking ''chairman'' and inserting ''Administrator, on behalf of the Council'';

(2) in paragraph (1), by striking ''National Academy of Science'' and inserting ''National Academies of Science'';

(3) by striking paragraphs (2) and (3); and

(4) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively.

(b) RESPONSIBILITIES OF PANEL.—Subsection (b) of such section is amended—

(1) by inserting '', through the Administrator of the National Oceanic and Atmospheric Administration,'' after ''The Council'';

(2) by striking paragraph (2);

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

(4) by inserting after paragraph (1) the following new paragraphs (2) and (3):

''(2) To advise the Council on the determination of scientific priorities and needs.

''(3) To provide the Council strategic advice regarding national ocean program execution and collaboration.''.

(c) FUNDING TO SUPPORT ACTIVITIES OF PANEL.—Subsection (c) of such section is amended by striking ''Secretary of the Navy'' and inserting ''Secretary of Commerce''.

(d) CONFORMING AMENDMENT.—Section 7902(e)(1) of such title is amended by striking ''Ocean Research Advisory Panel'' and inserting ''Ocean Research and Resources Advisory Panel''.

(e) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 7903 of such title is amended to read as follows:

''§ 7903. Ocean Research and Resources Advisory Panel''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 665 of such title is amended by striking the item relating to section 7903 and inserting the following new item:

''7903. Ocean Research and Resources Advisory Panel.''.

(f) REFERENCES.—Any reference to the Ocean Research Advisory Panel in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Ocean Research and Resources Advisory Panel.

SEC. 272. SENSE OF SENATE ON INCREASING THE COST-EFFECTIVENESS OF TRAINING EXERCISES FOR MEMBERS OF THE ARMED FORCES.

It is the sense of the Senate that—

(1) modeling and simulation will continue to play a critical role in the training of the members of the Armed Forces;

(2) while increased modeling and simulation has reduced overall costs of training of members of the Armed Forces, there are still significant costs associated with the human resources required to execute certain training exercises where role-playing actors for certain characters such as opposing forces, the civilian populace, other government agencies, and non-governmental organizations are required;

(3) technological advances in areas such as varying levels of autonomy for systems, multiplayer gaming techniques, and artificial intelligence could reduce the number of personnel required to support certain training exercises for members of the Armed Forces, and thereby reduce the overall cost of the exercises; and

(4) the Secretary of Defense should develop a plan to increase the use of emerging technologies in autonomous systems, the commercial gaming sector, and artificial intelligence for training exercises for members of the Armed Forces to increase training effectiveness and reduce costs.

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.

Subtitle B—Energy and Environmental Provisions

SEC. 311. DEPARTMENT OF DEFENSE GUIDANCE ON ENVIRONMENTAL EXPOSURES AT MILITARY INSTALLATIONS.

(a) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue to the appropriate military departments and other defense agencies written guidance on environmental exposures at military installations. The guidance shall—

(1) set forth criteria for when and under what circumstances public health assessments by the Agency for Toxic Substances and Disease Registry shall be requested in connection with environmental contamination at military installations, including past incidents of environmental contamination;

(2) establish procedures for tracking and documenting the status and nature of responses to the findings and recommendations of the public health assessments of the Agency of Toxic Substances and Disease Registry that involve contamination at military installations; and

(3) prescribe appropriate actions with respect to the identification of military and civilian individuals who may have been exposed to contamination while living or working on military installations.

(b) REPORT.—Not later than 30 days after issuing the guidance required under subsection (a), the Secretary of Defense shall transmit a copy of the guidance to the congressional defense committees.

SEC. 312. FUNDING OF AGREEMENTS UNDER THE SIKES ACT.

Section 103a of the Sikes Act (16 U.S.C. 670c–1) is amended—

(1) in subsection (b)—

(A) by inserting ''(1)'' before ''Funds''; and

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

''(2) In the case of a cooperative agreement under subsection (a)(2), such funds—

''(A) may be paid in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities provided for under the agreement; and

''(B) may be placed by the recipient in an interest-bearing account, and any interest shall be applied for the same purposes as the principal.''; and

(2) by amending subsection (c) to read as follows:

''(c) AVAILABILITY OF FUNDS; AGREEMENT UNDER OTHER LAWS.—(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

''(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the United States Government.''.

SEC. 313. REPORT ON PROPERTY DISPOSALS AND ADDITIONAL AUTHORITIES TO ASSIST LOCAL COMMUNITIES AROUND CLOSED MILITARY INSTALLATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the disposition of any not yet completed closure of an active duty military installation since 1988 in the United States that was not subject to the property disposal provisions contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The status of property described in subsection (a) that is yet to be disposed of.

(2) An assessment of the environmental conditions of, and plans and costs for environmental remediation for, each such property.

(3) The anticipated schedule for the completion of the disposal of each such property.

(4) An estimate of the costs, and a description of additional potential future financial liability or other impacts on the Department of Defense, if the authorities provided by Congress for military installations closed under defense base closure and realignment (BRAC) are extended to military installations closed outside the defense base closure and realignment process and for which property has yet to be disposed.

(5) Such recommendations as the Secretary considers appropriate for additional authorities to assist the Department in expediting the disposal of property at closed military installations in order to facilitate economic redevelopment for local communities.

(c) MILITARY INSTALLATION DEFINED.—In this section, the term ''military installation'' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, 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.

Subtitle C—Logistics and Sustainment

SEC. 321. REPEAL OF CERTAIN PROVISIONS RELATING TO DEPOT-LEVEL MAINTENANCE.

(a) REPEAL.—

(1) Section 2460 of title 10, United States Code (as amended by section 321 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81)), is repealed.

(2) Section 2464 of title 10, United States Code (as amended by section 327 of the National Defense Authorization Act for Fiscal Year 2012), is repealed.

(b) REVIVAL OF SUPERSEDED PROVISIONS.—

(1) The provisions of section 2460 of title 10, United States Code, as in effect on December 30, 2011 (the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012), are hereby revived.

(2)(A) The provisions of section 2464 of 10, United States Code, as in effect on that date, are hereby revived.

(B) The table of sections at the beginning of chapter 146 of such title is amended by striking the item relating to section 2464 and inserting the following new item:

''2464. Core logistics capabilities.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 2366a of title 10, United States Code, is amended by striking ''core depot-level maintenance and repair capabilities'' each place it appears and inserting ''core logistics capabilities''.

(2) Section 2366b(A)(3)(F) of title 10, United States Code, is amended by striking ''core depot-level maintenance and repair capabilities, as well as the associated logistics capabilities'' and inserting ''core logistics capabilities''.

(3) Section 801(c) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1483; 10 U.S.C. 2366a note) is amended by striking ''core depot-level maintenance and repair capabilities, as well as the associated logistics capabilities'' and inserting ''core logistics capabilities''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on December 31, 2011, the date of the enactment of the National Defense Authorization Act for Fiscal Year 2012, immediately after the enactment of that Act.

SEC. 322. EXPANSION AND REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.

(a) EXPANSION.—Section 338 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 5013 note) is amended—

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

''(a) DEMONSTRATION PROJECT AUTHORIZED.—In accordance with section 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. 323. RATING CHAINS FOR SYSTEM PROGRAM MANAGERS.

The Secretary of the Air Force, in managing system program management responsibilities for sustainment programs not assigned to a program executive officer or a direct reporting program manager, shall comply with the Department of Defense Instructions regarding assignment of program responsibility.

Subtitle D—Reports

SEC. 331. ANNUAL REPORT ON DEPARTMENT OF DEFENSE LONG-TERM CORROSION STRATEGY.

Section 2228(e) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by inserting '', *including available validated data on return on investment for completed corrosion projects and activities'' after ''the strategy'';*

(B) in subparagraph (E), by striking ''For the fiscal year covered by the report and the preceding fiscal year'' and inserting ''For the preceding fiscal year covered by the report''; and

(C) by inserting at the end the following new subparagraph:

''(F) For the preceding fiscal year covered by the report, a breakdown of the amount of funds used for military corrosion projects, the Technical Corrosion Collaboration pilot program, and other corrosion-related activities.'';

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 332. MODIFIED DEADLINE FOR COMPTROLLER GENERAL REVIEW OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

Section 2229a(b) of title 10, United States Code, is amended by striking ''By not later than 120 days after the date on which a report is submitted under subsection (a), the Comptroller General shall review the report'' and inserting ''The Comptroller General shall review the report submitted under subsection (a)''.

Subtitle E—Other Matters

SEC. 341. SAVINGS TO BE ACHIEVED IN CIVILIAN WORKFORCE AND CONTRACTOR EMPLOYEE WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) REQUIRED SAVINGS.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall begin the implementation of an efficiencies plan for the civilian workforce and the service contractor workforce of the Department of Defense which shall achieve savings in the funding for each such workforce over the period from fiscal year 2012 through fiscal year 2017 that are not less, as a percentage of such funding, than the savings in funding for military personnel achieved by the planned reduction in military end strengths over the same period of time.

(b) EXCLUSIONS.—The funding reduction required by subsection (a) shall not include funding for the following:

(1) Civilian personnel expenses for personnel as follows:

(A) Personnel in Mission Critical Occupations, as defined by the Civilian Human Capital Strategic Plan of the Department of Defense and the Acquisition Workforce Plan of the Department of Defense.

(B) Personnel employed at facilities providing core logistics capabilities pursuant to section 2464 of title 10, United States Code.

(C) Personnel in the Offices of the Inspectors General of the Department of Defense.

(2) Service contractor expenses for personnel as follows:

(A) Personnel performing maintenance and repair of military equipment.

(B) Personnel providing medical services.

(C) Personnel performing financial audit services.

(3) Personnel expenses for personnel in the civilian personnel or service contractor workforce performing such other critical functions as may be identified by the Secretary as requiring exemption in the interest of the national defense.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report including a comprehensive description of the plan required by subsection (a).

(2) STATUS REPORTS.—Not later than 60 days after the end of each fiscal year from fiscal year 2013 through fiscal year 2017, the Secretary shall submit to the congressional defense committees a report describing the implementation of the plan during the prior fiscal year. Each such report shall include a direct comparison of the savings achieved under the plan to the savings achieved in the same fiscal year through reductions in military end strengths. In any case in which savings fall short of the annual target, the report shall include an explanation of the reasons for such shortfall.

(3) EXEMPTIONS.—Each report under paragraphs (1) and (2) shall specifically identify any exemption granted by the Secretary under subsection (b)(3) in the period of time covered by the report.

(d) LIMITATION ON TRANSFERS OF FUNCTIONS.—The Secretary shall ensure that the savings required by this section are not achieved through unjustified transfers of functions between or among the military, civilian, and service contractor workforces of the Department of Defense.

(e) SENSE OF CONGRESS.—It is the sense of Congress that an amount equal to 30 percent of the amount of the reductions in appropriated funds attributable to reduced budgets for the civilian and service contractor workforces of the Department by reason of the plan required by subsection (a) should be made available for costs of assisting military personnel separated from the Armed Forces in the transition from military service.

(f) SERVICE CONTRACTOR WORKFORCE DEFINED.—In this section, the term ''service contractor workforce'' means contractor employees performing contract services, as defined in section 2330(c)(2) of title 10, United States Code, other than contract services that are funded out of amounts available for overseas contingency operations.

SEC. 342. NATO SPECIAL OPERATIONS HEADQUARTERS.

(a) IN GENERAL.—Chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2350n. NATO Special Operations Headquarters

''(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for fiscal year 2013 and for subsequent fiscal years for the Department of Defense for operation and maintenance, up to $50,000,000 may be used for a fiscal year for the purposes set forth in subsection (b) for support of operations of the North Atlantic Treaty Organization (NATO) Special Operations Headquarters.

''(b) PURPOSES.—The Secretary of Defense may provide funds for the NATO Special Operations Headquarters—

''(1) to improve coordination and cooperation between the special operations forces of NATO member countries;

''(2) to facilitate joint operations by special operations forces of NATO member countries;

''(3) to support command, control, and communications capabilities peculiar to special operations forces of NATO member countries;

''(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

''(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of multinational education and training programs.

''(c) ANNUAL REPORT.—Not later than April 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report regarding Department of Defense support for the NATO Special Operations Headquarters. Each report shall include the following:

''(1) The total amount of funding provided to the NATO Special Operations Headquarters.

''(2) A summary of the activities funded with such support.

''(3) Other contributions, financial or in kind, provided in support of the NATO Special Operations Headquarters by other NATO member countries.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2350m the following new item:

''2350n. NATO Special Operations Headquarters.''.

SEC. 343. REPEAL OF REDUNDANT AUTHORITY TO ENSURE INTEROPERABILITY OF LAW ENFORCEMENT AND EMERGENCY RESPONDER TRAINING.

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

(1) by striking ''(a) IN GENERAL.—''; and

(2) by striking subsection (b).

SEC. 344. SENSE OF THE CONGRESS ON NAVY FLEET REQUIREMENTS.

It is the sense of Congress that—

(1) The Secretary of the Navy, in supporting the operational requirements of the combatant commands, should maintain in the operational capability of and perform the necessary maintenance on each cruiser and dock landing ship belonging to the Navy;

(2) for retirements of ships owned by the Navy prior to their projected end of service life, the Chief of Naval Operations must explain to the Congressional Defense Committees how the retention of each ship would degrade the overall readiness of the fleet and endanger United States National Security and the objectives of the combatant commanders; and

(3) revitalizing the Navy's 30-year shipbuilding plan should be a national priority, and a commensurate amount of increased funding should be provided to the Navy in the Future Years Defense Program to help close the gap between requirements and the current size of the fleet.

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, 329,597.

SEC. 402. ADDITIONAL MARINE CORPS PERSONNEL FOR THE MARINE CORPS SECURITY GUARD PROGRAM.

(a) ADDITIONAL PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall develop and implement a plan which shall increase the number of Marine Corps personnel assigned to the Marine Corps Embassy Security Group at Quantico, Virginia, and Marine Security Group Regional Commands and Marine Security Group detachments at United States missions around the world by up to 1,000 Marines during fiscal years 2014 through 2017.

(2) PURPOSE.—The purpose of the increase under paragraph (1) shall be to provide the end strength and resources necessary to support an increase in Marine Corps security at United States consulates and embassies throughout the world, and in particular at locations identified by the Secretary of State as in need of increased security in light of threats to United States personnel and property by terrorists.

(b) CONSULTATION.—The Secretary of Defense shall develop and implement the plan required

by subsection (a) in consultation with the Secretary of State pursuant to the responsibility of the Secretary of State for diplomatic security under section 103 of the Diplomatic Security Act (22 U.S.C. 4802), and in accordance with any current memorandum of understanding between the Department of State and the Marine Corps on the operational and administrative supervision of the Marine Corps Security Guard Program.

(c) FUNDING.—

(1) BUDGET REQUESTS.—The budget of the President for each fiscal year after fiscal year 2013, as submitted to Congress pursuant to section 1105(a) of title 31, United States Code, shall set forth as separate line elements, under the amounts requested for such fiscal year for each of procurement, operation and maintenance, and military personnel to fully fund each of the following:

(A) The Marine Corps.

(B) The Marine Corps Security Guard Program, including for the additional personnel under the Marine Corps Security Guard Program as result of the plan required by subsection (a).

(2) PRESERVATION OF FUNDING FOR USMC UNDER NATIONAL MILITARY STRATEGY.—In determining the amounts to be requested for a fiscal year for the Marine Corps Security Guard Program and for additional personnel under the Marine Corps Security Guard Program under paragraph (1), the President shall ensure that amounts requested for the Marine Corps for that fiscal year do not degrade the readiness of the Marine Corps to fulfill the requirements of the National Military Strategy.

(d) REPORTS.—

(1) REPORTS ON PROGRAM.—Not later than October 1, 2014, and annually thereafter through October 1, 2017, the Secretary of Defense shall, in coordination with the Secretary of State, submit to Congress a report on the Marine Corps Security Guard Program. Each report shall include the following:

(A) A description of the expanded security support provided by Marine Corps Security Guards to the Department of State during the fiscal year ending on the date of such report, including—

(i) any increased internal security provided at United States embassies and consulates throughout the world;

(ii) any increased support for emergency action planning, training, and advising of host nation security forces; and

(iii) any expansion of intelligence collection activities.

(B) A description of the current status of Marine Corps personnel assigned to the Program as a result of the plan required by subsection (a).

(C) A description of the Department of Defense resources required in the fiscal year ending on the date of such report to support the Marine Corps Security Guard program, including total end strength and key supporting programs that enable both its current and expanded mission during such fiscal year.

(D) A reassessment of the mission of the Program, as well as procedural rules of engagement under the Program, in light of current and emerging threats to United States diplomatic personnel, and a description and assessment of options to improve the Program to respond to such threats.

(E) An assessment of the feasibility and advisability of authorizing, funding, and administering the Program as a separate program within the Marine Corps, and if such actions are determined to be feasible and advisable, recommendations for legislative and administrative actions to provide for authorizing, funding, and administering the Program as a separate program within the Marine Corps.

(2) REPORT ON CHANGES IN SCOPE OF PROGRAM IN RESPONSE TO CHANGING THREATS.—If the President determines that a modification (whether an increase or a decrease) in the scope of the Marine Corps Security Guard Program is necessary or advisable in light of any change in the nature of threats to United States embassies, consulates and other diplomatic facilities abroad, the President shall—

(A) notify Congress of such modification and the change in the nature of threats prompting such modification; and

(B) take such modification into account in requesting an end strength and funds for the Program for any fiscal year in which such modification is in effect.

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, 106,435.

(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, 14,871.

(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 Reserve, 8,445.

(2) For the Army National Guard of the United States, 28,380.

(3) For the Air Force Reserve, 10,716.

(4) For the Air National Guard of the United States, 22,313.

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 Policy

SEC. 501. EXTENSION OF RELAXATION OF LIMITATION ON SELECTIVE EARLY DISCHARGES.

Section 638a(d)(2) of title 10 United States Code, is amended in subparagraphs (A) and (B) by striking ''except that during the period beginning on October 1, 2006, and ending on December 31, 2012,'' and inserting ''except that through December 31, 2018,''.

SEC. 502. EXCEPTION TO 30-YEAR RETIREMENT FOR REGULAR NAVY WARRANT OFFICERS IN THE GRADE OF CHIEF WARRANT OFFICER, W–5.

(a) EXCEPTION TO STATUTORY 30-YEAR RETIREMENT.—Paragraph (1) of section 1305(a) of title 10, United States Code, is amended—

(1) by inserting ''or a regular Navy warrant officer in the grade of chief warrant officer, W–5, exempted under paragraph (3)'' after ''Army warrant officer''; and

(2) by striking ''he'' and inserting ''the officer''.

(b) MODIFICATION OF STATUTORY RETIREMENT FROM 30 TO 33 YEARS.—Such section is further amended 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. MODIFICATION OF DEFINITION OF JOINT DUTY ASSIGNMENT TO INCLUDE ALL INSTRUCTOR ASSIGNMENTS FOR JOINT TRAINING AND EDUCATION.

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

SEC. 504. SENSE OF SENATE ON INCLUSION OF ASSIGNMENTS AS ACADEMIC INSTRUCTOR AT THE MILITARY SERVICE ACADEMIES AS JOINT DUTY ASSIGNMENTS.

It is the sense of the Senate that the Secretary of Defense should include assignments in which military officers are assigned as instructors responsible for preparing and presenting academic courses on the faculty of the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy as joint duty assignments.

Subtitle B—Reserve Component Management

SEC. 511. AUTHORITY FOR APPOINTMENT OF PERSONS WHO ARE LAWFUL PERMANENT RESIDENTS AS OFFICERS OF THE NATIONAL GUARD.

Section 313(b)(1) of title 32, United States Code, is amended by inserting ''or an alien lawfully admitted for permanent residence (as that term is defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C.1101(a)(20))'' before the semicolon.

SEC. 512. RESERVE COMPONENT SUICIDE PREVENTION AND RESILIENCE PROGRAM.

(a) CODIFICATION, TRANSFER OF RESPONSIBILITY, AND EXTENSION.—

(1) IN GENERAL.—Chapter 1007 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 10219. Suicide prevention and resilience program

''(a) PROGRAM REQUIREMENT.—The Secretary of Defense shall carry out a program to provide members of the National Guard and Reserves and their families with training in suicide prevention, resilience, and community healing and response to suicide.

''(b) SUICIDE PREVENTION TRAINING.—Under the program, the Secretary shall provide members of the National Guard and Reserves with training in suicide prevention. Such training may include—

''(1) describing the warning signs for suicide and teaching effective strategies for prevention and intervention;

''(2) examining the influence of military culture on risk and protective factors for suicide; and

''(3) engaging in interactive case scenarios and role plays to practice effective intervention strategies.

''(c) COMMUNITY RESPONSE TRAINING.—Under the program, the Secretary shall provide the families and communities of members of the National Guard and Reserves with training in responses to suicide that promote individual and community healing. Such training may include—

''(1) enhancing collaboration among community members and local service providers to create an integrated, coordinated community response to suicide;

''(2) communicating best practices for preventing suicide, including safe messaging, appropriate memorial services, and media guidelines;

''(3) addressing the impact of suicide on the military and the larger community, and the increased risk that can result; and

''(4) managing resources to assist key community and military service providers in helping the families, friends, and fellow servicemembers of a suicide victim through the processes of grieving and healing.

''(d) COMMUNITY TRAINING ASSISTANCE.—The program shall include the provision of assistance with such training to the local communities of those servicemembers and families, to be provided in coordination with local community programs.

''(e) COLLABORATION.—In carrying out the program, the Secretary shall collect and analyze 'lessons learned' and suggestions from State National Guard and Reserve organizations with existing or developing suicide prevention and community response programs.

''(f) TERMINATION.—The program under this section shall terminate on October 1, 2015.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of such title is amended by adding at the end the following new item:

''10219. Suicide prevention and resilience program.''.

(b) REPEAL OF SUPERSEDED PROVISION.—Subsection (i) of section 582 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 10101 note) is repealed.

SEC. 513. REPORT ON MECHANISMS TO EASE THE REINTEGRATION INTO CIVILIAN LIFE OF MEMBERS OF THE NATIONAL GUARD AND THE RESERVES FOLLOWING A DEPLOYMENT ON ACTIVE DUTY.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study of the adequacy of mechanisms for the reintegration into civilian life of members of the National Guard and the Reserves following a deployment on active duty in the Armed Forces, including whether permitting such members to remain on active duty for a limited period after such deployment (often referred to as a ''soft landing'') is feasible and advisable for facilitating and easing that reintegration.

(b) ELEMENTS.—

(1) IN GENERAL.—The study required by subsection (a) shall address the unique challenges members of the National Guard and the Reserves face when reintegrating into civilian life following a deployment on active duty in the Armed Forces and the adequacy of the policies, programs, and activities of the Department of Defense to assist such members in meeting such challenges.

(2) PARTICULAR ELEMENTS.—The study shall take into consideration the following:

(A) Disparities in reintegration after deployment between members of the regular components of the Armed Forces and members of the reserve components of the Armed Forces, including—

(i) disparities in access to services, including, but not limited to, health care, mental health counseling, job counseling, and family counseling;

(ii) disparities in amounts of compensated time provided to take care of personal affairs;

(iii) disparities in amounts of time required to properly access services and to take care of personal affairs, including travel time; and

(iv) disparities in costs of uncompensated events or requirements, including, but not limited to, travel costs and legal fees.

(B) Disparities in reintegration policies and practices among the various Armed Forces and between the regular and reserve components of the Armed Forces.

(C) Disparities in the lengths of time of deployment between the regular and reserve components of the Armed Forces.

(D) Applicable medical studies on reintegration, including studies on the rest and recuperation needed to appropriately recover from combat and training stress.

(E) Other applicable studies on reintegration policies and practices, including the recommendations made by such studies.

(F) Appropriate recommendations for the elements of a program to assist members of the National Guard and the Reserves following a deployment on active duty in the Armed Forces in reintegrating into civilian life, including means of ensuring that the program applies uniformly across the Armed Forces and between the regular components and reserve components of the Armed Forces.

(c) REPORT.—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 the study required by subsection (a). The report shall set forth the results of the study, including the matters specified in subsection (b), and include such comments and recommendation in light of the study as the Secretary considers appropriate.

Subtitle C—General Service Authorities

SEC. 521. DIVERSITY IN THE ARMED FORCES AND RELATED REPORTING REQUIREMENTS.

(a) PLAN TO ACHIEVE DIVERSITY IN THE ARMED FORCES.—The Secretary of Defense shall develop and implement a plan to accurately measure the efforts of the Department of Defense to achieve the goal of having a dynamic and sustainable 20–30 year pipeline that yields a diverse officer and enlisted corps for the Armed Forces that reflects the population of the United States eligible to serve in the Armed Forces across all the Armed Forces, and all grades of each Armed Force, that is able to prevail in its wars, prevent and deter conflicts, defeat adversaries and succeed in a wide-range of contingencies, and preserve and enhance the all volunteer force. 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 so 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), each Secretary of a military department shall, in consultation with the Secretary of Defense, develop a definition of diversity that is reflective of the culture, mission, and core values of each Armed Force under the jurisdiction of such Secretary.

(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) REPORTS ON IMPLEMENTATION OF PLAN.—Not later than July 1, 2013, and biennially thereafter through July 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the following:

(1) The progress made in implementing the plan required by subsection (a) to accurately measure the efforts of the Department of Defense to achieve its diversity goals.

(2) The number of members of the Armed Forces, including reserve components, listed by sex and race or ethnicity for each grade under each military department.

(3) The number of members of the Armed Forces, including reserve components, who were

promoted during the years covered by the report, listed by sex and race or ethnicity for each grade under each military department.

(4) The number of members of the Armed Forces, including reserve components, who reenlisted or otherwise extended the commitment to military service during the years covered by the report, listed by sex and race or ethnicity for each grade under each military department.

(5) 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.

(f) APPLICABILITY TO COAST GUARD.—The Secretary of Homeland Security shall apply the provisions of this section (other than subsection (d)) to the Coast Guard when it is not operating as a service in the Navy in order to achieve diversity in the Coast Guard in the same manner, under the same schedule, and subject to the same conditions as diversity is achieved in the other Armed Forces under this section. The Secretary shall submit to the congressional defense committees the reports required by subsection (e) with respect to the implementation of the provisions of this section regarding the Coast Guard when it is not operating as a service in the Navy.

SEC. 522. MODIFICATION OF AUTHORITY TO CONDUCT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) EXTENSION OF PROGRAMS TO CERTAIN ACTIVE GUARD AND RESERVE PERSONNEL.—Section 533 of Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. prec. 701 note) is amended—

(1) in subsection (a)(1), by inserting ''and members on active Guard and Reserve duty'' after ''officers and enlisted members of the regular components'';

(2) by redesignating subsection (l) as subsection (m); and

(3) by inserting after subsection (k) the following new subsection (l)

''(l) DEFINITION.—In this section, the term 'active Guard and Reserve duty' has the meaning given that term in section 101(d)(6) 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 existing leave balance 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. 523. AUTHORITY FOR ADDITIONAL BEHAVIORAL HEALTH PROFESSIONALS TO CONDUCT PRE-SEPARATION MEDICAL EXAMINATIONS 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. 524. QUARTERLY REPORTS ON INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.

(a) QUARTERLY REPORTS REQUIRED.—Not later than 30 days after the end of each calendar year quarter in 2013 and 2014, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the number of members of the regular components of the Armed Forces under the jurisdiction of such Secretary who were involuntarily separated from active duty in the Armed Forces during such calendar year quarter.

(b) ELEMENTS.—Each report on an Armed Force for a calendar year quarter under subsection (a) shall set forth the following:

(1) The total number members involuntarily separated.

(2) The number of members separated set forth by grade.

(3) The number of members separated set forth by total years of service in the Armed Forces at the time of separation.

(4) The number of members separated set forth by military occupational specialty or rating, or competitive category for officers.

(5) The number of members separated who received involuntary separation pay, or who are authorized to receive temporary retired pay, in connection with separation.

(6) The number of members who completed transition assistance programs relating to future employment.

(7) The average number of months deployed to overseas contingency operations set forth by grade.

SEC. 525. REVIEW OF ELIGIBILITY OF VICTIMS OF DOMESTIC TERRORISM FOR AWARD OF THE PURPLE HEART AND THE DEFENSE MEDAL OF FREEDOM.

(a) REPORT.—Not later than March 1, 2013, the Secretary of Defense shall, in coordination with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on—

(1) the advisability of modifying the criteria for the award of the Purple Heart to provide for the award of the Purple Heart to members of the Armed Forces who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism; and

(2) the advisability of modifying the criteria for the award of the Defense Medal of Freedom to provide for the award of the Defense Medal of Freedom to civilian employees of the United States who are killed or wounded in a terrorist attack within the United States that is determined to be inspired by ideological, political, or religious beliefs that give rise to terrorism.

(b) DETERMINATION.—As part of the review undertaken to prepare the report required by subsection (a), the Secretary of Defense shall conduct a review of each death or wounding of a member of the Armed Forces or civilian employee of the United States Government that occurred within the United States since September 11, 2001, that could meet the criteria as being the result of a terrorist attack within the United States in order to determine whether such death or wounding qualifies or potentially would qualify for the award of the Purple Heart or the Defense Medal of Freedom.

(c) CONSIDERATIONS.—In conducting the review to prepare the report required by subsection (a), the Secretary of Defense shall take into consideration the following:

(1) The views of veterans service organizations, including the Military Order of the Purple Heart.

(2) The importance that has been assigned to determining all available facts before a decision is made to award the Purple Heart.

(3) Potential effects of an award on the ability to prosecute perpetrators of terrorist acts in military or civilian courts.

(4) The views of the Chairman of the Joint Chiefs of Staff.

SEC. 526. EXTENSION OF TEMPORARY INCREASE IN ACCUMULATED LEAVE CARRYOVER FOR MEMBERS OF THE ARMED FORCES.

Section 701(d) of title 10, United States Code, is amended by striking ''September 30, 2013'' and inserting ''September 30, 2015''.

SEC. 527. PROHIBITION ON WAIVER FOR COMMISSIONING OR ENLISTMENT IN THE ARMED FORCES FOR ANY INDIVIDUAL CONVICTED OF A FELONY SEXUAL OFFENSE.

An individual may not be provided a waiver for commissioning or enlistment in the Armed Forces if the individual has been convicted under Federal or State law of a felony offense of any of the following:

(1) Rape.

(2) Sexual abuse.

(3) Sexual assault.

(4) Incest.

(5) Any other sexual offense.

SEC. 528. RESEARCH STUDY ON RESILIENCE IN MEMBERS OF THE ARMY.

(a) RESEARCH STUDY REQUIRED.—

(1) IN GENERAL.—The Secretary of the Army shall carry out a research program on resilience in members of the Army.

(2) PURPOSE.—The purpose of the research study shall be to determine the effectiveness of the current Comprehensive Soldier and Family Fitness (CSF2) Program of the Army while verifying the current means of the Army to reduce trends in high risk or self-destructive behavior and to prepare members of the Army to manage stressful or traumatic situations by training members in resilience strategies and techniques.

(3) ELEMENTS.—In carrying out the research study, the Secretary shall determine the effectiveness of training under the Comprehensive Soldier and Family Fitness program in—

(A) enhancing individual performance through resiliency techniques and use of positive and sports psychology; and

(B) identifying and responding to early signs of high-risk behavior in members of the Army assigned to units involved in the research study.

(4) SCIENCE-BASED EVIDENCE AND TECHNIQUES.—The research study shall be rooted in scientific evidence, using professionally accepted measurements of experiments, of longitudinal research, random-assignment, and placebo-controlled outcome studies to evaluate which interventions can prove positive results and which result in no impact.

(b) LOCATIONS.—The Secretary carry out the research study at locations selected by the Secretary from among Army installations which are representative of the Total Force. Units from all components of the Army shall be involved in the research study.

(c) TRAINING.—In carrying out the research study at an installation selected pursuant to subsection (b), the Secretary shall ensure, at a minimum, that whenever a unit returns from combat deployment to the installation the training established for purposes of the research study is provided to all members of the Army returning for such deployment. The training shall include such training as the Secretary considers appropriate to reduce trends in high risk or self-destructive behavior.

(d) PERIOD.—The Secretary shall carry out the research study through September 30, 2014.

(e) REPORTS.—Not later than 30 days after the end of each of fiscal years 2013 and 2014, the Secretary shall submit to the Committees on Armed Forces of the Senate and the House of Representatives a report on the research study during the preceding fiscal year. Each report shall include the following:

(1) A description of the trends in high risk or self-destructive behavior within each of the units involved in the research study during the fiscal year covered by such report.

(2) A description of the effectiveness of Comprehensive Soldier and Family Fitness Program

training in enhancing individual performance through resiliency techniques, utilization of positive psychology.

(3) In the case of the report on fiscal year 2014, such recommendations for the expansion or modification of the research study as the Secretary considers appropriate.

Subtitle D—Military Justice and Legal Matters Generally

SEC. 531. CLARIFICATION AND ENHANCEMENT OF THE ROLE OF THE 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) in the second sentence—

(A) by striking ''The'' and inserting ''If an officer appointed as the''; and

(B) by striking '', while so serving, has the grade'' and inserting ''holds a lower grade, the officer shall be appointed in the grade''.

(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 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 chapter 47 of this title (the Uniform Code of Military Justice) and chapter 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 ''The Judge Advocate General'' and all that follows through ''shall'' and inserting ''The Judge Advocates General, and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps, or senior members of their staffs, shall''.

(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 ''title)''.

SEC. 532. ADDITIONAL INFORMATION IN REPORTS ON ANNUAL SURVEYS OF THE COMMITTEE ON THE UNIFORM CODE OF MILITARY JUSTICE.

Subsection (c)(2) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) Information from the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the following:

''(i) The appellate review process, including—

''(I) information on compliance with processing time goals;

''(II) discussions of the circumstances surrounding cases in which general court-martial or special court-martial convictions are reversed as a result of command influence or denial of the right to a speedy review or otherwise remitted due to loss of records of trial or other administrative deficiencies; and

''(III) discussions of cases in which a provision of this chapter is held unconstitutional.

''(ii) Developments in appellate case law relating to courts-martial involving allegations of sexual misconduct under this chapter.

''(iii) Issues associated with implementing recent, legislatively directed changes to this chapter or the Manual for Courts-Martial.

''(iv) Measures implemented by each armed force to ensure the ability of judge advocates to competently participate as trial and defense counsel in, and preside as military judges over, capital cases, national security cases, sexual assault cases, and proceedings of military commissions.

''(v) The independent views of the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps on the sufficiency of resources available within their respective armed forces, including manpower, funding, training, and officer and enlisted grade structure, to capably perform military justice functions.''.

Subtitle E—Sexual Assault, Hazing, and Related Matters

SEC. 541. AUTHORITY TO RETAIN OR RECALL TO ACTIVE DUTY 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. 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.

''(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 chapter 1209 of such title is amended adding at the end the following new item:

''12323. Active duty for response to sexual assault.''.

SEC. 542. ADDITIONAL ELEMENTS IN COMPREHENSIVE DEPARTMENT OF DEFENSE POLICY ON SEXUAL ASSAULT PREVENTION AND RESPONSE.

(a) ADDITIONAL ELEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall modify the revised comprehensive policy for the Department of Defense sexual assault prevention and response program required by section 1602 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4430; 10 U.S.C. 1561 note) to include in the policy the following:

(1) A requirement to establish within each military department, under regulations prescribed by the Secretary of Defense, an enhanced capability for the investigation, prosecution, and defense of special victim offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) A requirement that each military department initiate and retain for a period prescribed by the Secretary of Defense a record on the disposition of allegations of sexual assault using forms and procedures prescribed by the Secretary.

(3) A requirement that all commanders and commanding officers receive training on sexual assault prevention, response, and policies before, or shortly after, assuming command.

(4) A requirement that all new members of the Armed Forces (whether in the regular or reserve components) receive training on the Department of Defense policy on sexual assault prevention and response program during initial entry training.

(5) A requirement for military commands and units specified by the Secretary of Defense for purposes of the policy to conduct periodic climate assessments of such commands and units for purposes of preventing and responding to sexual assaults.

(6) A requirement to post and widely disseminate information about resources available to report and respond to sexual assaults, including hotline phone numbers and Internet websites available to all members of the Armed Forces.

(7) A requirement to assign responsibility to receive and investigate complaints against members of the Armed Forces and civilian personnel of the Department of Defense for the violation or failure to provide the rights of a crime victim established by section 3771 of title 18, United States Code, as applicable to such members and personnel in accordance with Department of Defense Directive 1030.1, or a successor directive, and Department of Defense Instruction 1030.2, or a successor instruction.

(8) A requirement that each Secretary of a military department establish policies that require that each member of the Armed Forces under the jurisdiction of such Secretary whose conviction for a covered offense is final and who is not punitively discharged from the Armed Forces in connection with such conviction be processed for administrative separation from the Armed Forces, which requirement shall not be interpreted to limit or alter the authority of such Secretary to process members of the Armed Forces for administrative separation for other offenses or under other provisions of law.

(b) DEFINITIONS.—In this section:

(1) The term ''covered offense'' means the following:

(A) Rape or sexual assault under subsection (a) or (b) of section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice).

(B) Forcible sodomy under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice).

(C) An attempt to commit an offense specified in subparagraph (A) or (B) under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(2) The term ''special victim offenses'' means offenses involving allegations of any of the following:

(A) Child abuse.

(B) Rape, sexual assault, or forcible sodomy.

(C) Domestic violence involving aggravated assault.

SEC. 543. HAZING IN THE ARMED FORCES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, each Secretary of a military department shall, in consultation with the Chief of Staff of each Armed Force under the jurisdiction of such Secretary, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on hazing in such Armed Force. Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the committees of Congress referred to in the preceding sentence a report on hazing in the Coast Guard when it is not operating as a service in the Navy, and, for purposes of such report, the Armed Forces shall include the Coast Guard when it is not operating as a service in the Navy.

(b) ELEMENTS.—Each report on an Armed Force required by subsection (a) shall include the following:

(1) A discussion of the policies of the Armed Force for preventing and responding to incidents of hazing.

(2) A description of the methods implemented to track and report, including report anonymously, incidents of hazing in the Armed Force.

(3) An assessment by the Secretary submitting such report of the following:

(A) The scope of the problem of hazing in the Armed Force.

(B) The training on recognizing and preventing hazing provided members of the Armed Force.

(C) The actions taken to prevent and respond to hazing incidents in the Armed Force.

(4) A description of the additional actions, if any, the Secretary submitting such report and the Chief of Staff of the Armed Force propose to take to further address the incidence of hazing in the Armed Force.

SEC. 544. RETENTION OF CERTAIN FORMS IN CONNECTION WITH RESTRICTED REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.

(a) PERIOD OF RETENTION.—The Secretary of Defense shall ensure that all copies of Department of Defense Form 2910 and Department of Defense Form 2911 filed in connection with a Restricted Report on an incident of sexual assault involving a member of the Armed Forces shall be retained for the longer of—

(1) 50 years commencing on the date of signature of the member on Department of Defense Form 2910; or

(2) the time provided for the retention of such forms in connection with Unrestricted Reports on incidents of sexual assault involving members of the Armed Forces under Department of Defense Directive-Type Memorandum (DTM) 11–062, entitled ''Document Retention in Cases of Restricted and Unrestricted Reports of Sexual Assault'', or any successor directive or policy.

(b) PROTECTION OF CONFIDENTIALITY.—Any Department of Defense form retained under subsection (a) shall be retained in a manner that protects the confidentiality of the member of the Armed Forces concerned in accordance with procedures for the protection of confidentiality of information in Restricted Reports under Department of Defense memorandum JTF–SAPR–009, relating to the Department of Defense policy on confidentiality for victims of sexual assault, or any successor policy or directive.

SEC. 545. PREVENTION AND RESPONSE TO SEXUAL HARASSMENT IN THE ARMED FORCES.

(a) COMPREHENSIVE POLICY REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments and the Equal Opportunity Office of the Department of Defense, develop a comprehensive policy to prevent and respond to sexual harassment in the Armed Forces. The policy shall provide for the following:

(A) Training for members of the Armed Forces on the prevention of sexual harassment.

(B) Mechanisms for reporting incidents of sexual harassment in the Armed Forces, including procedures for reporting anonymously.

(C) Mechanisms for responding to and resolving incidents of alleged sexual harassment incidences involving members of the Armed Forces, including through the prosecution of offenders.

(2) REPORT.—Not later than one year 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 the House of Representatives a report setting forth the policy required by paragraph (1).

(b) COLLECTION AND RETENTION OF RECORDS ON DISPOSITION OF REPORTS OF SEXUAL HARASSMENT.—

(1) 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 harassment, whether such disposition is court martial, non-judicial punishment, or other administrative action. The record of any such disposition shall include the following, as appropriate:

(A) Documentary information collected about the incident reported.

(B) 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.

(C) Reasons for the selection of the disposition and punishments selected.

(D) Administrative actions taken, if any.

(E) Any pertinent referrals offered as a result of the incident (such as drug and alcohol counseling and other types of counseling or intervention).

(2) RETENTION.—The Secretary of Defense shall require that—

(A) the records established pursuant to paragraph (1) be retained by the Department of Defense for a period of not less than 50 years; and

(B) a copy of such records be maintained at a centralized location for the same period as applies to retention of the records under subparagraph (A).

(c) ANNUAL REPORT ON SEXUAL HARASSMENT INVOLVING MEMBERS OF THE ARMED FORCES.—

(1) ANNUAL REPORT ON SEXUAL HARASSMENT.—Not later than March 1, 2015, and each March 1 thereafter through March 1, 2018, the Secretary of each military department shall submit to the Secretary of Defense a report on the sexual harassments involving members of the Armed Forces under the jurisdiction of such Secretary during the preceding year. Each Secretary of a military department shall submit the report on a year under this section at the same time as the submittal of the annual report on sexual assaults during that year under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561 note). In the case of the Secretary of the Navy, separate reports shall be prepared under this section for the Navy and the Marine Corps.

(2) CONTENTS.—The report of a Secretary of a military department for an Armed Force under paragraph (1) shall contain the following:

(A) The number of sexual harassments committed against members of the Armed Force that were reported to military officials during the year covered by the report, and the number of the cases so reported that were substantiated.

(B) The number of sexual harassments committed by members of the Armed Force that were reported to military officials during the year covered by the report, and the number of the cases so reported that were substantiated. The information required by this subparagraph may not be combined with the information required by subparagraph (A).

(C) A synopsis of each such substantiated case and, for each such case, the action taken in such case, including the type of disciplinary or administrative sanction imposed, section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(D) The policies, procedures, and processes implemented by the Secretary during the year covered by the report in response to incidents of sexual harassment involving members of that Armed Force.

(E) Any other matters relating to sexual harassment involving members of the Armed Forces that the Secretary considers appropriate.

SEC. 546. ENHANCEMENT OF ANNUAL REPORTS REGARDING SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 1561 note) is amended—

(1) by striking paragraph (3) and inserting the following new paragraph (3):

''(3) A synopsis of each such substantiated case, organized by offense, and, for each such case, the action taken in such case, including the following information:

''(A) The type of disciplinary or administrative sanction imposed, if any, including courts-martial sentences, non-judicial punishments administered by commanding officers pursuant to section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), and administrative separations.

''(B) A description of and rationale for the final disposition and punishment, regardless of type of disciplinary or administrative sanction imposed.

''(C) The unit and location of service at which the incident occurred.

''(D) Whether the accused was previously accused of a substantiated sexual assault or sexual harassment.

''(E) Whether the accused was admitted to the Armed Forces under a moral waiver granted with respect to prior sexual misconduct.

''(F) Whether alcohol was involved in the incident.

''(G) If the member was administratively separated or, in the case of an officer, allowed to resign in lieu of facing a court-martial, the characterization given the service of the member upon separation.''; and

(2) by adding at the end the following new paragraphs

''(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 such application was denied.

''(8) An analysis and assessment of trends in the incidence, disposition, and prosecution of sexual assaults by commands and installations during the year covered by the report, including trends relating to prevalence of incidents, prosecution of incidents, and avoidance of incidents.

''(9) An assessment of the adequacy of sexual assault prevention and response activities carried out by training commands during the year covered by the report.

''(10) An analysis of the specific factors that may have contributed to sexual assault during the year covered by the report, including sexual harassment and substance abuse, an assessment of the role of such factors in contributing to sexual assaults during that year, and recommendations for mechanisms to eliminate or reduce the

incidence of such factors or their contributions to sexual assaults.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply beginning with the report required to be submitted by March 1, 2014, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (as amended by subsection (a)).

Subtitle F—Education and Training

SEC. 551. INCLUSION OF THE SCHOOL OF ADVANCED MILITARY STUDIES SENIOR LEVEL COURSE AS A SENIOR LEVEL SERVICE SCHOOL.

Section 2151(b)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) The Senior Level Course of the School of Advanced Military Studies of the United States Army Command and General Staff College.''.

SEC. 552. MODIFICATION OF ELIGIBILITY FOR ASSOCIATE DEGREE PROGRAMS UNDER THE COMMUNITY COLLEGE OF THE AIR FORCE.

Section 9315(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) Enlisted members of the armed forces other than the Air Force who are participating in joint-service medical training and education or serving as instructors in joint-service medical training and education.''.

SEC. 553. SUPPORT OF NAVAL ACADEMY ATHLETIC PROGRAMS.

(a) IN GENERAL.—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.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Navy may enter into contracts and cooperative agreements with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Naval Academy.

''(2) LEASES.—The Secretary may enter into leases, in accordance with section 2667 of this title, or licenses with the Association for the purpose of supporting the athletic and physical fitness programs of the Naval Academy. Any such lease or license shall be deemed to satisfy the conditions of section 2667(h)(2) of this title.

''(b) USE OF NAVY PERSONAL PROPERTY BY THE ASSOCIATION.—The Secretary may allow the Association to use, at no cost, personal property of the Department of the Navy to assist the Association in supporting the athletic and physical fitness programs of the Naval Academy.

''(c) ACCEPTANCE OF SUPPORT.—

''(1) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic and physical fitness programs of the Naval Academy. For purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

''(2) FUNDS RECEIVED FROM NCAA.—The Secretary may accept funds from the National Collegiate Athletic Association to support the athletic and physical fitness programs of the Naval Academy.

''(3) LIMITATION.—The Secretary shall ensure that contributions under this subsection do not reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Navy, or any individual involved in such a program.

''(d) RETENTION AND USE OF FUNDS.—Notwithstanding section 2260(d) of this title, funds received under this section may be retained for use in support of the Naval Academy athletic program and shall remain available until expended.

''(e) TRADEMARKS AND SERVICE MARKS.—

''(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a)(1) may, consistent with sections 2260 (other than subsection (d)) and 5022(b)(3) of this title, authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Naval Academy, subject to the approval of the Department of the Navy.

''(2) LIMITATIONS.—No such licensing, marketing, or sponsorship agreement may be entered into if it would reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or if the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Navy, or any individual involved in such a program.

''(f) SERVICE ON ASSOCIATION BOARD OF CONTROL.—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

''(g) CONDITIONS.—The authority provided in this section with respect to the Association is available only so long as the Association continues to—

''(1) qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the laws of the State of Maryland, and the constitution and bylaws of the Association; and

''(2) operate exclusively to support the athletic and physical fitness programs of the Naval Academy.

''(h) ASSOCIATION DEFINED.—In this section, the term 'Association' means the Naval Academy Athletic Association.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 603 of such title is amended by adding at the end the following new item:

''6981. Support of athletic and physical fitness programs.''.

SEC. 554. GRADE OF COMMISSIONED OFFICERS IN UNIFORMED MEDICAL ACCESSION PROGRAMS.

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

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: ''Each medical student shall be appointed as a regular officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the regular grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades.''; and

(2) in paragraph (2), by striking ''grade of second lieutenant or ensign'' and inserting ''grade in which the member is serving under paragraph (1)''.

(b) PARTICIPANTS IN HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.—Section 2121(c) of such title is amended—

(1) in paragraph (1), by striking the second sentence and inserting the following new sentences: ''Each person so commissioned shall be appointed as a reserve officer in the grade of second lieutenant or ensign. An officer so appointed may, upon meeting such criteria for promotion as may be prescribed by the Secretary concerned, be appointed in the reserve grade of first lieutenant or lieutenant (junior grade). Medical students commissioned under this section shall serve on active duty in their respective grades for a period of 45 days during each year of participation in the program.''; and

(2) in paragraph (2), by striking ''grade of second lieutenant or ensign'' and inserting ''grade in which the member is serving under paragraph (1)''.

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

(1) in the subsection heading, by striking ''APPOINTMENT AND TREATMENT OF PRIOR ACTIVE SERVICE'' and inserting ''SERVICE ON ACTIVE DUTY''; and

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

''(1) A commissioned officer detailed under subsection (a) shall serve on active duty, subject to the limitations on grade specified in section 2114(b)(1) of this title and with the entitlement to basic pay as specified in section 2114(b)(2) of this title.''.

SEC. 555. AUTHORITY FOR SERVICE COMMITMENT FOR RESERVISTS WHO ACCEPT FELLOWSHIPS, SCHOLARSHIPS, OR GRANTS TO BE PERFORMED IN THE SELECTED RESERVE.

(a) IN GENERAL.—Subsection (b) of section 2603 of title 10, United States Code, is amended by striking ''on active duty'' and all that follows and inserting the following: ''as follows:

''(1) On active duty for a period at least three times the length of the period of the education or training.

''(2) In the case of a member of the Selected Reserve—

''(A) on active duty in accordance with paragraph (1); or

''(B) in the Selected Reserve for a period at least five times the length of the period of the education or training.''.

(b) TECHNICAL AMENDMENTS.—Such section is further amended by striking ''Armed Forces'' each place it appears and inserting ''armed forces''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to agreements entered into under section 2603(b) of title 10, United States Code, after the date of the enactment of this Act.

SEC. 556. REPEAL OF REQUIREMENT FOR ELIGIBILITY FOR IN-STATE TUITION OF AT LEAST 50 PERCENT OF PARTICIPANTS IN SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

Section 2107(c)(1) of title 10, United States Code, is amended by striking the third sentence.

SEC. 557. MODIFICATION OF REQUIREMENTS ON PLAN TO INCREASE THE NUMBER OF UNITS OF THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) NUMBER OF UNITS COVERED BY PLAN.—Subsection (a) of section 548 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4466) is amended by striking ''not less than 3,700 units'' and inserting ''not less than 3,000, and not more than 3,700, units''.

(b) ADDITIONAL EXCEPTION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''or'' at the end;

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

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

''(3) if the Secretaries of the military departments determine that the level of support of all kinds (including, but not limited to, appropriated funds) provided to youth development programs within the Armed Forces is consistent with funding limitations and the achievement of the objectives of such programs.''.

(c) SUBMITTAL OF REPORTS.—Subsection (e) of such section is amended by striking ''not later than'' and all that follows and inserting ''annually through 2012, and thereafter not later than March 31 of each of 2015, 2018, and 2020.''.

SEC. 558. CONSOLIDATION OF MILITARY DEPARTMENT AUTHORITY TO ISSUE ARMS, TENTAGE, AND EQUIPMENT TO EDUCATIONAL INSTITUTIONS NOT MAINTAINING UNITS OF THE JUNIOR ROTC.

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

''§ 2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers' Training Corps

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

''(1) offers a course in military instruction prescribed by that Secretary; and

''(2) has a student body of at least 50 students who are in a grade above the eighth grade.''.

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

(c) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of chapter 152 of such title is amended by inserting after the item relating to section 2552 the following new item:

''2552a. Arms, tentage, and equipment: educational institutions not maintaining units of Junior Reserve Officers' Training Corps''.

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

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

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

SEC. 559. MODIFICATION OF REQUIREMENT FOR REPORTS IN FEDERAL REGISTER ON INSTITUTIONS OF HIGHER EDUCATION INELIGIBLE FOR CONTRACTS AND GRANTS FOR DENIAL OF ROTC OR MILITARY RECRUITER ACCESS TO CAMPUS.

Section 983 of title 10, United States Code, is amended by striking subsection (f).

SEC. 560. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE RESERVE OFFICERS' TRAINING CORPS.

(a) REPORT REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General regarding the following:

(1) Whether the Reserve Officers' Training Corps (ROTC) programs of the Departments of the Army, the Navy, and the Air Force are effectively meeting, and structured to meet, current and projected requirements for newly commissioned officers in the Armed Forces.

(2) The cost-effectiveness and unit productivity of the current Reserve Officers' Training Corps programs.

(3) The adequacy of current oversight and criteria for unit closure for the Reserve Officers' Training Corps programs.

(b) ELEMENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) A list of the units of the Reserve Officers' Training Corps programs by Armed Force, and by college or university, and the number of cadets and midshipman currently enrolled by class or year group.

(2) The number of officers commissioned in 2012 from the Reserve Officers' Training Corps programs, and the number projected to be commissioned over the period of the current future-years defense program under section 221 of title 10, United States Code, from each unit listed under paragraph (1).

(3) An assessment of the requirements of each Armed Force for newly commissioned officers in 2012 and the strategic planning regarding such requirements over the period of the current future-years defense program.

(4) The number of military and civilian personnel of the Department of Defense assigned to lead and manage Reserve Officers' Training Corps program units, and the grades of the military personnel so assigned.

(5) An assessment of Department of Defense-wide and Armed-Force specific standards regarding the productivity of Reserve Officers' Training Corps program units, and an assessment of compliance with such standards.

(6) An assessment of the projected use by the Armed Forces of the procedures available to the Armed Forces to respond to overages in the number of cadets and midshipmen in the Reserve Officers' Training Corps programs.

(7) A description of the plans of the Armed Forces to retain or disestablish Reserve Officers' Training Corps program units that do not meet productivity standards.

SEC. 561. REPORT ON DEPARTMENT OF DEFENSE EFFORTS TO STANDARDIZE EDUCATIONAL TRANSCRIPTS ISSUED TO SEPARATING MEMBERS OF THE ARMED FORCES.

(a) REPORT REQUIRED.—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 the House of Representatives a report on the efforts of the Department of Defense to standardize the educational transcripts issued to members of the Armed Forces on their separation from the Armed Forces.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the similarities and differences between the educational transcripts issued to members separating from the various Armed Forces.

(2) A description of any assessments done by the Department, or in conjunction with educational institutions, to identify shortcomings in the transcripts issued to separating members in connection with their ability to qualify for civilian educational credits.

(3) A description of the implementation plan for the Joint Services Transcript, including a schedule and the elements of existing educational transcripts to be incorporated into the Transcript.

SEC. 562. COMPTROLLER GENERAL OF THE UNITED STATES REPORTS ON JOINT PROFESSIONAL MILITARY EDUCATION MATTERS.

(a) REPORT ON REVIEW OF MILITARY EDUCATION COORDINATION COUNCIL REPORT.—

(1) REVIEW OF METHODOLOGY.—The Comptroller General of the United States shall review the methodology used by the Military Education Coordination Council in compiling the report on joint professional military education that is to be submitted to the Director of Joint Force Development by March 1, 2013, pursuant to the Joint Staff Memorandum, Joint Staff Review, dated July 16, 2012. The review shall include an examination of the analytical approach used by the Council for that report, including the types of information considered, the cost savings identified, the benefits of options considered, the time frames for implementation, and transparency.

(2) REPORT.—Not later than 90 days after receiving from the Director of Joint Force Development the report described in paragraph (1), the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the review under paragraph (1) of the report described in that paragraph. The report of the Comptroller General under this paragraph shall set forth the following:

(A) The results of the review under paragraph (1).

(B) Such recommendations as the Comptroller General considers appropriate in light of the results of the review.

(b) REPORT ON JOINT PROFESSIONAL MILITARY EDUCATION RESEARCH INSTITUTIONS.—

(1) REPORT REQUIRED.—Not later than January 31, 2014, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment by the Comptroller General of the work performed by joint professional military education research institutions in support of professional military education and the broader mission of the Department of Defense, the military departments, and the Defense Agencies.

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of the following:

(A) The systems, mechanisms, and structures within the senior and intermediate joint professional military education colleges and universities for oversight, governance, and management of the joint professional military education research institutions, including systems, mechanisms, and structures relating to the development of policies and budgets for research.

(B) The factors contributing to and the extent of growth in the number and size of joint professional military education research institutions since 2000.

(C) The causes and extent of cost growth at joint professional military education research institutions since 2000.

(D) The focus of research activity conducted by the joint professional military education research institutions, and the extent to which each joint professional military education research institution performs a unique research function or engages in similar or duplicative efforts with other components or elements of the Department of Defense.

(E) The measures of effectiveness used by the joint professional military education research institutions, the senior and intermediate joint professional military education colleges and universities, and other oversight entities to evaluate the performance of the joint professional military education research institutions in meeting established goals or objectives.

(3) DEFINITIONS.—In this subsection:

(A) The term ''joint professional military education research institutions'' means subordinate organizations (including centers, institutes, and schools) under the senior and intermediate joint professional military education colleges and universities for which research is the primary mission or reason for existence.

(B) The term ''senior and intermediate joint professional military education colleges and universities'' means the following:

(i) The National Defense University.

(ii) The Army War College.

(iii) The Navy War College.

(iv) The Air University.

(v) The Air War College.

(vi) The Marine Corp University.

SEC. 563. TROOPS-TO-TEACHERS PROGRAM ENHANCEMENTS.

(a) MEMORANDUM OF AGREEMENT.—The Secretary of Defense and the Secretary of Education shall enter into a memorandum of agreement pursuant to which the Secretary of Education will undertake the following:

(1) Disseminate information about the Troops-to-Teachers Program to eligible schools (as defined in section 2301(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671(3)), as added by subsection (b)(2)).

(2) Advise the Department of Defense on how to prepare eligible members of the Armed Forces described in section 2303(a) of such Act to become participants in the Program to meet the requirements necessary to become a teacher in an eligible school.

(3) Advise the Department of Defense on how to identify teacher preparation programs for participants in the Program.

(4) Inform the Department of Defense of academic subject areas with critical teacher shortages.

(5) Identify geographic areas with critical teacher shortages, especially in high-need schools (as defined in section 2301(4) of such Act, as added by subsection (b)(2)).

(b) DEFINITIONS.—Section 2301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671) is amended—

(1) by redesignating paragraphs (2) through (5) as paragraphs (5) through (8), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) CHARTER SCHOOL.—The term 'charter school' has the meaning given that term in section 5210.

''(3) 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 of the Education Amendments of 1978 (25 U.S.C. 2021).

''(4) HIGH-NEED SCHOOL.—Except for purposes of section 2304(d), the term 'high-need school' means—

''(A) an elementary school 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 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).''.

(c) PROGRAM AUTHORIZATION.—Section 2302 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6672(b)) is amended by striking subsections (b) through (e) and inserting the following:

''(b) PROGRAM AUTHORIZED.—The Secretary may carry out a program (to be known as the 'Troops-to-Teachers Program') to assist eligible members of the Armed Forces described in section 2303(a) to obtain certification or licensing as elementary school teachers, secondary school teachers, or vocational or technical teachers to meet the requirements necessary to become a teacher in an eligible school.''.

(d) YEARS OF SERVICE REQUIREMENTS.—Section 2303(a)(2)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6673(a)(2)(A)(i)) is amended by striking ''6 or more years'' and inserting ''4 or more years''.

(e) PARTICIPATION AGREEMENT.—

(1) AMENDMENT.—Section 2304 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6674) is amended—

(A) by striking paragraph (1) of subsection (a) and inserting the following:

''(1) IN GENERAL.—An eligible member of the Armed Forces selected to participate in the Program under section 2303 and to receive financial assistance under this section shall be required to enter into an agreement with the Secretary in which the member agrees—

''(A) within such time as the Secretary may require, to obtain certification or licensing as an elementary school teacher, secondary school teacher, or vocational or technical teacher to meet the requirements necessary to become a teacher in an eligible school; and

''(B) to accept an offer of full-time employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher for not less than 3 school years in an eligible school, to begin the school year after obtaining that certification or licensing.''; and

(B) by striking subsection (f) and inserting the following:

''(f) REIMBURSEMENT UNDER CERTAIN CIRCUMSTANCES.—A participant who is paid a stipend or bonus shall be subject to the repayment provisions of section 373 of title 37, United States Code under the following circumstances:

''(1) FAILURE TO OBTAIN QUALIFICATIONS OR EMPLOYMENT.—The participant fails to obtain teacher certification or licensing or to meet the requirements necessary to become a teacher in an eligible school or to obtain employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher as required by the participation agreement.

''(2) TERMINATION OF EMPLOYMENT.—The participant voluntarily leaves, or is terminated for cause from, employment as an elementary school teacher, secondary school teacher, or vocational or technical teacher during the 3 years of required service in violation of the participation agreement.

''(3) FAILURE TO COMPLETE SERVICE UNDER RESERVE COMMITMENT AGREEMENT.—The participant executed a written agreement with the Secretary concerned under section 2303(e)(2) to serve as a member of a reserve component of the Armed Forces for a period of 3 years and fails to complete the required term of service.''.

(f) EFFECTIVE DATE.—The amendments made by subsections (b) through (e) 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.

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

SEC. 571. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2013 pursuant to 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 for payments under section 363 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–77; 20 U.S.C. 7703a).

SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 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) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 573. AMENDMENTS TO THE IMPACT AID PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Impact Aid Improvement Act of 2012''.

(b) AMENDMENTS TO THE IMPACT AID PROGRAM.—Title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) is amended—

(1) in section 8002 (20 U.S.C. 7702)—

(A) in subsection (b)—

(i) in paragraph (2), by striking ''aggregate assessed'' and inserting ''estimated taxable''; and

(ii) by striking paragraph (3) and inserting the following:

''(3) DETERMINATION OF TAXABLE VALUE FOR ELIGIBLE FEDERAL PROPERTY.—

''(A) IN GENERAL.—In determining the estimated taxable value of such acquired Federal property for fiscal year 2010 and each succeeding fiscal year, the Secretary shall—

''(i) first determine the total taxable value for the purpose of levying property tax for school purposes for current expenditures of real property located within the boundaries of such local educational agency;

''(ii) then determine the total taxable value of the eligible Federal property by dividing the total taxable value as determined in clause (i) by the difference between the total acres located within the boundaries of the local educational agency and the number of Federal acres eligible under this section; and

''(iii) multiply the per acre value as calculated under clause (ii) by the number of Federal acres eligible under this section.

''(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies, such a local educational agency may ask the Secretary to calculate the per acre value of each such local educational agency as provided under subparagraph (A) and apply the average of these per acre values to the acres of the Federal property in such agency.'';

(B) in subsection (h)—

(i) in paragraph (1)—

(I) in the paragraph heading, by striking ''FOR PRE-1995 RECIPIENTS'';

(II) in subparagraph (A), by striking ''is eligible'' and all that follows through the period at the end and inserting ''was eligible to receive a payment under this section for fiscal year 2010.''; and

(III) in subparagraph (B), by striking ''38 percent'' and all that follows through the period at the end and inserting ''90 percent of the average payment the local educational agency received in 2006, 2007, 2008, and 2009.''; and

(ii) by striking paragraphs (2) through (4) and inserting the following:

''(2) FOUNDATION PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES DETERMINED ELIGIBLE AFTER FISCAL YEAR 2010.—

''(A) FIRST YEAR.—From any amounts remaining after making payments under paragraph (1) and subsection (i)(1) for the fiscal year involved, the Secretary shall make a payment, in an amount determined in accordance with subparagraph (C), to each local educational agency that the Secretary determines eligible for a payment under this section for a fiscal year after fiscal year 2010, for the fiscal year for which such agency was determined eligible for such payment.

''(B) SECOND AND SUCCEEDING YEARS.—For any succeeding fiscal year after the first fiscal year that a local educational agency receives a foundation payment under subparagraph (A), the amount of the local educational agency's foundation payment under this paragraph for such succeeding fiscal year shall be equal to the local educational agency's foundation payment under this paragraph for the first fiscal year.

''(C) AMOUNTS.—The amount of a payment under subparagraph (A) for a local educational agency shall be determined as follows:

''(i) Calculate the local educational agency's maximum payment under subsection (b).

''(ii) Calculate the percentage that the amount appropriated under section 8014(a) for the most recent fiscal year for which the Secretary has completed making payments under this section is of the total maximum payments for such fiscal year for all local educational agencies eligible for a payment under subsection (b) and multiply the agency's maximum payment by such percentage.

''(iii) Multiply the amount determined under clause (ii) by 90 percent.

''(3) REMAINING FUNDS.—From any funds remaining after making payments under paragraphs (1) and (2) for the fiscal year involved, the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) or (2) or subsection (i)(1), for the fiscal year involved in an amount that bears the same relation to the remainder as a percentage share determined for the local educational agency (by dividing the maximum amount that the agency is eligible to receive under subsection (b) by the total of the maximum amounts for all such agencies) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that, for the purpose of calculating a local educational agency's maximum amount under subsection (b), data from the most current fiscal year shall be used.''; and

(C) in subsection (i)(1), by striking ''the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved'' and inserting ''the Secretary shall use amounts remaining after making payments under subsection (h)(1) for the fiscal year involved'';

(2) in section 8003(a)(4) (20 U.S.C. 7703(a)(4))—

(A) in the paragraph heading, by striking ''RENOVATION OR REBUILDING'' and inserting ''RENOVATION, REBUILDING, OR AUTHORIZED FOR DEMOLITION'';

(B) in subparagraph (A), by striking ''renovation or rebuilding'' both places the term appears and inserting ''renovation, rebuilding, or authorized for demolition'';

(C) in subparagraph (B)—

(i) by striking ''renovation or rebuilding'' each place the term appears and inserting ''renovation, rebuilding, or authorized for demolition''; and

(ii) in clause (i)(I), by striking ''3 fiscal years'' and inserting ''4 fiscal years (which are not required to run consecutively)''; and

(iii) in clause (ii)(I), by striking ''3 fiscal years'' and inserting ''4 fiscal years (which are not required to run consecutively)''; and

(D) by adding at the end the following:

''(C) ELIGIBLE HOUSING.—Renovation, rebuilding, or authorized for demolition shall be defined as projects considered as recapitalization, modernization, or restoration as defined by the Secretary of Defense or the Secretary of the Interior (as the case may be) and are projects that last more than 30 days, but do not include 'sustainment projects' such as painting, carpeting, or minor repairs.''; and

(3) in section 8010 (20 U.S.C. 7710)—

(A) in subsection (c)—

(i) in paragraph (1), by striking ''paragraph (3) of this subsection'' both places the term appears and inserting ''paragraph (2)''; and

(ii) in paragraph (2)(E), by striking ''under section 8003(b)'' and all that follows through the period at the end and inserting ''under this title.''; and

(B) by adding at the end the following:

''(d) TIMELY PAYMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall pay a local educational agency the full amount that the agency is eligible to receive under this title for a fiscal year not later than September 30 of the second fiscal year following the fiscal year for which such amount has been appropriated if, not later than 1 calendar year following the fiscal year in which such amount has been appropriated, such local educational agency submits to the Secretary all the data and information necessary for the Secretary to pay the full amount that the agency is eligible to receive under this title for such fiscal year.

''(2) PAYMENTS WITH RESPECT OF FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For a fiscal year in which the amount appropriated under section 8014 is insufficient to pay the full amount a local educational agency is eligible to receive under this title, paragraph (1) shall be applied by substituting 'is available to pay the agency' for 'the agency is eligible to receive' both places the term appears.''.

(c) EFFECTIVE DATE.—Notwithstanding section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)), subsection (b)(1), and the amendments made by subsection (b)(1), shall take effect with respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) for fiscal year 2010.

SEC. 574. MILITARY SPOUSES.

(a) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end the following:

''§ 3330d. Appointment of certain military spouses

''(a) DEFINITIONS.—In this section—

''(1) the term 'active duty'—

''(A) has the meaning given that term in section 101(d)(1) of title 10;

''(B) includes full-time National Guard duty (as defined in section 101(d)(5) of title 10); and

''(C) for a member of a reserve component (as described in section 10101 of title 10), does not include training duties or attendance at a service school;

''(2) the term 'agency'—

''(A) has the meaning given the term 'Executive agency' in section 105; and

''(B) does not include the Government Accountability Office;

''(3) the term 'geographic area of the permanent duty station' means the area from which individuals reasonably can be expected to travel daily to and from work at the location of a member's permanent duty station;

''(4) the term 'permanent change of station' means the assignment, detail, or transfer of a member of the Armed Forces who is on active duty and serving at a permanent duty station under a competent authorization or order that does not—

''(A) specify the duty as temporary;

''(B) provide for assignment, detail, or transfer, after that different permanent duty station, to a further different permanent duty station; or

''(C) direct return to the initial permanent duty station;

''(5) the term 'relocating spouse of a member of the Armed Forces' means an individual who—

''(A) is married to a member of the Armed Forces (without regard to whether the individual married the member before a permanent change of station of the member) who is ordered to active duty for a period of more than 180 consecutive days;

''(B) relocates to the member's permanent duty station; and

''(C) before relocating as described in subparagraph (B), resided outside the geographic area of the permanent duty station; and

''(6) the term 'spouse of a disabled or deceased member of the Armed Forces' means an individual—

''(A) who is married to a member of the Armed Forces who—

''(i) is retired, released, or discharged from the Armed Forces; and

''(ii) on the date on which the member retires, is released, or is discharged, has a disability rating of 100 percent under the standard schedule of rating disabilities in use by the Department of Veterans Affairs; or

''(B) who—

''(i) was married to a member of the Armed Forces on the date on which the member dies while on active duty in the Armed Forces; and

''(ii) has not remarried.

''(b) AUTHORITY.—The head of an agency may appoint noncompetitively a relocating spouse of a member of the Armed Forces or a spouse of a disabled or deceased member of the Armed Forces.

''(c) RELOCATING SPOUSES.—

''(1) IN GENERAL.—An appointment of a relocating spouse of a member of the Armed Forces under this section may only be to a position the duty station for which is within the geographic area of the permanent duty station of the member of the Armed Forces, unless there is no agency with a position with a duty station within the geographic area of the permanent duty station of the member of the Armed Forces.

''(2) SINGLE APPOINTMENT PER DUTY STATION.—A relocating spouse of a member of the Armed Forces may not receive more than 1 appointment under this section for each time the spouse relocates as described in subparagraphs (B) and (C) of subsection (a)(5).''.

(b) REGULATIONS.—Not later than 180 after the date of enactment of this Act, the Director of the Office of Personnel Management shall amend section 315.612 of title 5, Code of Federal Regulations (relating to noncompetitive appointment of certain military spouses) in accordance with the amendment made by subsection (a) and promulgate or amend any other regulations necessary to carry out the amendment made by subsection (a).

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to section 3330c the following:

''3330d. Appointment of certain military spouses.''.

SEC. 575. 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) TUITION-FREE ENROLLMENT IN DOMESTIC DEPENDENT SCHOOLS FOR CERTAIN OVERSEAS DEPENDENTS.—Tuition-free enrollment in the domestic dependent elementary and secondary schools is authorized for dependents who are currently enrolled in the defense dependents' education school system pursuant to the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) if—

''(1) such dependents departed their overseas location due to an authorized departure or evacuation order;

''(2) the designated safe haven of such dependents is located within commuting distance of a school operated by the domestic dependent elementary and secondary schools; and

''(3) the school concerned already possesses the capacity and resources for such dependents to attend the school.

''(l) TUITION-PAYING ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM FOR CERTAIN DEPENDENTS TRANSITIONING FROM OVERSEAS.—Under regulations prescribed by the Secretary, tuition-paying enrollment in the virtual elementary and secondary education program of the Department for dependents of members of the armed forces on active duty is authorized when such dependents—

''(1) transition from an overseas defense dependents' education system school into a school operated by a local educational agency or another accredited educational program in the United States, and

''(2) are not otherwise eligible to enroll in a domestic dependent elementary or secondary school pursuant to subsection (a).''.

SEC. 576. SENSE OF CONGRESS REGARDING SUPPORT FOR YELLOW RIBBON DAY.

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

(1) The hopes and prayers of the people of the United States for the safe return of members of the Armed Forces of the United States serving overseas are often demonstrated through the proud display of yellow ribbons.

(2) The designation of a ''Yellow Ribbon Day'' would serve as an additional reminder for all people of the United States 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 other individuals of the United States who are serving in combat or crisis situations overseas.

(b) SENSE OF CONGRESS.—Congress supports the goals and ideals of Yellow Ribbon Day in honor of members of the Armed Forces of the United States who are serving overseas apart from their families and loved ones.

SEC. 577. REPORT ON FUTURE OF FAMILY SUPPORT PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the anticipated future of the family support programs of the Department of Defense during the five-year period beginning on the date of the submittal of the report as end strengths for the Armed Forces are reduced and the Armed Forces are drawn down from combat operations in Afghanistan.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the current family support programs of each of the Armed Forces and the Department of Defense, including the name, scope and intended purpose of each program.

(2) An assessment of the current costs of the family support programs covered by paragraph (1), and an estimate of the costs of anticipated family support programs of the Department over the period covered by the report.

(3) An assessment of the costs and other consequences associated with the elimination or reduction of any current family support programs of the Department over the period covered by the report.

(4) An assessment by the Secretary of the Army of the Family Readiness Support Assistant program, and a description of any planned or anticipated changes to that program over the period covered by the report.

Subtitle H—Other Matters

SEC. 581. FAMILY BRIEFINGS CONCERNING ACCOUNTINGS FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING.

Section 1501(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(D) coordination of periodic briefing of families of missing persons about the efforts of the Department of Defense to account for those persons.''.

SEC. 582. ENHANCEMENT OF AUTHORITY TO ACCEPT GIFTS AND SERVICES.

(a) ACTIVITIES BENEFITTING EDUCATION AS SERVICES SUBJECT TO ACCEPTANCE.—Section 2601(i)(2) of title 10, United States Code, is amended by inserting ''education,'' before ''morale,''.

(b) ACCEPTANCE OF VOLUNTARY SERVICES IN CONNECTION WITH ACCOUNTING FOR MISSING PERSONS.—Section 1588(a) of such title is amended by adding at the end the following new paragraph:

''(9) Voluntary services to facilitate accounting for missing persons.''.

(c) AUTHORITY FOR COOPERATIVE AGREEMENTS FOR ACCEPTANCE BY MILITARY MUSEUMS AND EDUCATION PROGRAMS OF NONPROFIT SUPPORT.—

(1) IN GENERAL.—Chapter 155 of such title is amended by adding at the end the following new section:

''§2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities

''The Secretary concerned may enter into a cooperative agreement (as described in section 6305 of title 31) with a nonprofit entity for purposes related to support of a military educational institution program or military museum program if a cooperative agreement is the appropriate mechanism to obtain such support under the provisions of section 6305 of title 31.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 155 of such title is amended by adding at the end the following new item:

''2615. Military museums and military education programs: cooperative agreements for receipt of support from nonprofit entities.''.

SEC. 583. CLARIFICATION OF AUTHORIZED FISHER HOUSE RESIDENTS AT THE FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION AT DOVER AIR FORCE BASE, DELAWARE.

(a) TREATMENT OF FISHER HOUSE FOR THE FAMILIES OF THE FALLEN AND MEDITATION PAVILION.—Subsection (a) of section 2493 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''by patients'' and all that follows through ''such patients;'' and inserting ''by authorized Fisher House residents;''; and

(B) by adding after subparagraph (C) the following new flush sentence:

''The term 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

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

''(3) The term 'authorized Fisher House residents' means the following:

''(A) With respect to a facility described in the first sentence of 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) Others providing the equivalent of familial support for such patients.

''(B) With respect to the Fisher House for Families of the Fallen and Meditation Pavilion at Dover Air Force Base, Delaware, 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 SUPERSEDED AUTHORITY.—Section 643 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1466) is repealed.

SEC. 584. REPORT ON ACCURACY OF DATA IN THE DEFENSE ENROLLMENT ELIGIBILITY REPORTING SYSTEM.

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 the House of Representatives a plan to improve the completeness and accuracy of the data contained in the Defense Enrollment Eligibility Reporting System (DEERS) in order to provide for the standardization of identification credentials required for eligibility, enrollment, transactions, and updates across all Department of Defense installations and to ensure that those issued military identification cards and receiving benefits based on such data are actually eligible for such cards and benefits.

SEC. 585. POSTHUMOUS HONORARY PROMOTION OF SERGEANT PASCHAL CONLEY TO SECOND LIEUTENANT IN THE ARMY.

Notwithstanding the time limitation specified in section 1521 of title 10, United States Code, or any other time limitation with respect to posthumous promotions for persons who served in the Armed Forces, the President is authorized to issue an appropriate posthumous honorary commission promoting to second lieutenant in the Army under section 1521 of such title Sergeant (retired) Paschal Conley, a distinguished Buffalo Soldier who was recommended for promotion to second lieutenant under then-existing procedures by General John J. Pershing.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. RATES OF BASIC ALLOWANCE FOR HOUSING FOR ARMY NATIONAL GUARD AND AIR NATIONAL GUARD MEMBERS ON FULL-TIME NATIONAL GUARD DUTY.

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 on full-time National Guard duty shall be based on the member's duty location.

''(B)(i) The rate of basic allowance for housing to be paid a member described in subparagraph (A) may not be modified 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, unless the transition results in a permanent change of station and shipment of household goods.

''(ii) For purposes of this subparagraph, a break in active service occurs when one or more calendar days between active service periods do not qualify as active service.''.

SEC. 602. 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) 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.

(f) 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).

SEC. 603. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2012'' and inserting ''December 31, 2013''.

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 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 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 '', in the case of'' the first place it appears and all that follows through ''reserve component of the armed forces''.

Subtitle C—Travel and Transportation Allowances

SEC. 631. PERMANENT CHANGE OF STATION ALLOWANCES FOR MEMBERS OF SELECTED RESERVE UNITS FILLING A VACANCY IN ANOTHER UNIT AFTER BEING INVOLUNTARILY SEPARATED.

(a) TRAVEL AND TRANSPORTATION ALLOWANCES GENERALLY.—Section 474 of title 37, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; and''; and

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

''(6) upon filling a vacancy in a Selected Reserve unit at a duty station that is more than 150 miles from the member's residence if—

''(A) during the preceding three years the member was involuntarily separated under other than adverse conditions (as characterized by the Secretary concerned) while assigned to a unit of the Selected Reserve certified by the Secretary concerned as having been adversely affected by force structure reductions during the period beginning on October 1, 2012, and ending on December 31, 2018;

''(B) the involuntary separation occurred during the period beginning on October 1, 2012, and ending on December 31, 2018; and

''(C) the member is—

''(i) qualified in a skill designated as critically short by the Secretary concerned; or

''(ii) filling a vacancy in a Selected Reserve unit with a critical manpower shortage, or in a pay grade with a critical manpower shortage in such unit.'';

(2) in subsection (f), by adding at the end the following new paragraph:

''(4)(A) A member may be provided travel and transportation allowances under subsection (a)(6) only with respect to the filling of a vacancy in a Selected Reserve unit one time.

''(B) Regulations under this section shall provide that whenever travel and transportation allowances are paid under subsection (a)(6), the cost shall be borne by the unit filling the vacancy.''; and

(3) in subsection (j), by striking ''In this'' and inserting ''Other than in subsection (a)(6), in this''.

(b) TRAVEL AND TRANSPORTATION ALLOWANCES FOR DEPENDENTS AND HOUSEHOLD EFFECTS.—Section 476 of such title is amended—

(1) by redesignating subsections (l), (m), and (n) as subsections (m), (n), and (o); and

(2) by inserting after subsection (k) the following new subsection (l)

''(l)(1) A member described in paragraph (2) is entitled to the travel and transportation allowances, including allowances with respect to dependents, authorized by this section upon filling a vacancy as described in that paragraph as if the member were undergoing a permanent change of station under orders in filling such vacancy.

''(2) A member described in this paragraph is a member who is filling a vacancy in a Selected Reserve unit at a duty station that is more than 150 miles from the member's residence if—

''(A) during the three years preceding filling the vacancy, the member was involuntarily separated under other than adverse conditions (as characterized by the Secretary concerned) while assigned to a unit of the Selected Reserve certified by the Secretary concerned as having been

adversely affected by force structure reductions during the period beginning on October 1, 2012, and ending on December 31, 2018;

''(B) the involuntary separation occurred during the period beginning on October 1, 2012, and ending on December 31, 2018; and

''(C) the member is—

''(i) qualified in a skill designated as critically short by the Secretary concerned; or

''(ii) filling a vacancy in a Selected Reserve unit with a critical manpower shortage, or in a pay grade with a critical manpower shortage in such unit.

''(3) Any allowances authorized by this section that are payable under this subsection may be payable in advance if payable in advance to a member undergoing a permanent change of station under orders under the applicable provision of this section.''.

SEC. 632. AUTHORITY FOR COMPREHENSIVE PROGRAM FOR SPACE-AVAILABLE TRAVEL ON DEPARTMENT OF DEFENSE AIRCRAFT.

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

''§ 2641c. Space-available travel on Department of Defense aircraft

''(a) AUTHORITY TO ESTABLISH PROGRAM.—(1) The Secretary of Defense may establish a program to provide transportation on Department of Defense aircraft on a space-available basis.

''(2) The program shall be conducted pursuant to regulations prescribed by the Secretary for purposes of this section. Such regulations shall be prescribed by not later than January 1, 2014, and shall take effect on that date or such earlier date as the Secretary shall specify in such regulations.

''(3) The program shall be conducted in a budget neutral manner. No additional funds may be used, or flight hours performed, for the provision of transportation under the program.

''(b) BENEFIT.—If the Secretary establishes a program authorized by subsection (a), the Secretary shall, subject to section (c), provide the benefit under the program to the following categories of individuals:

''(1) Members of the armed forces on active duty.

''(2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

''(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components, who, but for being under the eligibility age applicable under section 12731 of this title, would be eligible for retired pay under chapter 1223 of this title.

''(4) The unremarried spouses of members of the armed forces who were killed on active duty or otherwise died in the line of duty, and the unremarried spouses of former members of the armed forces who died of a combat-related illness or injury, who hold a valid Uniformed Services Identification and Privilege Card.

''(5) Such categories of dependents of individuals described in paragraphs (1) through (3) as the Secretary shall specify in the regulations under subsection (a), under such conditions and circumstances as the Secretary shall specify in such regulations.

''(6) Such other categories of individuals as the Secretary, in the discretion of the Secretary, considers appropriate.

''(c) ADMINISTRATION.—In carrying out a program under this section, the Secretary shall—

''(1) in the sole discretion of the Secretary, establish an order of priority for transportation under the program for categories of individuals under subsection (b) that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

''(2) give priority in consideration of transportation under the program to the demands of members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such demands; and

''(3) implement policies aimed at ensuring cost control and the safety, security, and efficient processing of travelers, including limiting the benefit under the program to one or more categories of individuals set forth in subsection (b) if considered necessary by the Secretary.

''(d) CONSTRUCTION.—The authority to provide transportation under this section is in addition to any other authority under law to provide transportation on Department of Defense aircraft on a space-available basis.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by inserting after the item relating to section 2641b the following new item:

''2641c. Space-available travel on Department of Defense aircraft.''.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

SEC. 641. 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 TERMINATION OF PAYMENT OF 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 for the purposes of chapter 84 of title 5,'' 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 for the purposes of chapter 84 of title 5,'' after ''chapter 83 of title 5,'';

(2) by inserting ''or 8146(a)'' after ''8339(j)''; and

(3) by inserting ''or 8442(a)'' after ''8341(b).''

(c) APPLICABILITY.—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.

SEC. 642. REPEAL OF AUTOMATIC ENROLLMENT IN FAMILY SERVICEMEMBERS' GROUP LIFE INSURANCE FOR MEMBERS OF THE ARMED FORCES MARRIED TO OTHER MEMBERS.

Section 1967(a)(1) of title 38, United States Code, is amended—

(1) in subparagraph (A)(ii), by inserting after ''insurable dependent of the member'' the following: ''(other than a dependent who is also a member of a uniformed service and, because of such membership, automatically insured under this paragraph)''; and

(2) in subparagraph (C)(ii), by inserting after ''insurable dependent of the member'' the following: ''(other than a dependent who is also a member of a uniformed service and, because of such membership, automatically insured under this paragraph)''.

SEC. 643. CLARIFICATION OF COMPUTATION OF COMBAT-RELATED SPECIAL COMPENSATION FOR CHAPTER 61 DISABILITY RETIREES.

(a) IN GENERAL.—Section 1413a(b)(3) of title 10, United States Code, is amended by striking ''shall be reduced by the amount (if any) by which the amount of the member's retired pay under chapter 61 of this title exceeds'' both places it appears and inserting ''may not, when combined with the amount of retired pay payable to the retiree after any such reduction under sections 5304 and 5305 of title 38, cause the total of such combined payment to exceed''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply to payments for months beginning on or after that date.

Subtitle E—Military Lending Matters

SEC. 651. ENHANCEMENT OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) CONSUMER CREDIT.—Paragraph (6) of section 987(i) of title 10, United States Code, is amended to read as follows:

''(6) CONSUMER CREDIT.—

''(A) IN GENERAL.—The term 'consumer credit' shall be defined by the Secretary of Defense in regulations prescribed under this section, and shall include, in addition to any other meaning provided for in such regulations, the following:

''(i) A vehicle title loan for any duration, whether open end or closed end.

''(ii) A payday loan for any duration, whether open end or closed end.

''(iii) A tax refund anticipation loan.

''(B) EXCLUSIONS.—The term 'consumer credit' does not include the following:

''(i) A residential mortgage.

''(ii) A loan procured in the course of purchasing a car or other personal property, when that loan is offered for the express purpose of financing the purchase and is secured by the car or personal property procured.''.

(b) POLICY ON PREDATORY EXTENSION OF CREDIT THROUGH INSTALLMENT LOANS TARGETING MEMBERS OF THE ARMED FORCES AND DEPENDENTS.—

(1) POLICY REQUIRED.—The Secretary of Defense shall, in consultation with the officials and entities specified in section 987(h)(3) of title 10, United States Code, prescribe a policy on the predatory extension of credit through installment loans targeting members of the Armed Forces and their dependents.

(2) OBJECTIVES.—The objectives of the policy required by paragraph (1) shall be as follows:

(A) To enhance protections afforded members of the Armed Forces and their dependents under section 987 of title 10, United States Code, by curbing continuing predatory lending practices targeting members of the Armed Forces and their dependents that are not currently regulated under that section.

(B) To improve the financial literacy of members of the Armed Forces and their dependents with respect to installment loans and other forms of credit not currently regulated under section 987 of title 10, United States Code.

(C) To make members of the Armed Forces and their dependents aware of other, more beneficial sources of financial aid and credit services (such as those available through military relief societies) than installment loans.

(D) If considered appropriate by the Secretary of Defense, to provide, by regulation, for the coverage under section 987 of title 10, United States Code, of installment loans extended to members of the Armed Forces and dependents protected by that section.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendment made by subsection (a).

(2) EFFECTIVE DATE OF MODIFICATION AND POLICY.—The amendment made by subsection (a), and the policy required by subsection (b), shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify.

(3) PUBLICATION OF EARLIER DATE.—If pursuant to paragraph (2)(B) the Secretary specifies an earlier effective date for the amendment made by subsection (a) and the policy required by subsection (b), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

SEC. 652. ADDITIONAL ENHANCEMENTS OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) PROTECTIONS AGAINST DIFFERENTIAL TREATMENT ON CONSUMER CREDIT UNDER STATE LAW.—Subsection (d)(2) of section 987 of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting ''any consumer credit or'' before ''loans''; and

(2) in subparagraph (B), by inserting ''covering consumer credit'' after ''State consumer lending protections''.

(b) REGULAR CONSULTATIONS ON PROTECTIONS.—Subsection (h)(3) of such section is amended—

(1) in the matter preceding subparagraph (A)—

(A) by inserting ''and not less often than once every two years thereafter,'' after ''under this subsection,''; and

(B) by inserting ''appropriate Federal agencies, including'' before ''the following'';

(2) by striking subparagraph (E); and

(3) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively.

(c) EFFECTIVE DATE.—

(1) MODIFICATION OF REGULATIONS.—The Secretary of Defense shall modify the regulations prescribed under section 987 of title 10, United States Code, to take into account the amendments made by subsection (a).

(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on—

(A) the date that is one year after the date of the enactment of this Act; or

(B) such earlier date as the Secretary shall specify in the modification of regulations required by paragraph (1).

(3) PUBLICATION OF EARLIER DATE.—If the Secretary specifies an earlier effective date for the amendments made by subsection (a) pursuant to paragraph (2)(B), the Secretary shall publish notice of such earlier effective date in the Federal Register not later than 90 days before such earlier effective date.

SEC. 653. RELIEF IN CIVIL ACTIONS FOR VIOLATIONS OF PROTECTIONS ON CONSUMER CREDIT EXTENDED TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) IN GENERAL.—Section 987(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) CIVIL LIABILITY.—

''(A) IN GENERAL.—A person who violates this section with respect to any person is civilly liable to such person for—

''(i) any actual damage sustained as a result, but not less than $500 for each violation;

''(ii) appropriate punitive damages;

''(iii) appropriate equitable or declaratory relief;

''(iv) any other relief provided by law;

''(v) in any successful action to enforce the foregoing liability, the costs of the action, together with reasonable attorney fees as determined by the court; and

''(vi) in any successful action by a defendant under this section, if the court finds the action was brought in bad faith and for the purpose of harassment, attorney fees of the defendant as determined by the court to be reasonable in relation to the work expended and costs incurred.

''(B) DEFENSES.—A person may not be held liable for civil liability under this paragraph if the person shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error. Examples of a bona fide error include clerical, calculation, computer malfunction and programming, and printing errors, except that an error of legal judgment with respect to a person's obligations under this section is not a bona fide error.

''(C) JURISDICTION AND VENUE; LIMITATION.—An action for civil liability under this paragraph may be brought in any appropriate United States district court, without regard to the amount in controversy, or in any other court of competent jurisdiction, not later than the earlier or—

''(i) two years after the date of discovery by the plaintiff of the violation that is the basis for such liability; or

''(ii) five years after the date on which the violation that is the basis for such liability occurs.''.

(b) EFFECTIVE DATE.—The amendment made by this section and shall take effect on the date of the enactment of this Act, and shall apply with respect to consumer credit extended on or after that date.

SEC. 654. MODIFICATION OF DEFINITION OF DEPENDENT FOR PURPOSES OF LIMITATIONS ON TERMS OF CONSUMER CREDIT EXTENDED TO 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, has the meaning given that term in section 401(a) of title 37.''.

SEC. 655. ENFORCEMENT OF PROTECTIONS ON CONSUMER CREDIT FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

Section 987(f) of title 10, United States Code, as amended by section 653 of this Act, is further amended by adding at the end the following new paragraph:

''(6) ENFORCEMENT.—The provisions of this section (other than paragraph (1) of this subsection) shall be enforced by the agencies specified in section 108 of the Truth in Lending Act (15 U.S.C. 1607) in the manner set forth in that section or as set forth under any other applicable authorities available to such agencies by law.''.

Subtitle F—Other Matters

SEC. 661. TRANSITIONAL COMPENSATION FOR DEPENDENT CHILDREN WHO ARE CARRIED DURING PREGNANCY AT TIME OF DEPENDENT-ABUSE OFFENSE.

(a) IN GENERAL.—Section 1059 of title 10, United States Code, is amended—

(1) in subsection (f), by adding at the end the following new paragraph:

''(4) Payment to a child under this section shall not be paid for any period before the birth of the child.''; and

(2) in subsection (l), by striking ''at the time of the dependent-abuse offense resulting in the separation of the former member'' and inserting ''or eligible 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) 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. 662. REPORT ON ISSUANCE BY ARMED FORCES MEDICAL EXAMINER OF DEATH CERTIFICATES FOR MEMBERS OF THE ARMED FORCES WHO DIE ON ACTIVE DUTY ABROAD.

(a) REPORT REQUIRED.—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 a report on the issuance by the Armed Forces Medical Examiner of death certificates for members of the Armed Forces who die on active duty abroad, including mechanisms for reducing or ameliorating delays in the issuance of such death certificates.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the process used by the Armed Forces Medical Examiner to issue a death certificate for members of the Armed Forces who die on active duty abroad, including an explanation for any current delays in the issuance of such death certificates.

(2) A description of the average amount of time taken by the Armed Forces Medical Examiner to issue such death certificates.

(3) An assessment of the feasibility and advisability of issuing temporary death certificates for members of the Armed Forces who die on active duty abroad in order to provide necessary documentation for survivors.

(4) A description of the actions required to enable the Armed Forces Medical Examiner to issue a death certificate for a member of the Armed Forces who dies on active duty abroad not later than seven days after the return of the remains of the member to the United States.

(5) Such other recommendations for legislative or administrative action as the Secretary considers appropriate to provide for the issuance by the Armed Forces Medical Examiner of a death certificate for members of the Armed Forces who die on active duty abroad not later than seven days after the return of the remains of such members to the United States.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program

SEC. 701. EXTENSION OF TRICARE STANDARD COVERAGE AND TRICARE DENTAL PROGRAM FOR MEMBERS OF THE SELECTED RESERVE WHO ARE INVOLUNTARILY SEPARATED.

(a) EXTENSION OF 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) 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) EXTENSION OF TRICARE DENTAL PROGRAM COVERAGE.—Section 1076a(a)(1) of such title is amended by adding at the end the following new sentence: ''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 terminate not earlier than 180 days after the date on which the member is separated.''.

SEC. 702. INCLUSION OF CERTAIN OVER-THE-COUNTER DRUGS IN TRICARE UNIFORM FORMULARY.

(a) INCLUSION.—Subsection (a)(2) of section 1074g of title 10, United States Code, is amended—

(1) in subparagraph (D), by striking ''No pharmaceutical agent may be excluded'' and inserting ''Except as provided in subparagraph (F), no pharmaceutical agent may be excluded''; and

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

''(F)(i) The Secretary may implement procedures to place selected over-the-counter drugs on the uniform formulary and to make such drugs available to eligible covered beneficiaries. An over-the-counter drug may be included on the uniform formulary only if the Pharmacy and Therapeutics Committee established under subsection (b) finds that the over-the-counter drug is cost-effective and clinically effective. If the Pharmacy and Therapeutics Committee recommends an over-the-counter drug for inclusion on the uniform formulary, the drug shall be considered to be in the same therapeutic class of pharmaceutical agents, as determined by the Committee, as similar prescription drugs.

''(ii) Regulations prescribed by the Secretary to carry out clause (i) shall include the following with respect to over-the-counter drugs included on the uniform formulary:

''(I) A determination of the means and conditions under paragraphs (5) and (6) of this subsection through which over-the-counter drugs will be available to eligible covered beneficiaries and the amount of cost sharing that such beneficiaries will be required to pay for over-the-counter drugs, except that no such cost sharing may be required for a member of a uniformed service on active duty.

''(II) Any terms and conditions for the dispensing of over-the-counter drugs to eligible covered beneficiaries.''.

(b) DEFINITIONS.—Subsection (g) of such section is amended by adding at the end the following new paragraphs:

''(3) The term 'over-the-counter drug' means a drug that is not subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).

''(4) The term 'prescription drug' means a drug that is subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)).''.

(c) TECHNICAL AMENDMENTS.—

(1) CROSS-REFERENCE AMENDMENTS.—Subsections (a)(6)(A) and (b)(1) of such section are amended by striking ''subsection (g)'' and inserting ''subsection (h)''.

(2) REPEAL OF OBSOLETE PROVISIONS.—

(A) Subsection (a)(2)(D) of such section is amended by striking the last sentence.

(B) Subsection (b)(2) of such section is amended by striking ''Not later than'' and all the follows through ''such 90-day period, the committee'' and inserting ''The committee''.

(C) Subsection (d)(2) of such section is amended—

(i) by striking ''Effective not later than April 5, 2000, the Secretary'' and inserting ''The Secretary''; and

(ii) by striking ''the current managed care support contracts'' and inserting ''the managed care support contracts current as of October 5, 1999,''.

SEC. 703. EXPANSION OF EVALUATION OF THE EFFECTIVENESS OF THE TRICARE PROGRAM.

Section 717(a)(1) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 106–104; 110 Stat. 376; 10 U.S.C. 1073 note) is amended by striking ''military retirees'' and inserting ''members of the Armed Forces (whether in the regular or reserve components) and their dependents, military retirees and their dependents, dependent children under the age of 21, and dependents of members on active duty with severe disabilities and chronic health care needs''.

SEC. 704. REPORT ON THE FUTURE AVAILABILITY OF TRICARE PRIME THROUGHOUT THE UNITED STATES.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy of the Department of Defense on the future availability of TRICARE Prime under the TRICARE program for eligible beneficiaries in all TRICARE regions throughout the United States.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description, by region, of the difference in availability of TRICARE Prime for eligible beneficiaries (other than eligible beneficiaries on active duty in the Armed Forces) under newly-awarded TRICARE managed care contracts, including, in particular, an identification of the regions or areas in which TRICARE Prime will no longer be available for such beneficiaries under such contracts.

(2) A description of the transition and outreach plans for eligible beneficiaries described in paragraph (1) who will no longer have access to TRICARE Prime under the contracts described in that paragraph.

(3) An estimate of the increased costs to be incurred for healthcare under the TRICARE program for eligible beneficiaries described in paragraph (2).

(4) An estimate of the saving to be achieved by the Department as a result of the contracts described in paragraph (1).

(5) A description of the plans of the Department to continue to assess the impact on access to healthcare for eligible beneficiaries described in paragraph (2).

SEC. 705. CERTAIN TREATMENT OF DEVELOPMENTAL DISABILITIES, INCLUDING AUTISM, UNDER THE TRICARE PROGRAM.

(a) CERTAIN TREATMENT OF AUTISM.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1077 the following new section:

''§ 1077a. Treatment of autism under the TRICARE program

''(a) IN GENERAL.—Except as provided in subsection (c), for purposes of providing health care services under this chapter, the treatment of developmental disabilities (42 U.S.C. 15002(8)), including autism spectrum disorders, shall include behavioral health treatment, including applied behavior analysis, when prescribed by a physician.

''(b) REQUIREMENTS IN PROVISION OF SERVICES.—In carrying out subsection (a), the Secretary of Defense shall ensure that—

''(1) except as provided by paragraph (2), a person who is authorized to provide behavioral health treatment is licensed or certified by a State or accredited national certification board; and

''(2) if applied behavior analysis or other behavioral health treatment is provided by an employee or contractor of a person described in paragraph (1), the employee or contractor shall meet minimum qualifications, training, and supervision requirements as set forth by the Secretary who shall ensure that covered beneficiaries have appropriate access to care in accordance with best practice guidelines.

''(c) EXCLUSIONS.—Subsection (a) shall not apply to the following:

''(1) Covered beneficiaries under this chapter who are entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act.

''(2) Covered beneficiaries under this chapter who are former members, dependents of former members, or survivors of any uniformed service not under the jurisdiction of the Department of Defense.

''(d) CONSTRUCTION WITH OTHER BENEFITS.—(1) Nothing in this section 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—

''(A) 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

''(B) being a dependent of a member of a service described in subparagraph (A).

''(2) Nothing in this section shall be construed as limiting or otherwise affecting the benefits provided to a medicare-eligible beneficiary under—

''(A) this chapter;

''(B) part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.); or

''(C) any other law.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1077 the following new item:

''1077a. Treatment of autism under the TRICARE program.''.

(b) FUNDING.—

(1) INCREASE.—The amount authorized to be appropriated for fiscal year 2013 by section 1406 and available for the Defense Health Program for Private Sector Care as specified in the funding table in section 4501 is hereby increased by $45,000,000, with the amount of the increase to be available for the provision of care in accordance with section 1077a of title 10, United States Code (as added by subsection (a)).

(2) OFFSET.—The amount authorized to be appropriated for fiscal year 2013 by section 301 for Operation and Maintenance and available as specified in the funding table in section 4301 is hereby reduced by $45,000,000.

SEC. 706. SENSE OF CONGRESS ON HEALTH CARE FOR RETIRED MEMBERS OF THE UNIFORMED SERVICES.

It is the sense of Congress that—

(1) members of the uniformed services and their families endure unique and extraordinary demands and make extraordinary sacrifices over the course of 20 to 30 years of service in protecting freedom for all Americans, as do those who have been medically retired due to the hardships of military service; and

(2) access to quality health care services is an earned benefit during retirement in acknowledgment of their contributions of service and sacrifice.

Subtitle B—Other Health Care Benefits

SEC. 711. USE OF DEPARTMENT OF DEFENSE FUNDS FOR ABORTIONS IN CASES OF RAPE AND INCEST.

Section 1093(a) of title 10, United States Code, is amended by inserting before the period at the end the following: ''or in a case in which the pregnancy is the result of an act of rape or incest''.

SEC. 712. AVAILABILITY OF CERTAIN FERTILITY PRESERVATION TREATMENTS FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY.

(a) IN GENERAL.—Subsection (a) of section 1074d of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) Members of the armed forces entitled to medical care under section 1074(a) of this title who have been diagnosed with a condition for which the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility shall also be entitled to fertility preservation treatment as a part of such medical care.

''(B) If the fertility preservation treatment to which a member is entitled under this paragraph is not available through a facility of the uniformed services accessible to the member, such treatment shall be provided to the member through another appropriate mechanism under this chapter, including through the TRICARE program.''.

(b) DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.—Such section is further amended—

(1) in subsection (b), by striking the subsection heading and inserting ''DEFINITION RELATING TO PRIMARY AND PREVENTIVE HEALTH CARE SERVICES FOR WOMEN''; and

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

''(c) DEFINITIONS RELATING TO FERTILITY PRESERVATION TREATMENT.—In this section:

''(1) The term 'fertility preservation treatment' includes—

''(A) procedures consistent with established medical practices in the prevention or treatment of iatrogenic infertility by licensed physicians and surgeons or other appropriate medical practitioners, including diagnosis, diagnostic tests, medication, or surgery; and

''(B) any other procedure identified by the Secretary of Defense that is intended to promote the future fertility of an individual who has been diagnosed with a condition for which the recommended course of treatment is recognized by a licensed physician and surgeon or other appropriate medical practitioner as a cause of iatrogenic infertility.

''(2) The term 'iatrogenic infertility' means the current or future diminished ability, or the inability of an individual to conceive or contribute to conception as a consequence of medical treatment.''.

SEC. 713. MODIFICATION OF REQUIREMENTS ON MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN CONNECTION WITH A CONTINGENCY OPERATION.

(a) TIMING OF MENTAL HEALTH ASSESSMENTS.—Paragraph (1)(C)(i) of section 1074m(a) of title 10, United States Code, is amended by striking ''one year'' and inserting ''18 months''.

(b) EXCLUSION OF CERTAIN MEMBERS.—Paragraph (2) of such section is amended—

(1) by striking ''subparagraph (B) and (C) of''; and

(2) by striking ''determines that—'' and all that follows and inserting ''determines—

''(A) in the case of an assessment otherwise required under subparagraph (A) of that paragraph, that the member will not be subjected or exposed to operational risk factors during deployment in the contingency operation concerned;

''(B) in the case of an assessment otherwise required under subparagraph (B) or (C) of that paragraph, that the member was not subjected or exposed to operational risk factors during deployment in the contingency operation concerned; or

''(C) in the case of any assessment otherwise required under that paragraph, that providing such assessment to the member during the otherwise applicable time period under such paragraph would remove the member from forward deployment or would put members or operational objectives at risk.''.

Subtitle C—Health Care Administration

SEC. 721. CLARIFICATION OF APPLICABILITY OF CERTAIN AUTHORITY AND REQUIREMENTS TO SUBCONTRACTORS EMPLOYED TO PROVIDE HEALTH CARE SERVICES TO THE DEPARTMENT OF DEFENSE.

(a) APPLICABILITY OF FEDERAL TORT CLAIMS ACT TO SUBCONTRACTORS.—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 that is authorized in accordance with the requirements of such section 1091''.

(b) APPLICABILITY OF PERSONAL SERVICES CONTRACTING AUTHORITY TO SUBCONTRACTORS.—Section 1091(c) of such title is amended by adding at the end the following new paragraph:

''(3) The procedures established under paragraph (1) may provide for a contracting officer to authorize a contractor to enter into a subcontract for personal services on behalf of the agency upon a determination that the subcontract is—

''(A) consistent with the requirements of this section and the procedures established under paragraph (1); and

''(B) in the best interests of the agency.''.

SEC. 722. RESEARCH PROGRAM TO ENHANCE DEPARTMENT OF DEFENSE EFFORTS ON MENTAL HEALTH IN THE NATIONAL GUARD AND RESERVES THROUGH COMMUNITY PARTNERSHIPS.

(a) RESEARCH PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a research program to assess the feasibility and advisability of enhancing the efforts of the Department of Defense in research, treatment, education, and outreach on mental health and substance use disorders and Traumatic Brain Injury (TBI) in members of the National Guard and Reserves, their family members, and their caregivers.

(b) AGREEMENTS WITH COMMUNITY PARTNERS.—In carrying out the research program authorized by subsection (a), the Secretary may enter into partnership agreements with community partners described in subsection (c) using a competitive and merit-based award process.

(c) COMMUNITY PARTNERS DESCRIBED.—A community partner described in this subsection is a private nonprofit organization or institution (or multiple organizations and institutions) that—

(1) engages in the research activities described in subsection (d); and

(2) meets such qualifications for treatment as a community partner as the Secretary shall establish for purposes of the research program.

(d) ACTIVITIES.—Partnerships entered into under the research program shall be used to engage in 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.

(e) REPORT.—Not later than five years after the commencement of the research program, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the research program, including a description of the research program, the community partners participating in the research program, the activities carried out, the number of members of the National Guard and Reserves, family members, and caregivers supported by community partners, and a description and assessment of the effectiveness and achievements of the research program.

Subtitle D—Reports and Other Matters

SEC. 731. REPORTS ON PERFORMANCE DATA ON WARRIORS IN TRANSITION PROGRAMS.

(a) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, each Secretary of a military department shall submit to Congress a report on data on the performance of the military department in addressing the care, management and transition needs of members of the Armed Forces under the jurisdiction of such Secretary who participate in a Warriors in Transition program under the jurisdiction of such Secretary with respect to the following:

(1) Physical health.

(2) Mental and behavioral health.

(3) Educational and vocational aptitude and capabilities.

(4) Such other matters as such Secretary considers appropriate.

(b) COMMON METHODOLOGY.—The Secretaries shall report not fewer than five outcome measures for each of the areas set forth in subsection (a) using a common methodology developed by the Secretaries and approved by the Secretary of Defense for purposes of this section.

(c) LONGITUDINAL DATA.—The occasions for collecting data on a member participating in a Warriors in Transition program for purposes of reports under subsection (a) shall be as follows:

(1) When the member commences participation in the program.

(2) At least once each year the member participates in the program.

(3) When the member ceases participation in the program (whether for return to military duty or to civilian life).

(4) With the consent of the member, one year after the member ceases participation in the program as described in paragraph (3).

(d) ELEMENTS.—Each report under subsection (a) shall include an assessment by the Secretary of the military department concerned of the following with respect to the Warriors in Transition programs covered by such report:

(1) The progress of members participating in the Warriors in Transition programs in the areas specified in subsection (a).

(2) The efficacy of the Warriors in Transition programs in facilitating the transition of members to military duty or civilian life, as applicable.

(3) The differences in outcomes in the Warriors in Transition programs, by location, type, Armed Force, component, and types of wounds, injuries, or conditions of program participants.

(4) The percentage of members participating in the Warriors in Transition programs who receive care under such programs from assigned providers, including medical care case managers, non-medical service providers (including non-medical case managers, legal support personnel, and, as applicable, Physical Evaluation Board Liaison Officers), mental health care providers, and medical evaluation (MEB) physicians whose caseload exceeds the caseload ratio that has been designated as adequate by the Secretary of Defense.

(5) The percentage of members participating in the Warriors in Transition programs for whom the intervals between various phases in the transition process exceeds the average length of such intervals, including intervals relating to appointment times for specialists and for treatment for Post-Traumatic Stress Disorder (PTSD).

(6) Such other measurements of outcomes or progress of members through the Warriors in Transition programs as such Secretary considers appropriate.

(e) PERSONALLY IDENTIFIABLE INFORMATION.—Data collected under this section shall be treated in compliance with the provisions of section 552a of title 5, United States Code (commonly referred to as the ''Privacy Act'').

(f) SUNSET.—No report is required under this section after September 30, 2017.

(g) WARRIORS IN TRANSITION PROGRAM DEFINED.—In this section, the term ''Warriors in Transition program'' means any major support program of the Armed Forces for members of the Armed Forces with severe wounds, illnesses, or injuries that is intended to provide such members with non-medical case management service and care coordination services, and includes the programs as follows:

(1) Warrior Transition Units and the Wounded Warrior Program of the Army.

(2) The Safe Harbor program of the Navy.

(3) The Wounded Warrior Regiment of the Marine Corps.

(4) The Recovery Care Program and the Wounded Warrior programs of the Air Force.

(5) The Care Coalition of the United States Special Operations Command.

SEC. 732. REPORT ON DEPARTMENT OF DEFENSE SUPPORT OF MEMBERS OF THE ARMED FORCES WHO EXPERIENCE TRAUMATIC INJURY AS A RESULT OF VACCINATIONS REQUIRED BY THE DEPARTMENT.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretaries of the military departments, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a comprehensive review (conducted for purposes of the report) of the adequacy and effectiveness of the policies, procedures, and systems of the Department of Defense in providing support to members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The number and nature of traumatic injuries incurred by members of the Armed Forces as a result of a vaccination required by the Department of Defense each year since January 1, 2001, set forth by aggregate in each year and by military department in each year.

(2) Such recommendations as the Secretary of Defense considers appropriate for improvements

to the policies, procedures, and systems (including tracking systems) of the Department to identify members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

(3) Such recommendations as the Secretary of Defense considers appropriate for improvements to the policies, procedures, and systems of the Department to support members of the Armed Forces who experience traumatic injury as a result of a vaccination required by the Department.

SEC. 733. PLAN TO ELIMINATE GAPS AND REDUNDANCIES IN PROGRAMS OF THE DEPARTMENT OF DEFENSE ON PSYCHOLOGICAL HEALTH AND TRAUMATIC BRAIN INJURY AMONG MEMBERS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—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 the House of Representatives a plan to streamline the programs of the Department of Defense that address psychological health and traumatic brain injury among members of the Armed Forces.

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

(A) A complete list of the programs described in paragraph (1), including a detailed description of the intended function of each such program.

(B) An identification of any gaps in services and treatments in the programs listed under subparagraph (A)

(C) An identification of any redundancies in the programs listed under subparagraph (A).

(D) A plan for mitigating the gaps identified under subparagraph (B) and for eliminating the redundancies identified under subparagraph (C).

(E) An identification of the individual in the Department who will be responsible for leading implementation of the plan required by paragraph (1).

(F) A schedule for the implementation of the plan.

(b) STATUS REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the implementation of the plan required by subsection (a).

SEC. 734. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES ON PREVENTION OF HEARING LOSS AMONG MEMBERS OF THE ARMED FORCES.

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 the House of Representatives a report on the implementation of the recommendations of the Comptroller General of the United States in the January 2011 report of the Comptroller General entitled ''Hearing Loss Prevention: Improvements to DOD Hearing Conservation Programs Could Lead to Better Outcomes'' that address prevention of hearing loss, abatement of hearing loss, data collection regarding hearing loss, and the need for a new interagency data sharing system so that sufficient information is available to address and track hearing injuries and loss.

SEC. 735. SENSE OF SENATE ON MENTAL HEALTH COUNSELORS FOR MEMBERS OF THE ARMED FORCES, VETERANS, AND THEIR FAMILIES.

It is the sense of the Senate that—

(1) the Secretary of Defense and the Secretary of Veterans Affairs should develop a plan to ensure a sustainable flow of qualified counselors to meet the long-term needs of members of the Armed Forces, veterans, and their families for counselors; and

(2) the plan should include the participation of accredited schools and universities, health care providers, professional counselors, family service or support centers, chaplains, and other appropriate resources of the Department of Defense and the Department of Veterans Affairs.

SEC. 736. PRESCRIPTION DRUG TAKE-BACK PROGRAM FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) PROGRAM REQUIRED.—The Secretary of Defense and the Attorney General shall jointly carry out a program (commonly referred to as a ''prescription drug take-back program'') under which members of the Armed Forces and dependents of members of the Armed Forces may deliver controlled substances to such facilities as may be jointly determined by the Secretary of Defense and the Attorney General to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) PROGRAM ELEMENTS.—The program required by subsection (a) shall provide for the following:

(1) The delivery of controlled substances under the program to such members of the Armed Forces, medical professionals, and other employees of the Department of Defense, and to such other acceptance mechanisms, as the Secretary and the Attorney General jointly specify for purposes of the program.

(2) Appropriate guidelines and procedures to prevent the diversion, misuse, theft, or loss of controlled substances delivered under the program.

Subtitle E—Mental Health Care Matters

SEC. 751. ENHANCEMENT OF OVERSIGHT AND MANAGEMENT OF DEPARTMENT OF DEFENSE SUICIDE PREVENTION AND RESILIENCE PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Personnel and Readiness, establish within the Office of the Secretary of Defense a position with responsibility for oversight and management of all suicide prevention and resilience programs and all preventative behavioral health programs of the Department of Defense (including those of the military departments and the Armed Forces).

(b) SCOPE OF RESPONSIBILITIES.—The individual serving in the position established pursuant to subsection (a) shall have the responsibilities as follows:

(1) To establish a uniform definition of resiliency for use in the suicide prevention and resilience programs and preventative behavioral health programs of the Department of Defense (including those of the military departments and the Armed Forces).

(2) In consultation with the National Center for Post Traumatic Stress Disorder of the Department of Veterans Affairs and other appropriate public and private agencies and entities, to require the use of clinical best practices in mental health care, suicide prevention programs, and resilience programs of the Department of Defense, including the diagnosis and treatment of behavioral health disorders.

(3) To oversee and manage the comprehensive program on the prevention of suicide among members of the Armed Forces required by section 752.

SEC. 752. COMPREHENSIVE PROGRAM ON PREVENTION OF SUICIDE AMONG MEMBERS OF THE ARMED FORCES.

(a) COMPREHENSIVE PROGRAM REQUIRED.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Personnel and Readiness, develop and implement within the Department of Defense a comprehensive program on the prevention of suicide among members of the Armed Forces. In developing the program, the Secretary shall consider recommendations from the operational elements of the Armed Forces regarding the feasibility of the implementation and execution of particular elements of the program.

(b) ELEMENTS.—The comprehensive program required by subsection (a) shall include elements to achieve the following:

(1) To raise awareness among members of the Armed Forces about mental health conditions and the stigma associated with mental health conditions and mental health care.

(2) To provide members of the Armed Forces generally, members of the Armed Forces in supervisory positions (including officers in command billets and non-commissioned officers), and medical personnel of the Armed Forces and the Department of Defense with effective means of identifying members of the Armed Forces who are at risk for suicide (including enhanced means for early identification and treatment of such members).

(3) To provide members of the Armed Forces who are at risk of suicide with continuous access to suicide prevention services, including suicide crisis services.

(4) To evaluate and assess the effectiveness of the suicide prevention and resilience programs and preventative behavioral health programs of the Department of Defense (including those of the military departments and the Armed Forces), including the development of metrics for that purpose.

(5) To evaluate and assess the current diagnostic tools and treatment methods in the programs referred to in paragraph (4) in order to ensure clinical best practices are used in such programs.

(6) To ensure that the programs referred to in paragraph (4) incorporate evidenced-based practices when available.

(7) To provide for the training of mental health care providers on evidence-based therapies in connection with suicide prevention.

(8) To establish training standards for behavioral health care providers in order to ensure that such providers receive training on clinical best practices and evidence-based treatments as information on such practices and treatments becomes available, and to ensure such standards are met.

(9) To provide for the integration of mental health screenings and suicide risk and prevention for members of the Armed Forces into the delivery of primary care for such members.

(10) To ensure appropriate responses to attempted or completed suicides among members of the Armed Forces, including guidance and training to assist commanders in addressing incidents of attempted or completed suicide within their units.

(11) To ensure the protection of the privacy of members of the Armed Forces seeking or receiving treatment relating to suicide.

(12) Such other matters as the Secretary of Defense considers appropriate in connection with the prevention of suicide among members of the Armed Forces.

(c) CONSULTATION.—In developing and implementing the comprehensive program required by subsection (a), the Under Secretary shall consult with appropriate officials and elements of the Department of Defense, appropriate centers of excellence within the Department of Defense, and other public and private entities with expertise in mental health and suicide prevention.

(d) IMPLEMENTATION BY THE ARMED FORCES.—In implementing the comprehensive program required by subsection (a) with respect to an Armed Force, the Secretary of the military department concerned may, in consultation with the Under Secretary and with the approval of the Secretary of Defense, modify particular elements of the program in order to adapt the program appropriately to the unique culture and elements of that Armed Force.

(e) QUALITY ASSURANCE.—In developing and implementing the comprehensive program required by subsection (a), the Under Secretary shall develop and implement appropriate mechanisms to provide for the oversight and management of the program, including quality measures to assess the efficacy of the program in preventing suicide among members of the Armed Forces.

SEC. 753. QUALITY REVIEW OF MEDICAL EVALUATION BOARDS, PHYSICAL EVALUATION BOARDS, AND PHYSICAL EVALUATION BOARD LIAISON OFFICERS.

(a) IN GENERAL.—The Secretary of Defense shall standardize, assess, and monitor the quality assurance programs of the military departments to evaluate the following in the performance of their duties (including duties under chapter 61 of title 10, United States Code):

(1) Medical Evaluation Boards (MEBs).

(2) Physical Evaluation Boards (PEBs).

(3) Physical Evaluation Board Liaison Officers (PEBLOs).

(b) OBJECTIVES.—The objectives of the quality assurance program shall be as follows:

(1) To ensure accuracy and consistency in the determinations and decisions of Medical Evaluation Boards and Physical Evaluation Boards.

(2) To otherwise monitor and sustain proper performance of the duties of Medical Evaluation Boards and Physical Evaluation Boards, and of Physical Evaluation Board Liaison Officers.

(3) Such other objectives as the Secretary shall specify for purposes of the quality assurance program.

(c) REPORTS.—

(1) REPORT ON IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the plan of the Secretary for the implementation of the requirements of this section.

(2) ANNUAL REPORTS.—Not later than one year after the date of the submittal of the report required by paragraph (1), and annually thereafter for the next four years, the Secretary shall submit to the appropriate committees of Congress a report setting forth an assessment of the implementation of the requirements of this section during the one-year period ending on the date of the report under this paragraph. Each report shall include, in particular, an assessment of the extent to which the quality assurance program under the requirements of this section meets the objectives specified in subsection (b).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 754. ASSESSMENT OF ADEQUACY OF MENTAL HEALTH CARE BENEFITS UNDER THE TRICARE PROGRAM.

(a) INDEPENDENT ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Health and Human Services, enter into a contract with an appropriate independent entity to assess whether the mental health care benefits available for members of the Armed Forces and other covered beneficiaries under the TRICARE program are adequate to meet the needs of such members and beneficiaries for mental health care.

(b) REPORT.—The contract required by subsection (a) shall require the entity conducting the assessment required by the contract to submit to the Secretary of Defense, and to the congressional defense committees, a report setting forth the results of the assessment by not later than 180 days after the date of entry into the contract. If the entity determines pursuant to the assessment that the mental health care benefits available for members of the Armed Forces and other covered beneficiaries under the TRICARE program are not adequate to meet the needs of such members and beneficiaries for mental health care, the report shall include such recommendations for legislative or administrative action as the entity considers appropriate to remediate any identified inadequacy.

(c) DEFINITIONS.—In this section:

(1) The term ''covered beneficiaries'' has the meaning given that term in section 1072(5) of title 10, United States Code.

(2) The term ''TRICARE program'' has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 755. SHARING BETWEEN DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS OF RECORDS AND INFORMATION RETAINED UNDER THE MEDICAL TRACKING SYSTEM FOR MEMBERS OF THE ARMED FORCES DEPLOYED OVERSEAS.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for the sharing by the Department of Defense with the Department of Veterans Affairs of the results of examinations and other records on members of the Armed Forces that are retained and maintained with respect to the medical tracking system for members deployed overseas under section 1074f(c) of title 10, United States Code.

(b) CESSATION UPON IMPLEMENTATION OF ELECTRONIC HEALTH RECORD.—The sharing required pursuant to subsection (a) shall cease on the date on which the Secretary of Defense and the Secretary of Veterans Affairs jointly certify to Congress that the Secretaries have fully implemented an integrated electronic health record for members of the Armed Forces that is fully interoperable between the Department of Defense and the Department of Veterans Affairs.

SEC. 756. PARTICIPATION OF MEMBERS OF THE ARMED FORCES IN PEER SUPPORT COUNSELING PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PARTICIPATION.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly enter into a memorandum of understanding providing for members of the Armed Forces described in subsection (b) to volunteer or be considered for employment as peer counselors under the following:

(A) The peer support counseling program carried out by the Secretary of Veterans Affairs under subsection (j) of section 1720F of title 38, United States Code, as part of the comprehensive program for suicide prevention among veterans under subsection (a) of such section.

(B) The peer support counseling program carried out by the Secretary of Veterans Affairs under section 304(a)(1) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1150; 38 U.S.C. 1712A note).

(2) TRAINING.—Any member participating in a peer support counseling program under paragraph (1) shall receive the training for peer counselors under section 1720F(j)(2) of title 38, United States Code, or section 304(c) of the Caregivers and Veterans Omnibus Health Services Act of 2010, as applicable, before performing peer support counseling duties under such program.

(b) COVERED MEMBERS.—Members of the Armed Forces described in this subsection are the following:

(1) Members of the reserve components of the Armed Forces who are demobilizing after deployment in a theater of combat operations, including, in particular, members who participated in combat against the enemy while so deployed.

(2) Members of the regular components of the Armed Forces separating from active duty who have been deployed in a theater of combat operations in which such members participated in combat against the enemy.

SEC. 757. RESEARCH AND MEDICAL PRACTICE ON MENTAL HEALTH CONDITIONS.

(a) DEPARTMENT OF DEFENSE ORGANIZATION ON RESEARCH AND PRACTICE.—The Secretary of Defense shall establish within the Department of Defense an organization to carry out the responsibilities specified in subsection (b).

(b) RESPONSIBILITIES.—The organization established under subsection (a) shall—

(1) carry out programs and activities designed to provide for the translation of research on the diagnosis and treatment of mental health conditions into policy on medical practices;

(2) make recommendations to the Assistant Secretary of Defense for Health Affairs on the translation of such research into the policies of the Department of Defense on medical practices with respect to members of the Armed Forces; and

(3) discharge such other responsibilities relating to research and medical practices on mental health conditions, and the policies of the Department on such practices with respect to members of the Armed Forces, as the Secretary or the Assistant Secretary shall specify for purposes of this section.

(c) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the organization required by subsection (a). The report shall include a description of the organization and a plan for implementing the requirements of this section.

(2) ANNUAL REPORTS.—The Secretary shall submit to Congress each year a report on the activities of the organization established under subsection (a) during the preceding year. Each report shall include the following:

(A) A summary description of the activities of the organization during the preceding year.

(B) A description of the recommendations made by the organization to the Assistant Secretary under subsection (b)(2) during the year, and a description of the actions undertaken (or to be undertaken) by the Assistant Secretary in response to such recommendations.

(C) Such other matters relating to the activities of the organization, including recommendations for additional legislative or administrative action, as the Secretary, in consultation with the Assistant Secretary, considers appropriate.

SEC. 758. DISPOSAL OF CONTROLLED SUBSTANCES.

(a) MEMBERS OF THE ARMED FORCES.—The Administrator of the Drug Enforcement Administration shall enter into a memorandum of understanding with the Secretary of Defense establishing procedures under which a member of the Armed Forces may deliver a controlled substance to a member of the Armed Forces or an employee of the Department of Defense to be disposed of in accordance with section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)).

(b) VETERANS.—

(1) IN GENERAL.—The Administrator shall enter into a memorandum of understanding with the Secretary of Veterans Affairs establishing procedures under which a veteran may deliver a controlled substance to an employee of the Department of Veterans Affairs to be disposed of in accordance with section 302(g) of the Controlled Substances Act.

(2) VETERAN DEFINED.—In this subsection, the term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

SEC. 759. TRANSPARENCY OF MENTAL HEALTH CARE SERVICES.

(a) MEASUREMENT OF MENTAL HEALTH CARE SERVICES.—

(1) IN GENERAL.—Not later than December 31, 2013, the Secretary of Veterans Affairs shall develop and implement a comprehensive set of measures to assess mental health care services furnished by the Department of Veterans Affairs.

(2) ELEMENTS.—The measures developed and implemented under paragraph (1) shall provide an accurate and comprehensive assessment of the following:

(A) The timeliness of the furnishing of mental health care by the Department.

(B) The satisfaction of patients who receive mental health care services furnished by the Department.

(C) The capacity of the Department to furnish mental health care.

(D) The availability and furnishing of evidence-based therapies by the Department.

(b) GUIDELINES FOR STAFFING MENTAL HEALTH CARE SERVICES.—Not later than December 31, 2013, the Secretary shall develop and implement guidelines for the staffing of general and specialty mental health care services, including at community-based outpatient clinics. Such guidelines shall include productivity standards for providers of mental health care.

(c) STUDY COMMITTEE.—

(1) IN GENERAL.—The Secretary shall seek to enter into a contract with the National Academy of Sciences to create a study committee—

(A) to consult with the Secretary on the Secretary's development and implementation of the measures and guidelines required by subsections (a) and (b); and

(B) to conduct an assessment and provide an analysis and recommendations on the state of Department mental health services.

(2) FUNCTIONS.—In entering into the contract described in paragraph (1), the Secretary shall, with respect to paragraph (1)(B), include in such contract a provision for the study committee—

(A) to conduct a comprehensive assessment of barriers to access to mental health care by veterans who served in the Armed Forces in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn;

(B) to assess the quality of the mental health care being provided to such veterans (including the extent to which veterans are afforded choices with respect to modes of treatment) through site visits to facilities of the Veterans Health Administration (including at least one site visit in each Veterans Integrated Service Network), evaluating studies of patient outcomes, and other appropriate means;

(C) to assess whether, and the extent to which, veterans who served in the Armed Forces in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn are being offered a full range of necessary mental health services at Department health care facilities, including early intervention services for hazardous drinking, relationship problems, and other behaviors that create a risk for the development of a chronic mental health condition;

(D) to conduct surveys or have access to Department-administered surveys of—

(i) providers of Department mental health services;

(ii) veterans who served in the Armed Forces in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn who are receiving mental health care furnished by the Department; and

(iii) eligible veterans who served in the Armed Forces in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn who are not using Department health care services to assess those barriers described in subparagraph (A); and

(E) to provide to the Secretary, on the basis of its assessments as delineated in subparagraphs (A) through (C), specific, detailed recommendations—

(i) for overcoming barriers, and improving access, to timely, effective mental health care at Department health care facilities (or, where Department facilities cannot provide such care, through contract arrangements under existing law); and

(ii) to improve the effectiveness and efficiency of mental health services furnished by the Secretary.

(3) PARTICIPATION BY FORMER OFFICIALS AND EMPLOYEES OF VETERANS HEALTH ADMINISTRATION.—The Secretary shall ensure that any contract entered into under paragraph (1) provides for inclusion on any subcommittee which participates in conducting the assessments and formulating the recommendations provided for in paragraph (2) at least one former official of the Veterans Health Administration and at least two former employees of the Veterans Health Administration who were providers of mental health care.

(4) PERIODIC REPORTS TO SECRETARY.—In entering into the contract described in paragraph (1), the Secretary shall, with respect to paragraph (1)(A), include in such contract a provision for the submittal to the Secretary of periodic reports and provision of other consultation to the Secretary by the study committee to assist the Secretary in carrying out subsections (a) and (b).

(5) REPORTS TO CONGRESS.—Not later than 30 days after receiving a report under paragraph (4), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the plans of the Secretary to implement such recommendations submitted to the Secretary by the study committee as the Secretary considers appropriate. Such report shall include a description of each recommendation submitted to the Secretary that the Secretary does not plan to carry out and an explanation of why the Secretary does not plan to carry out such recommendation.

(d) PUBLICATION.—

(1) IN GENERAL.—The Secretary shall make available to the public on an Internet website of the Department the following:

(A) The measures and guidelines developed and implemented under this section.

(B) An assessment of the performance of the Department using such measures and guidelines.

(2) QUARTERLY UPDATES.—The Secretary shall update the measures, guidelines, and assessment made available to the public under paragraph (1) not less frequently than quarterly.

(e) SEMIANNUAL REPORTS.—

(1) IN GENERAL.—Not later than June 30, 2013, and not less frequently than twice each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the Secretary's progress in developing and implementing the measures and guidelines required by this section.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of the development and implementation of the measures required by subsection (a) and the guidelines required by subsection (b).

(B) A description of the progress made by the Secretary in developing and implementing such measures and guidelines.

(C) An assessment of the mental health care services furnished by the Department of Veterans Affairs, using the measures developed and implemented under subsection (a).

(D) An assessment of the effectiveness of the guidelines developed and implemented under subsection (b).

(E) Such recommendations for legislative or administrative action as the Secretary may have to improve the effectiveness and efficiency of the mental health care services furnished under laws administered by the Secretary.

(f) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 30 days before the date on which the Secretary begins implementing the measures and guidelines required by this section, the Secretary shall submit to the committees described in subsection (e)(1) a report on the Secretary's planned implementation of such measures and guidelines.

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

(A) A detailed description of the measures and guidelines that the Secretary plans to implement under this section.

(B) A description of the rationale for each measure and guideline the Secretary plans to implement under this section.

(C) A discussion of each measure and guideline that the Secretary considered under this section but chose not to implement.

(D) The number of current vacancies in mental health care provider positions in the Department.

(E) An assessment of how many additional positions are needed to meet current or expected demand for mental health services furnished by the Department.

SEC. 760. EXPANSION OF VET CENTER PROGRAM TO INCLUDE FURNISHING COUNSELING TO CERTAIN MEMBERS OF THE ARMED FORCES AND THEIR FAMILY MEMBERS.

Section 1712A of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''Upon the request'' and all that follows through the period at the end and inserting the following: ''Upon the request of any individual referred to in subparagraph (C), the Secretary shall furnish counseling, including by furnishing counseling through a Vet Center, to the individual—

''(i) in the case of an individual referred to in clauses (i) through (iv) of subparagraph (C), to assist the individual in readjusting to civilian life; and

''(ii) in the case of an individual referred to in clause (v) of such subparagraph who is a family member of a veteran or member described in such clause—

''(I) in the case of a member who is deployed in a theater of combat operations or an area at a time during which hostilities are occurring in that area, during such deployment to assist such individual in coping with such deployment; and

''(II) in the case of a veteran or member who is readjusting to civilian life, to the degree that counseling furnished to such individual is found to aid in the readjustment of such veteran or member to civilian life.''; and

(ii) by striking subparagraph (B) and inserting the following new subparagraphs:

''(B) Counseling furnished to an individual under subparagraph (A) may include a comprehensive individual assessment of the individual's psychological, social, and other characteristics to ascertain whether—

''(i) in the case of an individual referred to in clauses (i) through (iv) of subparagraph (C), such individual has difficulties associated with readjusting to civilian life; and

''(ii) in the case of an individual referred to in clause (v) of such subparagraph, such individual has difficulties associated with—

''(I) coping with the deployment of a member described in subclause (I) of such clause; or

''(II) readjustment to civilian life of a veteran or member described in subclause (II) of such clause.

''(C) Subparagraph (A) applies to the following individuals:

''(i) Any individual who is a veteran or member of the Armed Forces, including a member of a reserve component of the Armed Forces, who served on active duty in a theater of combat operations or an area at a time during which hostilities occurred in that area.

''(ii) Any individual who is a veteran or member of the Armed Forces, including a member of a reserve component of the Armed Forces, who provided direct emergency medical or mental health care, or mortuary services to the casualties of combat operations or hostilities, but who at the time was located outside the theater of combat operations or area of hostilities.

''(iii) Any individual who is a veteran or member of the Armed Forces, including a member of a reserve component of the Armed Forces, who engaged in combat with an enemy of the United States or against an opposing military force in a theater of combat operations or an area at a time during which hostilities occurred in that area by remotely controlling an unmanned aerial vehicle, notwithstanding whether the physical location of such veteran or member during such combat was within such theater of combat operations or area.

''(iv) Any individual who received counseling under this section before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.

''(v) Any individual who is a family member of any—

''(I) member of the Armed Forces, including a member of a reserve component of the Armed Forces, who is serving on active duty in a theater of combat operations or in an area at a time during which hostilities are occurring in that area; or

''(II) veteran or member of the Armed Forces described in this subparagraph.'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C)—

(i) by striking ''a veteran described in paragraph (1)(B)(iii)'' and inserting ''an individual described in paragraph (1)(C)''; and

(ii) by striking ''the veteran a preliminary general mental health assessment'' and inserting ''the individual a comprehensive individual assessment as described in paragraph (1)(B)'';

(2) in subsection (b)(1), by striking ''physician or psychologist'' each place it appears and inserting ''licensed or certified mental health care provider'';

(3) in subsection (g)—

(A) by amending paragraph (1) to read as follows:

''(1) The term 'Vet Center' means a facility which is operated by the Department for the provision of services under this section and which is situated apart from Department general health care facilities.''; and

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

''(3) The term 'family member', with respect to a veteran or member of the Armed Forces, means an individual who—

''(A) is a member of the family of the veteran or member, including—

''(i) a parent;

''(ii) a spouse;

''(iii) a child;

''(iv) a step-family member; and

''(v) an extended family member; or

''(B) lives with the veteran or member but is not a member of the family of the veteran or member.''; and

(4) by redesignating subsection (g), as amended by paragraph (3), as subsection (h) and inserting after subsection (f) the following new subsection (g):

''(g) In carrying out this section and in furtherance of the Secretary's responsibility to carry out outreach activities under chapter 63 of this title, the Secretary may provide for and facilitate the participation of personnel employed by the Secretary to provide services under this section in recreational programs that are—

''(1) designed to encourage the readjustment of veterans described in subsection (a)(1)(C); and

''(2) operated by any organization named in or approved under section 5902 of this title.''.

SEC. 761. AUTHORITY FOR SECRETARY OF VETERANS AFFAIRS TO FURNISH MENTAL HEALTH CARE THROUGH FACILITIES OTHER THAN VET CENTERS TO IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES DEPLOYED IN CONNECTION WITH A CONTINGENCY OPERATION.

(a) IN GENERAL.—Subject to the availability of appropriations and subsection (b), the Secretary of Veterans Affairs, in addition to furnishing mental health care to family members of members of the Armed Forces through Vet Centers under section 1712A of title 38, United States Code, may furnish mental health care to immediate family members of members of the Armed Forces while such members are deployed in connection with a contingency operation (as defined in section 101 of title 10, United States Code) through Department of Veterans Affairs medical facilities, telemental health modalities, and such community, nonprofit, private, and other third parties as the Secretary considers appropriate.

(b) LIMITATION.—The Secretary may furnish mental health care under subsection (a) only to the extent that resources and facilities are available and only to the extent that the furnishing of such care does not interfere with the provision of care to veterans.

(c) NO ELIGIBILITY FOR TRAVEL REIMBURSEMENT.—A family member to whom the Secretary furnishes mental health care under subsection (a) shall not be eligible for payments or allowances under section 111 of title 38, United States Code, for such mental health care.

(d) SUNSET.—The authority to furnish medical health care under subsection (a) shall expire on the date that is three years after the date of the enactment of this Act.

(e) VET CENTER DEFINED.—In this section, the term ''Vet Center'' has the meaning given the term in section 1712A(g) of title 38, United States Code, as amended by section 760(3) of this Act.

SEC. 762. ORGANIZATION OF THE READJUSTMENT COUNSELING SERVICE IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter I of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7309. Readjustment Counseling Service

''(a) IN GENERAL.—There is in the Veterans Health Administration a Readjustment Counseling Service. The Readjustment Counseling Service shall provide readjustment counseling and associated services to individuals in accordance with section 1712A of this title.

''(b) CHIEF OFFICER.—(1) The head of the Readjustment Counseling Service shall be the Chief Officer of the Readjustment Counseling Service (in this section the 'Chief Officer'), who shall report directly to the Under Secretary for Health.

''(2) The Chief Officer shall be appointed by the Under Secretary for Health from among individuals who—

''(A)(i) are psychologists who hold a diploma as a doctorate in clinical or counseling psychology from an authority approved by the American Psychological Association and who have successfully undergone an internship approved by that association;

''(ii) are holders of a master in social work degree; or

''(iii) hold such other advanced degrees related to mental health as the Secretary considers appropriate;

''(B) have at least three years of experience providing direct counseling services or outreach services in the Readjustment Counseling Service;

''(C) have at least three years of experience administrating direct counseling services or outreach services in the Readjustment Counseling Service;

''(D) meet the quality standards and requirements of the Department; and

''(E) are veterans who served in combat as members of the Armed Forces.

''(c) STRUCTURE.—(1) The Readjustment Counseling Service is a distinct organizational element within Veterans Health Administration.

''(2) The Readjustment Counseling Service shall provide counseling and services as described in subsection (a).

''(3) The Chief Officer shall have direct authority over all Readjustment Counseling Service staff and assets, including Vet Centers.

''(d) SOURCE OF FUNDS.—(1) Amounts for the activities of the Readjustment Counseling Service, including the operations of its Vet Centers, shall be derived from amounts appropriated for the Veterans Health Administration for medical care.

''(2) Amounts for activities of the Readjustment Counseling Service, including the operations of its Vet Centers, shall not be allocated through the Veterans Equitable Resource Allocation system.

''(3) In each budget request submitted for the Department of Veterans Affairs by the President to Congress under section 1105 of title 31, the budget request for the Readjustment Counseling Service shall be listed separately.

''(e) ANNUAL REPORT.—(1) Not later than March 15 of each year, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the activities of the Readjustment Counseling Service during the preceding calendar year.

''(2) Each report submitted under paragraph (1) shall include, with respect to the period covered by the report, the following:

''(A) A summary of the activities of the Readjustment Counseling Service, including Vet Centers.

''(B) A description of the workload and additional treatment capacity of the Vet Centers, including, for each Vet Center, the ratio of the number of full-time equivalent employees at such Vet Center and the number of individuals who received services or assistance at such Vet Center.

''(C) A detailed analysis of demand for and unmet need for readjustment counseling services and the Secretary's plan for meeting such unmet need.

''(f) VET CENTER DEFINED.—In this section, the term 'Vet Center' has the meaning given the term in section 1712A(g) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7308 the following new item:

''7309. Readjustment Counseling Service.''.

(c) CONFORMING AMENDMENTS.—Section 7305 of such title is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following new paragraph (7):

''(7) A Readjustment Counseling Service.''.

SEC. 763. RECRUITING MENTAL HEALTH PROVIDERS FOR FURNISHING OF MENTAL HEALTH SERVICES ON BEHALF OF THE DEPARTMENT OF VETERANS AFFAIRS WITHOUT COMPENSATION FROM THE DEPARTMENT.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a national program of outreach to societies, community organizations, nonprofit organizations, or government entities in order to recruit mental health providers, who meet the quality standards and requirements of the Department of Veterans Affairs, to provide mental health services for the Department on a part-time, without-compensation basis, under section 7405 of title 38, United States Code.

(b) PARTNERING WITH AND DEVELOPING COMMUNITY ENTITIES AND NONPROFIT ORGANIZATIONS.—In carrying out the program required by subsection (a), the Secretary may partner with a community entity or nonprofit organization or assist in the development of a community entity or nonprofit organization, including by entering into an agreement under section 8153 of title 38, United States Code, that provides strategic coordination of the societies, organizations, and government entities described in subsection (a) in order to maximize the availability and efficient delivery of mental health services to veterans by such societies, organizations, and government entities.

(c) MILITARY CULTURE TRAINING.—In carrying out the program required by subsection (a), the Secretary shall provide training to mental health providers to ensure that clinicians who provide mental health services as described in such subsection have sufficient understanding of military- and service-specific culture, combat experience, and other factors that are unique to the experience of veterans who served in Operation Enduring Freedom, Operating Iraqi Freedom, or Operation New Dawn.

SEC. 764. PEER SUPPORT.

(a) PEER SUPPORT COUNSELING PROGRAM.—

(1) PROGRAM REQUIRED.—Paragraph (1) of section 1720F(j) of title 38, United States Code, is amended in the matter before subparagraph (A) by striking ''may'' and inserting ''shall''.

(2) TRAINING.—Paragraph (2) of such section is amended by inserting after ''peer counselors'' the following: '', including training carried out under the national program of training required by section 304(c) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (38 U.S.C. 1712A note; Public Law 111–163)''.

(3) AVAILABILITY OF PROGRAM AT DEPARTMENT MEDICAL CENTERS.—Such section is amended by adding at the end the following new paragraph:

''(3) In addition to other locations the Secretary considers appropriate, the Secretary shall carry out the peer support program under this subsection at each Department medical center.''.

(4) DEADLINE FOR COMMENCEMENT OF PROGRAM.—The Secretary of Veterans Affairs shall ensure that the peer support counseling program required by section 1720F(j) of title 38, United States Code, as amended by this subsection, commences at each Department of Veterans Affairs medical center not later than 270 days after the date of the enactment of this Act.

(b) PEER OUTREACH AND PEER SUPPORT SERVICES AT DEPARTMENT MEDICAL CENTERS UNDER PROGRAM ON READJUSTMENT AND MENTAL HEALTH CARE SERVICES FOR VETERANS WHO SERVED IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.—

(1) IN GENERAL.—Section 304 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (38 U.S.C. 1712A note; Public Law 111–163) is amended—

(A) by redesignating subsection (e) as subsection (f); and

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

''(e) PROVISION OF PEER OUTREACH AND PEER SUPPORT SERVICES AT DEPARTMENT MEDICAL CENTERS.—The Secretary shall carry out the services required by subparagraphs (A) and (B) of subsection (a)(1) at each Department medical center.''.

(2) DEADLINE.—The Secretary of Veterans Affairs shall commence carrying out the services required by subparagraphs (A) and (B) of subsection (a)(1) of such section at each Department of Veterans Affairs medical center, as required by subsection (e) of such section (as added by paragraph (1)), not later than 270 days after the date of the enactment of this Act.

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

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

SEC. 801. LIMITATION ON USE OF COST-TYPE CONTRACTS.

(a) PROHIBITION WITH RESPECT TO PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall modify the acquisition regulations of the Department of Defense to prohibit the Department from entering into cost-type contracts for the production of major defense acquisition programs (MDAPs).

(b) EXCEPTION.—

(1) IN GENERAL.—The prohibition under subsection (a) shall not apply in the case of a particular cost-type contract if the Under Secretary of Defense for Acquisition, Technology, and Logistics, after consultation with the Director of Cost Assessment and Program Evaluation—

(A) certifies, in writing, with reasons, that a cost-type contract is needed to provide a required capability in a timely and cost-effective manner; and

(B) provides the certification to the congressional defense committees not later than 30 business days before issuing a solicitation for the contract.

(2) SCOPE OF EXCEPTION.—In any case when the Under Secretary grants an exception under paragraph (1), the Under Secretary shall take affirmative steps to make sure that the use of cost-type pricing is limited to only those line items or portions of the contract where such pricing is needed to achieve the purposes of the exception. A written certification under paragraph (1) shall be accompanied by an explanation of the steps taken under this paragraph.

(c) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''major defense acquisition program'' has the meaning given the term in section 2430(a) of title 10, United States Code.

(2) PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''production of a major defense acquisition program'' means the production, either on a low-rate initial production or full-rate production basis, and deployment of a major system that is intended to achieve an operational capability that satisfies mission needs, or any activity otherwise defined as Milestone C under Department of Defense Instruction 5000.02 or related authorities.

(3) CONTRACT FOR THE PRODUCTION OF A MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''contract for the production of a major defense acquisition program''—

(A) means a prime contract for the production of a major defense acquisition program; and

(B) does not include individual line items for segregable efforts or contracts for the incremental improvement of systems that are already in production (other than contracts for major upgrades that are themselves major defense acquisition programs).

(d) APPLICABILITY.—The requirements of this section shall apply to contracts for the production of major defense acquisition programs entered into on or after October 1, 2014.

SEC. 802. ACQUISITION STRATEGIES FOR MAJOR SUBSYSTEMS AND SUBASSEMBLIES ON MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that the acquisition strategy for each major defense acquisition program—

(1) provides, where appropriate, for breaking out a major subsystem or subassembly, conducting a separate competition or negotiating a separate price for the subsystem or subassembly, and providing the subsystem or subassembly to the prime contractor as government-furnished equipment; and

(2) in any case where it is not practical or appropriate to break out a major subsystem or subassembly and provide it to the prime contractor as government-furnished equipment, includes measures to prevent excessive pass-through charges by the prime contractor.

(b) DEFINITIONS.—In this section:

(1) The term ''excessive pass-through charges'' means pass-through charges that are not reasonable in relation to the cost of direct labor provided by employees of the contractor, any other costs directly attributable to the management of the subcontract by employees of the contractor, and the level of risk and responsibility, if any, assumed by the prime contractor for the performance of the subcontract.

(2) The term ''major defense acquisition program'' has the meaning given the term in section 2430(a) of title 10, United States Code.

(3) The term ''pass-through charges'' means prime contractor charges for overhead (including general and administrative costs) or profit on a subsystem or subassembly that is produced by an entity or entities other than the prime contractor.

(c) CONFORMING AMENDMENTS.—Section 202(c) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1720; 10 U.S.C. 2430 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''fair and objective 'make-buy' decisions by prime contractors'' and inserting ''competition or the option of competition at the subcontract level'';

(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting before paragraph (2), as redesignated by paragraph (2) of this subsection, the following new paragraph (1):

''(1) where appropriate, breaking out a major subsystem, conducting a separate competition for the subsystem, and providing the subsystem to the prime contractor as government-furnished equipment;''.

SEC. 803. MANAGEMENT STRUCTURE FOR DEVELOPMENTAL TEST AND EVALUATION.

(a) DUTIES OF DASD FOR DEVELOPMENTAL TEST AND EVALUATION.—Subsection (a)(5) of section 139b of title 10, United States Code is amended—

(1) in subparagraph (A)(i), by striking ''in the Department of Defense'' and inserting ''of the military departments and other elements of the Department of Defense''; and

(2) in subparagraph (C), by striking ''programs'' and inserting ''programs (including the activities of chief developmental testers and lead developmental test evaluation organizations designated in accordance with subsection (c))''.

(b) DUTIES OF CHIEF DEVELOPMENTAL TESTER AND LEAD DEVELOPMENTAL TEST AND EVALUATION ORGANIZATION.—Subsection (c) of such section is amended—

(1) in paragraph (2), by striking ''shall be responsible for'' and inserting '', consistent with policies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for'';

(2) in paragraph (3), by striking ''shall be responsible for'' and inserting '', consistent with policies and guidance issued pursuant to subsection (a)(5)(A), shall be responsible for''; and

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

''(4) TRANSMITTAL OF RECORDS AND DATA.—The chief developmental tester and the lead developmental test and evaluation organization for a major defense acquisition program shall promptly transmit to the Deputy Assistant Secretary for Developmental Test and Evaluation any records or data relating to the program that are requested by the Deputy Assistant Secretary, as provided in subsection (a)(6).''.

SEC. 804. ASSESSMENTS OF POTENTIAL TERMINATION LIABILITY OF CONTRACTS FOR THE DEVELOPMENT OR PRODUCTION OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPORT ON ASSESSMENT REQUIRED.—Not later than 30 days before entering into a covered contract, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the potential termination liability of the Department of Defense under the contract, including—

(1) an estimate of the maximum potential termination liability certification for the contract; and

(2) an assessment how such termination liability is likely to increase or decrease over the period of performance of the contract.

(b) COVERED CONTRACTS.—For purposes of this section, a covered contract is a contract for the development or production of a major defense acquisition program for which the Under Secretary of Defense for Acquisition, Technology, and Logistics is the Milestone Decision Authority if the contract has a potential termination liability of the Department of Defense that could reasonably be expected to exceed $100,000,000.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term ''major defense acquisition program'' has the meaning given that term in section 2430 of title 10, United States Code.

SEC. 805. TECHNICAL CHANGE REGARDING PROGRAMS EXPERIENCING CRITICAL COST GROWTH DUE TO CHANGE IN QUANTITY PURCHASED.

Section 2433a(c)(3)(A) of title 10, United States Code, is amended by striking ''subparagraphs

(B) and (C)'' and inserting ''subparagraphs (B), (C), and (E)''.

SEC. 806. REPEAL OF REQUIREMENT TO REVIEW ONGOING PROGRAMS INITIATED BEFORE ENACTMENT OF MILESTONE B CERTIFICATION AND APPROVAL PROCESS.

Subsection (b) of section 205 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23; 123 Stat. 1725; 10 U.S.C. 2366b note) is repealed.

Subtitle B—Acquisition Policy and Management

SEC. 821. ONE-YEAR EXTENSION OF TEMPORARY LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489) is amended—

(1) by striking ''fiscal year 2012 or 2103'' each place it appears and inserting ''fiscal year 2012, 2013, or 2014''; and

(2) by striking ''fiscal years 2012 and 2013'' each place it appears and inserting ''fiscal years 2012, 2103, and 2014''.

SEC. 822. PROHIBITION OF EXCESSIVE PASS-THROUGH CONTRACTS AND CHARGES IN THE ACQUISITION OF SERVICES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to—

(1) prohibit the award of a covered contract or task order unless the contractor agrees that at least 50 percent of the direct labor cost of services to be performed under the contract or task order will be expended for employees of the contractor or of a subcontractor that is specifically identified and authorized to perform such work in the contract or task order;

(2) provide that the contracting officer for a covered contract or task order may authorize reliance upon a subcontractor or subcontractors to meet the requirement in paragraph (1) only upon a written determination that such reliance is in the best interest of the executive agency concerned, after taking into account the added cost for overhead (including general and administrative costs) and profit that may be incurred as a result of the pass-through;

(3) require the contracting officer for a covered contract or task order for which more than 70 percent of the direct labor cost of services to be performed will be expended for persons other than employees of the contractor to ensure that amounts paid to the contractor for overhead (including general and administrative costs) and profit are reasonable in relation to the cost of direct labor provided by employees of the contractor and any other costs directly attributable to the management of the subcontract by employees of the contractor;

(4) include such exceptions to the requirements in paragraphs (2) and (3) as the Federal Acquisition Regulatory Council considers appropriate in the interests of the United States, which exceptions shall be permissible only in exceptional circumstances and for instances demonstrated by the Council to be cost-effective; and

(5) include such exceptions to the requirements in paragraphs (2) and (3) as the Secretary of Defense considers appropriate in the interests of the national defense.

(b) COVERED CONTRACT OR TASK ORDER DEFINED.—In this section, the term ''covered contract or task order'' means a contract or task order for the performance of services (other than construction) with a value in excess of the simplified acquisition threshold that is entered into for or on behalf of an executive agency, except that such term does not include any contract or task order that provides a firm, fixed price for each task to be performed and is—

(1) awarded on the basis of adequate price competition; or

(2) for the acquisition of commercial services as defined in paragraphs (5) and (6) of section 103 of title 41, United States Code.

(c) EFFECTIVE DATE.—The requirements of this section shall apply to—

(1) covered contracts that are awarded on or after the date that is 90 days after the date of the enactment of this Act; and

(2) covered task orders that are awarded on or after the date that is 90 days after the date of the enactment of this Act under contracts that are awarded before, on, or after such date.

(d) OTHER DEFINITIONS.—In this section:

(1) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

(2) The term ''Federal Acquisition Regulatory Council'' means the Federal Acquisition Regulatory Council under section 1302(a) of title 41, United States Code.

(e) CONFORMING REPEAL.—Section 852 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2340) is repealed.

SEC. 823. AVAILABILITY OF AMOUNTS IN DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND FOR TEMPORARY MEMBERS OF WORKFORCE.

(a) IN GENERAL.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (1), by adding at the end the following new sentence: ''In the case of temporary members of the acquisition workforce designated pursuant to subsection (h)(2), such funds shall be available only for the limited purpose of providing training in the performance of acquisition-related functions and duties.''; and

(B) in paragraph (5), by inserting before the period at the end the following: '', and who has continued in the employment of the Department since such time without a break in such employment of more than a year'';

(2) by striking subsection (g);

(3) by redesignating subsection (h) as subsection (g); and

(4) by adding at the end the following new subsection (h):

''(h) ACQUISITION WORKFORCE DEFINED.—In this section, the term 'acquisition workforce' means the following:

''(1) Personnel in positions designated under section 1721 of this title as acquisition positions for purposes of this chapter.

''(2) Other military personnel or civilian employees of the Department of Defense who—

''(A) contribute significantly to the acquisition process by virtue of their assigned duties; and

''(B) are designated as temporary members of the acquisition workforce by the Under Secretary of Defense for Acquisition, Technology, and Logistics, or by the senior acquisition executive of a military department, for the limited purpose of receiving training for the performance of acquisition-related functions and duties.''.

(b) EXTENSION OF EXPEDITED HIRING AUTHORITY.—Subsection (g) of such section, as redesignated by subsection (a)(3) of this section, is further amended in paragraph (2) by striking ''September 30, 2015'' and inserting ''September 30, 2017''.

(c) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall develop a plan for the implementation of the authority provided by the amendments made by subsection (a) with regard to temporary members of the defense acquisition workforce. The plan shall include policy, criteria, and processes for designating temporary members and appropriate safeguards to prevent the abuse of such authority.

SEC. 824. DEPARTMENT OF DEFENSE POLICY ON CONTRACTOR PROFITS.

(a) REVIEW OF GUIDELINES ON PROFITS.—The Secretary of Defense shall review the profit guidelines in the Department of Defense Supplement to the Federal Acquisition Regulation in order to identify any modifications to such guidelines that are necessary to ensure an appropriate link between contractor profit and contractor performance.

(b) MATTERS TO BE CONSIDERED.—In conducting the review required by subsection (a), the Secretary shall consider, at a minimum, the following:

(1) Appropriate levels of profit needed to sustain competition in the defense industry, taking into account contractor investment and cash flow.

(2) Appropriate adjustments to address contract and performance risk assumed by the contractor, taking into account the extent to which such risk is passed on to subcontractors.

(3) Appropriate incentives for superior performance in delivering quality products and services in a timely and cost-effective manner, taking into account such factors as prime contractor cost reduction, control of overhead costs, subcontractor cost reduction, subcontractor management, and effective competition (including the utilization of small business) at the subcontract level.

(c) MODIFICATION OF GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall modify the profit guidelines described in subsection (a) so as to achieve the link described that subsection.

(d) REPORT.—Upon the completion of the modification of the profit guidelines required by subsection (c), the Secretary shall submit to the congressional defense committees a report on the actions of the Secretary under this section. The report shall set forth the following:

(1) The results of the review conducted under subsection (a).

(2) A description of the modification carried out under subsection (c).

SEC. 825. MODIFICATION OF AUTHORITIES ON INTERNAL CONTROLS FOR PROCUREMENTS ON BEHALF OF THE DEPARTMENT OF DEFENSE BY CERTAIN NON-DEFENSE AGENCIES.

(a) DISCRETIONARY AUTHORITY.—Subsection (a) of section 801 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amended—

(1) in paragraph (1), by striking ''shall, not later than the date specified in paragraph (2),'' and inserting ''may'';

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(4) in paragraph (3), as redesignated by paragraph (3) of this section—

(A) by striking ''required under this subsection'' and inserting ''to be performed under this subsection''; and

(B) by striking ''shall'' and inserting ''may''; and

(5) in paragraph (4), as so redesignated, by striking ''shall'' and inserting ''may''.

(b) CONFORMING AMENDMENTS.—Subsection (b)(1)(B) of such section is amended—

(1) in clause (i), by striking ''required by subsection (a)(4)'' and inserting ''to be entered into under subsection (a)(3)''; and

(2) in clause (ii)—

(A) by striking ''required by subsection (a)'' and inserting ''provided for under subsection (a)''; and

(B) by striking ''subsection (a)(5)'' and inserting ''subsection (a)(4)''.

SEC. 826. EXTENSION OF PILOT PROGRAM ON MANAGEMENT OF SUPPLY-CHAIN RISK.

Section 806(g) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4262; 10 U.S.C. 2304 note) is amended by striking ''the date that is three years after the date of the enactment of this Act'' and inserting ''January 1, 2016''.

SEC. 827. SENSE OF SENATE ON THE CONTINUING PROGRESS OF THE DEPARTMENT OF DEFENSE IN IMPLEMENTING ITS ITEM UNIQUE IDENTIFICATION INITIATIVE.

(a) FINDINGS.—The Senate makes the following findings:

(1) In 2003, the Department of Defense initiated the Item Unique Identification (IUID) Initiative, which requires the marking and tracking of assets deployed throughout the Armed Forces or in the possession of Department contractors.

(2) The Initiative has the potential for realizing significant cost savings and improving the management of defense equipment and supplies throughout their lifecycle.

(3) The Initiative can help the Department combat the growing problem of counterfeits in the military supply chain.

(b) SENSE OF SENATE.—It is the sense of the Senate—

(1) to support efforts by the Department of Defense to implement the Item Unique Identification Initiative;

(2) to support measures to verify contractor compliance with section 252.211–7003 (entitled ''Item Identification and Valuation'') of the Defense Supplement to the Federal Acquisition Regulation, on Unique Identification, which states that a unique identification equivalent recognized by the Department is required for certain acquisitions;

(3) to encourage the Armed Forces to adopt and implement Item Unique Identification actions and milestones; and

(4) to support investment of sufficient resources and continued training and leadership to enable the Department to capture meaningful data and optimize the benefits of the Item Unique Identification Initiative.

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

SEC. 841. APPLICABILITY OF TRUTH IN NEGOTIATIONS ACT TO MAJOR SYSTEMS AND RELATED SUBSYSTEMS, COMPONENTS, AND SUPPORT SERVICES.

(a) AUTHORITY TO REQUIRE SUBMISSION OF COST OR PRICING DATA.—Subsection (c) of section 2306a of title 10, United States Code, is amended—

(1) in the subsection caption, by striking ''BELOW-THRESHOLD'' and inserting ''CERTAIN''; and

(2) in paragraph (2), by inserting before the period at the end the following: '', except in the case of either of the following:

''(A) A major system or a subsystem or component thereof that is not a commercially available off-the-shelf item (as defined in section 104 of title 41) and was not developed exclusively at private expense as demonstrated in accordance with the requirements of section 2321(f)(2) of this title.

''(B) Services that are procured for support of a system, subsystem, or component described in subparagraph (A).''.

(b) AUTHORITY TO REQUIRE SUBMISSION OF OTHER INFORMATION.—Subsection (d)(1) of such section is amended by striking ''at a minimum'' and all that follows and inserting ''at a minimum—

''(A) appropriate information on the prices at which the same item or similar items have previously been sold that is adequate for evaluating the reasonableness of the price for the procurement; and

''(B) in the case of a system, subsystem, component, or services described in subparagraph (A) or (B) of subsection (c)(2) for which price information described in subparagraph (A) of this paragraph is not adequate to evaluate price reasonableness, uncertified cost data that is adequate for evaluating the reasonableness of the price for the procurement.''.

(c) TECHNICAL AMENDMENT.—Subsection (c)(3) of such section is amended by striking ''paragraph'' and inserting ''subsection''.

SEC. 842. MAXIMUM AMOUNT OF ALLOWABLE COSTS OF COMPENSATION OF CONTRACTOR EMPLOYEES.

(a) MODIFICATION OF MAXIMUM AMOUNT.—Section 2324(e)(1)(P) of title 10, United States Code, is amended by striking ''the benchmark'' and all that follows through ''section 1127 of title 41'' and inserting ''the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently $230,700)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2013, and shall apply with respect to costs of compensation incurred on or after that date under contracts entered into before, on, or after that date.

(c) REPORT ON ALLOWABLE COSTS OF EMPLOYEE COMPENSATION.—Not later than 120 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to Congress a report on the effect of the modification of allowable costs of contractor compensation of employees made by subsection (a). The report shall include the following:

(1) The total number of contractor employees whose allowable costs of compensation in fiscal year 2012 exceeded the amount of allowable costs under the modification made by subsection (a).

(2) The total number of contractor employees whose allowable costs of compensation in each of fiscal years 2010, 2011, and 2012 would have exceeded the amount of allowable costs under section 2324(e)(1)(P) of title 10, United States Code, as amended by section 803(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1485).

(3) The total number of contractor employees whose allowable costs of compensation in each of fiscal years 2010, 2011, and 2012 exceeded the amount payable to the President under section 102 of title 3, United States Code.

(4) The total number of contractor employees in fiscal year 2012 that could have been characterized as falling within a narrowly targeted exception established by the Secretary of Defense under section 2324(e)(1)(P) of title 10, United States Code, as a result of the amendment made by section 803(a)(2) of the National Defense Authorization Act for Fiscal Year 2012.

(5) An assessment whether the compensation amounts provided in fiscal year 2012 to employees who were characterized by their employers as falling within a narrowly targeted exception described in paragraph (4) were provided compensation amounts in that fiscal year in manner consistent with private sector practice.

(6) The duties and services performed in fiscal year 2012 by employees who were characterized by their employers as falling within a narrowly targeted exception described in paragraph (4).

(7) An assessment whether there are Federal civilian employees who perform duties and services comparable to the duties and services described pursuant to paragraph (6).

SEC. 843. DEPARTMENT OF DEFENSE ACCESS TO AND USE OF CONTRACTOR INTERNAL AUDIT REPORTS.

(a) CLARIFICATION OF AUDIT ACCESS AUTHORITY.—Section 2313(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking ''or'' at the end;

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

(3) by adding at the end the following new subparagraph:

''(E) the efficacy of contractor or subcontractor internal controls and the reliability of contractor or subcontractor business systems.''.

(b) GUIDANCE ON ACCESS.—

(1) GUIDANCE REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Contract Audit Agency shall issue revised guidance on Defense Contract Audit Agency auditor access to defense contractor internal audit reports and supporting materials.

(2) PURPOSE.—The purpose of the guidance issued pursuant to paragraph (1) shall be to ensure that the Defense Contract Audit Agency has sufficient access to contractor internal audit reports and supporting materials in order to—

(A) evaluate and test the efficacy of contractor internal controls and the reliability of associated contractor business systems; and

(B) assess the amount of risk and level of testing required in connection with specific audits to be conducted by the Agency.

(3) MATTERS TO BE ADDRESSED.—The guidance issued pursuant to paragraph (1) shall address, at a minimum, the following:

(A) The extent to which Defense Contract Audit Agency auditors should request access to defense contractor internal audit reports and supporting materials.

(B) The circumstances in which follow-up actions, including subpoenas, may be required to ensure Agency access to audit reports and supporting materials.

(C) The designation of Agency audit officials responsible for coordinating issues pertaining to Agency requests for audit reports and supporting materials.

(D) The purposes for which Agency auditors may use audit reports and supporting materials.

(E) Any protections that may be required to ensure that audit reports and supporting materials are not misused.

(F) Requirements for tracking Agency requests for audit reports and supporting materials.

(c) FAILURE TO PROVIDE ACCESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise the program required by section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4311; 10 U.S.C. 2302 note) in order to—

(1) ensure that any assessment of the adequacy of contractor business systems takes into account the efficacy of contractor internal controls, including contractor internal audit reports and supporting materials, that are relevant to such assessment; and

(2) provide that the refusal of a contractor to permit access to contractor internal audit reports and supporting materials that are relevant to such an assessment is a basis for disapproving the contractor business system or systems to which such materials are relevant and taking the remedial actions authorized under section 893.

SEC. 844. ENHANCEMENT OF WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR EMPLOYEES.

(a) IN GENERAL.—Subsection (a) of section 2409 of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''An employee'';

(2) in paragraph (1), as so designated—

(A) by inserting ''or subcontractor'' after ''employee of a contractor'';

(B) by striking ''a Member of Congress'' and all that follows through ''the Department of Justice'' and inserting ''a person or body described in paragraph (2)'';

(C) by inserting ''an abuse of authority relating to a Department of Defense contract or grant,'' after ''Department of Defense funds,''; and

(D) by inserting '', rule, or regulation'' after ''a violation of law''; and

(3) by adding at the end the following new paragraphs:

''(2) The persons and bodies described in this paragraph are the persons and bodies as follows:

''(A) A Member of Congress or a representative of a committee of Congress.

''(B) An Inspector General.

''(C) The Government Accountability Office.

''(D) A Department of Defense employee responsible for contract oversight or management.

''(E) An authorized official of the Department of Justice or other law enforcement agency.

''(F) A court or grand jury.

''(G) A management official or other employee of the contractor or subcontractor who has the responsibility to investigate, discover, or address misconduct.

''(3) For the purposes of paragraph (1)—

''(A) an employee who initiates or provides evidence of contractor or subcontractor misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Department of Defense contract shall be deemed to have made a disclosure covered by such paragraph; and

''(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of a Department of Defense official, unless the request takes the form of a non-discretionary directive and is within the authority of the Department of Defense official making the request.''.

(b) INVESTIGATION OF COMPLAINTS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting ''fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant,'' after ''is frivolous,'';

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting '', fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant'' after ''is frivolous''; and

(B) in subparagraph (B), by inserting '', up to 180 days,'' after ''such additional period of time''; and

(3) by adding at the end the following new paragraphs:

''(3) The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is—

''(A) made with the consent of the person alleging the reprisal;

''(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

''(C) necessary to conduct an investigation of the alleged reprisal.

''(4) A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.''.

(c) REMEDY AND ENFORCEMENT AUTHORITY.—Subsection (c) of such section is amended—

(1) in paragraph (1)(B), by striking ''the compensation (including back pay)'' and inserting ''compensatory damages (including back pay)'';

(2) in paragraph (2), by adding at the end following new sentence: ''An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.'';

(3) in paragraph (4), by striking ''and compensatory and exemplary damages.'' and inserting '', compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the agency.'';

(4) in paragraph (5), by adding at the end the following new sentence: ''Filing such an appeal shall not act to stay the enforcement of the order of the head of an agency, unless a stay is specifically entered by the court.''; and

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

''(6) The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

''(7) The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment, including by any predispute arbitration agreement, other than an arbitration provision in a collective bargaining agreement.''.

(d) NOTIFICATION OF EMPLOYEES.—Such section is further 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 (d):

''(d) NOTIFICATION OF EMPLOYEES.—The Secretary of Defense shall ensure that contractors and subcontractors of the Department of Defense inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.''.

(e) ABUSE OF AUTHORITY DEFINED.—Subsection (f) of such section, as redesignated by subsection (d)(1) of this section, is further amended by adding at the end the following new paragraph:

''(6) The term 'abuse of authority' means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the Department of Defense or the successful performance of a Department of Defense contract or grant.''.

(f) ALLOWABILITY OF LEGAL FEES.—Section 2324(k) of such title is amended—

(1) in paragraph (1), by striking ''commenced by the United States or a State'' and inserting ''commenced by the United States, by a State, or by a contractor employee submitting a complaint under section 2409 of this title''; and

(2) in paragraph (2)(C), by striking ''the imposition of a monetary penalty'' and inserting ''the imposition of a monetary penalty or an order to take corrective action under section 2409 of this title''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply to—

(A) all contracts awarded on or after such date;

(B) all task orders entered on or after such date pursuant to contracts awarded before, on, or after such date; and

(C) all contracts awarded before such date that are modified to include a contract clause providing for the applicability of such amendments.

(2) REVISION OF DOD SUPPLEMENT TO THE FAR.—Not later than 180 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to implement the requirements arising under the amendments made by this section.

(3) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract that was awarded before the date that is 180 days after the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section to the contract.

SEC. 844A. WHISTLEBLOWER PROTECTIONS FOR NON-DEFENSE CONTRACTORS.

(a) WHISTLEBLOWER PROTECTIONS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

''SEC. 4712. CONTRACTOR AND GRANTEE EMPLOYEES: PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.

''(a) PROHIBITION OF REPRISALS.—

''(1) IN GENERAL.—An employee of a contractor, subcontractor, or grantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in paragraph (2) information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

''(2) PERSONS AND BODIES COVERED.—The persons and bodies described in this paragraph are the persons and bodies as follows:

''(A) A Member of Congress or a representative of a committee of Congress.

''(B) An Inspector General.

''(C) The Government Accountability Office.

''(D) A Federal employee responsible for contract or grant oversight or management at the relevant agency.

''(E) An authorized official of the Department of Justice or other law enforcement agency.

''(F) A court or grand jury.

''(G) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

''(3) RULES OF CONSTRUCTION.—For the purposes of paragraph (1)—

''(A) an employee who initiates or provides evidence of contractor, subcontractor, or grantee misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant shall be deemed to have made a disclosure covered by such paragraph; and

''(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of an executive branch official, unless the request takes the form of a non-discretionary directive and is within the authority of the executive branch official making the request.

''(b) INVESTIGATION OF COMPLAINTS.—

''(1) SUBMISSION OF COMPLAINT.—A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint to the Inspector General of the executive agency involved. Unless the Inspector General determines that the complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant, the Inspector General shall investigate the complaint and, upon completion of such investigation, submit a report of the findings of the investigation to the person, the contractor or grantee concerned, and the head of the agency.

''(2) INSPECTOR GENERAL ACTION.—

''(A) DETERMINATION OR SUBMISSION OF REPORT ON FINDINGS.—Except as provided under subparagraph (B), the Inspector General shall make a determination that a complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant or submit a report under paragraph (1) within 180 days after receiving the complaint.

''(B) EXTENSION OF TIME.—If the Inspector General is unable to complete an investigation in time to submit a report within the 180-day period specified in subparagraph (A) and the person submitting the complaint agrees to an extension of time, the Inspector General shall submit a report under paragraph (1) within such additional period of time, up to 180 days, as shall be agreed upon between the Inspector General and the person submitting the complaint.

''(3) PROHIBITION ON DISCLOSURE.—The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is—

''(A) made with the consent of the person alleging the reprisal;

''(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

''(C) necessary to conduct an investigation of the alleged reprisal.

''(4) TIME LIMITATION.—A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.

''(c) REMEDY AND ENFORCEMENT AUTHORITY.—

''(1) IN GENERAL.—Not later than 30 days after receiving an Inspector General report pursuant to subsection (b), the head of the executive agency concerned shall determine whether there is sufficient basis to conclude that the contractor or grantee concerned has subjected the complainant to a reprisal prohibited by subsection (a) and shall either issue an order denying relief or shall take one or more of the following actions:

''(A) Order the contractor or grantee to take affirmative action to abate the reprisal.

''(B) Order the contractor or grantee to reinstate the person to the position that the person held before the reprisal, together with compensatory damages (including back pay), employment benefits, and other terms and conditions of employment that would apply to the person in that position if the reprisal had not been taken.

''(C) Order the contractor or grantee to pay the complainant an amount equal to the aggregate amount of all costs and expenses (including attorneys' fees and expert witnesses' fees) that were reasonably incurred by the complainant for, or in connection with, bringing the complaint regarding the reprisal, as determined by the head of the executive agency.

''(2) EXHAUSTION OF REMEDIES.—If the head of an executive agency issues an order denying relief under paragraph (1) or has not issued an order within 210 days after the submission of a complaint under subsection (b), or in the case of an extension of time under paragraph (b)(2)(B), not later than 30 days after the expiration of the extension of time, and there is no showing that such delay is due to the bad faith of the complainant, the complainant shall be deemed to have exhausted all administrative remedies with respect to the complaint, and the complainant may bring a de novo action at law or equity against the contractor or grantee to seek compensatory damages and other relief available under this section in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy. Such an action shall, at the request of either party to the action, be tried by the court with a jury. An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.

''(3) ADMISSIBILITY OF EVIDENCE.—An Inspector General determination and an agency head order denying relief under paragraph (2) shall be admissible in evidence in any de novo action at law or equity brought pursuant to this subsection.

''(4) ENFORCEMENT OF ORDERS.—Whenever a person fails to comply with an order issued under paragraph (1), the head of the executive agency concerned shall file an action for enforcement of such order in the United States district court for a district in which the reprisal was found to have occurred. In any action brought under this paragraph, the court may grant appropriate relief, including injunctive relief, compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the executive agency.

''(5) JUDICIAL REVIEW.—Any person adversely affected or aggrieved by an order issued under paragraph (1) may obtain review of the order's conformance with this subsection, and any regulations issued to carry out this section, in the United States court of appeals for a circuit in which the reprisal is alleged in the order to have occurred. No petition seeking such review may be filed more than 60 days after issuance of the order by the head of the executive agency. Review shall conform to chapter 7 of title 5. Filing such an appeal shall not act to stay the enforcement of the order of the head of an executive agency, unless a stay is specifically entered by the court.

''(6) BURDENS OF PROOF.—The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an executive agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

''(7) RIGHTS AND REMEDIES NOT WAIVABLE.—The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment, including by any predispute arbitration agreement, other than an arbitration provision in a collective bargaining agreement.

''(d) NOTIFICATION OF EMPLOYEES.—The head of each executive agency shall ensure that contractors, subcontractors, and grantees of the agency inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

''(e) CONSTRUCTION.—Nothing in this section may be construed to authorize the discharge of, demotion of, or discrimination against an employee for a disclosure other than a disclosure protected by subsection (a) or to modify or derogate from a right or remedy otherwise available to the employee.

''(f) DEFINITIONS.—In this section:

''(1) The term 'abuse of authority' means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the executive agency concerned or the successful performance of a contract or grant of such agency.

''(2) The term 'Inspector General' means an Inspector General appointed under the Inspector General Act of 1978 and any Inspector General that receives funding from, or has oversight over contracts or grants awarded for or on behalf of, the executive agency concerned.''.

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

''4712. Contractor and grantee employees: protection from reprisal for disclosure of certain information.''.

(b) ALLOWABILITY OF LEGAL FEES.—Section 4310 of title 41, United States Code, is amended—

(1) in subsection (b), by striking ''commenced by the Federal Government or a State'' and inserting ''commenced by the Federal Government, by a State, or by a contractor or grantee employee submitting a complaint under section 4712 of this title''; and

(2) in subsection (c)(3), by striking ''the imposition of a monetary penalty'' and inserting ''the imposition of a monetary penalty or an order to take corrective action under section 4712 of this title''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply to—

(A) all contracts and grants awarded on or after such date;

(B) all task orders entered on or after such date pursuant to contracts awarded before, on, or after such date; and

(C) all contracts awarded before such date that are modified to include a contract clause providing for the applicability of such amendments.

(2) REVISION OF FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to implement the requirements arising under the amendments made by this section.

(3) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract that was awarded before the date that is 180 days after the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section to the contract.

SEC. 845. EXTENSION OF CONTRACTOR CONFLICT OF INTEREST LIMITATIONS.

(a) ASSESSMENT OF EXTENSION OF LIMITATIONS TO CERTAIN ADDITIONAL FUNCTIONS AND CONTRACTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review the guidance on personal conflicts of interest for contractor employees issued pursuant to section 841(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4537) in order to determine whether it would be in the best interest of the Department of Defense and the taxpayers to extend such guidance to personal conflicts of interest by contractor personnel performing any of the following:

(1) Functions other than acquisition functions that are closely associated with inherently governmental functions (as that term is defined in section 2383(b)(3) of title 10, United States Code).

(2) Personal services contracts (as that term is defined in section 2330a(g)(5) of title 10, United States Code).

(3) Contracts for staff augmentation services (as that term is defined in section 808(d)(3) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1490)).

(b) EXTENSION OF LIMITATIONS.—If the Secretary determines pursuant to the review under subsection (a) that the guidance on personal conflicts of interest should be extended, the Secretary shall revise the Defense Supplement to the Federal Acquisition Regulation to the extent necessary to achieve such extension.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the following:

(1) A summary of the review conducted under subsection (a).

(2) A summary description of any revisions of regulations carried out under subsection (b).

SEC. 846. REPEAL OF SUNSET FOR CERTAIN PROTESTS OF TASK AND DELIVERY ORDER CONTRACTS.

Section 2304c(e) of title 10, United States Code, is amended by striking paragraph (3).

SEC. 847. REPORTS ON USE OF INDEMNIFICATION AGREEMENTS.

(a) IN GENERAL.—Not later than 90 days after the end of each of fiscal years 2013 through 2016, the Secretary of Defense shall submit to the appropriate committees of Congress a report on any actions described in subsection (b) which occurred during the preceding fiscal years.

(b) ACTIONS DESCRIBED.—

(1) IN GENERAL.—An action described in this subsection is the Secretary of Defense—

(A) entering into a contract that includes an indemnification provision relating to bodily injury caused by negligence or relating to wrongful death; or

(B) modifying an existing contract to include a provision described in subparagraph (A) in a contract.

(2) EXCLUDED CONTRACTS.—Paragraph (1) shall not apply to any contract awarded in accordance with—

(A) section 2354 of title 10, United States Code; or

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(c) MATTERS INCLUDED.—For each action covered in a report under subsection (a), the report shall include—

(1) the name of the contractor;

(2) a description of the indemnification provision included in the contract; and

(3) a justification for the contract including the indemnification provision.

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

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on the Budget, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

SEC. 848. CONTRACTING WITH SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.

(a) PROCUREMENT PROGRAM FOR WOMEN-OWNED SMALL BUSINESS CONCERNS.—Section 8(m)(2) of the Small Business Act (15 U.S.C. 637(m)(2)) is amended—

(1) in subparagraph (A), by striking ''who are economically disadvantaged'';

(2) in subparagraph (C), by striking ''paragraph (3)'' and inserting ''paragraph (4)'';

(3) by striking subparagraph (D); and

(4) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

(b) STUDY AND REPORT ON REPRESENTATION OF WOMEN.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by adding at the end the following:

''(o) STUDY AND REPORT ON REPRESENTATION OF WOMEN.—

''(1) STUDY.—The Administrator shall periodically conduct a study to identify industries, as defined under the North American Industry Classification System, underrepresented by small business concerns owned and controlled by women.

''(2) REPORT.—Not later than 5 years after the date of enactment of this subsection, and every 5 years thereafter, the Administrator shall submit 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 results of each study under paragraph (1) conducted during the 5-year period ending on the date of the report.''.

Subtitle D—Provisions Relating to Wartime Contracting

SEC. 860. SHORT TITLE.

This subtitle may be cited as the ''Wartime Contracting Reform Act of 2012''.

SEC. 861. RESPONSIBILITY WITHIN DEPARTMENT OF DEFENSE FOR CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) RESPONSIBILITY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prescribe in regulations the chain of authority and responsibility within the Department of Defense for policy, planning, and execution of contract support for overseas contingency operations.

(2) ELEMENTS.—The regulations under paragraph (1) shall, at a minimum—

(A) specify the officials, offices, and components of the Department within the chain of authority and responsibility described in paragraph (1);

(B) identify for each official, office, and component specified under subparagraph (A)—

(i) requirements for policy, planning, and execution of contract support for overseas contingency operations, including, at a minimum, requirements in connection with—

(I) coordination of functions, authorities, and responsibilities related to operational contract support for overseas contingency operations;

(II) assessments of total force data in support of Department force planning scenarios, including the appropriateness of and necessity for the use of contractors for identified functions;

(III) determinations of capability requirements for non-acquisition community operational contract support, and identification of resources required for planning, training, and execution to meet such requirements;

(IV) determinations of policy regarding the use of contractors by function, and identification of the training exercises that will be required for contract support (including an assessment whether or not such exercises will include contractors); and

(V) establishment of an inventory, and identification of areas of high risk and trade offs, for use of contract support in overseas contingency operations and for areas in which members of the Armed Forces will be used in such operations instead of contract support; and

(ii) roles, authorities, responsibilities, and lines of supervision for the achievement of the requirements identified under clause (i), including the position within the chain of authority and responsibility described in paragraph (1) with responsibility for reporting directly to the Secretary regarding policy, planning, and execution of contract support for overseas contingency operations; and

(C) ensure that the chain of authority and responsibility described in paragraph (1) is appropriately aligned with, and appropriately integrated into, the structure of the Department for the conduct of overseas contingency operations, including the military departments, the Joint Staff, and the commanders of the unified combatant commands.

(b) SECRETARY OF DEFENSE REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the regulations prescribed under subsection (a). The report shall set forth the following:

(1) The regulations.

(2) A comprehensive description of the requirements identified under clause (i) of subsection (a)(2)(B), and a comprehensive description of the manner in which the roles, authorities, responsibilities, and lines of supervision under clause (ii) of that subsection will further the achievement of such requirements.

(3) A comprehensive description of the manner in which the regulations will meet the requirements in subsection (a)(2)(C).

(c) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the progress of the Department of Defense in implementing the regulations prescribed under subsection (a). The report may include such additional comments and information on the regulations and the implementation of the regulations as the Comptroller General considers appropriate.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 862. ANNUAL REPORTS ON CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS INVOLVING COMBAT OPERATIONS.

(a) REPORTS REQUIRED.—

(1) DEPARTMENT OF DEFENSE.—Not later than one year after the commencement or designation of a contingency operation outside the United States that includes combat operations, and annually thereafter until the termination of the operation, the Secretary of Defense shall, except as provided in subsection (b), submit to the appropriate committees of Congress a report on contract support for the Department of Defense for the operation.

(2) DEPARTMENT OF STATE AND USAID.—Not later than one year after the commencement or designation of a contingency operation outside the United States that includes combat operations, and annually thereafter until the termination of the operation, the Secretary of State and the Administrator of the United States Agency for International Development shall, except as provided in subsection (b), each submit to the appropriate committees of Congress a report on contract support for the operation for the Department of State or the United States Agency for International Development, as the case may be.

(b) EXCEPTION.—If the total annual amount of obligations for contracts for support of a contingency operation otherwise described by subsection (a) do not exceed $250,000,000 in an annual reporting period otherwise covered by that subsection, no report shall be required on the operation under that subsection for that annual reporting period.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report of an agency under subsection (a) regarding an operation shall set forth the following:

(A) A description and assessment of the policy, planning, management, and oversight of the agency with respect to contract support for the operation.

(B) With respect to contracts entered into in connection with the operation:

(i) The total number of contracts entered into as of the date of such report.

(ii) The total number of such contracts that are active as of such date.

(iii) The total value of contracts entered into as of such date.

(iv) The total value of such contracts that are active as of such date.

(v) An identification of the extent to which the contracts entered into as of such date were entered into using competitive procedures.

(vi) The total number of contractor personnel working under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(vii) The total number of contractor personnel performing security functions under contracts entered into as of the end of each calendar quarter during the one-year period ending on such date.

(viii) The total number of contractor personnel killed or wounded under any contracts entered into.

(C) The sources of information and data used to prepare the portion of such report required by subparagraph (B).

(D) A description of any known limitations of the information or data reported under subparagraph (B), including known limitations in methodology or data sources.

(E) Any plans for strengthening collection, coordination, and sharing of information on contracts entered into in connection with the operation.

(2) ESTIMATES.—In determining the total number of contractor personnel working under contracts for purposes of paragraph (1)(B)(vi), the Secretary or the Administrator may use estimates for any category of contractor personnel for which such Secretary or the Administrator, as the case may be, determines it is not feasible to provide an actual count. Each report under subsection (a) shall fully disclose the extent to which such an estimate is used in lieu of an actual count.

(d) PROHIBITION ON PREPARATION BY CONTRACTOR PERSONNEL.—A report under subsection (a) may not be prepared by contractor personnel.

(e) USE OF EXISTING REPORTS FOR CERTAIN CONTINGENCY OPERATIONS.—The requirement to submit reports under subsection (a) on a contingency operation in Iraq or Afghanistan may be met by the submittal of the reports required by section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 863. INCLUSION OF CONTRACT SUPPORT IN CERTAIN REQUIREMENTS FOR DEPARTMENT OF DEFENSE PLANNING, JOINT PROFESSIONAL MILITARY EDUCATION, AND MANAGEMENT STRUCTURE.

(a) READINESS REPORTING SYSTEM.—Section 117(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(8) Measure, on an annual basis, the capability of operational contract support to support current and anticipated wartime missions of the armed forces.''.

(b) CONTINGENCY PLANNING AND PREPAREDNESS FUNCTIONS OF CJCS.—Section 153(a)(3) of such title is amended by adding at the end the following new subparagraph:

''(E) In coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Secretaries of the military departments, the heads of the Defense Agencies, and the commanders of the combatant commands, determining the operational contract support requirements of the armed forces and recommending the resources required to improve and enhance operational contract support for the armed forces and planning for such operational contract support.''.

(c) JOINT PROFESSIONAL MILITARY EDUCATION.—

(1) CONTINGENCY OPERATIONS AS MATTER WITHIN COURSE OF JPME.—Section 2151(a) of such title is amended by adding at the end the following new paragraph:

''(6) Contingency operations.''.

(2) CURRICULUM FOR THREE-PHASE APPROACH.—Section 2154 of such title is amended by adding at the end the following new subsection:

''(c) CURRICULUM RELATING TO CONTINGENCY OPERATIONS.—(1) The curriculum for each phase of joint professional military education implemented under this section shall include content appropriate for such phase on the following:

''(A) Requirements definition.

''(B) Contingency program management.

''(C) Contingency contracting.

''(D) The strategic impact of contracting on military missions.

''(2) In this subsection, the terms 'requirements definition', 'contingency program management', and 'contingency contracting' have the meaning given those terms in section 2333(f) of this title.''.

(d) MANAGEMENT STRUCTURE.—Section 2330(c)(2) of such title is amended by striking ''other than services'' and all that follows and inserting ''including services in support of contingency operations. The term does not include services relating to research and development or military construction.''.

SEC. 864. RISK ASSESSMENT AND MITIGATION FOR CONTRACTOR PERFORMANCE OF CRITICAL FUNCTIONS IN SUPPORT OF OVERSEAS CONTINGENCY OPERATIONS.

(a) COMPREHENSIVE RISK ASSESSMENT AND MITIGATION PLAN REQUIRED.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than six months after the commencement or designation of an overseas contingency operation that includes or is expected to include combat operations, the head of each covered agency shall perform a comprehensive risk assessment and develop a risk mitigation plan for operational and political risks associated with contractor performance of critical functions in support of the operation for such covered agency.

(2) EXCEPTIONS.—Except as provided in paragraph (3), a risk assessment and risk mitigation plan shall not be required under paragraph (1) for an overseas contingency operation if both—

(A) the operation is not expected to continue for more than one year; and

(B) the total annual amount of obligations by the United States Government for contracts for support of or in connection with the operation is not expected to exceed, $250,000,000 in any fiscal year.

(3) TERMINATION OF EXCEPTIONS.—Notwithstanding paragraph (2), the head of a covered agency shall perform a risk assessment and develop a risk mitigation plan under paragraph (1) for an overseas contingency operation with regard to which a risk assessment and risk mitigation plan has not previously been performed under paragraph (1) not later than 60 days after the first date on which either of the following occurs:

(A) The operation has continued for more than one year.

(B) The total amount of obligations by the United States Government for contracts for support of or in connection with the operation has exceeded $250,000,000 in a fiscal year.

(b) COMPREHENSIVE RISK ASSESSMENTS.—A comprehensive risk assessment for an overseas contingency operation under subsection (a) shall consider, at a minimum, risks relating to the following:

(1) The goals and objectives of the operation (such as risks from behavior that injures innocent members of the local population or outrages their sensibilities).

(2) The continuity of the operation (such as risks from contractors walking off the job or being unable to perform when there is no timely back-up available).

(3) The safety of military and civilian personnel of the United States if the presence or performance of contractor personnel creates unsafe conditions or invites attack.

(4) The managerial control of the Government over the operation (such as risks from over-reliance on contractors to monitor other contractors with inadequate means for Government personnel to monitor their work).

(5) The critical organic or core capabilities of the Government, including critical knowledge or institutional memory of key operations areas and subject-matter expertise.

(6) The ability of the Government to control costs, avoid organizational or personal conflicts of interest, and minimize waste, fraud, and abuse.

(c) RISK MITIGATION PLANS.—A risk mitigation plan for an overseas contingency operation under subsection (a) shall include, at a minimum, the following:

(1) For each high risk area identified in the comprehensive risk assessment for the operation performed under subsection (a)—

(A) specific actions to mitigate or reduce such risk, including, but not limited to, the development of alternative capabilities to reduce reliance on contractor performance of critical functions;

(B) measurable milestones for the implementation of planned risk mitigation or risk reduction measures; and

(C) a process for monitoring, measuring, and documenting progress in mitigating or reducing risk.

(2) A continuing process for identifying and addressing new and changed risks arising in the course of the operation, including the periodic reassessment of risks and the development of appropriate risk mitigation or reduction plans for any new or changed high risk area identified.

(d) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 30 days after the completion of a comprehensive risk assessment and risk mitigation plan under subsection (a), the head of the covered agency concerned shall submit to the appropriate committees of Congress a report setting forth a summary description of the assessment and plan, including a description of the risks identified through the assessment and the actions to be taken to address such risks.

(2) FORM.—Each report shall be submitted in unclassified form, but may include a classified annex.

(e) CRITICAL FUNCTIONS.—For purposes of this section, critical functions include, at a minimum, the following:

(1) Private security functions, as that term is defined in section 864(a)(5) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note).

(2) Training and advising government personnel, including military and security personnel, of a host nation.

(3) Conducting intelligence or information operations.

(4) Any other functions that are closely associated with inherently governmental functions, including the functions set forth in section 7.503(d) of the Federal Acquisition Regulation.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''covered agency'' means the following:

(A) The Department of Defense.

(B) The Department of State.

(C) The United States Agency for International Development.

(3) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 865. EXTENSION AND MODIFICATION OF REPORTS ON CONTRACTING IN IRAQ AND AFGHANISTAN.

(a) TWO-YEAR EXTENSION OF REQUIREMENT FOR JOINT REPORT.—Subsection (a)(5) of section 863 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended by striking ''February 1, 2013'' and inserting ''February 1, 2015''.

(b) REPEAL OF COMPTROLLER GENERAL REVIEW.—Such section is further amended by striking subsection (b).

(c) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Such section is further amended—

(A) by striking ''JOINT REPORT REQUIRED.—'' and all that follows through ''paragraph (6)'' and inserting ''IN GENERAL.—Except as provided in subsection (f)'';

(B) by striking ''this subsection'' each place it appears and inserting ''this section'';

(C) by redesignating paragraphs (2) through (7) as subsections (b) through (g), respectively, and indenting the left margins of such subsections, as so redesignated, two ems from the left margin;

(D) in subsection (b), as redesignated by subparagraph (C) of this paragraph, by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin;

(E) in subsection (c), as redesignated by subparagraph (C) of this paragraph—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting the left margin of such paragraphs, as so redesignated, four ems from the left margin; and

(ii) by striking ''paragraph (2)'' each place it appears and inserting ''subsection (b)'';

(F) in subsection (f), as redesignated by subparagraph (C) of this paragraph, by striking ''this paragraph'' and inserting ''this subsection''; and

(G) in subsection (g), as so redesignated, by striking ''paragraph (2)(F)'' and inserting ''subsection (b)(6)''.

(2) HEADING AMENDMENT.—The heading of such section is amended by striking ''g714AND COMPTROLLER GENERAL REVIEW''.

SEC. 866. EXTENSION OF TEMPORARY AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) EXTENSION.—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) REPEAL OF EXPIRED REPORTING REQUIREMENT.—Subsection (g) of such section is repealed.

(c) CLERICAL AMENDMENT.—The heading of such section is amended by striking ''**; REPORT**''.

SEC. 867. COMPLIANCE WITH BERRY AMENDMENT REQUIRED FOR UNIFORM COMPONENTS SUPPLIED TO AFGHANISTAN MILITARY OR AFGHANISTAN NATIONAL POLICE.

(a) REQUIREMENT.—In the case of any textile components supplied by the Department of Defense to the Afghanistan National Army or the Afghanistan 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 textile components described in subsection (a) after the date of the enactment of this Act.

SEC. 868. SENSE OF SENATE ON THE CONTRIBUTIONS OF LATVIA AND OTHER NORTH ATLANTIC TREATY ORGANIZATION MEMBER NATIONS TO THE SUCCESS OF THE NORTHERN DISTRIBUTION NETWORK.

(a) FINDINGS.—The Senate makes the following findings:

(1) The remote and austere environments in which United States troops are required to operate as part of the International Security Assistance Force (ISAF) mission in Afghanistan have increased the need for reliable lines of supply in southwest Asia.

(2) The country of Afghanistan presents unique logistics challenges, which have precipitated the development of several redundant lines of supply.

(3) United States Transportation Command and the Defense Logistics Agency (DLA), in consultation with United States Embassy officials and other parties, have successfully established memoranda of understanding and other agreements with nations in and around southwest Asia to ensure the reliability of lines of supply to Afghanistan.

(4) The lines of supply through Pakistan have been repeatedly threatened by instability in that country. Airlifting goods to Afghanistan, while safer, is expensive.

(5) The Northern Distribution Network (NDN) was established in late 2008 to ensure that a safe and cost-effective line of supply is available for United States troops in Afghanistan.

(6) The two prongs of supply provided by the Northern Distribution Network ship nonlethal goods from the Baltic ports in the north and the Caucauses in the west to southwest Asia and Afghanistan.

(7) The Northern Distribution Network has been successful and now handles more than 50 percent of cargo shipped to Afghanistan.

(8) North Atlantic Treaty Organization (NATO) member nations along the Northern Distribution Network routes have contributed significantly to the success of the Northern Distribution Network.

(9) The United States has strong economic ties to Northern Distribution Network nations that are members of the North Atlantic Treaty Organization, and these nations may be able to provide quality goods and services for near and long-term use by the Department of Defense.

(10) Since 2009 the port of Riga, on the Baltic Sea, has been a critical overland entry point for goods being shipped using the Northern Distribution Network. Latvia is a member of the North Atlantic Treaty Organization and has been an ally of the United States in the region for many years.

(11) In September 2010, the Defense Logistics Agency, the General Services Administration, and other parties hosted a local procurement conference in Riga, Latvia.

(12) One hundred nine Latvian vendors attended the September 2010 conference in Riga, and contracts with Latvian vendors have been entered into as a result.

(13) In May 2012, Latvia hosted an international workshop in Riga to examine ways of transforming the Northern Distribution Network from a route for the delivery of United States and other Allies' non-lethal goods to Afghanistan into a commercial route that would support the economic growth of Afghanistan and the southwest Asia region.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes are key economic and security partners of the United States and are to be commended for their contribution to ensuring United States and International Security Assistance Force troops have reliable lines of supply to achieve the mission in Afghanistan;

(2) when quality products at competitive prices are available, significant effort should be made to procure goods locally from Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes; and

(3) Latvia and other North Atlantic Treaty Organization member nations along the Northern Distribution Network routes remain allies of the United States in the region, and a mutually beneficial relationship should continue to be cultivated between the United States and Latvia and such other nations in the future.

SEC. 869. RESPONSIBILITIES OF INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating section 8L as section 8M; and

(2) by inserting after section 8K the following new section 8L:

''SEC. 8L. SPECIAL PROVISIONS CONCERNING OVERSEAS CONTINGENCY OPERATIONS.

''(a) IN GENERAL.—Upon the commencement or designation of a military operation as an overseas contingency operation that exceeds 90 days, the Inspectors General specified in subsection (b) shall have the responsibilities specified in this section.

''(b) INSPECTORS GENERAL.—The Inspectors General specified in this subsection are the Inspectors General as follows:

''(1) The Inspector General of the Department of Defense.

''(2) The Inspector General of the Department of State.

''(3) The Inspector General of the United States Agency for International Development.

''(c) STANDING COMMITTEE ON OVERSEAS CONTINGENCY OPERATIONS.—(1) The Council of Inspectors General on Integrity and Efficiency (CIGIE) shall establish a standing committee on overseas contingency operations. The standing committee shall consist of the following:

''(A) A chair, who shall be the Lead Inspector General for an overseas contingency operation under subsection (d) if such an operation is underway, and shall be an Inspector General specified in subsection (b) selected by the Inspectors General specified in that subsection from among themselves if such an operation is not underway.

''(B) The other Inspectors General specified in subsection (b).

''(C) For the duration of any contingency operation that exceeds 90 days, any other inspectors general determined by the chair, in coordination with the other Inspectors General specified in subsection (b), to have actual or potential areas of responsibility with respect to the contingency operation.

''(2) The standing committee shall have such on-going responsibilities, including planning, coordination, and development of practices, to improve oversight of overseas contingency operations as the chair considers appropriate.

''(3)(A) For the duration of any contingency operation that exceeds 90 days, the standing committee shall develop and update on an annual basis a joint-strategic plan for ongoing and planned oversight of the contingency operation by the Inspectors General specified in subsection (b) and designated pursuant to paragraph (1)(C), including the following:

''(i) Audit and available inspection plans.

''(ii) An overall assessment of such oversight, including projects or areas (whether departmental or government-wide) of concern or in need of further review.

''(iii) Such other matters as the Lead Inspector General for the contingency operation considers appropriate.

''(B) Each plan under this paragraph, and any update of such plan, shall be made available on an Internet website available to the public. Each plan, and any update of such plan, made so available shall be made available in unclassified form.

''(d) LEAD INSPECTOR GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS.—(1) There shall be a lead inspector general for each overseas contingency operation that exceeds 90 days (in this section referred to as the 'Lead Inspector General' for the contingency operation concerned).

''(2) The Lead Inspector General for a contingency operation shall be the Inspector General of the Department of Defense, who shall assume such role not later than 90 days after the commencement or designation of the military operation concerned as a contingency operation.

''(e) RESPONSIBILITIES OF LEAD INSPECTOR GENERAL.—(1) The Lead Inspector General for an overseas contingency operation shall have the following responsibilities:

''(A) To conduct oversight, in full coordination with the other Inspectors General specified in subsection (b), over all aspects of the contingency operation and to ensure, either through joint or individual audits, inspections, and investigations, independent and effective oversight of all programs and operations of all departments and agencies in the contingency operation.

''(B) To appoint, from among the offices of the other Inspectors General specified in subsection (b), an Inspector General to act as Associate Inspector General for the overseas contingency operation who shall act in a coordinating role to assist the Lead Inspector General in the discharge of responsibilities under this subsection.

''(C)(i) If none of the Inspectors General specified in subsection (b) has principal jurisdiction over a matter with respect to the contingency

operation, to exercise responsibility for discharging oversight responsibilities in accordance with this Act with respect to such matter.

''(ii) If more than one of the Inspectors General specified in subsection (b) has jurisdiction over a matter with respect to the contingency operation, to determine principal jurisdiction for discharging oversight responsibilities in accordance with this Act with respect to such matter.

''(D) To carry out such other responsibilities relating to the coordination and efficient and effective discharge by the Inspectors General specified in subsection (b) of duties relating to the contingency operation as the Lead Inspector General shall specify.

''(2) The Lead Inspector General for an overseas contingency operation shall discharge the responsibilities for the contingency operation under this subsection in a manner consistent with the authorities and requirements of this Act generally and the authorities and requirements applicable to the Inspectors General specified in subsection (b) under this Act.

''(f) REPORTS.—(1) The Lead Inspector General for an overseas contingency operation shall, in coordination with the other Inspectors General specified in subsection (b), submit to the appropriate committees of Congress on a semi-annual basis, and make available on an Internet website available to the public, a report summarizing, for the semi-annual period, the activities of the Lead Inspector General and the other Inspectors General specified in subsection (b) with respect to the contingency operation, including—

''(A) the status and results of audits, inspections, and closed investigations, and of the number of referrals to the Department of Justice;

''(B) updates and changes to overall plans for the review of the contingency operation by inspectors general, including plans for inspections and audits; and

''(C) the activities under programs and operations funded with amounts appropriated or otherwise made available for the overseas contingency operation, including the information specified in paragraph (2).

''(2) The information specified in this paragraph with respect to an overseas contingency operation is as follows:

''(A) Obligations and expenditures of appropriated funds.

''(B) A project-by-project and program-by-program accounting of the costs incurred to date for the contingency operation, together with the estimate of the Department of Defense, the Department of State, and the United States Agency for International Development, as applicable, of the costs to complete each project and program above the simplified acquisition threshold.

''(C) Revenues attributable to or consisting of funds provided by foreign nations or international organizations to programs and projects for the contingency operation that are funded by any department or agency of the United States Government, and any obligations or expenditures of such revenues.

''(D) Revenues attributable to or consisting of foreign assets seized or frozen that contribute to programs and projects for the contingency operation that are funded by any department or agency of the United States Government, and any obligations or expenditures of such revenues.

''(E) Operating expenses of agencies or entities receiving amounts appropriated or otherwise made available for the contingency operation.

''(F) In the case of any contract, grant, agreement, or other funding mechanism described in paragraph (3) with respect to the contingency operation—

''(i) the amount of the contract, grant, agreement, or other funding mechanism;

''(ii) a brief discussion of the scope of the contract, grant, agreement, or other funding mechanism;

''(iii) a discussion of how the department or agency of the United States Government involved in the contract, grant, agreement, or other funding mechanism identified, and solicited offers from, potential individuals or entities to perform the contract, grant, agreement, or other funding mechanism, together with a list of the potential individuals or entities that were issued solicitations for the offers; and

''(iv) the justification and approval documents on which was based the determination to use procedures other than procedures that provide for full and open competition.

''(3) A contract, grant, agreement, or other funding mechanism described in this paragraph is any major contract, grant, agreement, or other funding mechanism that is entered into by any department or agency of the United States Government that involves the use of amounts appropriated or otherwise made available for reconstruction and other related activities in the contingency operation concerned with any public or private sector entity, including any of the following purposes:

''(A) To build or rebuild physical infrastructure.

''(B) To establish or reestablish a political or societal function or institution.

''(C) To provide products or services.

''(4) Each report under this subsection shall be submitted in unclassified form, but may include a classified annex.

''(g) TEMPORARY EMPLOYMENT AUTHORITY.—(1) Each Inspector General specified in subsection (b) may employ, on a temporary basis using the authorities in section 3161 of title 5, United States Code (but without regard to subsections (a) and (b)(2) of such section), such auditors, inspectors, investigators, and other personnel as such Inspector General considers appropriate for purposes of assisting such Inspector General in discharging responsibilities under subsection (e) with respect to an overseas contingency operation.

''(2) The employment under this subsection of an annuitant described in section 9902(g) of title 5, United States Code, shall be governed by the provisions of such section as if the position to which employed was a position in the Department of Defense.

''(3) The employment under this subsection of an annuitant receiving an annuity under the Foreign Service Retirement and Disability System under chapter 8 of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.) shall be treated as employment in an elective position in the Government on a temporary basis under section 824(b) of the Foreign Service Act of 1980 (22 U.S.C. 4064(b)) for which continued receipt of annuities may be elected as provided in such section.

''(4) The authority to employ personnel under this subsection for a contingency operation shall cease as provided for in subsection (h).

''(h) SUNSET FOR PARTICULAR CONTINGENCY OPERATIONS.—The requirements and authorities of this section with respect to an overseas contingency operation shall cease at the earlier of—

''(1) the end of the first fiscal year after the commencement or designation of the contingency operation in which the total amount appropriated for the contingency operation is less than $250,000,000 (in constant fiscal year 2012 dollars); or

''(2) the date that is 18 months after the date of the issuance by the Secretary of Defense of an order terminating the contingency operation.

''(i) CONSTRUCTION OF AUTHORITY.—Nothing in this Act shall be construed to limit the ability of the Inspectors General specified in subsection (b) to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of their oversight responsibilities in accordance with this Act with respect to overseas contingency operations.

''(j) DEFINITIONS.—In this section:

''(1) The term 'overseas contingency operation' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

''(2) The term 'simplified acquisition threshold' has the meaning provided that term in section 2302(7) of title 10, United States Code.''.

(b) CONFORMING AMENDMENT RELATING TO TEMPORARY EMPLOYMENT AUTHORITY.—Section 3161 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(j) LEAD INSPECTORS GENERAL FOR OVERSEAS CONTINGENCY OPERATIONS AS TEMPORARY ORGANIZATION.—In addition to the meaning given that term in subsection (a), the term 'temporary organization' for purposes of this subchapter shall, without regard to subsections (a) and (b)(2) of this section, also include the Lead Inspector General for an overseas contingency operation under section 8L of the Inspector General Act of 1978 and the Inspectors General and inspector general office personnel assisting the Lead Inspector General in the discharge of responsibilities and authorities under subsection (e) of such section 8L with respect to the contingency operation.''.

SEC. 870. AGENCY REPORTS AND INSPECTOR GENERAL AUDITS OF CERTAIN INFORMATION ON OVERSEAS CONTINGENCY OPERATIONS.

(a) AGENCY REPORTS.—Not later than 180 days after the commencement or designation of a military operation as an overseas contingency operation and semi-annually thereafter during the duration of the contingency operation, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall each make available to the Inspector General of the department or agency concerned the information required by subsection (f)(2) of section 8L of the Inspector General Act of 1978 (as amended by section 869 of this Act) on the contingency operation.

(b) INSPECTOR GENERAL AUDITS.—Not later than 90 days after receipt of a report under subsection (a), each Inspector General referred to in that subsection shall—

(1) perform an audit on the quality of the information submitted in such report, including an assessment of the completeness and accuracy of the information and the extent to which the information fully satisfies the requirements of such Inspector General in preparing the semi-annual report described in subsection (f)(1)(C) of section 8L of the Inspector General Act of 1978 (as so amended); and

(2) submit to the appropriate committees of Congress a report on the reliability, accuracy, and completeness of the information, including any significant problems in such information.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 871. OVERSIGHT OF CONTRACTS AND CONTRACTING ACTIVITIES FOR OVERSEAS CONTINGENCY OPERATIONS IN RESPONSIBILITIES OF CHIEF ACQUISITION OFFICERS OF FEDERAL AGENCIES.

(a) IN GENERAL.—Subsection (b)(3) of section 1702 of title 41, United States Code, is amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively; and

(2) by inserting after subparagraph (E) the following new subparagraph (F):

''(F) advising the executive agency on the applicability of relevant policy on the contracts of the agency for overseas contingency operations and ensuring the compliance of the contracts and contracting activities of the agency with such policy;''.

(b) DEFINITION.—Such section is further amended by adding at the following new subsection:

''(d) OVERSEAS CONTINGENCY OPERATIONS DEFINED.—In this section, the term 'overseas contingency operations' means military operations outside the United States and its territories and possessions that are a contingency operation (as that term is defined in section 101(a)(13) of title 10).''.

SEC. 872. REPORTS ON RESPONSIBILITY WITHIN DEPARTMENT OF STATE AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR CONTRACT SUPPORT FOR OVERSEAS CONTINGENCY OPERATIONS.

(a) DOS AND USAID REPORTS REQUIRED.—Not later than six months after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development shall, in consultation with the Chief Acquisition Officer of the Department of State and the Chief Acquisition Officer of the United States Agency for International Development, respectively, each submit to the appropriate committees of Congress an assessment of Department of State and United States Agency for International Development policies governing contract support in overseas contingency operations.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) A description and assessment of the roles and responsibilities of the officials, offices, and components of the Department of State or the United States Agency for International Development, as applicable, within the chain of authority and responsibility for policy, planning, and execution of contract support for overseas contingency operations.

(2) Procedures and processes of the Department or Agency, as applicable, on the following in connection with contract support for overseas contingency operations:

(A) Collection, inventory, and reporting of data.

(B) Acquisition planning.

(C) Solicitation and award of contracts.

(D) Requirements development and management.

(E) Contract tracking and oversight.

(F) Performance evaluations.

(G) Risk management.

(H) Interagency coordination and transition planning.

(3) Strategies and improvements necessary for the Department or the Agency, as applicable, to address reliance on contractors, workforce planning, and the recruitment and training of acquisition workforce personnel, including the anticipated number of personnel needed to perform acquisition management and oversight functions and plans for achieving personnel staffing goals, in connection with overseas contingency operations.

(c) COMPTROLLER GENERAL REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the progress of the efforts of the Department of State and the United States Agency for International Development in implementing improvements and changes identified under paragraphs (1) through (3) of subsection (b) in the reports required by subsection (a), together with such additional information as the Comptroller General considers appropriate to further inform such committees on issues relating to the reports required by subsection (a).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 873. PROFESSIONAL EDUCATION FOR DEPARTMENT OF STATE PERSONNEL ON ACQUISITION FOR DEPARTMENT OF STATE SUPPORT AND PARTICIPATION IN OVERSEAS CONTINGENCY OPERATIONS.

(a) PROFESSIONAL EDUCATION REQUIRED.—The Secretary of State shall develop and administer for Department of State personnel specified in subsection (b) a course of professional education on acquisition by the Department of State for Department of State support for, and participation in, overseas contingency operations.

(b) COVERED DEPARTMENT OF STATE PERSONNEL.—The Department of State personnel specified in this subsection are as follows:

(1) The Chief Acquisition Officer of the Department of State.

(2) Personnel of the Department designated by the Chief Acquisition Officer, including contracting officers and other contracting personnel.

(3) Such other personnel of the Department as the Secretary of State shall designate for purposes of this section.

(c) ELEMENTS.—

(1) CURRICULUM CONTENT.—The course of professional education under this section shall include appropriate content on the following:

(A) Contingency contracting.

(B) Contingency program management.

(C) The strategic impact of contracting costs on the mission and activities of the Department of State.

(D) Such other matters relating to acquisition by the Department for Department support for, or participation in, overseas contingency operations as the Secretary of State considers appropriate.

(2) PHASED APPROACH.—The course of professional education may be broken into two or more phases of professional education with curriculum or modules of education suitable for the Department of State personnel specified in subsection (b) at different phases of professional advancement within the Department.

(d) DEFINITIONS.—In this section:

(1) The term ''contingency contracting'' means all stages of the process of acquiring property or services by the Department of State for Department of State support for, and participation in, overseas contingency operations.

(2) The term ''contingency program management'' means the process of planning, organizing, staffing, controlling, and leading specific acquisition programs and activities of the Department of State for Department of State support for, and participation in, overseas contingency operations.

(3) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 874. DATABASE ON PRICE TRENDS OF ITEMS AND SERVICES UNDER FEDERAL CONTRACTS.

(a) DATABASE REQUIRED.—

(1) IN GENERAL.—Chapter 33 of title 41, United States Code, is amended by adding at the end the following new section:

''§ 3312. Database on price trends of items and services under Federal contracts

''(a) DATABASE REQUIRED.—The Administrator shall establish and maintain a database of information on price trends for items and services under contracts with the Federal Government. The information in the database shall be designed to assist Federal acquisition officials in the following:

''(1) Monitoring developments in price trends for items and services under contracts with the Federal Government.

''(2) Conducting pricing or cost analyses for items and services under offers for contracts with the Federal Government, or otherwise conducting determinations of the reasonableness of prices for items and services under such offers, and addressing unjustified escalation in prices being paid by the Federal Government for items and services under contracts with the Federal Government.

''(b) USE.—(1) The database under subsection (a) shall be available to executive agencies in the evaluation of offers for contracts with the Federal Government for items and services.

''(2) The Secretary of Defense may satisfy the requirements of this section by complying with the requirements of section 892 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2306a note).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of such title is amended by adding at the end the following new item:

''3312. Database on price trends of items and services under Federal contracts.''.

(b) USE OF ELEMENTS OF DEPARTMENT OF DEFENSE PILOT PROJECT.—In establishing the database required by section 3312 of title 41, United States Code (as added by subsection (a)), the Administrator of Federal Procurement Policy shall use and incorporate appropriate elements of the pilot project on pricing of the Department of Defense being carried out by the Director of Defense Pricing.

SEC. 875. INFORMATION ON CORPORATE CONTRACTOR PERFORMANCE AND INTEGRITY THROUGH THE FEDERAL AWARDEE PERFORMANCE AND INTEGRITY INFORMATION SYSTEM.

(a) INCLUSION OF CORPORATIONS AMONG COVERED PERSONS.—Subsection (b) of section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4555) is amended by inserting ''(including a corporation)'' after ''Any person'' both places it appears.

(b) INFORMATION ON CORPORATIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(3) INFORMATION ON CORPORATIONS.—The information on a corporation in the database shall, to the extent practicable, include information on any parent, subsidiary, or successor entities to the corporation in manner designed to give the acquisition officials using the database a comprehensive understanding of the performance and integrity of the corporation in carrying out Federal contracts and grants.''.

SEC. 876. INCLUSION OF DATA ON CONTRACTOR PERFORMANCE IN PAST PERFORMANCE DATABASES FOR EXECUTIVE AGENCY SOURCE SELECTION DECISIONS.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall develop a strategy for ensuring that timely, accurate, and complete information on contractor performance is included in past performance databases used by executive agencies for making source selection decisions.

(2) CONSULTATION WITH USDATL.—In developing the strategy required by this subsection, the Federal Acquisition Regulatory Council shall consult with the Under Secretary of Defense for Acquisition, Technology, and Logistics

to ensure that the strategy is, to the extent practicable, consistent with the strategy developed by the Under Secretary pursuant to section 806 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1487; 10 U.S.C. 2302 note).

(b) ELEMENTS.—The strategy required by subsection (a) shall, at a minimum—

(1) establish standards for the timeliness and completeness of past performance submissions for purposes of databases described in subsection (a);

(2) assign responsibility and management accountability for the completeness of past performance submissions for such purposes; and

(3) ensure that past performance submissions for such purposes are consistent with award fee evaluations in cases where such evaluations have been conducted.

(c) CONTRACTOR COMMENTS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to require the following:

(1) That affected contractors are provided, in a timely manner, information on contractor performance to be included in past performance databases in accordance with subsection (a).

(2) That such contractors are afforded up to 14 calendar days, from the date of delivery of the information provided in accordance with paragraph (1), to submit comments, rebuttals, or additional information pertaining to past performance for inclusion in such databases.

(3) That agency evaluations of contractor past performance, including any information submitted under paragraph (2), are included in the relevant past performance database not later than the date that is 14 days after the date of delivery of the information provided in accordance with paragraph (1).

(d) CONSTRUCTION.—Nothing in this section shall be construed to prohibit a contractor from submitting comments, rebuttals, or additional information pertaining to past performance after the period described in subsection (c)(2) has elapsed or to prohibit a contractor from challenging a past performance evaluation in accordance with applicable laws, regulations, or procedures.

(e) COMPTROLLER GENERAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the actions taken by the Federal Acquisition Regulatory Council pursuant to this section, including an assessment of the following:

(1) The extent to which the strategy required by subsection (a) is consistent with the strategy developed by the Under Secretary of Defense for Acquisition, Technology, and Logistics as described in subsection (a)(2).

(2) The extent to which the actions of the Federal Acquisition Regulatory Council pursuant to this section have otherwise achieved the objectives of this section.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code, except that the term excludes the Department of Defense and the military departments.

(3) The term ''Federal Acquisition Regulatory Council'' means the Federal Acquisition Regulatory Council under section 1302(a) of title 41, United States Code.

SEC. 877. PUBLIC AVAILABILITY OF DATABASE OF SENIOR DEPARTMENT OF DEFENSE OFFICIALS SEEKING EMPLOYMENT WITH DEFENSE CONTRACTORS.

Section 847(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1701 note) is amended by adding at the end the following new paragraph:

''(3) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary of Defense shall make available online to the public any information contained in the database or repository required under paragraph (1) that is not confidential, personal, or proprietary in nature.''.

Subtitle E—Other Matters

SEC. 881. REQUIREMENTS AND LIMITATIONS FOR SUSPENSION AND DEBARMENT OFFICIALS OF THE DEPARTMENT OF DEFENSE, THE DEPARTMENT OF STATE, AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the head of the covered agency concerned shall ensure the following:

(1) There shall be not less than one suspension and debarment official—

(A) in the case of the Department of Defense, for each of the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Defense Logistics Agency;

(B) for the Department of State; and

(C) for the United States Agency for International Development.

(2) A suspension and debarment official under paragraph (1) may not report to or be subject to the supervision of the acquisition office or the Inspector General of—

(A) in the case of the Department of Defense, either the Department of Defense or the military department or Defense Agency concerned; and

(B) in the case of any other covered agency, the acquisition office or the Inspector General of such agency.

(3)(A) Except as provided in subparagraph (B), the duties of a suspension and debarment official under paragraph (1) may include only the following:

(i) The direction, management, and oversight of suspension and debarment activities.

(ii) The direction, management, and oversight of fraud remedies activities.

(iii) Membership and participation in the Interagency Committee on Debarment and Suspension in accordance with Executive Order No. 12549 and section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (as amended by this section).

(B) The limitation in subparagraph (A) shall not be construed to prohibit a suspension and debarment official under paragraph (1) from providing authorized legal advice to the extent that the provision of such advice does not present a conflict of interest with the exercise of the duties of the suspension and debarment official under subparagraph (A).

(4) Each suspension and debarment official under paragraph (1) shall have a staff and resources adequate for the discharge of the suspension and debarment responsibilities of such official.

(5) Each suspension and debarment official under paragraph (1) shall document the basis for any decision taken pursuant to a referral in accordance with the policies established under paragraph (7), including, but not limited to, the following:

(A) Any decision to suspend or debar any person or entity.

(B) Any decision not to suspend or debar any person or entity.

(C) Any decision declining to pursue suspension or debarment of any person or entity.

(D) Any administrative agreement entered with any person or persons in lieu of suspension or debarment of such person or entity.

(6) Any decision under subparagraphs (B) through (D) of paragraph (5) shall not preclude a subsequent decision by a suspension and debarment official under paragraph (1) to suspend, debar, or enter into any administrative agreement with any person or entity based on additional information or changed circumstances. All cases, whether based on referral or internally developed, shall be documented prior to closure by the suspension and debarment official.

(7) Each suspension and debarment official under paragraph (1) shall, in consultation with the General Counsel of the covered agency concerned, establish in writing policies for the consideration of the following:

(A) Referrals of suspension and debarment matters.

(B) Suspension and debarment matters that are not referred.

(b) COVERED AGENCY DEFINED.—In subsection (a), the term ''covered agency'' means the following:

(1) The Department of Defense.

(2) The Department of State.

(3) The United States Agency for International Development.

(c) DUTIES OF INTERAGENCY COMMITTEE ON DEBARMENT AND SUSPENSION.—Section 873 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (31 U.S.C. 6101 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', including with respect to contracts in connection with contingency operations'' before the semicolon; and

(B) in paragraph (7)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs

''(D) a summary of suspensions, debarments, and administrative agreements during the previous year; and

''(E) a summary of referrals of suspension and debarment matters received during the previous year, including an identification of the agencies making such referrals and an assessment of the timeliness of such referrals.''; and

(2) by striking subsection (b) and inserting the following new subsections:

''(b) DATE OF SUBMITTAL OF ANNUAL REPORTS.—The annual report required by subsection (a)(7) shall be submitted not later than 120 days after the end of the first fiscal year ending after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, and annually thereafter.

''(c) DEFINITIONS.—In this section:

''(1) The term 'contingency operation' has the meaning given that term in section 101(a)(13) of title 10, United States Code.

''(2) The term 'Interagency Committee on Debarment and Suspension' means the committee constituted under sections 4 and 5 of Executive Order No. 12549.''.

SEC. 881A. ADDITIONAL BASES FOR SUSPENSION OR DEBARMENT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to provide for the automatic referral of a person described in subsection (b) to the appropriate suspension and debarment official for a determination whether or not the person should be suspended or debarred.

(b) COVERED PERSONS.—A person described in this subsection is any person as follows:

(1) A person who has been charged with a Federal criminal offense relating to the award or performance of a contract of an executive agency.

(2) A person who has been alleged, in a civil or criminal proceeding brought by the United States, to have engaged in fraudulent actions in connection with the award or performance of a contract of an executive agency.

(3) A person that does not maintain an office within the United States and has been determined by the head of a contracting agency of an executive agency to have failed to pay or refund amounts due or owed to the Federal Government in connection with the performance of a contract of the executive agency.

(c) DEFINITIONS.—In this section:

(1) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

(2) The term ''person'' has the meaning given that term in section 1 of title 1, United States Code.

SEC. 882. UNIFORM CONTRACT WRITING SYSTEM REQUIREMENTS.

(a) UNIFORM STANDARDS AND CONTROLS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the officials specified in subsection (b) shall—

(1) establish uniform data standards, internal control requirements, independent verification and validation requirements, and business process rules for processing procurement requests, contracts, receipts, and invoices by the Department of Defense or other executive agencies, as applicable;

(2) establish and maintain one or more approved electronic contract writing systems that conform with the standards, requirements, and rules established pursuant to paragraph (1); and

(3) require the use of electronic contract writing systems approved in accordance with paragraph (2) for all contracts entered into by the Department of Defense or other executive agencies, as applicable.

(b) COVERED OFFICIALS.—The officials specified in this subsection are the following:

(1) The Secretary of Defense, with respect to the Department of Defense and the military departments.

(2) The Administrator of the Office of Federal Procurement Policy, with respect to the executive agencies other than the Department of Defense and the military departments.

(c) ELECTRONIC WRITING SYSTEMS FOR DEPARTMENT OF STATE AND USAID.—Notwithstanding subsection (b)(2), the Secretary of State and the Administrator of the United States Agency for International Development may meet the requirements of subsection (a)(2) with respect to approved electronic contract writing systems for the Department of State and the United States Agency for International Development, respectively, if the Secretary and the Administrator, as the case may be, demonstrate to the Administrator of the Office of Federal Procurement Policy that prior investment of resources in existing contract writing systems will result in the most cost effective and efficient means to satisfy such requirements.

(d) PHASE-IN OF IMPLEMENTATION OF REQUIREMENT FOR APPROVED SYSTEMS.—The officials specified in subsection (b) may phase in the implementation of the requirement to use approved electronic contract writing systems in accordance with subsection (a)(3) over a period of up to five years beginning with the date of the enactment of this Act.

(e) REPORTS.—Not later than 180 days after the date of the enactment of this Act, the officials specified in subsection (b) shall each submit to the appropriate committees of Congress a report on the implementation of the requirements of this section. Each report shall, at a minimum—

(1) describe the standards, requirements, and rules established pursuant to subsection (a)(1);

(2) identify the electronic contract writing systems approved pursuant to subsection (a)(2) and, if multiple systems are approved, explain why the use of such multiple systems is the most efficient and effective approach to meet the contract writing needs of the Federal Government; and

(3) provide the schedule for phasing in the use of approved electronic contract writing systems in accordance with subsections (a)(3) and (d).

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

SEC. 883. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF USE BY THE DEPARTMENT OF DEFENSE, THE DEPARTMENT OF STATE, AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OF URGENT AND COMPELLING EXCEPTION TO COMPETITION.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall review each of the following:

(1) The use by the Department of Defense of the unusual and compelling urgency exception to full and open competition provided in section 2304(c)(2) of title 10, United States Code.

(2) The use by each of the Department of State and the United States Agency for International Development of the unusual and compelling urgency exception to full and open competition provided in section 3304(a)(2) of title 41, United States Code.

(b) MATTERS TO BE REVIEWED.—The review of the use of an unusual and compelling urgency exception required by subsection (a) shall include a review of the following:

(1) The pattern of use of the exception by acquisition organizations within the Department of Defense, the Department of State, and the United States Agency for International Development in order to determine which organizations are commonly using the exception and the frequency of such use.

(2) The range of items or services being acquired through the use of the exception.

(3) The process for reviewing and approving justifications involving the exception.

(4) Whether the justifications for use of the exception typically meet the relevant requirements of the Federal Acquisition Regulation applicable to the use of the exception.

(5) The extent to which the exception is used to solicit bids or proposals from only one source and the extent to which such sole-source procurements are appropriately documented and justified.

(6) The compliance of the Department of Defense, the Department of State, and the United States Agency for International Development with the requirements of section 2304(d)(3) of title 10, United States Code, or section 3304(c)(1)(B) of title 41, United States Code, as applicable, that limit the duration of contracts awarded pursuant to the exception and require approval for any such contract in excess of one year.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the review required by subsection (a), including a discussion of each of the matters specified in subsection (b). The report shall include any recommendations relating to the matters reviewed that the Comptroller General considers appropriate.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

SEC. 884. AUTHORITY TO PROVIDE FEE-FOR-SERVICE INSPECTION AND TESTING BY DEFENSE CONTRACT MANAGEMENT AGENCY FOR CERTAIN CRITICAL EQUIPMENT IN THE ABSENCE OF A PROCUREMENT CONTRACT.

(a) AUTHORITY.—Section 2539b of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) make available to any person or entity, in advance of the award of a procurement contract, through contracts or other appropriate arrangements and subject to subsection (c), the services of the Defense Contract Management Agency for testing and inspection of items when such testing and inspection is determined by such Secretary to be critical to a specific program of the Department of Defense.'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

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

''(c) DCMA SERVICES.—Services of the Defense Contract Management Agency may be made available under subsection (a)(5) only if the contract or other arrangement for those services—

''(1) holds the United States harmless if the items covered by the contract or other arrangement (whether or not tested and inspected under the contract or other arrangement) are not subsequently ordered by or delivered to the United States under a procurement contract entered into after the contract or other arrangement is entered into; and

''(2) holds the United States harmless against any claim arising out of the inspection and testing, or the use in any commercial application, of the equipment tested and inspected by the Defense Contract Management Agency under the contract or other arrangement.''.

(b) FEES.—Subsection (d) of such section, as redesignated by subsection (a)(2) of this section, is amended—

(1) in the first sentence, by striking ''and (a)(4)'' and inserting '', (a)(4), and (a)(5)''; and

(2) in the second sentence—

(A) by inserting '', travel, and other incidental overhead expenses'' after ''salaries''; and

(B) by inserting ''or inspection'' before the period at the end.

(c) USE OF FEES.—Subsection (e) of such section, as so redesignated, is amended by striking ''and (a)(4)'' and inserting '', (a)(4), and (a)(5)''.

SEC. 885. 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 STRATEGIC READINESS FUND.—The Department of Defense Strategic Readiness Fund established by section 872(d) of the National Defense Authorization Act for Fiscal Year 2008 (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 (10 U.S.C. 117 note) is repealed.

SEC. 886. MODIFICATION OF PERIOD OF WAIT FOLLOWING NOTICE TO CONGRESS OF INTENT TO CONTRACT FOR LEASES OF CERTAIN VESSELS AND VEHICLES.

Section 2401(h)(2) of title 10, United States Code, is amended by striking ''of continuous session of Congress''.

SEC. 887. EXTENSION OF OTHER TRANSACTION AUTHORITY.

Section 845(i) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended by striking ''September 30, 2013'' and inserting ''September 30, 2018''.

SEC. 888. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(13) NOTIFICATION REQUIREMENT.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer.

''(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that allows a subcontractor to report fraudulent activity by a contractor with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).''.

SEC. 889. REPORT BY THE SUSPENSION AND DEBARMENT OFFICIALS OF THE MILITARY DEPARTMENTS AND THE DEFENSE LOGISTICS AGENCY.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the suspension and debarment official of each agency specified in subsection (b) shall submit to the congressional defense committees a report on the suspension and debarment activities of such official containing the information specified in subsection (c).

(b) COVERED AGENCIES.—The agencies specified in this subsection are the following:

(1) The Department of the Army.

(2) The Department of the Navy.

(3) The Department of the Air Force.

(4) The Defense Logistics Agency.

(c) COVERED INFORMATION.—The information specified in this subsection to be included in the report of a suspension and debarment official under subsection (a) is the following:

(1) The number of open suspension and debarment cases of such official as of the date of such report.

(2) The current average processing time for suspension and debarment cases.

(3) The target goal of such official for average processing time for suspension and debarment proposals.

(4) If the average time required for such official to process suspension and debarment proposals is more than twice the target goal specified under paragraph (3)—

(A) an explanation why the average time exceeds the target goal by more than twice the target goal; and

(B) a description of the actions to be taken by such official to ensure that the average processing time for suspension and debarment proposals meets the target goal.

SEC. 889A. STUDY ON ARMY SMALL ARMS AND AMMUNITION ACQUISITION.

(a) STUDY.—

(1) IN GENERAL.—Not later than 30 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 a study on the Army's acquisition of small arms and ammunition to determine each of the following:

(A) A comparative evaluation of the current military small arms in use by United States general purpose and special operations forces, allied foreign militaries, and those potential candidate small arms not necessarily in use militarily but available commercially.

(B) An assessment of the Department of Defense's current plans to modernize its small arms capabilities.

(C) A comparative evaluation of the Army's standard small arms ammunition with other small arms ammunition alternatives.

(2) FACTORS TO CONSIDER.—The study required under subsection (a) shall take into consideration the following factors:

(A) Current and future operating environments as specified or referred to in Department of Defense strategic guidance and planning documents.

(B) Modifications and improvements recently applied to United States general purpose and special operations forces small arms as well as their potential for continued modification and improvement.

(C) Industrial base impacts.

(3) ACCESS TO INFORMATION.—The Secretary of Defense and the Secretary of the Army shall ensure that the Federally Funded Research and Development Center conducting the study required under subsection (a) has access to all necessary data, records, analysis, personnel, and other resources necessary to complete the study.

(b) REPORT.—

(1) IN GENERAL.—Not later than September 30, 2013, the Secretary of Defense shall submit to the congressional defense committees a report containing the results of the study conducted under subsection (a), together with the comments of the Secretary of Defense on the findings contained in the study.

(2) CLASSIFIED ANNEX.—The report shall be in unclassified form, but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) The term ''small arms'' means—

(A) firearms up to but not including .50 caliber; and

(B) shotguns.

(2) The term ''small arms ammunition'' means ammunition or ordnance for—

(A) firearms up to but not including .50 caliber; and

(B) shotguns.

SEC. 889B. ANNUAL REPORT ON DEFENSE CONTRACTING FRAUD.

(a) ANNUAL STUDY AND REPORT.—The Secretary of Defense shall conduct an annual study on defense contracting fraud and submit a report containing the findings of such study to the congressional defense committees.

(b) REPORT CONTENTS.—The report required under subsection (a) shall include with respect to the most recent reporting period the following elements:

(1) An assessment of the total value of Department of Defense contracts entered into to with contractors that have been indicted for, settled charges of, been fined by any Federal department or agency for, or been convicted of fraud in connection with any contract or other transaction entered into with the Federal Government.

(2) Recommendations by the Inspector General of the Department of Defense or other appropriate Department of Defense official regarding how to penalize contractors repeatedly involved in fraud in connection with contracts or other transactions entered into with the Federal Government, including an update on implementation by the Department of any previous such recommendations.

SEC. 889C. PLAN TO INCREASE NUMBER OF CONTRACTORS ELIGIBLE FOR CONTRACTS UNDER AIR FORCE NETCENTS-2 CONTRACT.

(a) PLAN REQUIRED.—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 plan to increase the number of contractors eligible to be awarded contracts under the Air Force's Network-Centric Solutions-2 (NETCENTS-2) indefinite-delivery, indefinite-quantity (IDIQ) contract.

(b) CONTENT.—The plan required under subsection (a) shall include the following elements:

(1) A recommendation and rationale for a maximum number of contractors to be eligible for contract awards under NETCENTS-2 to foster competition and reduce overall costs associated with hardware and operation and maintenance of Air Networks.

(2) The methodology used to periodically review existing eligible NETCENTS-2 contractors and contracts.

(3) A timeline to increase the current number of eligible contractors under NETCENTS-2 and dates of future ''on-ramps'' under NETCENTS-2 to assess current eligible contractors and add additional eligible contractors.

SEC. 889D. INCLUSION OF INFORMATION ON COMMON GROUNDS FOR SUSTAINING BID PROTESTS IN ANNUAL GOVERNMENT ACCOUNTABILITY OFFICE REPORTS TO CONGRESS.

The Comptroller General of the United States shall include in the annual report to Congress on the Government Accountability Office each year a list of the most common grounds for sustaining protests relating to bids for contracts during such year.

SEC. 889E. SMALL BUSINESS HUBZONES.

(a) DEFINITION.—In this section, the term ''covered base closure area'' means a base closure area that, on or before the date of enactment of this Act, was treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) pursuant to section 152(a)(2) of the Small Business Reauthorization and Manufacturing Assistance Act of 2004 (15 U.S.C. 632 note).

(b) TREATMENT AS HUBZONE.—

(1) IN GENERAL.—Subject to paragraph (2), a covered base closure area shall be treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) during the 5-year period beginning on the date of enactment of this Act.

(2) LIMITATION.—The total period of time that a covered base closure area is treated as a HUBZone for purposes of the Small Business Act (15 U.S.C. 631 et seq.) pursuant to this section and section 152(a)(2) of the Small Business Reauthorization and Manufacturing Assistance Act of 2004 (15 U.S.C. 632 note) may not exceed 5 years.

Subtitle F—Ending Trafficking in Government Contracting

SEC. 891. SHORT TITLE.

This subtitle may be cited as the ''End Trafficking in Government Contracting Act of 2012''.

SEC. 892. DEFINITIONS.

In this subtitle:

(1) COMMERCIAL SEX ACT.—The term ''commercial sex act'' has the meaning given the term in section 22.1702 of the Federal Acquisition Regulation (or any similar successor regulation).

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(3) SUBCONTRACTOR.—The term ''subcontractor'' means a recipient of a contract at any tier under a grant, contract, or cooperative agreement.

(4) SUBGRANTEE.—The term ''subgrantee'' means a recipient of a grant at any tier under a grant or cooperative agreement.

(5) UNITED STATES.—The term ''United States'' has the meaning provided in section 103(12) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(12)).

SEC. 893. CONTRACTING REQUIREMENTS.

(a) IN GENERAL.—Section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)) is amended by striking ''if the grantee or any subgrantee,'' and all that follows through the period at the end and inserting the following: ''or take any of the other remedial

actions authorized under section 895(c) of the End Trafficking in Government Contracting Act of 2012, if the grantee or any subgrantee, or the contractor or any subcontractor, engages in, or uses labor recruiters, brokers, or other agents who engage in—

''(i) severe forms of trafficking in persons;

''(ii) the procurement of a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect;

''(iii) the use of forced labor in the performance of the grant, contract, or cooperative agreement, or

''(iv) acts that directly support or advance trafficking in persons, including the following acts:

''(I) Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents.

''(II) Failing to pay return transportation costs to an employee upon the end of employment, unless—

''(aa) exempted from the duty to repatriate by the Federal department or agency providing or entering into the grant, contract, or cooperative agreement; or

''(bb) the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action.

''(III) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment.

''(IV) Charging recruited employees unreasonable placement or recruitment fees, such as fees equal to or greater than the employee's monthly salary, or recruitment fees that violate the laws of the country from which an employee is recruited.

''(V) Providing or arranging housing that fails to meet the host country housing and safety standards.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

SEC. 894. COMPLIANCE PLAN AND CERTIFICATION REQUIREMENT.

(a) REQUIREMENT.—The head of an executive agency may not provide or enter into a grant, contract, or cooperative agreement if the estimated value of the services required to be performed under the grant, contract, or cooperative agreement outside the United States exceeds $500,000, unless a duly designated representative of the recipient of such grant, contract, or cooperative agreement certifies to the contracting or grant officer prior to receiving an award and on an annual basis thereafter, after having conducted due diligence, that—

(1) the recipient has implemented a plan to prevent the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 3, and is in compliance with that plan;

(2) the recipient has implemented procedures to prevent any activities described in such section 106(g) and to monitor, detect, and terminate any subcontractor, subgrantee, or employee of the recipient engaging in any activities described in such section; and

(3) to the best of the representative's knowledge, neither the recipient, nor any subcontractor or subgrantee of the recipient or any agent of the recipient or of such a subcontractor or subgrantee, is engaged in any of the activities described in such section.

(b) LIMITATION.—Any plan or procedures implemented pursuant to subsection (a) shall be appropriate to the size and complexity of the grant, contract, or cooperative agreement and to the nature and scope of its activities, including the number of non-United States citizens expected to be employed.

(c) DISCLOSURE.—The recipient shall provide a copy of the plan to the contracting or grant officer upon request, and as appropriate, shall post the useful and relevant contents of the plan or related materials on its website and at the workplace.

(d) GUIDANCE.—The President, in consultation with the Secretary of State, the Attorney General, the Secretary of Defense, the Secretary of Labor, the Secretary of Homeland Security, the Administrator for the United States Agency for International Development, and the heads of such other executive agencies as the President deems appropriate, shall establish minimum requirements for contractor plans and procedures to be implemented pursuant to this section.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to carry out the purposes of this section.

(f) EFFECTIVE DATE.—The requirements under subsection (a) and (c) shall apply to grants, contracts, and cooperative agreements entered into on or after the date that is 90 days after the Federal Acquisition Regulation is amended pursuant to subsection (e).

SEC. 895. MONITORING AND INVESTIGATION OF TRAFFICKING IN PERSONS.

(a) REFERRAL AND INVESTIGATION.—

(1) REFERRAL.—If the contracting or grant officer of an executive agency for a grant, contract, or cooperative agreement receives credible information that a recipient of the grant, contract, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of such a subgrantee or subcontractor, has engaged in an activity described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893, including a report from a contracting officer representative, an auditor, an alleged victim or victim's representative, or any other credible source, the contracting or grant officer shall promptly refer the matter to the agency's Office of Inspector General for investigation. The contracting officer may also direct the contractor to take specific steps to abate an alleged violation or enforce the requirements of a compliance plan implemented pursuant to section 894.

(2) INVESTIGATION.—Where appropriate, an Inspector General who receives credible information that a recipient of the grant, contract, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of such a subgrantee or subcontractor, has engaged in an activity described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893, pursuant to a referral under paragraph (1) or otherwise, shall promptly initiate an investigation of the matter. In the event that an Inspector General does not initiate an investigation, the Inspector General shall provide an explanation for the decision not to investigate.

(3) CRIMINAL INVESTIGATION.—If the matter is referred to the Department of Justice for criminal prosecution, the Inspector General may suspend any investigation under this subsection pending the outcome of the criminal prosecution. If the criminal investigation results in an indictment of the recipient of a contract, grant, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of a subgrantee or subcontractor, the Inspector General shall notify the head of the executive agency that awarded the contract, grant, or cooperative agreement of the indictment. If the criminal investigation results in a decision not to prosecute, the Inspector General shall resume any investigation that was suspended pursuant to this paragraph.

(b) REPORT AND DETERMINATION.—

(1) REPORT.—Upon completion of an investigation under subsection (a), the Inspector General shall submit a report on the investigation, including conclusions about whether the recipient of a grant, contract, or cooperative agreement; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893, to the head of the executive agency that awarded the contract, grant, or cooperative agreement.

(2) DETERMINATION.—Upon receipt of an Inspector General's report pursuant to paragraph (1), the head of the executive agency shall make a written determination whether the recipient of a contract, grant, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of a subgrantee or subcontractor, engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893.

(c) REMEDIAL ACTIONS.—

(1) IN GENERAL.—If the head of an executive agency determines pursuant to subsection (b)(2) that the recipient of a contract, grant, or cooperative agreement; any subgrantee or subcontractor of the recipient; or any agent of the recipient or of a subgrantee or subcontractor, engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893, or is notified of an indictment for an offense under subsection (a)(3), the head of agency shall consider taking one or more of the following remedial actions:

(A) Requiring the recipient to remove an employee from the performance of work under the grant, contract, or cooperative agreement.

(B) Requiring the recipient to terminate a subcontract or subgrant.

(C) Suspending payments under the grant, contract, or cooperative agreement until such time as the recipient of the grant, contract, or cooperative agreement has taken appropriate remedial action.

(D) Withholding award fees, consistent with the award fee plan, for the performance period in which the agency determined the contractor or subcontractor engaged in any of the activities described in such section 106(g).

(E) Declining to exercise available options under the contract.

(F) Terminating the contract for default or cause, in accordance with the termination clause for the contract.

(G) Referring the matter to the agency suspension and debarment official.

(2) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as limiting the scope of applicable remedies available to the Federal Government.

(3) MITIGATING FACTOR.—Where applicable, the head of an executive agency may consider whether the contractor or grantee had a plan in place under section 894, and was in compliance with that plan at the time of the violation, as a mitigating factor in determining which remedies, if any, should apply.

(4) AGGRAVATING FACTOR.—Where applicable, the head of an executive agency may consider the failure of a contractor or grantee to abate an alleged violation or enforce the requirements of a compliance plan when directed by a contracting officer pursuant to subsection (a)(1) as an aggravating factor in determining which remedies, if any, should apply.

(d) INCLUSION OF REPORT CONCLUSIONS IN FAPIIS.—

(1) IN GENERAL.—The head of an executive agency shall ensure that any written determination under subsection (b) is included in the Federal Awardee Performance and Integrity Information System (FAPIIS).

(2) AMENDMENT TO TITLE 41, UNITED STATES CODE.—Section 2313(c)(1)(E) of title 41, United States Code, is amended to read as follows:

''(E) In an administrative proceeding—

''(i) a final determination of contractor fault by the Secretary of Defense pursuant to section 823(d) of the National Defense Authorization

Act for Fiscal Year 2010 (10 U.S.C. 2302 note; Public Law 111–84); or

''(ii) a final determination, pursuant to section 895(b)(2) of the End Trafficking in Government Contracting Act of 2012, that the contractor, a subcontractor, or an agent of the contractor or subcontractor engaged in any of the activities described in section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)).''.

SEC. 896. NOTIFICATION TO INSPECTORS GENERAL AND COOPERATION WITH GOVERNMENT.

(a) IN GENERAL.—The head of an executive agency making or awarding a grant, contract, or cooperative agreement shall require that the recipient of the grant, contract, or cooperative agreement—

(1) immediately inform the Inspector General of the executive agency of any information it receives from any source that alleges credible information that the recipient; any subcontractor or subgrantee of the recipient; or any agent of the recipient or of such a subcontractor or subgrantee, has engaged in conduct described in section 106(g) of the Trafficking in Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 3 of this Act; and

(2) fully cooperate with any Federal agencies responsible for audits, investigations, or corrective actions relating to trafficking in persons.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

SEC. 897. EXPANSION OF FRAUD IN FOREIGN LABOR CONTRACTING TO INCLUDE ATTEMPTED FRAUD AND WORK OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Section 1351 of title 18, United States Code, is amended—

(1) by striking ''Whoever knowingly and with the intent to defraud recruits, solicits or hires a person outside the United States'' and inserting ''(a) WORK INSIDE THE UNITED STATES.—Whoever knowingly and with the intent to defraud recruits, solicits, or hires a person outside the United States, or attempts to do so,''; and

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

''(b) WORK OUTSIDE THE UNITED STATES.—Whoever knowingly and with intent to defraud recruits, solicits, or hires a person outside the United States, or attempts to do so, for purposes of employment performed on a United States Government contract performed outside the United States, or on a United States military installation or mission outside the United States or other property or premises outside the United States owned or controlled by the United States Government, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment, shall be fined under this title or imprisoned for not more than 5 years, or both.''.

(b) SPECIAL RULE FOR ALIEN VICTIMS.—No alien may be admitted to the United States pursuant to subparagraph (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) as a result of the alien being a victim of a crime described in subsection (b) of section 1351 of title 18, United States Code, as added by subsection (a).

SEC. 898. IMPROVING DEPARTMENT OF DEFENSE ACCOUNTABILITY FOR REPORTING TRAFFICKING IN PERSONS CLAIMS AND VIOLATIONS.

Section 105(d)(7)(H) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(H)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) by redesignating clause (iii) as clause (iv);

(3) by inserting after clause (ii) the following new clause:

''(iii) all known trafficking in persons cases reported to the Under Secretary of Defense for Personnel and Readiness;'';

(4) in clause (iv), as redesignated by paragraph (2), by inserting ''and'' at the end after the semicolon; and

(5) by adding at the end the following new clause:

''(v) all trafficking in persons activities of contractors reported to the Under Secretary of Defense for Acquisition, Technology, and Logistics;''.

SEC. 899. RULES OF CONSTRUCTION.

(a) LIABILITY.—Excluding section 897, nothing in this subtitle shall be construed to supersede, enlarge, or diminish the common law or statutory liabilities of any grantee, subgrantee, contractor, subcontractor, or other party covered by section 106(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(g)), as amended by section 893.

(b) AUTHORITY OF DEPARTMENT OF JUSTICE.—Nothing in this subtitle shall be construed as diminishing or otherwise modifying the authority of the Attorney General to investigate activities covered by this subtitle.

(c) PROSPECTIVE EFFECT.—Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to apply to a contract or grant entered into or renewed before the date of the enactment of this subtitle.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

SEC. 901. DEFINITION AND REPORT ON TERMS "PREPARATION OF THE ENVIRONMENT" AND "OPERATIONAL PREPARATION OF THE ENVIRONMENT" FOR JOINT DOCTRINE PURPOSES.

(a) DEFINITIONS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall define for purposes of joint doctrine the following terms:

(1) The term ''preparation of the environment''.

(2) The term ''operational preparation of the environment''.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the terms defined under subsection (a). The report shall include the following:

(1) The definition of the term ''preparation of the environment'' pursuant to subsection (a).

(2) Examples of activities meeting the definition of the term ''preparation of the environment'' by special operations forces and general purpose forces.

(3) The definition of the term ''operational preparation of the environment'' pursuant to subsection (a).

(4) Examples of activities meeting the definition of the term ''operational preparation of the environment'' by special operations forces and general purpose forces.

(5) An assessment of the appropriate roles of special operations forces and general purpose forces in conducting activities meeting the definition of the term ''preparation of the environment'' and the definition of the term ''operational preparation of the environment''.

SEC. 902. EXPANSION OF DUTIES AND RESPONSIBILITIES OF THE NUCLEAR WEAPONS COUNCIL.

(a) GUIDANCE ON NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.—Subsection (d) of section 179 of title 10, United States Code, is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

''(10) Providing programmatic guidance on nuclear command, control and communications systems.''.

(b) BUDGET AND FUNDING MATTERS.—Such section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) BUDGET AND FUNDING MATTERS.—(1) The Council shall submit to Congress each year, at the same time the budget of the President for the fiscal year beginning in such year is submitted to Congress pursuant to section 1105(a) of title 31, a certification whether or not the amounts requested for the National Nuclear Security Administration in such budget, and anticipated over the four fiscal years following such budget, meets nuclear stockpile and stockpile stewardship program requirements for such fiscal year and over such four fiscal years. If a member of the Council does not concur in a certification, the certification shall include the reasons for the member's non-concurrence.

''(2) If a House of Congress adopts a bill authorizing or appropriating funds for the National Nuclear Security Administration for nuclear stockpile and stockpile stewardship program activities or other activities that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.''.

SEC. 903. FAILURE OF THE DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH AN UNQUALIFIED OPINION ON ITS FINANCIAL STATEMENTS BY FISCAL YEAR 2017.

If the Department of Defense fails to obtain an audit with an unqualified opinion on its financial statements for fiscal year 2017, the following shall take effect, effective as of the date of the issuance of the opinion on such audit:

(1) REORGANIZATION OF RESPONSIBILITIES OF CHIEF MANAGEMENT OFFICER.—

(A) POSITION OF CHIEF MANAGEMENT OFFICER.—Section 132a of title 10, United States Code, is amended to read as follows:

''§ 132a. Chief Management Officer

''(a) IN GENERAL.—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) Any individual nominated for appointment as Chief Management Officer shall be an individual who has—

''(A) extensive executive level leadership and management experience in the public or private sector;

''(B) strong leadership skills;

''(C) a demonstrated ability to manage large and complex organizations; and

''(D) a proven record in achieving positive operational results.

''(b) POWERS AND DUTIES.—The Chief Management Officer shall perform such duties and exercise such powers as the Secretary of Defense may prescribe.

''(c) SERVICE AS CHIEF MANAGEMENT OFFICER.—(1) The Chief Management Officer is the Chief Management Officer of the Department of Defense.

''(2) In serving as the Chief Management Officer of the Department of Defense, the Chief Management Officer shall be responsible for the management and administration of the Department of Defense with respect to the following:

''(A) The expenditure of funds, accounting, and finance.

''(B) Procurement, including procurement of any enterprise resource planning (ERP) system and any information technology (IT) system that is a financial feeder system, human resources system, or logistics system.

''(C) Facilities, property, nonmilitary equipment, and other resources.

''(D) Strategic planning, and annual performance planning, and identification and tracking of performance measures.

''(E) Internal audits and management analyses of the programs and activities of the Department, including the Defense Contract Audit Agency.

''(F) Such other areas or matters as the Secretary of Defense may designate.

''(3) The head of the Defense Contract Audit Agency shall be under the supervision of, and shall report directly to, the Chief Management Officer.

''(d) PRECEDENCE.—The Chief Management Officer takes precedence in the Department of Defense after the Secretary of Defense and the Deputy Secretary of Defense.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 131(b) of title 10, United States Code, is amended—

(I) by striking paragraph (3);

(II) by redesignating paragraph (2) as paragraph (3); and

(III) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Chief Management Officer of the Department of Defense.''.

(ii) Section 132 of such title is amended—

(I) by striking subsection (c); and

(II) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(iii) Section 133(e)(1) of such title is amended by striking ''and the Deputy Secretary of Defense'' and inserting '', the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense''.

(iv) Such title is further amended by inserting ''the Chief Management Officer of the Department of Defense,'' after ''the Deputy Secretary of Defense,'' each place it appears in the provisions as follows:

(I) Section 133(e)(2).

(II) Section 134(c).

(v) Section 137a(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, and the Under Secretaries of Defense.''.

(vi) Section 138(d) of such title is amended by striking ''the Secretaries of the military departments,'' and all that follows through the period and inserting ''the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, the Under Secretaries of Defense, and the Director of Defense Research and Engineering.''.

(C) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 132a and inserting the following new item:

''132a. Chief Management Officer.''.

(D) EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Chief Management Officer of the Department of Defense.''.

(E) REFERENCE IN LAW.—Any reference in any provision of law to the Chief Management Officer of the Department of Defense shall be deemed to refer to the Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code (as amended by this paragraph).

(2) JURISDICTION OF DFAS.—

(A) TRANSFER TO DEPARTMENT OF THE TREASURY.—Jurisdiction of the Defense Finance and Accounting Service (DFAS) is transferred from the Department of Defense to the Department of the Treasury.

(B) ADMINISTRATION.—The Secretary of the Treasury shall administer the Defense Finance and Accounting Service following transfer under this paragraph through the Financial Management Service of the Department of the Treasury.

(C) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of the Treasury shall jointly enter into a memorandum of understanding regarding the transfer of jurisdiction of the Defense Finance and Accounting Service under this paragraph. The memorandum of understanding shall provide for the transfer of the personnel and other resources of the Service to the Department of the Treasury and for the assumption of responsibility for such personnel and resources by the Department of the Treasury.

(D) CONSTRUCTION.—Nothing in this paragraph shall be construed as terminating, altering, or revising any responsibilities or authorities of the Defense Finance and Accounting Service (other than responsibilities and authorities in connection with the exercise of jurisdiction of the Service following transfer under this paragraph).

SEC. 904. INFORMATION FOR DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE FROM THE MILITARY DEPARTMENTS AND DEFENSE AGENCIES FOR DEFENSE BUSINESS SYSTEM INVESTMENT REVIEWS.

Section 2222(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) The investment management process required by paragraph (1) shall include requirements for the military departments and the Defense Agencies to submit to the Deputy Chief Management Officer such information on covered defense business system programs as the Deputy Chief Management Officer shall require for the review of defense business system programs under the process. Such information shall be submitted to the Deputy Chief Management Officer in a standardized format established by the Deputy Chief Management Officer for purposes of this paragraph.''

Subtitle B—Space Activities

SEC. 911. OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.

(a) IN GENERAL.—Subsection (a) of section 2273a of title 10, United States Code, is amended to read as follows:

''(a) IN GENERAL.—There is within the Air Force Space and Missile Systems Center of the Department of Defense an office known as the Operationally Responsive Space Program Office (in this section referred to as the 'Office'). The facilities of the Office may not be co-located with the headquarters facilities of the Air Force Space and Missile Systems Center.''.

(b) HEAD OF OFFICE.—Subsection (b) of such section is amended by striking ''shall be—'' and all that follows and inserting ''the designee of the Department of Defense Executive Agent for Space. The head of the Office shall report to the Commander of the Air Force Space and Missile Systems Center.''.

(c) MISSION.—Subsection (c)(1) of such section is amended by striking ''spacelift'' and inserting ''launch''.

(d) SENIOR ACQUISITION EXECUTIVE.—Paragraph (1) of subsection (e) of such section is amended to read as follows:

''(1) The Program Executive Officer (PEO) for Space shall be the Acquisition Executive of the Office and shall provide streamlined acquisition authorities for projects of the Office.''.

(e) EXECUTIVE COMMITTEE.—Such section is further amended by adding at the end the following new subsection:

''(g) EXECUTIVE COMMITTEE.—(1) The Secretary of Defense shall establish for the Office an Executive Committee (to be known as the 'Operationally Responsive Space Executive Committee') to provide coordination, oversight, and approval of projects of the Office.

''(2) The Executive Committee shall consist of the officials (and their duties) as follows:

''(A) The Department of Defense Executive Agent for Space, who shall serve as Chair of the Executive Committee and provide oversight, prioritization, coordination, and resources for the Office.

''(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics, who shall provide coordination and oversight of the Office and recommend funding sources for programs of the Office that exceed the approved program baseline.

''(C) The Commander of the United States Strategic Command, who shall validate requirements for systems to be acquired by the Office and participate in approval of any acquisition program initiated by the Office.

''(D) The Commander of the Air Force Space Command, who shall organize, train, and equip forces to support the acquisition programs of the Office.

''(E) Such other officials (and their duties) as the Secretary of Defense considers appropriate.''.

(f) TRANSFER OF FISCAL YEAR 2012 FUNDS.—

(1) IN GENERAL.—To the extent provided in appropriations Acts, the Secretary of the Air Force may transfer from the funds described in paragraph (2), $60,000,000 to other, higher priority programs of the Air Force.

(2) COVERED FUNDS.—The funds described in this paragraph are amounts authorized to be appropriated for fiscal year 2012 by section 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1329) and available for Research, Development, Test, and Evaluation, Air Force, for the Weather Satellite Follow On Program as specified in the funding table in section 4201 of that Act.

(3) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this subsection 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.

(4) CONSTRUCTION OF AUTHORITY.—The transfer authority in this subsection is in addition to any other transfer authority provided in this Act.

(5) PROGRAM PLAN.—Not later than December 31, 2012, the Secretary shall submit to the congressional defense committees a report setting forth a program plan for higher priority programs described in paragraph (1).

SEC. 912. 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:

''§ 2275. Commercial space launch cooperation

''(a) AUTHORITY.—The Secretary of Defense may, to assist the Secretary of Transportation in carrying out responsibilities set forth in title 51 with respect to private sector involvement in commercial space activities and public-private partnerships pertaining to space transportation infrastructure, take the following actions:

''(1) Maximize the use by the private sector in the United States of the capacity of the space transportation infrastructure of the Department of Defense.

''(2) Maximize the effectiveness and efficiency of the space transportation infrastructure of the Department.

''(3) Reduce the cost of services provided by the Department 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.

''(5) Foster cooperation between the Department and covered entities.

''(b) AUTHORITY FOR CONTRACTS AND OTHER AGREEMENTS RELATING TO SPACE TRANSPORTATION INFRASTRUCTURE.—The Secretary of Defense—

''(1) may enter into a contract or other agreement with a covered entity to provide to the covered entity support and services related to the space transportation infrastructure of the Department of Defense; and

''(2) upon the request of that covered entity, may include such support and services in the space launch and reentry range support requirements of the Department 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; 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 that contract or other agreement has full non-Federal funding before the execution of the contract or other agreement.

''(c) CONTRIBUTIONS.—(1) The Secretary of Defense may enter into contracts or other agreements with covered entities on a cooperative and voluntary basis to accept contributions of funds, services, and equipment to carry out this section.

''(2) 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 contract or other agreement entered into under this subsection; and

''(B) shall be managed by the Secretary in accordance with regulations of the Department of Defense.

''(3) A contract or other agreement entered into under this subsection with a covered entity—

''(A) shall address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the contract or other agreement; and

''(B) shall include a provision that the covered entity will not recover the costs of its contribution through any other contract or agreement with the United States.

''(d) DEFENSE COOPERATION SPACE LAUNCH ACCOUNT.—(1) There is established on the books of the Treasury a special account to be known as the 'Defense Cooperation Space Launch Account'.

''(2) Funds received by the Secretary of Defense under subsection (c) shall be credited to the Defense Cooperation Space Launch Account.

''(3) Amounts in the Department Defense Cooperation Space Launch Account shall be available, to the extent provided in appropriation Acts, for costs incurred by the Department of Defense under subsection (c). Funds in the Account shall remain available until expended.

''(e) ANNUAL REPORT.—Not later than January 31 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 previous 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 that term in section 50501(7) of title 51.

''(3) SPACE RECOVERY SUPPORT FACILITIES.—The term 'space recovery support facilities' has the meaning given that 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 chapter 135 of such title is amended by adding at the end the following new item:

''2275. Commercial space launch cooperation.''.

SEC. 913. REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR COMPONENTS FOR MAJOR SATELLITE ACQUISITION PROGRAMS AND FUNDING FOR SUCH PROGRAMS.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 912 of this Act, is further amended by adding at the end the following new section:

''§2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs

''(a) REPORTS REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on each major satellite acquisition program in accordance with subsection (d) that assesses—

''(1) the integration of the schedules for the acquisition and the delivery of the capabilities of the components for the program; and

''(2) funding for the program.

''(b) ELEMENTS.—Each report required by subsection (a) with respect to a major satellite acquisition program shall include the following:

''(1) The amount of funding approved for the program and for each related program that is necessary for the operational capability of the program.

''(2) The dates by which the program is anticipated to reach initial and full operational capability.

''(3) An assessment of the extent to which the schedules for the acquisition and the delivery of the capabilities of the components for the program or any related program referred to in paragraph (1) are integrated.

''(4) If the Under Secretary determines pursuant to the assessment under paragraph (3) that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in paragraph (1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for the program or related program more than one year apart, an identification of—

''(A) the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules; and

''(B) the risks and challenges that impede the ability of the Department of Defense to fully integrate those schedules.

''(c) CONSIDERATION BY MILESTONE DECISION AUTHORITY.—The Milestone Decision Authority shall include the report required by subsection (a) with respect to a major satellite acquisition program as part of the documentation used to approve the acquisition of the program.

''(d) SUBMITTAL OF REPORTS.—(1) In the case of a major satellite acquisition program initiated before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report required by subsection (a) with respect to the program not later than one year after such date of enactment.

''(2) In the case of a major satellite acquisition program initiated on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the Under Secretary shall submit the report required by subsection (a) with respect to the program at the time of the Milestone B approval of the program.

''(e) NOTIFICATION TO CONGRESS OF NON-INTEGRATED ACQUISITION AND CAPABILITY DELIVERY SCHEDULES.—If, after submitting the report required by subsection (a) with respect to a major satellite acquisition program, the Under Secretary determines that the schedules for the acquisition and the delivery of the capabilities of the components for the program, or a related program referred to in subsection (b)(1), provide for the acquisition or the delivery of the capabilities of at least two of the three components for the program or related program more than one year apart, the Under Secretary shall, not later than 30 days after making that determination, submit to the congressional defense committees a report—

''(1) notifying the committees of that determination; and

''(2) identifying the measures the Under Secretary is taking or is planning to take to improve the integration of those schedules.

''(f) DEFINITIONS.—In this section:

''(1) COMPONENTS.—The term 'components', with respect to a major satellite acquisition program, refers to any satellites acquired under the program and the ground equipment and user terminals necessary for the operation of those satellites.

''(2) MAJOR SATELLITE ACQUISITION PROGRAM.—The term 'major satellite acquisition program' means a major defense acquisition program (as defined in section 2430 of this title) for the acquisition of a satellite.

''(3) MILESTONE B APPROVAL.—The term 'Milestone B approval' has the meaning given that term in section 2366(e)(7) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of such title, as so amended, is further amended by adding at the end the following new item:

''2276. Reports on integration of acquisition and capability delivery schedules for components for major satellite acquisition programs and funding for such programs.''.

SEC. 914. DEPARTMENT OF DEFENSE REPRESENTATION IN DISPUTE RESOLUTION REGARDING SURRENDER OF DEPARTMENT OF DEFENSE BANDS OF ELECTROMAGNETIC FREQUENCIES.

Section 1062(b)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 768; 47 U.S.C. 921 note) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

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

(3) by adding at the end the following new subparagraph:

''(C) in the event of any dispute resolution process involving the surrender of use of such band, the Department of Defense has adequate representation to convey its views.''.

Subtitle C—Intelligence-Related and Cyber Matters

SEC. 921. AUTHORITY TO PROVIDE GEOSPATIAL INTELLIGENCE SUPPORT TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.

(a) EXTENSION OF AUTHORITY TO SECURITY ALLIANCES AND INTERNATIONAL AND REGIONAL ORGANIZATIONS.—Section 443(a) of title 10, United States Code, is amended by inserting '', regional organizations with defense or security components, and international organizations and security alliances of which the United States is a member'' after ''foreign countries''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 443 of such title is amended to read as follows:

''§443. Imagery intelligence and geospatial information: support for foreign countries, security alliances, and international and regional organizations''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 22 of such title 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, security alliances, and international and regional organizations.''.

SEC. 922. ARMY DISTRIBUTED COMMON GROUND SYSTEM.

(a) ASSIGNMENT OF RESPONSIBILITY FOR OVERSIGHT.—The Secretary of the Army shall assign responsibility for oversight of the development, acquisition, testing, and fielding of the Distributed Common Ground System (DCGS) cloud computing program of the Army to the Chief Information Officer of the Army ((CIO)/G–6).

(b) REVIEW OF PROGRAM.—

(1) IN GENERAL.—Not later than December 1, 2012, the Chief Information Officer shall submit to the Secretary a report on a review of the Distributed Common Ground System cloud computing program of the Army conducted by the Chief Information Officer for purposes of this section.

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of the program in comparison with commercial products, if applicable, with respect to each of the following:

(i) The effectiveness of analyst tools, user interfaces, and data visualization in supporting analyst missions and requirements.

(ii) Training requirements for analysts.

(iii) Ease of use for analysts.

(iv) Rates of progress in developing analyst tools and linking tools for standard workflows.

(B) An assessment of the soundness of the past decisions of the Army, and the future plans of the Army, for acquiring and integrating analyst tools, user interfaces, and data visualization capabilities through government-sponsored custom development, leasing of commercial solutions, and government open source development.

(C) Such recommendations regarding the program as the Chief Information Officer considers appropriate in light of the review under this subsection.

SEC. 923. RATIONALIZATION OF CYBER NETWORKS AND CYBER PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall take appropriate actions to substantially reduce the number of sub-networks and network enclaves across the Department of Defense, and the associated security and access management controls, in order to achieve the following objectives for the Department:

(1) Visibility for the United States Cyber Command in the operational and security status of all networks, network equipment, and computers.

(2) Elimination of redundant network security infrastructure and personnel.

(3) Rationalization and consolidation of cyber attack detection, diagnosis, and response resources, and elimination of gaps in security coverage.

(4) Reduction of barriers to information sharing and enhancement of the capacity to rapidly create collaborative communities of interest.

(5) Enhancement of access to information through authentication-based and identity-based access controls.

(6) Enhancement of the capacity to deploy, and achieve access to, enterprise-level services.

(7) Separation of server and end-user device computing to facilitate server and data center consolidation and a more secure tiered and zoned network architecture.

(b) PERSONNEL PLAN.—

(1) IN GENERAL.—As part of the actions taken under subsection (a), the Secretary shall establish and carry out a plan to reassign personnel billets currently allocated to network operations and security that will become available pursuant to the reduction in network enclaves required by that subsection to tasks related to potential offensive cyber operations in order to achieve an appropriate balance between the offensive and defensive missions of the United States Cyber Command and its components. The plan shall include targets for the number of personnel to be reassigned to tasks related to offensive operations, and the rate at which such personnel shall be added to the workforce for such tasks.

(2) DISPOSITION OF PERSONNEL.—In developing the plan required by paragraph (1), the Secretary shall—

(A) determine whether the number of personnel required to be reassigned to tasks related to offensive operations in order to achieve the balance described in paragraph (1) will be met, in pace and numbers, through the reassignment of personnel billets pursuant to the plan; and

(B) if the Secretary determines that the number of personnel so required will not be so met (whether because of insufficient numbers of personnel in billets to be reassigned or because personnel available for reassignment cannot be trained or directed to tasks related to offensive operations), take appropriate actions to ensure the availability to the United States Cyber Command of appropriate numbers of personnel qualified to undertake tasks related to offensive operations.

(3) ADDITIONAL ELEMENTS.—In developing the plan required by paragraph (1), the Secretary shall also—

(A) identify targets for the number of personnel to be reassigned to tasks related to offensive cyber operations, and the rate at which such personnel shall be added to the workforce for such tasks; and

(B) identify targets for use of National Guard personnel to support cyber workforce rationalization and the actions taken under subsection (a).

(4) SUBMITTAL TO CONGRESS.—The Secretary shall submit the plan required by paragraph (1) to the congressional defense committees at the time of the submittal to Congress of the budget of the President for fiscal year 2014 pursuant to section 1105(a) of title 31, United States Code.

SEC. 924. NEXT-GENERATION HOST-BASED CYBER SECURITY SYSTEM FOR THE DEPARTMENT OF DEFENSE.

(a) STRATEGY FOR ACQUISITION OF SYSTEM REQUIRED.—The Chief Information Officer of the Department of Defense shall, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, develop a strategy to acquire next-generation host-based cybersecurity tools and capabilities (in this section referred to as a ''next-generation system'') for the Department of Defense.

(b) ELEMENTS OF SYSTEM.—It is the sense of Congress that any next-generation system acquired under the strategy required by subsection (a) should meet the following requirements:

(1) To overcome problems and limitations in current capabilities, the system should not rely on anti-virus or signature-based threat detection techniques that—

(A) cannot address new or rapidly morphing threats:

(B) consume substantial amounts of communications capacity to remain current with known threats and to report current status; or

(C) consume substantial amounts of resources to store rapidly growing threat libraries.

(2) The system should provide an open architecture-based framework for so-called ''plug-and-play'' integration of a variety of types of deployable tools in addition to cyber intrusion detection tools, including tools for—

(A) insider threat detection;

(B) continuous monitoring and configuration management;

(C) remediation following infections; and

(D) protection techniques that do not rely on detection of the attack, such as virtualization, and diversification of attack surfaces.

(3) The system should be designed for ease of deployment to potentially millions of host devices of tailored security solutions depending on need and risk, and to be compatible with cloud-based, thin-client, and virtualized environments as well as battlefield devices and weapons systems.

(c) SUBMITTAL TO CONGRESS.—The Chief Information Office shall submit to Congress a report setting forth the strategy required by subsection (a) together with the budget justification materials of the Department of Defense submitted to Congress with the budget of the President for fiscal year 2015 pursuant to section 1105(a) of title 31, United States Code.

SEC. 925. IMPROVEMENTS OF SECURITY, QUALITY, AND COMPETITION IN COMPUTER SOFTWARE PROCURED BY THE DEPARTMENT OF DEFENSE.

(a) COMPREHENSIVE PROGRAM ON IMPROVEMENT OF PROCUREMENT OF COMPUTER SOFTWARE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer of the Department of Defense, develop a comprehensive program for improvements of the security, quality, and competition in the computer software procured by the Department of Defense for covered systems

(b) UPDATE OF DEVELOPMENT AND ACQUISITION MODELS.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in coordination with the Chief Information Officer, provide for the development of updates and improvements to one or more existing best-practice development and acquisition models (such as the Capability Maturity Model Integration) in order to provide explicit guidance under such model or models for improved assurance, security, quality, and resiliency in the computer software developed and procured by the Department.

(2) ELEMENTS.—Any update or improvement to a development and acquisition model under this subsection shall—

(A) include diagnostic methods that enable evaluations of conformance to the processes and best practices of the model for achieving quality, assurance, and security throughout the life cycle of software products concerned; and

(B) be compatible with the variety of current agile and incremental software development methodologies.

(c) REQUIREMENTS FOR SECURE CODE DEVELOPMENT PRACTICES.—The Under Secretary shall, in coordination with the Chief Information Officer—

(1) direct the Director of the Defense Information Systems Agency to modify the Application Security and Development Security Technical Implementation Guide (STIG) to require (rather than highly recommend) the use of automated static vulnerability analysis tools in the computer software code development phase, and in development and operational testing, to identify and remediate security vulnerabilities for covered systems;

(2) develop a list of qualified government and private-sector static analysis tools and third-party testing organizations to support the requirement under paragraph (1);

(3) direct the Director—

(A) to designate secure software coding standards; and

(B) to modify the Security Technical Implementation Guide to reference the approved standards; and

(4) develop guidance and direction for Department program managers to require government software development and maintenance organizations and contractors to identify and implement, through contract statements of work, a secure software coding plan that includes verifiable processes and practices.

(d) VERIFICATION OF EFFECTIVE IMPLEMENTATION.—The Under Secretary shall, in coordination with the Chief Information Officer, develop guidance and direction for Department program managers for covered systems to do as follows:

(1) To require evidence that government software development and maintenance organizations and contractors are conforming in computer software coding to—

(A) approved secure coding standards of the Department during software development, upgrade and maintenance activities, including through the use of inspection and appraisals;

(B) an applicable best practice development and acquisition model; and

(C) the requirement established pursuant to subsection (b)(1).

(2) To make appropriate use of authorized software code assessment centers (whether a government center, Federally funded research and development center, or government contractor) to evaluate applications and software products for conformance to secure coding requirements.

(e) STUDY ON ADDITIONAL MEANS OF IMPROVING SOFTWARE SECURITY.—

(1) IN GENERAL.—The Under Secretary shall, in coordination with the Chief Information Officer, provide for a study of potential mechanisms for obtaining higher quality and secure development of computer software for the Department.

(2) MECHANISMS TO BE STUDIED.—The mechanisms studied under paragraph (1) may include the following:

(A) Liability for defects or vulnerabilities in software code.

(B) So-called ''clawback'' provisions on earned fees that enable the Department to recoup funds for security vulnerabilities discovered after software is delivered.

(C) Exemption from liability for rigorous conformance with secure development processes.

(D) Warranties against software defects and vulnerabilities.

(f) SOFTWARE REPOSITORIES AND COLLABORATIVE DEVELOPMENT ENVIRONMENTS.—The Under Secretary shall, in consultation with the Chief Information Officer—

(1) establish or require the use of one or more existing computer software repositories and collaborative computer software development environments (such as Forge.mil managed by the Defense Information Systems Agency) for covered systems for purposes of—

(A) storing software code owned by the government, or to which it has use rights, together with all associated documentation and quality and security test results;

(B) minimizing duplicative investment in software code development infrastructure while promoting common, high-quality development practices and facilitating sharing of best practices; and

(C) promoting software re-use and competition for software capability insertion, upgrades, and maintenance;

(2) establish rules and procedures for depositors in the repositories and environments provided for under paragraph (1) to keep the software code base current, if the depositors are not already using such a repository or environment for software development and life-cycle management; and

(3) ensure that the repositories and environments provided for under paragraph (1) provide automated tools for software reverse engineering, functionality analysis, and static and dynamic vulnerability analysis of source code and binary code in order to enable users to search for software relevant to their requirements, understand what the code does and how it functions, and assess its quality and security.

(g) COVERED SYSTEMS DEFINED.—In this section, the term ''covered systems'' means any Department of Defense critical information systems and weapons systems, including—

(1) major systems, as that term is defined in section 2302(5) of title 10, United States Code;

(2) national security systems, as that term is defined in section 3542(b)(2) of title 44, United States Code; and

(3) Department of Defense information systems categorized as Mission Assurance Category I in Department of Defense Directive 8500.01E that are funded by the Department of Defense.

SEC. 926. COMPETITION IN CONNECTION WITH DEPARTMENT OF DEFENSE DATA LINK SYSTEMS.

(a) COMPETITION IN CONNECTION WITH DATA LINK SYSTEMS.—

(1) IN GENERAL.—Not later than December 1, 2013, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(A) develop an inventory of all data link systems in use and in development in the Department of Defense;

(B) conduct a business case analysis of each data link system contained in the inventory under subparagraph (A) to determine whether—

(i) the maintenance, upgrade, new deployment, or replacement of such system should be open to competition; or

(ii) the data link should be converted to an open architecture, or a different data link standard should be adopted to enable such competition;

(C) for each data link system for which competition is determined advisable under clause (i) or (ii) of subparagraph (B), develop a plan (with specific objectives, actions, and schedules) to achieve such competition, including a plan to address any policy, legal, programmatic, or technical barriers to such competition; and

(D) for each data link system for which competition is determined not advisable under subparagraph (B), prepare a justification for the determination that it is not practical to conduct such competition or to convert the data link standard to open architecture or adopt a different data link standard for which competition is feasible.

(2) ELEMENT OF BUSINESS CASE ANALYSES.—In conducting a business case analysis for purposes of paragraph (1)(B), the Under Secretary shall solicit the views of industry on the merits and feasibility of introducing competition for the maintenance, upgrade, new deployment, or replacement for the data link system in question.

(b) EARLIER ACTIONS.—If the Under Secretary completes any portion of the plan described in subsection (a)(1)(C) before December 1, 2013, the Secretary may commence action on such portion of the plan upon completion of such portion, including publication of such portion of the plan.

(c) REPORTS.—

(1) SUBMITTAL OF PLAN TO CONGRESS.—The Under Secretary shall submit to Congress the plan described in subsection (a)(1)(C) at the same time the budget of the President for fiscal year 2015 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code. The Under Secretary shall include with the plan—

(A) a list of the data link systems covered by subsection (a)(1)(C);

(B) a list of the data link systems covered by subsection (a)(1)(D); and

(C) for each data link system covered by subsection (a)(1)(D), the justification prepared under that subsection with respect to the data link system.

(2) COMPTROLLER OF THE UNITED STATES ASSESSMENT.—Not later than 90 days after the submittal to Congress under paragraph (1) of the plan described in subsection (a)(1)(C), the Comptroller General of the United States shall submit to Congress a report setting forth the assessment of the Comptroller General of the plan, including an assessment of the adequacy and objectives of the plan.

SEC. 927. INTEGRATION OF CRITICAL SIGNALS INTELLIGENCE CAPABILITIES.

(a) PLAN FOR INTEGRATION REQUIRED.—

(1) IN GENERAL.—Not later than January 1, 2013, the Director of the Intelligence, Surveillance, and Reconnaissance (ISR) Task Force shall develop a plan to rapidly achieve an operationally integrated signals intelligence collection and dissemination capability to meet requirements for detecting, tracking, and precisely geolocating high-band communications devices in order to trigger the immediate observation and tracking of high-value targets by imagery sensor by combining or integrating capabilities that exist or are in development in ongoing programs, including the following:

(A) The Guardrail program and the ARGUS A160 program of the Army.

(B) The Blue Moon quick reaction capability program of the Air Force.

(C) The Wide Area Network Detection program of the Defense Advanced Research Projects Agency (DARPA).

(2) CONSULTATION.—The Director shall consult with the National Security Agency, the combatant commands (including the United States Special Operations Command), and the formal wireless working groups of the intelligence community in developing the plan.

(3) SUPPORT.—The Secretary of the Army, the Secretary of the Air Force, and the Director of the Defense Advanced Research Projects Agency shall each provide the Director such information and support as the Director shall require for the development of the plan.

(b) DEVELOPMENT AND DEPLOYMENT.—In addition to the responsibility under subsection (a), the Director of the Intelligence, Surveillance, and Reconnaissance Task Force shall also coordinate funding, provide acquisition oversight, coordinate system deployment, and synchronize operational integration in support of combat operations for purposes of the development and deployment of the capability described in that subsection.

SEC. 928. COLLECTION AND ANALYSIS OF NETWORK FLOW DATA.

(a) DEVELOPMENT OF TECHNOLOGIES.—The Chief Information Officer of the Department of Defense may, in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Intelligence and acting through the Director of the Defense Information Systems Agency (DISA), use the available funding and research activities and capabilities of the Community Data Center of the Defense Information Systems Agency to develop and demonstrate collection, processing, and storage technologies for network flow data that—

(1) are potentially scalable to the volume used by Tier 1 Internet Service Providers (ISPs) to collect and analyze the flow data across their networks;

(2) will substantially reduce the cost and complexity of capturing and analyzing high volumes of flow data; and

(3) support the capability—

(A) to detect and identify cybersecurity threats, networks of compromised computers, and command and control sites used for managing illicit cyber operations and receiving information from compromised computers;

(B) track illicit cyber operations for attribution of the source; and

(C) provide early warning and attack assessment of offensive cyber operations.

(b) COORDINATION.—Any research and development required in the development of the technologies described in subsection (a) shall be conducted in cooperation with the heads of other appropriate departments and agencies of the Federal Government and, whenever feasible, Tier 1 Internet Service Providers.

SEC. 929. DEPARTMENT OF DEFENSE USE OF NATIONAL SECURITY AGENCY CLOUD COMPUTING DATABASE AND INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.

(a) LIMITATION ON USE OF NSA DATABASE.—

(1) LIMITATION.—No component of the Department of Defense may utilize the cloud computing database developed by the National Security Agency (NSA) called Accumulo after September 30, 2013, unless the Chief Information Officer of the Department of Defense certifies one of the following:

(A) That there are no viable commercial open source databases with extensive industry support (such as the Apache Foundation HBase and Cassandra databases) that have security features comparable to the Accumulo database that are considered essential by the Chief Information Officer for purposes of the certification under this paragraph.

(B) That the Accumulo database has become a successful Apache Foundation open source database with adequate industry support and diversification, based on criteria to be established by the Chief Information Officer for purposes of the certification under this paragraph and submitted to the appropriate committees of Congress not later than January 1, 2013.

(2) CONSTRUCTION.—The limitation in paragraph (1) shall not apply to the National Security Agency.

(b) ADAPTATION OF ACCUMULO SECURITY FEATURES TO HBASE DATABASE.—The Director of the National Security Agency shall take appropriate actions to ensure that companies and organizations developing and supporting open

source and commercial open source versions of the Apache Foundation HBase and Cassandra databases, or similar systems, receive technical assistance from government and contractor developers of software code for the Accumulo database to enable adaptation and integration of the security features of the Accumulo database.

(c) COORDINATION REGARDING DOD USE OF INTELLIGENCE COMMUNITY CLOUD COMPUTING INFRASTRUCTURE AND SERVICES.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer of the Department of Defense, and the Chief Information Officer of each of the military departments shall coordinate with the Director of National Intelligence and the Under Secretary of Defense for Intelligence regarding the use of cloud computing infrastructure and software services offered by the intelligence community by components of the Department of Defense for purposes other than intelligence analysis.

(2) PURPOSE.—The purpose of the coordination required by paragraph (1) is to ensure that Department use of cloud computing infrastructure and software services described in that paragraph is cost-effective and consistent with the Information Technology Efficiencies initiative, data center and server consolidation plans, and cybersecurity requirements and policies of the Department.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 930. ELECTRO-OPTICAL IMAGERY.

(a) SUSTAINMENT OF COLLECTION CAPACITY.—The Secretary of Defense and the Director of National Intelligence shall jointly take appropriate actions to sustain through fiscal year 2013 the commercial electro-optical imaging collection capacity that was planned under the Enhanced View program approved in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) to be available to the Department of Defense though the Service Level Agreements with commercial data providers.

(b) IDENTIFICATION OF DEPARTMENT OF DEFENSE ELECTRO-OPTICAL IMAGERY REQUIREMENTS.—

(1) REPORT.—Not later than April 1, 2013, the Vice Chairman of the Joint Chiefs of Staff shall submit to the Director of the Congressional Budget Office a report setting forth a comprehensive description of Department of Defense peacetime and wartime requirements for electro-optical imagery under current circumstances and under anticipated revisions of strategy and budgetary constraints.

(2) SCOPE OF REQUIREMENTS.—The requirements under paragraph (1) shall—

(A) be expressed in such terms as daily regional and global area coverage and number of point targets, resolution, revisit rates, mean-time to access, latency, redundancy, survivability, and diversity; and

(B) take into consideration all types of imagery and collection means available.

(c) ASSESSMENT OF IDENTIFIED REQUIREMENTS.—

(1) IN GENERAL.—Not later than September 15, 2013, the Director of the Congressional Budget Office shall submit to the appropriate committees of Congress a report setting forth an assessment by the Director of the report required by subsection (b).

(2) ELEMENTS.—The assessment required by paragraph (1) shall include an assessment of the following:

(A) The extent to which the requirements of the Department for electro-optical imagery from space can be satisfied by commercial companies using either—

(i) current designs; or

(ii) enhanced designs that could be developed at low risk.

(B) Whether a reduction by half in the amounts requested for the Enhanced View program for fiscal year 2013 from amounts requested for that program for fiscal year 2012 is consistent with Presidential Space Policy of June 2010, Presidential Policy Directive 4, applicable provisions of the Federal Acquisition Regulation (10.001(a)(3)(ii) and 12.101(a)–(b)), and section 2377 of title 10, United States Code, regarding preferences for procuring commercial capabilities and modifying as necessary and feasible commercial capabilities to meet government requirements, and for modifying government requirements to a reasonable extent to enable commercial or non-developmental products to meet government needs.

(3) CONSULTATION AND OTHER RESOURCES.—In preparing the assessment required by paragraph (1), the Director shall—

(A) consult widely with appropriate individuals and entities, including Members and committees of Congress, the Office of Management and Budget and other agencies and officials of the Government, private industry, and academia; and

(B) make maximum use of existing studies and modeling and simulations conducted by or on behalf of Members and committees of Congress, the Joint Staff, the Director of National Intelligence, the National Reconnaissance Office, the National Geospatial-Intelligence Agency, private industry, and academia.

(4) ACCESS TO INFORMATION.—The Director of National Intelligence and the Secretary of Defense shall each provide the staff of the Director of the Congressional Budget Office with such access to information and programs applicable to the assessment required by paragraph (1) as the Director of the Congressional Budget Office shall require for the preparation of the assessment.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(e) FUNDING.—In addition to any other amounts authorized to be appropriated by this Act and available for Service Level Agreements described in subsection (a), of the amounts authorized to be appropriated for fiscal year 2013 by section 301 for operation and maintenance and available as specified in the funding table in section 4301, $125,000,000 is available for such Service Level Agreements.

SEC. 931. SOFTWARE LICENSES OF THE DEPARTMENT OF DEFENSE.

(a) AUDITS.—Not later than 180 days after the date of the enactment of this Act, and every two years thereafter, the Chief Information Officer of the Department of the Defense shall, in consultation with chief information officers of the military departments and the Defense Agencies—

(1) conduct an inventory of all existing software licenses in favor of the Department of Defense, including licenses in use and licenses not in use, on an application-by-application basis;

(2) compare the number of software licenses in use, and the manner of their use by Department employees, with the number of software licenses available to the Department and the product use rights contained in such licenses;

(3) assess the needs of the Department and the components of the Department for software licenses during the two fiscal years next following the date of the completion of the inventory; and

(4) determine means by which the Department can achieve the greatest possible economies of scale and cost-savings in the procurement, use, and optimization of software licenses.

(b) PERFORMANCE PLAN.—

(1) IN GENERAL.—If the Chief Information Officer determines through an inventory conducted under subsection (a) that the number of existing software licenses, on an application-by-application basis, of the Department and the components of the Department exceeds the needs of the Department for such software licenses, the Secretary of Defense shall, not later than 90 days after the date of the completion of such inventory, implement a plan to bring the number of software licenses, on an application-by-application basis, into balance with the needs of the Department.

(2) EXCEPTIONS.—The Chief Information Officer may exempt from coverage under a plan under paragraph (1) such applications or categories of applications as the Chief Information Officer considers appropriate. Immediately upon finalizing the applications or categories of applications to be exempt from coverage under a plan, the Chief Information Officer shall submit to the congressional defense committees a report (in classified form, if required) setting forth the applications or categories of applications to be exempt from coverage under the plan.

SEC. 932. DEFENSE CLANDESTINE SERVICE.

(a) PROHIBITION ON USE OF FUNDS FOR ADDITIONAL PERSONNEL.—Amounts authorized to be appropriated by this Act for the Military Intelligence Program (MIP) may not be obligated or expended to provide for a number of personnel conducting or supporting human intelligence within the Department of Defense in excess of the number of such personnel as of April 20, 2012.

(b) CAPE REPORT ON COSTS.—Not later than 120 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation of the Department of Defense shall submit to the appropriate committees of Congress an independent estimate of the costs of the Defense Clandestine Service, whether funded through the Military Intelligence Program or the National Intelligence Program, including an estimate of the costs over the period of the current future-years defense program and an estimate of the out year costs.

(c) USDI REPORT ON DCS.—

(1) REPORT REQUIRED.—Not later than February 1, 2013, the Under Secretary of Defense for Intelligence shall submit to the appropriate committees of Congress a report on the Defense Clandestine Service.

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

(A) A detailed description of the location and schedule for current and anticipated deployments of case officers trained under the Field Tradecraft Course, whether overseas or domestically, and a certification whether or not such deployments can be accommodated and supported.

(B) A statement of the objectives for the effective management of case officers trained under the Field Tradecraft Course for each of the Armed Forces, the Defense Intelligence Agency, and the United States Special Operations Command, including objectives on numbers of tours requiring training in the Field Tradecraft Course and objectives for management of career tracks and case officer covers.

(C) A statement of the manner in which each Armed Force, the Defense Intelligence Agency, and the United States Special Operations Command will each achieve the objectives applicable thereto under subparagraph (B).

(D) A copy of any memoranda of understanding or memoranda of agreement between the Department of Defense and other departments and agencies of the United States Government, or between components or elements of the Department of Defense, that are required to implement objectives for the Defense Clandestine Service.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committees on Armed Services and Appropriations and the Select Committee on Intelligence of the Senate; and

(B) the Committees on Armed Services and Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''future-years defense program'' means the future-years defense program under section 221 of title 10, United States Code.

SEC. 933. AUTHORITY FOR SHORT-TERM EXTENSION OF LEASE FOR AIRCRAFT SUPPORTING THE BLUE DEVIL INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE PROGRAM.

(a) IN GENERAL.—Notwithstanding section 2401 of title 10, United States Code, the Secretary of the Air Force may extend or renew the lease of aircraft supporting the Blue Devil intelligence, surveillance, and reconnaissance program after the date of the expiration of the current lease of such aircraft for a term that is the shorter of—

(1) the period beginning on the date of the expiration of the current lease and ending on the date on which the Commander of the United States Central Command notifies the Secretary that a substitute is available for the capabilities provided by the lease, or that the capabilities provided by such aircraft are no longer required; or

(2) six months.

(b) FUNDING.—Amounts authorized to be appropriated for fiscal year 2013 by title XV and available for Overseas Contingency Operations for operation and maintenance as specified in the funding tables in section 4302 may be available for the extension or renewal of the lease authorized by subsection (a).

SEC. 934. SENSE OF SENATE ON POTENTIAL SECURITY RISKS TO DEPARTMENT OF DEFENSE NETWORKS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Cybersecurity threats are pervasive and serious, including through the supply chain of information technology equipment and software.

(2) Semiconductor manufacturing is already dominated by foreign producers, presenting supply chain risk management challenges.

(3) In a number of instances, foreign manufacturers of telecommunications equipment, including advanced wireless technology, are gaining global market share due to high quality and low prices. Competitive market forces ensure that commercial providers of consumer, business, and government systems and services will choose equipment and associated software from these manufacturers. In some cases, like Huawei Industries, this competitive position stems in part from inappropriate government subsidies and other forms of assistance.

(4) Some of these companies also present clear cybersecurity supply chain risks that the Government must address.

(5) The Committee on Foreign Investment in the United States has blocked the attempt by Huawei to acquire United States technology firms on two occasions and the National Security Agency and the Secretary of Commerce have advised two major United States telecommunications carriers against selecting Huawei as a supplier.

(6) The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) provided authority and mechanisms for the Secretary of Defense to control these supply chain risks, but only for National Security Systems, leaving many information technology systems and missions exposed to supply chain risks.

(7) Blocking sales from providers of information technology systems and services due to concerns about cybersecurity risks, while maintaining our commitment to free trade and fair and transparent competition, poses difficult policy challenges.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Department of Defense—

(1) must ensure it maintains full visibility and adequate control of its supply chain, including subcontractors, in order to mitigate supply chain exploitation; and

(2) needs the authority and capability to mitigate supply chain risks to its information technology systems that fall outside the scope of National Security Systems.

SEC. 935. SENSE OF CONGRESS ON THE UNITED STATES CYBER COMMAND.

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

(1) On June 23, 2009, the Secretary of Defense directed the Commander of the United States Strategic Command to establish the United States Cyber Command, which became operational on May 21, 2010, and operates as a sub-unified command subordinate to the United States Strategic Command.

(2) In May 2012, media reports indicated that General Martin Dempsey, the Chairman of the Joint Chiefs of Staff, planned to recommend to Secretary of Defense Leon Panetta that the two-year-old United States Cyber Command be elevated to full combatant command status.

(3) On August 14, 2012, General Keith Alexander, the Commander of the United States Cyber Command and the Director of the National Security Agency, addressed the TechNet Land Forces conference and stated that ''[i]n 2007 we drafted . . . a paper . . . about establishing a Cyber Command . . . [which concluded that] . . . the most logical is to set it up as a sub unified and grow it to a unified, and I think that's the process that we're going to work our way through''.

(4) On October 11, 2012, Secretary of Defense Leon Panetta discussed cybersecurity in a speech to the Business Executives for National Security in New York, New York, specifically calling for a strengthening of the United States Cyber Command and stating that the Department of Defense ''must ensure that [the United States Cyber Command] has the resources, that it has the authorities, that it has the capabilities required to perform this growing mission. And it must also be able to react quickly to events unfolding in cyberspace and help fully integrate cyber into all of the department's plans and activities.''.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the serious cyber threat to national security and the need to work both offensively and defensively to protect the Nation's networks and critical infrastructure;

(2) acknowledges the importance of the unified command structure of the Department in directing military operations in cyberspace and recognizes that a change in the status of the United States Cyber Command has Department-wide and national security implications, which require careful consideration;

(3) expects to be briefed and consulted about any proposal to elevate the United States Cyber Command to a unified command before a decision by the Secretary make such a proposal to the President and to receive, at a minimum—

(A) a clear statement of mission and related legal definitions;

(B) an outline of the specific national security benefits of elevating the sub-unified United States Cyber Command to a unified command;

(C) an estimate of the cost of creating a unified United States Cyber Command and a justification of the expenditure; and

(D) if the Secretary considers it advisable to continue the designation of the Commander of the United States Cyber Command as also being the Director of the National Security Agency—

(i) an explanation of how a single individual could serve as a commander of a combatant command that conducts overt, albeit clandestine, cyber operations under title 10, United States Code, as well as the director of an intelligence agency that conducts covert cyber operations under the National Security Act of 1947 (50 U.S.C. 401 et seq.) in a manner that affords deniability to the United States; and

(ii) a statement of whether the Secretary believes it is appropriate either to appoint a line officer as the Director of the National Security Agency or to take the unprecedented step of appointing an intelligence officer as a unified commander; and

(4) believes that appropriate policy foundations and standing rules of engagement must be in place before any decision to create a unified United States Cyber Command.

SEC. 936. REPORTS TO DEPARTMENT OF DEFENSE ON PENETRATIONS OF NETWORKS AND INFORMATION SYSTEMS OF CERTAIN CONTRACTORS.

(a) PROCESS FOR REPORTING PENETRATIONS.—The Under Secretary of Defense for Intelligence shall, in coordination with the officials specified in subsection (c), establish a process by which cleared defense contractors shall report to elements of the Department of Defense designated by the Under Secretary for purposes of the process when a network or information system of such contractors designated pursuant to subsection (b) is successfully penetrated.

(b) DESIGNATION OF NETWORKS AND INFORMATION SYSTEMS.—The Under Secretary of Defense for Intelligence shall, in coordination with the officials specified in subsection (c), establish criteria for designating the cleared defense contractors' networks or information systems that contain or process information created by or for the Department of Defense to be subject to the reporting process established pursuant to subsection (a).

(c) OFFICIALS.—The officials specified in this subsection are the following:

(1) The Under Secretary of Defense for Policy.

(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(3) The Chief Information Officer of the Department of Defense.

(4) The Commander of the United States Cyber Command.

(d) PROCESS REQUIREMENTS.—

(1) RAPID REPORTING.—The process required by subsection (a) shall provide for rapid reporting by contractors of successful penetrations of designated network or information systems.

(2) REPORT ELEMENTS.—The report by a contractor on a successful penetration of a designated network or information system under the process shall include the following:

(A) A description of the technique or method used in the penetration.

(B) A sample of the malicious software, if discovered and isolated by the contractor.

(3) ACCESS.—The process shall include mechanisms by which Department of Defense personnel may, upon request, obtain access to equipment or information of a contractor necessary to conduct a forensic analysis to determine whether information created by or for the Department in connection with any Department program was successfully exfiltrated from a network or information system of the contractor and, if so, what information was exfiltrated.

(4) LIMITATION ON DISSEMINATION OF CERTAIN INFORMATION.—The process shall prohibit the dissemination outside the Department of Defense of information obtained or derived through the process that is not created by or for the Department except with the approval of the contractor providing such information.

(e) CLEARED DEFENSE CONTRACTOR DEFINED.—In this section, the term ''cleared defense contractor'' means a private entity granted clearance by the Defense Security Service to receive and store classified information for the purpose of bidding for a contract or conducting activities under a contract with the Department of Defense.

Subtitle D—Other Matters

SEC. 941. NATIONAL LANGUAGE SERVICE CORPS.

(a) AUTHORITY TO ESTABLISH.—The David L. Boren National Security Education Act of 1991

(50 U.S.C. 1901 et seq.) is amended by adding at the end the following new section:

"SEC. 813. NATIONAL LANGUAGE SERVICE CORPS.

''(a) ESTABLISHMENT.—(1) The Secretary of Defense may establish and maintain within the Department of Defense a National Language Service Corps (in this section referred to as the 'Corps').

''(2) The purpose of the Corps is to provide a pool of personnel with foreign language skills who, as provided in regulations prescribed under this section, agree to provide foreign language services to the Department of Defense or another department or agency of the United States.

''(b) NATIONAL SECURITY EDUCATION BOARD.—If the Corps is established, the Secretary shall provide for the National Security Education Board to oversee and coordinate the activities of the Corps to such extent and in such manner as determined by the Secretary under paragraph (9) of section 803(d).

''(c) MEMBERSHIP.—To be eligible for membership in the Corps, a person must be a citizen of the United States authorized by law to be employed in the United States, have attained the age of 18 years, and possess such foreign language skills as the Secretary considers appropriate for membership in the Corps. Members of the Corps may include employees of the Federal Government and of State and local governments.

''(d) TRAINING.—The Secretary may provide members of the Corps such training as the Secretary prescribes for purposes of this section.

''(e) SERVICE.—Upon a determination that it is in the national interests of the United States, the Secretary shall call upon members of the Corps to provide foreign language services to the Department of Defense or another department or agency of the United States.

''(f) FUNDING.—The Secretary may impose fees, in amounts up to full-cost recovery, for language services and technical assistance rendered by members of the Corps. Amounts of fees received under this section shall be credited to the account of the Department providing funds for any costs incurred by the Department in connection with the Corps. Amounts so credited to such account shall be merged with amounts in such account, and shall be available to the same extent, and subject to the same conditions and limitations, as amounts in such account. Any amounts so credited shall remain available until expended.''.

(b) NATIONAL SECURITY EDUCATION BOARD MATTERS.—

(1) COMPOSITION.—Subsection (b) of section 803 of such Act (50 U.S.C. 1903) is amended—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (6) and (7) as paragraphs (8) and (9), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

''(5) The Secretary of Homeland Security.

''(6) The Secretary of Energy.

''(7) The Director of National Intelligence.''.

(2) FUNCTIONS.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 813, including—

''(A) identifying and assessing on a periodic basis the needs of the departments and agencies of the Federal Government for personnel with skills in various foreign languages;

''(B) establishing plans to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

''(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal government that use those skills;

''(D) coordinating activities with Executive agencies and State and Local governments to develop interagency plans and agreements to address overall foreign language shortfalls and to utilize personnel to address the various types of crises that warrant foreign language skills; and

''(E) proposing to the Secretary regulations to carry out section 813.''.

SEC. 942. REPORT ON EDUCATION AND TRAINING AND PROMOTION RATES FOR PILOTS OF REMOTELY PILOTED AIRCRAFT.

(a) REPORT REQUIRED.—Not later than January 31, 2013, the Secretary of the Air Force and the Chief of Staff of the Air Force shall jointly submit to the congressional defense committees a report on education and training and promotion rates for Air Force pilots of remotely piloted aircraft (RPA).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A detailed analysis of the reasons for persistently lower average education and training and promotion rates for Air Force pilots of remotely piloted aircraft.

(2) An assessment of the long-term impact on the Air Force of the sustainment of such lower rates

(3) A plan to raise such rates, including—

(A) a description of the near-term and longer-term actions the Air Force intends to undertake to implement the plan; and

(B) an analysis of the potential direct and indirect impacts of the plan on the achievement and sustainment of the combat air patrol objectives of the Air Force for remotely piloted aircraft.

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 $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration for fiscal year 2013 in section 3101 is less than $7,900,000,000 (the amount projected to be required for such activities in fiscal year 2013 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2013 pursuant to this Act, to the Secretary of Energy an amount, not to exceed $150,000,000, to be available only for weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

SEC. 1003. AUDIT READINESS OF DEPARTMENT OF DEFENSE STATEMENTS OF BUDGETARY RESOURCES.

(a) OBJECTIVE.—Section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2439; 10 U.S.C. 2222 note) is amended by inserting '', and the statement of budgetary resources of the Department of Defense is validated as ready for audit by not later than September 30, 2014'' after ''September 30, 2017''.

(b) AFFORDABLE AND SUSTAINABLE APPROACH.—

(1) IN GENERAL.—The Chief Management Officer of the Department of Defense and the Chief Management Officers of each of the military departments shall ensure that plans to achieve an auditable statement of budgetary resources of the Department of Defense by September 30, 2014, include appropriate steps to minimize one-time fixes and manual work-arounds, are sustainable and affordable, and will not delay full auditability of financial statements.

(2) ADDITIONAL ELEMENTS IN FIAR PLAN REPORT.—Each semi-annual report on the Financial Improvement and Audit Readiness Plan of the Department of Defense submitted by the Under Secretary of Defense (Comptroller) under section 1003(b) of the National Defense Authorization Act for Fiscal Year 2010 during the period beginning on the date of the enactment of this Act and ending on September 30, 2014, shall include the following:

(A) A description of the actions taken by the military departments pursuant to paragraph (1).

(B) A determination by the Chief Management Officer of each military department whether or not such military department is able to achieve an auditable statement of budgetary resources by September 30, 2014, without an unaffordable or unsustainable level of one-time fixes and manual work-arounds and without delaying the full auditability of the financial statements of such military department.

(C) If the Chief Management Officer of a military department determines under subparagraph (B) that the military department is not able to achieve an auditable statement of budgetary resources by September 30, 2014, as described in that subparagraph—

(i) an explanation why the military department is unable to meet the deadline;

(ii) an alternative deadline by which the military department will achieve an auditable statement of budgetary resources;

(iii) a description of the plan of the military department for meeting the alternative deadline.

SEC. 1004. REPORT ON EFFECTS OF BUDGET SEQUESTRATION ON THE DEPARTMENT OF DEFENSE.

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

(1) The inability of the Joint Select Committee on Deficit Reduction to find $1,200,000,000,000 in

savings will trigger automatic funding reductions known as ''sequestration'' to the Department of Defense of $492,000,000,000 between 2013 and 2021 under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 USC 901a).

(2) These reductions are in addition to reductions of $487,000,000,000 already being implemented by the Department of Defense, and would decrease the readiness and capabilities of the Armed Forces while increasing risks to the effective implementation of the National Security Strategy of the United States.

(3) The leaders of the Department of Defense have consistently testified that threats to the national security of the United States have increased, not decreased. Secretary of Defense Leon Panetta said that these reductions would ''inflict severe damage to our national defense for generations'', comments that have been echoed by the Secretaries of the Army, Navy, and Air Force.

(4) While reductions in funds available for the Department of Defense will automatically commence January 2, 2013, uncertainty regarding the reductions has already exacerbated Department of Defense efforts to plan future defense budget.

(5) Sequestration will have a detrimental effect on the industrial base that supports the Department of Defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than August 15, 2012, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a detailed report on the impact on the Department of Defense of the sequestration of funds authorized and appropriated for fiscal year 2013 for the Department of Defense, if automatically triggered on January 2, 2013, under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

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

(A) An assessment of the potential impact of sequestration on the readiness of the Armed Forces, including impacts to steaming hours, flying hours, and full spectrum training miles, and an estimate of the increase or decrease in readiness (as defined in the C status C–1 through C–5).

(B) An assessment of the potential impact of sequestration on the ability of the Department of Defense to carry out the National Military Strategy of the United States, and any changes to the most recent Risk Assessment of the Chairman of the Joint Chiefs of Staff under section 153(b) of title 10, United States Code arising from sequestration.

(C) A list of the programs, projects, and activities across the Department of Defense, the military departments, and the elements and components of the Department of Defense that would be reduced or terminated as a result of sequestration.

(D) An estimate of the number and value of all contracts that will be terminated, restructured, or revised in scope as a result of sequestration, including an estimate of potential termination costs and of increased contract costs due to renegotiation and reinstatement of contracts.

(3) ASSUMPTIONS.—The report required by paragraph (1) shall assume the following:

(A) Except as provided in subparagraph (B), the funds subject to sequester are the funds in all 050 accounts, including all unobligated balances.

(B) The funds exempt from the sequester are the following:

(i) Funds in accounts for military personnel.

(ii) Funds in accounts for overseas contingency operations.

(4) PRESENTATION OF CERTAIN INFORMATION.—In listing programs, projects, and activities under paragraph (2)(C), the report required by paragraph (1) shall set forth for each the following:

(A) The most specific level of budget item identified in applicable appropriations Acts.

(B) Related classified annexes and explanatory statements.

(C) Department of Defense budget justification documents DOD P–1 and R–1 as subsequently modified by congressional action, and as submitted by the Department of Defense together with the budget materials for the budget of the President for fiscal year 2013 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code).

(D) Department of Defense document O–1 for operation and maintenance accounts for fiscal year 2013, for which purpose the term ''program, project, or activity'' means the budget activity account and sub account for the program, project, or activity as submitted in such document O–1.

SEC. 1005. REPORT ON BALANCES CARRIED FORWARD BY THE DEPARTMENT OF DEFENSE AT THE END OF FISCAL YEAR 2012.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress, and publish on the Internet website of the Department of Defense available to the public, the following:

(1) The total dollar amount of all balances carried forward by the Department of Defense at the end of fiscal year 2012 by account.

(2) The total dollar amount of all unobligated balances carried forward by the Department of Defense at the end of fiscal year 2012 by account.

(3) The total dollar amount of any balances (both obligated and unobligated) that have been carried forward by the Department of Defense for five years or more as of the end of fiscal year 2012 by account.

SEC. 1006. TRANSFER OF CERTAIN FISCAL YEAR 2012 AND 2013 FUNDS.

(a) TRANSFER AUTHORIZED.—To the extent provided in appropriations Acts, the Secretary of Defense may transfer from fiscal year 2012 and 2013 procurement or research, development, test, and evaluation accounts an aggregate of $46,000,000 to be available for the additional authorizations in sections 132, 154, and 217.

(b) COVERED FUNDS.—In subsection (a), the term ''fiscal year 2012 and 2013 procurement or research, development, test, and evaluation accounts'' means—

(1) amounts authorized to be appropriated for fiscal year 2012 by sections 101 and 201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) and available as specified in the funding tables in sections 4101 and 4201 of that Act for Army tactical bridging, BLIN–133, $12.5 million; Army C–RAM, BLIN–90, $15.8 million; Army non-system training devices, BLIN–182, $9.8 million; Defense wide 12/14 USSOCOM C–ISO modifications, $4.0 million; Defense wide 12/14 Combat mission requirements, $4.2 million.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to change the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority in this section is in addition to any other transfer authority provided in this Act.

Subtitle B—Counter-Drug Activities

SEC. 1011. 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 (10 U.S.C. 371 note) is amended by striking ''2012'' and inserting ''2013''.

SEC. 1012. REQUIREMENT FOR BIENNIAL CERTIFICATION ON PROVISION OF SUPPORT FOR COUNTER-DRUG ACTIVITIES TO CERTAIN FOREIGN GOVERNMENTS.

Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), as most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1557), is further amended—

(1) in subsection (f)—

(A) in paragraph (1), by striking ''the written certification described in subsection (g) for that fiscal year.'' and inserting ''a written certification described in subsection (g) applicable to that fiscal year. The first such certification with respect to any such government may apply only to a period of one fiscal year. Subsequent certifications with respect to any such government may apply to a period of not to exceed two fiscal years.''; and

(B) in paragraph (4)(B), by striking ''The Committee on National Security and the Committee on International Relations of the House of Representatives'' and inserting ''The Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives''; and

(2) in subsection (g), in the matter preceding paragraph (1)—

(A) by striking ''The written'' and inserting ''A written''; and

(B) by striking ''for a fiscal year'' and all that follows through the colon and inserting ''with respect to a government to receive support under this section for any period of time is a certification of each of the following with respect to that government:''.

SEC. 1013. AUTHORITY TO SUPPORT THE UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) AUTHORITY.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated by section 1404 for the Department of Defense for drug interdiction and counter-drug activities, Defense-wide for fiscal year 2013, not more than $50,000,000 may be used by the Secretary of Defense to provide in support of a unified campaign by the Government of Colombia against narcotics trafficking and against terrorist organizations (as designated by the Secretary of State) in Colombia the following:

(A) Logistics support, services, and supplies.

(B) The types of support authorized under section 1004(b) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 374 note).

(C) The types of support authorized under section 1033(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85).

(2) SCOPE OF AUTHORITY.—The authority to provide assistance for a campaign under this subsection includes authority to take actions to protect human health and welfare in emergency circumstances, including the undertaking of rescue operations.

(b) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any provision of law.

(c) LIMITATION ON PARTICIPATION OF UNITED STATES PERSONNEL.—No United States Armed Forces personnel, United States civilian employees, or United States civilian contractor personnel employed by the United States may participate in any combat operation in connection with assistance using funds pursuant to the authority in subsection (a), except for the purpose of acting in self defense or of rescuing any United States citizen, including any United States Armed Forces personnel, United States civilian employee, or civilian contractor employed by the United States.

(d) RELATION TO OTHER AUTHORITIES.—The authority provided by subsection (a) is in addition to any other authority in law to provide assistance to the Government of Colombia.

(e) REPORT.—

(1) IN GENERAL.—Not later than November 1 following any fiscal year in which the Secretary of Defense provides support under subsection (a), the Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) A description of the support provided, including—

(i) a description of the support;

(ii) the cost of the support;

(iii) a list of the Colombia units to which support was provided; and

(iv) a list of the Colombia operations supported.

(B) Guidance for future Department of Defense support for a unified campaign by the Government of Colombia against narcotics trafficking and terrorism.

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

SEC. 1014. QUARTERLY REPORTS ON USE OF FUNDS IN THE DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE ACCOUNT.

(a) QUARTERLY REPORTS ON EXPENDITURES OF FUNDS.—Not later than 60 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the expenditure of funds, by project code, from the Drug Interdiction and Counter-Drug Activities, Defense-wide account during such fiscal year quarter, including expenditures of funds in direct or indirect support of the counter-drug activities of foreign governments.

(b) INFORMATION ON SUPPORT OF COUNTER-DRUG ACTIVITIES OF FOREIGN GOVERNMENTS.—The information in a report under subsection (a) on direct or indirect support of the counter-drug activities of foreign governments shall include, for each foreign government so supported, the following:

(1) The total amount of assistance provided to, or expended on behalf of, the foreign government.

(2) A description of the types of counter-drug activities conducted using the assistance.

(3) An explanation of the legal authority under which the assistance was provided.

(c) CESSATION OF REQUIREMENT.—No report shall be required under subsection (a) for any fiscal year quarter beginning on or after October 1, 2017.

(d) REPEAL OF OBSOLETE AUTHORITY.—Section 1022 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398) is repealed.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. RETIREMENT OF NAVAL VESSELS.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Chief of Naval Operations shall submit to the congressional defense committees a report that sets forth a comprehensive description of the current requirements of the Navy for combatant vessels of the Navy, including submarines.

(b) ADDITIONAL REPORT ELEMENT IF LESS THAN 313 VESSELS REQUIRED.—If the number of combatant vessels for the Navy (including submarines) specified as being required in the report under subsection (a) is less than 313 combatant vessels, the report shall include a justification for the number of vessels specified as being so required and the rationale by which the number of vessels is considered consistent with applicable strategic guidance issued by the President and the Secretary of Defense in 2012.

SEC. 1022. TERMINATION OF A MARITIME PREPOSITIONING SHIP SQUADRON.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Chief of Naval Operations and the Commandant of the Marine Corps shall jointly submit to the congressional defense committees a report setting forth an assessment of the Marine Corps Prepositioning Program–Norway and the capability of that program to address any readiness gaps that will be created by the termination of Maritime Prepositioning Ship Squadron One in the Mediterranean.

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

(A) A detailed description of the time required to transfer stockpiles onto Navy vessels for use in contingency operations.

(B) A comparison of the response time of the Marine Corps Prepositioning Program–Norway with the current response time of Maritime Prepositioning Ship Squadron One.

(C) A description of the equipment stored in the stockpiles of the Marine Corps Prepositioning Program–Norway, and an assessment of the differences, if any, between that equipment and the equipment of a Maritime Prepositioning Ship squadron.

(D) A description and assessment of the current age and state of maintenance of the equipment of the Marine Corps Maritime Prepositioning Program–Norway.

(E) A plan to address the equipment shortages and modernization needs of the Marine Corps Maritime Prepositioning Program–Norway.

(b) LIMITATION ON AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated by this Act may not be obligated or expended to terminate a Maritime Prepositioning Ship squadron until the date of the submittal to the congressional defense committees of the report required by subsection (a).

SEC. 1023. SENSE OF CONGRESS ON RECAPITALIZATION FOR THE NAVY AND COAST GUARD.

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

(1) More than 70 percent of the world's surface is comprised of navigable oceans.

(2) More than 80 percent of the population of the world lives within 100 miles of an ocean.

(3) More than 90 percent of the world's commerce traverses an oceans.

(4) The national security of the United States is inextricably linked to the maintenance of global freedom of access for both the strategic and commercial interests of the United States.

(5) To maintain that freedom of access the sea services of the United States, composed of the Navy, the Marine Corps, and the Coast Guard, must be sufficiently positioned as rotationally globally deployable forces with the capability to decisively defend United States citizens, homeland, and interests abroad from direct or asymmetric attack and must be comprised of sufficient vessels to maintain global freedom of action.

(6) To achieve appropriate capabilities to ensure national security the Government of the United States must continue to recapitalize the fleets of the Navy and Coast Guard and must continue to conduct vital maintenance and repair of existing vessels to ensure such vessels meet service life goals.

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

(1) the sea services of the United States should be funded and maintained to provide the broad spectrum of capabilities required to protect the national security of the United States;

(2) such capabilities should include—

(A) the ability to project United States power rapidly anywhere on the globe without the need for host nation basing permission or long and potentially vulnerable logistics supply lines;

(B) the ability to land and recover maritime forces from the sea for direct combat action, to evacuate United States citizens from hostile situations, and to provide humanitarian assistance where needed;

(C) the ability to operate from the subsurface with overpowering conventional combat power, as well as strategic deterrence; and

(D) the ability to operate in collaboration with United States maritime partners in the common interest of preventing piracy at sea and maintaining the commercial sea lanes available for global commerce;

(3) the Secretary of Defense, in coordination with the Secretary of the Navy, should maintain the recapitalization plans for the Navy as a priority in all future force structure decisions; and

(4) the Secretary of Homeland Security should maintain the recapitalization plans for the Coast Guard as a priority in all future force structure decisions.

SEC. 1024. NOTICE TO CONGRESS FOR THE REVIEW OF PROPOSALS TO NAME NAVAL VESSELS.

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

(1) The Navy traces its ancestry to October 13, 1775, when an Act of the Continental Congress authorized the first vessel of a navy for the United Colonies. Vessels of the Continental Navy were named for early patriots and military heroes, Federal institutions, colonial cities, and positive character traits representative of naval and military virtues.

(2) An Act of Congress on March 3, 1819, made the Secretary of the Navy responsible for assigning names to vessels of the Navy. Traditional sources for vessel names customarily encompassed such categories as geographic locations in the United States; historic sites, battles, and ships; naval and military heroes and leaders; and noted individuals who made distinguished contributions to United States national security.

(3) These customs and traditions provide appropriate and necessary standards for the naming of vessels of the Navy.

(b) NOTICE TO CONGRESS.—Section 7292 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary of the Navy may not announce or implement any proposal to name a vessel of the Navy until 30 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth such proposal.

''(2) Each report under this subsection shall describe the justification for the proposal covered by such report in accordance with the standards referred to in section 1024(a) of the National Defense Authorization Act for Fiscal Year 2013.''.

(c) EFFECTIVE DATE.—This section and the amendment made by this section shall go into effect on the date that is 30 days after the date of the enactment of this Act.

Subtitle D— Counterterrorism

SEC. 1031. EXTENSION OF CERTAIN PROHIBITIONS AND REQUIREMENTS RELATING TO DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN US FOR TRANSFER OF DETAINEES.—Section 1026(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1566) is amended by inserting ''or 2013'' after ''fiscal year 2012''.

(b) REQUIREMENTS FOR CERTIFICATIONS ON TRANSFERS OF DETAINEES TO FOREIGN COUNTRIES OR ENTITIES.—Section 1028(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1567; 10 U.S.C. 801 note) is amended by inserting ''or 2013'' after ''fiscal year 2012''.

SEC. 1032. PROHIBITION ON USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No authorized to be appropriated funds 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. 1033. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b)(1) An authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States, unless an Act of Congress expressly authorizes such detention.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act For Fiscal Year 2013.

''(3) Paragraph (1) shall not be construed to authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. ENHANCEMENT OF RESPONSIBILITIES OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF REGARDING THE NATIONAL MILITARY STRATEGY.

(a) IN GENERAL.—Subsection (b) of section 153 of title 10, United States Code, is amended to read as follows:

''(b) NATIONAL MILITARY STRATEGY.—

''(1) NATIONAL MILITARY STRATEGY.—(A) The Chairman shall determine each even-numbered year whether to prepare a new National Military Strategy in accordance with this subparagraph or to update a strategy previously prepared in accordance with this subsection. The Chairman shall complete preparation of the National Military Strategy or update in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

''(B) Each National Military Strategy (or update) under this paragraph shall be based on a comprehensive review conducted by the Chairman in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the unified and specified combatant commands.

''(C) Each National Military Strategy (or update) submitted under this paragraph shall refer to and support each of the following:

''(i) The most recent National Security Strategy prescribed by the President pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404a).

''(ii) The most recent annual report of the Secretary of Defense submitted to the President and Congress pursuant to section 113 of this title.

''(iii) The most recent Quadrennial Defense Review conducted by the Secretary of Defense pursuant to section 118 of this title.

''(iv) Any other national security or defense strategic guidance issued by the President or the Secretary of Defense.

''(D) Each National Military Strategy (or update) submitted under this paragraph shall do the following:

''(i) Describe the strategic environment and the opportunities and challenges that affect United States national interests and United States national security.

''(ii) Describe the threats, such as international, regional, transnational, hybrid, terrorism, cyber-attack, weapons of mass destruction, asymmetric challenges, and any other categories of threats identified by the Chairman, to the United States national security.

''(iii) Identify the United States national military objectives and the relationship of those objectives to the strategic environment and to the threats described under clause (ii).

''(iv) Identify the operational concepts, missions, tasks, or activities necessary to support the achievement of the objectives identified under clause (iii).

''(v) Identify the fiscal, budgetary, and resource environments and conditions that, in the assessment of the Chairman, impact the strategy.

''(vi) Identify the implications of current force planning and sizing constructs for the strategy.

''(vii) Identify and assess the capacity, capabilities, and availability of United States forces (including both the regular and reserve components) to support the execution of missions required by the strategy.

''(viii) Identify areas in which the armed forces intends to engage and synchronize with other departments and agencies of the United States Government contributing to the execution of missions required by the strategy.

''(ix) Identify and assess potential areas in which the armed forces could be augmented by contributions from alliances (such as the North Atlantic Treaty Organization (NATO)), international allies, or other friendly nations in the execution of missions required by the strategy.

''(x) Identify and assess the requirements for contractor support to the armed forces for conducting training, peacekeeping, overseas contingency operations, and other major combat operations under the strategy.

''(xi) Identify the assumptions made with respect to each of clauses (i) through (x).

''(E) Each update to a National Military Strategy under this paragraph shall address only those parts of the most recent National Military Strategy for which the Chairman determines, on the basis of a comprehensive review conducted in conjunction with the other members of the Joint Chiefs of Staff and the commanders of the combatant commands, that a modification is needed.

''(2) RISK ASSESSMENT.—(A) The Chairman shall prepare each year an assessment of the risks associated with the most current National Military Strategy (or update) under paragraph (1). The risk assessment shall be known as the 'Risk Assessment of the Chairman of the Joint Chiefs of Staff'. The Chairman shall complete preparation of the Risk Assessment in time for transmittal to Congress pursuant to paragraph (3), including in time for inclusion of the report of the Secretary of Defense, if any, under paragraph (4).

''(B) The Risk Assessment shall do the following:

''(i) As the Chairman considers appropriate, update any changes to the strategic environment, threats, objectives, force planning and sizing constructs, assessments, and assumptions in the National Military Strategy.

''(ii) Identify and define the strategic risks to United States interests and the military risks in executing the missions of the National Military Strategy.

''(iii) Identify and define levels of risk distinguishing between the concepts of probability and consequences, including an identification of what constitutes 'significant' risk in the judgment of the Chairman.

''(iv) Identify and assess risk in the National Military Strategy by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time, and, for each category of risk, assess the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the most current future-years defense program under section 221 of this title.

''(v) Identify and assess risk associated with the assumptions or plans of the National Military Strategy about the contributions or support of—

''(I) other departments and agencies of the United States Government (including their capabilities and availability);

''(II) alliances, allies, and other friendly nations, (including their capabilities, availability, and interoperability); and

''(III) contractors.

''(vi) Identify and assess the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) identified during the preparation and review of the contingency plans of each unified combatant command, and identify and assess the effect of such deficiencies and strengths for the National Military Strategy.

''(3) SUBMITTAL OF NATIONAL MILITARY STRATEGY AND RISK ASSESSMENT TO CONGRESS.—(A) Not later than February 15 of each even-numbered year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the National Military Strategy or update, if any, prepared under paragraph (1) in such year.

''(B) Not later than February 15 each year, the Chairman shall, through the Secretary of Defense, submit to the Committees on Armed Services of the Senate and the House of Representatives the Risk Assessment prepared under paragraph (2) in such year.

''(4) SECRETARY OF DEFENSE REPORTS TO CONGRESS.—(A) In transmitting a National Military Strategy (or update) or Risk Assessment to Congress pursuant to paragraph (3), the Secretary of Defense shall include in the transmittal such comments of the Secretary thereon, if any, as the Secretary considers appropriate.

''(B) If the Risk Assessment transmitted under paragraph (3) in a year includes an assessment that a risk or risks associated with the National Military Strategy (or update) are significant, or that critical deficiencies in force capabilities exist for a contingency plan described in paragraph (2)(B)(vi), the Secretary shall include in the transmittal of the Risk Assessment the plan of the Secretary for mitigating such risk or deficiency. A plan for mitigating risk of deficiency under this subparagraph shall—

''(i) address the risk assumed in the National Military Strategy (or update) concerned, and the additional actions taken or planned to be taken to address such risk using only current technology and force structure capabilities; and

''(ii) specify, for each risk addressed, the extent of, and a schedule for expected mitigation of, such risk, and an assessment of the potential for residual risk, if any, after mitigation.''.

(b) CONFORMING AMENDMENT.—Such section is further amended by striking subsection (d).

SEC. 1042. MODIFICATION OF AUTHORITY ON TRAINING OF SPECIAL OPERATIONS FORCES WITH FRIENDLY FOREIGN FORCES.

(a) AUTHORITY TO PAY FOR MINOR MILITARY CONSTRUCTION IN CONNECTION WITH TRAINING.—Subsection (a) of section 2011 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) Expenses of minor military construction directly related to that training with such expenses payable from amounts available to the commander for unspecified minor military construction, except that—

''(A) the amount of any project for which such expenses are so payable may not exceed $250,000; and

''(B) the total amount of such expenses so paid in any fiscal year may not exceed $2,000,000.''.

(b) PURPOSES OF TRAINING.—Subsection (b) of such section is amended to read as follows:

''(b) PURPOSES OF TRAINING.—The purposes of the training for which payment may be made under subsection (a) shall be as follows:

''(1) To train the special operations forces of the combatant command.

''(2) In the case of a commander of a combatant command having a geographic area of responsibility, to train the military forces and other security forces of a friendly foreign country in a manner consistent with the Theater Campaign Plan of the commander for that geographic area.''.

(c) PRIOR APPROVAL.—Subsection (c) of such section is amended by inserting before the period at the end of the second sentence the following: '', or, in the case of training activities carried out after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, the approval of the Secretary of Defense, in coordination with the Secretary of State''.

(d) REPORTS.—Subsection (e) of such section is amended—

(1) in paragraph (3)—

(A) by inserting ''or other security'' after ''foreign'' the first place it appears; and

(B) by striking ''foreign military personnel'' and inserting ''such foreign personnel'';

(2) in paragraph (4)—

(A) by striking ''and military training activities'' and inserting ''military training activities''; and

(B) by inserting before the period at the end the following: '', and training programs sponsored by the Department of State'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following new paragraph (6):

''(6) A description of any minor military construction projects for which expenses were paid, including a justification of the benefits of each such project to training under this section.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the of the enactment of this Act. The amendments made by subsection (d) shall apply with respect to any reports submitted under subsection (e) of section 2011 of title 10, United States Code (as so amended), after that date.

SEC. 1043. EXTENSION 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. 1044. PARTICIPATION OF VETERANS IN THE TRANSITION ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Each veteran, during the one-year period beginning on the date on which the veteran is discharged or separated from service in the Armed Forces, shall be authorized to participate in the Transition Assistance Program (TAP) of the Department of Defense.

(b) SCOPE OF AUTHORIZED PARTICIPATION.—As part of their participation in the Transition Assistance Program pursuant to this section, veterans shall be authorized to receive the following:

(1) Transition assistance counseling under the program at any military installation at which transition assistance counseling is being provided to members of the Armed Forces under the program.

(2) Ongoing access to the electronic materials and information provided as part of the Transition Assistance Program, including access after the end of the one-year period of participation under subsection (a).

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of Veterans Affairs shall enter into a memorandum of understanding regarding the participation of veterans in the Transition Assistance Program pursuant to this section. The memorandum of understanding shall provide for the access of veterans to military installations for purposes of participation in the Transition Assistance Program and such other matters as such Secretaries jointly consider appropriate for purposes of this section.

(d) DEFINITIONS.—In this section:

(1) The term ''Transition Assistance Program'' means the program carried out by the Department of Defense under sections 1142 and 1144 of title 10, United States Code.

(2) The term ''veteran'' has the meaning given that term in section 101 of title 38, United States Code.

SEC. 1045. MODIFICATION OF THE MINISTRY OF DEFENSE ADVISOR PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended by inserting—

(1) in the matter preceding paragraph (1), by inserting '', regional organizations with defense or security components, and international organizations of which the United States is a member'' after ''foreign countries''; and

(2) by inserting ''or organization'' after ''ministry'' both places it appears.

(b) REPORTS.—Subsection (c) of such section is amended—

(1) by inserting ''or organizations'' after ''defense ministries'' both places it appears; and

(2) by striking paragraph (7).

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 1081. AUTHORITY FOR ASSIGNMENT OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE AS ADVISORS TO FOREIGN MINISTRIES OF DEFENSE AND CERTAIN REGIONAL AND INTERNATIONAL ORGANIZATIONS.''.

SEC. 1046. 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 of technical information, test results, and resources where available from the Department of Defense, the Federal Aviation Administration, and the 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, the National Aeronautics and Space Administration and other public agencies 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.

(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 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 research activity of the Department of Defense, including—

(i) progress in accomplishing the goals of the unmanned aircraft systems research, development, and demonstration as related to the Department of Defense Final Report to Congress on Access to National Airspace for Unmanned Aircraft Systems of October 2010, and any ongoing and collaborative research and development programs with the Federal Aviation Administration and the National Aeronautics and Space Administration and

(ii) estimates of long-term funding needs and details of funds expended and allocated in the budget requests of the President that support integration into the National Airspace.

(B) TERMINATION.—The requirement to submit a report under subparagraph (A) shall terminate on the date that is 5 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 National Aeronautics and Space and Administration and 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 and established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 1047. SENSE OF SENATE ON NOTICE TO CONGRESS ON UNFUNDED PRIORITIES.

It is the sense of the Senate that—

(1) not later than 45 days after the submittal to Congress of the budget for a fiscal year under section 1105(a) of title 31, United States Code, each officer specified in paragraph (2) should, through the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, submit to the congressional defense committees a list of any priority military programs or activities under the jurisdiction of such officer for which, in the estimate of such officer additional funds, if available, would substantially reduce operational or programmatic risk or accelerate the creation or fielding of a critical military capability;

(2) the officers specified in this paragraph are—

(A) the Chief of Staff of the Army;

(B) the Chief of Naval Operations;

(C) the Chief of Staff of the Air Force;

(D) the Commandant of the Marine Corps; and

(E) the Commander of the United States Special Operations Command; and

(3) each list, if any, under paragraph (1) should set forth for each military program or activity on such list—

(A) a description of such program or activity;

(B) a summary description of the justification for or objectives of additional funds, if available for such program or activity; and

(C) the additional amount of funds recommended in connection with the justification or objectives described for such program or activity under subparagraph (B).

SEC. 1048. ENHANCEMENT OF AUTHORITIES ON ADMISSION OF DEFENSE INDUSTRY CIVILIANS TO CERTAIN DEPARTMENT OF DEFENSE EDUCATIONAL INSTITUTIONS AND PROGRAMS.

(a) NAVY DEFENSE PRODUCT DEVELOPMENT PROGRAM.—Section 7049(a) of title 10, United States Code, is amended—

(1) in the second sentence, by inserting ''or professional continuing education certificate'' after ''master's degree'';

(2) in the third sentence, by striking ''125 such defense industry employees'' and inserting ''250 such defense industry employees''; and

(3) in the last sentence, by inserting before the period at the end the following: ''or an appropriate professional continuing education certificate, as applicable''.

(b) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Section 9314a(a) of such title is amended—

(1) in paragraph (1), by inserting ''or professional continuing education certificate'' after ''graduate degree'';

(2) in paragraph (2), by striking ''125 defense industry employees'' and inserting ''250 defense industry employees''; and

(3) in paragraph (3), by inserting before the period at the end the following: ''or an appropriate professional continuing education certificate, as applicable''.

SEC. 1049. MILITARY WORKING DOG MATTERS.

(a) RETIREMENT OF MILITARY WORKING DOGS.—

(1) Section 2583 of title 10, United States Code, is amended—

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

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

''(f) 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.''.

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

(1) IN GENERAL.—Chapter 50 of title 10, United States Code, 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 may establish and maintain a system to provide for the veterinary care of retired military working dogs. No funds may be provided by the Federal Government for this purpose.

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

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

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 50 of such title is amended by adding at the end the following new item:

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

(c) RECOGNITION OF SERVICE OF MILITARY WORKING DOGS.—The Secretary of Defense may authorize the recognition of military working dogs that are killed, wounded, or missing in action and military working dogs that perform an exceptionally meritorious or courageous act in service to the United States.

SEC. 1050. PROHIBITION ON FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSOBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, to make a grant to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary determines that such a waiver is in the national security interests of the United States with respect to the capacity of the Afghan National Security Forces (ANSF).

SEC. 1051. SENSE OF CONGRESS ON THE JOINT WARFIGHTING ANALYSIS CENTER.

It is the sense of Congress that the Joint Warfighting Analysis Center (JWAC) should have adequate resources to meet the continuing requirements of the combatant commands.

SEC. 1052. TRANSITION ASSISTANCE ADVISOR PROGRAM.

(a) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by inserting after section 1144 the following new section:

''§ 1144a. Transition Assistance Advisors

''(a) IN GENERAL.—The Secretary of Defense shall establish as part of the Transition Assistance Program (TAP) a Transition Assistance Advisor (TAA) program to provide professionals in each State to serve as statewide points of contact to assist members of the armed forces in accessing benefits and health care furnished under laws administered by the Secretary of Defense and benefits and health care furnished under laws administered by the Secretary of Veterans Affairs.

''(b) NUMBER OF ADVISORS.—The Secretary of Defense shall ensure that the minimum number of Transition Assistance Advisors in each State is as follows:

''(1) During the period beginning 180 days before the commencement of a contingency operation (or, if later, as soon before as is otherwise practicable) and ending 180 days after the conclusion of such contingency operation—

''(A) in the case of a State with fewer than 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States residing in the State, not less than one Transition Assistance Advisor; and

''(B) in the case of a State with 1,500 or more members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State, not less than one Transition Assistance Advisor for each 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State.

''(2) At any time not covered by paragraph (1)—

''(A) in the case of a State with fewer than 5,000 members of the Army National Guard of the United States and the Air National Guard of the United States residing in the State, not less than one Transition Assistance Advisor; and

''(B) in the case of a State with 5,000 or more members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State, not less than one Transition Assistance Advisor for each 1,500 members of the Army National Guard of the United States and the Air National Guard of the United States who reside in such State.

''(c) DUTIES.—The duties of a Transition Assistance Advisor includes the following:

''(1) To assist with the creation and execution of individual transition plans for members of the National Guard described in subsection (d)(2) and their families for the reintegration of such members into civilian life.

''(2) To provide employment support services to members of the National Guard and their families, including assistance with discovering employment opportunities and identifying and obtaining assistance from programs within and outside of the Federal Government.

''(3) Provide information on relocation, health care, mental health care, and financial support services available to members of the National Guard or their families from the Department of Defense, the Department of Veterans Affairs, and other Federal, State, and local agencies.

''(4) Provide information on educational support services available to members of the National Guard, including Post-9/11 Educational Assistance under chapter 33 of title 38.

''(d) TRANSITION PLANS.—(1) Each individual plan created under subsection (c)(1) for a member of the National Guard described in paragraph (2) shall include the following:

''(A) A plan for the transition of the member to life in the civilian world, including with respect to employment, education, and health care.

''(B) A description of the transition services that the member and the member's family will need to achieve their transition objectives, including information on any forms that such member will need to fill out to be eligible for such services.

''(C) A point of contact for each agency or entity that can provide the transition services described in subparagraph (B).

''(2) A member of the National Guard described in this paragraph is any member of the National Guard who has served on active duty in the armed forces for a period of more than 180 days.

''(e) FUNDING.—Amounts for the program established under subsection (a) for a fiscal year shall be derived from amounts authorized to be appropriated for operations and maintenance for the National Guard for that fiscal year.

''(f) STATE DEFINED.—In this section, the term 'State' means each of the several States of the United States, the District of Columbia, and any territory of the United States.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by inserting after the item relating to section 1144 the following new item:

''1144a. Transition Assistance Advisors.''.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a description of the efforts of the Secretary to implement the requirements of section 1144A of title 10, United States Code, as added by subsection (a)(1).

Subtitle F—Reports

SEC. 1061. REPORT ON STRATEGIC AIRLIFT AIRCRAFT.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth the following:

(1) An assessment of the feasibility and advisability of obtaining a Federal Aviation Administration certification for commercial use of each of the following:

(A) A commercial variant of the C–17 aircraft.

(B) A retired C–17A aircraft.

(C) a retired C–5A aircraft.

(2) An assessment of the current limitations of the aircraft of the Civil Reserve Air Fleet.

(3) An assessment of the potential for using the aircraft referred to in paragraph (1) in the Civil Reserve Air Fleet.

(4) An assessment of the advantages of adding the aircraft referred to in paragraph (1) to the Civil Reserve Air Fleet.

(5) An update on the status of any cooperation between the Federal Aviation Administration and the Department of Defense on the certification of the aircraft referred to in paragraph (1).

(6) A description of all actions required, including any impediments to such actions, to offering retired C–5A aircraft or retired C–17A aircraft as excess defense articles to United States allies or for sale to Civil Reserve Air Fleet carriers.

(7) A description of the actions required for interested allies or Civil Reserve Air Fleet carriers to take delivery of excess C–5A aircraft or

excess C–17A aircraft, including the actions, modifications, or demilitarization necessary for such recipients to take delivery of such aircraft, and provisions for permitting such recipients to undertake responsibility for such actions, to the maximum extent practicable.

SEC. 1062. REPEAL OF BIENNIAL REPORT ON THE GLOBAL POSITIONING SYSTEM.

Section 2281 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1063. REPEAL OF ANNUAL REPORT ON THREAT POSED BY WEAPONS OF MASS DESTRUCTION, BALLISTIC MISSILES, AND CRUISE MISSILES.

Section 234 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1664; 50 U.S.C. 2367) is repealed.

SEC. 1064. REPORT ON PROGRAM ON RETURN OF RARE EARTH PHOSPHORS FROM DEPARTMENT OF DEFENSE FLUORESCENT LIGHTING WASTE TO THE DOMESTIC RARE EARTH SUPPLY CHAIN.

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

(1) In its December 2011 report entitled ''Critical Materials Strategy'', the Department of Energy states that the heavy rare earth phosphors, dysprosium, europium, terbium, and yttrium, are particularly important given their relative scarcity and their importance to clean energy, energy efficiency, hybrid and electric vehicles, and advanced defense systems, among other key technologies.

(2) While new sources of production of rare earth elements show promise, these are focused primarily on the light rare earth elements.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the recycling of end-use technologies that use rare earth elements can provide near-term opportunities to recapture, reprocess, and reuse some of the rare earth elements contained in them;

(2) fluorescent lighting materials could prove to be a promising recyclable source of heavy rare earth elements;

(3) a cost-benefit analysis would be helpful in determining the viability of a Department of Defense program to recycle fluorescent lighting waste in order to increase its supplies of heavy rare earth elements; and

(4) the recycling of heavy rare earth elements may be one component of a long term strategic plan to address the global demand for such elements, without which such elements could be unnecessarily lost.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2013, the Secretary of Defense shall submit to the congressional defense committees a report on the results of a cost-benefit analysis on, and on recommendations concerning, the feasibility and advisability of establishing a program within the Department of Defense to—

(A) recapture fluorescent lighting waste; and

(B) make such waste available to entities that have the ability to extract rare earth phosphors, reprocess and separate them in an environmentally safe manner, and return them to the domestic rare earth supply chain.

(2) ELEMENTS.—The report required by paragraph (1) shall include analysis of measures that could be taken to—

(A) provide for the disposal and mitigation of residual mercury and other hazardous byproducts to be produced by the recycling process; and

(B) address concerns regarding the potential export of heavy rare earth materials obtained from United States Government sources to non-allied nations.

SEC. 1065. REPORT ON ESTABLISHMENT OF JOINT ARMED FORCES HISTORICAL STORAGE AND PRESERVATION FACILITY.

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 setting forth an assessment of the feasability and advisability of establishing a joint Armed Forces historical storage and preservation facility. The report shall include a description and assessment of the current capacities and qualities of the historical storage and preservation facilities of each of the Armed Forces, including the following:

(1) An identification of any excess capacity at any such facility.

(2) An identification of any shortfalls in the capacity or quality of such facilities of any Armed Force, and a description of possible actions to address such shortfalls.

SEC. 1066. STUDY ON BRADLEY FIGHTING VEHICLE INDUSTRIAL BASE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall conduct a study on the Bradley Fighting Vehicle industrial base.

(b) CONTENT.—The study required under subsection (a) shall—

(1) assess the quantitative impacts of a production break for the Bradley Fighting Vehicle, including the cost of shutdown compared to the cost of continued production; and

(2) assess the qualitative impacts of a production break for the Bradley Fighting Vehicle, including the loss of a specialized workforce and supplier base.

SEC. 1067. REPORT ON MILITARY RESOURCES NECESSARY TO EXECUTE UNITED STATES FORCE POSTURE STRATEGY IN THE ASIA PACIFIC REGION.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff, conduct a comprehensive review of the national defense strategy, force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program and policies of the United States with regard to the Asia Pacific region to determine the resources, equipment, and transportation required to meet the strategic and operational plans of the United States.

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

(A) The force structure, force modernization plans, infrastructure, budget plan, and other elements of the defense program of the United States associated with the Asia Pacific region that would be required to execute successfully the full range of missions called for in the national defense strategy.

(B) An estimate of the timing for initial and final operational capability for each unit based in, realigned within, or identified for support to the Asia Pacific region.

(C) An assessment of the strategic and tactical sea, ground, and air transportation required for the forces assigned to the Asia Pacific region to meet strategic and operational plans.

(D) The specific capabilities, including the general number and type of specific military platforms, their permanent station, and planned forward operating locations needed to achieve the strategic and warfighting objectives identified in the review.

(E) The forward presence, phased deployments, pre-positioning, and other anticipatory deployments of manpower or military equipment necessary for conflict deterrence and adequate military response to anticipated conflicts.

(F) The budget plan that would be required to provide sufficient resources to execute successfully the full range of missions and phased operations in the Asia Pacific region at a low-to-moderate level of risk and any additional resources (beyond those programmed in the current future-years defense program) required to achieve such a level of risk.

(G) Budgetary recommendations that are not constrained to comply with and are fully independent of the budget submitted to Congress by the President pursuant to section 1105 of title 31, United States Code.

(b) CJCS REVIEW.—Upon the completion of the review under subsection (a), the Chairman of the Joint Chiefs of Staff shall prepare and submit to the Secretary of Defense the Chairman's assessment of the review, including the Chairman's assessment of risk and a description of the capabilities needed to address such risk.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the review required under subsection (a).

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

(A) A description of the elements set forth under subsection (a)(1).

(B) A description of the assumptions used in the examination, including assumptions relating to—

(i) the status of readiness of the Armed Forces;

(ii) the cooperation of allies, mission-sharing, and additional benefits to and burdens on the Armed Forces resulting from coalition operations;

(iii) warning times;

(iv) levels of engagement in operations other than war and smaller-scale contingencies and withdrawal from such operations and contingencies;

(v) the intensity, duration, and military and political end-states of conflicts and smaller-scale contingencies; and

(vi) the roles and responsibilities that would be discharged by contractors.

(C) Any other matters the Secretary of Defense considers appropriate.

(D) The assessment of the Chairman of the Joint Chiefs of Staff under subsection (b), including related comments of the Secretary of Defense.

(3) FORM.—The report required under paragraph (1) may be submitted in classified or unclassified form.

SEC. 1068. REPORT ON PLANNED EFFICIENCY INITIATIVES AT SPACE AND NAVAL WARFARE SYSTEMS COMMAND.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on plans to implement efficiency initiatives to reduce overhead costs at the Space and Naval Warfare Systems Command (SPAWAR), including a detailed description of the long-term impacts on current and planned future mission requirements.

SEC. 1069. STUDY ON ABILITY OF NATIONAL AIR AND GROUND TEST AND EVALUATION INFRASTRUCTURE FACILITIES TO SUPPORT DEFENSE HYPERSONIC TEST AND EVALUATION ACTIVITIES.

(a) STUDY REQUIRED.—The Director of the Office of Science and Technology Policy, working with the Secretary of Defense and the Administrator of the National Aeronautics and Space Administration (NASA), shall conduct a study on the ability of Department of Defense and NASA air and ground test and evaluation infrastructure facilities and private ground test and evaluation infrastructure facilities, including wind tunnels and air test ranges, as well as associated instrumentation, to support defense hypersonic test and evaluation activities for the short and long term.

(b) REPORT AND PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report containing the results of the study required under subsection (a) together with a plan for requirements and proposed investments to meet Department of Defense needs through 2025.

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

(A) An assessment of the current condition and adequacy of the hypersonics test and evaluation infrastructure within the Department of Defense, NASA, and the private sector to support hypersonic research and development within the Department of Defense.

(B) An identification of test and evaluation infrastructure that could be used to support Department of Defense hypersonic research and development outside the Department and assess means to ensure the availability of such capabilities to the Department in the present and future.

(C) A time-phased plan to acquire required hypersonics research, development, test and evaluation capabilities, including identification of the resources necessary to acquire any needed capabilities that are currently not available.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 1069A. REPORT ON SIMULATED TACTICAL FLIGHT TRAINING IN A SUSTAINED GRAVITY ENVIRONMENT.

(a) INDEPENDENT STUDY REQUIRED.—The Secretary of Defense shall provide for the conduct by an appropriate federally funded research and development center (FFRDC) of a study on the effectiveness of simulated tactical flight training in a sustained gravity environment.

(b) ELEMENTS.—The study conducted pursuant to subsection (a) shall include the following:

(1) An assessment of the effectiveness of high fidelity simulated tactical flight training in a sustained gravity environment generally, and, in particular, the effectiveness of such training in preparing pilots to withstand and tolerate the high-gravity forces associated with the operation of high-performance combat aircraft (commonly referred to as ''G readiness'' and ''G tolerance'').

(2) An assessment of the cost savings to be achieved through the use of simulated tactical flight training in a sustained gravity environment, including cost savings associated with operation and maintenance and life cycle savings associated with aircraft and airframe usage.

(3) An assessment of the safety benefits to be achieved through the use of simulated tactical flight training in a sustained gravity environment.

(4) An identification and assessment of other benefits to be achieved through the use of simulated tactical flight training in a sustained gravity environment, including benefits relating to physiological research and benefits relating to reductions in carbon emissions.

(5) An evaluation and comparison of tactical flight simulators that could be used for simulated tactical flight training in a sustained gravity environment.

(6) Such other matters relating to the use of simulated tactical flight training in a sustained gravity environment as the Secretary shall specify for purposes of the study.

(c) REPORT.—In providing for study pursuant to subsection (a), the Secretary shall require the federally funded research and development center conducting the study to submit to the Secretary a report on the results of the study, including the matters specified in subsection (b), by not later than 18 months after the date of the enactment of this Act.

(d) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the submittal to the Secretary of the report required by subsection (c), the Secretary shall transmit the report to the congressional defense committees, together with any comments of the Secretary in light of the report and such recommendations for legislative or administrative action as the Secretary considers appropriate regarding the use of simulated tactical flight training in a sustained gravity environment in light of the report.

SEC. 1069B. REPORT ON DEPARTMENT OF DEFENSE SUPPORT FOR UNITED STATES DIPLOMATIC SECURITY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the ongoing Department of Defense review of defense support of United States diplomatic security.

(b) ELEMENTS.—The report required by subsection (a) shall include, but not be limited to, such findings and recommendations as the Secretaries consider appropriate with respect to the following:

(1) Department of Defense authorities, directives, and guidelines in support of diplomatic security.

(2) Interagency processes and procedures to identify, validate, and resource diplomatic security support required from the Department of Defense.

(3) Department of Defense roles, missions, and resources required to fulfill requirements for United States diplomatic security, including, but not limited to the following:

(A) Marine Corps Embassy Security Guard detachments.

(B) Training and advising host nation security forces for diplomatic security.

(C) Intelligence collection to prevent and respond to threats to diplomatic security.

(D) Security assessments of diplomatic missions.

(E) Support of emergency action planning.

(F) Rapid response forces to respond to threats to diplomatic security.

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

SEC. 1069C. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE SPENDING FOR CONFERENCES AND CONVENTIONS.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of Department of Defense spending for conferences and conventions. The report shall include, at a minimum, an assessment of the following:

(1) The extent to which Department spending for conferences and conventions has been wasteful or excessive.

(2) The actions the Department has taken to control spending for conferences and conventions, and the efficacy of those actions.

(3) Any fees incurred for the cancellation of conferences or conventions and an evaluation of the impact of cancelling conferences and conventions.

Subtitle G—Nuclear Matters

SEC. 1071. STRATEGIC DELIVERY SYSTEMS.

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

(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 12 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) REQUIREMENTS.—

(1) IN GENERAL.—Chapter 23 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 491. Strategic delivery systems

''(a) ANNUAL CERTIFICATION.—Beginning in 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 funded at levels 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 the nuclear command and control system (as first reported in section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576)).

''(b) ADDITIONAL REPORT MATTERS FOLLOWING CERTAIN CERTIFICATIONS.—If the President certifies under subsection (a) that plans to modernize or replace strategic delivery systems are not fully funded, the President shall include in the next annual report submitted to Congress under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 the following:

''(1) A determination whether or not the lack of full funding will result in a loss of military capability when compared with the November 2010 update to the plan referred to in section 1251 of the National Defense Authorization Act for Fiscal Year 2010.

''(2) If the determination under paragraph (1) is that the lack of full funding will result in a loss of military capability—

''(A) a plan to preserve or retain the military capability that would otherwise be lost; or

''(B) a report setting forth—

''(i) an assessment of the impact of the lack of full funding on the strategic delivery systems specified in subsection (a); and

''(ii) a description of the funding required to restore or maintain the capability.

''(3) A certification by the President whether or not the President is committed to accomplishing the modernization and replacement of strategic delivery systems and will meet the obligations concerning nuclear modernization as set forth in declaration 12 of the Resolution of Advice and Consent to Ratification of the New START Treaty.

''(c) TREATMENT OF CERTAIN REDUCTIONS.—Any certification under subsection (a) shall not take into account the following:

''(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.

''(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 system for nuclear weapons.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 23 of such title is amended by adding at the end the following new item:

''491. Strategic delivery systems.''.

SEC. 1072. REQUIREMENTS DEFINITION FOR COMBINED WARHEAD FOR CERTAIN MISSILE SYSTEMS.

Not later than 60 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit Congress a report setting forth a definition of the requirements for a combined warhead for the W–78 Minuteman III missile system and the W–88 Trident D–5 missile system. The definition shall serve as the basis for a 6.1 conception definition and 6.2 feasibility study for the combined systems.

SEC. 1073. CONGRESSIONAL BUDGET OFFICE ESTIMATE OF COSTS OF NUCLEAR WEAPONS AND DELIVERY SYSTEMS.

Not later than one year after the date of the enactment of this Act, the Director of the Congressional Budget Office shall submit to the congressional defense committees a report setting forth the following:

(1) An estimate of the costs over the 10-year period beginning on the date of the report associated with fielding and maintaining the current nuclear weapons and nuclear weapon delivery systems of the United States.

(2) An estimate of the costs over the 10-year period beginning on the date of the report of any life extension, modernization, or replacement of any current nuclear weapons or nuclear weapon delivery systems of the United States that is anticipated as of the date of the report.

SEC. 1074. BRIEFINGS ON DIALOGUE BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION ON NUCLEAR ARMS, MISSILE DEFENSE, AND LONG-RANGE CONVENTIONAL STRIKE SYSTEMS.

(a) BRIEFINGS.—Not later than 60 days after the date of the enactment of this Act, and not less than twice each year thereafter, the President, or the President's designee, shall brief the Committees on Foreign Relations and Armed Services of the Senate on the dialogue between the United States and the Russian Federation on issues related to limits or controls on nuclear arms, missile defense systems, or long-range conventional strike systems.

(b) SENSE OF THE SENATE ON CERTAIN AGREEMENTS.—It is the sense of the Senate that any agreement between the United States and the Russian Federation related to missile defense, nuclear weapons, or long-range conventional strike systems obligating the United States to reduce or limit the Armed Forces or armaments of the United States in any militarily significant manner may be made only pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution of the United States.

Subtitle H—Other Matters

SEC. 1081. REDESIGNATION OF THE CENTER FOR HEMISPHERIC DEFENSE STUDIES AS THE WILLIAM J. PERRY CENTER FOR HEMISPHERIC DEFENSE STUDIES.

(a) REDESIGNATION.—

(1) IN GENERAL.—The Center for Hemispheric Defense Studies is hereby redesignated as the ''William J. Perry Center for Hemispheric Defense Studies''.

(2) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the center referred to in paragraph (1) shall be considered to be a reference to the William J. Perry Center for Hemispheric Defense Studies.

(b) CONFORMING AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) In section 184—

(A) in subsection (b)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) The William J. Perry Center for Hemispheric Defense Studies, established in 1997 and located in Washington, D.C.''; and

(B) in subsection (f)(5), by striking ''Center for Hemispheric Defense Studies'' and inserting ''William J. Perry Center for Hemispheric Defense Studies''.

(2) In section 2611(a)(2), by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) The William J. Perry Center for Hemispheric Defense Studies.''.

SEC. 1082. TECHNICAL AMENDMENTS TO REPEAL STATUTORY REFERENCES TO UNITED STATES JOINT FORCES COMMAND.

Title 10, United States Code, is amended as follows:

(1)(A) Section 232 is repealed.

(B) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 232.

(2) Section 2859(d) is amended—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2).

(3) Section 10503(13)(B) is amended—

(A) by striking clause (iii); and

(B) redesignating clause (iv) as clause (iii).

SEC. 1083. SENSE OF CONGRESS ON NON-UNITED STATES CITIZENS WHO ARE GRADUATES OF UNITED STATES EDUCATIONAL INSTITUTIONS WITH ADVANCED DEGREES IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS.

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

(1) It is a national security concern that more than half of all graduates with advanced scientific and technical degrees from United States institutions of higher education are non-United States citizens who have very limited opportunities upon graduation to contribute to the science and technology activities of the Department of Defense and the United States defense industrial base.

(2) The capabilities of the Armed Forces are highly reliant upon advanced technologies that provide our forces with a technological edge on the battlefield.

(3) In order to maintain and advance our military technological superiority, the United States requires the best and brightest scientists, mathematicians, and engineers to discover, develop, and field the next generation of weapon systems and defense technologies.

(4) The Department of Defense and the defense industrial base compete with other sectors for a limited number of United States citizens who have appropriate advanced degrees and skills.

(5) While an overarching national priority is to increase the numbers of United States citizens who have appropriate advanced degrees in science, technology, engineering, and mathematics (STEM), it would be beneficial if the Department of Defense and the defense industrial base were able to access the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, many of whom are otherwise returning to their home countries.

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

(1) that the Department of Defense should make every reasonable and practical effort to increase the number of United States citizens who pursue advanced degrees in science, technology, engineering, and mathematics; and

(2) to strongly urge the Department of Defense to investigate innovative mechanisms (subject to all appropriate security requirements) to access to the pool of talent of non-United States citizens with advanced scientific and technical degrees from United States institutions of higher education, especially in those scientific and technical areas that are most vital to the national defense (such as those identified by the Assistant Secretary of Defense for Research and Engineering and the Armed Forces).

SEC. 1084. SENSE OF SENATE ON THE MAINTENANCE BY THE UNITED STATES OF A TRIAD OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

(a) FINDINGS.—The Senate finds the following:

(1) The April 2010 Nuclear Posture Review concluded that even with the reductions specified in the New START Treaty, the United States should retain a nuclear ''Triad'' of land-based intercontinental ballistic missiles, submarine-launched ballistic missiles and nuclear capable heavy bombers, noting that ''[r]etaining all three Triad legs will best maintain strategic stability at reasonable cost, while hedging against potential technical problems or vulnerabilities''.

(2) The resolution of ratification for the New START Treaty, which the Senate approved on December 22, 2010, stated that ''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) In a message to the Senate on February 2, 2011, President Obama certified that he intended to ''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 to ''maintain the United States rocket motor industrial base''.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States should maintain a triad of strategic nuclear delivery systems; and

(2) the United States is committed to modernizing the component weapons and delivery systems of that triad.

SEC. 1085. PLAN TO PARTNER WITH STATE AND LOCAL ENTITIES TO ADDRESS VETERANS CLAIMS BACKLOG.

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

(1) The Department of Veterans Affairs defines any claim for benefits under laws administered by the Secretary of Veterans Affairs as backlogged if the claim has been pending for 125 days or more.

(2) According to the Department, as of November 24, 2012, there were 899,540 pending claims, with 604,583 (67.2 percent) of those considered backlogged.

(3) The Department's data further shows that, on November 22, 2010, there were 749,934 claims pending, with only 244,129 (32.6 percent) of those considered backlogged.

(4) During the past two years, both the overall number of backlogged claims and the percentage of all pending claims that are backlogged have doubled.

(5) In order to reduce the claims backlog at regional offices of the Department of Veterans Affairs located in Texas, the Texas Veterans Commission announced two initiatives on July 19, 2012, to partner with the Department of Veterans Affairs—

(A) to assist veterans whose claims are already backlogged to complete development of those claims; and

(B) to help veterans who are filing new claims to fully develop those claims prior to filing them, shortening the processing time required.

(6) The common goal of the two initiatives of the Texas Veterans Commission, called the ''Texas State Strike Force Team'' and the ''Fully Developed Claims Team Initiative'', is to reduce the backlog of claims pending in Texas by 17,000 within one year.

(7) During the first two months of these new initiatives, the Texas Veterans Commission helped veterans complete development of more than 2,500 backlogged claims and assisted veterans with the submission of more than 800 fully developed claims.

(8) In testimony before the Subcommittee on Disability Assistance and Memorial Affairs of the Committee on Veterans' Affairs of the House of Representatives on September 21, 2012, Diana Rubens, Deputy Under Secretary for Field Operations of the Veterans Benefits Administration, indicated that the Department of Veterans Affairs has experienced positive outcomes in projects with the Texas Veterans Commission, stating that both Veterans Service Organizations ''and state and county service officers . . . are important partners in VBA's transformation to better serve Veterans.''.

(9) At the same hearing, Mr. John Limpose, director of the regional office of the Department of Veterans Affairs in Waco, Texas, testified that the ''TVC is working very, very well'' with regional offices of the Department in Texas, calling the Texas Veterans Commission a ''very positive story that we can branch out into . . . all of our stakeholders.''.

(b) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a plan to reduce the current backlog of pending claims for benefits under laws administered by the Secretary and more efficiently process claims for such benefits in the future.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A summary of all steps the Secretary has taken thus far to partner with non-Federal entities in support of efforts to reduce the backlog described in paragraph (1) and more efficiently process claims described in such paragraph in the future, including two previous initiatives by the Texas Veterans Commission, namely the 2008–2009 Development Assistant Pilot Project and the 2009–2011 Claims Processing Assistance Team.

(B) A plan for the Secretary to partner with non-Federal entities to support efforts to reduce such backlog and more efficiently process such claims in the future, including the following:

(i) State and local agencies relating to veterans affairs.

(ii) Organizations recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(iii) Such other relevant government and non-government entities as the Secretary considers appropriate.

(C) A description of how the Secretary intends to leverage partnerships with non-Federal entities described in subparagraph (B) to eliminate such backlog, including through increasing the percentage of claims that are fully developed prior to submittal to the Secretary and ensuring that new claims are fully developed prior to their submittal.

(D) A description of what steps the Secretary has taken and will take—

(i) to expedite the processing of claims that are already fully developed at the time of submittal; and

(ii) to support initiatives by non-Federal entities described in subparagraph (B) to help claimants gather and submit necessary evidence for claims that were previously filed but require further development.

(E) A description of how partnerships with non-Federal entities described in subparagraph (B) will fit into the Secretary's overall claims processing transformation plan.

SEC. 1086. SENSE OF THE SENATE ON PROTECTION OF DEPARTMENT OF DEFENSE AIRFIELDS, TRAINING AIRSPACE, AND AIR TRAINING ROUTES.

It is the sense of the Senate that—

(1) Department of Defense airfields, training airspace, and air training routes are national treasures that must be protected from encroachment;

(2) placement or emplacement of obstructions near or on Department of Defense airfields, training airspace, or air training routes has the potential of increasing risk to military aircraft and personnel as well as impacting training and readiness; and

(3) the Department of Defense should develop comprehensive rules and regulations to address construction and use of land in close proximity to Department of Defense airfields, training areas, or air training routes to ensure compatibility with military aircraft operations.

SEC. 1087. EXTENSION OF AUTHORITIES TO CARRY OUT A PROGRAM OF REFERRAL AND COUNSELING SERVICES TO VETERANS AT RISK OF HOMELESSNESS WHO ARE TRANSITIONING FROM CERTAIN INSTITUTIONS.

Section 2023(d) of title 38, United States Code, is amended by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SEC. 1088. SENSE OF CONGRESS THAT THE BUGLE CALL COMMONLY KNOWN AS TAPS SHOULD BE DESIGNATED AS THE NATIONAL SONG OF MILITARY REMEMBRANCE.

It is the sense of Congress that the bugle call commonly known as ''Taps'' should be designated as the National Song of Military Remembrance.

SEC. 1089. REPORTS ON THE POTENTIAL SECURITY THREAT POSED BY BOKO HARAM.

(a) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress an intelligence assessment of the Nigerian organization known as Boko Haram. Such assessment shall address the following:

(1) The organizational structure, operational goals, and funding sources of Boko Haram.

(2) The extent to which Boko Haram threatens the stability of Nigeria and surrounding countries.

(3) The extent to which Boko Haram threatens the security of citizens of the United States or the national security or interests of the United States.

(4) Any interaction between Boko Haram and al-Qaeda in the Islamic Maghreb or other al-Qaeda affiliates with respect to operational planning and execution, training, and funding.

(5) The capacity of Nigerian security forces to counter the threat posed by Boko Haram and an assessment of the effectiveness of the strategy of the Nigerian government to date.

(6) Any intelligence gaps with respect to the leadership, operational goals, and capabilities of Boko Haram.

(b) SECRETARY OF STATE REPORT.—Not later than 90 days after the date the report required by subsection (a) is submitted to Congress, the Secretary of State shall submit to Congress a report describing the strategy of the United States to counter the threat posed by Boko Haram.

SEC. 1090. NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by striking section 33 (15 U.S.C. 657c).

(b) CORPORATION.—On and after the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or in any other manner authorized by the Federal Government.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.), as amended by this section, is amended—

(A) by redesignating sections 34 through 45 as sections 33 through 44, respectively;

(B) in section 9(k)(1)(D) (15 U.S.C. 638(k)(1)(D)), by striking ''section 34(d)'' and inserting ''section 33(d)'';

(C) in section 33 (15 U.S.C. 657d), as so redesignated—

(i) by striking ''section 35'' each place it appears and inserting ''section 34'';

(ii) in subsection (a)—

(I) in paragraph (2), by striking ''section 35(c)(2)(B)'' and inserting ''section 34(c)(2)(B)'';

(II) in paragraph (4), by striking ''section 35(c)(2)'' and inserting ''section 34(c)(2)''; and

(III) in paragraph (5), by striking ''section 35(c)'' and inserting ''section 34(c)''; and

(iii) in subsection (h)(2), by striking ''section 35(d)'' and inserting ''section 34(d)'';

(D) in section 34 (15 U.S.C. 657e), as so redesignated—

(i) by striking ''section 34'' each place it appears and inserting ''section 33''; and

(ii) in subsection (c)(1), by striking section ''34(c)(1)(E)(ii)'' and inserting section ''33(c)(1)(E)(ii)'';

(E) in section 36(d) (15 U.S.C. 657i(d)), as so redesignated, by striking ''section 43'' and inserting ''section 42'';

(F) in section 39(d) (15 U.S.C. 657l(d)), as so redesignated, by striking ''section 43'' and inserting ''section 42''; and

(G) in section 40(b) (15 U.S.C. 657m(b)), as so redesignated, by striking ''section 43'' and inserting ''section 42''.

(2) TITLE 10.—Section 1142(b)(13) of title 10, United States Code, is amended by striking ''and the National Veterans Business Development Corporation''.

(3) TITLE 38.—Section 3452(h) of title 38, United States Code, is amended by striking ''any of the'' and all that follows and inserting ''any small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as that term is defined in section 3675(c)(2).''.

(4) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Section 12072(c)(2) of the Food, Conservation, and Energy Act of 2008 (15 U.S.C. 636g(c)(2)) is amended by striking ''section 43 of the Small Business Act, as added by this Act'' and inserting ''section 42 of the Small Business Act (15 U.S.C. 657o)''.

(5) VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999.—Section 203(c)(5) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking ''In cooperation with the National Veterans Business Development Corporation, develop'' and inserting ''Develop''.

SEC. 1091. WHITE SANDS MISSILE RANGE AND FORT BLISS.

(a) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (3), the Federal land described in paragraph (2) is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) DESCRIPTION OF FEDERAL LAND.—The Federal land referred to in paragraph (1) consists of—

(A) the approximately 5,100 acres of land depicted as ''Parcel 1'' on the map entitled ''White Sands Missile Range/Fort Bliss/BLM Land Transfer and Withdrawal'' and dated April 3, 2012 (referred to in this section as the ''map'');

(B) the approximately 37,600 acres of land depicted as ''Parcel 2'', ''Parcel 3'', and ''Parcel 4'' on the map; and

(C) any land or interest in land that is acquired by the United States within the boundaries of the parcels described in subparagraph (B).

(3) LIMITATION.—Notwithstanding paragraph (1), the land depicted as ''Parcel 4'' on the map is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.

(b) RESERVATION.—The Federal land described in subsection (a)(2)(A) is reserved for use by the Secretary of the Army for military purposes in accordance with Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822).

(c) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Effective on the date of enactment of this Act, administrative jurisdiction over the approximately 2,050 acres of land generally depicted as ''Parcel 2'' on the map—

(1) is transferred from the Secretary of the Army to the Secretary of the Interior (acting through the Director of the Bureau of Land Management); and

(2) shall be managed in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) any other applicable laws.

(d) LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall publish in the Federal Register a legal description of the Federal land withdrawn by subsection (a).

(2) FORCE OF LAW.—The legal description published under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description.

(3) REIMBURSEMENT OF COSTS.—The Secretary of the Army shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior in implementing this subsection with regard to the Federal land described in subsection (a)(2)(A).

SEC. 1092. TRANSPORT FOR FEMALE GENITAL MUTILATION.

Section 116 of title 18, United States Code, is amended by adding at the end the following:

''(d) Whoever knowingly transports from the United States and its territories a person in foreign commerce for the purpose of conduct with regard to that person that would be a violation of subsection (a) if the conduct occurred within the United States, or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.''.

SEC. 1093. 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.

SEC. 1094. TRANSFER OF EXCESS AIRCRAFT TO OTHER DEPARTMENTS.

(a) TRANSFER.—Subject to subsection (c), the Secretary of Defense shall transfer excess aircraft specified in subsection (b) to the Secretary of Agriculture and the Secretary of Homeland Security for use by the Forest Service and the United States Coast Guard. The transfer of any excess aircraft under this subsection shall be without reimbursement.

(b) AIRCRAFT.—

(1) IN GENERAL.—The aircraft transferred under subsection (a) are aircraft of the Department of Defense that are—

(A) identified by the Forest Service or the United States Coast Guard as a suitable platform to carry out their respective missions;

(B) subject to paragraphs (2) and (3), excess to the needs of the Department of Defense, as determined by the Secretary of Defense;

(C) acceptable for use by the Forest Service, as determined by the Secretary of Agriculture; and

(D) acceptable for use by the United States Coast Guard, as determined by the Secretary of Homeland Security.

(2) LIMITATION ON NUMBER.—The number of aircraft that may be transferred to either the Secretary of Agriculture or the Secretary of Homeland Security may not exceed 12 aircraft.

(3) LIMITATIONS ON DETERMINATION AS EXCESS.—Aircraft may not be determined to be excess for the purposes of this subsection, unless such aircraft are determined to be excess in the report referenced by subsection (b) of section 1703 of title XVII of this Act, or if such aircraft are otherwise prohibited from being determined excess by law.

(c) PRIORITY IN TRANSFER.—The Secretary of Agriculture and the Secretary of Homeland Security shall be afforded equal priority in the transfer under subsection (a) of excess aircraft of the Department of Defense specified in subsection (b) before any other department or agency of the Federal Government.

(d) CONDITIONS OF TRANSFER.—Excess aircraft transferred to the Secretary of Agriculture under subsection (a)—

(1) may be used only for wildfire suppression purposes; and

(2) may not be flown or otherwise removed from the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other purposes approved by the Secretary of Agriculture in writing in advance.

(e) EXPIRATION OF AUTHORITY.—The authority to transfer excess aircraft under subsection (a) shall expire on December 31, 2013.

SEC. 1095. REAUTHORIZATION OF SALE OF AIRCRAFT AND PARTS FOR WILDFIRE SUPPRESSION PURPOSES.

Section 2 of the Wildfire Suppression Aircraft Transfer Act of 1996 (10 U.S.C. 2576 note) is amended—

(1) in subsection (a), by striking ''during the period beginning on October 1, 1996, and ending on September 30, 2005'' and inserting ''during a period specified in subsection (g)'';

(2) by redesignating subsection (g) as subsection (h); and

(3) by inserting after subsection (f) the following new subsection (g):

''(g) PERIODS FOR EXERCISE OF AUTHORITY.—The periods specified in this subsection are the following:

''(1) The period beginning on October 1, 1996, and ending on September 30, 2005.

''(2) The period beginning on October 1, 2012, and ending on September 30, 2017.''.

SEC. 1096. PROTECTION OF VETERANS' MEMORIALS.

(a) TRANSPORTATION OF STOLEN MEMORIALS.—Section 2314 of title 18, United States Code, is amended by adding at the end the following:

''In the case of an offense under the first paragraph of this section, if the goods, wares, or merchandise consist of or include a veterans' memorial, the requirement of that paragraph that the goods, wares, or merchandise have a value of $5,000 or more does not apply. In this paragraph, the term 'veterans' memorial' means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any monument that signifies an event of national military historical significance.''.

(b) SALE OR RECEIPT OF STOLEN MEMORIALS.—Section 2315 of such title is amended by adding at the end the following:

''In the case of an offense under the first paragraph of this section, if the goods, wares, or merchandise consist of or include a veterans' memorial, the requirement of that paragraph that the goods, wares, or merchandise have a value of $5,000 or more does not apply. In this paragraph, the term 'veterans' memorial' means a grave marker, headstone, monument, or other object, intended to permanently honor a veteran or mark a veteran's grave, or any monument that signifies an event of national military historical significance.''.

SEC. 1097. TRANSPORTATION OF INDIVIDUALS TO AND FROM FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 111 the following new section:

''§ 111A. Transportation of individuals to and from Department facilities

''(a) TRANSPORTATION BY SECRETARY.—The Secretary may transport any person to or from a Department facility or other place in connection with vocational rehabilitation, counseling required by the Secretary pursuant to chapter 34 or 35 of this title, or for the purpose of examination, treatment, or care.''.

(b) CONFORMING AMENDMENT.—Subsection (h) of section 111 of such title is—

(1) transferred to section 111A of such title, as added by subsection (a);

(2) redesignated as subsection (b);

(3) inserted after subsection (a) of such section; and

(4) amended by inserting ''TRANSPORTATION BY THIRD-PARTIES.—'' before ''The Secretary''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 111 the following new item:

''111A. Transportation of individuals to and from Department facilities.''.

SEC. 1098. NATIONAL PUBLIC AWARENESS AND PARTICIPATION CAMPAIGN FOR VETERANS' HISTORY PROJECT OF AMERICAN FOLKLIFE CENTER.

(a) IN GENERAL.—The Director of the American Folklife Center at the Library of Congress shall carry out a national public awareness and participation campaign for the program required by section 3(a) of the Veterans' Oral History Project Act (20 U.S.C. 2142(a)). Such campaign shall provide for the following:

(1) Encouraging the people of the United States, veterans organizations, community groups, and national organizations to participate in such program.

(2) Ensuring greater awareness and participation throughout the United States in such program.

(3) Providing meaningful opportunities for learning about the experiences of veterans.

(4) Complementing the efforts supporting the readjustment and successful reintegration of

veterans into civilian life after service in the Armed Forces.

(b) COORDINATION AND COOPERATION.—To the degree practicable, the Director shall, in carrying out the campaign required by subsection (a), coordinate and cooperate with veterans service organizations.

(c) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 1099. TECHNICAL AMENDMENTS RELATING TO THE TERMINATION OF THE ARMED FORCES INSTITUTE OF PATHOLOGY UNDER DEFENSE BASE CLOSURE AND REALIGNMENT.

Section 177 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by striking ''those professional societies'' and all that follows through ''the Armed Forces Institute of Pathology'' and inserting ''the professional societies and organizations that support the activities of the American Registry of Pathology''; and

(ii) by striking the second sentence; and

(B) in paragraph (3), by striking ''with the concurrence of the Director of the Armed Forces Institute of Pathology'';

(2) in subsection (b)—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively; and

(C) in paragraph (2), as redesignated by subparagraph (B)—

(i) by striking ''accept gifts and grants from and''; and

(ii) by inserting ''and accept gifts and grants from such entities'' before the semicolon; and

(3) in subsection (d), by striking ''to the Director'' and all that follows through ''it deems desirable,'' and inserting ''annually to its Board and supporting organizations referred to in subsection (a)(2)''.

SEC. 1099A. IMPROVED ENUMERATION OF MEMBERS OF THE ARMED FORCES IN ANY TABULATION OF TOTAL POPULATION BY SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) Effective beginning with the 2020 decennial census of population, in taking any tabulation of total population by States, the Secretary shall take appropriate measures to ensure, to the maximum extent practicable, that all members of the Armed Forces deployed abroad on the date of taking such tabulation are—

''(1) fully and accurately counted; and

''(2) properly attributed to the State in which their residence at their permanent duty station or homeport is located on such date.''.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the residency status of any member of the Armed Forces under any provision of law other than title 13, United States Code.

SEC. 1099B. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

''(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary may require the State—

''(i) to demonstrate that when the State approves or denies a certification or license described in subparagraph (B) for a veteran the State takes into consideration any training received or experience gained by the veteran while serving on active duty in the Armed Forces; and

''(ii) to disclose to the Secretary in writing the following:

''(I) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

''(II) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

''(III) Identification of areas in which training and experience described in subclause (II) fails to meet criteria described in subclause (I).''

''(B) A certification or license described in this subparagraph is any of the following:

''(i) A license to be a State tested nursing assistant or a certified nursing assistant.

''(ii) A commercial driver's license.

''(iii) An emergency medical technician license EMT–B or EMT–I.

''(iv) An emergency medical technician–paramedic license.

''(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a program year beginning on or after the date of the enactment of this Act.

SECTION 1099C. AMENDMENTS TO LAW ENFORCEMENT OFFICER SAFETY PROVISIONS OF TITLE 18.

Chapter 44 of title 18, United States Code, is amended—

(1) in section 926B—

(A) in subsection (c)(1), by inserting ''or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice)'' after ''arrest'';

(B) in subsection (d), by striking ''as a law enforcement officer'' and inserting ''that identifies the employee as a police officer or law enforcement officer of the agency''; and

(C) in subsection (f), by inserting ''or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice)'' after ''arrest''; and

(2) in section 926C—

(A) in subsection (c)(2), by inserting ''or apprehension under section 807(b) of title 10, United States Code (article 7(b) of the Uniform Code of Military Justice)'' after ''arrest''; and

(B) in subsection (d)—

(i) in paragraph (1), by striking ''that indicates'' and inserting ''that identifies the person as having been employed as a police officer or law enforcement officer and indicates''; and

(ii) in paragraph (2)(A), by inserting ''that identifies the person as having been employed as a police officer or law enforcement officer'' after ''officer''.

SEC. 1099D. MODERNIZATION OF ABSENTEE BALLOT MAIL DELIVERY SYSTEM.

It is the sense of Congress that the Department of Defense should partner with the United States Postal Service (USPS) to modernize the USPS mail delivery system to address problems with the delivery of absentee ballots and ensure the effective and efficient delivery of such ballots, including through the establishment of a centralized mail forwarding system to ensure that blank ballots are properly redirected.

SEC. 1099E. STATE TRADE AND EXPORT PROMOTION GRANT PROGRAM.

Section 1207(a)(5) of the Small Business Jobs Act of 2010 (15 U.S.C. 649b note) is amended by inserting after ''Guam,'' the following: ''the Commonwealth of the Northern Mariana Islands,''.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. AUTHORITY FOR TRANSPORTATION OF FAMILY HOUSEHOLD PETS OF CIVILIAN PERSONNEL DURING EVACUATION OF NON-ESSENTIAL PERSONNEL.

Section 5725 of title 5, United States Code, is amended—

(1) in subsection (a)(2), by inserting ''and family household pets,'' after ''personal effects,''; and

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

''(c)(1) Authority under subsection (a) to transport family household pets of an employee includes authority for shipment and the payment of quarantine costs, if any.

''(2) An employee for whom transportation of family household pets is authorized under subsection (a) may be paid reimbursement or a monetary allowance if other commercial transportation means have been used.

''(3) The provision of transportation of family household pets for an employee of the Department of Defense under subsection (a) and the payment of reimbursement under paragraph (2) shall be subject to the same terms and conditions as apply under subsection 406(b)(1)(H)(iii) of title 37 with respect to family household pets of members of the uniformed services, including limitations on the types, size, and number of pets for which transportation may be provided or reimbursement paid.''.

SEC. 1102. EXPANSION OF EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL AT THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

(a) EXPANSION.—Section 1101(b)(1)(A) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note) is amended by striking ''40'' and inserting ''60''.

(b) CONSTRUCTION.—The amendment made by subsection (a) shall not be construed as affecting any applicable authorization or delimitation of the numbers of personnel that may be employed at the Defense Advanced Research Projects Agency.

SEC. 1103. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and amended by section 1112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1616), is further amended by striking ''2013'' and inserting ''2014''.

SEC. 1104. FEDERAL EMPLOYEES RETIREMENT SYSTEM AGE AND RETIREMENT TREATMENT FOR CERTAIN RETIREES OF THE ARMED FORCES.

(a) INCREASE IN MAXIMUM AGE LIMIT FOR POSITIONS SUBJECT TO FERS.—

(1) LAW ENFORCEMENT OFFICERS.—Section 3307(e) of title 5, United States Code, is amended—

(A) in paragraph (1), by inserting ''or (3)'' after ''paragraph (2)''; and

(B) by adding at the end the following:

''(3) The maximum age limit for an original appointment to a position as a law enforcement officer (as defined in section 8401(17)) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.''.

(2) OTHER POSITIONS.—The maximum age limit for an original appointment to a position as a member of the Capitol Police or Supreme Court Police, nuclear materials courier (as defined under section 8401(33) of such title), or customs and border protection officer (as defined in section 8401(36) of such title) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.

(b) ELIGIBILITY FOR ANNUITY.—Section 8412(d) of such title is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by adding ''or'' at the end; and

(3) by inserting after paragraph (2) the following:

''(3) after becoming 57 years of age and completing 10 years of service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs or border protection officer, or any combination of such service totaling 10 years, if such employee—

''(A) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, or customs and border protection officer on or after the effective date of this paragraph under section 1104(e) of the National Defense Authorization Act for Fiscal Year 2013, and

''(B) on the date that original appointment met the requirements of section 3307(e)(2) of this title or section 1104(a)(2) of the National Defense Authorization Act for Fiscal Year 2013,''.

(c) MANDATORY SEPARATION.—Section 8425 of such title is amended—

(1) in subsection (b)(1), in the first sentence, by inserting '', except that a law enforcement officer, nuclear materials courier, or customs and border protection officer eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period;

(2) in subsection (c), in the first sentence, by inserting '', except that a member of the Capitol Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period; and

(3) in subsection (d), in the first sentence, by inserting '', except that a member of the Supreme Court Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age'' before the period.

(d) COMPUTATION OF BASIC ANNUITY.—Section 8415(e) of such title is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking ''The annuity of an employee'' and inserting ''(1) Except as provided in paragraph (2), the annuity of an employee''; and

(3) by adding at the end the following:

''(2)(A) The annuity of an employee retiring under subsection (d) or (e) of section 8412 or under subsection (a), (b), or (c) of section 8425 who is an employee described in subparagraph (B) is—

''(i) 1 7/10 percent of that individual's average pay multiplied by so much of such individual's civilian service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs and border protection officer, or air traffic controller that, in the aggregate, does not exceed 20 years; plus

''(ii) 1 percent of that individual's average pay multiplied by the remainder of such individual's total service.

''(B) An employee described in this subparagraph is an employee who—

''(i) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, or customs and border protection officer on or after the effective date of this paragraph under section 1104(e) of the National Defense Authorization Act for Fiscal Year 2013; and

''(ii) on the date that original appointment met the requirements of section 3307(e)(2) of this title or section 1104(a)(2) of the National Defense Authorization Act for Fiscal Year 2013.''.

(e) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect 60 days after the date of enactment of this Act and shall apply to appointments made on or after that effective date.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. EXTENSION OF AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES AND MODIFICATION OF NOTICE IN CONNECTION WITH INITIATION OF ACTIVITIES.

(a) EXTENSION.—Subsection (g) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), as most recent amended by section 1204(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1622), is further amended—

(1) by striking ''September 30, 2013'' and inserting ''September 30, 2014''; and

(2) by striking ''fiscal years 2006 through 2013'' and inserting ''fiscal years 2006 through 2014''.

(b) MODIFICATION OF NOTICE.—

(1) IN GENERAL.—Subsection (e)(2) of such section 1206, as amended by section 1206(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2418), is further amended by adding at the end the following new subparagraph:

''(D) Detailed information (including the amount and purpose) on the assistance provided the country during the three preceding fiscal years under each of the following programs or accounts:

''(i) A program under this section.

''(ii) The Foreign Military Financing program under the Foreign Assistance Act of 1961.

''(iii) Peacekeeping Operations.

''(iv) The International Narcotics Control and Law Enforcement (INCLE) program under section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291).

''(v) Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR).''.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to any country in which activities are initiated under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 on or after that date.

SEC. 1202. EXTENSION OF AUTHORITY FOR NONRECIPROCAL EXCHANGE 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, 2017''.

SEC. 1203. AUTHORITY TO BUILD THE CAPACITY OF CERTAIN COUNTERTERRORISM FORCES IN YEMEN AND EAST AFRICA.

(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide assistance as follows:

(1) To enhance the ability of the Yemen Ministry of Interior Counter Terrorism Forces to conduct counterterrorism operations against al Qaeda in the Arabian Peninsula and its affiliates.

(2) To enhance the capacity of the national military forces, security agencies serving a similar defense function, other counterterrorism forces, and border security forces of Djibouti, Ethiopia, and Kenya to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(3) To enhance the capacity of national military forces participating in the African Union Mission in Somalia to conduct counterterrorism operations against al Qaeda, al Qaeda affiliates, and al Shabaab.

(b) TYPES OF ASSISTANCE.—

(1) AUTHORIZED ELEMENTS.—Assistance under subsection (a) may include the provision of equipment, supplies, training, and minor military construction.

(2) REQUIRED ELEMENTS.—Assistance under subsection (a) shall be provided in a manner that promotes—

(A) observance of and respect for human rights and fundamental freedoms; and

(B) respect for legitimate civilian authority in the country receiving such assistance.

(3) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in this subsection that is otherwise prohibited by any other provision of law.

(4) LIMITATIONS ON MINOR MILITARY CONSTRUCTION.—The total amount that may be obligated and expended on minor military construction under subsection (a) in any fiscal year may not exceed amounts as follows:

(A) In the case of minor military construction under paragraph (1) of subsection (a), $10,000,000.

(B) In the case of minor military construction under paragraphs (2) and (3) of subsection (a), $10,000,000.

(c) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance—

(A) not more than $75,000,000 may be used to provide assistance under paragraph (1) of subsection (a); and

(B) not more than $75,000,000 may used to provide assistance under paragraphs (2) and (3) of subsection (a).

(2) AVAILABILITY OF FUNDS FOR ASSISTANCE ACROSS FISCAL YEARS.—Amounts available under this subsection for the authority in subsection (a) for a fiscal year may be used for assistance under that authority that begins in such fiscal year but ends in the next fiscal year.

(d) NOTICE TO CONGRESS.—

(1) IN GENERAL.—Not later than 30 days before providing assistance under subsection (a), the Secretary of Defense shall submit to the committees of Congress specified in paragraph (2) a notice setting forth the assistance to be provided, including the types of such assistance, the budget for such assistance, and the completion date for the provision of such assistance.

(2) COMMITTEES OF CONGRESS.—The committees of Congress specified in this paragraph are—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(e) EXPIRATION.—Except as provided in subsection (c)(2), the authority provided under subsection (a) may not be exercised after the earlier of—

(1) the date on which the Global Security Contingency Fund achieves full operational capability; or

(2) September 30, 2014.

SEC. 1204. LIMITATION ON AVAILABILITY OF FUNDS FOR STATE PARTNERSHIP PROGRAM.

(a) LIMITATION.—Of the amounts authorized to be appropriated by this Act and available for the State Partnership Program, not more than 50 percent may be obligated or expended for that Program until the latter of the following:

(1) The date on which the Secretary of Defense submits to the appropriate congressional committees the final regulations required by subsection (a) of section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note).

(2) The date on which the Secretary of Defense certifies to the appropriate congressional committees that appropriate modifications have been made, and appropriate controls have been instituted, to ensure the compliance of the Program with section 1341 of title 31, United States Code (commonly referred to as the ''Anti-Deficiency Act''), in the future.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in subsection (d) of section 1210 of the National Defense Authorization Act for Fiscal Year 2010.

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

SEC. 1211. COMMANDERS' EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) ONE-YEAR EXTENSION.—

(1) IN GENERAL.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619) is amended by striking ''fiscal year 2012'' each place it appears and inserting ''fiscal year 2013''.

(2) CONFORMING AMENDMENT.—The heading of subsection (a) of such section is amended by striking ''FISCAL YEAR 2012'' and inserting ''FISCAL YEAR 2013''.

(b) AMOUNT OF FUNDS AVAILABLE DURING FISCAL YEAR 2013.—Subsection (a) of such section is further amended by striking ''$400,000,000'' and inserting ''$200,000,000''.

SEC. 1212. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT OF FUNDS FOR FISCAL YEAR 2013.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note) is amended by striking ''in fiscal year 2012'' and all that follows and inserting ''may not exceed amounts as follows:

''(1) In fiscal year 2012, $524,000,000.

''(2) In fiscal year 2013, $508,000,000.''.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by inserting ''or 2013'' after ''fiscal year 2012''.

SEC. 1213. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Senate is deeply concerned with the dramatic rise in conflict-induced displacement in Afghanistan and the corresponding increase in humanitarian need, especially as winter approaches;

(2) there have been several reports of children freezing to death in various refugee settlements in Afghanistan during the winter of 2011–12;

(3) the Bureau of Population, Refugees, and Migration of the Department of State and the Special Representative for Afghanistan and Pakistan should jointly develop a comprehensive strategy to address the displacement and human suffering referred to in paragraphs (1) and (2), which shall include—

(A) an assessment of the capacity of the Government of Afghanistan—

(i) to prevent, mitigate, and respond to forced displacement; and

(ii) to provide durable solutions for internally displaced Afghans and Afghan refugees; and

(B) a coherent plan to strengthen the capacity of the Government of Afghanistan to address the causes and consequences of displacement within Afghanistan.

(b) EXTENSION OF AUTHORITY.—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. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.

Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4393), as amended by section 1217(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1632), is further amended—

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

''(1) IN GENERAL.—Subject to paragraph (2), to carry out the program authorized under subsection (a), the Secretary of Defense may use amounts as follows:

''(A) Up to $400,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2012.

''(B) Up to $350,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2013.'';

(2) in paragraph (2)—

(A) by striking ''85 percent'' and inserting ''50 percent'';

(B) by inserting ''for a fiscal year after fiscal year 2011'' after ''in paragraph (1)''; and

(C) by striking ''fiscal year 2012.'' and inserting ''such fiscal year, including for each project to be initiated during such fiscal year the following:

''(A) An estimate of the financial and other requirements necessary to sustain such project on an annual basis after the completion of such project.

''(B) An assessment whether the Government of Afghanistan is committed to and has the capacity to maintain and use such project after its completion.

''(C) A description of any arrangements for the sustainment of such project following its completion if the Government of Afghanistan lacks the capacity (in either financial or human resources) to maintain such project.''; and

(3) in paragraph (3), by adding at the end the following new subparagraph:

''(C) In the case of funds for fiscal year 2013, until September 30, 2014.''.

SEC. 1215. EXTENSION OF PAKISTAN COUNTERINSURGENCY FUND.

(a) EXTENSION.—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(a) 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'' each place it appears and inserting ''September 30, 2013''.

(b) EXTENSION OF LIMITATION ON FUNDS PENDING REPORT.—Section 1220(b)(1)(A) of the National Defense Authorization Act for Fiscal Year 2012 (125 Stat. 1633) is amended by striking ''fiscal year 2013'' and inserting ''fiscal year 2013''.

SEC. 1216. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION OF AUTHORITY.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1630), is further amended—

(1) by striking ''for fiscal year 2012'' and

(2) by inserting '', during the period ending on September 30, 2013,'' after ''Secretary of Defense may''.

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d) of such section, as so amended, is further amended—

(1) by striking ''during fiscal year 2012 may not exceed $1,690,000,000'' and inserting ''may not exceed $1,750,000,000 during fiscal year 2013, except that reimbursements made during fiscal year 2013 for support provided by Pakistan before May 1, 2011, using funds available for that purpose before fiscal year 2013 shall not count against this limitation''; and

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

''(3) PROHIBITION ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT DURING PERIODS CLOSED TO TRANSSHIPMENT.—Effective as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013, funds (including funds from a prior fiscal year that remain available for obligation) may not be used for reimbursements under the authority in subsection (a) for Pakistan for claims of support provided during any period when the ground lines of supply through Pakistan to Afghanistan were closed to the transshipment of equipment and supplies in support of United States military operations in Afghanistan.''.

(c) SUPPORTED OPERATIONS.—Such section is further amended in subsections (a)(1) and (b) by striking ''Operation Iraqi Freedom or''.

(d) LIMITATION ON REIMBURSEMENT OF PAKISTAN IN FISCAL YEAR 2013 PENDING CERTIFICATION ON PAKISTAN.—

(1) IN GENERAL.—Effective as of the date of the enactment of this Act, no amounts authorized to be appropriated by this Act, and no amounts authorized to be appropriated for fiscal years before fiscal year 2013 that remain available for obligation, may be used for reimbursements of Pakistan under the authority in subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008, as so amended, until the Secretary of Defense certifies to the congressional defense committees each of the following:

(A) That Pakistan has opened and is maintaining security along the ground lines of supply through Pakistan to Afghanistan for the transshipment of equipment and supplies in support of United States military operations in Afghanistan.

(B) That Pakistan is not providing support to militant extremists groups (including the Haqqani Network and the Afghan Taliban Quetta Shura) located in Pakistan and conducting cross-border attacks against United States, coalition, or Afghanistan security forces, and is taking actions to prevent such groups from basing and operating in Pakistan.

(C) That Pakistan is demonstrating a continuing commitment, and is making significant efforts toward the implementation of a strategy, to counter improvised explosive devices, including efforts to attack improvised explosive device networks, monitor known precursors used in improvised explosive devices, and develop and implement a strict protocol for the manufacture of explosive materials (including calcium ammonium nitrate) and accessories and for their supply to legitimate end users.

(D) That Pakistan is demonstrably cooperating with United States counterterrorism efforts, including by not detaining, prosecuting, or imprisoning citizens of Pakistan as a result of their cooperation with such efforts, including Dr. Shakil Afridi.

(2) WAIVER AUTHORITY.—The Secretary may waive the limitation in paragraph (1) if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

SEC. 1217. EXTENSION AND MODIFICATION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 111–181; 122 Stat. 394), as most recently amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1629)), is further amended by striking ''fiscal year 2012'' each place it appears and inserting ''fiscal year 2013''.

(b) REPEAL OF AUTHORITY FOR USE OF FUNDS IN CONNECTION WITH IRAQ.—

(1) IN GENERAL.—Subsection (a) of such section 1234, as so amended, is further amended by striking ***''Iraq and''***.

(2) CONFORMING AMENDMENT.—The heading of such section 1234 is amended by striking ''iraq and''.

SEC. 1218. STRATEGY FOR SUPPORTING THE ACHIEVEMENT OF A SECURE PRESIDENTIAL ELECTION IN AFGHANISTAN IN 2014.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of State, develop a strategy to support the Government of Afghanistan in its efforts to achieve a secure presidential election in Afghanistan in 2014.

(b) ELEMENTS.—The strategy shall include support to the Government of Afghanistan for the following:

(1) The identification and training of an adequate number of personnel within the current existing end strength of the Afghanistan National Security Forces (ANSF) for security of polling stations, election materials, and protection of election workers and officials.

(2) The recruitment and training of an adequate number of female personnel in the Afghanistan National Security Forces to afford equitable access to polls for women, secure polling stations, and secure locations for counting and storing election materials.

(3) The securing of freedom of movement and communications for candidates before and during the election.

(c) FUNDING RESOURCES.—In developing the strategy, the Secretary shall identify, from among funds currently available to the Department of Defense for activities in Afghanistan, the funds required to execute the strategy.

SEC. 1219. INDEPENDENT ASSESSMENT OF THE AFGHAN NATIONAL SECURITY FORCES.

(a) INDEPENDENT ASSESSMENT REQUIRED.—The Secretary of Defense shall provide for the conduct of an independent assessment of the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces (ANSF) capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(b) CONDUCT OF ASSESSMENT.—The assessment required by subsection (a) may, at the election of the Secretary, be conducted by—

(1) a Federally-funded research and development center (FFRDC); or

(2) an independent, non-governmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

(c) ELEMENTS.—The assessment required by subsection (a) shall include, but not be limited to, the following:

(1) An assessment of the likely internal and regional security environment for Afghanistan over the next decade, including challenges and threats to the security and sovereignty of Afghanistan from state and non-state actors.

(2) An assessment of the strength, force structure, force posture, and capabilities required to make the Afghan National Security Forces capable of providing security for their own country so as to prevent Afghanistan from ever again becoming a safe haven for terrorists that threaten Afghanistan, the region, and the world.

(3) An assessment of any capability gaps in the Afghan National Security Forces that are likely to persist after 2014 and that will require continued support from the United States and its allies.

(4) An assessment whether current proposals for the resourcing of the Afghan National Security Forces after 2014 are adequate to establish and maintain long-term security for the Afghanistan people, and implications of the under-resourcing of the Afghan National Security Forces for United States national security interests.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the entity selected for the conduct of the assessment required by subsection (a) shall provide to the Secretary and the congressional defense committees a report containing its findings as a result of the assessment. The report shall be submitted in unclassified form, but may include a classified annex.

(e) FUNDING.—Of the amounts 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, up to $1,000,000 shall be made available for the assessment required by subsection (a).

(f) AFGHAN NATIONAL SECURITY FORCES.—For purposes of this section, the Afghan National Security Forces shall include all forces under the authority of the Afghan Ministry of Defense and Afghan Ministry of Interior, including the Afghan National Army, the Afghan National Police, the Afghan Border Police, the Afghan National Civil Order Police, and the Afghan Local Police.

SEC. 1220. REPORT ON AFGHANISTAN PEACE AND REINTEGRATION PROGRAM.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the Afghanistan Peace and Reintegration Program (APRP).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the goals and objectives of the Afghanistan Peace and Reintegration Program.

(2) A description of the structure of the Program at the national and sub-national levels in Afghanistan, including the number and types of vocational training and other education programs.

(3) A description of the activities of the Program as of the date of the report.

(4) A description and assessment of the procedures for vetting individuals seeking to participate in the Program, including an assessment of the extent to which biometric identification systems are used and the role of provincial peace councils in such procedures.

(5) The amount of funding provided by the United States, and by the international community, to support the Program, and the amount of funds so provided that have been distributed as of the date of the report.

(6) An assessment of the individuals who have been reintegrated into the Program, set forth in terms as follows:

(A) By geographic distribution by province.

(B) By number of each of low-level insurgent fighters, mid-level commanders, and senior commanders.

(C) By number confirmed to have been part of the insurgency.

(D) By number who are currently members of the Afghan Local Police.

(E) By number who are participating in or have completed vocational training or other educational programs as part of the Program.

(7) A description and assessment of the procedures for monitoring the individuals participating in the Program.

(8) A description and assessment of the role of women and minority populations in the implementation of the Program.

(9) An assessment of the effectiveness of the activities of the Program described under paragraph (3) in achieving the goals and objectives of the Program.

(10) Such recommendations as the Secretary of Defense considers appropriate for improving the implementation, oversight, and effectiveness of the Program.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1221. COMPLETION OF ACCELERATED TRANSITION OF UNITED STATES COMBAT AND MILITARY AND SECURITY OPERATIONS TO THE GOVERNMENT OF AFGHANISTAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the President should, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, seek to—

(1) undertake all appropriate activities to accomplish the President's stated goal of transitioning the lead responsibility for security to the Government of Afghanistan by mid-summer 2013;

(2) as part of accomplishing this transition of the lead responsibility for security to the Government of Afghanistan, draw down United States troops to a level sufficient to meet this goal;

(3) as previously announced by the President, continue to draw down United States troop levels at a steady pace through the end of 2014; and

(4) end all regular combat operations by United States troops by not later than December 31, 2014, and take all possible steps to end such operations at the earliest date consistent with a safe and orderly draw down of United States troops in Afghanistan.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to recommend or support any limitation or prohibition on any authority of the President—

(1) to modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces redeploy from Afghanistan;

(2) to authorize United States forces in Afghanistan to defend themselves whenever they may be threatened;

(3) to attack Al Qaeda forces wherever such forces are located;

(4) to provide financial support and equipment to the Government of Afghanistan for the training and supply of Afghanistan military and security forces; or

(5) to gather, provide, and share intelligence with United States allies operating in Afghanistan and Pakistan.

SEC. 1222. SENSE OF CONGRESS COMMENDING THE ENDURING STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE UNITED STATES AND AFGHANISTAN.

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

(1) The United States and Afghanistan have been allies in the conflict against al Qaeda and its affiliates for over a decade, with the shared goal of ensuring that Afghanistan is never again a sanctuary for al Qaeda.

(2) The United States and Afghanistan are committed to the framework agreed to at the North Atlantic Treaty Organization (NATO) Summit in Lisbon in 2010, and reaffirmed at the NATO Summit in Chicago in 2012, for the transition from coalition forces to the Afghan National Security Forces of lead responsibility for security throughout Afghanistan by the end of 2014.

(3) In June 2011, President Barack Obama said, ''What we can do, and will do, is build a partnership with the Afghan people that endures—one that ensures that we will be able to continue targeting terrorists and supporting a sovereign Afghan government.''

(4) In November 2011, a traditional loya jirga in Kabul declared that ''strategic cooperation with the United States of America, which is a strategic ally of the people and government of Afghanistan, is considered important in order to ensure political, economic, and military security'' and also stated, ''Signing a strategic cooperation document with the United States conforms with the national interest of Afghanistan and is of significant importance.''

(5) On May 2, 2012, President Obama and President Hamid Karzai signed the Enduring Strategic Partnership Agreement Between the United States of America and the Islamic Republic of Afghanistan.

(6) At the signing of the Enduring Strategic Partnership Agreement, President Obama said, ''Today we're agreeing to be long-term partners in combating terrorism, and training Afghan security forces, strengthening democratic institutions and supporting development, and protecting human rights of all Afghans. With this agreement, the Afghan people, and the world, should know that Afghanistan has a friend and a partner in the United States.''

(7) At a May 20, 2012, bilateral meeting with President Karzai at the NATO Summit in Chicago, President Obama said that the Enduring Strategic Partnership Agreement ''reflects a future in which two sovereign nations—the United States and Afghanistan—are operating as partners, to the benefit of our countries' citizens, but also for the benefit of peace and security and stability in the region and around the world''.

(8) President Karzai said at the May 20, 2012, bilateral meeting with President Obama, ''Mr. President, the partnership that we signed a few weeks ago in Kabul has turned a new page in our relations. And the new page is a page of two sovereign countries working together for the mutual interests—peace and security and in all other areas.''

(9) On May 26, 2012, the Wolesi Jirga, the lower house of the Afghan parliament, approved the Agreement by a vote of 191–7 with 2 abstentions.

(10) On June 3, 2012, the Meshrano Jirga, the upper house of the Afghan parliament, approved the Agreement by a vote of 67–13.

(11) On July 8, 2012, at the Tokyo Conference on Afghanistan, the international community and the Government of Afghanistan reaffirmed their partnership in the economic growth and development of Afghanistan through a process of mutual commitments and accountability.

(12) On July 4, 2012, the Enduring Strategic Partnership Agreement entered into force.

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

(1) the members of the United States Armed Forces, intelligence community, and diplomatic and development community of the United States are to be commended for their dedicated efforts and sacrifices in support of military and stability operations in Afghanistan that have helped strengthen security in Afghanistan, laid the foundation for transition to a long-term partnership between the United States and a sovereign Afghanistan, and supported the Government and people of Afghanistan as they continue to build their capacity to effectively and justly govern;

(2) the United States negotiating team for the Enduring Strategic Partnership Agreement, including the United States Embassy personnel in Kabul under the leadership of Ambassador Ryan Crocker, is to be commended for its committed diplomatic efforts;

(3) the Governments of the United States and Afghanistan are to be commended for concluding the Enduring Strategic Partnership Agreement;

(4) Congress supports the objectives and principles of the Enduring Strategic Partnership Agreement, including protecting and promoting shared democratic values, advancing long-term security, reinforcing regional security and cooperation, fostering social and economic development, upholding the rights of women and minorities, and strengthening institutions and governance in Afghanistan;

(5) it is essential that the Government and people of Afghanistan fulfill Afghanistan's international commitments as agreed at the Tokyo Conference of July 2012, the Bonn Conference of December 2011, the Kabul Conference of July 2011, and other venues to combat corruption, protect the equal rights of all citizens of Afghanistan and enforce the rule of law, hold free and fair elections in 2014, and build inclusive and effective institutions of democratic governance;

(6) a key national security interest of the United States is to maintain a long-term political, economic, and military relationship with Afghanistan, including a limited presence of United States Armed Forces for the purpose of training, advising, and supporting Afghan National Security Forces and cooperating on shared counterterrorism objectives;

(7) the negotiation and conclusion of a Bilateral Security Agreement, as called for in the Enduring Strategic Partnership Agreement, will provide a fundamental framework for the long-term security relationship between the United States and Afghanistan; and

(8) Congress has a critical role in continuing to provide the support and assistance necessary to achieve the goals of the Enduring Strategic Partnership Agreement.

SEC. 1223. CONGRESSIONAL REVIEW OF BILATERAL SECURITY AGREEMENT WITH AFGHANISTAN.

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

(1) The Authorization for the Use of Military Force (Public Law 107–40; 115 Stat. 224) authorizes the President to use all necessary and appropriate force against those nations, organizations, or persons the President determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.

(2) President Barack Obama and Secretary of Defense Leon Panetta have stated that the United States continues to fight in Afghanistan to defeat the al Qaeda threat and the Taliban, which harbored al Qaeda in Afghanistan, where the attacks of September 11, 2001, were planned and where the attackers received training.

(3) On May 1, 2012, the United States entered into the ''Enduring Strategic Partnership Agreement Between the United States of America and the Islamic Republic of Afghanistan'', which establishes an enduring strategic partnership between the United States and the Islamic Republic of Afghanistan.

(4) The Agreement reaffirms the presence and operations of United States Armed Forces in Afghanistan, and establishes long-term commitments between the two countries, including the continued commitment of United States forces and political and financial support to the Government of Afghanistan.

(5) The Agreement also commits the United States to establishing a long-term Bilateral Security Agreement, with the goal of concluding a Bilateral Security Agreement within one year to supersede the present Status of Forces agreements with the Islamic Republic of Afghanistan.

(6) Congress was not consulted regarding the framework or substance of the Agreement.

(7) In the past, Congress has been consulted, and, in some cases, has provided its advice and consent to ratification of such agreements, including those where the use of force was not authorized nor required in the country.

(b) NOTIFICATION REQUIREMENT.—Not later than 30 days before entering into any Bilateral Security Agreement or other agreement with the Islamic Republic of Afghanistan that will affect the Status of Forces agreements and long-term commitments between the United States and the Islamic Republic of Afghanistan, the President shall submit the agreement to the appropriate congressional committees for review. If the President fails to comply with such requirement, 50 percent of the unobligated balance of the amounts appropriated or otherwise made available for the Executive Office of the President shall be withheld.

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

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1224. AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN AND CERTAIN OTHER COUNTRIES.

(a) NONEXCESS ARTICLES AND RELATED SERVICES.—The Secretary of Defense may, with the concurrence of the Secretary of State, transfer nonexcess defense articles from the stocks of the Department of Defense, without reimbursement from the government of the recipient country, and provide defense services in connection with the transfer of such defense articles, as follows:

(1) To the military and security forces of Afghanistan to support the efforts of those forces to restore and maintain peace and security in that country.

(2) To the military and security forces of Yemen to support the efforts of those forces to conduct counterterrorism operations and counter al Qaeda in the Arabian Peninsula.

(3) To the military and security forces of Somalia and other countries in the East Africa region to support the efforts of those forces to conduct counterterrorism and postconflict stability operations in Somalia.

(b) LIMITATIONS.—

(1) VALUE.—The aggregate replacement value of all defense articles transferred and defense services provided in connection with such defense articles under subsection (a) in any fiscal year may not exceed $250,000,000.

(2) SOURCE OF TRANSFERRED ARTICLES.—The authority under subsection (a) may only be used for defense articles that—

(A) were present in Afghanistan as of the date of the enactment of this Act;

(B) immediately before transfer were in use to support operations in Afghanistan; and

(C) are no longer required by United States forces in Afghanistan.

(c) APPLICABLE LAW.—Any defense articles transferred or defense services provided under the authority of subsection (a) shall be subject to the authorities and limitations applicable to

excess defense articles under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), other than the authorities and limitations in subsections (b)(1)(B), (e), (f), and (g) of such section.

(d) REPORT REQUIRED BEFORE EXERCISE OF AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense may not exercise the authority under subsection (a) until 15 days after the Secretary submits to the appropriate committees of Congress a report on the equipment and other property of the Department of Defense in Afghanistan.

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

(A) A description of the process for inventorying equipment and property, including defense articles, in Afghanistan owned by the Department of Defense, including equipment and property owned by the Department and under the control of contractors in Afghanistan.

(B) An estimate of the types and quantities of equipment and property of the Department of Defense, including defense articles, anticipated to be withdrawn from Afghanistan in connection with the drawdown of United States military forces from Afghanistan between the date of the enactment of this Act and December 31, 2014, including equipment and property owned by the Department and under the control of contractors in Afghanistan.

(e) NOTICE ON EXERCISE OF AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense may not transfer defense articles or provide defense services under subsection (a) until 15 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, submits to the appropriate committees of Congress notice of the proposed transfer of defense articles and provision of defense services.

(2) ELEMENTS.—A notice under paragraph (1) shall include the following:

(A) A description of the amount and types of defense articles to be transferred and defense services to be provided.

(B) A statement describing the current value of the defense articles to be transferred and the estimated replacement value of such articles.

(C) An identification of the element of the military or security force that is the proposed recipient of the defense articles to be transferred and defense service to be provided.

(D) An identification of the military department from which the defense articles to be transferred are to be drawn.

(E) An assessment of the impact, if any, of the transfer of defense articles on the readiness of units from which the defense articles are to be transferred, and the plan, if any, for mitigating such impact or reimbursing the military department of such units for such defense articles.

(F) An assessment of the ability of the recipient government to sustain the costs associated with receiving, possessing, and using the defense articles to be transferred.

(G) A determination and certification by the Secretary of Defense that—

(i) the proposed transfer of the defense articles to be transferred and the provision of defense services to be provided in connection with such transfer is in the national interest of the United States;

(ii) for the transfer of defense articles under the authority in subsection (a)(1), such defense articles are required by the military and security forces of Afghanistan to build their capacity to restore and maintain peace and security in that country;

(iii) for the transfer of defense articles and provision of defense services under the authority in subsection (a)(2), the transfer of such defense articles and provision of such defense services will contribute significantly to building key capacities of the military and security forces of Yemen required to conduct counterterrorism operations and counter al Qaeda in the Arabian Peninsula; and

(iv) for the transfer of defense articles and provision of defense services under the authority in subsection (a)(3), the transfer of such defense articles and provision of such defense services will contribute significantly to building key capabilities of the military and security forces of the recipient country to conduct counterterrorism and postconflict stability operations in Somalia.

(f) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the first transfer of defense articles and provision of defense services under the authority in subsection (a), and at the end of each calendar quarter, if any, thereafter through March 31, 2015, in which the authority in subsection (a) is exercised, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the implementation of the authority in subsection (a). Each report shall include the replacement value of the defense articles transferred pursuant to subsection (a), both in the aggregate and by military department, and defense services provided to recipient countries, during the 90-day period ending on the date of such report.

(2) INCLUSION IN OTHER REPORT.—A report required under paragraph (1) may be included in the report required under section 9204 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2410) or any follow on report to such other report.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) DEFENSE ARTICLES.—The term ''defense articles'' has the meaning given the term in section 644(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(d)).

(3) DEFENSE SERVICES.—The term ''defense services'' has the meaning given the term in section 644(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(f)).

(4) MILITARY AND SECURITY FORCES.—The term ''military and security forces'' means national armies, national air forces, national navies, national guard forces, police forces, and border security forces, but does not include nongovernmental or irregular forces (such as private militias).

(5) EAST AFRICA REGION.—The term ''East Africa region'' means Burundi, Djibouti, Ethiopia, Kenya, Somalia, and Uganda.

(h) EXPIRATION.—The authority provided in subsection (a) may not be exercised after December 31, 2014.

(i) EXCESS DEFENSE ARTICLES.—

(1) ADDITIONAL AUTHORITY.—The authority provided by subsection (a) is in addition to the authority provided by section 516 of the Foreign Assistance Act of 1961.

(2) EXEMPTIONS.—(A) During fiscal years 2013 and 2014, the value of excess defense articles transferred from the stocks of the Department of Defense in Afghanistan to Afghanistan, Yemen, Somalia, or other countries in the East Africa region pursuant to section 516 of the Foreign Assistance Act of 1961 shall not be counted against the limitation on the aggregate value of excess defense articles transferred contained in subsection (g) of such section.

(B) During fiscal years 2013 and 2014, any excess defense articles specified in subparagraph (A) shall not be subject to the authorities and limitations applicable to excess defense articles under section 516 of the Foreign Assistance Act of 1961 contained in subsections (b)(1)(B) and (e) of such section.

(3) CONSTRUCTION EQUIPMENT.—Notwithstanding section 644(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)) and section 2562 of title 10, United States Code, construction equipment from the stocks of the Department of Defense in Afghanistan may be transferred as excess defense articles under section 516 of the Foreign Assistance Act of 1961 and subject to the provisions of this subsection.

Subtitle C—Reports

SEC. 1231. REVIEW AND REPORTS ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD THE CAPACITY OF AND PARTNER WITH FOREIGN SECURITY FORCES.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Defense Policy Board shall conduct a review of the efforts of the Department of Defense to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(2) ELEMENTS.—The review required by this subsection shall include the following:

(A) An examination of the ways in which the efforts of the Department to build the capacity of, or partner with, foreign security forces directly support implementation of current national defense and security strategies.

(B) An assessment of the range of effects that efforts of the Department to build the capacity of, or partner with, foreign security forces are designed to achieve in support of current national defense and security strategies.

(C) An assessment of the criteria used for prioritizing such efforts in support of national defense and security strategies.

(D) An identification of the authorities the Department currently uses to implement such efforts, together with an assessment of the adequacy of such authorities.

(E) An assessment of the capabilities required by the Department to implement such efforts.

(F) An assessment of the most effective distribution of the roles and responsibilities for such efforts within the Department, together with an assessment whether the Department military and civilian workforce is appropriately sized and shaped to meet the requirements of such efforts.

(G) An evaluation of current measures of the Department for assessing activities of the Department designed to build the capacity of, or partner with, foreign security forces, including an assessment whether such measures address the extent to which such activities directly support the priorities of national defense and security strategies.

(H) An identification of recommendations for clarifying or improving the guidance and assessment measures of the Department relating to its efforts to build the capacity of, or partner with, foreign security forces in support of national defense and security strategies.

(3) REPORT.—Not later than 90 days after the completion of the review required by this subsection, the Secretary of Defense shall submit to the congressional defense committees a report containing the result of the review.

(b) STRATEGIC GUIDANCE ON DEPARTMENT OF DEFENSE EFFORTS TO BUILD PARTNER CAPACITY AND OTHER PARTNERSHIP INITIATIVES.—Not later than 120 days after the completion of the review required by subsection (a), the Secretary of Defense shall, in coordination with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth the following:

(1) An assessment, taking into account the recommendations of the Defense Policy Board in the review required by subsection (a), of the efforts of the Department of Defense to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies.

(2) Strategic guidance for the Department for its efforts to build the capacity of, and partner with, foreign military forces in support of national defense and security strategies, which guidance shall address—

(A) the ways such efforts directly support the goals and objectives of national defense and security strategies;

(B) the criteria to be used for prioritizing activities to implement such efforts in support of national defense and security strategies;

(C) the measures to be used to assess the effects achieved by such efforts and the extent to which such effects support the objectives of national defense and security strategies;

(D) the appropriate roles and responsibilities of the Armed Forces, the Defense Agencies, and other components of the Department in conducting such efforts; and

(E) the relationship of Department workforce planning with the requirements for such efforts.

SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended—

(1) in subsection (b)—

(A) by amending paragraph (9) to read as follows:

''(9) Developments in China's asymmetric capabilities, including efforts to develop and deploy cyberwarfare and electronic warfare capabilities, and associated activities originating or suspected of originating from China. This discussion of these developments shall include—

''(A) the nature of China's cyber activities directed against the Department of Defense and an assessment of the damage inflicted on the Department of Defense by reason thereof, and the potential harms;

''(B) a description of China's strategy for use and potential targets of offensive cyberwarfare and electronic warfare capabilities;

''(C) details on the number of malicious cyber incidents emanating from Internet Protocol addresses in China, including a comparison of the number of incidents during the reporting period to previous years; and

''(D) details regarding the specific People's Liberation Army; state security; research and academic; state-owned, associated, or other commercial enterprises; and other relevant actors involved in supporting or conducting cyberwarfare and electronic warfare activities and capabilities.'';

(B) by redesignating paragraphs (10), (11), and (12) as paragraphs (15), (16), and (17) respectively;

(C) by inserting after paragraph (9) the following new paragraphs:

''(10) The strategy 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) Developments in China's nuclear capabilities, which shall include the following:

''(A) The size and state of China's nuclear stockpile.

''(B) A description of China's nuclear strategy and associated doctrines.

''(C) A description of the quantity, range, payload features, and location of China's nuclear missiles and the quantity and operational status of their associated launchers or platforms.

''(D) An analysis of China's efforts to use electromagnetic pulse.

''(E) Projections of possible future Chinese nuclear arsenals, their capabilities, and associated doctrines.

''(F) A description of China's fissile material stockpile and civil and military production capabilities and capacities.

''(G) A discussion of any significant uncertainties or knowledge gaps surrounding China's nuclear weapons program and the potential implications of any such knowledge gaps for the security of the United States and its allies.

''(12) A description of China's anti-access and area denial capabilities.

''(13) A description of China's command, control, communications, computers, intelligence, surveillance, and reconnaissance modernization program and its applications for China's precision guided weapons.

''(14) A description of China's maritime activities, including—

''(A) China's response to Freedom of Navigation activities conducted by the Department of Defense;

''(B) an account of each time People's Liberation Army Navy vessels have transited outside the First Island Chain, including the type of vessels that were involved; and

''(C) the role of China's maritime law enforcement vessels in maritime incidents, including details regarding any collaboration between China's law enforcement vessels and the People's Liberation Army Navy.''; and

(D) by adding after paragraph (17), as redesignated by subparagraph (B), the following new paragraphs:

''(18) A description of Chinese military-to-military relationships with other countries, including the size and activity of military attache offices around the world and military education programs conducted in China for other countries or in other countries for the Chinese.

''(19) A description of any significant sale or transfer of military hardware, expertise, and technology to or from the People's Republic of China, including a forecast of possible future sales and transfers, and a description of the implications of those sales and transfers for the security of the United States and its friends and allies in Asia. The information under this paragraph shall include—

''(A) the extent of the People's Republic of China's knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to receiving states;

''(B) the extent in each selling state of government knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to the People's Republic of China;

''(C) an itemization of significant sales and transfers of military hardware, expertise, or technology that have taken place during the reporting period;

''(D) significant assistance by any selling state to key research and development programs in China, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

''(E) significant assistance by the People's Republic of China to the research and development programs of purchasing or receiving states, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons;

''(F) the extent to which arms sales to or from the People's Republic of China are a source of funds for military research and development or procurement programs in China or the selling state;

''(G) a discussion of the ability of the People's Liberation Army to assimilate such sales or transfers, mass produce new equipment, and develop doctrine for use; and

''(H) a discussion of the potential threat of developments related to such sales on the security interests of the United States and its friends and allies in Asia.''; and

(2) by amending subsection (d) to read as follows:

''(d) COMBATANT COMMANDER ASSESSMENT.—The report required under subsection (a) shall include an annex, in classified or unclassified form, that includes an assessment of the Commander of the United States Pacific Command on the following matters:

''(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 the 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 IMPLEMENTATION BY GOVERNMENT OF BAHRAIN OF RECOMMENDATIONS IN REPORT OF THE BAHRAIN INDEPENDENT COMMISSION OF INQUIRY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the implementation by the Government of Bahrain of the recommendations contained in the Report of the Bahrain Independent Commission of Inquiry.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) A description of the specific steps taken by the Government of Bahrain to implement each of the 26 recommendations contained in the Report of the Bahrain Independent Commission of Inquiry.

(2) An assessment of whether each recommendation has been fully complied with by the Government of Bahrain.

(3) An assessment of the impact of the findings of the Report of the Bahrain Independent Commission of Inquiry on progress toward democracy and respect for human rights in Bahrain.

SEC. 1234. REPORTS ON SYRIA.

(a) REPORT ON OPPOSITION GROUPS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Secretary of State shall submit to Congress a report describing in detail all the known opposition groups, both independent and state-sponsored, inside and outside of Syria, operating directly or indirectly to oppose the Government of Syria.

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

(A) An assessment of the current military capacity of opposition forces.

(B) An assessment of the ability of opposition forces inside and outside of Syria to establish military and political activities impacting Syria, together with a practicable timetable for accomplishing these objectives.

(C) An assessment of the ability of any of the opposition groups to establish effective military and political control in Syria.

(D) A description of the composition and political agenda of each of the known opposition groups inside and outside of Syria, and an assessment of the degree to which such groups represent the views of the people of Syria as a whole.

(E) A description of the financial resources currently available to opposition groups and known potential sources of continued financing.

(F) An assessment of the relationship between each of the Syrian opposition groups and the Muslim Brotherhood, al Qaeda, Hezbollah, Hamas, and any other groups that have promoted an agenda that would negatively impact United States national interests.

(G) An assessment of the impact of support from the United States and challenges to providing such additional support to opposition forces on the factors discussed in subparagraphs (A) through (F).

(b) REPORT ON WEAPONS STOCKPILES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Secretary of Defense shall submit to Congress an assessment of

the size and security of conventional and non-conventional weapons stockpiles in Syria.

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

(A) A description of who has or may have access to the stockpiles.

(B) A description of the sources and types of weapons flowing from outside Syria to both government and opposition forces.

(C) A description of U.S. and international efforts to prevent the proliferation of conventional, biological, chemical, and other types of weapons in Syria.

(c) REPORT ON CURRENT ACTIVITIES AND FUTURE PLANS TO PROVIDE ASSISTANCE TO SYRIA'S POLITICAL OPPOSITION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report on all the support provided to opposition political forces in Syria.

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

(A) A full description of the current technical assistance democracy programs conducted by the Department of State and United States Agency for International Development to support the political opposition in Syria.

(B) A full summary of the communications equipment that is currently being provided to the political opposition in Syria, including a description of the entities that have received and that will continue to receive such equipment.

(C) A description of any additional activities the United States plans to undertake in support of the political opposition in Syria.

(D) A description of the funding levels currently dedicated to support the political opposition in Syria.

(E) A description of obstacles and challenges to providing additional support to Syria's political opposition.

(d) FORM.—The reports required by this section may be submitted in a classified form.

SEC. 1235. REPORT ON MILITARY ACTIVITIES TO DENY OR SIGNIFICANTLY DEGRADE THE USE OF AIR POWER AGAINST CIVILIAN AND OPPOSITION GROUPS IN SYRIA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report identifying the limited military activities that could deny or significantly degrade the ability of President Bashar al-Assad of Syria, and forces loyal to him, to use air power against civilians and opposition groups in Syria.

(b) NATURE OF MILITARY ACTIVITIES.—

(1) PRINCIPAL PURPOSE.—The principal purpose of the military activities identified for purposes of the report required by subsection (a) shall be to advance the goals of President Obama of stopping the killing of civilians in Syria and creating conditions for a transition to a democratic, pluralistic political system in Syria.

(2) ADDITIONAL GOALS.—The military activities identified for purposes of the report shall also meet the goals as follows:

(A) That the United States Armed Forces conduct such activities with foreign allies or partners.

(B) That United States ground troops not be deployed onto Syrian territory.

(C) That the risk to civilians on the ground in Syria be limited.

(D) That the risks to United States military personnel be limited.

(E) That the financial costs to the United States be limited.

(c) ELEMENTS ON POTENTIAL MILITARY ACTIVITIES.—The report required by subsection (a) shall include a comprehensive description, evaluation, and assessment of the potential effectiveness of the following military activities, as required by subsection (a):

(1) The deployment of air defense systems, such as Patriot missile batteries, to neighboring countries for the purpose of denying or significantly degrading the operational capability of Syria aircraft.

(2) The establishment of one or more no-fly zones over key population centers in Syria.

(3) Limited air strikes to destroy or significantly degrade Syria aircraft.

(4) Such other military activities as the Secretary considers appropriate to achieve the goals stated in subsection (b).

(d) ELEMENTS IN DESCRIPTION OF POTENTIAL MILITARY ACTIVITIES.—For each military activity that the Secretary identifies in subsection (c), the comprehensive description of such activities under that subsection shall include, but not be limited to, the type and the number of United States military personnel and assets to be involved in such activities, the anticipated duration of such activities, and the anticipated cost of such activities. The report shall also identify what elements would be required to maximize the effectiveness of such military activities.

(e) NO AUTHORIZATION FOR USE OF MILITARY FORCE.—Nothing in this section shall be construed as a declaration of war or an authorization for the use of force.

(f) The report required in subsection (a) shall be delivered in classified form.

Subtitle D—Other Matters

SEC. 1241. IMPROVED ADMINISTRATION OF THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES' PROGRAM.

(a) AUTHORITY.—

(1) IN GENERAL.—Chapter 6 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 168a. American, British, Canadian, and Australian Armies' Program: administration; agreements with other participating countries

''(a) AUTHORITY.—As part of the participation by the United States in the land-force program known as the American, British, Canadian, and Australian Armies' Program (in this section referred to as the 'Program'), the Secretary of Defense may, with the concurrence of the Secretary of State, enter into agreements with the other participating countries in accordance with this section, and the Program shall be managed pursuant to a joint agreement among the participating countries.

''(b) PARTICIPATING COUNTRIES.—In addition to the United States, the countries participating in the Program are the following:

''(1) Australia.

''(2) Canada.

''(3) New Zealand.

''(4) The United Kingdom.

''(c) CONTRIBUTIONS BY PARTICIPANTS.—(1) An agreement under subsection (a) shall provide that each participating country shall contribute to the Program—

''(A) its equitable share of the full cost for the Program, including the full cost of overhead and administrative costs related to the Program; and

''(B) any amount allocated to it in accordance with the agreement for the cost for monetary claims asserted against any participating country as a result of participation in the Program.

''(2) Such an agreement shall also provide that each participating country (including the United States) may provide its contribution for its equitable share under the agreement in funds, in personal property, or in services required for the Program (or in any combination thereof).

''(3) Any contribution by the United States to the Program that is provided in funds shall be made from funds available to the Department of Defense for operation and maintenance.

''(4) Any contribution received by the United States from another participating country to meet that country's share of the costs of the Program shall be credited to appropriations available to the Department of Defense, as determined by the Secretary of Defense. The amount of a contribution credited to an appropriation account in connection with the Program shall be available only for payment of the share of the Program expenses allocated to the participating country making the contribution. Amounts so credited shall be available for the following purposes:

''(A) Payments to contractors and other suppliers (including the Department of Defense and participating countries acting as suppliers) for necessary goods and services of the Program.

''(B) Payments for any damages and costs resulting from the performance or cancellation of any contract or other obligation in support of the Program.

''(C) Payments for any monetary claim against a participating country as a result of the participation of that country in the Program.

''(D) Payments or reimbursements of other Program expenses, including overhead and administrative costs for any administrative office for the Program.

''(E) Refunds to other participating countries.

''(5) Costs for the operation of any office established to carry out the Program shall be borne jointly by the participating countries as provided for in an agreement referred to in subsection (a).

''(d) AUTHORITY TO CONTRACT FOR PROGRAM ACTIVITIES.—As part of the participation by the United States in the Program, the Secretary of Defense may enter into contracts or incur other obligations on behalf of the other participating countries for activities under the Program. Any payment for such a contract or other obligation under this subsection may be paid only from contributions credited to an appropriation under subsection (c)(4).

''(e) DISPOSAL OF PROPERTY.—As part of the participation by the United States in the Program, the Secretary of Defense may, with respect to any property that is jointly acquired by the countries participating in the Program, agree to the disposal of the property without regard to any law of the United States that is otherwise applicable to the disposal of property owned by the United States. Such disposal may include the transfer of the interest of the United States in the property to one or more of the other participating countries or the sale of the property. Reimbursement for the value of the property disposed of (including the value of the interest of the United States in the property) shall be made in accordance with an agreement under subsection (a).

''(f) SUNSET.—Any agreement entered into by the United States with another country under subsection (a), and United States participation in the joint agreement described in that subsection, shall expire not later than five years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 6 of such title is amended by adding at the end the following new item:

''168a. American, British, Canadian, and Australian Armies' Program: administration; agreements with other participating countries.''.

(b) REPORT.—Not later than 60 days before the expiration date for agreements under subsection (a) of section 168a of title 10, United States Code (as added by subsection (a) of this section), pursuant to subsection (f) of such section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities, costs, and accomplishments of the American, British, Canadian, and Australian Armies' Program during the five-year period ending on the date of such report.

SEC. 1242. UNITED STATES PARTICIPATION IN HEADQUARTERS EUROCORPS.

(a) PARTICIPATION AUTHORIZED.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps for the purpose of supporting the North Atlantic Treaty Organization (NATO) activities of the NATO Rapid Deployable Corps Eurocorps.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) REQUIREMENT.—The participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and Headquarters Eurocorps.

(2) COST-SHARING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support Headquarters Eurocorps, the memoranda of understanding under paragraph (1) shall provide details of any cost-sharing arrangement or other funding arrangement.

(c) LIMITATION ON NUMBER OF MEMBERS PARTICIPATING AS STAFF.—Not more than two members of the Armed Forces may participate as members of the staff of Headquarters Eurocorps, until the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A certification by the Secretary of Defense that the participation of more than two members of the Armed Forces in Headquarters Eurocorps is in the national interests of the United States.

(2) A description of the benefits of the participation of the additional members proposed by the Secretary.

(3) A description of the plans for the participation of the additional members proposed by the Secretary, including the grades and posts to be filled.

(4) A description of the costs associated with the participation of the additional members proposed by the Secretary.

(d) AVAILABILITY OF APPROPRIATED FUNDS.—

(1) AVAILABILITY.—Funds appropriated to the Department of Defense for operation and maintenance are available as follows:

(A) To pay the United States' share of the operating expenses of Headquarters Eurocorps.

(B) To pay the costs of the participation of members of the Armed Forces participating as members of the staff of Headquarters Eurocorps, including the costs of expenses of such participants.

(2) LIMITATION.—No funds may be used under this section to fund the pay or salaries of members of the Armed Forces who participate as members of the staff of the Headquarters, North Atlantic Treaty Organization (NATO) Rapid Deployable Corps under this section.

(e) HEADQUARTERS EUROCORPS DEFINED.—In this section, the term ''Headquarters Eurocorps'' refers to the multinational military headquarters, established on October 1, 1993, which is one of the High Readiness Forces (Land) associated with the Allied Rapid Reaction Corps of NATO.

SEC. 1243. DEPARTMENT OF DEFENSE PARTICIPATION IN EUROPEAN PROGRAM ON MULTILATERAL EXCHANGE OF AIR TRANSPORTATION AND AIR REFUELING SERVICES.

(a) PARTICIPATION AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of the United States in the Air Transport, Air-to-Air Refueling and other Exchanges of Services program (in this section referred to as the ''ATARES program'') of the Movement Coordination Centre Europe.

(2) SCOPE OF PARTICIPATION.—Participation in the ATARES program under paragraph (1) shall be limited to the reciprocal exchange or transfer of air transportation and air refueling services on a reimbursable basis or by replacement-in-kind or the exchange of air transportation or air refueling services of an equal value.

(3) LIMITATIONS.—The United States' balance of executed flight hours, whether as credits or debits, in participation in the ATARES program under paragraph (1) may not exceed 500 hours. The United States' balanced of executed flight hours for air refueling in the ATARES program under paragraph (1) may not exceed 200 hours.

(b) WRITTEN ARRANGEMENT OR AGREEMENT.—

(1) ARRANGEMENT OR AGREEMENT REQUIRED.—The participation of the United States in the ATARES program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the Movement Coordination Centre Europe.

(2) FUNDING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support the ATARES program, the written arrangement or agreement under paragraph (1) shall specify the details of any equitable cost sharing or other funding arrangement.

(3) OTHER ELEMENTS.—Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities resulting from an unequal exchange or transfer of air transportation or air refueling services shall be liquidated, not less than once every five years, through the ATARES program.

(c) IMPLEMENTATION.—In carrying out any written arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

(1) pay the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe and the ATARES consortium from funds available to the Department of Defense for operation and maintenance; and

(2) assign members of the Armed Forces or Department of Defense civilian personnel, from among members and personnel within billets authorized for the United States European Command, to duty at the Movement Coordination Centre Europe as necessary to fulfill the United States' obligations under that arrangement or agreement.

(d) CREDITING OF RECEIPTS.—Any amount received by the United States in carrying out a written arrangement or agreement entered into under subsection (b) shall be credited, as elected by the Secretary of Defense, to the following:

(1) The appropriation, fund, or account used in incurring the obligation for which such amount is received.

(2) An appropriation, fund, or account currently available for the purposes for which such obligation was made.

(e) ANNUAL SECRETARY OF DEFENSE REPORTS.—Not later than 30 days after the end of each fiscal year in which the authority provided by this section is in effect, the Secretary of Defense shall submit to Congress a report on United States participation in the ATARES program during such fiscal year. Each report shall include the following:

(1) The United States balance of executed flight hours at the end of the fiscal year covered by such report.

(2) The types of services exchanged or transferred during the fiscal year covered by such report.

(3) A description of any United States costs under the written arrangement or agreement under subsection (b)(1) in connection with the use of Department of Defense facilities, equipment, or funds to support the ATARES program under that subsection as provided by subsection (b)(2).

(4) A description of the United States' equitable share of the operating expenses of the Movement Coordination Centre Europe and the ATARES consortium paid under subsection (c)(1).

(5) A description of any amounts received by the United States in carrying out a written arrangement or agreement entered into under subsection (b).

(f) COMPTROLLER GENERAL OF UNITED STATES REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the ATARES program. The report shall set forth the assessment of the Comptroller General of the program, including the types of services available under the program, whether the program is achieving its intended purposes, and, on the basis of actual cost data from the performance of the program, the cost-effectiveness of the program.

(g) EXPIRATION.—The authority provided by this section to participate in the ATARES program shall expire five years after the date on which the Secretary of Defense first enters into a written arrangement or agreement under subsection (b). The Secretary shall publish notice of such date on a public website of the Department of Defense.

SEC. 1244. AUTHORITY TO ESTABLISH PROGRAM TO PROVIDE ASSISTANCE TO FOREIGN CIVILIANS FOR HARM INCIDENT TO COMBAT OPERATIONS OF THE ARMED FORCES IN FOREIGN COUNTRIES.

(a) AUTHORITY TO ESTABLISH PROGRAM.—The Secretary of Defense may establish a program, under such regulations as the Secretary may prescribe, to enable military commanders at their discretion to provide assistance to foreign civilians for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) ELEMENTS.—

(1) NATURE OF ASSISTANCE.—Any assistance provided under a program under subsection (a) may be provided only ex gratia, and shall not be considered an admission or acknowledgment of any legal obligation to compensate for any damage, personal injury, or death.

(2) TREATMENT WITH OTHER COMPENSATION.—In the event compensation for damage, personal injury, or death covered by this section is received through a separate program operated by the United States Government, receipt of compensation in such amount should be considered by the commander or legal advisor determining appropriate assistance under a program under subsection (a).

(3) AMOUNT OF ASSISTANCE.—If the Secretary of Defense determines a program under subsection (a) to be fitting in a particular setting, the amount of assistance, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment of cultural appropriateness and prevailing economic conditions.

(c) RECORDS.—

(1) IN GENERAL.—The regulations prescribed by the Secretary of Defense for purposes of any program under subsection (a) shall include requirements as follows:

(A) That local military commanders maintain a written record of any assistance offered or denied under such program.

(B) That local military commanders submit on a timely basis a report summarizing such written records to the appropriate office in the Department of Defense as specified by the Secretary in such regulations.

SEC. 1245. SUSTAINABILITY REQUIREMENTS FOR CERTAIN CAPITAL PROJECTS IN CONNECTION WITH OVERSEAS CONTINGENCY OPERATIONS.

(a) LIMITATION.—

(1) IN GENERAL.—Commencing 60 days after the date of the enactment of this Act—

(A) amounts authorized to be appropriated for the Department of Defense may not be obligated or expended for a capital project described in subsection (b) unless the Secretary of Defense,

in consultation with the United States commander of military operations in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project;

(B) amounts authorized to be appropriated for the Department of State may not be obligated or expended for a capital project described in subsection (b) unless the Secretary of State, in consultation with the Chief of Mission in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project; and

(C) amounts authorized to be appropriated for the United States Agency for International Development may not be obligated or expended for a capital project described in subsection (b) unless the Administrator of the United States Agency for International Development, in consultation with the Mission Director and the Chief of Mission in the country in which the project will be carried out, completes an assessment on the necessity and sustainability of the project.

(2) ELEMENTS.—Each assessment on a capital project under this subsection shall include, but not be limited to, the following:

(A) An estimate of the total cost of the completed project to the United States.

(B) An estimate of the financial and other requirements necessary for the host government to sustain the project on an annual basis after completion of the project.

(C) An assessment whether the host government has the capacity (in both financial and human resources) to maintain and use the project after completion.

(D) A description of any arrangements for the sustainment of the project following its completion if the host government lacks the capacity (in financial or human resources) to maintain the project.

(E) An assessment whether the host government has requested or expressed its need for the project, and an explanation of the decision to proceed with the project absent such request or need.

(F) An assessment by the Secretary of Defense, where applicable, of the effect of the project on the military mission of the United States in the country concerned

(b) COVERED CAPITAL PROJECTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a capital project described in this subsection is any capital project overseas for an overseas contingency operation for the benefit of a host country and funded by the Department of Defense, the Department of State, or the United States Agency for International Development, as applicable, if the capital project—

(A) in the case of a project that directly supports building the capacity of indigenous security forces in the host country, has an estimated value in excess of $10,000,000;

(B) in the case of any project not covered by subparagraph (A) that is to be funded by the Department of State or the United States Agency for International Development, has an estimated value in excess of $5,000,000; or

(C) in the case of any other project, has an estimated value in excess of $2,000,000.

(2) EXCLUSION.—A capital project described in this subsection does not include any project for military construction (as that term is defined in section 114(b) of title 10, United States Code) or a military family housing project under section 2821 of such title.

(c) WAIVER.—The Secretary of Defense, the Secretary of State, or the Administrator of the United States Agency for International Development, as applicable, may waive the limitation in subsection (a) in order to initiate a capital project if such Secretary or the Administrator, as the case may be, determines that the project is in the national security, diplomatic, or humanitarian interests of the United States. In the first report submitted under subsection (d) after any waiver under this subsection, such Secretary or the Administrator shall include a detailed justification of such waiver. Not later than 45 days after issuing a waiver under this subsection, such Secretary or the Administrator shall submit to Congress the assessment described in subsection (a) with respect to the capital project concerned.

(d) SEMI-ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal-year half-year the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development shall each submit to the appropriate committees of Congress a report setting forth each assessment conducted under subsection (a) by such Secretary or the Administrator, as the case may be, during such fiscal-year half-year, including the elements of each capital project assessed specified in subsection (a)(2).

(2) ADDITIONAL ELEMENTS.—In addition to the matters provided for in paragraph (1), each report under that paragraph shall include the following:

(A) For each capital project covered by such report, an evaluation (other than by amount of funds expended) of the effectiveness of such project, including, at a minimum, the following:

(i) The stated goals of the project.

(ii) The actions taken to assess and verify whether the project has met the stated goals of the project or is on track to meet such goals when completed.

(iii) The current and anticipated levels of involvement of local governments, communities, and individuals in the project.

(B) For each country or region in which a capital project covered by such report is being carried out, an assessment of the following:

(i) The current and anticipated effects of violence in the country or region on all the projects in the country or region covered by such report.

(ii) The current and anticipated levels of corruption or fraud in the country or region in the connection with all the projects in the country or region covered by such report, and the current and anticipated risks of corruption or fraud in connection with such projects.

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

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(2) The term ''capital project'' has the meaning given that term in section 308 of the Aid, Trade, and Competitiveness Act of 1992 (22 U.S.C. 2421e).

(3) The term ''overseas contingency operation'' means a military operation outside the United States and its territories and possessions that is a contingency operation (as that term is defined in section 101(a)(13) of title 10, United States Code).

SEC. 1246. EFFORTS TO REMOVE JOSEPH KONY FROM POWER AND END ATROCITIES COMMITTED BY THE LORD'S RESISTANCE ARMY.

Consistent with the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172), it is the sense of the Senate that—

(1) the ongoing United States advise and assist operation to support the regional governments in Africa in their ongoing efforts to apprehend or remove Joseph Kony and his top commanders from the battlefield and end atrocities perpetuated by his Lord's Resistance Army should continue;

(2) using amounts authorized to be appropriated by section 301 and specified in the funding table in section 4301 for Operation and Maintenance, Defense-wide for ''Additional ISR Support to Operation Observant Compass'', the Secretary of Defense should provide increased intelligence, surveillance, and reconnaissance assets to support the ongoing efforts of United States Special Operations Forces to advise and assist regional partners as they conduct operations against the Lord's Resistance Army in Central Africa;

(3) United States and regional African forces should increase their operational coordination; and

(4) the regional governments should recommit themselves to the operations sanctioned by the African Union Peace and Security Council resolution.

SEC. 1247. IMPOSITION OF SANCTIONS WITH RESPECT TO SUPPORT FOR THE REBEL GROUP KNOWN AS M23.

(a) BLOCKING OF ASSETS.—

(1) IN GENERAL.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or Executive Order 13413 (74 Fed. Reg. 64105; relating to blocking property of certain persons contributing to the conflict in the Democratic Republic of the Congo), block and prohibit all transactions in all property and interests in property of a person described in subsection (c) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCEPTION.—The authority to block and prohibit all transactions in all property and interests in property under paragraph (1) does not include the authority to impose sanctions on the importation of property.

(b) VISA BAN.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a person described in subsection (c).

(c) PERSONS DESCRIBED.—A person described in this subsection is a person that the President determines provides, on or after the date of the enactment of this Act, significant financial, material, or technological support to M23.

(d) WAIVER.—The President may waive the application of this section with respect to a person if the President determines and reports to the appropriate congressional committees that the waiver is in the national interest of the United States.

(e) TERMINATION OF SANCTIONS.—Sanctions imposed under this section may terminate 15 days after the date on which the President determines and reports to the appropriate congressional committees that the person covered by such determination has terminated the provision of significant financial, material, and technological support to M23.

(f) TERMINATION OF SECTION.—This section shall terminate on the date that is 15 days after the date on which the President determines and reports to the appropriate congressional committees that M23 is no longer a significant threat to peace and security in the Democratic Republic of the Congo.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) M23.—The term ''M23'' refers to the rebel group known as M23 operating in the Democratic Republic of the Congo that derives its

name from the March 23, 2009, agreement between the Government of the Democratic Republic of the Congo and the National Congress for the Defense of the People (or any successor group).

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States.

SEC. 1248. PROGRAM ON REPAIR, OVERHAUL, AND REFURBISHMENT OF DEFENSE ARTICLES FOR SALE OR TRANSFER TO ELIGIBLE FOREIGN COUNTRIES AND ENTITIES.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a program to repair, overhaul, or refurbish in-stock defense articles in anticipation of the sale or transfer of such defense articles to eligible foreign countries or international organizations under law.

(b) FUND FOR SUPPORT OF PROGRAM AUTHORIZED.—The Secretary of Defense may establish and administer a fund to be known as the ''Special Defense Repair Fund'' (in this section referred to as the ''Fund'') to support the program authorized by subsection (a).

(c) CREDITS TO FUND.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the following shall be credited to the Fund:

(A) Subject to applicable provisions of appropriations Acts, such amounts, not to exceed $48,400,000 per fiscal year, from amounts authorized to be appropriated for the Department of Defense for operation and maintenance for the Army as the Secretary of Defense considers appropriate.

(B) Notwithstanding section 114(c) of title 10, United States Code, any collection from the sale or transfer of defense articles from Department of Defense stocks repaired, overhauled, or refurbished with amounts from the Fund that are not intended to be replaced which sale or transfer is made pursuant to section 21(a)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(a)(1)(A)), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or another provision of law.

(C) Notwithstanding section 37(a) of the Arms Export Control Act (22 U.S.C. 2777(a)), any cash payment from the sale or transfer of defense articles from Department of Defense stocks repaired, overhauled, or refurbished with amounts from the Fund that are intended to be replaced.

(2) LIMITATION ON AMOUNTS CREDITABLE FROM SALE OR TRANSFER OF ARTICLES.—

(A) CREDITS IN CONNECTION WITH ARTICLES NOT TO BE REPLACED.—The amount credited to the Fund under paragraph (1)(B) in connection with a collection from the sale or transfer of defense articles may not exceed the cost incurred by the Department of Defense in repairing, overhauling, or refurbishing such defense articles under the program authorized by subsection (a).

(B) CREDITS IN CONNECTION WITH ARTICLES TO BE REPLACED.—The amount credited to the Fund under paragraph (1)(C) in connection with a sale or transfer of defense articles may not exceed the amounts from the Fund used to repair, overhaul, or refurbish such defense articles.

(3) LIMITATION ON SIZE OF FUND.—The total amount in the Fund at any time may not exceed $50,000,000.

(4) TREATMENT OF AMOUNTS CREDITED.—Amounts credited to the Fund under this subsection shall be merged with amounts in the Fund, and shall remain available until expended.

(d) NONAVAILABILITY OF AMOUNTS IN FUND FOR STORAGE, MAINTENANCE, AND RELATED COSTS.—Following the repair, overhaul, or refurbishment of defense articles under the program authorized by subsection (a), amounts in the Fund may not be used to pay costs of storage and maintenance of such defense articles or any other costs associated with the preservation or preparation for sale or transfer of such defense articles.

(e) SALES OR TRANSFERS OF DEFENSE ARTICLES.—

(1) IN GENERAL.—Any sale or transfer of defense articles repaired, overhauled, or refurbished under the program authorized by subsection (a) shall be in accordance with—

(A) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(B) the Foreign Assistance Act of 1961; or

(C) another provision of law authorizing such sale or transfer.

(2) SECRETARY OF STATE CONCURRENCE REQUIRED FOR CERTAIN SALES OR TRANSFERS TO FOREIGN COUNTRIES.—If the sale or transfer of defense articles occurs in accordance with a provision of law referred to in paragraph (1)(C) that does not otherwise require the concurrence of the Secretary of State for the sale or transfer, the sale or transfer may be made only with the concurrence of the Secretary of State.

(f) TRANSFERS OF AMOUNTS.—

(1) TRANSFER TO OTHER DEPARTMENT OF DEFENSE ACCOUNTS.—Amounts in the Fund may be transferred to any Department of Defense account used to carry out the program authorized by subsection (a). Any amount so transferred shall be merged with amounts in the account to which transferred, and shall be available for the same purposes and the same time period as amounts in the account to which transferred.

(2) TRANSFER FROM OTHER DEPARTMENT OF DEFENSE ACCOUNTS.—Upon a determination by the Secretary of Defense with respect to an amount transferred under paragraph (1) that all or part of such transfer is not necessary for the purposes transferred, such amount may be transferred back to the Fund. Any amount so transferred shall be merged with amounts in the Fund, and shall remain available until expended.

(g) CERTAIN EXCESS PROCEEDS TO BE CREDITED TO SPECIAL DEFENSE ACQUISITION FUND.—Any collection from the sale or transfer of defense articles that are not intended to be replaced in excess of the amount creditable to the Fund under subsection (c)(2)(A) shall be credited to the Special Defense Acquisition Fund established pursuant to chapter 5 of the Arms Export Control Act (22 U.S.C. 2795 et seq.).

(h) REPORTS.—

(1) ANNUAL REPORT.—Not later than 45 days after the end of each fiscal year through the date of expiration specified in subsection (j), the Secretary of Defense shall submit to the congressional defense committees a report on the authorities under this section during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(A) The types and quantities of defense articles repaired, overhauled, or refurbished under the program authorized by subsection (a).

(B) The value of the repair, overhaul, or refurbishment performed under the program.

(C) The amount of operation and maintenance funds credited to the Fund under subsection (c)(1)(A).

(D) The amount of any collections from the sale or transfer of defense articles repaired, overhauled, or refurbished under the program that was credited to the Fund under subsection (c)(1)(B).

(E) The amount of any cash payments from the sale or transfer of defense articles repaired, overhauled, or refurbished under the program that was credited to the Fund under subsection (c)(1)(C).

(2) ASSESSMENT REPORT.—Not later than February 1, 2015, the Secretary of Defense shall submit to the congressional defense committees a report on the operation of the authorities in this section. The report shall include an assessment of the effectiveness of the authorities in meeting the objectives of the program authorized by subsection (a).

(i) DEFENSE ARTICLE DEFINED.—In this section, the term ''defense article'' has the meaning given that term in section 47(3) of the Arms Export Control Act (22 U.S.C. 2794(3)).

(j) EXPIRATION OF AUTHORITY.—The authority to carry out the program authorized by subsection (a), and to use amounts in the Fund in support of the program, shall expire on September 30, 2015.

(k) FUNDING FOR FISCAL YEAR 2013.—Of the amounts authorized to be appropriated for fiscal year 2013 by section 1504 for Overseas Contingency Operations and available for operation and maintenance for the Army as specified in funding table in section 4302, $48,400,000 shall be available for deposit in the Fund pursuant to subsection (c)(1)(A), with the amount of the deposit to be attributable to amounts otherwise so available for the YMQ–18A unmanned aerial vehicle, which has been cancelled.

SEC. 1249. PLAN FOR PROMOTING THE SECURITY OF AFGHAN WOMEN AND GIRLS DURING THE SECURITY TRANSITION PROCESS.

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

(1) According to the Department of Defense's April 2012 Report on Progress Toward Security and Stability in Afghanistan:

(A) ''U.S. and coalition forces will continue to degrade the Taliban-led insurgency in order to provide time and space to increase the capacity of the Afghan National Security Forces and the Afghan Government so they can assume full responsibility for Afghanistan's security by the end of 2014.''

(B) ''Transition to Afghan security lead began in July 2011 and transition to full Afghan security responsibility will be complete country-wide by the end of 2014.''

(C) ''The security of the Afghan people and the stability of the government are used to judge provincial readiness to move to each successive stage of transition implementation.''

(D) For each area designated for transition, a transition implementation plan is developed by the Government of Afghanistan, NATO, and ISAF and approved by the Joint Afghan-NATO Inteqal Board (JANIB). JANIB is also responsible for recommending areas to enter and exit the transition process.

(2) According to a 2002 study on Women, Peace and Security submitted by the Secretary-General of the United Nations pursuant to Security Council resolution 1325 (2000), ''the suspension of or restriction on women's enjoyment of their human rights'' can act as an early-warning indicator of impending or renewed conflict. In Afghanistan, restrictions on women's mobility and rights can signal the presence of extremist or insurgent elements in a community.

(3) The security of Afghan women and girls in areas undergoing security transitions will be an important gauge of the transition strategy's success. Indicators by which to measure women's security include the mobility of women and girls, the participation of women in local government bodies, the rate of school attendance for girls, women's access to government services, and the prevalence of violence against women.

(4) Maintaining and improving physical security for Afghan women and girls throughout the country is critical in order for women and girls to take advantage of opportunities in education, commerce, politics, and other areas of public life, which in turn is essential for the future stability and prosperity of Afghanistan.

(5) Women who serve as public officials at all levels of the Government of Afghanistan face serious threats to their personal security and that of their families. Many female officials have been the victims of violent crimes, but they are generally not afforded official protection by the Government of Afghanistan or security forces.

(6) Protecting the security and human rights of Afghan women and girls requires the involvement of Afghan men and boys through education about the important benefits of women's

full participation in social, economic, and political life. Male officials and security personnel can play a particularly important role in supporting and protecting women and girls.

(7) The Chicago Summit Declaration issued by NATO in May 2012 states: ''As the Afghan National Police further develop and professionalize, they will evolve towards a sustainable, credible, and accountable civilian law enforcement force that will shoulder the main responsibility for domestic security. This force should be capable of providing policing services to the Afghan population as part of the broader Afghan rule of law system.''

(8) Women face significant barriers to full participation in the ANA and ANP, including a discriminatory or hostile work environment and the lack of separate facilities designed for female personnel.

(9) As of September 2012, female recruitment and retention rates for the Afghan National Security Forces are far below published targets, as follows:

(A) Approximately 1,700 women serve in the Afghan National Security Forces, or less than half of one percent of the total force.

(B) In 2010, President Hamid Karzai announced plans to recruit and train 5,000 women in the Afghan National Police, or approximately 3 percent of the force, by 2014. Currently, there are approximately 1,370 women in the ANP, or 0.87 percent of the police force.

(C) Approximately 350 women currently serve in the Afghan National Army, representing only 0.17 percent of the force. The Government of Afghanistan has said that its goal is to achieve a force that is 10 percent female. As of May 2012, approximately 3 percent of new ANA recruits were women.

(10) Male security personnel often do not respond to threats or incidences of violence against women, particularly at the local level. They largely lack the training and understanding needed to respond appropriately and effectively to situations involving women. According to the Department of Defense's April 2012 Report on Progress Toward Security and Stability in Afghanistan:

(A) The Afghan Ministry of Defense ''lacks the combination of policies, procedures, and execution to promote opportunity and fair and respectful treatment of women in the force''.

(B) The Afghan Ministry of Interior ''faces significant challenges in fully integrating and protecting women in the ANP workforce, especially among operational units at the provincial and district levels''.

(C) In the Afghan National Police, ''Many Provincial Headquarters Commanders do not accept policewomen, as they prefer male candidates and lack adequate facilities to support females.''

(D) ''While women are greatly needed to support police operations, a combination of cultural impediments, weak recruitment, and uneven application of policies hinder significant progress.''

(E) ''Although stronger documentation, implementation, and enforcement of policies, procedures, and guidance to better integrate women will help, time will be needed to change the cultural mores that form the basis of many of the current impediments.''

(11) The United States, the North American Treaty Organization, and United States coalition partners have made firm commitments to support the human rights of the women and girls of Afghanistan, as evidenced by the following actions:

(A) According to the United States National Action Plan on Women, Peace and Security, ''integrating women and gender considerations into peace-building processes helps promote democratic governance and long-term stability,'' which are key United States strategic goals in Afghanistan.

(B) The National Action Plan also states that ''the engagement and protection of women as agents of peace and stability will be central to United States efforts to promote security, prevent, respond to, and resolve conflict, and rebuild societies.'' This policy applies to United States Government efforts in Afghanistan, where addressing the security vulnerabilities of Afghan women and girls during the period of security transition is an essential step toward long-term stability.

(C) The Chicago Summit Declaration issued by NATO in May 2012 states: ''We emphasize the importance of full participation of all Afghan women in the reconstruction, political, peace and reconciliation processes in Afghanistan and the need to respect the institutional arrangements protecting their rights. We remain committed to the implementation of United Nations Security Council Resolution (UNSCR) 1325 on women, peace and security. We recognize also the need for the protection of children from the damaging effects of armed conflict as required in relevant UNSCRs.''

(12) The Strategic Partnership Agreement signed between the United States and Afghanistan by President Obama and President Karzai in June 2012 states, ''Consistent with its Constitution and international obligations, Afghanistan shall ensure and advance the essential role of women in society, so that they may fully enjoy their economic, social, political, civil and cultural rights.''

(b) PLAN TO PROMOTE SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in concurrence with the Secretary of State, shall submit to the appropriate congressional committees a plan to promote the security of Afghan women during the security transition process.

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

(A) A plan to monitor and respond to changes in women's security conditions in areas undergoing transition, including the following actions:

(i) Seeking to designate a Civilian Impact Advisor on the Joint Afghan-NATO Inteqal Board (JANIB) to assess the impact of transition on male and female civilians and ensure that efforts to protect women's rights and security are included in each area's transition implementation plan.

(ii) Reviewing existing indicators against which sex-disaggregated data is collected and, if necessary, developing additional indicators, to ensure the availability of data that can be used to measure women's security, such as—

(I) the mobility of women and girls;

(II) the participation of women in local government bodies;

(III) the rate of school attendance for girls;

(IV) women's access to government services; and

(V) the prevalence of violence against women; and incorporating those indicators into ongoing efforts to assess overall security conditions during the transition period.

(iii) Integrating assessments of women's security into current procedures used to determine an area's readiness to proceed through the transition process.

(iv) Working with Afghan partners, coalition partners, and relevant United States Government departments and agencies to take concrete action to support women's rights and security in cases of deterioration in women's security conditions during the transition period.

(B) A plan to increase gender awareness and responsiveness among Afghan National Army and Afghan National Police personnel, including the following actions:

(i) Working with Afghan and coalition partners to utilize training curricula and programming that addresses the human rights of women and girls, appropriate responses to threats against women and girls, and appropriate behavior toward female colleagues and members of the community; assessing the quality and consistency of this training across regional commands; and assessing the impact of this training on trainee behavior.

(ii) Working with national and local ANA and ANP leaders to develop and utilize enforcement and accountability mechanisms for ANA and ANP personnel who violate codes of conduct related to the human rights of women and girls.

(iii) Working with Afghan and coalition partners to implement the above tools and develop uniform methods and standards for training and enforcement among coalition partners and across regions.

(C) A plan to increase the number of female members of the ANA and ANP, including the following actions:

(i) Providing, through consultation with Afghan partners, realistic and achievable objectives for the recruitment and retention of women to the ANA and ANP by the end of the security transition period in 2014.

(ii) Working with national and local ANA and ANP leaders and coalition partners to address physical and cultural challenges to the recruitment and retention of female ANA and ANP personnel, including through targeted recruitment campaigns, expanded training and mentorship opportunities, parity in pay and promotion rates with male counterparts, and availability of facilities for female personnel.

(iii) Working with national and local ANA and ANP leaders to increase understanding about the unique ways in which women members of the security forces improve the force's overall effectiveness.

(iv) Working with national and local ANA and ANP leaders to develop a plan for maintaining and increasing the recruitment and retention of women in the ANA and ANP following the completion of the security transition.

(3) REPORT.—The Secretary of Defense shall include in each report on progress toward security and stability in Afghanistan that is submitted to Congress under sections 1230 and 1231 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 385, 390) a section describing actions taken to implement the plan required under this subsection.

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

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1250. SENSE OF CONGRESS ON THE ISRAELI IRON DOME DEFENSIVE WEAPON SYSTEM.

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

(1) The citizens of Israel have suffered under a continual barrage of missiles, rockets, and mortar shells from the Hamas-controlled Gaza Strip.

(2) Hamas has been designated by the Secretary of State as a Foreign Terrorist Organization.

(3) Hamas and other terrorist groups in Gaza have routinely used human shields and launched rockets from civilian areas.

(4) Israel has gone to extraordinary lengths to avoid Palestinian civilian casualties, including aborting attacks on military targets because of the presence of civilians, alerting civilians to leave areas of potential conflict, and allowing the importation of medical and other supplies into Gaza.

(5) Israel faces additional rocket and missile threats from Lebanon and Syria.

(6) The Government of Iran has supplied Hamas with advanced longer range missiles such as the Fajar-5.

(7) Hamas has deployed these weapons to be fired from within their own civilian population.

(8) The Government of Israel, taking seriously the threat of short range rockets and mortars, designed, developed, and produced the Iron Dome system to address those threats.

(9) The Iron Dome system has successfully intercepted hundreds of rockets targeting population centers in Israel.

(10) The Iron Dome system has maintained a success rate of close to 90 percent.

(11) The Government of Israel currently maintains 5 Iron Dome batteries, a number insufficient to protect all of Israel.

(12) It appears that approximately 10 additional Iron Dome batteries are needed to protect all of Israel.

(13) The United States Government, recognizing the threat to Israeli citizens and desirous of promoting peace, approved funding to assist the Government of Israel in procuring Iron Dome batteries.

(14) Israel maintains a significant inventory of Iron Dome interceptors which has been reduced due to attacks from Gaza.

(15) Israel used a significant number of precision-guided munitions in order to destroy military targets while minimizing civilian casualties in its recent defensive effort in Gaza.

(16) President Barack Obama has expressed his intention to seek additional funding for Iron Dome and other United States-Israel missile defense systems.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its commitment to the security of our ally and strategic partner, Israel;

(2) fully supports Israel's right to defend itself against acts of terrorism;

(3) sympathizes with the families of Israelis who have come under the indiscriminate rocket fire from Hamas-controlled Gaza;

(4) recognizes the exceptional success of the Iron Dome Missile Defense system in defending the population of Israel;

(5) desires to help ensure that Israel has the means to defend itself against terrorist attacks, including through the acquisition of additional Iron Dome batteries and interceptors; and

(6) urges the Departments of Defense and State to explore with their Israeli counterparts and alert Congress of any needs the Israeli Defense Force may have for additional Iron Dome batteries, interceptors, or other equipment depleted during the current conflict.

SEC. 1251. SENSE OF THE SENATE ON THE SITUATION IN THE SENKAKU ISLANDS.

It is the sense of the Senate that—

(1) the East China Sea is a vital part of the maritime commons of Asia, including critical sea lanes of communication and commerce that benefit all nations of the Asia-Pacific region;

(2) the peaceful settlement of territorial and jurisdictional disputes in the East China Sea requires the exercise of self-restraint by all parties in the conduct of activities that would complicate or escalate disputes and destabilize the region, and differences should be handled in a constructive manner consistent with universally recognized principles of customary international law;

(3) while the United States takes no position on the ultimate sovereignty of the Senkaku islands, the United States acknowledges the administration of Japan over the Senkaku Islands;

(4) The unilateral action of a third party will not affect the United States' acknowledgment of the administration of Japan over the Senkaku Islands;

(5) the United States has national interests in freedom of navigation, the maintenance of peace and stability, respect for international law, and unimpeded lawful commerce;

(6) the United States supports a collaborative diplomatic process by claimants to resolve territorial disputes without coercion, and opposes efforts at coercion, the threat of use of force, or use of force by any claimant in seeking to resolve sovereignty and territorial issues in the East China Sea; and

(7) the United States reaffirms its commitment to the Government of Japan under Article V of the Treaty of Mutual Cooperation and Security that ''[e]ach Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes''.

SEC. 1252. BILATERAL DEFENSE TRADE RELATIONSHIP WITH INDIA.

(a) REPORT.—

(1) IN GENERAL.—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 articulates the vision of the Department of Defense for defense trade relations between the United States and India within the context of the overall bilateral defense relationship.

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

(A) A description of the Department's approach for normalizing defense trade.

(B) An assessment of the defense capabilities that could enhance cooperation and coordination between the Governments of the United States and India on matters of shared security interests.

(b) COMPREHENSIVE POLICY REVIEW.—

(1) IN GENERAL.—The Secretary of Defense shall lead a comprehensive policy review to examine the feasibility of engaging in co-production and co-development defense projects with India.

(2) SCOPE.—The policy review should—

(A) examine the parameters and requirements for United States-India cooperation as well as the terms and conditions India must fulfill to broach such cooperation; and

(B) consider potential areas of cooperation, including the possibility of co-producing a training aircraft and co-developing counter-IED technology or individual soldier capabilities.

(c) SENSE OF CONGRESS ON INTERNATIONAL INITIATIVES.—It is the sense of Congress that the Department of Defense, in coordination with the Department State, should—

(1) conduct a review of all United States–India bilateral working groups dealing with high technology transfers, including technology security and licensing for dual-use and munitions licenses, and determine the feasibility of establishing a single United States Government working group dedicated to strategic technology trade;

(2) engage counterparts in the Government of India in an intensified dialogue on the current challenges related to the compatibility of the Foreign Military Sales and direct commercial sales programs with the Indian Defense Procurement Procedure (DPP), and steps to improve compatibility;

(3) engage counterparts in the Government of India in a dialogue about the elements of an effective defense industrial base, including personnel training, quality assurance, and manufacturing procedures;

(4) consider the establishment of orientation programs for new defense officials in the Government of India about the procedures for United States defense sales, including licensing processes; and

(5) continue and deepen ongoing efforts to assist the Government of India in developing its defense acquisition expertise by assisting with the development of training institutions and human capital.

Subtitle E—Iran Sanctions

SEC. 1261. SHORT TITLE.

This subtitle may be cited as the ''Iran Freedom and Counter-Proliferation Act of 2012''.

SEC. 1262. DEFINITIONS.

(a) IN GENERAL.—In this subtitle:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) COAL.—The term ''coal'' means metallurgical coal, coking coal, or fuel coke.

(4) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''correspondent account'' and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(6) IRANIAN FINANCIAL INSTITUTION.—The term ''Iranian financial institution'' has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

(7) IRANIAN PERSON.—The term ''Iranian person'' means—

(A) an individual who is a citizen or national of Iran; and

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(8) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(9) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(10) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(11) SHIPPING.—The term ''shipping'' refers to the transportation of goods by a vessel and related activities.

(12) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 101 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511).

(13) VESSEL.—The term ''vessel'' has the meaning given that term in section 3 of title 1, United States Code.

(b) DETERMINATIONS OF SIGNIFICANCE.—For purposes of this subtitle, in determining if financial transactions or financial services are significant, the President may consider the totality of the facts and circumstances, including factors similar to the factors set forth in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 1263. DECLARATION OF POLICY ON HUMAN RIGHTS.

(a) FINDING.—Congress finds that the interests of the United States and international peace are threatened by the ongoing and destabilizing actions of the Government of Iran, including its massive, systematic, and extraordinary violations of the human rights of its own citizens.

(b) DECLARATION OF POLICY.—It shall be the policy of the United States—

(1) to deny the Government of Iran the ability to continue to oppress the people of Iran and to use violence and executions against pro-democracy protestors and regime opponents;

(2) to fully and publicly support efforts made by the people of Iran to promote the establishment of basic freedoms that build the foundation for the emergence of a freely elected, open, and democratic political system;

(3) to help the people of Iran produce, access, and share information freely and safely via the Internet and through other media; and

(4) to defeat all attempts by the Government of Iran to jam or otherwise obstruct international satellite broadcast signals.

SEC. 1264. IMPOSITION OF SANCTIONS WITH RESPECT TO THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN.

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

(1) Iran's energy, shipping, and shipbuilding sectors and Iran's ports are facilitating the Government of Iran's nuclear proliferation activities by providing revenue to support proliferation activities.

(2) The United Nations Security Council and the United States Government have expressed concern about the proliferation risks presented by the Iranian nuclear program.

(3) The Director General of the International Atomic Energy Agency (in this section referred to as the ''IAEA'') has in successive reports (GOV/2012/37 and GOV/2011/65) identified possible military dimensions of Iran's nuclear program.

(4) The Government of Iran continues to defy the requirements and obligations contained in relevant IAEA Board of Governors and United Nations Security Council resolutions, including by continuing and expanding uranium enrichment activities in Iran, as reported in IAEA Report GOV/2012/37.

(5) United Nations Security Council Resolution 1929 (2010) recognizes the ''potential connection between Iran's revenues derived from its energy sector and the funding of Iran's proliferation sensitive nuclear activities''.

(6) The National Iranian Tanker Company is the main carrier for the Iranian Revolutionary Guard Corps-designated National Iranian Oil Company and a key element in the petroleum supply chain responsible for generating energy revenues that support the illicit nuclear proliferation activities of the Government of Iran.

(b) DESIGNATION OF PORTS AND ENTITIES IN THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN AS ENTITIES OF PROLIFERATION CONCERN.—Entities that operate ports in Iran and entities in the energy, shipping, and shipbuilding sectors of Iran, including the National Iranian Oil Company, the National Iranian Tanker Company, the Islamic Republic of Iran Shipping Lines, and their affiliates, play an important role in Iran's nuclear proliferation efforts and all such entities are hereby designated as entities of proliferation concern.

(c) BLOCKING OF PROPERTY OF ENTITIES IN ENERGY, SHIPPING, AND SHIPBUILDING SECTORS.—

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—On and after the date that is 90 days after the date of the enactment of this Act, the President shall block and prohibit all transactions in all property and interests in property of any person described in paragraph (2) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCEPTION.—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) does not include the authority to impose sanctions on the importation of property.

(2) PERSONS DESCRIBED.—A person is described in this paragraph if the President determines that the person, on or after the date that is 90 days after the date of the enactment of this Act—

(A) is part of the energy, shipping, or shipbuilding sectors of Iran;

(B) operates a port in Iran; or

(C) knowingly provides significant financial, material, technological, or other support to, or goods or services in support of any activity or transaction on behalf of or for the benefit of—

(i) a person determined under subparagraph (A) to be a part of the energy, shipping, or shipbuilding sectors of Iran;

(ii) a person determined under subparagraph (B) to operate a port in Iran; or

(iii) an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in paragraph (3)).

(3) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this paragraph is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(A) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(B) Iran's support for international terrorism; or

(C) Iran's abuses of human rights.

(d) ADDITIONAL SANCTIONS WITH RESPECT TO THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN.—

(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES.—Except as provided in this section, the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) (other than sanctions relating to the importation of property under paragraph (8)(A) or (12) of such section) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, sells, supplies, or transfers to or from Iran significant goods or services described in paragraph (3).

(2) FACILITATION OF CERTAIN TRANSACTIONS.—Except as provided in this section, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 90 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for the sale, supply, or transfer to or from Iran of goods or services described in paragraph (3).

(3) GOODS AND SERVICES DESCRIBED.—Goods or services described in this paragraph are goods or services used in connection with the energy, shipping, or shipbuilding sectors of Iran, including the National Iranian Oil Company, the National Iranian Tanker Company, and the Islamic Republic of Iran Shipping Lines.

(4) APPLICATION OF CERTAIN PROVISIONS OF IRAN SANCTIONS ACT OF 1996.—The following provisions of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) shall apply with respect to the imposition of sanctions under paragraph (1) to the same extent that such provisions apply with respect to the imposition of sanctions under section 5(a) of that Act:

(A) Subsections (c), (d), and (f) of section 5 (except for paragraphs (3) and (4)(C) of such subsection (f)).

(B) Sections 8, 11, and 12.

(e) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(f) APPLICABILITY OF SANCTIONS TO PETROLEUM AND PETROLEUM PRODUCTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall apply with respect to the purchase of petroleum or petroleum products from Iran only if, at the time of the purchase, a determination of the President under section 1245(d)(4)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(B)) that the price and supply of petroleum and petroleum products produced in countries other than Iran is sufficient to permit purchasers of petroleum and petroleum products from Iran to reduce significantly their purchases from Iran is in effect.

(2) EXCEPTION FOR CERTAIN COUNTRIES.—

(A) EXPORTATION.—This section shall not apply with respect to the exportation of petroleum or petroleum products from Iran to a country to which the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies at the time of the exportation of the petroleum or petroleum products.

(B) FINANCIAL TRANSACTIONS.—

(i) IN GENERAL.—This section shall not apply with respect to a financial transaction described in clause (ii) conducted or facilitated by a foreign financial institution if, at the time of the transaction, the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies to the country with primary jurisdiction over the foreign financial institution.

(ii) FINANCIAL TRANSACTIONS DESCRIBED.—A financial transaction conducted or facilitated by a foreign financial institution is described in this clause if—

(I) the financial transaction is for the purchase of purchase of petroleum or petroleum products from Iran;

(II) the financial transaction is only for trade in goods or services—

(aa) not otherwise subject to sanctions under the law of the United States; and

(bb) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(III) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(g) APPLICABILITY OF SANCTIONS TO NATURAL GAS.—

(1) SALE, SUPPLY, OR TRANSFER.—Except as provided in paragraph (2), this section shall not apply to the sale, supply, or transfer to or from Iran of natural gas.

(2) FINANCIAL TRANSACTIONS.—This section shall apply to a foreign financial institution that conducts or facilitates a financial transaction for the sale, supply, or transfer to or from Iran of natural gas unless—

(A) the financial transaction is only for trade in goods or services—

(i) not otherwise subject to sanctions under the law of the United States; and

(ii) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(B) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(h) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under this section for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1265. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS TO OR FROM IRAN.

(a) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—The President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) (other than sanctions relating to the importation of property under paragraph (8)(A) or (12) of such section) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, sells, supplies, or transfers, directly or indirectly, to or from Iran—

(1) a precious metal;

(2) a material described in subsection (c) determined pursuant to subsection (d)(1) to be used by Iran as described in that subsection;

(3) any other material described in subsection (c) if—

(A) the material is—

(i) to be used in connection with the energy, shipping, or shipbuilding sectors of Iran or any sector of the economy of Iran controlled directly or indirectly by Iran's Revolutionary Guard Corps;

(ii) sold, supplied, or transferred to or from an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury; or

(iii) relevant to the nuclear, military, or ballistic missile programs of Iran; or

(B) the material is resold, retransferred, or otherwise supplied—

(i) to an end-user in a sector described in clause (i) of subparagraph (A);

(ii) to a person described in clause (ii) of that subparagraph; or

(iii) for a program described in clause (iii) of that subparagraph.

(b) FACILITATION OF CERTAIN TRANSACTIONS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 90 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for the sale, supply, or transfer to or from Iran of materials the sale, supply, or transfer of which would subject a person to sanctions under subsection (a).

(c) MATERIALS DESCRIBED.—Materials described in this subsection are graphite, raw or semi-finished metals such as aluminum and steel, coal, and software for integrating industrial processes.

(d) DETERMINATION WITH RESPECT TO USE OF MATERIALS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees and publish in the Federal Register a report that contains the determination of the President with respect to—

(1) whether Iran is—

(A) using any of the materials described in subsection (c) as a medium for barter, swap, or any other exchange or transaction; or

(B) listing any of such materials as assets of the Government of Iran for purposes of the national balance sheet of Iran;

(2) which sectors of the economy of Iran are controlled directly or indirectly by Iran's Revolutionary Guard Corps; and

(3) which of the materials described in subsection (c) are relevant to the nuclear, military, or ballistic missile programs of Iran.

(e) EXCEPTION FOR PERSONS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under subsection (a) or (b) with respect to a person if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not sell, supply, or transfer to or from Iran materials the sale, supply, or transfer of which would subject a person to sanctions under subsection (a) or conduct or facilitate a financial transaction for such a sale, supply, or transfer.

(f) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under this section for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(g) NATIONAL BALANCE SHEET OF IRAN DEFINED.—For purposes of this section, the term ''national balance sheet of Iran'' refers to the ratio of the assets of the Government of Iran to the liabilities of that Government.

SEC. 1266. IMPOSITION OF SANCTIONS WITH RESPECT TO THE PROVISION OF UNDERWRITING SERVICES OR INSURANCE OR REINSURANCE FOR ACTIVITIES OR PERSONS WITH RESPECT TO WHICH SANCTIONS HAVE BEEN IMPOSED.

(a) IN GENERAL.—Except as provided in subsection (b), the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) (other than sanctions relating to the importation of property under paragraph (8)(A) or (12) of such section) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, provides underwriting services or insurance or reinsurance—

(1) for any activity with respect to Iran for which sanctions have been imposed under this subtitle, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Iran Sanctions Act of 1996, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.), the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note), or any other provision of law relating to the imposition of sanctions with respect to Iran;

(2) to or for any person—

(A) with respect to, or for the benefit of any activity in the energy, shipping, or shipbuilding sectors of Iran for which sanctions are imposed under this subtitle;

(B) for the sale, supply, or transfer to or from Iran of materials described in section 1255(c); or

(C) designated for the imposition of sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) in connection with—

(i) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction; or

(ii) Iran's support for international terrorism; or

(3) to or for any Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

(b) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this subsection is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(1) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(2) Iran's support for international terrorism; or

(3) Iran's abuses of human rights.

(c) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under subsection (a) for the provision of underwriting services or insurance or reinsurance for a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(d) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under paragraph (1) or (3) or subparagraph (A) or (B) of paragraph (2) of subsection (a) with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for an activity described in paragraph (1) of that subsection or to or for any person described in paragraph (3) or subparagraph (A) or (B) of paragraph (2) of that subsection.

(e) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under subsection (a) for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(f) APPLICATION OF CERTAIN PROVISIONS OF IRAN SANCTIONS ACT OF 1996.—The following provisions of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) shall apply with respect to the imposition of sanctions under subsection (a) to the same extent that such provisions apply with respect to the imposition of sanctions under section 5(a) of that Act:

(1) Subsections (c), (d), and (f) of section 5 (except for paragraphs (3) and (4)(C) of such subsection (f)).

(2) Sections 8, 11, and 12.

SEC. 1267. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT FACILITATE FINANCIAL TRANSACTIONS ON BEHALF OF SPECIALLY DESIGNATED NATIONALS.

(a) IN GENERAL.—Except as provided in this section, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines has, on or after the date that is 90 days after the date of the enactment of this Act, knowingly facilitated a significant financial transaction on behalf of any Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

(b) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this subsection is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(1) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(2) Iran's support for international terrorism; or

(3) Iran's abuses of human rights.

(c) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under subsection (a) with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(d) APPLICABILITY OF SANCTIONS TO PETROLEUM AND PETROLEUM PRODUCTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsection (a) shall apply with respect to a financial transaction for the purchase of petroleum or petroleum products from Iran only if, at the time of the transaction, a determination of the President under section 1245(d)(4)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(B)) that the price and supply of petroleum and petroleum products produced in

countries other than Iran is sufficient to permit purchasers of petroleum and petroleum products from Iran to reduce significantly their purchases from Iran is in effect.

(2) EXCEPTION FOR CERTAIN COUNTRIES.—

(A) IN GENERAL.—Subsection (a) shall not apply with respect to a financial transaction described in subparagraph (B) conducted or facilitated by a foreign financial institution for if, at the time of the transaction, the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies to the country with primary jurisdiction over the foreign financial institution.

(B) FINANCIAL TRANSACTIONS DESCRIBED.—A financial transaction conducted or facilitated by a foreign financial institution is described in this subparagraph if—

(i) the financial transaction is for the purchase of purchase of petroleum or petroleum products from Iran;

(ii) the financial transaction is only for trade in goods or services—

(I) not otherwise subject to sanctions under the law of the United States; and

(II) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(iii) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(e) APPLICABILITY OF SANCTIONS TO NATURAL GAS.—Subsection (a) shall apply to a foreign financial institution that conducts or facilitates a financial transaction for the sale, supply, or transfer to or from Iran of natural gas unless—

(1) the financial transaction is only for trade in goods or services—

(A) not otherwise subject to sanctions under the law of the United States; and

(B) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(2) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(f) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under subsection (a) for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1268. INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN BROADCASTING ON THE LIST OF HUMAN RIGHTS ABUSERS.

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

(1) The Islamic Republic of Iran Broadcasting has contributed to the infringement of individuals' human rights by broadcasting forced televised confession and show trials.

(2) In March 2012, the European Council imposed sanctions on the President of the Islamic Republic of Iran Broadcasting, Ezzatollah Zargami, for broadcasting forced confessions of detainees and a series of ''show trials'' in August 2009 and December 2011 that constituted a clear violation of international law with respect to the right to a fair trial and due process.

(b) INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN BROADCASTING ON THE LIST OF HUMAN RIGHTS ABUSERS.—The President shall include the Islamic Republic of Iran Broadcasting and the President of the Islamic Republic of Iran Broadcasting, Ezzatollah Zargami, in the first update to the list of persons complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members submitted under section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514) after the date of the enactment of this Act.

SEC. 1269. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGED IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

(a) IN GENERAL.—Title I of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511 et seq.) is amended by inserting after section 105B the following:

''SEC. 105C. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGED IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

''(a) IN GENERAL.—The President shall impose sanctions described in section 105(c) (other than sanctions relating to the importation of property under such section) with respect to each person on the list required by subsection (b).

''(b) LIST OF PERSONS WHO ENGAGE IN DIVERSION.—

''(1) IN GENERAL.—As relevant information becomes available, the President shall submit to the appropriate congressional committees a list of persons that the President determines have, on or after such date of enactment, engaged in corruption or other activities relating to—

''(A) the diversion of goods, including agricultural commodities, food, medicine, and medical devices, intended for the people of Iran; or

''(B) the misappropriation of proceeds from the sale or resale of such goods.

''(2) FORM OF REPORT; PUBLIC AVAILABILITY.—

''(A) FORM.—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

''(B) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.''.

(b) WAIVER.—Section 401(b)(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(b)(1)) is amended—

(1) by striking ''or 105B(a)'' and inserting ''105B(a), or 105C(a)''; and

(2) by striking ''or 105B(b)'' and inserting ''105B(b), or 105C(b)''.

(c) CLERICAL AMENDMENT.—The table of contents for the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 is amended by inserting after the item relating to section 105B the following:

''Sec. 105C. Imposition of sanctions with respect to persons engaged in the diversion of goods intended for the people of Iran.''.

SEC. 1270. WAIVER REQUIREMENT RELATED TO EXCEPTIONAL CIRCUMSTANCES PREVENTING SIGNIFICANT REDUCTIONS IN CRUDE OIL PURCHASES.

Section 1245(d)(5)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(5)(B)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following new clause:

''(ii) certifying that the country with primary jurisdiction over the foreign financial institution otherwise subject to the sanctions faced exceptional circumstances that prevented the country from being able to significantly reduce its volume of crude oil purchases; and''.

SEC. 1271. STATUTE OF LIMITATIONS FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2335 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''4 years'' and inserting ''10 years''; and

(2) in subsection (b), by striking ''4-year period'' and inserting ''10-year period''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) proceedings under section 2333 of title 18, United States Code, pending in any form on the date of the enactment of this Act;

(2) proceedings under such section commenced on or after the date of the enactment of this Act; and

(3) any civil action brought for recovery of damages under such section resulting from acts of international terrorism that occurred more than 10 years before the date of the enactment of this Act, provided that the action is filed not later than 6 years after the date of the enactment of this Act.

SEC. 1272. REPORT ON USE OF CERTAIN IRANIAN SEAPORTS BY FOREIGN VESSELS AND USE OF FOREIGN AIRPORTS BY SANCTIONED IRANIAN AIR CARRIERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that contains—

(1) a list of vessels that have entered seaports in Iran controlled by the Tidewater Middle East Company during the period specified in subsection (b) and the owners and operators of those vessels; and

(2) a list of all airports at which aircraft owned or controlled by an Iranian air carrier on which sanctions have been imposed by the United States have landed during the period specified in subsection (b).

(b) PERIOD SPECIFIED.—The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the 180-day period preceding the submission of the report; and

(2) in the case of any subsequent report submitted under that subsection, the year preceding the submission of the report.

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

SEC. 1273. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subtitle.

(b) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S. C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this subtitle or regulations prescribed under this subtitle to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

SEC. 1274. APPLICABILITY TO CERTAIN NATURAL GAS PROJECTS.

Nothing in this subtitle or the amendments made by this subtitle shall apply with respect to any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity.

SEC. 1275. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to limit sanctions imposed with respect to Iran under any other provision of law or to limit the authority of the President to impose additional sanctions with respect to Iran.

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. 2632 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 $519,100,000 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, $68,300,000.

(2) For chemical weapons destruction, $14,600,000.

(3) For global nuclear security, $99,800,000.

(4) For cooperative biological engagement, $276,400,000.

(5) For proliferation prevention, $32,400,000.

(6) For threat reduction engagement, $2,400,000.

(7) For other assessments/administrative support, $25,200,000.

(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 fiscal year 2013 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. 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 4501.

SEC. 1404. 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. 1405. 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. 1406. 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.

Subtitle B—National Defense Stockpile

SEC. 1411. RELEASE OF MATERIALS NEEDED FOR NATIONAL DEFENSE PURPOSES FROM THE STRATEGIC AND CRITICAL MATERIALS STOCKPILE.

(a) AUTHORITY FOR PRESIDENT TO DELEGATE SPECIAL DISPOSAL AUTHORITY OF PRESIDENT FOR RELEASE FOR NATIONAL DEFENSE PURPOSES.—Section 7(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98f(a)) is amended—

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

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

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

''(3) on the order of the Under Secretary of Defense for Acquisition, Technology, and Logistics, if the President has designated the Under Secretary to have authority to issue release orders under this subsection and, in the case of any such order, if the Under Secretary determines that the release of such materials is required for use, manufacture, or production for purposes of national defense.''.

(b) EXCLUSION FROM DELEGATION LIMITATION.—Section 16 of such Act (50 U.S.C. 98h–7) is amended by striking ''sections 7 and 13'' each place it appears and inserting ''sections 7(a)(1) and 13''.

Subtitle C—Chemical Demilitarization Matters

SEC. 1421. SUPPLEMENTAL CHEMICAL AGENT AND MUNITIONS DESTRUCTION TECHNOLOGIES AT PUEBLO CHEMICAL DEPOT, COLORADO, AND BLUE GRASS ARMY DEPOT, KENTUCKY.

(a) SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.—Section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521) is amended—

(1) by redesignating subsection (o) as subsection (p); and

(2) by inserting after subsection (n) the following new subsection (o):

''(o) SUPPLEMENTAL DESTRUCTION TECHNOLOGIES.—In determining the technologies to supplement the neutralization destruction of the stockpile of lethal chemical agents and munitions at Pueblo Chemical Depot, Colorado, and Blue Grass Army Depot, Kentucky, the Secretary of Defense may consider the following:

''(1) Explosive Destruction Technologies.

''(2) Any technologies developed for treatment and disposal of agent or energetic hydrolysates, if problems with the current on-site treatment of hydrolysates are encountered.''.

(b) REPEAL OF SUPERSEDED PROVISION.—Section 151 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–30) is repealed.

Subtitle D—Other Matters

SEC. 1431. 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.

SEC. 1432. ADDITIONAL WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

(a) IN GENERAL.—Section 1403 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2676; 10 U.S.C. 12310 note) is amended—

(1) by striking subsection (b);

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections (b) and (c):

''(b) ESTABLISHMENT OF FURTHER ADDITIONAL TEAMS.—The Secretary of Defense is authorized to have established two additional teams designated as Weapons of Mass Destruction Civil Support teams, beyond the 55 teams required in subsection (a), if—

''(1) the Secretary of Defense has made the certification provided for in section 12310(c)(5) of title 10, United States Code, with respect to each of such additional teams before December 31, 2011; and

''(2) the establishment of such additional teams does not require an increase in authorized personnel levels above the numbers authorized as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.

''(c) LIMITATION OF ESTABLISHMENT OF FURTHER TEAMS.—No Weapons of Mass Destruction Civil Support Team may be established beyond the number authorized by subsections (a) and (b) unless—

''(1) the Secretary submits to Congress a request for authority to establish such team, including a detailed justification for their establishment; and

''(2) the establishment of such team is specifically authorized by a law enacted after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2013.''.

(b) 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 on the Weapons of Mass Destruction Civil Support Teams. The report shall include the following:

(1) A detailed description of risk management criteria and considerations to be used in determining the optimal number and location of Weapons of Mass Destruction Civil Support Teams.

(2) A description of the operational and training activities conducted by the Weapons of Mass Destruction Civil Support Teams during each of fiscal years 2010, 2011, and 2012.

(3) An assessment of the optimal number and location of Weapons of Mass Destruction Civil

Support Teams in light of the information under paragraphs (1) and (2).

(4) A comparative analysis of the cost of establishing Weapons of Mass Destruction Civil Support Teams in the reserve components of the Armed Forces (other than the National Guard) with the cost of establishing Weapons of Mass Destruction Civil Support Teams in the National Guard.

(5) A description of the portion of the costs of Weapons of Mass Destruction Civil Support Teams that is currently borne by the States.

SEC. 1433. POLICY OF THE UNITED STATES WITH RESPECT TO A DOMESTIC SUPPLY OF CRITICAL AND ESSENTIAL MINERALS.

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to promote the development of an adequate, reliable, and stable supply of critical and essential minerals in the United States in order to strengthen and sustain the military readiness, national security, and critical infrastructure of the United States.

(b) COORDINATION OF DEVELOPMENT OF SUPPLY OF CRITICAL AND ESSENTIAL MINERALS.—To implement the policy described in subsection (a), the President shall, acting through the Executive Office of the President, coordinate the actions of the appropriate federal agencies to identify opportunities for and to facilitate the development of resources in the United States to meet the critical and essential mineral needs of the United States.

TITLE XV—AUTHORIZATION OF APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of 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 $4,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF EXISTING LIMITATIONS.—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) AVAILABILITY FOR SUPPORT OF TRAINING OF AFGHAN PUBLIC PROTECTION FORCE.—Assistance provided during fiscal year 2013 utilizing funds in the Afghanistan Security Forces Fund may be used to increase the capacity of the Government of Afghanistan to recruit, vet, train, and manage the Afghan Public Protection Force within the Afghanistan Ministry of Interior, including activities in connection with the following:

(1) Expanding the capacity of the Force to train and qualify recruits for static security, convoy security, and personal detail security.

(2) Improving the infrastructure of the Afghan Public Protection Force Training Center or other facilities for training Force personnel.

(3) Increasing the capacity of the Afghanistan Ministry of Interior to manage the Force.

(4) Improving procedures for recruiting and vetting Force personnel.

(5) Establishing or implementing requirements for qualifications, training, and accountability consistent with the purposes of section 862 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note), to the extent feasible.

(c) PLAN FOR USE OF AFGHANISTAN SECURITY FORCES FUND THROUGH 2017.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for using funds available to the Department of Defense to provide assistance to the security forces of Afghanistan through the Afghanistan Security Forces Fund through September 30, 2017.

SEC. 1532. 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.

(b) AVAILABILITY OF CERTAIN FISCAL YEAR 2013 FUNDS.—

(1) IN GENERAL.—Of the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2013, $15,000,000 may be available to the Secretary of Defense to provide training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan that the Secretary has identified as critical for countering the flow of improvised explosive device precursor chemicals from Pakistan to locations in Afghanistan.

(2) PROVISION THROUGH OTHER US AGENCIES.—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under paragraph (1) to such department or agency for the provision of training, equipment, supplies, and services to ministries and other entities of the Government of Pakistan as described in that paragraph by such department or agency.

(3) NOTICE TO CONGRESS.—Funds may not be used under the authority in paragraph (1) until 15 days after the date on which the Secretary of Defense submits to the congressional defense committees a notice on the training, equipment, supplies, and services to be provided using such funds.

(c) EXPIRATION.—This section shall cease to be effective on December 31, 2013.

SEC. 1533. PLAN FOR TRANSITION IN FUNDING OF UNITED STATES SPECIAL OPERATIONS COMMAND FROM SUPPLEMENTAL FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS TO RECURRING FUNDING UNDER THE FUTURE-YEARS DEFENSE PROGRAM.

The Secretary of Defense shall submit to the congressional defense committees, at the same time as the budget of the President for fiscal year 2014 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, a plan for the transition of funding of the United States Special Operations Command from funds authorized to be appropriated for overseas contingency operations (commonly referred to as the ''overseas contingency operations budget'') to funds authorized to be appropriated for recurring operations of the Department of Defense in accordance with applicable future-years defense programs under section 221 of title 10, United States Code (commonly referred to as the ''base budget'').

SEC. 1534. EXTENSION OF AUTHORITY ON TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

Section 1535(a) 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 the second sentence of paragraph (4)—

(A) by striking ''The amount of funds used'' and inserting ''The amount of fund obligated'';

(B) by inserting ''and $93,000,000 for fiscal year 2013'' after ''fiscal year 2012''; and

(C) by inserting ''for fiscal year 2012'' after ''except that'';

(2) in paragraph (6), by striking ''October 31, 2011, and October 31, 2012'' and inserting ''October 31 of each of 2011, 2012, and 2013''; and

(3) in paragraph (7)—

(A) by striking ''provided in'' and inserting ''to obligate funds for projects under''; and

(B) by striking ''September 30, 2012'' and inserting ''September 30, 2013''.

SEC. 1535. ASSESSMENTS OF TRAINING ACTIVITIES AND INTELLIGENCE ACTIVITIES OF THE JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION.

(a) TRAINING ACTIVITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Chairman of Joint Chiefs of Staff and the other chiefs of staff of the Armed Forces, submit to the congressional defense committees a report setting forth an assessment of the training-related activities of the Joint Improvised Explosive Device Defeat Organization (JIEDDO).

(2) ELEMENTS.—The assessment required by paragraph (1) shall—

(A) include all training programs and functions executed by the Joint Improvised Explosive Device Defeat Organization in support of the United States Armed Forces or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense; and

(C) assess the value of maintaining such duplication.

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

(4) LIMITATION.—No training-related program may be initiated by the Joint Improvised Explosive Device Defeat Organization between the date of the enactment of this Act and the date of the submittal of the report required by paragraph (1).

(b) INTELLIGENCE ACTIVITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to the congressional defense committees a report setting forth an assessment of the activities of the Counter-Improvised-Explosive-Device Operations Integration Center of the Joint Improvised Explosive Device Defeat Organization.

(2) ELEMENTS.—The assessment required by paragraph (1) shall—

(A) include all intelligence analysis programs and functions executed by the Counter-Improvised-Explosive-Device Operations Integration Center in support of the United States Government or coalition partners;

(B) identify any program or function which is duplicated elsewhere within the Department of Defense, including the intelligence components of the Department, or the intelligence community of the United States; and

(C) assess the value of maintaining such duplication.

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

SEC. 1536. SUBMITTAL TO CONGRESS OF RISK ASSESSMENTS ON CHANGES IN UNITED STATES TROOP LEVELS IN AFGHANISTAN.

(a) SUBMITTAL REQUIRED.—Not later than 30 days after a decision by the President to change the levels of United States Armed Forces deployed in Afghanistan, the Chairman of the Joint Chiefs of Staff shall, through the Secretary of Defense, submit to the congressional defense committees a detailed assessment of the risk to the United States mission and interests in Afghanistan as the change in levels is implemented.

(b) ELEMENTS.—The risk assessment under subsection (a) on a change in levels of United States Armed Forces in Afghanistan shall include the following:

(1) A description of the current security situation in Afghanistan.

(2) A description of any anticipated changes to United States military operations and objectives in Afghanistan associated with such change in levels.

(3) An identification and assessment of any changes in United States military capabilities, including manpower, logistics, intelligence, and mobility support, in Afghanistan associated with such change in levels.

(4) An identification and assessment of the risk associated with any changes in United States mission, military capabilities, operations, and objectives in Afghanistan associated with such change in levels.

(5) An identification and assessment of any capability gaps within the Afghanistan security forces that will impact their ability to conduct operations following such change in levels.

(6) An identification and assessment of the risk associated with the transition of combat responsibilities to the Afghanistan security forces following such change in levels.

(7) An assessment of the impact of such change in levels on coalition military contributions to the mission in Afghanistan.

(8) A description of the assumptions to be in force regarding the security situation in Afghanistan following such change in levels.

(9) Such other matters regarding such change in levels as the Chairman considers appropriate.

SEC. 1537. REPORT ON INSIDER ATTACKS IN AFGHANISTAN AND THEIR EFFECT ON THE UNITED STATES TRANSITION STRATEGY FOR AFGHANISTAN.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Commander of North Atlantic Treaty Organization/International Security Assistance Force forces in Afghanistan, submit to Congress a report on the attacks and associated threats by Afghanistan National Security Forces personnel, Afghanistan National Security Forces impersonators, and private security contractors against United States, Afghanistan, and coalition military and civilian personnel (''insider attacks'') in Afghanistan, and the effect of these attacks on the overall transition strategy in Afghanistan.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the nature and proximate causes of the attacks described in subsection (a), including the following:

(A) An estimate of the number of such attacks on United States, Afghanistan, and coalition military personnel since January 1, 2007.

(B) An estimate of the number of United States, Afghanistan, and coalition personnel killed or wounded in such attacks.

(C) The circumstances or conditions that may have influenced such attacks.

(D) An assessment of the threat posed by infiltration, and a best assessment of the extent of infiltration by insurgents into the Afghanistan National Security Forces.

(E) A description of trends in the prevalence of such attacks, including where such attacks occur, the political and ethnic affiliation of attackers, and the targets of attackers.

(2) A description of the restrictions and other actions taken by the United States and North Atlantic Treaty Organization/International Security Assistance Force forces to protect military and civilian personnel from future insider attacks, including measures in predeployment training.

(3) A description of the actions taken by the Government of Afghanistan to prevent and respond to insider attacks, including improved vetting practices.

(4) A description of the insider threat-related factors that will influence the size and scope of the post-2014 training mission for the Afghanistan National Security Forces.

(5) An assessment of the impact of the insider attacks in Afghanistan in 2012 on the overall transition strategy in Afghanistan and its prospects for success, including an assessment how such insider attacks impact—

(A) partner operations between North Atlantic Treaty Organization/International Security Assistance Force forces and Afghanistan National Security Forces;

(B) training programs for the Afghanistan National Security Forces, including proposed training plans to be executed during the post-2014 training mission for the Afghanistan National Security Forces;

(C) United States Special Forces training of the Afghan Local Police and its integration into the Afghanistan National Security Forces; and

(D) the willingness of North Atlantic Treaty Organization/International Security Assistance Force allies to maintain forces in Afghanistan or commit to the post-2014 training mission for the Afghanistan National Security Forces.

(6) An assessment of the impact that a reduction in training and partnering would have on the independent capabilities of the Afghanistan National Security Forces, and whether the training of the Afghanistan National Security Forces should remain a key component of the United States and North Atlantic Treaty Organization strategy in Afghanistan.

(c) UNCLASSIFIED EXECUTIVE SUMMARY.—The report submitted under subsection (b) shall include an executive summary of the contents of the report in unclassified form.

TITLE XVI—MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

SEC. 1601. SHORT TITLE.

This title may be cited as the ''Military Compensation and Retirement Modernization Commission Act of 2012''.

SEC. 1602. PURPOSE.

The purpose of this title is to establish a Commission to review and make recommendations to modernize the military compensation and retirement systems in order to—

(1) ensure the long-term viability of the All-Volunteer Force;

(2) enable the quality of life for members of the Armed Forces and the other uniformed services and their families in a manner that fosters successful recruitment, retention, and careers for members of the Armed Forces and the other uniformed services; and

(3) modernize and achieve fiscal sustainability for the compensation and retirements systems for the Armed Forces and the other uniformed services for the 21st century.

SEC. 1603. DEFINITIONS.

In this title:

(1) The term ''military compensation and retirement systems'' means the military compensation system and the military retirement system.

(2) The term ''military compensation system'' means provisions of law providing eligibility for and the computation of military compensation, including regular military compensation, special and incentive pays and allowances, medical and dental care, educational assistance and related benefits, and commissary and exchange benefits and related benefits and activities.

(3) The term ''military retirement system'' means retirement benefits, including retired pay based upon service in the uniformed services and survivor annuities based upon such service.

(4) The term ''Armed Forces'' has the meaning given the term ''armed forces'' in section 101(a)(4) of title 10, United States Code.

(5) The term ''uniformed services'' has the meaning given that term in section 101(a)(5) of title 10, United States Code.

(6) The term ''Secretary'' means the Secretary of Defense.

(7) The term ''Commission'' means the commission established under section 1604.

(8) The term ''Commission establishment date'' means the first day of the first month beginning on or after the date of the enactment of this Act.

(9) The terms ''veterans service organization'' and ''military-related advocacy group or association'' mean an organization the primary purpose of which is to advocate for veterans, military personnel, military retirees, or military families.

SEC. 1604. MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION.

(a) ESTABLISHMENT.—There is established in the executive branch an independent commission to be known as the Military Compensation and Retirement Modernization Commission. The Commission shall be considered an independent establishment of the Federal Government as defined by section 104 of title 5, United States Code, and a temporary organization under section 3161 of such title.

(b) APPOINTMENT.—

(1) IN GENERAL.—

(A) MEMBERS.—The Commission shall be composed of nine members appointed by the President, in consultation with—

(i) the Chairman and Ranking Member of the Committee on Armed Services of the Senate; and

(ii) the Chairman and Ranking Member of the Committee on Armed Services of the House of Representatives.

(B) DEADLINE FOR APPOINTMENT.—The President shall make appointments to the Commission not later than six months after the Commission establishment date.

(C) TERMINATION FOR LACK OF APPOINTMENT.—If the President does not make all appointments to the Commission on or before the date specified in subparagraph (B), the Commission shall be terminated.

(2) QUALIFICATIONS OF INDIVIDUALS APPOINTED.—In appointing individuals to the Commission, the President shall—

(A) ensure that—

(i) there are members with significant expertise in Federal compensation and retirement systems, including the military compensation and retirement systems, private sector compensation, retirement, or human resource systems, and actuarial science;

(ii) at least five members have active-duty military experience, including—

(I) at least one of whom has active-duty experience as an enlisted member; and

(II) at least one of whom has experience as a member of a reserve component; and

(iii) at least one member was the spouse of a member of the Armed Forces, or, in the sole determination of the President, has significant experience in military family matters; and

(B) select individuals who are knowledgeable and experienced with the uniformed services and military compensation and retirement issues.

(3) LIMITATION.—The President may not appoint to the Commission an individual who within the preceding year has been employed by a veterans service organization or military-related advocacy group or association.

(4) CHAIR.—At the time the President appoints the members of the Commission, the President shall designate one of the members to be Chair of the Commission. The individual designated as Chair of the Commission shall be a person who has expertise in the military compensation and retirement systems. The Chair, or the designee of the Chair, shall preside over meetings of the Commission and be responsible for establishing the agenda of Commission meetings and hearings.

(c) TERMS.—Members shall be appointed for the life of the Commission (subject to subsection (b)(3)). A vacancy in the Commission shall not affect its powers, and shall be filled in the same manner as the original appointment was made.

(d) STATUS AS FEDERAL EMPLOYEES.—Notwithstanding the requirements of section 2105 of title 5, United States Code, including the required supervision under subsection (a)(3) of such section, the members of the Commission shall be deemed Federal employees.

SEC. 1605. COMMISSION HEARINGS AND MEETINGS.

(a) IN GENERAL.—The Commission shall conduct hearings on the recommendations it is taking under consideration. Any such hearing, except a hearing in which classified information is to be considered, shall be open to the public. Any hearing open to the public shall be announced on a Federal website at least 14 days in advance. For all hearings open to the public, the Commission shall release an agenda and a listing of materials relevant to the topics to be discussed.

(b) MEETINGS.—

(1) INITIAL MEETING.—The Commission shall hold its initial meeting not later than 30 days after the date as of which all members have been appointed.

(2) SUBSEQUENT MEETINGS.—After its initial meeting, the Commission shall meet upon the call of the Chair or a majority of its members.

(3) PUBLIC MEETINGS.—Each meeting of the Commission shall be held in public unless any member objects.

(c) QUORUM.—Five members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(d) PUBLIC COMMENTS.—

(1) IN GENERAL.—The Commission shall seek written comments from the general public and interested parties on measures to modernize the military compensation and retirement systems. Comments shall be requested through a solicitation in the Federal Register and announcement on the Internet website of the Commission.

(2) PERIOD FOR SUBMITTAL.—The period for the submittal of comments pursuant to the solicitation under paragraph (1) shall end not earlier than 30 days after the date of the solicitation and shall end on or before the date on which the Secretary transmits the recommendations of the Secretary to the Commission under section 1606(b).

(3) USE BY COMMISSION.—The Commission shall consider the comments submitted under this subsection when developing its recommendations.

SEC. 1606. PRINCIPLES AND PROCEDURE FOR COMMISSION RECOMMENDATIONS.

(a) PRINCIPLES.—

(1) CONTEXT OF COMMISSION REVIEW.—The Commission shall conduct a review of the military compensation and retirement systems in the context of all elements of the current military compensation and retirement systems, force management objectives, and changes in life expectancy and the labor force.

(2) DEVELOPMENT OF COMMISSION RECOMMENDATIONS.—

(A) CONSISTENCY WITH PRESIDENTIAL PRINCIPLES.—The Commission shall develop recommendations for modernizing the military compensation and retirement systems that are consistent with principles established by the President under paragraph (3).

(B) GRANDFATHERING.—The recommendations of the Commission may not apply to any person who first becomes a member of a uniformed service before the date of the enactment of a military compensation and retirement modernization Act pursuant to this title (except that such recommendations may include provisions allowing for such a member to make a voluntary election to be covered by some or all of the provisions of such recommendations).

(3) PRESIDENTIAL PRINCIPLES.—Not later than five months after the Commission establishment date, the President shall establish and transmit to the Commission and Congress principles for modernizing the military compensation and retirement systems. The principles established by the President shall address the following:

(A) Maintaining recruitment and retention of the best military personnel.

(B) Modernizing the active and reserve military compensation and retirement systems.

(C) Differentiating between active and reserve military service.

(D) Differentiating between service in the Armed Forces and service in the other uniformed services.

(E) Assisting with force management.

(F) Ensuring the fiscal sustainability of the military compensation and retirement systems.

(b) SECRETARY OF DEFENSE RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than nine months after the Commission establishment date, the Secretary shall transmit to the Commission the recommendations of the Secretary for military compensation and retirement modernization. The Secretary shall concurrently transmit the recommendations to Congress.

(2) DEVELOPMENT OF RECOMMENDATIONS.—The Secretary shall develop the recommendations of the Secretary under paragraph (1)—

(A) on the basis of the principles established by the President pursuant to subsection (a)(3);

(B) in consultation with the Secretary of Homeland Security, with respect to recommendations concerning members of the Coast Guard;

(C) in consultation with the Secretary of Health and Human Services, with respect to recommendations concerning members of the Public Health Service;

(D) in consultation with the Secretary of Commerce, with respect to recommendations concerning members of the National Oceanic and Atmospheric Administration; and

(E) in consultation with the Director of the Office of Management and Budget.

(3) JUSTIFICATION.—The Secretary shall include with the recommendations under paragraph (1) the justification of the Secretary for each recommendation.

(4) AVAILABILITY OF INFORMATION.—The Secretary shall make available to the Commission and to Congress the information used by the Secretary to prepare the recommendations of the Secretary under paragraph (1).

(c) COMMISSION HEARINGS ON RECOMMENDATIONS OF SECRETARY.—After receiving from the Secretary the recommendations of the Secretary for military compensation and retirement modernization pursuant to subsection (b), the Commission shall conduct public hearings on the recommendations.

(d) COMMISSION REPORT AND RECOMMENDATIONS.—

(1) REPORT.—Not later than 15 months after the Commission establishment date, the Commission shall transmit to the President a report containing the findings and conclusions of the Commission, together with the recommendations of the Commission for the modernization of the military compensation and retirement systems. The Commission shall include in the report legislative language to implement the recommendations of the Commission. The findings and conclusions in the report shall be based on the review and analysis by the Commission of the recommendations of the Secretary.

(2) REQUIREMENT FOR APPROVAL.—The recommendations of the Commission must be approved by at least five members of the Commission before the recommendations may be transmitted to the President under paragraph (1).

(3) PROCEDURES FOR CHANGING RECOMMENDATIONS OF SECRETARY.—The Commission may make a change described in paragraph (4) in the recommendations made by the Secretary only if the Commission—

(A) determines that the change is consistent with the principles established by the President under subsection (a)(3);

(B) publishes a notice of the proposed change not less than 45 days before transmitting its recommendations to the President pursuant to paragraph (1); and

(C) conducts a public hearing on the proposed change.

(4) COVERED CHANGES.—Paragraph (3) applies to a change by the Commission in the recommendations of the Secretary that would—

(A) add a new recommendation;

(B) delete a recommendation; or

(C) substantially change a recommendation.

(5) EXPLANATION AND JUSTIFICATION FOR CHANGES.—The Commission shall explain and justify in its report submitted to the President under paragraph (1) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (b).

(6) TRANSMITTAL TO CONGRESS.—The Commission shall transmit a copy of its report to Congress on the same date on which it transmits its report to the President under paragraph (1).

SEC. 1607. CONSIDERATION OF COMMISSION RECOMMENDATIONS BY THE PRESIDENT AND CONGRESS.

(a) REVIEW BY THE PRESIDENT.—

(1) REPORT OF PRESIDENTIAL APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date on which the Commission transmits its report to the President under section 1606(d), the President shall transmit to the Commission and to Congress a report containing the approval or disapproval by the President of the recommendations of the Commission in the report.

(2) PRESIDENTIAL APPROVAL.—If in the report under paragraph (1) the President approves all the recommendations of the Commission, the President shall include with the report the following:

(A) A copy of the recommendations of the Commission.

(B) The certification by the President of the approval of the President of each recommendation.

(C) The legislative language transmitted by the Commission to the President as part of the report of the Commission under section 1606(d)(1).

(3) PRESIDENTIAL DISAPPROVAL.—

(A) REASONS FOR DISAPPROVAL.—If in the report under paragraph (1) the President disapproves the recommendations of the Commission, in whole or in part, the President shall include in the report the reasons for that disapproval.

(B) REVISED RECOMMENDATIONS FROM COMMISSION.—The Commission shall then transmit to the President, not later one month after the date of the report of the President under paragraph (1), revised recommendations for the modernization of the military compensation and retirement systems, together with revised legislative language to implement the revised recommendations of the Commission.

(4) ACTION ON REVISED RECOMMENDATIONS.—If the President approves all of the revised recommendations of the Commission transmitted pursuant to paragraph (3)(B), the President shall transmit to Congress, not later than one month after receiving the revised recommendations, the following:

(A) A copy of the revised recommendations.

(B) The certification by the President of the approval of the President of each recommendation as so revised.

(C) The revised legislative language transmitted to the President under paragraph (3)(B).

(5) TERMINATION OF COMMISSION.—If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) in accordance with the applicable deadline under such paragraph, the Commission shall be terminated not later than one month after the expiration of the period for transmittal of a report under paragraph (4).

(b) CONSIDERATION BY CONGRESS.—

(1) RULEMAKING.—The provisions of this subsection are enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules supersede other rules only to the extent that they are inconsistent therewith; and

(B) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(2) MILITARY COMPENSATION AND RETIREMENT MODERNIZATION BILL.—For the purpose of this subsection, the term ''military compensation and retirement modernization bill'' means only a bill consisting of the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to subsection (a).

(3) INTRODUCTION OF LEGISLATIVE PROPOSAL IN HOUSE AND SENATE.—If the President transmits to Congress under subsection (a) a copy of the recommendations of the Commission (including the legislative language recommended by the Commission), together with a certification of the approval of the President of the recommendations, the proposed legislative language recommended by the Commission and submitted to Congress by the President pursuant to that subsection—

(A) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the chairman of the Committee on Armed Services of the Senate; and

(B) shall be introduced in the House of Representatives (by request) on the next legislative day by the chair of the Committee on Armed Services of the House of Representatives.

(4) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which the military compensation and retirement modernization bill is referred shall report it to the House without amendment not later than the end of the 60-day period beginning on the date on which the bill is introduced. If a committee fails to report the bill to the House within that period, it shall be in order to move that the House discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House or after the House has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House shall proceed immediately to consider the Commission bill in accordance with subparagraphs (B) and (C). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(B) PROCEEDING TO CONSIDERATION.—After the last committee authorized to consider a military compensation and retirement modernization bill reports it to the House or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the military compensation and retirement modernization bill in the House. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to the military compensation and retirement modernization bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—The military compensation and retirement modernization bill shall be considered as read. All points of order against the bill and against its consideration are waived. The previous question shall be considered as ordered on the bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the bill shall not be in order.

(D) VOTE ON PASSAGE.—The vote on passage of the military compensation and retirement modernization bill shall occur not later than the end of the 90-day period beginning on the date on which the bill is introduced.

(5) EXPEDITED PROCEDURE IN THE SENATE.—

(A) COMMITTEE CONSIDERATION.—A military compensation and retirement modernization bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than the end of the 60-day period beginning on the date on which the bill is introduced. If any committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(B) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a military compensation and retirement modernization bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the military compensation and retirement modernization bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the military compensation and retirement modernization bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the military compensation and retirement modernization bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the military compensation and retirement modernization bill is agreed to, the military compensation and retirement modernization bill shall remain the unfinished business until disposed of.

(C) CONSIDERATION.—All points of order, other than budget points of order, against the military compensation and retirement modernization bill and against consideration of the bill are waived. Consideration of the bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 10 hours which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate on the bill is in order, shall require an affirmative vote of three-fifths of the Members duly chosen and sworn, and is not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the bill, including time used for quorum calls and voting, shall be counted against the total 10 hours of consideration.

(D) NO AMENDMENTS.—An amendment to the Commission bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the Commission bill, is not in order.

(E) VOTE ON PASSAGE.—If the Senate has voted to proceed to the military compensation and retirement modernization bill, the vote on passage of the bill shall occur immediately following the conclusion of the debate on a military compensation and retirement modernization bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the bill shall occur not later the end of the 90-day period beginning on the date on which the bill is introduced.

(F) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a military compensation and retirement modernization bill shall be decided without debate.

(6) AMENDMENT.—The military compensation and retirement modernization bill shall not be subject to amendment in either the House of Representatives or the Senate.

(7) CONSIDERATION BY THE OTHER HOUSE.—If, before passing the military compensation and retirement modernization bill, one House receives from the other a military compensation and retirement modernization bill—

(A) the military compensation and retirement modernization bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no military compensation and retirement modernization bill had been received from the other House until the vote on passage, when the military compensation and retirement modernization bill received from the other House shall supplant the military compensation and retirement modernization bill of the receiving House.

SEC. 1608. PAY FOR MEMBERS OF THE COMMISSION.

(a) IN GENERAL.—Each member, other than the Chair, of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(b) CHAIR.—The Chair of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

SEC. 1609. EXECUTIVE DIRECTOR.

(a) APPOINTMENT.—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161 of title 5, United States Code.

(b) LIMITATIONS.—The Executive Director may not have served on active duty in the Armed Forces or as a civilian employee of the Department of Defense during the one-year period preceding the date of such appointment and may not have been employed by a veterans service organization or a military-related advocacy group or association during that one-year period.

SEC. 1610. STAFF.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161 of title 5, United States Code.

(b) LIMITATIONS ON STAFF.—

(1) NUMBER OF DETAILEES FROM DEPARTMENT OF DEFENSE.—Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(2) PRIOR DUTIES WITHIN DEPARTMENT OF DEFENSE.—A person may not be detailed from the Department of Defense to the Commission if, in the year before the detail is to begin, that person participated personally and substantially in any matter within the Department concerning the preparation of recommendations for military compensation and retirement modernization.

(3) NUMBER OF DETAILEES ELIGIBLE FOR MILITARY RETIRED PAY.—Not more than one-fourth of the personnel employed by or detailed to the Commission may be persons eligible for or receiving military retired pay.

(4) PRIOR EMPLOYMENT WITH CERTAIN ORGANIZATIONS.—A person may not be employed by or detailed to the Commission if, in the year before the employment or detail is to begin, that person was employed by a veterans service organization or a military-related advocacy group or association.

(c) LIMITATIONS ON PERFORMANCE REVIEWS.—No member of the Armed Forces, and no officer or employee of the Department of Defense, may—

(1) prepare any report concerning the effectiveness, fitness, or efficiency of the performance of the staff of the Commission or any person detailed from the Department to that staff;

(2) review the preparation of such a report; or

(3) approve or disapprove such a report.

SEC. 1611. CONTRACTING AUTHORITY.

The Commission may lease space and acquire personal property to the extent funds are available.

SEC. 1612. JUDICIAL REVIEW PRECLUDED.

The following shall not be subject to judicial review:

(1) Actions of the President, the Secretary, and the Commission under section 1606.

(2) Actions of the President under section 1607(a).

SEC. 1613. TERMINATION.

Except as otherwise provided in this title, the Commission shall terminate not later than 26 months after the Commission establishment date.

SEC. 1614. FUNDING.

Of the amounts authorized to be appropriated by this division for the Department of Defense for fiscal year 2013, up to $10,000,000 shall be available to the Commission to carry out its duties under this title. Funds available to the Commission under the preceding sentence shall remain available until expended.

TITLE XVII—NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE

SEC. 1701. SHORT TITLE.

This title may be cited as the ''National Commission on the Structure of the Air Force Act of 2012''.

SEC. 1702. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established the National Commission on the Structure of the Air Force (in this title referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of eight members, of whom—

(A) four shall be appointed by the President, of whom one shall be the Chairman of the Reserve Forces Policy Board;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) APPOINTMENT DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act.

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If one or more appointments under subparagraph (A) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make such appointment or appointments shall expire, and the number of members of the Commission shall be reduced by the number equal to the number of appointments so not made. If an appointment under subparagraph (B), (C), (D), or (E) of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment under such subparagraph shall expire, and the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) MEETINGS.—The Commission shall meet at the call of the Chair.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIR AND VICE CHAIRMAN.—The Commission shall select a Chair and Vice Chair from among its members.

SEC. 1703. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—The Commission shall undertake a comprehensive study of the current structure of the Air Force to determine whether, and how, the structure should be modified to best fulfill current and anticipated mission requirements for the Air Force in a manner consistent with available resources.

(2) CONSIDERATIONS.—In considering an alternative structure for the Air Force, the Commission shall give particular consideration to identifying a structure that—

(A) meets current and anticipated requirements of the combatant commands;

(B) achieves an appropriate balance between the regular and reserve components of the Air Force, taking advantage of the unique strengths and capabilities of each;

(C) ensures that the reserve components of the Air Force have the capacity needed to support current and anticipated homeland defense and disaster assistance missions in the United States;

(D) provides for sufficient numbers of regular members of the Air Force to provide a base of trained personnel from which the personnel of the reserve components of the Air Force could be recruited;

(E) maintains a peacetime rotation force to avoid exceeding operational tempo goals of 1:2 for regular members of the Air Forces and 1:5 for members of the reserve components of the Air Force; and

(F) maximizes achievable costs savings.

(b) REPORT.—Not later than March 31, 2014, the Commission shall submit to the President and the congressional defense committees a report which shall contain a detailed statement of the findings and conclusions of the Commission as a result of the study required by subsection (a), together with its recommendations for such legislation and administrative actions as it considers appropriate in light of the results of the study.

SEC. 1704. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this title.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this title. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 1705. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or

employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission 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 of services for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chair of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to 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.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chair of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 1706. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 1703.

SEC. 1707. FUNDING.

Amounts authorized to be appropriated for fiscal year 2013 and available for operation and maintenance for the Air Force as specified in the funding table in section 4301 may be available for the activities of the Commission under this title.

SEC. 1708. LIMITATION ON AVAILABILITY OF FUNDS FOR REDUCTIONS TO THE AIR NATIONAL GUARD AND THE AIR FORCE RESERVE.

(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 divest, retire, or transfer, or prepare to divest, retire, or transfer, any aircraft of the Air Force assigned to units of the Air National Guard or Air Force Reserve as of May 31, 2012.

(b) EXCEPTION.—The Secretary of the Air Force may divest or retire, or prepare to divest or retire, C–5A aircraft if the Secretary replaces such aircraft through a transfer of C–5B, C–5M, or C–17 mobility aircraft so as to maintain all Air National Guard and Air Force Reserve units impacted by such divestment or retirement at current or higher assigned manpower levels to operate the aircraft so transferred.

SEC. 1709. FUNDING FOR MAINTENANCE OF FORCE STRUCTURE OF THE AIR FORCE PENDING COMMISSION RECOMMENDATIONS.

There is hereby authorized to be appropriated to the Department of Defense for fiscal year 2013, $1,400,000,000 for the force structure of the Air Force. The amount authorized to be appropriated by this section is in addition to any other amounts authorized to be appropriated by this Act.

SEC. 1710. RETENTION OF CORE FUNCTIONS OF THE ELECTRONIC SYSTEMS CENTER AT HANSCOM AIR FORCE BASE PENDING FUTURE STRUCTURE STUDY.

The Secretary of the Air Force shall retain the current leadership rank and core functions of the Electronic Systems Center at Hanscom Air Force Base with the same integrated mission elements, responsibilities, and capabilities as existed as of November 1, 2011, until 180 days after the National Commission on the Structure of the Air Force submits to the congressional defense committees the report required under section 1703.

SEC. 1711. AIR FORCE ASSESSMENTS OF THE EFFECTS OF PROPOSED MOVEMENTS OF AIRFRAMES ON JOINT READINESS TRAINING.

The Secretary of the Air Force shall—

(1) undertake an assessment of the effects of currently-proposed movements of Air Force airframes on Green Flag East and Green Flag West joint readiness training; and

(2) if the Secretary determines it appropriate, submit to the congressional defense committees a report setting forth a proposal to make future replacements of capabilities for purposes of augmenting training at the joint readiness training center (JRTC) or for such other purposes as the Secretary considers appropriate.

TITLE XVIII—FEDERAL ASSISTANCE TO FIRE DEPARTMENTS

Subtitle A—Fire Grants Reauthorization

SEC. 1801. SHORT TITLE.

This subtitle may be cited as the ''Fire Grants Reauthorization Act of 2012''.

SEC. 1802. AMENDMENTS TO DEFINITIONS.

(a) IN GENERAL.—Section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203) is amended—

(1) in paragraph (3), by inserting '', except as otherwise provided,'' after ''means'';

(2) in paragraph (4), by striking '' 'Director' means'' and all that follows through ''Agency;'' and inserting '' 'Administrator of FEMA' means the Administrator of the Federal Emergency Management Agency;'';

(3) in paragraph (5)—

(A) by inserting ''Indian tribe,'' after ''county,''; and

(B) by striking ''and 'firecontrol' '' and inserting ''and 'fire control' '';

(4) by redesignating paragraphs (6) through (9) as paragraphs (7) through (10), respectively;

(5) by inserting after paragraph (5), the following:

''(6) 'Indian tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) and 'tribal' means of or pertaining to an Indian tribe;'';

(6) by redesignating paragraphs (9) and (10), as redesignated by paragraph (4), as paragraphs (10) and (11);

(7) by inserting after paragraph (8), as redesignated by paragraph (4), the following:

''(9) 'Secretary' means, except as otherwise provided, the Secretary of Homeland Security;''; and

(8) by amending paragraph (10), as redesignated by paragraph (6), to read as follows:

''(10) 'State' has the meaning given the term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).''.

(b) CONFORMING AMENDMENTS.—

(1) ADMINISTRATOR OF FEMA.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by striking ''Director'' each place it appears and inserting ''Administrator of FEMA''.

(2) ADMINISTRATOR OF FEMA'S AWARD.—Section 15 of such Act (15 U.S.C. 2214) is amended by striking ''Director's Award'' each place it appears and inserting ''Administrator's Award''.

SEC. 1803. ASSISTANCE TO FIREFIGHTERS GRANTS.

Section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended to read as follows:

''SEC. 33. FIREFIGHTER ASSISTANCE.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR OF FEMA.—The term 'Administrator of FEMA' means the Administrator of FEMA, acting through the Administrator.

''(2) AVAILABLE GRANT FUNDS.—The term 'available grant funds', with respect to a fiscal year, means those funds appropriated pursuant to the authorization of appropriations in subsection (q)(1) for such fiscal year less any funds used for administrative costs pursuant to subsection (q)(2) in such fiscal year.

''(3) CAREER FIRE DEPARTMENT.—The term 'career fire department' means a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters.

''(4) COMBINATION FIRE DEPARTMENT.—The term 'combination fire department' means a fire department that has—

''(A) paid firefighting personnel; and

''(B) volunteer firefighting personnel.

''(5) FIREFIGHTING PERSONNEL.—The term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

''(6) 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 (20 U.S.C. 1001).

''(7) NONAFFILIATED EMS ORGANIZATION.—The term 'nonaffiliated EMS organization' means a public or private nonprofit emergency medical services organization that is not affiliated with a hospital and does not serve a geographic area in which the Administrator of FEMA finds that emergency medical services are adequately provided by a fire department.

''(8) PAID-ON-CALL.—The term 'paid-on-call' with respect to firefighting personnel means firefighting personnel who are paid a stipend for each event to which they respond.

''(9) VOLUNTEER FIRE DEPARTMENT.—The term 'volunteer fire department' means a fire department that has an all-volunteer force of firefighting personnel.

''(b) ASSISTANCE PROGRAM.—

''(1) AUTHORITY.—In accordance with this section, the Administrator of FEMA may award—

''(A) assistance to firefighters grants under subsection (c); and

''(B) fire prevention and safety grants and other assistance under subsection (d).

''(2) ADMINISTRATIVE ASSISTANCE.—The Administrator of FEMA shall—

''(A) establish specific criteria for the selection of grant recipients under this section; and

''(B) provide assistance with application preparation to applicants for such grants.

''(c) ASSISTANCE TO FIREFIGHTERS GRANTS.—

''(1) IN GENERAL.—The Administrator of FEMA may, in consultation with the chief executives of the States in which the recipients are located, award grants on a competitive basis directly to—

''(A) fire departments, for the purpose of protecting the health and safety of the public and firefighting personnel throughout the United States against fire, fire-related, and other hazards;

''(B) nonaffiliated EMS organizations to support the provision of emergency medical services; and

''(C) State fire training academies for the purposes described in subparagraphs (G), (H), and (I) of paragraph (3).

''(2) MAXIMUM GRANT AMOUNTS.—

''(A) POPULATION.—The Administrator of FEMA may not award a grant under this subsection in excess of amounts as follows:

''(i) In the case of a recipient that serves a jurisdiction with 100,000 people or fewer, the amount of the grant awarded to such recipient shall not exceed $1,000,000 in any fiscal year.

''(ii) In the case of a recipient that serves a jurisdiction with more than 100,000 people but not more than 500,000 people, the amount of the grant awarded to such recipient shall not exceed $2,000,000 in any fiscal year.

''(iii) In the case of a recipient that serves a jurisdiction with more than 500,000 but not more than 1,000,000 people, the amount of the grant awarded to such recipient shall not exceed $3,000,000 in any fiscal year.

''(iv) In the case of a recipient that serves a jurisdiction with more than 1,000,000 people but not more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed $6,000,000 for any fiscal year.

''(v) In the case of a recipient that serves a jurisdiction with more than 2,500,000 people, the amount of the grant awarded to such recipient shall not exceed $9,000,000 in any fiscal year.

''(B) AGGREGATE.—

''(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B) and except as provided under clause (ii), the Administrator of FEMA may not award a grant under this subsection in a fiscal year in an amount that exceeds the amount that is one percent of the available grant funds in such fiscal year.

''(ii) EXCEPTION.—The Administrator of FEMA may waive the limitation in clause (i) with respect to a grant recipient if the Administrator of FEMA determines that such recipient has an extraordinary need for a grant in an amount that exceeds the limit under clause (i).

''(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

''(A) To train firefighting personnel in—

''(i) firefighting;

''(ii) emergency medical services and other emergency response (including response to natural disasters, acts of terrorism, and other man-made disasters);

''(iii) arson prevention and detection;

''(iv) maritime firefighting; or

''(v) the handling of hazardous materials.

''(B) To train firefighting personnel to provide any of the training described under subparagraph (A).

''(C) To fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies.

''(D) To certify—

''(i) fire inspectors; and

''(ii) building inspectors—

''(I) whose responsibilities include fire safety inspections; and

''(II) who are employed by or serving as volunteers with a fire department.

''(E) To establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel are able to carry out their duties as firefighters, including programs dedicated to raising awareness of, and prevention of, job-related mental health issues.

''(F) To fund emergency medical services provided by fire departments and nonaffiliated EMS organizations.

''(G) To acquire additional firefighting vehicles, including fire trucks and other apparatus.

''(H) To acquire additional firefighting equipment, including equipment for—

''(i) fighting fires with foam in remote areas without access to water; and

''(ii) communications, monitoring, and response to a natural disaster, act of terrorism, or other man-made disaster, including the use of a weapon of mass destruction.

''(I) To acquire personal protective equipment, including personal protective equipment—

''(i) prescribed for firefighting personnel by the Occupational Safety and Health Administration of the Department of Labor; or

''(ii) for responding to a natural disaster or act of terrorism or other man-made disaster, including the use of a weapon of mass destruction.

''(J) To modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel.

''(K) To educate the public about arson prevention and detection.

''(L) To provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

''(M) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

''(d) FIRE PREVENTION AND SAFETY GRANTS.—

''(1) IN GENERAL.—For the purpose of assisting fire prevention programs and supporting firefighter health and safety research and development, the Administrator of FEMA may, on a competitive basis—

''(A) award grants to fire departments;

''(B) award grants to, or enter into contracts or cooperative agreements with, national, State, local, tribal, or nonprofit organizations that are not fire departments and that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities and firefighter research and development programs, for the purpose of carrying out—

''(i) fire prevention programs; and

''(ii) research to improve firefighter health and life safety; and

''(C) award grants to institutions of higher education, national fire service organizations, or national fire safety organizations to establish and operate fire safety research centers.

''(2) MAXIMUM GRANT AMOUNT.—A grant awarded under this subsection may not exceed $1,500,000 for a fiscal year.

''(3) USE OF GRANT FUNDS.—Each entity receiving a grant under this subsection shall use the grant for one or more of the following purposes:

''(A) To enforce fire codes and promote compliance with fire safety standards.

''(B) To fund fire prevention programs, including programs that educate the public about arson prevention and detection.

''(C) To fund wildland fire prevention programs, including education, awareness, and mitigation programs that protect lives, property, and natural resources from fire in the wildland-urban interface.

''(D) In the case of a grant awarded under paragraph (1)(C), to fund the establishment or operation of a fire safety research center for the purpose of significantly reducing the number of fire-related deaths and injuries among firefighters and the general public through research, development, and technology transfer activities.

''(E) To support such other activities, consistent with the purposes of this subsection, as the Administrator of FEMA determines appropriate.

''(4) LIMITATION.—None of the funds made available under this subsection may be provided to the Association of Community Organizations for Reform Now (ACORN) or any of its affiliates, subsidiaries, or allied organizations.

''(e) APPLICATIONS FOR GRANTS.—

''(1) IN GENERAL.—An entity seeking a grant under this section shall submit to the Administrator of FEMA an application therefor in such form and in such manner as the Administrator of FEMA determines appropriate.

''(2) ELEMENTS.—Each application submitted under paragraph (1) shall include the following:

''(A) A description of the financial need of the applicant for the grant.

''(B) An analysis of the costs and benefits, with respect to public safety, of the use for which a grant is requested.

''(C) An agreement to provide information to the national fire incident reporting system for the period covered by the grant.

''(D) A list of other sources of funding received by the applicant—

''(i) for the same purpose for which the application for a grant under this section was submitted; or

''(ii) from the Federal Government for other fire-related purposes.

''(E) Such other information as the Administrator of FEMA determines appropriate.

''(3) JOINT OR REGIONAL APPLICATIONS.—

''(A) IN GENERAL.—Two or more entities may submit an application under paragraph (1) for a grant under this section to fund a joint program or initiative, including acquisition of shared equipment or vehicles.

''(B) NONEXCLUSIVITY.—Applications under this paragraph may be submitted instead of or in addition to any other application submitted under paragraph (1).

''(C) GUIDANCE.—The Administrator of FEMA shall—

''(i) publish guidance on applying for and administering grants awarded for joint programs and initiatives described in subparagraph (A); and

''(ii) encourage applicants to apply for grants for joint programs and initiatives described in subparagraph (A) as the Administrator of FEMA determines appropriate to achieve greater cost effectiveness and regional efficiency.

''(f) PEER REVIEW OF GRANT APPLICATIONS.—

''(1) IN GENERAL.—The Administrator of FEMA shall, after consultation with national fire service and emergency medical services organizations, appoint fire service personnel to conduct peer reviews of applications received under subsection (e)(1).

''(2) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out pursuant to this subsection.

''(g) PRIORITIZATION OF GRANT AWARDS.—In awarding grants under this section, the Administrator of FEMA shall consider the following:

''(1) The findings and recommendations of the peer reviews carried out under subsection (f).

''(2) The degree to which an award will reduce deaths, injuries, and property damage by reducing the risks associated with fire-related and other hazards.

''(3) The extent of the need of an applicant for a grant under this section and the need to protect the United States as a whole.

''(4) The number of calls requesting or requiring a fire fighting or emergency medical response received by an applicant.

''(h) ALLOCATION OF GRANT AWARDS.—In awarding grants under this section, the Administrator of FEMA shall ensure that of the available grant funds in each fiscal year—

''(1) not less than 25 percent are awarded under subsection (c) to career fire departments;

''(2) not less than 25 percent are awarded under subsection (c) to volunteer fire departments;

''(3) not less than 25 percent are awarded under subsection (c) to combination fire departments and fire departments using paid-on-call firefighting personnel;

''(4) not less than 10 percent are available for open competition among career fire departments, volunteer fire departments, combination fire departments, and fire departments using paid-on-call firefighting personnel for grants awarded under subsection (c);

''(5) not less than 10 percent are awarded under subsection (d); and

''(6) not more than 2 percent are awarded under this section to nonaffiliated EMS organizations described in subsection (c)(1)(B).

''(i) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

''(1) FUNDING FOR EMERGENCY MEDICAL SERVICES.—Not less than 3.5 percent of the available grant funds for a fiscal year shall be awarded under this section for purposes described in subsection (c)(3)(F).

''(2) STATE FIRE TRAINING ACADEMIES.—

''(A) MAXIMUM SHARE.—Not more than 3 percent of the available grant funds for a fiscal year may be awarded under subsection (c)(1)(C).

''(B) MAXIMUM GRANT AMOUNT.—The Administrator of FEMA may not award a grant under subsection (c)(1)(C) to a State fire training academy in an amount that exceeds $1,000,000 in any fiscal year.

''(3) AMOUNTS FOR PURCHASING FIREFIGHTING VEHICLES.—Not more than 25 percent of the available grant funds for a fiscal year may be used to assist grant recipients to purchase vehicles pursuant to subsection (c)(3)(G).

''(j) FURTHER CONSIDERATIONS.—

''(1) ASSISTANCE TO FIREFIGHTERS GRANTS TO FIRE DEPARTMENTS.—In considering applications for grants under subsection (c)(1)(A), the Administrator of FEMA shall consider—

''(A) the extent to which the grant would enhance the daily operations of the applicant and the impact of such a grant on the protection of lives and property; and

''(B) a broad range of factors important to the applicant's ability to respond to fires and related hazards, such as the following:

''(i) Population served.

''(ii) Geographic response area.

''(iii) Hazards vulnerability.

''(iv) Call volume.

''(v) Financial situation, including unemployment rate of the area being served.

''(vi) Need for training or equipment.

''(2) APPLICATIONS FROM NONAFFILIATED EMS ORGANIZATIONS.—In the case of an application submitted under subsection (e)(1) by a nonaffiliated EMS organization, the Administrator of FEMA shall consider the extent to which other sources of Federal funding are available to the applicant to provide the assistance requested in such application.

''(3) AWARDING FIRE PREVENTION AND SAFETY GRANTS TO CERTAIN ORGANIZATIONS THAT ARE NOT FIRE DEPARTMENTS.—In the case of applicants for grants under this section who are described in subsection (d)(1)(B), the Administrator of FEMA shall give priority to applicants who focus on—

''(A) prevention of injuries to high risk groups from fire; and

''(B) research programs that demonstrate a potential to improve firefighter safety.

''(4) AWARDING GRANTS FOR FIRE SAFETY RESEARCH CENTERS.—

''(A) CONSIDERATIONS.—In awarding grants under subsection (d)(1)(C), the Administrator of FEMA shall—

''(i) select each grant recipient on—

''(I) the demonstrated research and extension resources available to the recipient to carry out the research, development, and technology transfer activities;

''(II) the capability of the recipient to provide leadership in making national contributions to fire safety;

''(III) the recipient's ability to disseminate the results of fire safety research; and

''(IV) the strategic plan the recipient proposes to carry out under the grant;

''(ii) give special consideration in selecting recipients under subparagraph (A) to an applicant for a grant that consists of a partnership between—

''(I) a national fire service organization or a national fire safety organization; and

''(II) an institution of higher education, including a minority-serving institution (as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))); and

''(iii) consider the research needs identified and prioritized through the workshop required by subparagraph (B)(i).

''(B) RESEARCH NEEDS.—

''(i) IN GENERAL.—Not later than 90 days after the date of the enactment of the Fire Grants Reauthorization Act of 2012, the Administrator of FEMA shall convene a workshop of the fire safety research community, fire service organizations, and other appropriate stakeholders to identify and prioritize fire safety research needs.

''(ii) PUBLICATION.—The Administrator of FEMA shall ensure that the results of the workshop are made available to the public.

''(C) LIMITATIONS ON GRANTS FOR FIRE SAFETY RESEARCH CENTERS.—

''(i) IN GENERAL.—The Administrator of FEMA may award grants under subsection (d) to establish not more than 3 fire safety research centers.

''(ii) RECIPIENTS.—An institution of higher education, a national fire service organization, and a national fire safety organization may not directly receive a grant under subsection (d) for a fiscal year for more than 1 fire safety research center.

''(5) AVOIDING DUPLICATION.—The Administrator of FEMA shall review lists submitted by applicants pursuant to subsection (e)(2)(D) and take such actions as the Administrator of FEMA considers necessary to prevent unnecessary duplication of grant awards.

''(k) MATCHING AND MAINTENANCE OF EXPENDITURE REQUIREMENTS.—

''(1) MATCHING REQUIREMENT FOR ASSISTANCE TO FIREFIGHTERS GRANTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an applicant seeking a grant to carry out an activity under subsection (c) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 15 percent of the grant awarded to such applicant under such subsection.

''(B) EXCEPTION FOR ENTITIES SERVING SMALL COMMUNITIES.—In the case that an applicant seeking a grant to carry out an activity under subsection (c) serves a jurisdiction of—

''(i) more than 20,000 residents but not more than 1,000,000 residents, the application shall agree to make available non-Federal funds in an amount equal to not less than 10 percent of the grant awarded to such applicant under such subsection; and

''(ii) 20,000 residents or fewer, the applicant shall agree to make available non-Federal funds in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

''(2) MATCHING REQUIREMENT FOR FIRE PREVENTION AND SAFETY GRANTS.—

''(A) IN GENERAL.—An applicant seeking a grant to carry out an activity under subsection (d) shall agree to make available non-Federal funds to carry out such activity in an amount equal to not less than 5 percent of the grant awarded to such applicant under such subsection.

''(B) MEANS OF MATCHING.—An applicant for a grant under subsection (d) may meet the matching requirement under subparagraph (A) through direct funding, funding of complementary activities, or the provision of staff, facilities, services, material, or equipment.

''(3) MAINTENANCE OF EXPENDITURES.—An applicant seeking a grant under subsection (c) or (d) shall agree to maintain during the term of the grant the applicant's aggregate expenditures relating to the uses described in subsections (c)(3) and (d)(3) at not less than 80 percent of the average amount of such expenditures in the 2 fiscal years preceding the fiscal year in which the grant amounts are received.

''(4) WAIVER.—

''(A) IN GENERAL.—Except as provided in subparagraph (C)(ii), the Administrator of FEMA may waive or reduce the requirements of paragraphs (1), (2), and (3) in cases of demonstrated economic hardship.

''(B) GUIDELINES.—

''(i) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of this paragraph.

''(ii) CONSULTATION.—In developing guidelines under clause (i), the Administrator of FEMA shall consult with individuals who are—

''(I) recognized for expertise in firefighting, emergency medical services provided by fire services, or the economic affairs of State and local governments; and

''(II) members of national fire service organizations or national organizations representing the interests of State and local governments.

''(iii) CONSIDERATIONS.—In developing guidelines under clause (i), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

''(I) Changes in rates of unemployment from previous years.

''(II) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

''(III) Changes in percentages of individuals eligible to receive food stamps from previous years.

''(IV) Such other factors as the Administrator of FEMA considers appropriate.

''(C) CERTAIN APPLICANTS FOR FIRE PREVENTION AND SAFETY GRANTS.—The authority under subparagraph (A) shall not apply with respect to a nonprofit organization that—

''(i) is described in subsection (d)(1)(B); and

''(ii) is not a fire department or emergency medical services organization.

''(l) GRANT GUIDELINES.—

''(1) GUIDELINES.—For each fiscal year, prior to awarding any grants under this section, the Administrator of FEMA shall publish in the Federal Register—

''(A) guidelines that describe—

''(i) the process for applying for grants under this section; and

''(ii) the criteria that will be used for selecting grant recipients; and

''(B) an explanation of any differences between such guidelines and the recommendations obtained under paragraph (2).

''(2) ANNUAL MEETING TO OBTAIN RECOMMENDATIONS.—

''(A) IN GENERAL.—For each fiscal year, the Administrator of FEMA shall convene a meeting of qualified members of national fire service organizations and, at the discretion of the Administrator of FEMA, qualified members of emergency medical service organizations to obtain recommendations regarding the following:

''(i) Criteria for the awarding of grants under this section.

''(ii) Administrative changes to the assistance program established under subsection (b).

''(B) QUALIFIED MEMBERS.—For purposes of this paragraph, a qualified member of an organization is a member who—

''(i) is recognized for expertise in firefighting or emergency medical services;

''(ii) is not an employee of the Federal Government; and

''(iii) in the case of a member of an emergency medical service organization, is a member of an organization that represents—

''(I) providers of emergency medical services that are affiliated with fire departments; or

''(II) nonaffiliated EMS providers.

''(3) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to activities carried out under this subsection.

''(m) ACCOUNTING DETERMINATION.—Notwithstanding any other provision of law, for purposes of this section, equipment costs shall include all costs attributable to any design, purchase of components, assembly, manufacture, and transportation of equipment not otherwise commercially available.

''(n) ELIGIBLE GRANTEE ON BEHALF OF ALASKA NATIVE VILLAGES.—The Alaska Village Initiatives, a non-profit organization incorporated in the State of Alaska, shall be eligible to apply

for and receive a grant or other assistance under this section on behalf of Alaska Native villages.

''(o) TRAINING STANDARDS.—If an applicant for a grant under this section is applying for such grant to purchase training that does not meet or exceed any applicable national voluntary consensus standards, including those developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 747), the applicant shall submit to the Administrator of FEMA an explanation of the reasons that the training proposed to be purchased will serve the needs of the applicant better than training that meets or exceeds such standards.

''(p) ENSURING EFFECTIVE USE OF GRANTS.—

''(1) AUDITS.—The Administrator of FEMA may audit a recipient of a grant awarded under this section to ensure that—

''(A) the grant amounts are expended for the intended purposes; and

''(B) the grant recipient complies with the requirements of subsection (k).

''(2) PERFORMANCE ASSESSMENT.—

''(A) IN GENERAL.—The Administrator of FEMA shall develop and implement a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section, including protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards.

''(B) CONSULTATION.—The Administrator of FEMA shall consult with fire service representatives and with the Comptroller General of the United States in developing the assessment system required by subparagraph (A).

''(3) ANNUAL REPORTS TO ADMINISTRATOR OF FEMA.—Not less frequently than once each year during the term of a grant awarded under this section, the recipient of the grant shall submit to the Administrator of FEMA an annual report describing how the recipient used the grant amounts.

''(4) ANNUAL REPORTS TO CONGRESS.—

''(A) IN GENERAL.—Not later than September 30, 2013, and each year thereafter through 2017, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report that provides—

''(i) information on the performance assessment system developed under paragraph (2); and

''(ii) using the performance metrics developed under such paragraph, an evaluation of the effectiveness of the grants awarded under this section.

''(B) ADDITIONAL INFORMATION.—The report due under subparagraph (A) on September 30, 2016, shall also include recommendations for legislative changes to improve grants under this section.

''(q) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section—

''(A) $750,000,000 for fiscal year 2013; and

''(B) for each of fiscal years 2014 through 2017, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

''(i) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

''(ii) the Consumer Price Index for the fiscal year preceding the fiscal year described in clause (i).

''(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts for salaries and expenses and other administrative costs incurred by the Administrator of FEMA in the course of awarding grants and providing assistance under this section.

''(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirements in subsections (c)(1) and (d)(1) that grants under those subsections be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally directed spending item (as defined under the rules of the Senate and the House of Representatives).

''(r) SUNSET OF AUTHORITIES.—The authority to award assistance and grants under this section shall expire on the date that is 5 years after the date of the enactment of the Fire Grants Reauthorization Act of 2012.''.

SEC. 1804. STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE.

(a) IMPROVEMENTS TO HIRING GRANTS.—

(1) TERM OF GRANTS.—Subparagraph (B) of section 34(a)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)) is amended to read as follows:

''(B) Grants made under this paragraph shall be for 3 years and be used for programs to hire new, additional firefighters.''.

(2) LIMITATION OF PORTION OF COSTS OF HIRING FIREFIGHTERS.—Subparagraph (E) of such section is amended to read as follows:

''(E) The portion of the costs of hiring firefighters provided by a grant under this paragraph may not exceed—

''(i) 75 percent in the first year of the grant;

''(ii) 75 percent in the second year of the grant; and

''(iii) 35 percent in the third year of the grant.''.

(b) CLARIFICATION REGARDING ELIGIBLE ENTITIES FOR RECRUITMENT AND RETENTION GRANTS.—The second sentence of section 34(a)(2) of such Act (15 U.S.C. 2229a(a)(2)) is amended by striking ''organizations on a local or statewide basis'' and inserting ''national, State, local, or tribal organizations''.

(c) MAXIMUM AMOUNT FOR HIRING A FIREFIGHTER.—Paragraph (4) of section 34(c) of such Act (15 U.S.C. 2229a(c)) is amended to read as follows:

''(4) The amount of funding provided under this section to a recipient fire department for hiring a firefighter in any fiscal year may not exceed—

''(A) in the first year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted;

''(B) in the second year of the grant, 75 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted; and

''(C) in the third year of the grant, 35 percent of the usual annual cost of a first-year firefighter in that department at the time the grant application was submitted.''.

(d) WAIVERS.—Section 34 of such Act (15 U.S.C. 2229a) is amended—

(1) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

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

''(d) WAIVERS.—

''(1) IN GENERAL.—In a case of demonstrated economic hardship, the Administrator of FEMA may—

''(A) waive the requirements of subsection (c)(1); or

''(B) waive or reduce the requirements in subsection (a)(1)(E) or subsection (c)(2).

''(2) GUIDELINES.—

''(A) IN GENERAL.—The Administrator of FEMA shall establish and publish guidelines for determining what constitutes economic hardship for purposes of paragraph (1).

''(B) CONSULTATION.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consult with individuals who are—

''(i) recognized for expertise in firefighting, emergency medical services provided by fire services, or the economic affairs of State and local governments; and

''(ii) members of national fire service organizations or national organizations representing the interests of State and local governments.

''(C) CONSIDERATIONS.—In developing guidelines under subparagraph (A), the Administrator of FEMA shall consider, with respect to relevant communities, the following:

''(i) Changes in rates of unemployment from previous years.

''(ii) Whether the rates of unemployment of the relevant communities are currently and have consistently exceeded the annual national average rates of unemployment.

''(iii) Changes in percentages of individuals eligible to receive food stamps from previous years.

''(iv) Such other factors as the Administrator of FEMA considers appropriate.''.

(e) IMPROVEMENTS TO PERFORMANCE EVALUATION REQUIREMENTS.—Subsection (e) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by inserting before the first sentence the following:

''(1) IN GENERAL.—The Administrator of FEMA shall establish a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants awarded under this section are furthering the purposes of this section.

''(2) SUBMITTAL OF INFORMATION.—''.

(f) REPORT.—

(1) IN GENERAL.—Subsection (f) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by striking ''The authority'' and all that follows through ''Congress concerning'' and inserting the following: ''Not later than September 30, 2014, the Administrator of FEMA shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on''.

(2) CONFORMING AMENDMENT.—The heading for subsection (f) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended by striking ''SUNSET AND REPORTS'' and inserting ''REPORT''.

(g) ADDITIONAL DEFINITIONS.—

(1) IN GENERAL.—Subsection (i) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended—

(A) in the matter before paragraph (1), by striking ''In this section, the term—'' and inserting ''In this section:'';

(B) in paragraph (1)—

(i) by inserting ''The term'' before '' 'firefighter' has''; and

(ii) by striking ''; and'' and inserting a period;

(C) by striking paragraph (2); and

(D) by inserting at the end the following:

''(2) The terms 'Administrator of FEMA', 'career fire department', 'combination fire department', and 'volunteer fire department' have the meanings given such terms in section 33(a).''.

(2) CONFORMING AMENDMENT.—Section 34(a)(1)(A) of such Act (15 U.S.C. 2229a(a)(1)(A)) is amended by striking ''career, volunteer, and combination fire departments'' and inserting ''career fire departments, combination fire departments, and volunteer fire departments''.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subsection (j) of section 34 of such Act (15 U.S.C. 2229a), as redesignated by subsection (d)(1) of this section, is amended—

(A) in paragraph (6), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(8) $750,000,000 for fiscal year 2013; and

''(9) for each of fiscal years 2014 through 2017, an amount equal to the amount authorized for the previous fiscal year increased by the percentage by which—

''(A) the Consumer Price Index (all items, United States city average) for the previous fiscal year, exceeds

''(B) the Consumer Price Index for the fiscal year preceding the fiscal year described in subparagraph (A).''.

(2) ADMINISTRATIVE EXPENSES.—Such subsection (j) is further amended—

(A) in paragraph (9), as added by paragraph (1) of this subsection, by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving the left margin of such clauses, as so redesignated, 2 ems to the right;

(B) by redesignating paragraphs (1) through (9) as subparagraphs (A) through (I), respectively, and moving the left margin of such subparagraphs, as so redesignated, 2 ems to the right;

(C) by striking ''There are'' and inserting the following:

''(1) IN GENERAL.—There are''; and

(D) by adding at the end the following:

''(2) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated pursuant to paragraph (1) for a fiscal year, the Administrator of FEMA may use not more than 5 percent of such amounts to cover salaries and expenses and other administrative costs incurred by the Administrator of FEMA to make grants and provide assistance under this section.''.

(3) CONGRESSIONALLY DIRECTED SPENDING.—Such subsection (j) is further amended by adding at the end the following:

''(3) CONGRESSIONALLY DIRECTED SPENDING.—Consistent with the requirement in subsection (a) that grants under this section be awarded on a competitive basis, none of the funds appropriated pursuant to this subsection may be used for any congressionally direct spending item (as defined under the rules of the Senate and the House of Representatives).''.

(i) TECHNICAL AMENDMENT.—Section 34 of such Act (15 U.S.C. 2229a) is amended by striking ''Administrator'' each place it appears and inserting ''Administrator of FEMA''.

(j) CLERICAL AMENDMENT.—Such section is further amended in the heading by striking ''**EXPANSION OF PRE-SEPTEMBER 11, 2001, FIRE GRANT PROGRAM**'' and inserting the following: ''**STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE**''.

(k) SUNSET OF AUTHORITY TO AWARD HIRING GRANTS.—Such section is further amended by adding at the end the following:

''(k) SUNSET OF AUTHORITIES.—The authority to award assistance and grants under this section shall expire on the date that is 5 years after the date of the enactment of the Fire Grants Reauthorization Act of 2012.''.

SEC. 1805. SENSE OF CONGRESS ON VALUE AND FUNDING OF ASSISTANCE TO FIREFIGHTERS AND STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE PROGRAMS.

It is the sense of Congress that—

(1) the grants and assistance awarded under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) have proven equally valuable in protecting the health and safety of the public and firefighting personnel throughout the United States against fire and fire-related hazards; and

(2) providing parity in funding for the awarding of grants and assistance under both such sections will ensure that the grant and assistance programs under such sections can continue to serve their complementary purposes.

SEC. 1806. REPORT ON AMENDMENTS TO ASSISTANCE TO FIREFIGHTERS AND STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE PROGRAMS.

(a) IN GENERAL.—Not later than September 30, 2016, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science and Technology of the House of Representatives a report on the effect of the amendments made by this title.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the effect of the amendments made by sections 1803 and 1804 on the effectiveness, relative allocation, accountability, and administration of the grants and assistance awarded under sections 33 and 34 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229 and 2229a) after the date of the enactment of this Act.

(2) An evaluation of the extent to which the amendments made by sections 1803 and 1804 have enabled recipients of grants and assistance awarded under such sections 33 and 34 after the date of the enactment of this Act to mitigate fire and fire-related and other hazards more effectively.

SEC. 1807. STUDIES AND REPORTS ON THE STATE OF FIRE SERVICES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the United States Fire Administration.

(2) CAREER FIRE DEPARTMENT, COMBINATION FIRE DEPARTMENT, VOLUNTEER FIRE DEPARTMENT.—The terms ''career fire department'', ''combination fire department'', and ''volunteer fire department'' have the meanings given such terms in section 33(a) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229(a)), as amended by section 1803.

(3) FIRE SERVICE.—The term ''fire service'' has the meaning given such term in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203).

(b) STUDY AND REPORT ON COMPLIANCE WITH STAFFING STANDARDS.—

(1) STUDY.—The Administrator shall conduct a study on the level of compliance with national voluntary consensus standards for staffing, training, safe operations, personal protective equipment, and fitness among the fire services of the United States.

(2) SURVEY.—

(A) IN GENERAL.—In carrying out the study required by paragraph (1), the Administrator shall carry out a survey of fire services to assess the level of compliance of such fire services with the standards described in such paragraph.

(B) ELEMENTS.—The survey required by subparagraph (A) shall—

(i) include career fire departments, volunteer fire departments, combination fire departments, and fire departments serving communities of different sizes, and such other distinguishing factors as the Administrator considers relevant;

(ii) employ methods to ensure that the survey accurately reflects the actual rate of compliance with the standards described in paragraph (1) among fire services; and

(iii) determine the extent of barriers and challenges to achieving compliance with the standards described in paragraph (1) among fire services.

(C) AUTHORITY TO CARRY OUT SURVEY WITH NONPROFIT.—If the Administrator determines that it will reduce the costs incurred by the United States Fire Administration in carrying out the survey required by subparagraph (A), the Administrator may carry out such survey in conjunction with a nonprofit organization that has substantial expertise and experience in the following areas:

(i) The fire services.

(ii) National voluntary consensus standards.

(iii) Contemporary survey methods.

(3) REPORT ON FINDINGS OF STUDY.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the findings of the Administrator with respect to the study required by paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) An accurate description, based on the results of the survey required by paragraph (2)(A), of the rate of compliance with the standards described in paragraph (1) among United States fire services, including a comparison of the rates of compliance among career fire departments, volunteer fire departments, combination fire departments, and fire departments serving communities of different sizes, and such other comparisons as Administrator considers relevant.

(ii) A description of the challenges faced by different types of fire departments and different types of communities in complying with the standards described in paragraph (1).

(c) TASK FORCE TO ENHANCE FIREFIGHTER SAFETY.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish a task force to be known as the ''Task Force to Enhance Firefighter Safety'' (in this subsection referred to as the ''Task Force'').

(2) MEMBERSHIP.—

(A) IN GENERAL.—Members of the Task Force shall be appointed by the Secretary from among the general public and shall include the following:

(i) Representatives of national organizations representing firefighters and fire chiefs.

(ii) Individuals representing standards-setting and accrediting organizations, including representatives from the voluntary consensus codes and standards development community.

(iii) Such other individuals as the Secretary considers appropriate.

(B) REPRESENTATIVES OF OTHER DEPARTMENTS AND AGENCIES.—The Secretary may invite representatives of other Federal departments and agencies that have an interest in fire services to participate in the meetings and other activities of the Task Force.

(C) NUMBER; TERMS OF SERVICE; PAY AND ALLOWANCES.—The Secretary shall determine the number, terms of service, and pay and allowances of members of the Task Force appointed by the Secretary, except that a term of service of any such member may not exceed 2 years.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) consult with the Secretary in the conduct of the study required by subsection (b)(1); and

(B) develop a plan to enhance firefighter safety by increasing fire service compliance with the standards described in subsection (b)(1), including by—

(i) reviewing and evaluating the report required by subsection (b)(3)(A) to determine the extent of and barriers to achieving compliance with the standards described in subsection (b)(1) among fire services; and

(ii) considering ways in which the Federal Government, States, and local governments can promote or encourage fire services to comply with such standards.

(4) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary submits the report required by subsection (b)(3)(A), the Task Force shall submit to Congress and the Secretary a report on the activities and findings of the Task Force.

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) The findings and recommendations of the Task Force with respect to the study carried out under subsection (b)(1).

(ii) The plan developed under paragraph (3)(B).

(d) STUDY AND REPORT ON THE NEEDS OF FIRE SERVICES.—

(1) STUDY.—The Administrator shall conduct a study—

(A) to define the current roles and activities associated with fire services on a national, State, regional, and local level;

(B) to identify the equipment, staffing, and training required to fulfill the roles and activities defined under subparagraph (A);

(C) to conduct an assessment to identify gaps between what fire services currently possess and what they require to meet the equipment, staffing, and training needs identified under subparagraph (B) on a national and State-by-State basis; and

(D) to measure the impact of the grant and assistance program under section 33 of the Federal

Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) in meeting the needs of fire services and filling the gaps identified under subparagraph (C).

(2) REPORT.—Not later than 2 years after the date of the enactment of this title, the Administrator shall submit to Congress a report on the findings of the Administrator with respect to the study conducted under paragraph (1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section—

(1) $600,000 for fiscal year 2013; and

(2) $600,000 for fiscal year 2014.

Subtitle B—Reauthorization of United States Fire Administration

SEC. 1811. SHORT TITLE.

This subtitle may be cited as the ''United States Fire Administration Reauthorization Act of 2012''.

SEC. 1812. CLARIFICATION OF RELATIONSHIP BETWEEN UNITED STATES FIRE ADMINISTRATION AND FEDERAL EMERGENCY MANAGEMENT AGENCY.

Section 5(c) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2204) is amended to read as follows:

''(c) DEPUTY ADMINISTRATOR.—The Administrator may appoint a Deputy Administrator, who shall—

''(1) perform such functions as the Administrator shall from time to time assign or delegate; and

''(2) act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.''.

SEC. 1813. MODIFICATION OF AUTHORITY OF ADMINISTRATOR TO EDUCATE PUBLIC ABOUT FIRE AND FIRE PREVENTION.

Section 6 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2205) is amended by striking ''to take all steps'' and all that follows through ''fire and fire prevention.'' and inserting ''to take such steps as the Administrator considers appropriate to educate the public and overcome public indifference as to fire, fire prevention, and individual preparedness.''.

SEC. 1814. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

(1) in subparagraph (G), by striking ''and'' at the end;

(2) in subparagraph (H), by striking the period at the end and inserting a semicolon;

(3) by adding after subparagraph (H) the following:

''(I) $76,490,890 for fiscal year 2013, of which $2,753,672 shall be used to carry out section 8(f);

''(J) $76,490,890 for fiscal year 2014, of which $2,753,672 shall be used to carry out section 8(f);

''(K) $76,490,890 for fiscal year 2015, of which $2,753,672 shall be used to carry out section 8(f);

''(L) $76,490,890 for fiscal year 2016, of which $2,753,672 shall be used to carry out section 8(f); and

''(M) $76,490,890 for fiscal year 2017, of which $2,753,672 shall be used to carry out section 8(f).''; and

(4) in subparagraphs (E) through (H), by moving each margin 2 ems to the left.

SEC. 1815. REMOVAL OF LIMITATION.

Section 9(d) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208(d)) is amended—

(1) by striking ''UPDATE.—'' and all that follows through ''The Administrator'' and inserting ''UPDATE.—The Administrator''; and

(2) by striking paragraph (2).

TITLE XIX—MEMORIAL TO SLAVES AND FREE BLACK PERSONS WHO SERVED IN THE AMERICAN REVOLUTION

SEC. 1901. FINDING.

Congress finds that the contributions of free persons and slaves who fought during the American Revolution were of preeminent historical and lasting significance to the United States, as required by section 8908(b)(1) of title 40, United States Code.

SEC. 1902. DEFINITIONS.

In this title:

(1) FEDERAL LAND.—

(A) IN GENERAL.—The term ''Federal land'' means the parcel of land—

(i) identified as ''Area I''; and

(ii) depicted on the map numbered 869/86501B and dated June 24, 2003.

(B) EXCLUSION.—The term ''Federal land'' does not include the Reserve (as defined in section 8902(a) of title 40, United States Code).

(2) MEMORIAL.—The term ''memorial'' means the memorial authorized to be established under section 3(a).

SEC. 1903. MEMORIAL AUTHORIZATION.

(a) AUTHORIZATION.—In accordance with subsections (b) and (c), National Mall Liberty Fund D.C. may establish a memorial on Federal land in the District of Columbia to honor the more than 5,000 courageous slaves and free Black persons who served as soldiers and sailors or provided civilian assistance during the American Revolution.

(b) PROHIBITION ON USE OF FEDERAL FUNDS.—National Mall Liberty Fund D.C. may not use Federal funds to establish the memorial.

(c) APPLICABLE LAW.—National Mall Liberty Fund D.C. shall establish the memorial in accordance with chapter 89 of title 40, United States Code.

SEC. 1904. REPEAL OF JOINT RESOLUTIONS.

Public Law 99–558 (110 Stat. 3144) and Public Law 100–265 (102 Stat. 39) are repealed.

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 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.

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	$18,000,000
	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

Army: Inside the United States—Continued

State	Installation or Location	Amount
North Carolina	Fort Bragg	$68,000,000
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	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

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/Country	Installation or Location	Project	Amount
Louisiana	Fort Polk	Land Purchases and Condemnation	$17,000,000
New Jersey	Picatinny Arsenal	Ballistic Evaluation Facility, Ph2	$10,200,000
Virginia	Fort Belvoir	Road and Access Control Point	$9,500,000
Washington	Fort Lewis	Fort Lewis-McCord AFB Joint Access	$9,000,000
Kuwait	Kuwait	APS Warehouses	$82,000,000

SEC. 2107. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military construction project to construct a cadet barracks at the U.S. Military Academy, New York, in the amount of $192,000,000.

(b) USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.—The Secretary of the Army shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

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
	San Diego	$71,188,000
	Seal Beach	$30,594,000
	Twentynine Palms	$47,270,000
	Ventura County	$12,790,000
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 and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	SW Asia	$51,348,000
Diego Garcia	Diego Garcia	$1,691,000
Djibouti	Camp Lemonier	$99,420,000
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 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 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $97,655,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

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 4601, including incremental funding for the construction of increment 2 of explosives handling wharf 2 at Kitsap, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for

Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), $254,241,000.

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 #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 Authorization

State/Country	Installation or Location	Project	Amount
California	*Marine Corps Base, Camp Pendleton*	*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	*Mountain Warfare Training Center, 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*

SEC. 2208. REALIGNMENT OF MARINES IN THE ASIA-PACIFIC REGION.

(a) RESTRICTION ON USE OF FUNDS.—Except as provided in subsection (c), none of the funds authorized to be appropriated under this Act, and none of the amounts provided by the Government of Japan for construction activities on land under the jurisdiction of the Department of Defense, may be obligated or expended to implement the realignment of Marine Corps forces from Okinawa to other locations until—

(1) the Commander of the United States Pacific Command provides to the congressional defense committees an assessment of the strategic and logistical resources needed to ensure the distributed lay-down of members of the United States Marine Corps in the United States Pacific Command Area of Responsibility meets the contingency operations plans;

(2) the Secretary of Defense submits to the congressional defense committees master plans for the construction of facilities and infrastructure to execute the Marine Corps distributed lay-down on Guam, Australia, and Hawaii, including a detailed description of costs and the schedule for such construction;

(3) the Secretary of the Navy submits a plan to the congressional defense committees detailing the proposed investments and schedules required to restore facilities and infrastructure at Marine Corps Air Station Futenma; and

(4) a plan coordinated by all pertinent Federal agencies is provided to the congressional defense committees detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the non-military utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces.

(b) DEVELOPMENT OF PUBLIC INFRASTRUCTURE.—

(1) AUTHORIZATION REQUIRED.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available in fiscal year 2012 or fiscal year 2013 under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer cooperative agreement, or supplemental funding unless specifically authorized by law.

(2) PUBLIC INFRASTRUCTURE DEFINED.—In this section, the term ''public infrastructure'' means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(c) EXCEPTION TO RESTRICTION ON USE OF FUNDS.—The Secretary of Defense may use funds described in subsection (a) to carry out additional analysis or studies required the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for proposed actions on Guam or Hawaii.

(d) DISTRIBUTED LAY-DOWN DEFINED.—For purposes of this section, the term ''distributed lay-down'' refers to the planned distribution of Marines in Okinawa, Guam, Hawaii, Australia, and possibly elsewhere that is contemplated in support of the joint statement of the U.S. – Japan Security Consultative Committee dated April 27, 2012.

(e) REPEAL.—Section 2207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1668) is repealed.

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 AFB	$30,178,000
Florida	Tyndall AFB	$14,750,000
Georgia	Fort Stewart	$7,250,000
	Moody AFB	$8,500,000
New Mexico	Holloman AFB	$25,000,000
North Dakota	Minot AFB	$4,600,000
Texas	Joint Base San Antonio	$18,000,000
Utah	Hill AFB	$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

State	Installation or Location	Amount
Greenland	Thule AB	$24,500,000
Italy	Aviano AB	$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, including incremental funding for the construction of increment 2 of the U.S. Strategic Command Replacement Facility at Offutt Air Force Base, Nebraska, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1670), $111,000,000.

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 Authorizations

State	Installation or Location	Project	Amount
Missouri	Whiteman AFB	Land Acquisition North & South Boundary	$5,500,000
Montana	Malmstrom AFB	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 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

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
CONUS Classified	Classified Location	$6,477,000
Delaware	Dover AFB	$2,000,000
Florida	Eglin AFB	$41,695,000
	Hurlburt Field	$16,000,000
	MacDill AFB	$34,409,000
Hawaii	Joint Base Pearl Harbor-Hickam	$24,289,000
Illinois	Great Lakes	$28,700,000
	Scott AFB	$86,711,000
Indiana	Grissom ARB	$26,800,000
Kentucky	Fort Campbell	$71,639,000
Louisiana	Barksdale AFB	$11,700,000
Maryland	Annapolis	$66,500,000
	Bethesda Naval Hospital	$62,200,000
	Fort Meade	$128,600,000
Missouri	Fort Leonard Wood	$18,100,000
New Mexico	Cannon AFB	$93,085,000
New York	Fort Drum	$43,200,000
North Carolina	Camp Lejeune	$80,064,000
	Fort Bragg	$130,422,000
	Seymour Johnson AFB	$55,450,000
Pennsylvania	DEF Distribution Depot New Cumberland	$17,400,000
South Carolina	Shaw AFB	$57,200,000
Texas	Red River Army Depot	$16,715,000
Virginia	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 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
Guantanamo Bay, Cuba	Guantanamo Bay	$40,200,000
Japan	Camp Zama	$13,273,000
	Kadena AB	$143,545,000
	Sasebo	$35,733,000
	Zukeran	$79,036,000
Korea	Kunsan AB	$13,000,000
	Osan AB	$77,292,000
Romania	Deveselu	$157,900,000
United Kingdom	Menwith Hill Station	$50,283,000
	RAF Feltwell	$30,811,000
	RAF Mildenhall	$6,490,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation projects as specified in the funding table in 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of $150,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

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 4601, including incremental funding for the following projects in the following amounts:

(1) For the construction of increment 7 of the Army Medical Research Institute of Infectious Diseases Stage I at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109–364; 120 Stat. 2457), $19,000,000.

(2) For the construction of increment 4 of a National Security Agency data center at Camp Williams, Utah, authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1888), $191,414,000.

(3) For the construction of increment 4 of the hospital at Fort Bliss, Texas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2642), $107,400,000.

(4) For the construction of increment 2 of the high performance computing center at Fort Meade, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2405(a) of this Act, $225,521,000.

(5) For the construction of increment 2 of the ambulatory care center phase 3 at Joint Base San Antonio, Texas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), $80,700,000.

(6) For the construction of increment 2 of the medical center replacement at Rhine Ordnance Barracks, Germany, authorized by section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673), $127,000,000.

SEC. 2404. 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), authorizations 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:

Washington Headquarters Services: Extension of 2010 Project Authorization

State	Installation or Location	Project	Amount
Virginia	Pentagon Reservation	Pentagon electrical upgrade	$19,272,000

SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

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''.

SEC. 2406. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

(a) PROJECT AUTHORIZATION.—The Secretary of Defense may carry out a military construction project to construct an Upgrade Fuel Pipeline at Andersen Air Force Base, Guam, in the amount of $67,500,000.

(b) LIMITATION.—No funds may be obligated or expended for the project described in subsection (a) until the Commander of the United States Pacific Command provides to the congressional defense committees a report, with classified annex if necessary, detailing the strategic and operational requirements satisfied by the construction of this project and a certification that this project is a bona fide need for meeting national security objectives for fiscal year 2013.

(c) USE OF UNOBLIGATED PRIOR-YEAR MILITARY CONSTRUCTION FUNDS.—The Secretary of Defense shall use available, unobligated military construction funds appropriated for a fiscal year before fiscal year 2013 for the project described in subsection (a).

(d) CONGRESSIONAL NOTIFICATION.—The Secretary of Defense shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a). If it becomes necessary to exceed the estimated project cost, the Secretary shall utilize the authority provided by section 2853 of such title regarding authorized cost and scope of work variations.

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, including incremental funding for the following projects in the following amounts:

(1) For the construction of phase 14 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), and section 2413 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), $36,000,000.

(2) For the construction of phase 13 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1298), section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), section 2414 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 122 Stat. 4697), and section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B Public Law 111–383; 124 Stat. 4450), $115,000,000.

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 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

***Army National Guard: Inside the United States**—Continued*

State	Location	Amount
Idaho	Orchard Training Area	$40,000,000
Indiana	South Bend	$21,000,000
	Terre Haute	$9,000,000
Iowa	Camp Dodge	$3,000,000
Kansas	Topeka	$9,500,000
Kentucky	Frankfort	$32,000,000
Massachusetts	Camp Edwards	$22,000,000
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	Stormville	$24,000,000
Ohio	Chillicothe	$3,100,000
	Delaware	$12,000,000
Oklahoma	Camp Gruber	$25,000,000
Utah	Camp Williams	$36,000,000
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	Installation	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

State	Location	Amount
California	Fort Hunter Liggett	$68,300,000
	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
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 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 IAP ANG	$11,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	$6,500,000
New Mexico	Kirtland AFB	$8,500,000
Wyoming	Cheyenne MAP	$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
New York	Niagara Falls IAP	$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. 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 Authorizations

State	Installation or Location	Project	Amount
Mississippi	Gulfport-Biloxi Airport	Relocate Munitions Complex	$3,400,000

SEC. 2612. 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

SEC. 2613. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.

In the case of the authorization contained in the table in section 2604 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4453) for Nashville International Airport, Tennessee, for renovation of an Intelligence Squadron Facility, the Secretary of the Air Force may convert up to 4,023 square meters of existing facilities to bed down Intelligence Group and Remotely Piloted Aircraft Remote Split Operations Group missions, consistent with the Air National Guard's construction guidelines for these missions.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 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.

SEC. 2703. TECHNICAL AMENDMENTS TO SECTION 2702 OF FISCAL YEAR 2012 ACT.

(a) CORRECTION.—Section 2702 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1681) is amended 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''.

(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''authorized'' and inserting ''authorization of appropriations for''.

SEC. 2704. CRITERIA FOR DECISIONS INVOLVING CERTAIN BASE CLOSURE AND REALIGNMENT ACTIVITIES.

(a) CRITERIA.—Not later than March 31, 2013, the Comptroller General of the United States shall submit to the congressional defense committees a report including objective criteria to be used by the Department of Defense to make decisions relating to realignments of units employed at military installations that are not covered by the requirements of section 2687 of title 10, United States Code, and closures of military installations that are not covered by such requirements.

(b) ONE-YEAR MORATORIUM ON CERTAIN ACTIONS RESULTING IN PERSONNEL REDUCTIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no action may be taken before October 1, 2013, that would result in a military installation covered under paragraph (1) of section 2687(a) of title 10, United States Code, to no longer be covered by such paragraph.

(2) NATIONAL SECURITY WAIVER.—The Secretary of Defense may waive the prohibition under paragraph (1) if the Secretary certifies to the congressional defense committees that is in the national security interests of the United States.

SEC. 2705. MODIFICATION OF NOTICE REQUIREMENTS IN ADVANCE OF PERMANENT REDUCTION OF SIZABLE NUMBERS OF MEMBERS OF THE ARMED FORCES AT MILITARY INSTALLATIONS.

(a) CALCULATION OF NUMBER OF AFFECTED MEMBERS.—Subsection (a) of section 993 of title 10, United States Code, is amended by adding at the end the following new sentence: ''In calculating the number of members to be reduced, the Secretary shall take into consideration both direct reductions and indirect reductions.''.

(b) NOTICE REQUIREMENTS.—Subsection (b) of such section is amended by striking paragraphs (1) through (3) and inserting the following new paragraphs:

''(1) the Secretary of Defense or the Secretary of the military department concerned—

''(A) submits to Congress a notice of the proposed reduction and the number of military and civilian personnel assignments affected, including reductions in base operations support services and personnel to occur because of the proposed reduction; and

''(B) includes in the notice a justification for the reduction and an evaluation of the costs and benefits of the reduction and of the local economic, strategic, and operational consequences of the reduction; and

''(2) a period of 90 days expires following the day on which the notice is submitted to Congress.''.

(c) DEFINITIONS.—Such section is further amended by adding at the end the following new subsection:

''(d) DEFINITIONS.—In this section:

''(1) The term 'direct reduction' means a reduction involving one or more members of a unit.

''(2) The term 'indirect reduction' means subsequent planned reductions or relocations in base operations support services and personnel able to occur due to the direct reductions.

''(3) The term 'military installation' means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or Guam. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

''(4) The term 'unit' means a unit of the armed forces at the battalion, squadron, or an equivalent level (or a higher level).''.

SEC. 2706. REPORT ON REORGANIZATION OF AIR FORCE MATERIEL COMMAND ORGANIZATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the reorganization of Air Force Materiel Command organizations.

(b) CONTENT.—The report required under subsection (a) shall include the following elements:

(1) An assessment of the efficiencies and effectiveness associated with the reorganization of Air Force Materiel Command organizations.

(2) An assessment of the organizational construct to determine how institutional synergies that were previously available in a collocated center can be replicated in the new Air Force Materiel Command Center reorganization, including an assessment of the following Air Force Materiel Command capabilities:

(A) Science and Technology, Acquisition.

(B) Developmental Test and Evaluation.

(3) An assessment of synergistic efficiencies associated with capabilities of collocated organizations of other commands, including an assessment of the impact of the Air Force Materiel Command's reorganization on other commands' responsibilities for—

(A) Operational Test and Evaluation; and

(B) Follow-on Operational Test and Evaluation.

(4) An assessment of how the Air Force reorganization of Air Force Materiel Command is in adherence with section 2687 of title 10, United States Code.

(5) An analysis of the extent to which the proposed changes in the Air Force management structure were coordinated with the Office of the Secretary of Defense and the Director, Test Resource Management Center and the degree to which their concerns, if any, were addressed in the approach selected by the Air Force.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. AUTHORIZED COST AND SCOPE VARIATIONS.

Section 2853 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''was approved originally'' and inserting ''was authorized'';

(2) in subsection (b)—

(A) in paragraph (1), by adding at the end the following: ''Any reduction in scope of work for a military construction project shall not result in a facility or item of infrastructure that is not complete and useable or does not fully meet the mission requirement contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.''; and

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

''(3) In this subsection, the term 'scope of work' refers to the function, size, or quantity of the primary facility, any associated facility, or item of complete and useable infrastructure contained in the justification data provided to Congress as part of the request for authorization of the project, construction, improvement, or acquisition.'';

(3) in subsection (c)(1)(A), by striking ''and the reasons therefor, including a description'' and inserting '', the reasons therefor, a certification that the mission requirement identified in the justification data provided to Congress can be still be met with the reduced scope, and a description''; and

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

''(e) Notwithstanding the authority under subsections (a) through (d), the Secretary concerned shall ensure compliance of contracts for military construction projects and for the construction, improvement, and acquisition of military family housing projects with section 1341 of title 31, United States Code (commonly referred to as the 'Anti-Deficiency Act').''.

SEC. 2802. COMPTROLLER GENERAL REPORT ON IN-KIND PAYMENTS.

(a) REPORTS REQUIRED.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the construction or renovation of Department of Defense facilities with in-kind payments. The report shall cover construction or renovation projects begun during the preceding two years.

(2) UPDATES.—Not later than one year after submitting the report required under paragraph (1), and annually thereafter for 3 years, the Comptroller General shall submit to the congressional defense committees a report covering projects begun since the most recent report.

(b) CONTENT.—Each report required under subsection (a) shall include the following elements:

(1) A listing of each facility constructed or renovated for the Department of Defense as payment in kind.

(2) The value in United States dollars of that construction or renovation.

(3) The source of the in-kind payment.

(4) The agreement pursuant to which the in-kind payment was made.

(5) A description of the purpose and need for the construction or renovation.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1685), is further amended—

(1) in subsection (c)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as so redesignated, by striking the second sentence; and

(2) in subsection (h)—

(A) in paragraph (1), by striking ''September 30, 2012'' and inserting ''September 30, 2013''; and

(B) in paragraph (2), by striking ''fiscal year 2013'' and inserting ''fiscal year 2014''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. AUTHORITY TO ACCEPT AS CONSIDERATION FOR LEASES OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES REAL PROPERTY INTERESTS AND NATURAL RESOURCE MANAGEMENT SERVICES RELATED TO AGREEMENTS TO LIMIT ENCROACHMENT.

Section 2667 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by adding at the end the following new subparagraph:

''(G) Provision of interests in real property for the purposes specified in section 2684a of this title and provision of natural resource management services on such real property.''; and

(B) in paragraph (2), by striking ''accepted at any property or facilities'' and inserting ''accepted at or for the benefit of any property or facilities''; and

(2) in subsection (e)(1)(C), by adding at the end the following new clause:

''(vi) Provision of funds pursuant to an agreement under section 2684a of this title.''.

SEC. 2812. CLARIFICATION OF PARTIES WITH WHOM DEPARTMENT OF DEFENSE MAY CONDUCT EXCHANGES OF REAL PROPERTY AT MILITARY INSTALLATIONS.

Section 2869(a)(1) of title 10, United States Code is amended—

(1) by striking ''eligible''; and

(2) by striking ''entity'' both places it appears and inserting ''person''.

Subtitle C—Energy Security

SEC. 2821. GUIDANCE ON FINANCING FOR RENEWABLE ENERGY PROJECTS.

(a) GUIDANCE ON USE OF AVAILABLE FINANCING APPROACHES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall issue guidance about the use of available financing approaches for financing renewable energy projects and direct the Secretaries of the military departments to update their guidance accordingly. The guidance should describe the requirements and restrictions applicable to the underlying authorities and any Department of Defense-specific guidelines for using appropriated funds and alternative-financing approaches for renewable energy projects.

(b) GUIDANCE ON USE OF BUSINESS CASE ANALYSES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Deputy Under Secretary of Defense for Installations and Environment, and the Secretaries of the military departments, shall issue guidance that establishes and clearly describes the processes used by the military departments to select financing approaches for renewable energy projects to ensure that business case analyses are completed to maximize benefits and mitigate drawbacks and risks associated with different financing approaches.

(c) INFORMATION SHARING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Deputy Under Secretary of Defense for Installations and Environment, shall develop a formalized communications process, such as a shared Internet website, that will enable officials at military installations to have timely access on an ongoing basis to information related to financing renewable energy projects on other installations, including best practices and lessons that officials at other installations have learned from their experiences in financing renewable energy projects.

SEC. 2822. CONTINUATION OF LIMITATION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) GOLD OR PLATINUM CERTIFICATION.

Section 2830(b)(1) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1695) is amended—

(1) by striking ''authorized to be appropriated by this Act'' and inserting ''authorized to be appropriated''; and

(2) by inserting before the period at the end the following: ''until the date that is six months after the date of the submittal to the congressional defense committees of the report required by subsection (a)''.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCE, LOCAL TRAINING AREA FOR BROWNING ARMY RESERVE CENTER, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Department of Veterans Affairs (in this section referred to as the ''Department'') all right, title, and interest of the United States in and to a parcel of unimproved real property consisting of approximately 5 acres of the Local Training Area for the Browning Army Reserve Center, Utah, for the purpose of constructing and operating a Community Based Outpatient Clinic adjacent to the George E. Wahlen Veterans Home in Ogden, Utah.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may 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 conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Department.

(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 the costs incurred by the Department. 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 description of the 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 conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. USE OF PROCEEDS, LAND CONVEYANCE, TYNDALL AIR FORCE BASE, FLORIDA.

Section 2862(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 868) is amended—

(1) by striking ''and to improve'' and inserting '', to improve''; and

(2) by inserting before the period at the end the following: '', or for other purposes, subject to the limitations described in section 2667(e) of title 10, United States Code''.

Subtitle E—Other Matters

SEC. 2841. CLARIFICATION OF AUTHORITY OF SECRETARY TO ASSIST WITH DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH THE ESTABLISHMENT OR EXPANSION OF A MILITARY INSTALLATION.

Section 2391 of title 10, United States Code, is amended—

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

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

''(d) AUTHORIZATION REQUIREMENT.—If the Secretary of Defense determines that any grant, cooperative agreement, or supplement of funds available under Federal programs administered by agencies other than the Department of Defense provided under this section will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, or construction) of public infrastructure, such grant, cooperative agreement, or supplemental funding shall be specifically authorized by law.''; and

(3) in subsection (e), as redesignated by paragraph (1), by adding at the end the following new paragraph:

''(4) The term 'public infrastructure' means any utility, road, method of transportation, or facility under the control of a State or local government or a private entity that is used by, or constructed for the benefit of, the general public.''.

SEC. 2842. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of Petersburg National Battlefield is modified to include the properties as generally depicted on the map titled ''Petersburg National Battlefield Boundary Expansion'', numbered 325/80,080, and dated June 2007. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—The Secretary of the Interior (referred to in this section as the ''Secretary'') is authorized to acquire the lands or interests in land, described in subsection (a), from willing sellers only by donation, purchase with donated or appropriated funds, exchange, or transfer.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1.170-acre parcel of land depicted as ''Area to be transferred to Fort Lee Military Reservation'' on the map described in paragraph (2)(A); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1.171-acre parcel of land depicted as ''Area to be transferred to Petersburg National Battlefield'' on the map described in paragraph (2)(A).

(2) MAP.—

(A) IN GENERAL.—The land to be transferred under paragraph (1) is depicted on the map entitled ''Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction'', numbered 325/081A, and dated May 2011.

(B) AVAILABILITY.—The map described in subparagraph (A) shall be available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction authorized in paragraph (1) shall be subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer shall occur without reimbursement or consideration.

(B) MANAGEMENT.—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of the park in accordance with applicable laws and regulations.

SEC. 2843. CONGRESSIONAL NOTIFICATION WITH RESPECT TO OVERSIGHT AND MAINTENANCE OF BASE CEMETERIES FOLLOWING CLOSURE OF OVERSEAS MILITARY INSTALLATIONS.

(a) NOTIFICATION REQUIREMENT.—Not later than 30 days after closure of a United States military installation overseas, the Secretary of Defense shall submit to the appropriate congressional committees a report that details a plan to ensure the oversight and continued maintenance of the cemetery located on the military installation. The plan shall clearly detail which Federal agency or private entity will assume responsibility for the operation and maintenance of the cemetery following the closure of the installation and what information with regard to the cemetery has been provided to the responsible agency or private entity.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 2844. ADDITIONAL EXEMPTIONS FROM CERTAIN REQUIREMENTS APPLICABLE TO FUNDING FOR DATA SERVERS AND CENTERS.

Section 2867(c) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1706; 10 U.S.C. 2223a note) is amended—

(1) by striking ''EXCEPTION.—The Chief'' and inserting the following: ''EXCEPTIONS.—

''(1) EXEMPTION AUTHORITY.—The Chief''; and

(2) by inserting at the end the following new paragraph:

''(2) The Chief Information Officer of the Department may exempt from the applicability of this section research, development, test, and evaluation programs that use authorization or appropriations for the High Performance Computing Modernization Program (Program Element 0603461A), if the Chief Information Officer determines that the exemption is in the best interest of national security.''.

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 4601.

(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 the following new plant projects for the National Nuclear Security Administration:

Project 13–D–301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory/Los Alamos National Laboratory, $23,000,000.

Project 13–D–903, Kesselring Site Prototype Staff Building, Kesselring Site, West Milton, New York, $14,000,000.

Project 13–D–904, Kesselring Site Radiological Work and Storage Building, Kesselring Site, West Milton, New York, $2,000,000.

Project 13–D–905, Remote-Handled Low-Level Waste Disposal Project, Idaho National Laboratory, Idaho, $8,900,000.

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 4601.

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 4601.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

(a) PROJECT REQUIRED.—

(1) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

''SEC. 4215. REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

''(a) REPLACEMENT BUILDING REQUIRED.—The Secretary of Energy shall construct at Los Alamos National Laboratory, New Mexico a building to replace the functions of the existing Chemistry and Metallurgy Research building at Los Alamos National Laboratory associated with Department of Energy Hazard Category 2 special nuclear material operations.

''(b) LIMITATION ON COST.—The cost of the building constructed under subsection (a) may not exceed $3,700,000,000.

''(c) PROJECT BASIS.—The construction authorized by subsection (a) shall use as it basis the facility project in the Department of Energy Readiness and Technical Base designated 04–D–125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory).

''(d) DEADLINE FOR COMMENCEMENT OF OPERATIONS.—The building constructed under subsection (a) shall commence operations not later than December 31, 2024.''.

(2) CLERICAL AND TECHNICAL AMENDMENT.—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to 4213 the following new items:

''Sec. 4214. Plan for transformation of National Nuclear Security Administration nuclear weapons complex.

''Sec. 4215. Replacement project for Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.''.

(b) FUNDING.—

(1) FISCAL YEAR 2013 FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), of the amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration, $150,000,000 shall be available for the construction of the building authorized by section 4215 of the Atomic Energy Defense Act (as added by subsection (a)).

(B) EXCEPTION.—The following amounts authorized to be appropriated by this division for fiscal year 2013 for the National Nuclear Security Administration shall not be available for the construction of the building:

(i) Amounts available for Directed Stockpile Work.

(ii) Amounts available for Naval Reactors.

(iii) Amounts available for the facility project in the Department of Energy Readiness and Technical Base designated 06–D–141.

(2) PRIOR FISCAL YEAR FUNDS.—Amounts authorized to be appropriated for the Department of Energy for a fiscal year before fiscal year 2013 and available for the facility project in the Department of Energy Readiness and Technical Base designated 04–D–125 (chemistry and metallurgy facility replacement project at Los Alamos National Laboratory, New Mexico) shall be available for the construction of the building authorized by section 4215 of the Atomic Energy Defense Act (as so added).

SEC. 3112. SUBMITTAL TO CONGRESS OF SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES ON NUCLEAR WEAPON SYSTEMS UNDERGOING LIFE EXTENSION.

(a) SUBMITTAL REQUIRED.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3111 of this Act, is further amended by adding at the end the following new section:

''SEC. 4216. SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES ON NUCLEAR WEAPON SYSTEMS UNDERGOING LIFE EXTENSION.

''(a) SELECTED ACQUISITION REPORTS.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees at the end of each fiscal-year quarter a report on each nuclear weapon system undergoing life extension. The reports shall be known as Selected Acquisition Reports for the weapon system concerned.

''(2) The information contained in the Selected Acquisition Report for a fiscal-year quarter for a nuclear weapon system shall be the information contained in the Selected Acquisition Report for such fiscal-year quarter for a major defense acquisition program under section 2432 of title 10, United States Code, expressed in terms of the nuclear weapon system.

''(b) INDEPENDENT COST ESTIMATES.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to the congressional defense committees a cost estimate on each nuclear weapon system undergoing life extension at the times in production as follows:

''(A) At the completion of phase 6.2A, relating to design definition and cost study.

''(B) Before initiation of phase 6.5, relating to first production.

''(2) A cost estimate for purposes of this subsection may not be prepared by the Department of Energy or the National Nuclear Security Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act, as so amended, is further amended by inserting after the item relating to 4215 the following new item:

''Sec. 4216. Selected Acquisition Reports and independent cost estimates on nuclear weapon systems undergoing life extension.''.

SEC. 3113. 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''; and

(B) 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''.

SEC. 3114. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2562 et seq.) is amended by adding at the end the following new section:

''SEC. 4309. PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

''(a) PROGRAM REQUIRED.—(1) The Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, carry out a program on scientific engagement in countries selected by the Secretary for purposes of the program in order to advance global nonproliferation and nuclear security efforts.

''(2) The program required by this section shall be a distinct program from the Global Initiatives for Proliferation Prevention program.

''(b) ELEMENTS.—The program shall include the elements as follows:

''(1) Training and capacity-building to strengthen nonproliferation and security best practices.

''(2) Engagement of United States scientists with foreign counterparts to advance nonproliferation goals.

''(c) REPORT ON COMMENCEMENT OF PROGRAM.—Funds may not be expended under the program required by this section until the Administrator submits to the appropriate congressional committees a report setting forth the following:

''(1) For each country selected for the program as of the date of such report—

''(A) a proliferation threat assessment prepared by the Director of National Intelligence; and

''(B) metrics for evaluating the success of the program.

''(2) Accounting standards for the conduct of the program approved by the Comptroller General of the United States.

''(d) REPORTS ON MODIFICATION OF PROGRAM.—Before making any modification in the program (whether selecting a new country for the program, ceasing the selection of a country for the program, or modifying an element of the program), the Administrator shall submit to the appropriate congressional committees a report on the modification. If the modification consists of the selection for the program of a country not previously selected for the program, the report shall include the matters specified in subsection (c)(1) for the country.

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

''(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

''(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act (division D of Public Law 107–314) is amended by inserting after the item relating to section 4308 the following new item:

''Sec. 4309. Program on scientific engagement for nonproliferation.''.

(b) REPORT ON COORDINATION WITH OTHER UNITED STATES NONPROLIFERATION PROGRAMS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the appropriate congressional committees a report describing the manner in which the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as added by subsection (a)) coordinates with and complements, but does not duplicate, other nonproliferation programs of the United States Government.

(c) COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the program on scientific engagement for nonproliferation under section 4309 of the Atomic Energy Defense Act (as so added). The report shall include an assessment by the Comptroller General of the success of the program, as determined in accordance with the metrics for evaluating the success of the program under subsection (c)(1)(B) of such section 4309, and such other matters on the program as the Comptroller General considers appropriate.

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

(1) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 3115. REPEAL OF REQUIREMENT FOR ANNUAL UPDATE OF DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORKFORCE RESTRUCTURING PLAN.

Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) is amended—

(1) in subsection (b)(1), by striking ''and any updates of the plan under subsection (e)'';

(2) by striking subsection (e);

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively; and

(4) in subsection (e), as redesignated by paragraph (3)—

(A) by striking ''(1)'' before ''The Secretary''; and

(B) by striking paragraph (2).

SEC. 3116. QUARTERLY REPORTS TO CONGRESS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.

(a) REPORTS REQUIRED.—Subtitle C of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2771 et seq.) is amended by adding at the end the following new section:

''SEC. 4732. QUARTERLY REPORTS ON FINANCIAL BALANCES FOR ATOMIC ENERGY DEFENSE ACTIVITIES.

''(a) REPORTS REQUIRED.—Not later than 15 days after the end of each fiscal year quarter, the Secretary of Energy shall submit to the congressional defense committees a report on the financial balances for each atomic energy defense program at the budget control levels used in the report accompanying the most current Act appropriating funds for energy and water development.

''(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each program covered by such report, the following as of the end of the fiscal year quarter covered by such report:

''(1) The total amount authorized to be appropriated, including amounts authorized to be appropriated in the current fiscal year and amounts authorized to be appropriated for prior fiscal years.

''(2) The amount unobligated.

''(3) The amount unobligated but committed.

''(4) The amount obligated, but uncosted.

''(c) PRESENTATION.—Each report under subsection (a) shall present information as follows:

''(1) For each program, in summary form and by fiscal year.

''(2) With financial balances in connection with funding under recurring DoE national security authorizations (as that term is defined in section 4701(1)) presented separately from balances in connection with funding under any other provisions of law.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of such Act is amended by inserting after the item relating to section 4731 the following new item:

''Sec. 4732. Quarterly reports on financial balances for atomic energy defense activities.''.

SEC. 3117. TRANSPARENCY IN CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.

(a) PUBLICATION REQUIRED.—

(1) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

''SEC. 4805. PUBLICATION OF CONTRACTOR PERFORMANCE EVALUATIONS BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION LEADING TO AWARD FEES.

''(a) IN GENERAL.—The Administrator of the National Nuclear Security Administration shall take appropriate actions to make available, to the maximum extent practicable, to the public each contractor performance evaluation conducted by the Administration of a national laboratory, production plant, or single user facility

under the management responsibility of the Administration that results in the award of an award fee to the contractor concerned.

''(b) FORMAT.—Performance evaluations shall be made public under this section in a common format that facilitates comparisons of performance evaluations between and among similar management contracts.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 4001(b) of that Act is amended by inserting after the item relating to section 4804 the following new item:

''Sec. 4805. Publication of contractor performance evaluations by the National Nuclear Security Administration leading to award fees.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to contractor performance evaluations conducted by the National Nuclear Security Administration on or after that date.

SEC. 3118. EXPANSION OF AUTHORITY TO ESTABLISH CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.

(a) NUMBER OF POSITIONS.—Section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) is amended by striking ''300'' and inserting ''700''.

(b) EXTENSION TO CONTRACTING POSITIONS.—Such section is further amended by inserting ''contracting,'' before ''scientific''.

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 3241. AUTHORITY TO ESTABLISH CERTAIN CONTRACTING, SCIENTIFIC, ENGINEERING, AND TECHNICAL POSITIONS.''.

(d) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241 and inserting the following new item:

''Sec. 3241. Authority to establish certain contracting, scientific, engineering, and technical positions.''.

SEC. 3119. MODIFICATION AND EXTENSION OF AUTHORITY ON ACCEPTANCE OF CONTRIBUTIONS FOR ACCELERATION OF REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.

(a) PROGRAMS FOR WHICH FUNDS MAY BE ACCEPTED.—Paragraph (2) of section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)) is amended to read as follows:

''(2) PROGRAMS COVERED.—The programs described in this paragraph are any programs within the Office of Defense Nuclear Nonproliferation of the National Nuclear Security Administration.''.

(b) EXTENSION.—Paragraph (7) of such section is amended by striking ''December 31, 2013'' and inserting ''December 31, 2018''.

SEC. 3120. COST CONTAINMENT FOR Y–12 URANIUM PROCESSING FACILITY, Y–12 NATIONAL SECURITY COMPLEX, OAK RIDGE, TENNESSEE.

(a) EXECUTION PHASES FOR PROJECT.—Project 06–D–141 for the Y–12 Uranium Processing Facility, Y–12 National Security Complex, Oak Ridge, Tennessee, shall be broken into separate execution phases as follows

(1) Phase I, which shall consist of processes associated with building 9212, including uranium casting and uranium chemical processing.

(2) Phase II, which shall consist of processes associated with buildings 9215 and 9998, including uranium metal working, machining, and inspection.

(3) Phase III, which shall consist of processes associated with building 9204–2E. including radiography, assembly, disassembly, quality evaluation, and production certification operations of nuclear weapon secondaries.

(b) BUDGETING AND AUTHORIZATION FOR EACH PHASE.—

(1) BUDGETING FOR EACH PHASE REQUIRED.—The Secretary of Energy shall budget separately for each phase under subsection (a) of the project referred to in that subsection.

(2) FUNDING PURSUANT TO SEPARATE AUTHORIZATIONS OF APPROPRIATIONS.—The Secretary may not proceed with a phase under subsection (a) of the project referred to in that subsection except with funds expressly authorized to be appropriated for that phase by law.

(c) COMPLIANCE OF PHASES WITH DOE ORDER ON PROGRAM AND PROJECT MANAGEMENT.—Each phase under subsection (a) of the project referred to in that subsection shall comply with Department of Energy Order 413.3, relating to Program Management and Project Management for the Acquisition of Capital Assets.

(d) LIMITATION ON COST OF PHASE I.—The total cost of Phase I under subsection (a) of the project referred to in that subsection may not exceed $4,200,000,000.

SEC. 3121. AUTHORITY TO RESTORE CERTAIN FORMERLY RESTRICTED DATA TO THE RESTRICTED DATA CATEGORY.

(a) IN GENERAL.—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 new paragraphs:

''(2) The Commission may restore to the Restricted Data category any information related to the design of nuclear weapons removed under paragraph (1) if the Commission and the Department of Defense jointly determine that—

''(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

''(B) the information would be more appropriately protected as Restricted Data; and

''(C) restoring the information to the Restricted Data category is in the interest of national security.

''(3) Information related to the design of nuclear weapons shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.''; and

(2) in subsection e.—

(A) by inserting ''(1)'' before ''The Commission''; and

(B) by adding at the end the following new paragraphs:

''(2) The Commission may restore to the Restricted Data category any information concerning atomic energy programs of other nations removed under paragraph (1) if the Commission and the Director of National Intelligence jointly determine that—

''(A) the programmatic requirements that caused the information to be removed from the Restricted Data category are no longer applicable or have diminished;

''(B) the information would be more appropriately protected as Restricted Data; and

''(C) restoring the information to the Restricted Data category is in the interest of national security.

''(3) Information concerning atomic energy programs of other nations shall be restored to the Restricted Data category under paragraph (2) in accordance with regulations prescribed by the Commission for purposes of that paragraph.''.

(b) TECHNICAL AMENDMENT.—Paragraph (1) of subsection (e) of such section, as designated by subsection (a)(2)(A) of this section, is further amended by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''.

SEC. 3122. RENEWABLE ENERGY.

Section 203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)(2)) is amended by striking ''geothermal,'' and inserting ''geothermal (including geothermal heat pumps),''.

Subtitle C—Reports

SEC. 3131. REPORT ON ACTIONS REQUIRED FOR TRANSITION OF REGULATION OF NON-NUCLEAR ACTIVITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO OTHER FEDERAL AGENCIES.

Not later than February 28, 2013, the Secretary of Energy shall, acting through the Administrator of the National Nuclear Security Administration, submit to Congress a report on the actions required to transition, to the maximum extent practicable, the regulation of the non-nuclear activities of the National Nuclear Security Administration to other appropriate agencies of the Federal Government by not later than October 1, 2017.

SEC. 3132. REPORT ON CONSOLIDATION OF FACILITIES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Nuclear Weapons Council shall submit to the congressional defense committees a report setting forth the assessment of the Council as to the feasibility of consolidating facilities and functions of the National Nuclear Security Administration in order to reduce costs.

(b) PROCESS FOR CONSOLIDATION.—If the assessment of the Council in the report under subsection (a) is that excess facilities exist and the consolidation of facilities and functions of the Administration is feasible and would reduce cost, the report shall include recommendations for a process to determine the manner in which the consolidation should be accomplished, including an estimate of the time to be required to complete the process.

(c) LIMITATION ON AVAILABILITY OF CERTAIN FUNDS PENDING REPORT.—Amounts authorized to be appropriated by this title and available for the facility projects in the Department of Energy Readiness and Technical Base designated 04–D–125 and 06–D–141 may not be obligated or expended for CD–3, Start of Construction (as found in Department of Energy Order 413.3 B Program and Project Management for the Acquisition of Capital Assets,) until the submittal under subsection (a) of the report required by that subsection.

SEC. 3133. REGIONAL RADIOLOGICAL SECURITY ZONES.

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

(1) A terrorist attack using high-activity radiological materials, such as in a dirty bomb, could inflict billions of dollars of economic costs and considerable societal and economic dislocation, with effects and costs possibly lasting for years.

(2) It may be easier for terrorists to obtain the materials for, and to fabricate, a dirty bomb than an improvised nuclear device.

(3) Radiological materials are in widespread use worldwide, with estimates of the number of radiological sources ranging from 100,000 to millions.

(4) Many nations have a security and regulatory regime for their radiological sources that is much less developed than that of the United States.

(5) Radiological materials are used at many civilian sites including hospitals, industrial sites, and other locations that have little security, placing these materials at risk of theft.

(6) Many radiological materials have become lost, disused, unwanted, or abandoned, with the Global Threat Reduction Initiative of the National Nuclear Security Administration having recovered more than 30,000 radioactive sources in the United States, repatriated more than 2,400 United States-origin sources from other countries, and helped recover more than 13,000 radioactive sources and radioisotope thermoelectric generators in other countries.

(7) High-activity radiological materials can be used in a dirty bomb.

(b) SENSE OF CONGRESS.—It is the sense of Congress that United States and global nonproliferation efforts should place a high priority on programs to secure high-activity radiological sources to reduce the threat of radiological terrorism.

(c) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Nuclear Security Administration shall submit to the appropriate committees of Congress a study in accordance with paragraph (3).

(2) CONSULTATION.—The Administrator may, in conducting the study required under paragraph (1), consult with the Secretary of Homeland Security, the Secretary of State, the Nuclear Regulatory Commission, and such other departments and agencies of the United States Government as the Administrator considers appropriate.

(3) MATTERS INCLUDED.—The study under paragraph (1) shall include the following:

(A) An assessment of the radioactive isotopes and associated activity levels that present the greatest risk to national and international security.

(B) A review of current United States Government efforts to secure radiological materials abroad, including coordination with foreign governments, the European Union, the International Atomic Energy Agency, other international programs, and nongovernmental organizations that identify, register, secure, remove, and provide for the disposition of high-risk radiological materials worldwide.

(C) A review of current United States Government efforts to secure radiological materials domestically at civilian sites, including hospitals, industrial sites, and other locations.

(D) A definition of regional radiological security zones, including the subset of the materials of concern to be the immediate focus and the security best practices required to achieve that goal.

(E) An assessment of the feasibility, cost, desirability, and added benefit of establishing regional radiological security zones in high priority areas worldwide in order to facilitate regional collaboration in—

(i) identifying and inventorying high-activity radiological sources at high-risk sites;

(ii) reviewing national level regulations, inspections, transportation security, and security upgrade options; and

(iii) assessing opportunities for the harmonization of regulations and security practices among the nations of the region.

(F) An assessment of the feasibility, cost, desirability, and added benefit of establishing remote regional monitoring centers that would receive real-time data from radiological security sites, would be staffed by trained personnel from the countries in the region, and would alert local law enforcement in the event of a potential or actual terrorist incident or other emergency.

(G) A list and assessment of the best practices used in the United States that are most critical in enhancing domestic radiological material security and could be used to enhance radiological security worldwide.

(H) An assessment of the United States entity or entities that would be best suited to lead efforts to establish a radiological security zone program.

(I) An estimate of the costs associated with the implementation of a radiological security zone program.

(J) An assessment of the known locations outside the United States housing high-risk radiological materials in excess of 1,000 curies.

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

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3134. REPORT ON LEGACY URANIUM MINES.

(a) REPORT.—

(1) IN GENERAL.—The Secretary of Energy shall undertake a review of, and prepare a report on, abandoned uranium mines at which uranium ore was mined for the weapons program of the United States (hereinafter referred to as ''legacy uranium mines'').

(2) MATTERS TO BE ADDRESSED.—The report shall describe and analyze—

(A) the location of the legacy uranium mines on Federal, State, tribal, and private land, taking into account any existing inventories undertaken by Federal agencies, States, and Indian tribes, and any additional information available to the Secretary;

(B) the extent to which the legacy uranium mines—

(i) may pose a potential and significant radiation health hazard to the public;

(ii) may pose some other threat to public health and safety hazard;

(iii) have caused, or may cause, degradation of water quality; and

(iv) have caused, or may cause, environmental degradation;

(C) a ranking of priority by category for the remediation and reclamation of the legacy uranium mines;

(D) the potential cost and feasibility of remediating and reclaiming, in accordance with applicable Federal law, each category of legacy uranium mines; and

(E) the status of any efforts to remediate and reclaim legacy uranium mines.

(b) RECOMMENDATIONS.—The report shall—

(1) make recommendations as to how to ensure most feasibly and effectively and expeditiously that the public health and safety, water resources, and the environment will be protected from the adverse effects of legacy uranium mines; and

(2) make recommendations on changes, if any, to Federal law to address the remediation and reclamation of legacy uranium mines.

(c) CONSULTATION.—In preparing the report, the Secretary of Energy shall consult with any other relevant Federal agencies, affected States and Indian tribes, and interested members of the public.

(d) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Energy shall submit to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the appropriate Committees of the House of Representatives—

(1) the report; and

(2) the plan and timeframe of the Secretary of Energy for implementing those recommendations of the report that do not require legislation.

SEC. 3135. COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PROJECTS CARRIED OUT BY OFFICE OF ENVIRONMENTAL MANAGEMENT OF THE DEPARTMENT OF ENERGY PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

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 General shall conduct a review during the period described in paragraph (2), of the following:'' and inserting ''Beginning on the date of the submittal of the report required under subsection (b)(2), the Comptroller General shall conduct a review of the following:'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) in paragraph (2), as redesignated by subparagraph (C), 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 ''Beginning on the date on which the Comptroller General submits the last report required under subsection (c)(3), the Comptroller General shall conduct a review of the following:'' and inserting ''Following the submittal of the final report required under subsection (c)(2), the Comptroller General shall conduct a review of the following:''; and

(B) in paragraph (2), by striking ''Not later than 90 days after submitting the last report required under subsection (c)(3)'' and inserting ''Within seven months after receiving notification that all American Recovery and Reinvestment Act funds have been expended, but not later than April 30, 2016''.

Subtitle D—Other Matters

SEC. 3141. SENSE OF CONGRESS ON OVERSIGHT OF THE NUCLEAR SECURITY ENTERPRISE.

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

(1) In 2000, the National Nuclear Security Administration was established as an independent entity within the Department of Energy to manage and secure the nuclear weapons stockpile of the United States and to manage nuclear nonproliferation and naval reactor programs.

(2) Serious security and health incidents continue to occur at sites of the National Nuclear Security Administration.

(3) In September 2012, an official of the Government Accountability Office testified to Congress that lax laboratory attitudes toward safety procedures, laboratory inadequacies in identifying and addressing safety problems with appropriate corrective actions, and inadequate oversight by site offices of the National Nuclear Security Administration were responsible for nearly 100 safety incidents since 2000.

(4) On July 28, 2012, three unarmed individuals compromised security at the Y–12 National Security Complex in Oak Ridge, Tennessee, and according to the Government Accountability Office, ''gained access to the protected security area directly adjacent to one of the nation's most critically important nuclear weapons-related facilities''.

(5) In June 2006, hackers attacked an unclassified computer system at the National Nuclear Security Administration's Service Center in Albuquerque, New Mexico, and gained access to a file containing the names and social security numbers of more than 1,500 employees of the National Nuclear Security Administration.

(6) As early as February 2005, the Inspector General of the Department of Energy identified problems with the retrieval of badges from terminated employees at Los Alamos National Laboratory and other sites of the National Nuclear Security Administration.

(7) In 2004, a pattern of safety and security incidents that occurred over the course of a year prompted the stand-down of Los Alamos National Laboratory.

(8) The National Nuclear Security Administration, independent of the safety and security reform efforts of the Department of Energy, has launched an overhaul of its contracting oversight, placing an emphasis on contractor self-policing through an untested ''contractor assurance'' approach.

(9) The Government Accountability Office has given the contractor administration and project management capabilities of the National Nuclear Security Administration a ''high risk'' designation and found there to be insufficient qualified Federal acquisition professionals to ''plan, direct, and oversee project execution''.

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

(1) there is a need for strong, independent oversight of the United States nuclear security enterprise;

(2) any attempt to reform oversight of the nuclear security enterprise that transfers oversight from the Department of Energy to the National Nuclear Security Administration, reduces protections for worker health and safety at facilities of the National Nuclear Security Administration to levels below the standards of the Department of Energy, or transfers construction appropriations for the nuclear security enterprise from the Department of Energy appropriation account to the military construction appropriation account, should be carefully evaluated;

(3) the Office of Health, Safety, and Security of the Department of Energy, which reports to the Secretary of Energy but is also accountable for routinely reporting to Congress on the performance with respect to safety and security of the Department, including the National Nuclear Security Administration, and the role of that Office in overseeing safety and security at the National Nuclear Security Administration, should not be diminished but should be routinely evaluated;

(4) any future modifications to the management or structure of the nuclear security enterprise should be done in a way that maintains or increases oversight of critical construction, security, and acquisition capabilities;

(5) to the extent possible, oversight of programs of the National Nuclear Security Administration by the Department of Defense should increase to ensure current and future warfighting requirements are met; and

(6) the Nuclear Weapons Council should provide proper oversight in the execution of its responsibilities under section 179 of title 10, United States Code.

Subtitle E—American Medical Isotopes Production

SEC. 3151. SHORT TITLE.

This subtitle may be cited as the ''American Medical Isotopes Production Act of 2012''.

SEC. 3152. DEFINITIONS.

In this subtitle:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) HIGHLY ENRICHED URANIUM.—The term ''highly enriched uranium'' means uranium enriched to 20 percent or greater in the isotope U–235.

(3) LOW ENRICHED URANIUM.—The term ''low enriched uranium'' means uranium enriched to less than 20 percent in the isotope U–235.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 3153. IMPROVING THE RELIABILITY OF DOMESTIC MEDICAL ISOTOPE SUPPLY.

(a) MEDICAL ISOTOPE DEVELOPMENT PROJECTS.—

(1) IN GENERAL.—The Secretary shall carry out a technology-neutral program—

(A) to evaluate and support projects for the production in the United States, without the use of highly enriched uranium, of significant quantities of molybdenum-99 for medical uses;

(B) to be carried out in cooperation with non-Federal entities; and

(C) the costs of which shall be shared in accordance with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(2) CRITERIA.—Projects shall be judged against the following primary criteria:

(A) The length of time necessary for the proposed project to begin production of molybdenum-99 for medical uses within the United States.

(B) The capability of the proposed project to produce a significant percentage of United States demand for molybdenum-99 for medical uses.

(C) The cost of the proposed project.

(3) EXEMPTION.—An existing reactor in the United States fueled with highly enriched uranium shall not be disqualified from the program if the Secretary determines that—

(A) there is no alternative nuclear reactor fuel, enriched in the isotope U–235 to less than 20 percent, that can be used in that reactor;

(B) the reactor operator has provided assurances that, whenever an alternative nuclear reactor fuel, enriched in the isotope U–235 to less than 20 percent, can be used in that reactor, it will use that alternative in lieu of highly enriched uranium; and

(C) the reactor operator has provided a current report on the status of its efforts to convert the reactor to an alternative nuclear reactor fuel enriched in the isotope U–235 to less than 20 percent, and an anticipated schedule for completion of conversion.

(4) PUBLIC PARTICIPATION AND REVIEW.—The Secretary shall—

(A) develop a program plan and annually update the program plan through public workshops; and

(B) use the Nuclear Science Advisory Committee to conduct annual reviews of the progress made in achieving the program goals.

(b) DEVELOPMENT ASSISTANCE.—The Secretary shall carry out a program to provide assistance for—

(1) the development of fuels, targets, and processes for domestic molybdenum-99 production that do not use highly enriched uranium; and

(2) commercial operations using the fuels, targets, and processes described in paragraph (1).

(c) URANIUM LEASE AND TAKE-BACK.—

(1) IN GENERAL.—The Secretary shall establish a program to make low-enriched uranium available, through lease contracts, for irradiation for the production of molybdenum-99 for medical uses.

(2) TITLE.—The lease contracts shall provide for the producers of the molybdenum-99 to take title to and be responsible for the molybdenum-99 created by the irradiation, processing, or purification of uranium leased under this section.

(3) DUTIES.—

(A) SECRETARY.—The lease contracts shall require the Secretary—

(i) to retain responsibility for the final disposition of spent nuclear fuel created by the irradiation, processing, or purification of uranium leased under this section for the production of medical isotopes; and

(ii) to take title to and be responsible for the final disposition of radioactive waste created by the irradiation, processing, or purification of uranium leased under this section for which the Secretary determines the producer does not have access to a disposal path.

(B) PRODUCER.—The producer of the spent nuclear fuel and radioactive waste shall accurately characterize, appropriately package, and transport the spent nuclear fuel and radioactive waste prior to acceptance by the Department.

(4) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the lease contracts shall provide for compensation in cash amounts equivalent to prevailing market rates for the sale of comparable uranium products and for compensation in cash amounts equivalent to the net present value of the cost to the Federal Government for—

(i) the final disposition of spent nuclear fuel and radioactive waste for which the Department is responsible under paragraph (3); and

(ii) other costs associated with carrying out the uranium lease and take-back program authorized by this subsection.

(B) DISCOUNT RATE.—The discount rate used to determine the net present value of costs described in subparagraph (A)(ii) shall be not greater than the average interest rate on marketable Treasury securities.

(5) AUTHORIZED USE OF FUNDS.—The Secretary may obligate and expend funds received under leases entered into under this subsection, which shall remain available until expended, for the purpose of carrying out the activities authorized by this subtitle, including activities related to the final disposition of spent nuclear fuel and radioactive waste for which the Department is responsible under paragraph (3).

(6) EXCHANGE OF URANIUM FOR SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for—

(A) services related to the final disposition of the spent nuclear fuel and radioactive waste for which the Department is responsible under paragraph (3); or

(B) any other services associated with carrying out the uranium lease and take-back program authorized by this subsection.

(d) COORDINATION OF ENVIRONMENTAL REVIEWS.—The Department and the Nuclear Regulatory Commission shall ensure to the maximum extent practicable that environmental reviews for the production of the medical isotopes shall complement and not duplicate each review.

(e) OPERATIONAL DATE.—The Secretary shall establish a program as described in subsection (c)(3) not later than 3 years after the date of enactment of this Act.

(f) RADIOACTIVE WASTE.—Notwithstanding section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101), radioactive material resulting from the production of medical isotopes that has been permanently removed from a reactor or subcritical assembly and for which there is no further use shall be considered low-level radioactive waste if the material is acceptable under Federal requirements for disposal as low-level radioactive waste.

SEC. 3154. EXPORTS.

Section 134 of the Atomic Energy Act of 1954 (42 U.S.C. 2160d) is amended by striking subsection c. and inserting the following:

''c. Effective 7 years after the date of enactment of the American Medical Isotopes Production Act of 2012, the Commission may not issue a license for the export of highly enriched uranium from the United States for the purposes of medical isotope production.

''d. The period referred to in subsection b. may be extended for no more than 6 years if, no earlier than 6 years after the date of enactment of the American Medical Isotopes Production Act of 2012, the Secretary of Energy certifies to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate that—

''(1) there is insufficient global supply of molybdenum-99 produced without the use of highly enriched uranium available to satisfy the domestic United States market; and

''(2) the export of United States-origin highly enriched uranium for the purposes of medical isotope production is the most effective temporary means to increase the supply of molybdenum-99 to the domestic United States market.

''e. To ensure public review and comment, the development of the certification described in subsection c. shall be carried out through announcement in the Federal Register.

''f. At any time after the restriction of export licenses provided for in subsection b. becomes effective, if there is a critical shortage in the supply of molybdenum-99 available to satisfy the domestic United States medical isotope needs, the restriction of export licenses may be suspended for a period of no more than 12 months, if—

''(1) the Secretary of Energy certifies to the Congress that the export of United States-origin highly enriched uranium for the purposes of medical isotope production is the only effective temporary means to increase the supply of molybdenum-99 necessary to meet United States medical isotope needs during that period; and

''(2) the Congress enacts a Joint Resolution approving the temporary suspension of the restriction of export licenses.

''g. As used in this section—

''(1) the term 'alternative nuclear reactor fuel or target' means a nuclear reactor fuel or target which is enriched to less than 20 percent in the isotope U–235;

''(2) the term 'highly enriched uranium' means uranium enriched to 20 percent or more in the isotope U–235;

''(3) a fuel or target 'can be used' in a nuclear research or test reactor if—

''(A) the fuel or target has been qualified by the Reduced Enrichment Research and Test Reactor Program of the Department of Energy; and

''(B) use of the fuel or target will permit the large majority of ongoing and planned experiments and medical isotope production to be conducted in the reactor without a large percentage increase in the total cost of operating the reactor; and

''(4) the term 'medical isotope' includes molybdenum-99, iodine-131, xenon-133, and other radioactive materials used to produce a radiopharmaceutical for diagnostic or therapeutic procedures or for research and development.''.

SEC. 3155. REPORT ON DISPOSITION OF EXPORTS.

Not later than 1 year after the date of the enactment of this Act, the Chairman of the Nuclear Regulatory Commission, after consulting with other relevant agencies, shall submit to the Congress a report detailing the current disposition of previous United States exports of highly enriched uranium used as fuel or targets in a nuclear research or test reactor, including—

(1) their location;

(2) whether they are irradiated;

(3) whether they have been used for the purpose stated in their export license;

(4) whether they have been used for an alternative purpose and, if so, whether such alternative purpose has been explicitly approved by the Commission;

(5) the year of export, and reimportation, if applicable;

(6) their current physical and chemical forms; and

(7) whether they are being stored in a manner which adequately protects against theft and unauthorized access.

SEC. 3156. DOMESTIC MEDICAL ISOTOPE PRODUCTION.

(a) IN GENERAL.—Chapter 10 of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.) is amended by adding at the end the following:

''SEC. 112. DOMESTIC MEDICAL ISOTOPE PRODUCTION.—

''a. The Commission may issue a license, or grant an amendment to an existing license, for the use in the United States of highly enriched uranium as a target for medical isotope production in a nuclear reactor, only if, in addition to any other requirement of this Act—

''(1) the Commission determines that—

''(A) there is no alternative medical isotope production target, enriched in the isotope U–235 to less than 20 percent, that can be used in that reactor; and

''(B) the proposed recipient of the medical isotope production target has provided assurances that, whenever an alternative medical isotope production target can be used in that reactor, it will use that alternative in lieu of highly enriched uranium; and

''(2) the Secretary of Energy has certified that the United States Government is actively supporting the development of an alternative medical isotope production target that can be used in that reactor.

''b. As used in this section—

''(1) the term 'alternative medical isotope production target' means a nuclear reactor target which is enriched to less than 20 percent of the isotope U–235;

''(2) a target 'can be used' in a nuclear research or test reactor if—

''(A) the target has been qualified by the Reduced Enrichment Research and Test Reactor Program of the Department of Energy; and

''(B) use of the target will permit the large majority of ongoing and planned experiments and medical isotope production to be conducted in the reactor without a large percentage increase in the total cost of operating the reactor;

''(3) the term 'highly enriched uranium' means uranium enriched to 20 percent or more in the isotope U–235; and

''(4) the term 'medical isotope' includes molybdenum-99, iodine-131, xenon-133, and other radioactive materials used to produce a radiopharmaceutical for diagnostic or therapeutic procedures or for research and development.''.

(b) TABLE OF CONTENTS.—The table of contents for the Atomic Energy Act of 1954 is amended by inserting the following new item at the end of the items relating to chapter 10 of title I:

''Sec. 112. Domestic medical isotope production.''.

SEC. 3157. ANNUAL DEPARTMENT REPORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 5 years, the Secretary shall report to Congress on Department actions to support the production in the United States, without the use of highly enriched uranium, of molybdenum-99 for medical uses.

(b) CONTENTS.—The reports shall include the following:

(1) For medical isotope development projects—

(A) the names of any recipients of Department support under section 3143;

(B) the amount of Department funding committed to each project;

(C) the milestones expected to be reached for each project during the year for which support is provided;

(D) how each project is expected to support the increased production of molybdenum-99 for medical uses;

(E) the findings of the evaluation of projects under section 3143(a)(2); and

(F) the ultimate use of any Department funds used to support projects under section 3143.

(2) A description of actions taken in the previous year by the Secretary to ensure the safe disposition of spent nuclear fuel and radioactive waste for which the Department is responsible under section 3143(c).

SEC. 3158. NATIONAL ACADEMY OF SCIENCES REPORT.

(a) IN GENERAL.—The Secretary shall enter into an arrangement with the National Academy of Sciences to conduct a study of the state of molybdenum-99 production and utilization, to be provided to Congress not later than 5 years after the date of enactment of this Act.

(b) CONTENTS.—The report shall include the following:

(1) For molybdenum-99 production—

(A) a list of all facilities in the world producing molybdenum-99 for medical uses, including an indication of whether these facilities use highly enriched uranium in any way;

(B) a review of international production of molybdenum-99 over the previous 5 years, including—

(i) whether any new production was brought online;

(ii) whether any facilities halted production unexpectedly; and

(iii) whether any facilities used for production were decommissioned or otherwise permanently removed from service; and

(C) an assessment of progress made in the previous 5 years toward establishing domestic production of molybdenum-99 for medical uses, including the extent to which other medical isotopes that have been produced with molybdenum-99, such as iodine-131 and xenon-133, are being used for medical purposes.

(2) An assessment of the progress made by the Department and others to eliminate all worldwide use of highly enriched uranium in reactor fuel, reactor targets, and medical isotope production facilities.

SEC. 3159. REPEAL.

The Nuclear Safety Research, Development, and Demonstration Act of 1980 (42 U.S.C. 9701 et seq.) is repealed.

Subtitle F—Other Matters

SEC. 3161. CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE STRUCTURE OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION AND ITS RELATIONSHIP TO OTHER FEDERAL AGENCIES.

(a) ESTABLISHMENT.—There is established a congressional advisory panel (in this section referred to as the ''advisory panel'') to assess the feasibility and advisability of, and make recommendations with respect to, revising the governance structure of the National Nuclear Security Administration (in this section referred to as the ''Administration'') to permit the Administration to operate more effectively.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The advisory panel shall be composed of 12 members appointed as follows:

(A) Three by the Speaker of the House of Representatives.

(B) Three by the Minority Leader of the House of Representatives.

(C) Three by the Majority Leader of the Senate.

(D) Three by the Minority Leader of the Senate.

(2) CHAIRMAN; VICE CHAIRMAN.—

(A) CHAIRMAN.—The Speaker of the House of Representatives and the Majority Leader of the Senate shall jointly designate one member of the advisory panel to serve as chairman of the advisory panel.

(B) VICE CHAIRMAN.—The Minority Leader of the House of Representatives and the Minority Leader of the Senate shall jointly designate one member of the advisory panel to serve as vice chairman of the advisory panel.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Each member of the advisory panel shall be appointed for a term of one year and may be reappointed for an additional period lasting until the termination of the advisory panel in accordance with subsection (f). Any vacancy in the advisory panel shall be filled in the same manner as the original appointment.

(c) COOPERATION FROM FEDERAL AGENCIES.—

(1) COOPERATION.—The advisory panel shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of Energy, and any other Federal official in providing the advisory panel with analyses, briefings, and other information necessary for the advisory panel to carry out its duties under this section.

(2) ACCESS TO INFORMATION.—Members of the advisory panel shall have access to all information, including classified information, necessary to carry out the duties of the advisory panel under this section. The security clearance process shall be expedited for members and staff of the advisory panel to the extent necessary to permit the advisory panel to carry out its duties under this section.

(3) LIAISON.—The Secretary of Defense, the Secretary of State, and the Secretary of Energy shall each designate at least one officer or employee of the Department of Defense, Department of State, and the Department of Energy, respectively, to serve as a liaison officer between the department and the advisory panel.

(d) REPORT REQUIRED.—Not later than 120 days after the date that each of the members of the advisory panel has been appointed, the advisory panel shall submit to the President, the Secretary of Defense, the Secretary of Energy, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives an interim report on the feasibility and advisability of revising the governance structure of the Administration to permit the Administration to operate more effectively, to be followed by a final report prior to the termination of the advisory panel in accordance with subsection (f). The reports shall include the following:

(1) Recommendations with respect to the following:

(A) The organization and structure of the Administration, including the roles, responsibilities, and authorities of the Administration and

mechanisms for holding the Administration accountable.

(B) The allocation of roles and responsibilities with respect to the safety and security of the nuclear weapons complex.

(C) The relationship of the Administration to the National Security Council, the Nuclear Weapons Council, the Department of Energy, the Department of Defense, and other Federal agencies, as well as the national security laboratories, as appropriate.

(D) The role of the Administration in the interagency process for planning, programming, and budgeting with respect to the nuclear weapons complex.

(E) Legislative changes necessary for revising the governance structure of the Administration.

(F) The appropriate structure for oversight of the Administration by congressional committees.

(G) The length of the term of the Administrator for Nuclear Security.

(H) The authority of the Administrator to appoint senior members of the Administrator's staff.

(I) Whether the nonproliferation activities of the Administration on the day before the date of the enactment of this Act should remain with the Administration or be transferred to another agency.

(J) Infrastructure, rules, and standards that will better protect the safety and health of nuclear workers, while also permitting those workers the appropriate freedom to efficiently and safely carry out their mission.

(K) Legislative or regulatory changes required to improve contracting best practices in order to reduce the cost of programs without eroding mission requirements.

(L) Whether the Administration should operate more independently of the Department of Energy while reporting to the President through Secretary of Energy.

(2) An assessment of how revisions to the governance structure of the Administration will lead to a more mission-focused management structure capable of keeping programs on schedule and within cost estimates.

(3) An assessment of the disadvantages and benefits of each organizational structure for the Administration considered by the advisory panel.

(4) An assessment of how the national security laboratories can expand basic science in support of ancillary national security missions in a manner that mutually reinforces the stockpile stewardship mission of the Administration and encourages the retention of top performers.

(5) An assessment of how to better retain and recruit personnel, including recommendations for creating an improved professional culture that emphasizes the scientific, engineering, and national security objectives of the United States.

(6) Any other information or recommendations relating to revising the governance structure of the Administration that the advisory panel considers appropriate.

(e) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2013 and made available to the Department of Defense pursuant to this Act, not more than $1,000,000 shall be made available to the advisory panel to carry out this section.

(f) SUNSET.—The advisory panel established by subsection (a) of this section shall be terminated on the date that is 365 days after the date that each of the twelve members of the advisory panel has first been appointed.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2013, $29,415,000 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.).

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Maritime Administration Authorization Act for Fiscal Year 2013''.

SEC. 3502. CONTAINER-ON-BARGE TRANSPORTATION.

(a) ASSESSMENT.—The Administrator of the Maritime Administration shall assess the potential for using container-on-barge transportation in short sea transportation (as such term is defined in section 55605 of title 46, United States Code).

(b) FACTORS.—In conducting the assessment under subsection (a), the Administrator shall consider—

(1) the environmental benefits of increasing container-on-barge movements in short sea transportation;

(2) the regional differences in the use of short sea transportation;

(3) the existing programs established at coastal and Great Lakes ports for establishing awareness of deep sea shipping operations;

(4) the mechanisms necessary to ensure that implementation of a plan under subsection (c) will not be inconsistent with antitrust laws; and

(5) the potential frequency of container-on-barge service at short sea transportation ports.

(c) RECOMMENDATIONS.—The assessment under subsection (a) may include recommendations for a plan to increase awareness of the potential for use of container-on-barge transportation.

(d) DEADLINE.—Not later than 180 days after the date of enactment of this title, the Administrator shall submit the assessment required under this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 3503. SHORT SEA TRANSPORTATION.

(a) PURPOSE.—Section 55601 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''landside congestion.'' and inserting ''landside congestion or to promote short sea transportation.'';

(2) in subsection (c), by striking ''coastal corridors'' and inserting ''coastal corridors or to promote short sea transportation'';

(3) in subsection (d), by striking ''that the project may'' and all that follows through the end of the subsection and inserting ''that the project uses documented vessels and—

''(1) mitigates landside congestion; or

''(2) promotes short sea transportation.''; and

(4) in subsection (f), by striking ''shall'' each place it appears and inserting ''may''.

(b) DOCUMENTATION.—Section 55605 of title 46, United States Code, is amended in the matter preceding paragraph (1) by striking ''by vessel'' and inserting ''by a documented vessel''.

SEC. 3504. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE.

(a) IN GENERAL.—Chapter 503 of title 46, United States Code, is amended by adding at the end the following:

''§ 50307. Maritime environmental and technical assistance

''(a) IN GENERAL.—The Secretary of Transportation may engage in the environmental study, research, development, assessment, and deployment of emerging marine technologies and practices related to the marine transportation system through the use of public vessels under the control of the Maritime Administration or private vessels under Untied States registry, and through partnerships and cooperative efforts with academic, public, private, and non-governmental entities and facilities.

''(b) REQUIREMENTS.—The Secretary of Transportation may—

''(1) identify, study, evaluate, test, demonstrate, or improve emerging marine technologies and practices that are likely to achieve environmental improvements by—

''(A) reducing air emissions, water emissions, or other ship discharges;

''(B) increasing fuel economy or the use of alternative fuels and alternative energy (including the use of shore power); or

''(C) controlling aquatic invasive species; and

''(2) coordinate with the Environmental Protection Agency, the United States Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.

''(c) COORDINATION.—Coordination under subsection (b)(2) may include—

''(1) activities that are associated with the development or approval of validation and testing regimes; and

''(2) certification or validation of emerging technologies or practices that demonstrate significant environmental benefits.

''(d) ASSISTANCE.—The Secretary of Transportation may accept gifts, or enter into cooperative agreements, contracts, or other agreements with academic, public, private, and non-governmental entities to carry out the activities authorized under subsection (a).''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 503 of title 46, United States Code, is amended by inserting after the item relating to section 50306 the following:

''50307. Maritime environmental and technical assistance.''.

SEC. 3505. IDENTIFICATION OF ACTIONS TO ENABLE QUALIFIED UNITED STATES FLAG CAPACITY TO MEET NATIONAL DEFENSE REQUIREMENTS.

Section 501(b) of title 46, United States Code, is amended—

(1) by striking ''When the head'' and inserting the following:

''(1) IN GENERAL.—When the head''; and

(2) by adding at the end the following:

''(2) DETERMINATIONS.—The Maritime Administrator shall—

''(A) for each determination referred to in paragraph (1), identify any actions that could be taken to enable qualified United States flag capacity to meet national defense requirements;

''(B) provide notice of each such determination to the Secretary of Transportation and the head of the agency referred to in paragraph (1) for which the determination is made; and

''(C) publish each such determination on the Internet Web site of the Department of Transportation not later than 48 hours after notice of the determination is provided to the Secretary of Transportation.

''(3) NOTICE TO CONGRESS.—

''(A) IN GENERAL.—The head of an agency referred to in paragraph (1) shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

''(i) of any request for a waiver of the navigation or vessel-inspection laws under this section not later than 48 hours after receiving such a request; and

''(ii) of the issuance of any such waiver not later than 48 hours after such issuance.

''(B) CONTENTS.—Such head of an agency shall include in each notification under subparagraph (A)(ii) an explanation of—

''(i) the reasons the waiver is necessary; and

''(ii) the reasons actions referred to in paragraph (2)(A) are not feasible.''.

SEC. 3506. MARITIME WORKFORCE STUDY.

(a) TRAINING STUDY.—The Comptroller General of the United States shall conduct a study on the training needs of the maritime workforce.

(b) STUDY COMPONENTS.—The study shall—

(1) analyze the impact of maritime training requirements imposed by domestic and international regulations and conventions, companies, and government agencies that charter or operate vessels;

(2) evaluate the ability of the United States maritime training infrastructure to meet the needs of the maritime industry;

(3) identify trends in maritime training;

(4) compare the training needs of United States mariners with the vocational training and educational assistance programs available from Federal agencies to evaluate the ability of Federal programs to meet the training needs of United States mariners;

(5) include recommendations to enhance the capabilities of the United States maritime training infrastructure; and

(6) include recommendations to assist United States mariners and those entering the maritime profession to achieve the required training.

(c) FINAL REPORT.—Not later than 1 year after the date of enactment of this title, the Comptroller General shall submit a report on the results of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 3507. MARITIME ADMINISTRATION VESSEL RECYCLING CONTRACT AWARD PRACTICES.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this title, the Comptroller General of the Government Accountability Office shall conduct an assessment of the source selection procedures and practices used to award the Maritime Administration's National Defense Reserve Fleet vessel recycling contracts. The Comptroller General shall assess the process, procedures, and practices used for the Maritime Administration's qualification of vessel recycling facilities. The Comptroller General shall report the findings to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(b) ASSESSMENT.—The assessment under subsection (a) shall include a review of whether the Maritime Administration's contract source selection procedures and practices are consistent with law, the Federal Acquisition Regulations (FAR), and Federal best practices associated with making source selection decisions.

(c) CONSIDERATIONS.—In making the assessment under subsection (a), the Comptroller General may consider any other aspect of the Maritime Administration's vessel recycling process that the Comptroller General deems appropriate to review.

SEC. 3508. REQUIREMENT FOR BARGE DESIGN.

Not later than 270 days after the date of enactment of this title, the Administrator of the Maritime Administration shall complete the design for a containerized, articulated barge, as identified in the dual-use vessel study carried out by the Administrator and the Secretary of Defense, that is able to utilize roll-on/roll-off or load-on/load-off technology in marine highway maritime commerce.

SEC. 3509. ELIGIBILITY TO RECEIVE SURPLUS TRAINING EQUIPMENT.

Section 51103(b)(2)(C) of title 46, United States Code, is amended by inserting ''or a training institution that is an instrumentality of a State, Territory, or Commonwealth of the United States or District of Columbia or a unit of local government thereof'' after ''a non-profit training institution''.

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.—Decisions by agency heads 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 be based on authorized, transparent, statutory criteria, or merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, and 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 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supercede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
001	UTILITY F/W AIRCRAFT	18,639	18,639
002	C–12 CARGO AIRPLANE	0	0
003	MQ–1 UAV	518,088	518,088
004	RQ–11 (RAVEN)	25,798	25,798
005	BCT UNMANNED AERIAL VEH (UAVS) INCR 1	0	0
	ROTARY		
006	HELICOPTER, LIGHT UTILITY (LUH)	271,983	271,983
007	AH–64 APACHE BLOCK IIIA REMAN	577,115	577,115
008	ADVANCE PROCUREMENT (CY)	107,707	107,707
009	AH–64 APACHE BLOCK IIIB NEW BUILD	153,993	153,993
010	ADVANCE PROCUREMENT (CY)	146,121	146,121
011	AH–64 BLOCK II/WRA	0	0
012	KIOWA WARRIOR (OH–58F) WRA	0	0
013	UH–60 BLACKHAWK M MODEL (MYP)	1,107,087	1,107,087
014	ADVANCE PROCUREMENT (CY)	115,113	115,113
015	CH–47 HELICOPTER	1,076,036	1,076,036
016	ADVANCE PROCUREMENT (CY)	83,346	83,346
	MODIFICATION OF AIRCRAFT		
017	C12 AIRCRAFT MODS	0	0
018	MQ–1 PAYLOAD—UAS	231,508	231,508
019	MQ–1 WEAPONIZATION—UAS	0	0
020	GUARDRAIL MODS (MIP)	16,272	16,272
021	MULTI SENSOR ABN RECON (MIP)	4,294	4,294
022	AH–64 MODS	178,805	178,805
023	CH–47 CARGO HELICOPTER MODS (MYP)	39,135	39,135
024	UTILITY/CARGO AIRPLANE MODS	24,842	24,842
025	AIRCRAFT LONG RANGE MODS	0	0
026	UTILITY HELICOPTER MODS	73,804	73,804
027	KIOWA WARRIOR MODS	192,484	192,484
028	AIRBORNE AVIONICS	0	0
029	NETWORK AND MISSION PLAN	190,789	190,789
030	COMMS, NAV SURVEILLANCE	133,191	89,191
	JTRS integration delayed		[–44,000]
031	GATM ROLLUP	87,280	87,280
032	RQ–7 UAV MODS	104,339	104,339
	SPARES AND REPAIR PARTS		
033	SPARE PARTS (AIR)	0	0
	GROUND SUPPORT AVIONICS		
034	AIRCRAFT SURVIVABILITY EQUIPMENT	34,037	34,037

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
035	SURVIVABILITY CM	0	0
036	CMWS	127,751	127,751
	OTHER SUPPORT		
037	AVIONICS SUPPORT EQUIPMENT	4,886	4,886
038	COMMON GROUND EQUIPMENT	82,511	82,511
039	AIRCREW INTEGRATED SYSTEMS	77,381	77,381
040	AIR TRAFFIC CONTROL	47,235	47,235
041	INDUSTRIAL FACILITIES	1,643	1,643
042	LAUNCHER, 2.75 ROCKET	516	516
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	**5,853,729**	**5,809,729**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	PATRIOT SYSTEM SUMMARY	646,590	646,590
002	MSE MISSILE	12,850	12,850
003	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY	0	0
004	HELLFIRE SYS SUMMARY	1,401	1,401
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	81,121	81,121
006	TOW 2 SYSTEM SUMMARY	64,712	64,712
007	ADVANCE PROCUREMENT (CY)	19,931	19,931
008	GUIDED MLRS ROCKET (GMLRS)	218,679	218,679
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	18,767	18,767
010	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	12,051	12,051
011	PATRIOT MODS	199,565	199,565
012	ITAS/TOW MODS	0	0
013	MLRS MODS	2,466	2,466
014	HIMARS MODIFICATIONS	6,068	6,068
015	HELLFIRE MODIFICATIONS	0	0
016	SPARES AND REPAIR PARTS	7,864	7,864
017	AIR DEFENSE TARGETS	3,864	3,864
018	ITEMS LESS THAN $5 MILLION (MISSILES)	1,560	1,560
019	PRODUCTION BASE SUPPORT	5,200	5,200
	TOTAL, MISSILE PROCUREMENT, ARMY	**1,302,689**	**1,302,689**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	286,818	286,818
002	FCS SPIN OUTS	0	0
	MODIFICATION OF TRACKED COMBAT VEHICLES		
003	STRYKER (MOD)	60,881	60,881
004	FIST VEHICLE (MOD)	57,257	57,257
005	BRADLEY PROGRAM (MOD)	148,193	148,193
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	10,341	10,341
007	PALADIN PIM MOD IN SERVICE	206,101	206,101
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	107,909	230,909
	Increased production		[123,000]
009	ASSAULT BREACHER VEHICLE	50,039	50,039
010	M88 FOV MODS	29,930	29,930
011	M1 ABRAMS TANK (MOD)	129,090	129,090
012	ABRAMS UPGRADE PROGRAM	74,433	74,433
012A	ADVANCE PROCUREMENT (CY)		91,000
	Advanced procurement Abrams upgrade program		[91,000]
	SUPPORT EQUIPMENT & FACILITIES		
013	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,145	1,145
	WEAPONS & OTHER COMBAT VEHICLES		
014	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	506	506
015	M240 MEDIUM MACHINE GUN (7.62MM)	0	0
016	MACHINE GUN, CAL .50 M2 ROLL	0	0
017	LIGHTWEIGHT .50 CALIBER MACHINE GUN	25,183	0
	Program termination		[–25,183]
018	MK–19 GRENADE MACHINE GUN (40MM)	0	0
019	MORTAR SYSTEMS	8,104	8,104
020	M107, CAL. 50, SNIPER RIFLE	0	0
021	XM320 GRENADE LAUNCHER MODULE (GLM)	14,096	14,096
022	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	0	0
023	M4 CARBINE	0	0
024	CARBINE	21,272	21,272
025	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	6,598	6,598
026	COMMON REMOTELY OPERATED WEAPONS STATION	56,725	56,725
027	HOWITZER LT WT 155MM (T)	13,827	13,827
	MOD OF WEAPONS AND OTHER COMBAT VEH		
028	MK–19 GRENADE MACHINE GUN MODS	0	0
029	M777 MODS	26,843	26,843
030	M4 CARBINE MODS	27,243	27,243
031	M2 50 CAL MACHINE GUN MODS	39,974	39,974
032	M249 SAW MACHINE GUN MODS	4,996	4,996
033	M240 MEDIUM MACHINE GUN MODS	6,806	6,806
034	SNIPER RIFLES MODIFICATIONS	14,113	14,113
035	M119 MODIFICATIONS	20,727	20,727
036	M16 RIFLE MODS	3,306	3,306
037	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	3,072	3,072
	SUPPORT EQUIPMENT & FACILITIES		
038	ITEMS LESS THAN $5 MILLION (WOCV-WTCV)	2,026	2,026

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
039	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,115	10,115
040	INDUSTRIAL PREPAREDNESS	442	442
	SUPPORT EQUIPMENT & FACILITIES		
041	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,378	2,378
	SPARES		
042	SPARES AND REPAIR PARTS (WTCV)	31,217	31,217
	TOTAL, PROCUREMENT OF W&TCV, ARMY	**1,501,706**	**1,690,523**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	158,313	158,313
002	CTG, 7.62MM, ALL TYPES	91,438	91,438
003	CTG, HANDGUN, ALL TYPES	8,954	8,954
004	CTG, .50 CAL, ALL TYPES	109,604	109,604
005	CTG, 20MM, ALL TYPES	4,041	4,041
006	CTG, 25MM, ALL TYPES	12,654	12,654
007	CTG, 30MM, ALL TYPES	72,154	35,154
	Decrease for excess		[–37,000]
008	CTG, 40MM, ALL TYPES	60,138	0
	Decrease for excess		[–60,138]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	44,375	44,375
010	81MM MORTAR, ALL TYPES	27,471	27,471
011	120MM MORTAR, ALL TYPES	87,811	87,811
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	112,380	112,380
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	50,861	50,861
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	26,227	26,227
015	PROJ 155MM EXTENDED RANGE XM982	110,329	55,329
	Excalibur I-b round schedule delay		[–55,000]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	43,924	43,924
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	3,775	3,775
	NETWORKED MUNITIONS		
018	SPIDER NETWORK MUNITIONS, ALL TYPES	17,408	3,108
	Program decrease		[–14,300]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	1,005	1,005
020	ROCKET, HYDRA 70, ALL TYPES	123,433	123,433
	OTHER AMMUNITION		
021	DEMOLITION MUNITIONS, ALL TYPES	35,189	35,189
022	GRENADES, ALL TYPES	33,477	33,477
023	SIGNALS, ALL TYPES	9,991	9,991
024	SIMULATORS, ALL TYPES	10,388	10,388
	MISCELLANEOUS		
025	AMMO COMPONENTS, ALL TYPES	19,383	19,383
026	NON-LETHAL AMMUNITION, ALL TYPES	7,336	7,336
027	CAD/PAD ALL TYPES	6,641	6,641
028	ITEMS LESS THAN $5 MILLION	15,092	15,092
029	AMMUNITION PECULIAR EQUIPMENT	15,692	15,692
030	FIRST DESTINATION TRANSPORTATION (AMMO)	14,107	14,107
031	CLOSEOUT LIABILITIES	106	106
	PRODUCTION BASE SUPPORT		
032	PROVISION OF INDUSTRIAL FACILITIES	220,171	220,171
033	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	182,461	182,461
034	ARMS INITIATIVE	3,377	3,377
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	**1,739,706**	**1,573,268**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	SEMITRAILERS, FLATBED	7,097	7,097
002	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	346,115	396,115
	Program increase for USAR		[50,000]
003	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	19,292	19,292
004	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	52,933	52,933
005	PLS ESP	18,035	18,035
006	ARMORED SECURITY VEHICLES (ASV)	0	0
007	MINE PROTECTION VEHICLE FAMILY	0	0
008	FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP)	0	0
009	TRUCK, TRACTOR, LINE HAUL, M915/M916	3,619	3,619
010	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	26,859	26,859
011	HMMWV RECAPITALIZATION PROGRAM	0	0
012	TACTICAL WHEELED VEHICLE PROTECTION KITS	69,163	69,163
013	MODIFICATION OF IN SVC EQUIP	91,754	91,754
014	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	0	0
015	TOWING DEVICE-FIFTH WHEEL	0	0
016	AMC CRITICAL ITEMS, OPA1	0	0
	NON-TACTICAL VEHICLES		
017	HEAVY ARMORED SEDAN	0	0
018	PASSENGER CARRYING VEHICLES	2,548	2,548
019	NONTACTICAL VEHICLES, OTHER	16,791	16,791
	COMM—JOINT COMMUNICATIONS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
020	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	10,061	10,061
021	WIN-T—GROUND FORCES TACTICAL NETWORK	892,635	892,635
022	SIGNAL MODERNIZATION PROGRAM	45,626	45,626
023	JCSE EQUIPMENT (USREDCOM)	5,143	5,143
	COMM—SATELLITE COMMUNICATIONS		
024	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	151,636	151,636
025	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	6,822	6,822
026	SHF TERM	9,108	9,108
027	SAT TERM, EMUT (SPACE)	0	0
028	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	27,353	27,353
029	SMART-T (SPACE)	98,656	98,656
030	SCAMP (SPACE)	0	0
031	GLOBAL BRDCST SVC—GBS	47,131	47,131
032	MOD OF IN-SVC EQUIP (TAC SAT)	23,281	23,281
	COMM—COMBAT SUPPORT COMM		
033	MOD-IN-SERVICE PROFILER	0	0
	COMM—C3 SYSTEM		
034	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,848	10,848
	COMM—COMBAT COMMUNICATIONS		
035	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	979	979
036	JOINT TACTICAL RADIO SYSTEM	556,250	526,250
	AMF integration ahead of need		*[–30,000]*
037	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	86,219	86,219
038	RADIO TERMINAL SET, MIDS LVT(2)	7,798	7,798
039	SINCGARS FAMILY	9,001	9,001
040	AMC CRITICAL ITEMS—OPA2	24,601	24,601
041	TRACTOR DESK	7,779	7,779
042	CMMS-ELEC EQUIP FIELDING	0	0
043	SPIDER APLA REMOTE CONTROL UNIT	34,365	13,365
	Funding ahead of need		*[–21,000]*
044	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,833	1,833
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	12,984	12,984
046	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	0	0
047	GUNSHOT DETECTION SYSTEM (GDS)	2,332	2,332
048	RADIO, IMPROVED HF (COTS) FAMILY	1,132	1,132
049	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	22,899	22,899
	COMM—INTELLIGENCE COMM		
051	CI AUTOMATION ARCHITECTURE	1,564	1,564
052	RESERVE CA/MISO GPF EQUIPMENT	28,781	28,781
	INFORMATION SECURITY		
053	TSEC—ARMY KEY MGT SYS (AKMS)	23,432	23,432
054	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	43,897	43,897
055	BIOMETRICS ENTERPRISE	0	0
	COMM—LONG HAUL COMMUNICATIONS		
056	TERRESTRIAL TRANSMISSION	2,891	2,891
057	BASE SUPPORT COMMUNICATIONS	13,872	13,872
058	WW TECH CON IMP PROG (WWTCIP)	9,595	9,595
	COMM—BASE COMMUNICATIONS		
059	INFORMATION SYSTEMS	142,133	142,133
060	DEFENSE MESSAGE SYSTEM (DMS)	0	0
061	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	57,727	57,727
062	PENTAGON INFORMATION MGT AND TELECOM	5,000	5,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
065	JTT/CIBS-M	1,641	1,641
066	PROPHET GROUND	48,797	48,797
067	DIGITAL TOPOGRAPHIC SPT SYS (DTSS)	0	0
068	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	0	0
069	DCGS-A (MIP)	184,007	184,007
070	JOINT TACTICAL GROUND STATION (JTAGS)	2,680	2,680
071	TROJAN (MIP)	21,483	21,483
072	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,412	2,412
073	CI HUMINT AUTO REPRINTING AND COLLECTION	7,077	7,077
074	ITEMS LESS THAN $5 MILLION (MIP)	0	0
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
075	LIGHTWEIGHT COUNTER MORTAR RADAR	72,594	72,594
076	CREW	15,446	15,446
077	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES	0	0
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,470	1,470
079	CI MODERNIZATION	1,368	1,368
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
080	FAAD GBS	7,980	7,980
081	SENTINEL MODS	33,444	33,444
082	SENSE THROUGH THE WALL (STTW)	6,212	0
	Slow execution of prior years appropriations		*[–6,212]*
083	NIGHT VISION DEVICES	166,516	166,516
084	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	0	0
085	NIGHT VISION, THERMAL WPN SIGHT	82,162	82,162
086	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	20,717	20,717
087	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	0	0
088	BASE EXPEDITIARY TARGETING AND SURV SYS	0	0
089	GREEN LASER INTERDICTION SYSTEM (GLIS)	1,014	1,014
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	29,881	29,881
091	PROFILER	12,482	12,482

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	3,075	3,075
093	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	0	0
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	141,385	141,385
095	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	0	0
096	MOD OF IN-SVC EQUIP (LLDR)	22,403	22,403
097	COMPUTER BALLISTICS: LHMBC XM32	0	0
098	MORTAR FIRE CONTROL SYSTEM	29,505	29,505
099	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
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
109	TC AIMS II	0	0
110	TACTICAL INTERNET MANAGER	0	0
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
123	BCT NETWORK	0	0
124	DEFENSE RAPID INNOVATION PROGRAM	0	0
	CLASSIFIED PROGRAMS		
124A	CLASSIFIED PROGRAMS	3,435	3,435
	CHEMICAL DEFENSIVE EQUIPMENT		
125	PROTECTIVE SYSTEMS	0	0
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
129	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	0	0
	BRIDGING EQUIPMENT		
130	TACTICAL BRIDGING	35,499	35,499
131	TACTICAL BRIDGE, FLOAT-RIBBON	32,893	32,893
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
132	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	0	0
133	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	0	0
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
142	MOUNTED SOLDIER SYSTEM	0	0
143	FORCE PROVIDER	0	0
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
153	ITEMS LESS THAN $5 MILLION (MAINT EQ)	0	0
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,028	2,028
155	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	0	0
156	SCRAPERS, EARTHMOVING	6,146	6,146
157	MISSION MODULES—ENGINEERING	31,200	31,200
158	COMPACTOR	0	0
159	LOADERS	0	0
160	HYDRAULIC EXCAVATOR	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
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		
168	JOINT HIGH SPEED VESSEL (JHSV)	0	0
169	HARBORMASTER COMMAND AND CONTROL CENTER	0	0
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		
172	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	0	0
173	FAMILY OF FORKLIFTS	5,895	5,895
174	ALL TERRAIN LIFTING ARMY SYSTEM	0	0
	TRAINING EQUIPMENT		
175	COMBAT TRAINING CENTERS SUPPORT	104,649	104,649
176	TRAINING DEVICES, NONSYSTEM	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	71,937
	Transfer to PE 0604641A at Army request		[–12,000]
192	TRAINING LOGISTICS MANAGEMENT	0	0
	OPA2		
193	INITIAL SPARES—C&E	64,507	64,507
	TOTAL, OTHER PROCUREMENT, ARMY	**6,326,245**	**6,307,033**
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	0	0
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	0	0
	FORCE TRAINING		
003	TRAIN THE FORCE	0	0
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	227,414	0
	Transfer to OCO		[–227,414]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**227,414**	**0**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	EA–18G	1,027,443	1,027,443
002	ADVANCE PROCUREMENT (CY)	0	0
003	F/A–18E/F (FIGHTER) HORNET	2,035,131	2,035,131
004	ADVANCE PROCUREMENT (CY)	30,296	90,296
	Retain option for additional FY 14 aircraft		[60,000]
005	JOINT STRIKE FIGHTER CV	1,007,632	1,007,632
006	ADVANCE PROCUREMENT (CY)	65,180	65,180
007	JSF STOVL	1,404,737	1,404,737
008	ADVANCE PROCUREMENT (CY)	106,199	106,199
009	V–22 (MEDIUM LIFT)	1,303,120	1,303,120
010	ADVANCE PROCUREMENT (CY)	154,202	154,202
011	H–1 UPGRADES (UH–1Y/AH–1Z)	720,933	720,933
012	ADVANCE PROCUREMENT (CY)	69,658	69,658
013	MH–60S (MYP)	384,792	384,792
014	ADVANCE PROCUREMENT (CY)	69,277	69,277
015	MH–60R (MYP)	656,866	656,866
016	ADVANCE PROCUREMENT (CY)	185,896	185,896
017	P–8A POSEIDON	2,420,755	2,420,755
018	ADVANCE PROCUREMENT (CY)	325,679	325,679
019	E–2D ADV HAWKEYE	861,498	861,498
020	ADVANCE PROCUREMENT (CY)	123,179	123,179
	AIRLIFT AIRCRAFT		
021	C–40A	0	0
	TRAINER AIRCRAFT		
022	JPATS	278,884	278,884
	OTHER AIRCRAFT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
023	KC–130J	3,000	3,000
024	ADVANCE PROCUREMENT (CY)	22,995	22,995
025	ADVANCE PROCUREMENT (CY)	51,124	51,124
026	MQ–8 UAV	124,573	124,573
027	STUASL0 UAV	9,593	9,593
	MODIFICATION OF AIRCRAFT		
028	EA–6 SERIES	30,062	30,062
029	AEA SYSTEMS	49,999	49,999
030	AV–8 SERIES	38,703	38,703
031	ADVERSARY	4,289	4,289
032	F–18 SERIES	647,306	647,306
033	H–46 SERIES	2,343	2,343
034	AH–1W SERIES	8,721	8,721
035	H–53 SERIES	45,567	45,567
036	SH–60 SERIES	83,527	83,527
037	H–1 SERIES	6,508	6,508
038	EP–3 SERIES	66,374	66,374
039	P–3 SERIES	148,405	148,405
040	E–2 SERIES	16,322	16,322
041	TRAINER A/C SERIES	34,284	34,284
042	C–2A	4,743	4,743
043	C–130 SERIES	60,302	60,302
044	FEWSG	670	670
045	CARGO/TRANSPORT A/C SERIES	26,311	26,311
046	E–6 SERIES	158,332	158,332
047	EXECUTIVE HELICOPTERS SERIES	58,163	58,163
048	SPECIAL PROJECT AIRCRAFT	12,421	12,421
049	T–45 SERIES	64,488	64,488
050	POWER PLANT CHANGES	21,569	21,569
051	JPATS SERIES	1,552	1,552
052	AVIATION LIFE SUPPORT MODS	2,473	2,473
053	COMMON ECM EQUIPMENT	114,690	114,690
054	COMMON AVIONICS CHANGES	96,183	96,183
055	COMMON DEFENSIVE WEAPON SYSTEM	0	0
056	ID SYSTEMS	39,846	39,846
057	P–8 SERIES	5,302	5,302
058	MAGTF EW FOR AVIATION	34,127	34,127
059	RQ–7 SERIES	49,324	49,324
060	V–22 (TILT/ROTOR ACFT) OSPREY	95,856	95,856
	AIRCRAFT SPARES AND REPAIR PARTS		
061	SPARES AND REPAIR PARTS	1,166,430	1,166,430
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
062	COMMON GROUND EQUIPMENT	387,195	387,195
063	AIRCRAFT INDUSTRIAL FACILITIES	23,469	23,469
064	WAR CONSUMABLES	43,383	43,383
065	OTHER PRODUCTION CHARGES	3,399	3,399
066	SPECIAL SUPPORT EQUIPMENT	32,274	32,274
067	FIRST DESTINATION TRANSPORTATION	1,742	1,742
068	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	**17,129,296**	**17,189,296**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,224,683	1,224,683
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	5,553	5,553
	STRATEGIC MISSILES		
003	TOMAHAWK	308,970	308,970
	TACTICAL MISSILES		
004	AMRAAM	102,683	102,683
005	SIDEWINDER	80,226	80,226
006	JSOW	127,609	127,609
007	STANDARD MISSILE	399,482	399,482
008	RAM	66,769	66,769
009	HELLFIRE	74,501	74,501
010	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	0	0
011	AERIAL TARGETS	61,518	61,518
012	OTHER MISSILE SUPPORT	3,585	3,585
	MODIFICATION OF MISSILES		
013	ESSM	58,194	58,194
014	HARM MODS	86,721	86,721
015	STANDARD MISSILES MODS	0	0
	SUPPORT EQUIPMENT & FACILITIES		
016	WEAPONS INDUSTRIAL FACILITIES	2,014	2,014
017	FLEET SATELLITE COMM FOLLOW-ON	21,454	21,454
	ORDNANCE SUPPORT EQUIPMENT		
018	ORDNANCE SUPPORT EQUIPMENT	54,945	54,945
	TORPEDOES AND RELATED EQUIP		
019	SSTD	2,700	2,700
020	ASW TARGETS	10,385	10,385
	MOD OF TORPEDOES AND RELATED EQUIP		
021	MK–54 TORPEDO MODS	74,487	74,487
022	MK–48 TORPEDO ADCAP MODS	54,281	54,281

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
023	QUICKSTRIKE MINE	6,852	6,852
	SUPPORT EQUIPMENT		
024	TORPEDO SUPPORT EQUIPMENT	46,402	46,402
025	ASW RANGE SUPPORT	11,927	11,927
	DESTINATION TRANSPORTATION		
026	FIRST DESTINATION TRANSPORTATION	3,614	3,614
	GUNS AND GUN MOUNTS		
027	SMALL ARMS AND WEAPONS	12,594	12,594
	MODIFICATION OF GUNS AND GUN MOUNTS		
028	CIWS MODS	59,303	67,003
	Buy additional ordnance alteration kits		[7,700]
029	COAST GUARD WEAPONS	19,072	19,072
030	GUN MOUNT MODS	54,706	54,706
031	CRUISER MODERNIZATION WEAPONS	1,591	1,591
032	AIRBORNE MINE NEUTRALIZATION SYSTEMS	20,607	20,607
	OTHER		
033	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	SPARES AND REPAIR PARTS		
034	SPARES AND REPAIR PARTS	60,150	60,150
	TOTAL, WEAPONS PROCUREMENT, NAVY	**3,117,578**	**3,125,278**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	27,024	27,024
002	AIRBORNE ROCKETS, ALL TYPES	56,575	56,575
003	MACHINE GUN AMMUNITION	21,266	21,266
004	PRACTICE BOMBS	34,319	34,319
005	CARTRIDGES & CART ACTUATED DEVICES	53,755	53,755
006	AIR EXPENDABLE COUNTERMEASURES	61,693	61,693
007	JATOS	2,776	2,776
008	LRLAP 6″ LONG RANGE ATTACK PROJECTILE	7,102	7,102
009	5 INCH/54 GUN AMMUNITION	48,320	48,320
010	INTERMEDIATE CALIBER GUN AMMUNITION	25,544	25,544
011	OTHER SHIP GUN AMMUNITION	41,624	41,624
012	SMALL ARMS & LANDING PARTY AMMO	65,893	65,893
013	PYROTECHNIC AND DEMOLITION	11,176	11,176
014	AMMUNITION LESS THAN $5 MILLION	4,116	4,116
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	83,733	83,733
016	LINEAR CHARGES, ALL TYPES	24,645	24,645
017	40MM, ALL TYPES	16,201	16,201
018	60MM, ALL TYPES	0	0
019	81MM, ALL TYPES	13,711	3,711
	Decrease for excess		[–10,000]
020	120MM, ALL TYPES	12,557	12,557
021	CTG 25MM, ALL TYPES	0	0
022	GRENADES, ALL TYPES	7,634	7,134
	Decrease for excess		[–500]
023	ROCKETS, ALL TYPES	27,528	27,528
024	ARTILLERY, ALL TYPES	93,065	93,065
025	DEMOLITION MUNITIONS, ALL TYPES	2,047	47
	Decrease for excess		[–2,000]
026	FUZE, ALL TYPES	5,297	5,297
027	NON LETHALS	1,362	1,362
028	AMMO MODERNIZATION	4,566	4,566
029	ITEMS LESS THAN $5 MILLION	6,010	6,010
	PRIOR YEAR SAVINGS		
029B	PRIOR YEAR SAVINGS		–88,300
	Ammunition change in requirements		[–88,300]
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	**759,539**	**658,739**
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM	608,195	608,195
002	ADVANCE PROCUREMENT (CY)	0	0
003	VIRGINIA CLASS SUBMARINE	3,217,601	3,217,601
004	ADVANCE PROCUREMENT (CY)	874,878	1,652,557
	Advance procurement for 2nd SSN in FY 14		[777,679]
005	CVN REFUELING OVERHAULS	1,613,392	1,613,392
006	ADVANCE PROCUREMENT (CY)	70,010	70,010
007	SSBN ERO	0	0
008	DDG 1000	669,222	669,222
009	DDG–51	3,048,658	3,048,658
010	ADVANCE PROCUREMENT (CY)	466,283	466,283
011	LITTORAL COMBAT SHIP	1,784,959	1,784,959
012	ADVANCE PROCUREMENT (CY)	0	0
	AMPHIBIOUS SHIPS		
013	LPD–17	0	0
014	LHA REPLACEMENT	0	0
015	JOINT HIGH SPEED VESSEL	189,196	189,196
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
016	OCEANOGRAPHIC SHIPS	0	0
017	ADVANCE PROCUREMENT (CY)	307,300	307,300
018	OUTFITTING	309,648	309,648
019	SERVICE CRAFT	0	0
020	LCAC SLEP	47,930	47,930
021	COMPLETION OF PY SHIPBUILDING PROGRAMS	372,573	372,573
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	**13,579,845**	**14,357,524**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	LM–2500 GAS TURBINE	10,658	10,658
002	ALLISON 501K GAS TURBINE	8,469	8,469
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	23,392	23,392
	PERISCOPES		
004	SUB PERISCOPES & IMAGING EQUIP	53,809	53,809
	OTHER SHIPBOARD EQUIPMENT		
005	DDG MOD	452,371	452,371
006	FIREFIGHTING EQUIPMENT	16,958	16,958
007	COMMAND AND CONTROL SWITCHBOARD	2,492	2,492
008	POLLUTION CONTROL EQUIPMENT	20,707	20,707
009	SUBMARINE SUPPORT EQUIPMENT	12,046	12,046
010	VIRGINIA CLASS SUPPORT EQUIPMENT	79,870	79,870
011	LCS CLASS SUPPORT EQUIPMENT	19,865	19,865
012	SUBMARINE BATTERIES	41,522	41,522
013	LPD CLASS SUPPORT EQUIPMENT	30,543	30,543
014	STRATEGIC PLATFORM SUPPORT EQUIP	16,257	16,257
015	DSSP EQUIPMENT	3,630	3,630
016	CG MODERNIZATION	101,000	101,000
017	LCAC	16,645	16,645
018	UNDERWATER EOD PROGRAMS	35,446	35,446
019	ITEMS LESS THAN $5 MILLION	65,998	65,998
020	CHEMICAL WARFARE DETECTORS	4,359	4,359
021	SUBMARINE LIFE SUPPORT SYSTEM	10,218	10,218
	REACTOR PLANT EQUIPMENT		
022	REACTOR POWER UNITS	286,859	286,859
023	REACTOR COMPONENTS	278,503	278,503
	OCEAN ENGINEERING		
024	DIVING AND SALVAGE EQUIPMENT	8,998	8,998
	SMALL BOATS		
025	STANDARD BOATS	30,131	30,131
	TRAINING EQUIPMENT		
026	OTHER SHIPS TRAINING EQUIPMENT	29,772	29,772
	PRODUCTION FACILITIES EQUIPMENT		
027	OPERATING FORCES IPE	64,346	64,346
	OTHER SHIP SUPPORT		
028	NUCLEAR ALTERATIONS	154,652	154,652
029	LCS COMMON MISSION MODULES EQUIPMENT	31,319	31,319
030	LCS MCM MISSION MODULES	38,392	38,392
031	LCS SUW MISSION MODULES	32,897	32,897
	LOGISTIC SUPPORT		
032	LSD MIDLIFE	49,758	49,758
	SHIP RADARS		
033	RADAR SUPPORT	0	0
034	SPQ–9B RADAR	19,777	19,777
035	AN/SQQ–89 SURF ASW COMBAT SYSTEM	89,201	89,201
036	SSN ACOUSTICS	190,874	190,874
037	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,035	17,035
038	SONAR SWITCHES AND TRANSDUCERS	13,410	13,410
039	ELECTRONIC WARFARE MILDEC	0	0
	ASW ELECTRONIC EQUIPMENT		
040	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,489	21,489
041	SSTD	10,716	10,716
042	FIXED SURVEILLANCE SYSTEM	98,896	98,896
043	SURTASS	2,774	2,774
044	MARITIME PATROL AND RECONNAISSANCE FORCE	18,428	18,428
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ–32	92,270	92,270
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	107,060	107,060
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	914	914
	SUBMARINE SURVEILLANCE EQUIPMENT		
048	SUBMARINE SUPPORT EQUIPMENT PROG	34,050	34,050
	OTHER SHIP ELECTRONIC EQUIPMENT		
049	COOPERATIVE ENGAGEMENT CAPABILITY	27,881	27,881
050	TRUSTED INFORMATION SYSTEM (TIS)	448	448
051	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,732	35,732
052	ATDLS	0	0
053	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	9,533	9,533
054	MINESWEEPING SYSTEM REPLACEMENT	60,111	60,111
055	SHALLOW WATER MCM	6,950	6,950
056	NAVSTAR GPS RECEIVERS (SPACE)	9,089	9,089
057	AMERICAN FORCES RADIO AND TV SERVICE	7,768	7,768

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
058	STRATEGIC PLATFORM SUPPORT EQUIP	3,614	3,614
	TRAINING EQUIPMENT		
059	OTHER TRAINING EQUIPMENT	42,911	42,911
	AVIATION ELECTRONIC EQUIPMENT		
060	MATCALS	5,861	5,861
061	SHIPBOARD AIR TRAFFIC CONTROL	8,362	8,362
062	AUTOMATIC CARRIER LANDING SYSTEM	15,685	15,685
063	NATIONAL AIR SPACE SYSTEM	16,919	16,919
064	FLEET AIR TRAFFIC CONTROL SYSTEMS	6,828	6,828
065	LANDING SYSTEMS	7,646	7,646
066	ID SYSTEMS	35,474	35,474
067	NAVAL MISSION PLANNING SYSTEMS	9,958	9,958
	OTHER SHORE ELECTRONIC EQUIPMENT		
068	DEPLOYABLE JOINT COMMAND AND CONT	9,064	9,064
069	MARITIME INTEGRATED BROADCAST SYSTEM	16,026	16,026
070	TACTICAL/MOBILE C4I SYSTEMS	11,886	11,886
071	DCGS-N	11,887	11,887
072	CANES	341,398	341,398
073	RADIAC	8,083	8,083
074	CANES-INTELL	79,427	79,427
075	GPETE	6,083	6,083
076	INTEG COMBAT SYSTEM TEST FACILITY	4,495	4,495
077	EMI CONTROL INSTRUMENTATION	4,767	4,767
078	ITEMS LESS THAN $5 MILLION	81,755	81,755
	SHIPBOARD COMMUNICATIONS		
079	SHIPBOARD TACTICAL COMMUNICATIONS	0	0
080	SHIP COMMUNICATIONS AUTOMATION	56,870	56,870
081	MARITIME DOMAIN AWARENESS (MDA)	1,063	1,063
082	COMMUNICATIONS ITEMS UNDER $5M	28,522	28,522
083	SUBMARINE BROADCAST SUPPORT	4,183	4,183
084	SUBMARINE COMMUNICATION EQUIPMENT	69,025	69,025
	SATELLITE COMMUNICATIONS		
085	SATELLITE COMMUNICATIONS SYSTEMS	49,294	49,294
086	NAVY MULTIBAND TERMINAL (NMT)	184,825	184,825
	SHORE COMMUNICATIONS		
087	JCS COMMUNICATIONS EQUIPMENT	2,180	2,180
088	ELECTRICAL POWER SYSTEMS	1,354	1,354
089	NAVAL SHORE COMMUNICATIONS	0	0
	CRYPTOGRAPHIC EQUIPMENT		
090	INFO SYSTEMS SECURITY PROGRAM (ISSP)	144,104	144,104
	CRYPTOLOGIC EQUIPMENT		
091	CRYPTOLOGIC COMMUNICATIONS EQUIP	12,604	12,604
	OTHER ELECTRONIC SUPPORT		
092	COAST GUARD EQUIPMENT	6,680	6,680
093	DEFENSE RAPID INNOVATION PROGRAM	0	0
	DRUG INTERDICTION SUPPORT		
094	OTHER DRUG INTERDICTION SUPPORT	0	0
	SONOBUOYS		
095	SONOBUOYS—ALL TYPES	104,677	104,677
	AIRCRAFT SUPPORT EQUIPMENT		
096	WEAPONS RANGE SUPPORT EQUIPMENT	70,753	70,753
097	EXPEDITIONARY AIRFIELDS	8,678	8,678
098	AIRCRAFT REARMING EQUIPMENT	11,349	11,349
099	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
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		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
124	ANTI-SHIP MISSILE DECOY SYSTEM	31,743	31,743
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**	**6,169,378**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	16,089	16,089
002	LAV PIP	186,216	46,216
	LAV procurement acquisition objective change		[–140,000]
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,502	2,502
004	155MM LIGHTWEIGHT TOWED HOWITZER	17,913	17,913
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	47,999	47,999
006	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	17,706	17,706
	OTHER SUPPORT		
007	MODIFICATION KITS	48,040	48,040
008	WEAPONS ENHANCEMENT PROGRAM	4,537	4,537
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	11,054	11,054
010	JAVELIN	0	0
011	FOLLOW ON TO SMAW	19,650	19,650
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,708	20,708
	OTHER SUPPORT		
013	MODIFICATION KITS	0	0
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	1,420	1,420
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	25,127	25,127
	OTHER SUPPORT (TEL)		
016	COMBAT SUPPORT SYSTEM	25,822	25,822
017	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER $5 MILLION (COMM & ELEC)	5,498	5,498
019	AIR OPERATIONS C2 SYSTEMS	11,290	11,290
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	128,079	128,079
021	RQ–21 UAS	27,619	27,619
	INTELL/COMM EQUIPMENT (NON-TEL)		
022	FIRE SUPPORT SYSTEM	7,319	7,319
023	INTELLIGENCE SUPPORT EQUIPMENT	7,466	7,466
025	RQ–11 UAV	2,318	2,318
026	DCGS-MC	18,291	18,291
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
029	NIGHT VISION EQUIPMENT	48,084	48,084
	OTHER SUPPORT (NON-TEL)		
030	COMMON COMPUTER RESOURCES	206,708	206,708
031	COMMAND POST SYSTEMS	35,190	35,190
032	RADIO SYSTEMS	89,059	89,059
033	COMM SWITCHING & CONTROL SYSTEMS	22,500	22,500
034	COMM & ELEC INFRASTRUCTURE SUPPORT	42,625	42,625
	CLASSIFIED PROGRAMS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
035A	CLASSIFIED PROGRAMS	2,290	2,290
	ADMINISTRATIVE VEHICLES		
035	COMMERCIAL PASSENGER VEHICLES	2,877	2,877
036	COMMERCIAL CARGO VEHICLES	13,960	13,960
	TACTICAL VEHICLES		
037	5/4T TRUCK HMMWV (MYP)	8,052	8,052
038	MOTOR TRANSPORT MODIFICATIONS	50,269	50,269
039	MEDIUM TACTICAL VEHICLE REPLACEMENT	0	0
040	LOGISTICS VEHICLE SYSTEM REP	37,262	37,262
041	FAMILY OF TACTICAL TRAILERS	48,160	48,160
042	TRAILERS	0	0
	OTHER SUPPORT		
043	ITEMS LESS THAN $5 MILLION	6,705	6,705
	ENGINEER AND OTHER EQUIPMENT		
044	ENVIRONMENTAL CONTROL EQUIP ASSORT	13,576	13,576
045	BULK LIQUID EQUIPMENT	16,869	16,869
046	TACTICAL FUEL SYSTEMS	19,108	19,108
047	POWER EQUIPMENT ASSORTED	56,253	56,253
048	AMPHIBIOUS SUPPORT EQUIPMENT	13,089	13,089
049	EOD SYSTEMS	73,699	73,699
	MATERIALS HANDLING EQUIPMENT		
050	PHYSICAL SECURITY EQUIPMENT	3,510	3,510
051	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	11,490	11,490
052	MATERIAL HANDLING EQUIP	20,659	20,659
053	FIRST DESTINATION TRANSPORTATION	132	132
	GENERAL PROPERTY		
054	FIELD MEDICAL EQUIPMENT	31,068	31,068
055	TRAINING DEVICES	45,895	45,895
056	CONTAINER FAMILY	5,801	5,801
057	FAMILY OF CONSTRUCTION EQUIPMENT	23,939	23,939
058	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	0	0
059	BRIDGE BOATS	0	0
060	RAPID DEPLOYABLE KITCHEN	8,365	8,365
	OTHER SUPPORT		
061	ITEMS LESS THAN $5 MILLION	7,077	7,077
	SPARES AND REPAIR PARTS		
062	SPARES AND REPAIR PARTS	3,190	3,190
	PRIOR YEAR SAVINGS		
062A	PRIOR YEAR SAVINGS		–135,200
	LAV procurement acquisition objective change PY		[–135,200]
	TOTAL, PROCUREMENT, MARINE CORPS	**1,622,955**	**1,347,755**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	3,124,302	3,124,302
002	ADVANCE PROCUREMENT (CY)	293,400	293,400
003	F–22A	0	0
004	C–17A (MYP)	0	0
	OTHER AIRLIFT		
005	C–130J	68,373	68,373
006	ADVANCE PROCUREMENT (CY)	0	0
007	HC–130J	152,212	152,212
008	ADVANCE PROCUREMENT (CY)	0	0
009	MC–130J	374,866	374,866
010	ADVANCE PROCUREMENT (CY)	0	0
011	HC/MC–130 RECAP	0	0
012	C–27J	0	0
	UPT TRAINERS		
013	LIGHT MOBILITY AIRCRAFT	0	0
014	USAFA POWERED FLIGHT PROGRAM	0	0
	HELICOPTERS		
015	HH–60 LOSS REPLACEMENT/RECAP	60,596	60,596
016	COMMON VERTICAL LIFT SUPPORT PLATFORM (CVLSP)	0	0
017	CV–22 (MYP)	294,220	294,220
018	ADVANCE PROCUREMENT (CY)	15,000	15,000
	MISSION SUPPORT AIRCRAFT		
019	CIVIL AIR PATROL A/C	2,498	2,498
020	LIGHT ATTACK ARMED RECON ACFT	0	0
021	RQ–11	0	0
022	STUASL0	0	0
	OTHER AIRCRAFT		
023	INTERIM GATEWAY	0	0
024	TARGET DRONES	129,866	129,866
025	C–37A	0	0
026	RQ–4	75,000	75,000
027	ADVANCE PROCUREMENT (CY)	0	0
028	AC–130J	163,970	163,970
029	ADVANCE PROCUREMENT (CY)	0	0
030	MQ–9	553,530	553,530
031	RQ–4 BLOCK 40 PROC	11,654	11,654
	STRATEGIC AIRCRAFT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
032	B–2A	82,296	82,296
033	B–1B	149,756	149,756
034	B–52	9,781	9,781
035	LARGE AIRCRAFT INFRARED COUNTERMEASURES	28,800	28,800
	TACTICAL AIRCRAFT		
036	A–10	89,919	89,919
037	F–15	148,378	148,378
038	F–16	6,896	6,896
039	F–22A	283,871	283,871
040	F–35 MODIFICATIONS	147,995	147,995
	AIRLIFT AIRCRAFT		
041	C–5	6,967	6,967
042	ADVANCE PROCUREMENT (CY)	0	0
043	C–5M	944,819	944,819
044	ADVANCE PROCUREMENT (CY)	175,800	175,800
045	C–9C	0	0
046	C–17A	205,079	205,079
047	C–21	199	199
048	C–32A	1,750	1,750
049	C–37A	445	445
050	C–130 AMP	0	0
	TRAINER AIRCRAFT		
051	GLIDER MODS	126	126
052	T–6	15,494	15,494
053	T–1	272	272
054	T–38	20,455	20,455
	OTHER AIRCRAFT		
055	U–2 MODS	0	0
056	U–2 MODS	44,477	44,477
057	KC–10A (ATCA)	46,921	46,921
058	C–12	1,876	1,876
059	MC–12W	17,054	17,054
060	C–20 MODS	243	243
061	VC–25A MOD	11,185	11,185
062	C–40	243	243
063	C–130	67,853	67,853
064	C–130 INTEL	0	0
065	C–130J MODS	70,555	70,555
066	C–135	46,707	46,707
067	COMPASS CALL MODS	50,024	50,024
068	RC–135	165,237	165,237
069	E–3	193,099	193,099
070	E–4	47,616	47,616
071	E–8	59,320	71,320
	Restart production line for the JSTARS re-engining program		[12,000]
072	H–1	5,449	5,449
073	H–60	26,227	26,227
074	RQ–4 MODS	9,257	9,257
075	HC/MC–130 MODIFICATIONS	22,326	22,326
076	OTHER AIRCRAFT	18,832	18,832
077	MQ–1 MODS	30,861	30,861
078	MQ–9 MODS	238,360	238,360
079	MQ–9 UAS PAYLOADS	93,461	93,461
080	CV–22 MODS	23,881	23,881
	AIRCRAFT SPARES AND REPAIR PARTS		
081	INITIAL SPARES/REPAIR PARTS	729,691	729,691
	COMMON SUPPORT EQUIPMENT		
082	AIRCRAFT REPLACEMENT SUPPORT EQUIP	56,542	56,542
	POST PRODUCTION SUPPORT		
083	A–10	5,100	5,100
084	B–1	965	965
085	B–2A	0	0
086	B–2A	47,580	47,580
087	C–5	0	0
088	KC–10A (ATCA)	13,100	13,100
089	C–17A	181,703	181,703
090	C–130	31,830	31,830
091	C–135	13,434	13,434
092	F–15	2,363	2,363
093	F–16	8,506	8,506
094	HH–60 PPS	0	0
095	T–6	0	0
096	OTHER AIRCRAFT	9,522	9,522
	INDUSTRIAL PREPAREDNESS		
097	INDUSTRIAL RESPONSIVENESS	20,731	20,731
	WAR CONSUMABLES		
098	WAR CONSUMABLES	89,727	89,727
	OTHER PRODUCTION CHARGES		
099	OTHER PRODUCTION CHARGES	842,392	842,392
	DARP		
103	U–2	0	0
	CLASSIFIED PROGRAMS		
103A	CLASSIFIED PROGRAMS	20,164	20,164

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	PRIOR YEAR SAVINGS		
103B	PRIOR YEAR SAVINGS		–920,748
	Light attack armed reconnaissance (LAAR) cancellation		[–115,049]
	Light mobiilty aircraft cancellation		[–65,296]
	Common vertical lift support platform (CVLSP) cancellation		[–52,800]
	C–130 AMP cancellation		[–207,163]
	RQ–4 Global Hawk Block 30 cancellation		[–480,440]
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	**11,002,999**	**10,094,251**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	56,906	56,906
	TACTICAL		
002	JASSM	240,399	240,399
003	SIDEWINDER (AIM–9X)	88,020	88,020
004	AMRAAM	229,637	229,637
005	PREDATOR HELLFIRE MISSILE	47,675	47,675
006	SMALL DIAMETER BOMB	42,000	42,000
	INDUSTRIAL FACILITIES		
007	INDUSTR'L PREPAREDNS/POL PREVENTION	744	744
	CLASS IV		
008	ADVANCED CRUISE MISSILE	0	0
009	MM III MODIFICATIONS	54,794	54,794
010	AGM–65D MAVERICK	271	271
011	AGM–88A HARM	23,240	23,240
012	AIR LAUNCH CRUISE MISSILE (ALCM)	13,620	13,620
013	SMALL DIAMETER BOMB	5,000	5,000
	MISSILE SPARES AND REPAIR PARTS		
014	INITIAL SPARES/REPAIR PARTS	74,373	74,373
	SPACE PROGRAMS		
015	ADVANCED EHF	557,205	557,205
016	ADVANCE PROCUREMENT (CY)	0	0
017	WIDEBAND GAPFILLER SATELLITES(SPACE)	36,835	36,835
018	ADVANCE PROCUREMENT (CY)	0	0
019	GPS III SPACE SEGMENT	410,294	410,294
020	ADVANCE PROCUREMENT (CY)	82,616	82,616
021	SPACEBORNE EQUIP (COMSEC)	10,554	10,554
022	GLOBAL POSITIONING (SPACE)	58,147	58,147
023	DEF METEOROLOGICAL SAT PROG(SPACE)	89,022	89,022
024	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,679,856	1,679,856
025	SBIR HIGH (SPACE)	454,251	454,251
026	ADVANCE PROCUREMENT (CY)	0	0
	SPECIAL PROGRAMS		
028	DEFENSE SPACE RECONN PROGRAM	0	0
030	SPECIAL UPDATE PROGRAMS	138,904	138,904
	CLASSIFIED PROGRAMS		
030A	CLASSIFIED PROGRAMS	1,097,483	1,097,483
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	**5,491,846**	**5,491,846**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	8,927	8,927
	CARTRIDGES		
002	CARTRIDGES	118,075	118,075
	BOMBS		
003	PRACTICE BOMBS	32,393	32,393
004	GENERAL PURPOSE BOMBS	163,467	163,467
005	JOINT DIRECT ATTACK MUNITION	101,921	101,921
	FLARE, IR MJU–7B		
006	CAD/PAD	43,829	43,829
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	7,515	7,515
008	SPARES AND REPAIR PARTS	1,003	1,003
009	MODIFICATIONS	5,321	5,321
010	ITEMS LESS THAN $5 MILLION	5,066	5,066
	FUZES		
011	FLARES	46,010	46,010
012	FUZES	36,444	36,444
	SMALL ARMS		
013	SMALL ARMS	29,223	29,223
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	**599,194**	**599,194**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	1,905	1,905
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	18,547	18,547
003	CAP VEHICLES	932	932
004	ITEMS LESS THAN $5 MILLION	1,699	1,699
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	10,850	10,850
006	ITEMS LESS THAN $5 MILLION	9,246	9,246

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,148	23,148
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	18,323	18,323
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV AND CLEANING EQU	1,685	1,685
010	ITEMS LESS THAN $5 MILLION	17,014	17,014
	CANCELLED ACCOUNT ADJUSTMENTS		
011	CANCELLED ACCOUNT ADJUSTMENTS	0	0
	COMM SECURITY EQUIPMENT(COMSEC)		
012	COMSEC EQUIPMENT	166,559	166,559
013	MODIFICATIONS (COMSEC)	1,133	1,133
	INTELLIGENCE PROGRAMS		
014	INTELLIGENCE TRAINING EQUIPMENT	2,749	2,749
015	INTELLIGENCE COMM EQUIPMENT	32,876	32,876
016	ADVANCE TECH SENSORS	877	877
017	MISSION PLANNING SYSTEMS	15,295	15,295
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	21,984	21,984
019	NATIONAL AIRSPACE SYSTEM	30,698	30,698
020	BATTLE CONTROL SYSTEM—FIXED	17,368	17,368
021	THEATER AIR CONTROL SYS IMPROVEMENTS	23,483	23,483
022	WEATHER OBSERVATION FORECAST	17,864	17,864
023	STRATEGIC COMMAND AND CONTROL	53,995	53,995
024	CHEYENNE MOUNTAIN COMPLEX	14,578	14,578
025	TAC SIGINT SPT	208	208
026	DRUG INTERDICTION SPT	0	0
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	69,743	69,743
028	AF GLOBAL COMMAND & CONTROL SYS	15,829	15,829
029	MOBILITY COMMAND AND CONTROL	11,023	11,023
030	AIR FORCE PHYSICAL SECURITY SYSTEM	64,521	64,521
031	COMBAT TRAINING RANGES	18,217	18,217
032	C3 COUNTERMEASURES	11,899	11,899
033	GCSS-AF FOS	13,920	13,920
034	THEATER BATTLE MGT C2 SYSTEM	9,365	9,365
035	AIR & SPACE OPERATIONS CTR-WPN SYS	33,907	33,907
	AIR FORCE COMMUNICATIONS		
036	INFORMATION TRANSPORT SYSTEMS	52,464	52,464
037	BASE INFO INFRASTRUCTURE	0	0
038	AFNET	125,788	125,788
039	VOICE SYSTEMS	16,811	16,811
040	USCENTCOM	32,138	32,138
	DISA PROGRAMS		
041	SPACE BASED IR SENSOR PGM SPACE	47,135	47,135
042	NAVSTAR GPS SPACE	2,031	2,031
043	NUDET DETECTION SYS SPACE	5,564	5,564
044	AF SATELLITE CONTROL NETWORK SPACE	44,219	44,219
045	SPACELIFT RANGE SYSTEM SPACE	109,545	109,545
046	MILSATCOM SPACE	47,592	47,592
047	SPACE MODS SPACE	47,121	47,121
048	COUNTERSPACE SYSTEM	20,961	20,961
	ORGANIZATION AND BASE		
049	TACTICAL C-E EQUIPMENT	126,131	126,131
050	COMBAT SURVIVOR EVADER LOCATER	23,707	23,707
051	RADIO EQUIPMENT	12,757	12,757
052	CCTV/AUDIOVISUAL EQUIPMENT	10,716	10,716
053	BASE COMM INFRASTRUCTURE	74,528	74,528
	MODIFICATIONS		
054	COMM ELECT MODS	43,507	43,507
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	22,693	22,693
056	ITEMS LESS THAN $5 MILLION	30,887	30,887
	DEPOT PLANT+MTRLS HANDLING EQ		
057	MECHANIZED MATERIAL HANDLING EQUIP	2,850	2,850
	BASE SUPPORT EQUIPMENT		
058	BASE PROCURED EQUIPMENT	8,387	8,387
059	CONTINGENCY OPERATIONS	10,358	10,358
060	PRODUCTIVITY CAPITAL INVESTMENT	3,473	3,473
061	RAPID IMPROVEMENT PROCUREMENT INOVAT	0	0
062	MOBILITY EQUIPMENT	14,471	14,471
063	ITEMS LESS THAN $5 MILLION	1,894	1,894
	SPECIAL SUPPORT PROJECTS		
065	DARP RC135	24,176	24,176
066	DCGS-AF	142,928	142,928
068	SPECIAL UPDATE PROGRAM	479,446	479,446
069	DEFENSE SPACE RECONNAISSANCE PROG.	39,155	39,155
	CLASSIFIED PROGRAMS		
069A	CLASSIFIED PROGRAMS	14,331,312	14,331,312
	SPARES AND REPAIR PARTS		
071	SPARES AND REPAIR PARTS	14,663	14,663
	TOTAL, OTHER PROCUREMENT, AIR FORCE	**16,720,848**	**16,720,848**

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, BTA		
001	MAJOR EQUIPMENT, BTA	0	0
	MAJOR EQUIPMENT, DCAA		
002	ITEMS LESS THAN $5 MILLION	1,486	1,486
	MAJOR EQUIPMENT, DCMA		
003	MAJOR EQUIPMENT	2,129	2,129
	EQUIPMENT		
004	EQUIPMENT	0	0
	MAJOR EQUIPMENT, DHRA		
005	PERSONNEL ADMINISTRATION	6,147	6,147
	MAJOR EQUIPMENT, DISA		
012	INFORMATION SYSTEMS SECURITY	12,708	12,708
013	GLOBAL COMMAND AND CONTROL SYSTEM	0	0
014	GLOBAL COMBAT SUPPORT SYSTEM	3,002	3,002
015	TELEPORT PROGRAM	46,992	46,992
016	ITEMS LESS THAN $5 MILLION	108,462	108,462
017	NET CENTRIC ENTERPRISE SERVICES (NCES)	2,865	2,865
018	DEFENSE INFORMATION SYSTEM NETWORK	116,906	116,906
019	PUBLIC KEY INFRASTRUCTURE	1,827	1,827
020	DRUG INTERDICTION SUPPORT	0	0
021	CYBER SECURITY INITIATIVE	10,319	10,319
	MAJOR EQUIPMENT, DLA		
022	MAJOR EQUIPMENT	9,575	9,575
	MAJOR EQUIPMENT, DMACT		
023	MAJOR EQUIPMENT	15,179	15,179
	MAJOR EQUIPMENT, DODEA		
024	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,458	1,458
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
025	EQUIPMENT	0	0
	MAJOR EQUIPMENT, DSS		
026	MAJOR EQUIPMENT	2,522	2,522
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
027	VEHICLES	50	50
028	OTHER MAJOR EQUIPMENT	13,096	13,096
	MAJOR EQUIPMENT, DTSA		
029	MAJOR EQUIPMENT	0	0
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
030	THAAD	460,728	560,728
	THAAD Interceptors		[100,000]
031	AEGIS BMD	389,626	389,626
032	BMDS AN/TPY–2 RADARS	217,244	217,244
033	RADAR SPARES	10,177	10,177
034	IRON DOME	0	0
	MAJOR EQUIPMENT, NSA		
041	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,770	6,770
	MAJOR EQUIPMENT, OSD		
042	MAJOR EQUIPMENT, OSD	45,938	45,938
043	MAJOR EQUIPMENT, INTELLIGENCE	17,582	17,582
	MAJOR EQUIPMENT, TJS		
044	MAJOR EQUIPMENT, TJS	21,878	21,878
	MAJOR EQUIPMENT, WHS		
045	MAJOR EQUIPMENT, WHS	26,550	26,550
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	555,787	555,787
	AVIATION PROGRAMS		
046	ROTARY WING UPGRADES AND SUSTAINMENT	74,832	74,832
047	MH–47 SERVICE LIFE EXTENSION PROGRAM	0	0
048	MH–60 MODERNIZATION PROGRAM	126,780	126,780
049	NON-STANDARD AVIATION	99,776	37,000
	Transfer to Line 51 at USSOCOM request		[–62,776]
050	TANKER RECAPITALIZATION	0	0
051	U–28	7,530	116,906
	Transfer from Line 49 at USSOCOM request		[62,776]
	USSOCOM UFR		[46,600]
052	MH–47 CHINOOK	134,785	134,785
053	RQ–11 UNMANNED AERIAL VEHICLE	2,062	2,062
054	CV–22 MODIFICATION	139,147	139,147
055	MQ–1 UNMANNED AERIAL VEHICLE	3,963	26,963
	USSOCOM UFR		[23,000]
056	MQ–9 UNMANNED AERIAL VEHICLE	3,952	39,352
	USSOCOM UFR		[35,400]
057	RQ–7 UNMANNED AERIAL VEHICLE	0	0
058	STUASL0	12,945	12,945
059	PRECISION STRIKE PACKAGE	73,013	73,013
060	AC/MC–130J	51,484	51,484
061	MQ–8 UAV	0	0
062	C–130 MODIFICATIONS	25,248	25,248
063	AIRCRAFT SUPPORT	5,314	5,314
	SHIPBUILDING		
064	UNDERWATER SYSTEMS	23,037	15,037
	Transfer to RDDW Line 272 at USSOCOM request		[–8,000]
065	SEAL DELIVERY VEHICLE	0	0

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	AMMUNITION PROGRAMS		
066	ORDNANCE REPLENISHMENT	113,183	113,183
067	ORDNANCE ACQUISITION	36,981	36,981
	OTHER PROCUREMENT PROGRAMS		
068	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	99,838	103,738
	USSOCOM UFR		[3,900]
069	INTELLIGENCE SYSTEMS	71,428	71,428
070	SMALL ARMS AND WEAPONS	27,108	27,108
071	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	12,767	15,967
	USSOCOM UFR		[3,200]
073	MARITIME EQUIPMENT MODIFICATIONS	0	0
074	COMBATANT CRAFT SYSTEMS	42,348	42,348
075	SPARES AND REPAIR PARTS	600	600
077	TACTICAL VEHICLES	37,421	37,421
078	MISSION TRAINING AND PREPARATION SYSTEMS	36,949	41,949
	USSOCOM UFR		[5,000]
079	COMBAT MISSION REQUIREMENTS	20,255	20,255
080	MILCON COLLATERAL EQUIPMENT	17,590	17,590
082	AUTOMATION SYSTEMS	66,573	66,573
083	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,549	6,549
084	OPERATIONAL ENHANCEMENTS INTELLIGENCE	32,335	32,335
085	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	15,153	15,153
086	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	33,920	33,920
087	TACTICAL RADIO SYSTEMS	75,132	75,132
088	MARITIME EQUIPMENT	0	0
089	DRUG INTERDICTION	0	0
090	MISCELLANEOUS EQUIPMENT	6,667	6,667
091	OPERATIONAL ENHANCEMENTS	217,972	243,272
	USSOCOM UFR		[25,300]
092	MILITARY INFORMATION SUPPORT OPERATIONS	27,417	27,417
	CLASSIFIED PROGRAMS		
092A	CLASSIFIED PROGRAMS	0	0
	CBDP		
093	INSTALLATION FORCE PROTECTION	24,025	24,025
094	INDIVIDUAL PROTECTION	73,720	73,720
095	DECONTAMINATION	506	506
096	JOINT BIO DEFENSE PROGRAM (MEDICAL)	32,597	32,597
097	COLLECTIVE PROTECTION	3,144	3,144
098	CONTAMINATION AVOIDANCE	164,886	164,886
	TOTAL, PROCUREMENT, DEFENSE-WIDE	**4,187,935**	**4,422,335**
	NATIONAL GUARD & RESERVE EQUIPMENT		
	ARMY RESERVE		
001	MISCELLANEOUS EQUIPMENT	0	0
	NAVY RESERVE		
002	MISCELLANEOUS EQUIPMENT	0	0
	MARINE CORPS RESERVE		
003	MISCELLANEOUS EQUIPMENT	0	0
	AIR FORCE RESERVE		
004	MISCELLANEOUS EQUIPMENT	0	0
	ARMY NATIONAL GUARD		
005	MISCELLANEOUS EQUIPMENT	0	0
	AIR NATIONAL GUARD		
006	MISCELLANEOUS EQUIPMENT	0	0
	NATIONAL GUARD AIRCRAFT		
007	MISCELLANEOUS EQUIPMENT	0	0
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	**0**	**0**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,477	99,477
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	**99,477**	**99,477**
	TOTAL, PROCUREMENT	**97,432,379**	**96,959,163**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	ROTARY		
009	AH–64 APACHE BLOCK IIIB NEW BUILD	71,000	0
	Funding ahead of need		[–71,000]
012	KIOWA WARRIOR (OH–58F) WRA	183,900	183,900
015	CH–47 HELICOPTER	231,300	231,300
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	**486,200**	**415,200**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
004	HELLFIRE SYS SUMMARY	29,100	29,100

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
008	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		
036	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		
003	CTG, HANDGUN, ALL TYPES	1,500	1,500
004	CTG, .50 CAL, ALL TYPES	10,000	10,000
007	CTG, 30MM, ALL TYPES	80,000	80,000
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	14,000	14,000
010	81MM MORTAR, ALL TYPES	6,000	6,000
011	120MM MORTAR, ALL TYPES	56,000	56,000
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM AND 105MM, ALL TYP	29,956	29,956
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,044	37,044
015	PROJ 155MM EXTENDED RANGE XM982	12,300	12,300
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	17,000	17,000
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	12,000	12,000
	ROCKETS		
020	ROCKET, HYDRA 70, ALL TYPES	63,635	63,635
	OTHER AMMUNITION		
023	SIGNALS, ALL TYPES	16,858	16,858
	MISCELLANEOUS		
028	ITEMS LESS THAN $5 MILLION	1,200	1,200
	PRODUCTION BASE SUPPORT		
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	**357,493**	**357,493**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	28,247	28,247
004	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	2,050	2,050
011	HMMWV RECAPITALIZATION PROGRAM	271,000	271,000
014	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	927,400	927,400
	COMM—INTELLIGENCE COMM		
052	RESERVE CA/MISO GPF EQUIPMENT	8,000	8,000
	COMM—BASE COMMUNICATIONS		
061	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(	25,000	65,000
	Transfer from OMA OCO at SOUTHCOM request		*[40,000]*
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
069	DCGS–A (MIP)	90,355	90,355
073	CI HUMINT AUTO REPRINTING AND COLLECTION	6,516	6,516
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
075	LIGHTWEIGHT COUNTER MORTAR RADAR	27,646	27,646
077	FMLY OF PERSISTENT SURVEILLANCE CAPABILITIES	52,000	52,000
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	205,209	205,209
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
092	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	14,600	14,600
099	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
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, NONSYSTEM	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	91,167
	Slow execution of prior years appropriations		*[–37,000]*
	Solar power units		*[30,000]*
	TOTAL, OTHER PROCUREMENT, ARMY	**2,015,907**	**2,048,907**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	950,500	850,500
	Program decrease—under execution		[–100,000]
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	400,000	350,000
	Program decrease—under execution & program delays		[–50,000]
	FORCE TRAINING		
003	TRAIN THE FORCE	149,500	128,500
	Program decrease—under execution & program delays		[–21,000]
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	175,400	373,814
	Transfer from Base		[227,414]
	Program decrease—excessive contractor service support		[–29,000]
	TOTAL, JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	**1,675,400**	**1,702,814**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
011	H–1 UPGRADES (UH–1Y/AH–1Z)	29,800	29,800
	MODIFICATION OF AIRCRAFT		
030	AV–8 SERIES	42,238	42,238
032	F–18 SERIES	41,243	41,243
035	H–53 SERIES	15,870	15,870
038	EP–3 SERIES	13,030	13,030
043	C–130 SERIES	16,737	16,737
048	SPECIAL PROJECT AIRCRAFT	2,714	2,714
054	COMMON AVIONICS CHANGES	570	570
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
062	COMMON GROUND EQUIPMENT	2,380	2,380
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	**164,582**	**164,582**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
009	HELLFIRE	17,000	17,000
010	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		
001	GENERAL PURPOSE BOMBS	18,000	18,000
002	AIRBORNE ROCKETS, ALL TYPES	80,200	80,200
003	MACHINE GUN AMMUNITION	21,500	21,500
006	AIR EXPENDABLE COUNTERMEASURES	20,303	20,303
011	OTHER SHIP GUN AMMUNITION	532	532
012	SMALL ARMS & LANDING PARTY AMMO	2,643	2,643
013	PYROTECHNIC AND DEMOLITION	2,322	2,322
014	AMMUNITION LESS THAN $5 MILLION	6,308	6,308
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	10,948	10,948
016	LINEAR CHARGES, ALL TYPES	9,940	9,940
017	40MM, ALL TYPES	5,963	5,963
020	120MM, ALL TYPES	11,605	11,605
021	CTG 25MM, ALL TYPES	2,831	2,831
022	GRENADES, ALL TYPES	2,359	2,359
023	ROCKETS, ALL TYPES	3,051	3,051
024	ARTILLERY, ALL TYPES	54,886	54,886
025	DEMOLITION MUNITIONS, ALL TYPES	1,391	1,391
026	FUZE, ALL TYPES	30,945	30,945
027	NON LETHALS	8	8
029	ITEMS LESS THAN $5 MILLION	12	12
	TOTAL, PROCUREMENT OF AMMO, NAVY & MC	**285,747**	**285,747**
	OTHER PROCUREMENT, NAVY		
	OTHER SHORE ELECTRONIC EQUIPMENT		
070	TACTICAL/MOBILE C4I SYSTEMS	3,603	3,603
	AIRCRAFT SUPPORT EQUIPMENT		
097	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		
002	LAV PIP	10,000	10,000
	ARTILLERY AND OTHER WEAPONS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	108,860	108,860
	GUIDED MISSILES		
010	JAVELIN	29,158	29,158
	OTHER SUPPORT		
013	MODIFICATION KITS	41,602	41,602
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	13,632	13,632
	OTHER SUPPORT (TEL)		
017	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	AIR OPERATIONS C2 SYSTEMS	15,575	15,575
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	8,015	8,015
	INTELL/COMM EQUIPMENT (NON-TEL)		
023	INTELLIGENCE SUPPORT EQUIPMENT	35,310	35,310
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
029	NIGHT VISION EQUIPMENT	652	652
	OTHER SUPPORT (NON-TEL)		
030	COMMON COMPUTER RESOURCES	19,807	19,807
032	RADIO SYSTEMS	36,482	36,482
033	COMM SWITCHING & CONTROL SYSTEMS	41,295	41,295
	TACTICAL VEHICLES		
039	MEDIUM TACTICAL VEHICLE REPLACEMENT	10,466	10,466
041	FAMILY OF TACTICAL TRAILERS	7,642	7,642
	ENGINEER AND OTHER EQUIPMENT		
045	BULK LIQUID EQUIPMENT	18,239	18,239
046	TACTICAL FUEL SYSTEMS	51,359	51,359
047	POWER EQUIPMENT ASSORTED	20,247	20,247
049	EOD SYSTEMS	362,658	362,658
	MATERIALS HANDLING EQUIPMENT		
050	PHYSICAL SECURITY EQUIPMENT	55,500	55,500
052	MATERIAL HANDLING EQUIP	19,100	19,100
	GENERAL PROPERTY		
054	FIELD MEDICAL EQUIPMENT	15,751	15,751
055	TRAINING DEVICES	3,602	3,602
057	FAMILY OF CONSTRUCTION EQUIPMENT	15,900	15,900
	TOTAL, PROCUREMENT, MARINE CORPS	**943,683**	**943,683**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC AIRCRAFT		
035	LARGE AIRCRAFT INFRARED COUNTERMEASURES	139,800	139,800
	OTHER AIRCRAFT		
055	U–2 MODS	46,800	46,800
063	C–130	11,400	11,400
067	COMPASS CALL MODS	14,000	14,000
068	RC–135	8,000	8,000
075	HC/MC–130 MODIFICATIONS	4,700	4,700
	AIRCRAFT SPARES AND REPAIR PARTS		
081	INITIAL SPARES/REPAIR PARTS	21,900	21,900
	OTHER PRODUCTION CHARGES		
099	OTHER PRODUCTION CHARGES	59,000	59,000
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	**305,600**	**305,600**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
005	PREDATOR HELLFIRE MISSILE	34,350	34,350
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	**34,350**	**34,350**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	13,592	13,592
	BOMBS		
004	GENERAL PURPOSE BOMBS	23,211	23,211
005	JOINT DIRECT ATTACK MUNITION	53,923	53,923
	FLARE, IR MJU–7B		
006	CAD/PAD	2,638	2,638
010	ITEMS LESS THAN $5 MILLION	2,600	2,600
	FUZES		
011	FLARES	11,726	11,726
012	FUZES	8,513	8,513
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	**116,203**	**116,203**
	OTHER PROCUREMENT, AIR FORCE		
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	2,010	2,010
004	ITEMS LESS THAN $5 MILLION	2,675	2,675
	SPECIAL PURPOSE VEHICLES		
006	ITEMS LESS THAN $5 MILLION	2,557	2,557
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN $5 MILLION	4,329	4,329
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV AND CLEANING EQU	984	984
010	ITEMS LESS THAN $5 MILLION	9,120	9,120

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	ELECTRONICS PROGRAMS		
022	WEATHER OBSERVATION FORECAST	5,600	5,600
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	11,157	11,157
	ORGANIZATION AND BASE		
049	TACTICAL C–E EQUIPMENT	7,000	7,000
053	BASE COMM INFRASTRUCTURE	10,654	10,654
	MODIFICATIONS		
054	COMM ELECT MODS	8,000	8,000
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	902	902
	BASE SUPPORT EQUIPMENT		
059	CONTINGENCY OPERATIONS	60,090	60,090
062	MOBILITY EQUIPMENT	9,400	9,400
063	ITEMS LESS THAN $5 MILLION	9,175	9,175
	CLASSIFIED PROGRAMS		
069A	CLASSIFIED PROGRAMS	2,672,317	2,672,317
	SPARES AND REPAIR PARTS		
071	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		
015	TELEPORT PROGRAM	5,260	5,260
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	126,201	126,201
	AVIATION PROGRAMS		
061	MQ–8 UAV	16,500	16,500
	OTHER PROCUREMENT PROGRAMS		
068	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	151	151
069	INTELLIGENCE SYSTEMS	30,528	30,528
077	TACTICAL VEHICLES	1,843	1,843
082	AUTOMATION SYSTEMS	1,000	1,000
086	VISUAL AUGMENTATION LASERS AND SENSOR SYSTEMS	108	108
091	OPERATIONAL ENHANCEMENTS	14,758	14,758
	TOTAL, PROCUREMENT, DEFENSE-WIDE	**196,349**	**196,349**
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	100,000	100,000
	TOTAL, JOINT URGENT OPERATIONAL NEEDS FUND	**100,000**	**100,000**
	TOTAL, PROCUREMENT	**9,687,241**	**9,676,655**

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	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	20,860	20,860
002	0601102A	DEFENSE RESEARCH SCIENCES	219,180	219,180
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	80,986	80,986
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	123,045	123,045
		SUBTOTAL, BASIC RESEARCH	**444,071**	**444,071**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	29,041	29,041
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	45,260	45,260
007	0602122A	TRACTOR HIP	22,439	22,439
008	0602211A	AVIATION TECHNOLOGY	51,607	51,607
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	15,068	15,068
010	0602303A	MISSILE TECHNOLOGY	49,383	49,383
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	25,999	25,999
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	23,507	23,507
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	69,062	69,062
014	0602618A	BALLISTICS TECHNOLOGY	60,823	60,823
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,465	4,465
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,169	7,169
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	35,218	35,218
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	60,300	60,300
019	0602709A	NIGHT VISION TECHNOLOGY	53,244	53,244
020	0602712A	COUNTERMINE SYSTEMS	18,850	18,850
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	19,872	19,872
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,095	20,095
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	28,852	28,852
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	9,830	9,830
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,693	70,693
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,781	17,781
027	0602786A	WARFIGHTER TECHNOLOGY	28,281	28,281

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
028	0602787A	MEDICAL TECHNOLOGY	107,891	107,891
		SUBTOTAL, APPLIED RESEARCH	**874,730**	**874,730**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	39,359	39,359
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,580	69,580
031	0603003A	AVIATION ADVANCED TECHNOLOGY	64,215	64,215
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	67,613	67,613
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	104,359	104,359
034	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	4,157	4,157
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	9,856	9,856
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,661	50,661
037	0603009A	TRACTOR HIKE	9,126	9,126
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,257	17,257
039	0603020A	TRACTOR ROSE	9,925	9,925
040	0603105A	MILITARY HIV RESEARCH	6,984	6,984
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	9,716	9,716
042	0603130A	TRACTOR NAIL	3,487	3,487
043	0603131A	TRACTOR EGGS	2,323	2,323
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	21,683	21,683
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	71,111	71,111
046	0603322A	TRACTOR CAGE	10,902	10,902
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,582	180,582
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	27,204	27,204
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	6,095	6,095
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	37,217	37,217
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	13,626	13,626
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	28,458	28,458
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	25,226	25,226
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**890,722**	**890,722**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	14,505	14,505
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	9,876	9,876
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	5,054	5,054
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV	2,725	2,725
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	30,560	30,560
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	14,347	14,347
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	10,073	10,073
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	8,660	8,660
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,715	10,715
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	4,631	4,631
064	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL	278,018	278,018
065	0603790A	NATO RESEARCH AND DEVELOPMENT	4,961	4,961
066	0603801A	AVIATION—ADV DEV	8,602	8,602
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	14,605	14,605
068	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	5,054	5,054
069	0603807A	MEDICAL SYSTEMS—ADV DEV	24,384	24,384
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	32,050	32,050
071	0603850A	INTEGRATED BROADCAST SERVICE	96	96
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	24,868	24,868
073	0604131A	TRACTOR JUTE	59	59
074	0604284A	JOINT COOPERATIVE TARGET IDENTIFICATION—GROUND (JCTI-G)/TECHNOLOGY DEV	0	0
075	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2)	76,039	76,039
076	0604775A	DEFENSE RAPID INNOVATION PROGRAM	0	0
077	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,043	4,043
078	0305205A	ENDURANCE UAVS	26,196	26,196
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**610,121**	**610,121**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
079	0604201A	AIRCRAFT AVIONICS	78,538	78,538
080	0604220A	ARMED, DEPLOYABLE HELOS	90,494	90,494
081	0604270A	ELECTRONIC WARFARE DEVELOPMENT	181,347	181,347
082	0604280A	JOINT TACTICAL RADIO	0	0
083	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	12,636	12,636
084	0604321A	ALL SOURCE ANALYSIS SYSTEM	5,694	5,694
085	0604328A	TRACTOR CAGE	32,095	32,095
086	0604601A	INFANTRY SUPPORT WEAPONS	96,478	96,478
087	0604604A	MEDIUM TACTICAL VEHICLES	3,006	3,006
088	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ENG DEV	0	0
089	0604611A	JAVELIN	5,040	5,040
090	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	3,077	3,077
091	0604633A	AIR TRAFFIC CONTROL	9,769	9,769
092	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	13,141	25,141
		Transfer from OPA line 191 at Army request		[12,000]
093	0604642A	LIGHT TACTICAL WHEELED VEHICLES	0	0
094	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	0	0
095	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS	0	0
096	0604663A	FCS UNMANNED GROUND VEHICLES	0	0
097	0604664A	FCS UNATTENDED GROUND SENSORS	0	0
098	0604665A	FCS SUSTAINMENT & TRAINING R&D	0	0
099	0604710A	NIGHT VISION SYSTEMS—ENG DEV	32,621	32,621
100	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,132	2,132

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
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
115	0604817A	COMBAT IDENTIFICATION	0	0
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	27,163
		GFEBS realignment per Army request		[17,200]
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
		No funds authorized		[–400,861]
123	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,922	7,922
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
127	0605455A	SLAMRAAM	0	0
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**	**2,914,968**
		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
141	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
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
145	0605605A	DOD HIGH ENERGY LASER TEST FACILITY	0	0
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
158	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	**1,153,980**	**1,153,980**
		OPERATIONAL SYSTEMS DEVELOPMENT		
159	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	143,005	143,005
160	0607665A	FAMILY OF BIOMETRICS	0	0
161	0607865A	PATRIOT PRODUCT IMPROVEMENT	109,978	109,978
162	0102419A	AEROSTAT JOINT PROJECT OFFICE	190,422	190,422
163	0203347A	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP	0	0
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	226,247
		Improved turbine engine program delay		[–54,000]
168	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	898	898
169	0203758A	DIGITIZATION	35,180	35,180
170	0203759A	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	0	0
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
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**	**1,615,162**
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**8,929,415**	**8,503,754**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	113,690	113,690
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,261	18,261
003	0601153N	DEFENSE RESEARCH SCIENCES	473,070	473,070
		SUBTOTAL, BASIC RESEARCH	**605,021**	**605,021**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	89,189	89,189
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	143,301	143,301
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	46,528	46,528
007	0602235N	COMMON PICTURE APPLIED RESEARCH	41,696	41,696
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	44,127	44,127
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	78,228	78,228
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,635	49,635
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	5,973	5,973
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	96,814	96,814
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	162,417	162,417
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,394	32,394
		SUBTOTAL, APPLIED RESEARCH	**790,302**	**790,302**
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	56,543	56,543
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	18,616	18,616
017	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY	0	0
018	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	0	0
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	54,858	54,858
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	130,598	130,598
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,706	11,706
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	256,382	256,382
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	3,880	3,880
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	0	0
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,819	51,819
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	0	0
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**584,402**	**584,402**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	0	0
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	34,085	34,085
029	0603216N	AVIATION SURVIVABILITY	8,783	8,783
030	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,773	3,773
031	0603251N	AIRCRAFT SYSTEMS	24,512	24,512
032	0603254N	ASW SYSTEMS DEVELOPMENT	8,090	8,090
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,301	5,301
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,506	1,506
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	190,622	190,622
036	0603506N	SURFACE SHIP TORPEDO DEFENSE	93,346	93,346
037	0603512N	CARRIER SYSTEMS DEVELOPMENT	108,871	108,871
038	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	0	0
039	0603525N	PILOT FISH	101,169	101,169
040	0603527N	RETRACT LARCH	74,312	74,312
041	0603536N	RETRACT JUNIPER	90,730	90,730
042	0603542N	RADIOLOGICAL CONTROL	777	777
043	0603553N	SURFACE ASW	6,704	6,704
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	555,123	555,123
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	9,368	9,368
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	24,609	24,609
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	13,710	13,710
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	249,748	249,748
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	29,897	29,897
050	0603576N	CHALK EAGLE	509,988	509,988
051	0603581N	LITTORAL COMBAT SHIP (LCS)	429,420	429,420
052	0603582N	COMBAT SYSTEM INTEGRATION	56,551	56,551
053	0603609N	CONVENTIONAL MUNITIONS	7,342	7,342
054	0603611M	MARINE CORPS ASSAULT VEHICLES	95,182	95,182
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	10,496	10,496

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	52,331	52,331
057	0603658N	COOPERATIVE ENGAGEMENT	56,512	56,512
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	7,029	7,029
059	0603721N	ENVIRONMENTAL PROTECTION	21,080	21,080
060	0603724N	NAVY ENERGY PROGRAM	55,324	55,324
061	0603725N	FACILITIES IMPROVEMENT	3,401	3,401
062	0603734N	CHALK CORAL	45,966	45,966
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,811	3,811
064	0603746N	RETRACT MAPLE	341,305	341,305
065	0603748N	LINK PLUMERIA	181,220	181,220
066	0603751N	RETRACT ELM	174,014	174,014
067	0603755N	SHIP SELF DEFENSE—DEM/VAL	0	0
068	0603764N	LINK EVERGREEN	68,654	68,654
069	0603787N	SPECIAL PROCESSES	44,487	44,487
070	0603790N	NATO RESEARCH AND DEVELOPMENT	9,389	9,389
071	0603795N	LAND ATTACK TECHNOLOGY	16,132	16,132
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	44,994	44,994
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	137,369	137,369
074	0603889N	COUNTERDRUG RDT&E PROJECTS	0	0
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	0	0
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	73,934	73,934
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	711	711
078	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	71,300	71,300
079	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,654	5,654
080	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	31,549	31,549
081	0604775N	DEFENSE RAPID INNOVATION PROGRAM	0	0
082	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	86,801	86,801
083	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	44,500	44,500
084	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	13,172	13,172
085	0303562N	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	0	0
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	643	643
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,335,297**	**4,335,297**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0604212N	OTHER HELO DEVELOPMENT	33,978	33,978
088	0604214N	AV–8B AIRCRAFT—ENG DEV	32,789	32,789
089	0604215N	STANDARDS DEVELOPMENT	84,988	84,988
090	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	6,866	6,866
091	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,060	4,060
092	0604221N	P–3 MODERNIZATION PROGRAM	3,451	3,451
093	0604230N	WARFARE SUPPORT SYSTEM	13,071	13,071
094	0604231N	TACTICAL COMMAND SYSTEM	71,645	71,645
095	0604234N	ADVANCED HAWKEYE	119,065	119,065
096	0604245N	H–1 UPGRADES	31,105	31,105
097	0604261N	ACOUSTIC SEARCH SENSORS	34,299	34,299
098	0604262N	V–22A	54,412	54,412
099	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	260,616
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	122,481
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	151,489
130	0604761N	INTELLIGENCE ENGINEERING	0	0
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
136	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	72,209	72,209
137	0605018N	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (N-IMHRS)	0	0
138	0605212N	CH–53K RDTE	606,204	606,204
139	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	0	0
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
143	0304503N	SSN–688 AND TRIDENT MODERNIZATION—MIP	0	0
144	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	23,255	23,255
145	0305124N	SPECIAL APPLICATIONS PROGRAM	0	0
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**5,747,232**	**5,747,232**
		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
152	0605502N	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
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
164	0804758N	SERVICE SUPPORT TO JFCOM, JNTC	0	0
165	0909999N	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
		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	142,282
168	0604717M	MARINE CORPS COMBAT SERVICES SUPPORT	0	0
169	0604766M	MARINE CORPS DATA SYSTEMS	0	0
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
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	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
208	0303238N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)—MIP	0	0
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
214	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS	0	0
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
219	0305231N	MQ–8 UAV	99,600	99,600
220	0305232M	RQ–11 UAV	495	495
221	0305233N	RQ–7 UAV	863	863
222	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	0	0
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	9,734	9,734
224	0305237N	MEDIUM RANGE MARITIME UAS	0	0
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
228	0702239N	AVIONICS COMPONENT IMPROVEMENT PROGRAM	0	0
229	0708011N	INDUSTRIAL PREPAREDNESS	54,879	54,879
230	0708730N	MARITIME TECHNOLOGY (MARITECH)	5,000	5,000
230A	9999999999	CLASSIFIED PROGRAMS	1,151,159	1,151,159
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**3,975,546**	**3,975,546**
230B		PRIOR YEAR SAVINGS		–8,832
		Medium range maritime UAS cancellation		[–8,832]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**16,882,877**	**16,874,045**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	361,787	361,787
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,153	141,153
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,094	13,094
		SUBTOTAL, BASIC RESEARCH	**516,034**	**516,034**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	114,166	114,166
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	120,719	120,719
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,319	89,319
007	0602203F	AEROSPACE PROPULSION	232,547	232,547
008	0602204F	AEROSPACE SENSORS	127,637	127,637
009	0602601F	SPACE TECHNOLOGY	98,375	98,375
010	0602602F	CONVENTIONAL MUNITIONS	77,175	77,175
011	0602605F	DIRECTED ENERGY TECHNOLOGY	106,196	106,196
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	104,362	104,362
013	0602890F	HIGH ENERGY LASER RESEARCH	38,557	38,557
		SUBTOTAL, APPLIED RESEARCH	**1,109,053**	**1,109,053**
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	47,890	47,890
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	6,565	6,565
016	0603203F	ADVANCED AEROSPACE SENSORS	37,657	37,657
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	81,376	81,376
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	151,152	151,152
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,941	32,941
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	64,557	64,557
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	29,256	29,256
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	21,523	21,523
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	36,352	36,352
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,004	19,004
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	37,045	37,045
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	31,419	31,419
027	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	0	0
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**596,737**	**596,737**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,866	3,866
029	0603287F	PHYSICAL SECURITY EQUIPMENT	3,704	3,704
030	0603430F	ADVANCED EHF MILSATCOM (SPACE)	229,171	227,671
		Excess funding		[–1,500]
031	0603432F	POLAR MILSATCOM (SPACE)	120,676	120,676
032	0603438F	SPACE CONTROL TECHNOLOGY	25,144	23,144
		Excess funding		[–2,000]
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	32,243	32,243
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,507	4,507
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	652	652
036	0603830F	SPACE PROTECTION PROGRAM (SPP)	10,429	10,429
037	0603850F	INTEGRATED BROADCAST SERVICE—DEM/VAL	19,938	19,938
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	71,181	71,181
039	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	12,027	12,027
040	0603859F	POLLUTION PREVENTION—DEM/VAL	2,054	2,054
041	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	57,975	57,975
042	0604015F	LONG RANGE STRIKE	291,742	291,742
043	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	114,417	114,417
044	0604317F	TECHNOLOGY TRANSFER	2,576	2,576
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	16,711	16,711
046	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	0	0
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,343	16,343
048	0604422F	WEATHER SATELLITE FOLLOW-ON	2,000	2,000
049	0604436F	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT	0	0
050	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	9,423	9,423

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
051	0604775F	DEFENSE RAPID INNOVATION PROGRAM	0	0
052	0604796F	ALTERNATIVE FUELS	0	0
053	0604830F	AUTOMATED AIR-TO-AIR REFUELING	0	0
054	0604857F	OPERATIONALLY RESPONSIVE SPACE	0	45,000
		Restore Operationally Responsive Space		[45,000]
055	0604858F	TECH TRANSITION PROGRAM	37,558	34,558
		Excess funding		[–3,000]
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	96,840	96,840
057	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	0	0
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,181,177**	**1,219,677**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
058	0603840F	GLOBAL BROADCAST SERVICE (GBS)	14,652	14,652
059	0604222F	NUCLEAR WEAPONS SUPPORT	25,713	25,713
060	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,583	6,583
061	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,975	1,975
062	0604280F	JOINT TACTICAL RADIO	2,594	2,594
063	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	24,534	24,534
064	0604287F	PHYSICAL SECURITY EQUIPMENT	51	51
065	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	143,000	143,000
066	0604421F	COUNTERSPACE SYSTEMS	28,797	28,797
067	0604425F	SPACE SITUATION AWARENESS SYSTEMS	267,252	247,252
		Excess funding		[–20,000]
068	0604429F	AIRBORNE ELECTRONIC ATTACK	4,118	4,118
069	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	448,594	446,594
		Excess funding		[–2,000]
070	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,951	9,951
071	0604604F	SUBMUNITIONS	2,567	2,567
072	0604617F	AGILE COMBAT SUPPORT	13,059	13,059
073	0604706F	LIFE SUPPORT SYSTEMS	9,720	9,720
074	0604735F	COMBAT TRAINING RANGES	9,222	9,222
075	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	0	0
076	0604750F	INTELLIGENCE EQUIPMENT	803	803
077	0604800F	F–35—EMD	1,210,306	1,210,306
078	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	135,437	135,437
079	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	7,980	7,980
080	0604932F	LONG RANGE STANDOFF WEAPON	2,004	2,004
081	0604933F	ICBM FUZE MODERNIZATION	73,512	73,512
082	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	140,100	140,100
083	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	1,815,588	1,728,458
		Excess prior year funds		[–87,130]
084	0605229F	CSAR HH–60 RECAPITALIZATION	123,210	123,210
085	0605278F	HC/MC–130 RECAP RDT&E	19,039	19,039
086	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	281,056	281,056
087	0101125F	NUCLEAR WEAPONS MODERNIZATION	80,200	80,200
088	0207100F	LIGHT ATTACK ARMED RECONNAISSANCE (LAAR) SQUADRONS	0	0
089	0207604F	READINESS TRAINING RANGES, OPERATIONS AND MAINTENANCE	310	310
090	0207701F	FULL COMBAT MISSION TRAINING	14,861	14,861
091	0305230F	MC–12	19,949	19,949
092	0401138F	C–27J AIRLIFT SQUADRONS	0	0
093	0401318F	CV–22	28,027	28,027
094	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	1,960	1,960
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION	**4,966,724**	**4,857,594**
		RDT&E MANAGEMENT SUPPORT		
095	0604256F	THREAT SIMULATOR DEVELOPMENT	22,812	22,812
096	0604759F	MAJOR T&E INVESTMENT	42,236	42,236
097	0605101F	RAND PROJECT AIR FORCE	25,579	25,579
098	0605502F	SMALL BUSINESS INNOVATION RESEARCH	0	0
099	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	45,051
		Restore Space Test Program		[35,000]
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
109	0909980F	JUDGMENT FUND REIMBURSEMENT	0	0
110	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
111	1001004F	INTERNATIONAL ACTIVITIES	3,851	3,851
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	**1,190,349**	**1,225,349**
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	371,595	370,095
		Excess funding		[–1,500]
113	0604263F	COMMON VERTICAL LIFT SUPPORT PLATFORM	0	0
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
119	0101126F	B–1B SQUADRONS	16,265	16,265
120	0101127F	B–2 SQUADRONS	35,970	20,970
		Efficiencies		[–15,000]
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
125	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	0	0
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
144	0207277F	ISR INNOVATIONS	0	0
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
150	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	0	0
152	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	5,756	5,756
153	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	0	0
154	0207444F	TACTICAL AIR CONTROL PARTY-MOD	16,226	16,226
155	0207445F	FIGHTER TACTICAL DATA LINK	0	0
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
202	0305174F	SPACE INNOVATION AND DEVELOPMENT CENTER	2,430	2,430
203	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	8,760	8,760
204	0305193F	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	0	0
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
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
222	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	0	0
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
230	0401218F	KC–135S	0	0
231	0401219F	KC–10S	24,022	24,022
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	7,471	7,471
233	0401315F	C-STOL AIRCRAFT	0	0
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
239	0801711F	RECRUITING ACTIVITIES	0	0
240	0804743F	OTHER FLIGHT TRAINING	349	349
241	0804757F	JOINT NATIONAL TRAINING CENTER	0	0
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
249	0902998F	MANAGEMENT HQ—ADP SUPPORT (AF)	0	0
249A	9999999999	CLASSIFIED PROGRAMS	11,172,183	11,149,583
		Classified reduction		[–4,600]
		Classified reduction		[–18,000]
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**15,867,972**	**15,828,872**
249B		PRIOR YEAR SAVINGS		–78,426
		C–130 AMP cancellation		[–6,509]
		MALD II Cancellation		[–7,917]
		Global Hawk Block 30 cancellation		[–64,000]
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**25,428,046**	**25,274,890**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	45,071	45,071
002	0601101E	DEFENSE RESEARCH SCIENCES	309,051	309,051
003	0601110D8Z	BASIC RESEARCH INITIATIVES	19,405	19,405
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	39,676	39,676
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	87,979	87,979
006	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	50,566	50,566
		SUBTOTAL, BASIC RESEARCH	**551,748**	**551,748**
		APPLIED RESEARCH		
007	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,615	20,615
008	0602115E	BIOMEDICAL TECHNOLOGY	110,900	110,900
009	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE	0	0
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	36,826	36,826
011	0602250D8Z	SYSTEMS 2020 APPLIED RESEARCH	7,898	7,898
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	392,421	392,421
013	0602304E	COGNITIVE COMPUTING SYSTEMS	30,424	30,424
014	0602305E	MACHINE INTELLIGENCE	0	0
015	0602383E	BIOLOGICAL WARFARE DEFENSE	19,236	19,236
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	223,269	223,269
017	0602663D8Z	DATA TO DECISIONS APPLIED RESEARCH	13,753	13,753
018	0602668D8Z	CYBER SECURITY RESEARCH	18,985	18,985
019	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH	6,771	6,771
020	0602702E	TACTICAL TECHNOLOGY	233,209	233,209
021	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,067	166,067
022	0602716E	ELECTRONICS TECHNOLOGY	222,416	222,416
023	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	172,352	172,352
024	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	28,739	28,739
		SUBTOTAL, APPLIED RESEARCH	**1,703,881**	**1,703,881**
		ADVANCED TECHNOLOGY DEVELOPMENT (ATD)		
025	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,612	25,612
026	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	26,324	26,324
027	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,144	65,844
		Reduction due to duplication of effort		[–11,300]
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	275,022	275,022
029	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	Senate Authorized
030	0603200D8Z	JOINT ADVANCED CONCEPTS	0	0
031	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	20,032	20,032
032	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	3,892	3,892
033	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	36,685	36,685
034	0603286E	ADVANCED AEROSPACE SYSTEMS	174,316	174,316
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY	159,704	159,704
036	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	234,280	234,280
037	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	6,983	6,983
038	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	158,263	158,263
039	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	25,393	25,393
040	0603663D8Z	DATA TO DECISIONS ADVANCED TECHNOLOGY DEVELOPMENT	13,754	13,754
041	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY	0	0
042	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,935	19,935
043	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT	8,235	8,235
044	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	21,966	51,966
		Industrial Base Innovation Fund		[30,000]
045	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	24,662	24,662
046	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	0	0
047	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	24,605	24,605
048	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,678	30,678
049	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,282	65,282
050	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	72,234	69,234
		DMEA upgrade reduction		[–3,000]
051	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,403	8,403
052	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	111,008	111,008
053	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	0	0
054	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	237,859	237,859
055	0603765E	CLASSIFIED DARPA PROGRAMS	3,000	3,000
056	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	236,883	236,883
057	0603767E	SENSOR TECHNOLOGY	299,438	299,438
058	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	12,195	12,195
059	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	30,036	30,036
060	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	107,002	107,002
061	0603828D8Z	JOINT EXPERIMENTATION	0	0
062	0603828J	JOINT EXPERIMENTATION	21,230	21,230
063	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	47,433	47,433
064	0603901C	DIRECTED ENERGY RESEARCH	46,944	46,944
065	0603902C	NEXT GENERATION AEGIS MISSILE	224,077	224,077
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,602	92,602
067	0603942D8Z	TECHNOLOGY TRANSFER	0	0
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	26,244	26,244
069	0303310D8Z	CWMD SYSTEMS	53,946	53,946
070	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	45,317	45,317
071	1160422BB	AVIATION ENGINEERING ANALYSIS	861	861
072	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY	4,959	4,959
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT (ATD)	**3,194,413**	**3,210,113**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**3,194,413**	**3,210,113**
073	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	33,234	33,234
074	0603527D8Z	RETRACT LARCH	21,023	21,023
075	0603600D8Z	WALKOFF	94,624	94,624
076	0603709D8Z	JOINT ROBOTICS PROGRAM	0	0
077	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	16,958	18,958
		Reverse cuts to testing		[2,000]
078	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	75,941	75,941
079	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	316,929	316,929
080	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	903,172	903,172
081	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	179,023	179,023
082	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	347,012	347,012
083	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS	0	0
084	0603890C	BMD ENABLING PROGRAMS	362,711	362,711
085	0603891C	SPECIAL PROGRAMS—MDA	272,387	272,387
086	0603892C	AEGIS BMD	992,407	992,407
087	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	51,313	51,313
088	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	6,912	6,912
089	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT & COMMUNICATION	366,552	366,552
090	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	55,550	55,550
091	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	63,043	63,043
092	0603906C	REGARDING TRENCH	11,371	11,371
093	0603907C	SEA BASED X-BAND RADAR (SBX)	9,730	9,730
094	0603913C	ISRAELI COOPERATIVE PROGRAMS	99,836	409,836
		Arrow Weapon System improvements		[20,000]
		Arrow–3 interceptor		[20,000]
		David's Sling short-range BMD		[60,000]
		Iron Dome short-range rocket defense		[210,000]
095	0603914C	BALLISTIC MISSILE DEFENSE TEST	454,400	454,400
096	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	435,747	435,747
097	0603920D8Z	HUMANITARIAN DEMINING	13,231	13,231
098	0603923D8Z	COALITION WARFARE	11,398	11,398
099	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,283	24,083
		Increase for requirements shortfall		[20,800]
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
102	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM	0	200,000
		Rapid Innovation Program		[200,000]
103	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	0	0
104	0604787J	JOINT SYSTEMS INTEGRATION	3,273	3,273
105	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	0	0
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	297,375
110	0604884C	AIRBORNE INFRARED (ABIR)	0	0
111	0604886C	ADVANCED REMOTE SENSOR TECHNOLOGY (ARST)	58,742	58,742
112	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST	0	0
113	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,158	3,158
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,282,166**	**6,814,966**
		SYSTEM DEVELOPMENT AND DEMONSTRATION (SDD)		
114	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	0	0
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
118	0604709D8Z	JOINT ROBOTICS PROGRAM—EMD	0	0
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
123	0605018BTA	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS)	0	0
124	0605020BTA	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	0	0
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
130	0605140D8Z	TRUSTED FOUNDRY	0	0
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
134	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE	0	0
		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
145	0605128D8Z	CLASSIFIED PROGRAM USD(P)	0	0
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
153	0605502BR	SMALL BUSINESS INNOVATION RESEARCH	0	0
154	0605502C	SMALL BUSINESS INNOVATIVE RESEARCH—MDA	0	0
155	0605502D8W	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
156	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
157	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
158	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH	0	0
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
161	0605799D8Z	EMERGING CAPABILITIES	0	0
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	20,110
		DT&E increase		[5,000]
165	0605897E	DARPA AGENCY RELOCATION	0	0
166	0605898E	MANAGEMENT HQ—R&D	69,767	69,767
167	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,454	4,454
168	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	0	0
169	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,637	2,637
170	0204571J	JOINT STAFF ANALYTICAL SUPPORT	0	0
173	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	0	0
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,238	8,238
175	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION	0	0
176	0305103E	CYBER SECURITY INITIATIVE	1,801	1,801
177	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	16,041	16,041
179	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	0	0

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
180	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)	77,475	77,475
181	0901585C	PENTAGON RESERVATION	0	0
182	0901598C	MANAGEMENT HQ—MDA	34,855	34,855
183	0901598D8W	MANAGEMENT HEADQUARTERS WHS	104	104
184	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS	0	0
184A	9999999999	CLASSIFIED PROGRAMS	64,255	64,255
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT	**887,928**	**892,928**
		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
189	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY	0	0
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	191,452
209	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	0	0
210	0303149J	C4I FOR THE WARRIOR	0	0
211	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	36,575	36,575
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
220	0305103D8Z	CYBER SECURITY INITIATIVE	0	0
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
232	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,114	7,714
		USSOCOM UFR		[600]
235	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,247	3,247
237	0305219BB	MQ–1 PREDATOR A UAV	1,355	1,355
239	0305231BB	MQ–8 UAV	0	0
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
252	1001018D8Z	NATO AGS	0	0
253	1105219BB	MQ–9 UAV	3,002	3,002
254	1105232BB	RQ–11 UAV	0	0
255	1105233BB	RQ–7 UAV	0	0
256	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG	0	0
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	34,405
		Transfer from PDW Line 64 at USSOCOM request		[8,000]
273	1160484BB	SOF SURFACE CRAFT	8,573	8,573
274	1160488BB	SOF MILITARY INFORMATION SUPPORT OPERATIONS	0	0
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	3,754,516
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**4,667,738**	**4,676,338**
		UNDISTRIBUTED		
		UNDISTRIBUTED		**–100,000**
		DARPA undistributed reduction		[–75,000]
		DARPA classified programs reduction		[–25,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2013 Request	Senate Authorized
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**17,982,161**	**18,444,261**
		OPERATIONAL TEST & EVAL, DEFENSE		
		RDT&E MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	72,501	76,501
		NCR transition		[4,000]
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	49,201	49,201
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	63,566	63,566
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	**185,268**	**189,268**
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL	**69,407,767**	**69,286,218**

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	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
060	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		
056	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**
		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**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		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**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		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**	**112,387**
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL	**245,516**	**245,516**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,223,087	1,223,087
020	MODULAR SUPPORT BRIGADES	80,574	80,574
030	ECHELONS ABOVE BRIGADE	723,039	723,039
040	THEATER LEVEL ASSETS	706,974	706,974
050	LAND FORCES OPERATIONS SUPPORT	1,226,650	1,226,650
060	AVIATION ASSETS	1,319,832	1,319,832
070	FORCE READINESS OPERATIONS SUPPORT	3,447,174	3,447,174
080	LAND FORCES SYSTEMS READINESS	454,774	454,774
090	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	3,041,074

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
120	MANAGEMENT AND OPERATIONAL HQ'S	410,171	410,171
130	COMBATANT COMMANDERS CORE OPERATIONS	177,819	177,819
140	ADDITIONAL ACTIVITIES	0	0
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	0	0
160	RESET	0	0
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	461,333	461,333
	SUBTOTAL, OPERATING FORCES	**22,436,871**	**22,436,871**
	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**
	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	539,107
	GFEBS realignment per Army request		[–17,200]
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	1,145,456
	Decrease for ahead of need request		[–8,100]
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**	**8,480,587**
	UNDISTRIBUTED		
	UNDISTRIBUTED		**–120,000**
	Unobligated balances		[–120,000]
	TOTAL, OPERATION & MAINTENANCE, ARMY	**36,608,592**	**36,463,292**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,918,144	4,918,144
020	FLEET AIR TRAINING	1,886,825	1,886,825
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	44,032	44,032
040	AIR OPERATIONS AND SAFETY SUPPORT	101,565	101,565
050	AIR SYSTEMS SUPPORT	374,827	374,827
060	AIRCRAFT DEPOT MAINTENANCE	960,802	960,802
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	37,545	37,545
080	AVIATION LOGISTICS	328,805	328,805
090	MISSION AND OTHER SHIP OPERATIONS	4,686,535	4,686,535
100	SHIP OPERATIONS SUPPORT & TRAINING	769,204	769,204
110	SHIP DEPOT MAINTENANCE	5,089,981	5,089,981
120	SHIP DEPOT OPERATIONS SUPPORT	1,315,366	1,315,366
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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
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
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	2,101,279
300	BASE OPERATING SUPPORT	4,822,093	4,822,093
	SUBTOTAL, OPERATING FORCES	**33,758,297**	**33,758,297**
	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	1,066,329
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**	**1,517,648**
	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	241,329
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**	**1,716,430**
	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
540	MEDICAL ACTIVITIES	0	0
550	SERVICEWIDE TRANSPORTATION	182,343	182,343
560	ENVIRONMENTAL PROGRAMS	0	0
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
690	CANCELLED ACCOUNT ADJUSTMENTS	0	0
700	JUDGEMENT FUND	0	0
710	CLASSIFIED PROGRAMS	537,079	537,079
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	**4,614,568**	**4,614,568**
	UNDISTRIBUTED		
	UNDISTRIBUTED		**–23,000**
	Unobligated balances		*[–23,000]*
	TOTAL, OPERATION & MAINTENANCE, NAVY	**41,606,943**	**41,583,943**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	788,055	788,055
020	FIELD LOGISTICS	762,614	762,614
030	DEPOT MAINTENANCE	168,447	168,447
040	MARITIME PREPOSITIONING	100,374	100,374
050	SUSTAINMENT, RESTORATION & MODERNIZATION	825,039	825,039

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
060	BASE OPERATING SUPPORT	2,188,883	2,188,883
	SUBTOTAL, OPERATING FORCES	**4,833,412**	**4,833,412**
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	18,251	18,251
080	OFFICER ACQUISITION	869	869
090	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	168,609
130	OFF-DUTY AND VOLUNTARY EDUCATION	56,865	56,865
140	JUNIOR ROTC	19,912	19,912
	SUBTOTAL, TRAINING AND RECRUITING	**680,314**	**680,314**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	39,962	39,962
170	ACQUISITION AND PROGRAM MANAGEMENT	83,404	83,404
180	CANCELLED ACCOUNT ADJUSTMENT	0	0
190	CLASSIFIED PROGRAMS	346,071	346,071
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	**469,437**	**469,437**
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	**5,983,163**	**5,983,163**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,973,141	2,973,141
020	COMBAT ENHANCEMENT FORCES	1,611,032	1,611,032
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,472,806	1,472,806
040	DEPOT MAINTENANCE	5,545,470	5,545,470
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,353,987	1,353,987
060	BASE SUPPORT	2,595,032	2,595,032
070	GLOBAL C3I AND EARLY WARNING	957,040	957,040
080	OTHER COMBAT OPS SPT PROGRAMS	916,200	916,200
090	JCS EXERCISES	0	0
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**	**20,047,084**
	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
300	JUDGEMENT FUND	0	0
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	Senate 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
450	JUDGEMENT FUND REIMBURSEMENT	0	0
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		
	UNDISTRIBUTED		**–32,000**
	Unobligated balances		[–32,000]
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	**35,435,360**	**35,403,360**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	485,708	485,708
020	SPECIAL OPERATIONS COMMAND	0	5,107,501
	Transfer from Line 025		[5,091,001]
	USSOCOM UFR		[16,500]
025	CLASSIFIED PROGRAMS	5,091,001	0
	Transfer to Line 020		[–5,091,001]
	SUBTOTAL, OPERATING FORCES	**5,576,709**	**5,593,209**
	TRAINING AND RECRUITING		
030	DEFENSE ACQUISITION UNIVERSITY	147,210	147,210
040	NATIONAL DEFENSE UNIVERSITY	84,999	84,999
	SUBTOTAL, TRAINING AND RECRUITING	**232,209**	**232,209**
	ADMIN & SRVWD ACTIVITIES		
050	CIVIL MILITARY PROGRAMS	161,294	161,294
070	DEFENSE BUSINESS TRANSFORMATION AGENCY	0	0
080	DEFENSE CONTRACT AUDIT AGENCY	573,973	573,973
090	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	540,317
	Program decrease—Defense Security Assessment		[–2,600]
	Program decrease—Global Train and Equip		[–15,000]
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	114,037
	Decrease for ahead of need request		[–139,400]
260	OFFICE OF THE SECRETARY OF DEFENSE	2,095,362	2,095,362
270	WASHINGTON HEADQUARTERS SERVICE	521,297	521,297
280	CLASSIFIED PROGRAMS	14,933,801	14,158,757
	Transfer to Line 190		[–506,662]
	Transfer to Line 210		[–443,382]
	Commercial imagery service level agreement		[125,000]
	Additional ISR Support to Operation Observant Compass		[50,000]
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	**26,184,095**	**26,202,095**
	UNDISTRIBUTED		
	UNDISTRIBUTED		**5,000**
	Unobligated balances		[–25,000]
	Impact aid for schools with military dependent students		[25,000]
	Impact aid for children with severe disabilities		[5,000]
	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	**31,993,013**	**32,032,513**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MANEUVER UNITS	1,391	1,391
020	MODULAR SUPPORT BRIGADES	20,889	20,889

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
030	ECHELONS ABOVE BRIGADE	592,724	592,724
040	THEATER LEVEL ASSETS	114,983	114,983
050	LAND FORCES OPERATIONS SUPPORT	633,091	633,091
060	AVIATION ASSETS	76,823	76,823
070	FORCE READINESS OPERATIONS SUPPORT	481,997	481,997
080	LAND FORCES SYSTEMS READINESS	70,118	70,118
090	LAND FORCES DEPOT MAINTENANCE	141,205	141,205
100	BASE OPERATIONS SUPPORT	561,878	561,878
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	287,399	287,399
120	MANAGEMENT AND OPERATIONAL HQ'S	52,431	52,431
130	ADDITIONAL ACTIVITIES	0	0
	SUBTOTAL, OPERATING FORCES	**3,034,929**	**3,034,929**
	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**
	TOTAL, OPERATION & MAINTENANCE, ARMY RES	**3,162,008**	**3,162,008**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	616,776	616,776
020	INTERMEDIATE MAINTENANCE	15,076	15,076
030	AIR OPERATIONS AND SAFETY SUPPORT	1,479	1,479
040	AIRCRAFT DEPOT MAINTENANCE	107,251	107,251
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	355	355
060	MISSION AND OTHER SHIP OPERATIONS	82,186	82,186
070	SHIP OPERATIONS SUPPORT & TRAINING	589	589
080	SHIP DEPOT MAINTENANCE	48,593	48,593
090	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		
010	OPERATING FORCES	89,690	89,690
020	DEPOT MAINTENANCE	16,735	16,735
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	37,913	37,913
040	BASE OPERATING SUPPORT	103,746	103,746
	SUBTOTAL, OPERATING FORCES	**248,084**	**248,084**
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	873	873
060	ADMINISTRATION	14,330	14,330
070	RECRUITING AND ADVERTISING	8,998	8,998
080	CANCELLED ACCOUNT ADJUSTMENT	0	0
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	**24,201**	**24,201**
	TOTAL, OPERATION & MAINTENANCE, MC RESERVE	**272,285**	**272,285**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,089,326	2,089,326
020	MISSION SUPPORT OPERATIONS	112,992	112,992
030	DEPOT MAINTENANCE	406,101	406,101
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	71,564	71,564
050	BASE SUPPORT	364,862	364,862
	SUBTOTAL, OPERATING FORCES	**3,044,845**	**3,044,845**
	ADMIN & SRVWD ACTIVITIES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
060	ADMINISTRATION	78,824	78,824
070	RECRUITING AND ADVERTISING	16,020	16,020
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	19,496	19,496
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,489	6,489
100	AUDIOVISUAL	808	808
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	**121,637**	**121,637**
	TOTAL, OPERATION & MAINTENANCE, AF RESERVE	**3,166,482**	**3,166,482**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	680,206	680,206
020	MODULAR SUPPORT BRIGADES	186,408	186,408
030	ECHELONS ABOVE BRIGADE	865,628	865,628
040	THEATER LEVEL ASSETS	112,651	112,651
050	LAND FORCES OPERATIONS SUPPORT	36,091	36,091
060	AVIATION ASSETS	907,011	907,011
070	FORCE READINESS OPERATIONS SUPPORT	751,606	751,606
080	LAND FORCES SYSTEMS READINESS	60,043	60,043
090	LAND FORCES DEPOT MAINTENANCE	411,940	411,940
100	BASE OPERATIONS SUPPORT	995,423	995,423
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	688,189	688,189
120	MANAGEMENT AND OPERATIONAL HQ'S	953,716	953,716
	SUBTOTAL, OPERATING FORCES	**6,648,912**	**6,648,912**
	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**
	TOTAL, OPERATION & MAINTENANCE, ARNG	**7,108,612**	**7,108,612**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,559,824	3,559,824
020	MISSION SUPPORT OPERATIONS	721,225	721,225
030	DEPOT MAINTENANCE	774,875	774,875
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	270,709	270,709
050	BASE SUPPORT	624,443	624,443
	SUBTOTAL, OPERATING FORCES	**5,951,076**	**5,951,076**
	ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	32,358	32,358
070	RECRUITING AND ADVERTISING	32,021	32,021
	SUBTOTAL, ADMIN & SRVWD ACTIVITIES	**64,379**	**64,379**
	TOTAL, OPERATION & MAINTENANCE, ANG	**6,015,455**	**6,015,455**
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,516	13,516
040	ACQ WORKFORCE DEV FD	274,198	274,198
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	108,759	108,759
030	COOPERATIVE THREAT REDUCTION	519,111	519,111
050	ENVIRONMENTAL RESTORATION, ARMY	335,921	335,921
060	ENVIRONMENTAL RESTORATION, NAVY	310,594	310,594
070	ENVIRONMENTAL RESTORATION, AIR FORCE	529,263	529,263
080	ENVIRONMENTAL RESTORATION, DEFENSE	11,133	11,133
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,543	237,543
	TOTAL, MISCELLANEOUS APPROPRIATIONS	**2,340,038**	**2,340,038**
	TOTAL, OPERATION & MAINTENANCE	**174,938,933**	**174,778,133**

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	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
040	THEATER LEVEL ASSETS	2,758,162	2,758,162
050	LAND FORCES OPERATIONS SUPPORT	991,396	991,396
060	AVIATION ASSETS	40,300	40,300

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
070	FORCE READINESS OPERATIONS SUPPORT	1,755,445	1,755,445
080	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	12,524,137
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	400,000	200,000
	Program decrease		[–200,000]
160	RESET	3,687,973	3,687,973
	SUBTOTAL, OPERATING FORCES	**23,107,822**	**22,907,822**
	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	97,277
	Transfer to OPA OCO Line 061 at SOUTHCOM request		[–40,000]
430	OTHER SERVICE SUPPORT	72,293	72,293
490	CLASSIFIED PROGRAMS	1,828,717	1,828,717
	SUBTOTAL, ADMIN & SRVWIDE ACTIVITIES	**5,483,619**	**5,443,619**
	TOTAL, OPERATION & MAINTENANCE, ARMY	**28,591,441**	**28,351,441**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	937,098	937,098
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,000	1,000
040	AIR OPERATIONS AND SAFETY SUPPORT	15,794	15,794
050	AIR SYSTEMS SUPPORT	19,013	19,013
060	AIRCRAFT DEPOT MAINTENANCE	201,912	201,912
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	3,000	3,000
080	AVIATION LOGISTICS	44,150	44,150
090	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
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**
	TOTAL, OPERATION & MAINTENANCE, NAVY	**5,880,395**	**5,880,395**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,921,258	1,921,258
020	FIELD LOGISTICS	1,094,028	1,094,028
030	DEPOT MAINTENANCE	222,824	222,824
060	BASE OPERATING SUPPORT	88,690	88,690
	SUBTOTAL, OPERATING FORCES	**3,326,800**	**3,326,800**
	TRAINING AND RECRUITING		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
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**
	TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	**4,066,340**	**4,066,340**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,494,144	1,494,144
020	COMBAT ENHANCEMENT FORCES	809,531	809,531
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	13,095	13,095
040	DEPOT MAINTENANCE	1,403,238	1,403,238
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	155,954	155,954
060	BASE SUPPORT	342,226	342,226
070	GLOBAL C3I AND EARLY WARNING	15,108	15,108
080	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**
	TOTAL, OPERATION & MAINTENANCE, AIR FORCE	**9,241,613**	**9,241,613**
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	2,000	2,000
020	SPECIAL OPERATIONS COMMAND	2,503,060	2,503,060
	SUBTOTAL, OPERATING FORCES	**2,505,060**	**2,505,060**
	ADMIN & SRVWD ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	30,674	30,674
090	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	2,200,000
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**	**5,319,519**
	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	**7,824,579**	**7,824,579**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
030	ECHELONS ABOVE BRIGADE	78,600	78,600
050	LAND FORCES OPERATIONS SUPPORT	20,811	20,811
070	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		
010	MISSION AND OTHER FLIGHT OPERATIONS	24,834	24,834
020	INTERMEDIATE MAINTENANCE	300	300
040	AIRCRAFT DEPOT MAINTENANCE	13,364	13,364
060	MISSION AND OTHER SHIP OPERATIONS	8,213	8,213
080	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		
010	OPERATING FORCES	22,657	22,657
040	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		
010	PRIMARY COMBAT FORCES	7,600	7,600
030	DEPOT MAINTENANCE	106,768	106,768
050	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		
010	MANEUVER UNITS	38,485	38,485
020	MODULAR SUPPORT BRIGADES	1,959	1,959
030	ECHELONS ABOVE BRIGADE	20,076	20,076
040	THEATER LEVEL ASSETS	2,028	2,028
060	AVIATION ASSETS	183,811	183,811
070	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		
020	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		
010	SUSTAINMENT	2,523,825	2,523,825
020	INFRASTRUCTURE	190,000	190,000
030	EQUIPMENT AND TRANSPORTATION	241,521	241,521
040	TRAINING AND OPERATIONS	758,380	758,380
	SUBTOTAL, MINISTRY OF DEFENSE	**3,713,726**	**3,713,726**
	MINISTRY OF INTERIOR		
050	SUSTAINMENT	1,305,950	1,305,950
060	INFRASTRUCTURE	50,000	50,000
070	EQUIPMENT AND TRANSPORTATION	84,859	84,859
080	TRAINING AND OPERATIONS	569,868	569,868
	SUBTOTAL, MINISTRY OF INTERIOR	**2,010,677**	**2,010,677**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	RELATED ACTIVITIES		
090	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		
010	POWER	400,000	350,000
	Program decrease		[–50,000]
	TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	**400,000**	**350,000**
	TOTAL, OPERATION & MAINTENANCE	**62,512,514**	**62,222,514**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL	135,111,799	135,117,799
BAH for Full-time Guard Transition to Active Duty		[6,000]
TOTAL, MILITARY PERSONNEL	**135,111,799**	**135,117,799**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2013 Request	Senate Authorized
MILITARY PERSONNEL	14,060,094	14,060,094
TOTAL, MILITARY PERSONNEL	**14,060,094**	**14,060,094**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	WORKING CAPITAL FUND, ARMY		
010	PREPOSITIONED WAR RESERVE STOCKS	60,037	60,037
	TOTAL, WORKING CAPITAL FUND, ARMY	**60,037**	**60,037**
	WORKING CAPITAL FUND, AIR FORCE		
010	C–17 CLS ENGINE REPAIR	0	0
020	TRANSPORTATION FALLEN HEROES	0	0
040	SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	45,452	45,452
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	**45,452**	**45,452**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	DEFENSE LOGISTICS AGENCY (DLA)	39,135	39,135
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	**39,135**	**39,135**
	WORKING CAPITAL FUND, DECA		
010	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		
010	T–AKE	0	0
020	MPF MLP	38,000	38,000
030	POST DELIVERY AND OUTFITTING	39,386	39,386
040	NATIONAL DEF SEALIFT VESSEL	0	0
050	LG MED SPD RO/RO MAINTENANCE	128,819	128,819
060	DOD MOBILIZATION ALTERATIONS	26,598	26,598
070	TAH MAINTENANCE	29,199	29,199
080	RESEARCH AND DEVELOPMENT	42,811	42,811

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
090	READY RESERVE FORCE	303,323	303,323
100	MARAD SHIP FINANCING GUARANTEE PROGRAM	0	0
	TOTAL, NATIONAL DEFENSE SEALIFT FUND	**608,136**	**608,136**
	DEFENSE HEALTH PROGRAM		
	DHP, OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	8,625,507	8,625,507
020	PRIVATE SECTOR CARE	16,148,263	16,148,263
030	CONSOLIDATED HEALTH SUPPORT	2,309,185	2,309,185
040	INFORMATION MANAGEMENT	1,465,328	1,465,328
050	MANAGEMENT ACTIVITIES	332,121	332,121
060	EDUCATION AND TRAINING	722,081	722,081
070	BASE OPERATIONS/COMMUNICATIONS	1,746,794	1,746,794
070A	UNDISTRIBUTED		452,000
	Restore DOD assumed Savings for TRICARE Proposals		[452,000]
	SUBTOTAL, DHP, OPERATION & MAINTENANCE	**31,349,279**	**31,801,279**
	DHP, RDT&E		
080	DEFENSE HEALTH PROGRAM	672,977	672,977
	SUBTOTAL, DHP, RDT&E	**672,977**	**672,977**
	DHP, PROCUREMENT		
090	DEFENSE HEALTH PROGRAM	506,462	506,462
	SUBTOTAL, DHP, PROCUREMENT		
	TOTAL, DEFENSE HEALTH PROGRAM	**32,528,718**	**32,980,718**
	CHEM AGENTS & MUNITIONS DESTRUCTION		
001	OPERATION & MAINTENANCE	635,843	635,843
002	RDT&E	647,351	647,351
003	PROCUREMENT	18,592	18,592
	TOTAL, CHEM AGENTS & MUNITIONS DESTRUCTION	**1,301,786**	**1,301,786**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	889,545	863,645
	Transfer to Demand Reduction Program		[–25,900]
020	DRUG DEMAND REDUCTION PROGRAM	109,818	135,718
	Expanded drug testing		[25,900]
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**999,363**	**999,363**
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION & MAINTENANCE	272,821	331,921
	DoD IG growth plan		[59,100]
020	RDT&E	0	0
030	PROCUREMENT	1,000	1,000
	TOTAL, OFFICE OF THE INSPECTOR GENERAL	**273,821**	**332,921**
	TOTAL, OTHER AUTHORIZATIONS	**37,228,008**	**37,739,108**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
	WORKING CAPITAL FUND, ARMY		
010	PREPOSITIONED WAR RESERVE STOCKS	42,600	42,600
	TOTAL, WORKING CAPITAL FUND, ARMY	**42,600**	**42,600**
	WORKING CAPITAL FUND, AIR FORCE		
010	C–17 CLS ENGINE REPAIR	230,400	230,400
020	TRANSPORTATION FALLEN HEROES	10,000	10,000
	TOTAL, WORKING CAPITAL FUND, AIR FORCE	**240,400**	**240,400**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	DEFENSE LOGISTICS AGENCY (DLA)	220,364	220,364
	TOTAL, WORKING CAPITAL FUND, DEFENSE-WIDE	**220,364**	**220,364**
	DEFENSE HEALTH PROGRAM		
	DHP, OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	483,326	483,326
020	PRIVATE SECTOR CARE	376,982	376,982
030	CONSOLIDATED HEALTH SUPPORT	111,675	111,675
040	INFORMATION MANAGEMENT	4,773	4,773

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2013 Request	Senate Authorized
050	MANAGEMENT ACTIVITIES	660	660
060	EDUCATION AND TRAINING	15,370	15,370
070	BASE OPERATIONS/COMMUNICATIONS	1,112	1,112
	SUBTOTAL, DHP, OPERATION & MAINTENANCE		
	TOTAL, DEFENSE HEALTH PROGRAM	**993,898**	**993,898**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
010	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	469,025	469,025
	TOTAL, DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**469,025**	**469,025**
	OFFICE OF THE INSPECTOR GENERAL		
010	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 or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY Milcon				
	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	Lightning Protection System	5,800	5,800
ARMY	Concord	Engineering/Housing Maintenance Shop	3,100	3,100
	Colorado			
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	Modified Record Fire Range	4,000	4,000
ARMY	Fort Gordon	Multipurpose Machine Gun Range	7,100	7,100
ARMY	Fort Gordon	Ground Source Heat Transfer System	12,200	12,200
ARMY	Fort Stewart, Georgia	Digital Multipurpose Training Range	22,000	22,000
ARMY	Fort Stewart, Georgia	Automated Combat Pistol Qual Crse	3,650	3,650
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	41,000	41,000
ARMY	Schofield Barracks	Barracks	55,000	55,000
ARMY	Wheeler Army Air Field	Combat Aviation Brigade Barracks	85,000	85,000
	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
	Missouri			
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
ARMY	Fort Leonard Wood	Battalion Complex Facilities	26,000	26,000
	New Jersey			
ARMY	Picatinny Arsenal	Ballistic Evaluation Center	10,200	10,200
ARMY	Joint Base McGuire-Dix-Lakehurst	Flight Equipment Complex	47,000	47,000
	New York			
ARMY	Fort Drum, New York	Aircraft Maintenance Hangar	95,000	95,000
ARMY	U.S. Military Academy	Cadet Barracks	192,000	0
	North Carolina			
ARMY	Fort Bragg	Aerial Gunnery Range	42,000	42,000
ARMY	Fort Bragg	Infrastructure	30,000	0
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			
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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	Virginia			
ARMY	Arlington	Cemetery Expansion Millennium Site	84,000	0
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	Yakima	Convoy Live Fire Range	5,100	5,100
ARMY	Joint Base Lewis-McChord	Battalion Complex	73,000	73,000
ARMY	Joint Base Lewis-McChord	Waste Water Treatment Plant	91,000	91,000
	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
	Korea			
ARMY	Camp Humphreys	Battalion Headquarters Complex	45,000	45,000
	Worldwide Unspec			
ARMY	Unspecified Worldwide Locations	Minor Construction FY 13	25,000	25,000
ARMY	Unspecified Worldwide Locations	Host Nation Support FY 13	34,000	34,000
ARMY	Unspecified Worldwide Locations	Planning and Design FY13	65,173	46,173
Milcon, A—SUBTOTAL			**1,923,323**	**1,598,323**
NAVY Milcon				
	Arizona			
NAVY	Yuma	Security Operations Complex	13,300	13,300
NAVY	Yuma	Combat Aircraft Loading Apron	15,985	15,985
	California			
NAVY	Camp Pendleton, California	Comm. Information Systems Ops Complex	78,897	78,897
NAVY	Camp Pendleton, California	San Jacinto Road Extension	5,074	5,074
NAVY	Camp Pendleton, California	MV22 Aviation Simulator Building	4,139	4,139
NAVY	Ventura County	BAMS Maintenance Training Facility	14,843	12,790
NAVY	Miramar	Hangar 5 Renovations & Addition	27,897	27,897
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
NAVY	Coronado	Bachelor Quarters	76,063	76,063
NAVY	Coronado	H–60S Simulator Training Facility	2,478	2,478
	Florida			
NAVY	Jacksonville	BAMS Mission Control Complex	21,980	21,980
	Hawaii			
NAVY	Kaneohe Bay	MV–22 Hangar and Infrastructure	82,630	82,630
NAVY	Kaneohe Bay	Aircraft Staging Area	14,680	14,680
	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	Staff NCO Academy Facilities	28,986	28,986
NAVY	Camp Lejeune, North Carolina	Base Access and Road—Phase 3	40,904	40,904
NAVY	Cherry Point Marine Corps Air Station	Marine Air Support Squadron Compound	34,310	34,310
NAVY	Cherry Point Marine Corps Air Station	Armory	11,581	11,581
NAVY	New River	Personnel Administration Center	8,525	8,525
	South Carolina			
NAVY	Beaufort	Ground Support Equipment Shop	9,465	9,465
NAVY	Beaufort	Simulated LHD Flight Deck	12,887	12,887
NAVY	Beaufort	Recycling/Hazardous Waste Facility	3,743	3,743
NAVY	Beaufort	Aircraft Maintenance Hangar	42,010	42,010
NAVY	Beaufort	Airfield Security Upgrades	13,675	13,675
NAVY	Parris Island	Front Gate ATFP Improvements	10,135	10,135
	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	The Basic School Student Quarters—Phase 7	31,012	31,012
NAVY	Quantico	Infrastructure—Widen Russell Road	14,826	14,826
NAVY	Quantico	Weapons Training Battalion Mess Hall	12,876	12,876
NAVY	Yorktown	Regimental Headquarters	11,015	11,015
NAVY	Yorktown	Bachelor Enlisted Quarters	18,422	18,422
NAVY	Yorktown	Motor Transportation Facility	6,188	6,188
NAVY	Yorktown	Supply Warehouse Facility	8,939	8,939
NAVY	Yorktown	Armory	4,259	4,259
	Washington			
NAVY	Whidbey Island	EA–18G Flight Simulator Facility	6,272	6,272
NAVY	Kitsap	Explosives Handling Wharf #2 (INC)	280,041	254,241
	Bahrain Island			
NAVY	SW Asia	Transient Quarters	41,529	41,529
NAVY	SW Asia	Combined Dining Facility	9,819	9,819
	Diego Garcia			
NAVY	Diego Garcia	Communications Infrastructure	1,691	1,691
	Greece			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
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	0
	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
	Romania			
NAVY	Deveselu, Romania	AEGIS Ashore Missile Defense Complex	45,205	45,205
	Spain			
NAVY	Rota	General Purpose Warehouse	3,378	3,378
NAVY	Rota	High Explosive Magazine	13,837	13,837
	Worldwide Unspec			
NAVY	Various Worldwide Locations	BAMS Operational Facilities	34,048	34,048
	Djibouti			
NAVY	Camp Lemonier, Djibouti	Containerized Living and Work Units	7,510	7,510
NAVY	Camp Lemonier, Djibouti	Galley Addition and Warehouse	22,220	22,220
NAVY	Camp Lemonier, Djibouti	Joint HQ/Joint Operations Center Facility	42,730	42,730
NAVY	Camp Lemonier, Djibouti	Fitness Center	26,960	26,960
	Worldwide Unspec			
NAVY	Unspecified Worldwide Locations	Unspecified Minor Construction	16,535	16,535
NAVY	Unspecified Worldwide Locations	MCON Design Funds	102,619	102,619
Milcon, N—SUBTOTAL			**1,701,985**	**1,648,228**
AF Milcon				
	Arkansas			
AF	Little Rock AFB	C–130J Fuel Systems Maintenance Hangar	26,000	26,000
AF	Little Rock AFB	C–130J Flight Simulator Addition	4,178	4,178
	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
	Nebraska			
AF	Offutt AFB	US STRATCOM Replacement Facility, Incr 2	161,000	128,000
	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 Hangar 45W/AMU	7,250	7,250
AF	Hill AFB	F–35 Modular Storage Magazines	2,280	2,280
AF	Hill AFB	F–35 ADAL Building 118 for Flight Simulator	4,000	4,000
	Greenland			
AF	Thule Ab	Dormitory (48 PN)	24,500	24,500
	Italy			
AF	Aviano Ab	F–16 Mission Training Center	9,400	9,400
	Worldwide Unspec			
AF	Unspecified Worldwide Locations	Transient Contingency Dormitory—100 Rm	17,625	0
AF	Unspecified Worldwide Locations	Transient Aircraft Hangars	15,032	0
AF	Unspecified Worldwide Locations	Sanitary Sewer Lift/Pump Station	2,000	2,000
AF	Various Worldwide Locations	Unspecified Minor Construction	18,200	18,200
AF	Unspecified Worldwide Locations	Planning and Design	18,635	18,635
Milcon, AF—SUBTOTAL			**388,200**	**322,543**
DEF-WIDE Milcon				
	Belgium			
DEFW	Brussels	NATO Headquarters Facility	26,969	26,969
	Worldwide Unspec			
DEFW	Unspecified Worldwide Locations	Energy Conservation Investment Program	150,000	150,000
DEFW	Unspecified Worldwide Locations	Contingency Construction	10,000	10,000
	Texas			
DFAS	Red River Army Depot	DFAS Facility	16,715	16,715
	Illinois			
DISA	Scott AFB	DISA Facility Upgrades	84,111	84,111
	Germany			
DISA	Stuttgart-Patch Barracks	DISA Europe Facility Upgrades	2,413	2,413
	Arizona			
DLA	Yuma	Truck Unload Facility	1,300	1,300
	California			
DLA	Def Fuel Support Point—San Diego	Replace Fuel Pier	91,563	91,563
DLA	Edwards Air Force Base	Replace Fuel Storage	27,500	27,500
	Delaware			
DLA	Dover AFB	Replace Truck Off-Load Facility	2,000	2,000
	Florida			
DLA	Hurlburt Field	Construct Fuel Storage Facility	16,000	16,000
	Indiana			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
DLA	Grissom ARB	Replace Hydrant Fuel System	26,800	26,800
	Louisiana			
DLA	Barksdale AFB	Upgrade Pumphouse	11,700	11,700
	North Carolina			
DLA	Seymour Johnson AFB	Replace Pipeline	1,850	1,850
	Pennsylvania			
DLA	Def Dist Depot New Cumberland	Replace Sewage Treatment Plant	6,300	6,300
DLA	Def Dist Depot New Cumberland	Replace Communications Building	6,800	6,800
DLA	Def Dist Depot New Cumberland	Replace Reservoir	4,300	4,300
	Guam			
DLA	Andersen AFB	Upgrade Fuel Pipeline	67,500	0
	Guantanamo Bay, Cuba			
DLA	Guantanamo Bay	Replace Truck Load Facility	2,600	2,600
DLA	Guantanamo Bay	Replace Fuel Pier	37,600	37,600
	Kentucky			
DODEA	Fort Campbell, Kentucky	Replace Barkley Elementary School	41,767	41,767
	Germany			
DODEA	Vogelweh	Replace Vogelweh Elementary School	61,415	61,415
DODEA	Weisbaden	Weisbaden High School Addition	52,178	52,178
	Japan			
DODEA	Camp Zama	Renovate Zama High School	13,273	13,273
DODEA	Kadena AB	Replace Elementary School	71,772	71,772
DODEA	Kadena AB	Replace Stearley Heights Elementary School	71,773	71,773
DODEA	Zukeran	Replace Zukeran Elementary School	79,036	79,036
DODEA	Sasebo	Replace Sasebo Elementary School	35,733	35,733
	Korea			
DODEA	Osan AFB	Replace Osan Elementary School	42,692	42,692
	United Kingdom			
DODEA	RAF Feltwell	Feltwell Elementary School Addition	30,811	30,811
DODEA	Menwith Hill Station	Replace Menwith Hill Elementary/High School	46,488	46,488
	New York			
MDA	Fort Drum, New York	IDT Complex	25,900	25,900
	Romania			
MDA	Deveselu, Romania	Aegis Ashore Missile Defense System Complex	157,900	157,900
	Colorado			
NSA	Buckley Air Force Base	Denver Power House	30,000	30,000
	Maryland			
NSA	Fort Meade	NSAW Recapitalize Building #1/Site M Inc 1	25,000	25,000
NSA	Fort Meade	High Performance Computing Center Inc 2	300,521	225,521
	Utah			
NSA	Camp Williams	IC CNCI Data Center 1 Inc 4	191,414	191,414
	United Kingdom			
NSA	Menwith Hill Station	MHS Utilities and Roads	3,795	3,795
	California			
SOCOM	Coronado	SOF Indoor Dynamic Shooting Facility	31,170	31,170
SOCOM	Coronado	SOF Close Quarters Combat/Dynamic Shoot Fac	13,969	13,969
SOCOM	Coronado	SOF Mobile Comm Detachment Support Facility	10,120	10,120
	Colorado			
SOCOM	Fort Carson, Colorado	SOF Battalion Operations Complex	56,673	56,673
	Florida			
SOCOM	Eglin AFB	SOF AVFID Ops and Maintenance Facilities	41,695	41,695
SOCOM	Macdill AFB	SOF Joint Special Ops University Fac (JSOU)	34,409	34,409
	Hawaii			
SOCOM	Joint Base Pearl Harbor-Hickam	SOF SDVT–1 Waterfront Operations Facility	24,289	24,289
	Kentucky			
SOCOM	Fort Campbell, Kentucky	SOF Landgraf Hangar Extension	3,559	3,559
SOCOM	Fort Campbell, Kentucky	SOF Ground Support Battalion	26,313	26,313
	New Mexico			
SOCOM	Cannon AFB	SOF AC–130J Combat Parking Apron	22,062	22,062
	North Carolina			
SOCOM	Camp Lejeune, North Carolina	SOF Marine Battalion Company/Team Facilities	53,399	53,399
SOCOM	Camp Lejeune, North Carolina	SOF Survival Evasion Resist. Escape Tng Fac	5,465	5,465
SOCOM	Fort Bragg	SOF Support Addition	3,875	3,875
SOCOM	Fort Bragg	SOF Battalion Operations Facility	40,481	50,481
SOCOM	Fort Bragg	SOF Civil Affairs Battalion Complex	31,373	41,373
SOCOM	Fort Bragg	SOF Sustainment Brigade Complex	24,693	34,693
	Virginia			
SOCOM	Joint Exp Base Little Creek—Story	SOF Combat Services Support Facility—East	11,132	11,132
	Washington			
SOCOM	Fort Lewis	SOF Military Working Dog Kennel	3,967	3,967
SOCOM	Fort Lewis	SOF Battalion Operations Facility	46,553	46,553
	Conus Classified			
SOCOM	Classified Location	SOF Parachute Training Facility	6,477	6,477
	United Kingdom			
SOCOM	RAF Mildenhall	SOF CV–22 Simulator Facility	6,490	6,490
	California			
TMA	Twentynine Palms, California	Medical Clinic Replacement	27,400	27,400
	Colorado			
TMA	Pikes Peak	High Altitude Medical Research Lab	3,600	3,600
	Illinois			
TMA	Great Lakes	Drug Laboratory Replacement	28,700	28,700
TMA	Scott AFB	Medical Logistics Warehouse	2,600	2,600
	Maryland			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
TMA	Annapolis	Health Clinic Replacement	66,500	66,500
TMA	Bethesda Naval Hospital	Temporary Medical Facilities	26,600	26,600
TMA	Bethesda Naval Hospital	Base Installation Access/Appearance Plan	7,000	0
TMA	Bethesda Naval Hospital	Electrical Capacity and Cooling Towers	35,600	35,600
TMA	Fort Detrick	USAMRIID Stage I, Incr 7	19,000	19,000
	Missouri			
TMA	Fort Leonard Wood	Dental Clinic	18,100	18,100
	New Mexico			
TMA	Cannon AFB	Medical/Dental Clinic Replacement	71,023	71,023
	New York			
TMA	Fort Drum, New York	Soldier Specialty Care Clinic	17,300	17,300
	North Carolina			
TMA	Camp Lejeune, North Carolina	Medical Clinic Replacement	21,200	21,200
TMA	Seymour Johnson AFB	Medical Clinic Replacement	53,600	53,600
	South Carolina			
TMA	Shaw AFB	Medical Clinic Replacement	57,200	57,200
	Texas			
TMA	Fort Bliss	Hospital Replacement Incr 4	207,400	107,400
TMA	Joint Base San Antonio	Ambulatory Care Center Phase 3 Incr	80,700	80,700
	Virginia			
TMA	Norfolk	Veterinary Facility Replacement	8,500	8,500
	Germany			
TMA	Rhine Ordnance Barracks	Medical Center Replacement Incr 2	127,000	127,000
	Korea			
TMA	Kunsan Air Base	Medical/Dental Clinic Addition	13,000	13,000
TMA	Osan AFB	Hospital Addition/Alteration	34,600	34,600
	Worldwide Unspec			
DEFW	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
DLA	Unspecified Worldwide Locations	Unspecified Minor Construction	7,254	7,254
DODEA	Unspecified Worldwide Locations	Unspecified Minor Construction	4,091	4,091
NSA	Unspecified Worldwide Locations	Unspecified Minor Milcon	3,000	3,000
SOCOM	Unspecified Worldwide Locations	Unspecified Minor Const	10,000	10,000
TJS	Unspecified Worldwide Locations	Exercise Related Minor Construction	6,440	6,440
TMA	Unspecified Worldwide Locations	Minor Construction	5,000	5,000
DEFW	Unspecified Worldwide Locations	Planning and Design	47,978	47,978
DIA	Unspecified Worldwide Locations	Planning and Design	2,919	2,919
DLA	Unspecified Worldwide Locations	Planning & Design	5,000	5,000
DODEA	Unspecified Worldwide Locations	Planning and Design	105,569	105,569
MDA	Unspecified Worldwide Locations	Planning and Design	4,548	4,548
NSA	Unspecified Worldwide Locations	Planning and Design	8,300	8,300
SOCOM	Unspecified Worldwide Locations	Planning and Design	27,620	27,620
TMA	Unspecified Worldwide Locations	Planning and Design	105,700	105,700
WHS	Unspecified Worldwide Locations	Planning and Design	7,928	7,928
	Milcon,Def-Wide—SUBTOTAL		**3,654,623**	**3,435,123**
	Services MILCON—TOTAL		**7,668,131**	**7,004,217**
MCon,Army NG				
	Alabama			
ARMY, NG	Fort McClellan	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
	Hawaii			
ARMY, NG	Kapolei	Army Aviation Support Facility Ph1	28,000	28,000
	Idaho			
ARMY, NG	Orchard Training 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	Unit Training Equipment Site	22,000	22,000
	Minnesota			
ARMY, NG	Camp Ripley	Scout Reconnaissance 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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
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
	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
	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
	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
	Guam			
ARMY, NG	Barrigada	JFHQ Ph4	8,500	8,500
	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
	Worldwide Unspec			
ARMY, NG	Unspecified Worldwide Locations	Unspecified Minor Construction	15,057	15,057
ARMY, NG	Unspecified Worldwide Locations	Planning and Design	26,622	26,622
MCon,Army NG—Subtotal			**613,799**	**613,799**
MCon,Air NG				
	California			
AF, NG	Fresno Yosemite IAP ANG	F–15 Conversion	11,000	11,000
	Hawaii			
AF, NG	Joint Base Pearl Harbor-Hickam	TFI—F–22 Combat Apron Addition	6,500	6,500
	New Mexico			
AF, NG	Kirtland AFB	Alter Target Intelligence Facility	8,500	8,500
	Wyoming			
AF, NG	Cheyenne Map	C–130 Flight Simulator Training Facility	6,486	6,486
	Worldwide Unspec			
AF, NG	Various Worldwide Locations	Unspecified Minor Construction	5,900	5,900
AF, NG	Various Worldwide Locations	Planning and Design	4,000	4,000
MCon,Air NG—Subtotal			**42,386**	**42,386**
NG MILCON—TOTAL			**656,185**	**656,185**
MCon,A Res				
	California			
ARMY, RESERVE	Fort Hunter Liggett	ORTC	64,000	64,000
ARMY, RESERVE	Fort Hunter Liggett	UPH Barracks	4,300	4,300
ARMY, RESERVE	Tustin	Army Reserve Center	27,000	27,000
	Illinois			
ARMY, RESERVE	Fort Sheridan	Army Reserve Center	28,000	28,000
	Maryland			
ARMY, RESERVE	Aberdeen Proving Ground	Army Reserve Center	21,000	21,000
ARMY, RESERVE	Baltimore	Add/Alt Army Reserve Center	10,000	10,000
	Massachusetts			
ARMY, RESERVE	Devens Reserve Forces Training Area	Automatic Record Fire Range	4,800	4,800
ARMY, RESERVE	Devens Reserve Forces Training Area	Combat Pistol/MP Firearms Qualification	3,700	3,700
	Nevada			
ARMY, RESERVE	Las Vegas	Army Reserve Center/AMSA	21,000	21,000
	New Jersey			
ARMY, RESERVE	Joint Base McGuire-Dix-Lakehurst	Automated Infantry Squad Battle Course	7,400	7,400
	Washington			
ARMY, RESERVE	Joint Base Lewis-McChord	Army Reserve Center	40,000	40,000
	Wisconsin			
ARMY, RESERVE	Fort McCoy	Central Issue Facility	12,200	12,200

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
ARMY, RESERVE	Fort McCoy	Dining Facility	8,600	8,600
ARMY, RESERVE	Fort McCoy	ECS Tactical Equip. Maint. Facility (TEMF)	27,000	27,000
	Worldwide Unspec			
ARMY, RESERVE	Unspecified Worldwide Locations	Unspecified Minor Construction	10,895	10,895
ARMY, RESERVE	Unspecified Worldwide Locations	Planning and Design	15,951	15,951
MCon,A Res—Subtotal			**305,846**	**305,846**
Milcon, Naval Res				
	Arizona			
NAVY, RESERVE	Yuma	Reserve Training Facility—Yuma AZ	5,379	5,379
	Iowa			
NAVY, RESERVE	Fort Des Moines	Joint Reserve Center—Des Moines IA	19,162	19,162
	Louisiana			
NAVY, RESERVE	New Orleans	Transient Quarters	7,187	7,187
	New York			
NAVY, RESERVE	Brooklyn	Vehicle Maint. Fac.—Brooklyn NY	4,430	4,430
	Texas			
NAVY, RESERVE	Fort Worth	Commercial Vehicle Inspection Site	11,256	11,256
	Worldwide Unspec			
NAVY, RESERVE	Unspecified Worldwide Locations	Planning and Design	2,118	2,118
Milcon, Naval Res—Subtotal			**49,532**	**49,532**
MCon,AF Res				
	New York			
AF, RESERVE	Niagara Falls IAP	Flight Simulator Facility	6,100	6,100
	Worldwide Unspec			
AF, RESERVE	Various Worldwide Locations	Unspecified Minor Construction	2,000	2,000
AF, RESERVE	Various Worldwide Locations	Planning and Design	2,879	2,879
MCon,AF Res—Subtotal			**10,979**	**10,979**
Reserve Milcon—TOTAL			**366,357**	**366,357**
MILCON Major Accounts—TOTAL			**8,690,673**	**8,026,759**
Chem-Demil				
	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
ChemDemil / NSIP—Total			**151,000**	**151,000**
NSIP				
	Worldwide Unspec			
NSIP	NATO Security Investment Program	NATO Security Investment Program	254,163	254,163
NATO Security Investment Program			**254,163**	**254,163**
Army Fam Housing				
	Worldwide Unspec			
FH Const,A	Unspecified Worldwide Locations	Family Housing P&D	4,641	4,641
Army Fam Hsg Construction—Subtotal			**4,641**	**4,641**
	Worldwide Unspec			
FH Op&Dt,A	Unspecified Worldwide Locations	Utilities Account	88,112	88,112
FH Op&Dt,A	Unspecified Worldwide Locations	Services Account	13,487	13,487
FH Op&Dt,A	Unspecified Worldwide Locations	Management Account	56,970	56,970
FH Op&Dt,A	Unspecified Worldwide Locations	Miscellaneous Account	620	620
FH Op&Dt,A	Unspecified Worldwide Locations	Furnishings Account	31,785	31,785
FH Op&Dt,A	Unspecified Worldwide Locations	Leasing	203,533	203,533
FH Op&Dt,A	Unspecified Worldwide Locations	Maintenance of Real Property	109,534	109,534
FH Op&Dt,A	Unspecified Worldwide Locations	Privatization Support Costs	26,010	26,010
Army Fam Hsg O&M—Subtotal			**530,051**	**530,051**
Army Fam Hsg—TOTAL			**534,692**	**534,692**
Navy Fam Housing				

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
	Worldwide Unspec			
FH Const,N	Unspecified Worldwide Locations	Improvements	97,655	97,655
FH Const,N	Unspecified Worldwide Locations	Design	4,527	4,527
Navy Fam Hsg Construction—Subtotal			**102,182**	**102,182**
	Worldwide Unspec			
FH Op&Dt,N	Unspecified Worldwide Locations	Utilities Account	80,860	80,860
FH Op&Dt,N	Unspecified Worldwide Locations	Furnishings Account	17,697	17,697
FH Op&Dt,N	Unspecified Worldwide Locations	Management Account	62,741	62,741
FH Op&Dt,N	Unspecified Worldwide Locations	Miscellaneous Account	491	491
FH Op&Dt,N	Unspecified Worldwide Locations	Services Account	19,615	19,615
FH Op&Dt,N	Unspecified Worldwide Locations	Leasing	83,774	83,774
FH Op&Dt,N	Unspecified Worldwide Locations	Maintenance of Real Property	85,254	85,254
FH Op&Dt,N	Unspecified Worldwide Locations	Privatization Support Costs	27,798	27,798
Navy Fam Hsg O&M—Subtotal			**378,230**	**378,230**
Navy Fam Hsg—TOTAL			**480,412**	**480,412**
AF Fam Housing				
	Worldwide Unspec			
FH Con,AF	Unspecified Worldwide Locations	Improvements	79,571	79,571
FH Con,AF	Unspecified Worldwide Locations	Planning and Design	4,253	4,253
AF Fam Hsg Construction—Subtotal			**83,824**	**83,824**
	Worldwide Unspec			
FH Op&Dt,AF	Unspecified Worldwide Locations	Utilities Account	75,662	75,662
FH Op&Dt,AF	Unspecified Worldwide Locations	Management Account	55,002	55,002
FH Op&Dt,AF	Unspecified Worldwide Locations	Services Account	16,550	16,550
FH Op&Dt,AF	Unspecified Worldwide Locations	Furnishings Account	37,878	37,878
FH Op&Dt,AF	Unspecified Worldwide Locations	Miscellaneous Account	1,943	1,943
FH Op&Dt,AF	Unspecified Worldwide Locations	Leasing	62,730	62,730
FH Op&Dt,AF	Unspecified Worldwide Locations	Maintenance (RPMA RPMC)	201,937	201,937
FH Op&Dt,AF	Unspecified Worldwide Locations	Housing Privatization	46,127	46,127
AF Fam Hsg O&M—Subtotal			**497,829**	**497,829**
AF Fam Hsg—TOTAL			**581,653**	**581,653**
Def-Wide Fam Housing				
	Worldwide Unspec			
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	283	283
FH Op&Dt,D-W	Unspecified Worldwide Locations	Utilities Account	12	12
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	4,660	4,660
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	20	20
FH Op&Dt,D-W	Unspecified Worldwide Locations	Services Account	31	31
FH Op&Dt,D-W	Unspecified Worldwide Locations	Management Account	371	371
FH Op&Dt,D-W	Unspecified Worldwide Locations	Furnishings Account	66	66
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	35,333	35,333
FH Op&Dt,D-W	Unspecified Worldwide Locations	Leasing	10,822	10,822
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	567	567
FH Op&Dt,D-W	Unspecified Worldwide Locations	Maintenance of Real Property	73	73
DefWide Fam Hsg O&M—Subtotal			**52,238**	**52,238**
DoD FH Imprv Fd				
	Worldwide Unspec			
DoD FH Imprv Fd	Unspecified Worldwide Locations	Family Housing Improvement Fund	1,786	1,786
DoD Fam Hsg Imprv Fd—Subtotal			**1,786**	**1,786**
FAM HSG—TOTAL			**1,650,781**	**1,650,781**
BRAC IV				
	Worldwide Unspec			
BRAC, A	Base Realignment & Closure, Army	Base Realignment & Closure	79,893	79,893
BRAC, N	Base Realignment & Closure, Navy	Base Realignment & Closure	146,951	146,951
BRAC, AF	Base Realignment & Closure, AF	Base Realignment & Closure	122,552	122,552

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	Budget Request	Senate Agreement
BRAC IV—TOTAL			**349,396**	**349,396**
2005 BRAC				
ARMY BRAC				
	Worldwide Unspec			
BRAC—Army	Unspecified Worldwide Locations	USA–121: Fort Gillem, GA	4,976	4,976
BRAC—Army	Unspecified Worldwide Locations	USA–222: Fort McPherson, GA	6,772	6,772
BRAC—Army	Unspecified Worldwide Locations	Program Management Various Locations	20,453	20,453
BRAC—Army	Unspecified Worldwide Locations	USA–223: Fort Monmouth, NJ	9,989	9,989
BRAC—Army	Unspecified Worldwide Locations	USA–36: Red River Army Depot	1,385	1,385
BRAC—Army	Unspecified Worldwide Locations	USA–113: Fort Monroe, VA	12,184	12,184
BRAC—Army	Unspecified Worldwide Locations	USA–236: RC Transformation in CT	557	557
BRAC—Army	Unspecified Worldwide Locations	USA–242: RC Transformation in NY	172	172
BRAC—Army	Unspecified Worldwide Locations	USA–253: RC Transformation in PA	100	100
BRAC—Army	Unspecified Worldwide Locations	USA–212: USAR Cmd & Cntrl—New England	222	222
BRAC—Army	Unspecified Worldwide Locations	USA–167: USAR Command and Control—NE	175	175
BRAC—Army	Unspecified Worldwide Locations	IND–112: River Bank Army Ammo Plant, CA	22,431	22,431
BRAC—Army	Unspecified Worldwide Locations	IND–119: Newport Chemical Depot, IN	197	197
BRAC—Army	Unspecified Worldwide Locations	IND–106: Kansas Army Ammunition Plant, KS	7,280	7,280
BRAC—Army	Unspecified Worldwide Locations	IND–110: Mississippi Army Ammo Plant, MS	160	160
BRAC—Army	Unspecified Worldwide Locations	IND–122: Lone Star Army Ammo Plant, TX	11,379	11,379
BRAC—Army	Unspecified Worldwide Locations	MED–2: Walter Reed NMMC, Bethesda, MD	7,787	7,787
BRAC—Army—Subtotal			**106,219**	**106,219**
NAVY BRAC				
	Worldwide Unspec			
BRAC—Navy	Unspecified Worldwide Locations	DON–172: NWS Seal Beach, Concord, CA	2,129	2,129
BRAC—Navy	Unspecified Worldwide Locations	DON–138: NAS Brunswick, ME	4,897	4,897
BRAC—Navy	Unspecified Worldwide Locations	DON–157: MCSA Kansas City, MO	39	39
BRAC—Navy	Unspecified Worldwide Locations	DON–84: JRB Willow Grove & Cambria Reg AP	189	189
BRAC—Navy	Unspecified Worldwide Locations	DON–168: NS Newport, RI	1,742	1,742
BRAC—Navy	Unspecified Worldwide Locations	DON–100: Planning, Design and Management	5,038	5,038
BRAC—Navy	Unspecified Worldwide Locations	DON–101: Various Locations	4,176	4,176
BRAC—Navy—Subtotal			**18,210**	**18,210**
AF BRAC				
	Worldwide Unspec			
BRAC—Air Force	Unspecified Worldwide Locations	Program Management Various Locations	605	605
BRAC—Air Force	Unspecified Worldwide Locations	MED–57: Brooks City Base, TX	326	326
BRAC—Air Force	Unspecified Worldwide Locations	Comm Add 3: Galena Fol, AK	1,337	1,337
BRAC—Air Force—Subtotal			**2,268**	**2,268**
BRAC 2005—TOTAL			**126,697**	**126,697**
BRAC IV + BRAC 2005—TOTAL			**476,093**	**476,093**
MILCON GRAND TOTAL			**11,222,710**	**10,558,796**

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	Senate Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	6,000	0
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,577,341	7,602,341
Defense nuclear nonproliferation	2,458,631	2,458,631
Naval reactors	1,088,635	1,126,621
Office of the administrator	411,279	386,279
Total, National nuclear security administration	**11,535,886**	**11,573,872**
Environmental and other defense activities:		
Defense environmental cleanup	5,472,001	5,009,001
Other defense activities	735,702	735,702
Total, Environmental & other defense activities	**6,207,703**	**5,744,703**
Total, Atomic Energy Defense Activities	**17,743,589**	**17,318,575**
Total, Discretionary Funding	**17,749,589**	**17,318,575**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Electricity Delivery & Energy Reliability		
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration	6,000	0
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	369,000	369,000
W76 Life extension program	174,931	174,931
Total, Life extension programs	**543,931**	**543,931**
Stockpile systems		
B61 Stockpile systems	72,364	72,364
W76 Stockpile systems	65,445	90,445
W78 Stockpile systems	139,207	139,207
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	123,217
Total, Stockpile systems	**590,409**	**615,409**
Weapons dismantlement and disposition		
Operations and maintenance	51,265	51,265
Stockpile services		
Production support	365,405	365,405
Research and development support	28,103	28,103
R&D certification and safety	191,632	191,632
Management, technology, and production	175,844	175,844
Plutonium sustainment	141,685	141,685
Total, Stockpile services	**902,669**	**902,669**
Total, Directed stockpile work	**2,088,274**	**2,113,274**
Campaigns:		
Science campaign		
Advanced certification	44,104	44,104
Primary assessment technologies	94,000	94,000
Dynamic materials properties	97,000	97,000
Advanced radiography	30,000	30,000
Secondary assessment technologies	85,000	85,000
Total, Science campaign	**350,104**	**350,104**
Engineering campaign		
Enhanced surety	46,421	46,421
Weapon systems engineering assessment technology	18,983	18,983
Nuclear survivability	21,788	21,788
Enhanced surveillance	63,379	63,379
Total, Engineering campaign	**150,571**	**150,571**
Inertial confinement fusion ignition and high yield campaign		
Diagnostics, cryogenics and experimental support	81,942	81,942
Ignition	84,172	84,172
Support of other stockpile programs	14,817	14,817
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**	**460,000**
Advanced simulation and computing campaign	600,000	600,000
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**	**1,690,770**
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

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
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, UPFY–12, Oak Ridge, TN	340,000	0
06–D–141 PED/Construction, UPFY–12, Phase I, Oak Ridge, TN	0	340,000
Total, Construction	**450,134**	**450,134**
Total, Readiness in technical base and facilities	**2,239,828**	**2,239,828**
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	90,001
Total, Site stewardship	**90,001**	**90,001**
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**	**7,602,341**
Total, Weapons Activities	**7,577,341**	**7,602,341**
Defense Nuclear Nonproliferation		
Nonproliferation and verification R&D		
Operations and maintenance	398,186	398,186
Domestic Enrichment R&D	150,000	150,000
Subtotal, Nonproliferation and verification R&D	**548,186**	**548,186**
Nonproliferation and international security	**150,119**	**150,119**
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	466,021
Legacy contractor pensions	62,000	62,000
Subtotal, Defense Nuclear Nonproliferation	**2,458,631**	**2,458,631**
Total, Defense Nuclear Nonproliferation	**2,458,631**	**2,458,631**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
Naval Reactors		
Naval reactors development	418,072	418,072
Ohio replacement reactor systems development	89,700	127,686
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	43,212
Subtotal, Naval Reactors	**1,088,635**	**1,126,621**
Total, Naval Reactors	**1,088,635**	**1,126,621**
Office Of The Administrator		
Office of the administrator	411,279	386,279
Total, Office Of The Administrator	**411,279**	**386,279**
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
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
Total, Radioactive liquid tank waste	**720,843**	**720,843**
Total, Savannah River site	**1,181,516**	**1,181,516**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2013 Request	Senate Authorized
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	20,000
Uranium enrichment D&D fund contribution	463,000	0
Subtotal, Defense environmental cleanup	**5,494,124**	**5,031,124**
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**	**5,009,001**
Other Defense Activities		
Health, safety and security		
Health, safety and security	139,325	139,325
Program direction	106,175	106,175
Total, Health, safety and security	**245,500**	**245,500**
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**	**735,702**
Total, Other Defense Activities	**735,702**	**735,702**

DIVISION E—HOUSING ASSISTANCE FOR VETERANS

TITLE L—HOUSING ASSISTANCE FOR VETERANS

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Housing Assistance for Veterans Act of 2012'' or the ''HAVEN Act''.

SEC. 5002. DEFINITIONS.

In this division:

(1) DISABLED.—The term ''disabled'' means an individual with a disability, as defined by section 12102 of title 42, United States Code.

(2) ELIGIBLE VETERAN.—The term ''eligible veteran'' means a disabled or low-income veteran.

(3) ENERGY EFFICIENT FEATURES OR EQUIPMENT.—The term ''energy efficient features or equipment'' means features of, or equipment in, a primary residence that help reduce the amount of electricity used to heat, cool, or ventilate such residence, including insulation, weatherstripping, air sealing, heating system repairs, duct sealing, or other measures.

(4) LOW-INCOME VETERAN.—The term ''low-income veteran'' means a veteran whose income does not exceed 80 percent of the median income for an area, as determined by the Secretary.

(5) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is—

(A) described in section 501(c)(3) or 501(c)(19) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of such Code.

(6) PRIMARY RESIDENCE.—

(A) IN GENERAL.—The term ''primary residence'' means a single family house, a duplex, or a unit within a multiple-dwelling structure that is an eligible veteran's principal dwelling and is owned by such veteran or a family member of such veteran.

(B) FAMILY MEMBER DEFINED.—For purposes of this paragraph, the term ''family member'' includes—

(i) a spouse, child, grandchild, parent, or sibling;

(ii) a spouse of such a child, grandchild, parent, or sibling; or

(iii) any individual related by blood or affinity whose close association with a veteran is the equivalent of a family relationship.

(7) QUALIFIED ORGANIZATION.—The term ''qualified organization'' means a nonprofit organization that provides nationwide or Statewide programs that primarily serve veterans or low-income individuals.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(9) VETERAN.—The term ''veteran'' has the same meaning as given such term in section 101 of title 38, United States Code.

(10) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 5003. ESTABLISHMENT OF A PILOT PROGRAM.

(a) GRANT.—

(1) IN GENERAL.—The Secretary shall establish a pilot program to award grants to qualified organizations to rehabilitate and modify the primary residence of eligible veterans.

(2) COORDINATION.—The Secretary shall work in conjunction with the Secretary of Veterans Affairs to establish and oversee the pilot program and to ensure that such program meets the needs of eligible veterans.

(3) MAXIMUM GRANT.—A grant award under the pilot program to any one qualified organization shall not exceed $1,000,000 in any one fiscal year, and such an award shall remain available until expended by such organization.

(b) APPLICATION.—

(1) IN GENERAL.—Each qualified organization that desires a grant under the pilot program shall submit an application to the Secretary at such time, in such manner, and, in addition to the information required under paragraph (2), accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

(A) a plan of action detailing outreach initiatives;

(B) the approximate number of veterans the qualified organization intends to serve using grant funds;

(C) a description of the type of work that will be conducted, such as interior home modifications, energy efficiency improvements, and other similar categories of work; and

(D) a plan for working with the Department of Veterans Affairs and veterans service organizations to identify veterans and serve their needs.

(3) PREFERENCES.—In awarding grants under the pilot program, the Secretary shall give preference to a qualified organization—

(A) with experience in providing housing rehabilitation and modification services for disabled veterans; or

(B) that proposes to provide housing rehabilitation and modification services for eligible veterans who live in rural areas (the Secretary, through regulations, shall define the term ''rural areas'').

(c) CRITERIA.—In order to receive a grant award under the pilot program, a qualified organization shall meet the following criteria:

(1) Demonstrate expertise in providing housing rehabilitation and modification services for disabled or low-income individuals for the purpose of making the homes of such individuals accessible, functional, and safe for such individuals.

(2) Have established outreach initiatives that—

(A) would engage eligible veterans and veterans service organizations in projects utilizing grant funds under the pilot program; and

(B) identify eligible veterans and their families and enlist veterans involved in skilled trades, such as carpentry, roofing, plumbing, or HVAC work.

(3) Have an established nationwide or Statewide network of affiliates that are—

(A) nonprofit organizations; and

(B) able to provide housing rehabilitation and modification services for eligible veterans.

(4) Have experience in successfully carrying out the accountability and reporting requirements involved in the proper administration of grant funds, including funds provided by private entities or Federal, State, or local government entities.

(d) USE OF FUNDS.—A grant award under the pilot program shall be used—

(1) to modify and rehabilitate the primary residence of an eligible veteran, and may include—

(A) installing wheelchair ramps, widening exterior and interior doors, reconfigurating and re-equipping bathrooms (which includes installing new fixtures and grab bars), removing doorway thresholds, installing special lighting, adding additional electrical outlets and electrical service, and installing appropriate floor coverings to—

(i) accommodate the functional limitations that result from having a disability; or

(ii) if such residence does not have modifications necessary to reduce the chances that an elderly, but not disabled person, will fall in their home, reduce the risks of such an elderly person from falling;

(B) rehabilitating such residence that is in a state of interior or exterior disrepair; and

(C) installing energy efficient features or equipment if—

(i) an eligible veteran's monthly utility costs for such residence is more than 5 percent of such veteran's monthly income; and

(ii) an energy audit of such residence indicates that the installation of energy efficient features or equipment will reduce such costs by 10 percent or more;

(2) in connection with modification and rehabilitation services provided under the pilot program, to provide technical, administrative, and training support to an affiliate of a qualified organization receiving a grant under such pilot program; and

(3) for other purposes as the Secretary may prescribe through regulations.

(e) OVERSIGHT.—The Secretary shall direct the oversight of the grant funds for the pilot program so that such funds are used efficiently until expended to fulfill the purpose of addressing the adaptive housing needs of eligible veterans.

(f) MATCHING FUNDS.—

(1) IN GENERAL.—A qualified organization receiving a grant under the pilot program shall contribute towards the housing modification and rehabilitation services provided to eligible veterans an amount equal to not less than 50 percent of the grant award received by such organization.

(2) IN-KIND CONTRIBUTIONS.—In order to meet the requirement under paragraph (1), such organization may arrange for in-kind contributions.

(g) LIMITATION COST TO THE VETERANS.—A qualified organization receiving a grant under the pilot program shall modify or rehabilitate the primary residence of an eligible veteran at no cost to such veteran (including application fees) or at a cost such that such veteran pays no more than 30 percent of his or her income in housing costs during any month.

(h) REPORTS.—

(1) ANNUAL REPORT.—The Secretary shall submit to Congress, on an annual basis, a report that provides, with respect to the year for which such report is written—

(A) the number of eligible veterans provided assistance under the pilot program;

(B) the socioeconomic characteristics of such veterans, including their gender, age, race, and ethnicity;

(C) the total number, types, and locations of entities contracted under such program to administer the grant funding;

(D) the amount of matching funds and in-kind contributions raised with each grant;

(E) a description of the housing rehabilitation and modification services provided, costs saved, and actions taken under such program;

(F) a description of the outreach initiatives implemented by the Secretary to educate the general public and eligible entities about such program;

(G) a description of the outreach initiatives instituted by grant recipients to engage eligible veterans and veteran service organizations in projects utilizing grant funds under such program;

(H) a description of the outreach initiatives instituted by grant recipients to identify eligible veterans and their families; and

(I) any other information that the Secretary considers relevant in assessing such program.

(2) FINAL REPORT.—Not later than 6 months after the completion of the pilot program, the Secretary shall submit to Congress a report that provides such information that the Secretary considers relevant in assessing the pilot program.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for carrying out this division $4,000,000 for each of fiscal years 2013 through 2017.

DIVISION F—STOLEN VALOR ACT

TITLE LI—STOLEN VALOR ACT

SEC. 5011. SHORT TITLE.

This division may be cited as the ''Stolen Valor Act of 2012''.

SEC. 5012. FINDINGS.

Congress find the following:

(1) Because of the great respect in which military service and military awards are rightfully held by the public, false claims of receiving such medals or serving in the military are especially likely to be harmful and material to employers, voters in deciding to whom paid elective positions should be entrusted, and in the award of contracts.

(2) Military service and military awards are held in such great respect that public and private decisions are correctly influenced by claims of heroism.

(3) False claims of military service or military heroism are an especially noxious means of obtaining something of value because they are particularly likely to cause tangible harm to victims of fraud.

(4) False claims of military service or the receipt of military awards, if believed, are especially likely to dispose people favorably toward the speaker.

(5) False claims of military service or the receipt of military awards are particularly likely to be material and cause people to part with money or property. Even if such claims are unsuccessful in bringing about this result, they still constitute attempted fraud.

(6) False claims of military service or the receipt of military awards that are made to secure appointment to the board of an organization are likely to cause harm to such organization through their obtaining the services of an individual who does not bring to that organization what he or she claims, and whose falsehood, if discovered, would cause the organization's donors concern that the organization's board might not manage money honestly.

(7) The easily verifiable nature of false claims regarding military service or the receipt of military awards, the relative infrequency of such claims, and the fact that false claims of having served in the military or received such awards are rightfully condemned across the political spectrum, it is especially likely that any law prohibiting such false claims would not be enforced selectively.

(8) Congress may make criminal the false claim of military service or the receipt of military awards based on its powers under article I, section 8, clause 2 of the Constitution of the United States, to raise and support armies, and article I, section 8, clause 18 of the Constitution of the United States, to enact necessary and proper measures to carry into execution that power.

SEC. 5013. MILITARY MEDALS OR DECORATIONS.

Section 704 of title 18, United States Code, is amended to read as follows:

''§ 704. Military medals or decorations

''(a) IN GENERAL.—Whoever knowingly purchases, attempts to purchase, solicits for purchase, mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells, attempts to sell, advertises for sale, trades, barters, or exchanges for anything of value any decoration or medal authorized by Congress for the Armed Forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration, or medal, or any colorable imitation thereof, except when authorized under regulations made pursuant to law, shall be fined under this title, imprisoned for not more than 6 months, or both.

''(b) FALSE CLAIMS TO THE RECEIPT OF MILITARY DECORATIONS, MEDALS, OR RIBBONS AND FALSE CLAIMS RELATING TO MILITARY SERVICE IN ORDER TO SECURE A TANGIBLE BENEFIT OR PERSONAL GAIN.—

''(1) IN GENERAL.—Whoever, with the intent of securing a tangible benefit or personal gain, knowingly, falsely, and materially represents himself or herself through any written or oral communication (including a resume) to have served in the Armed Forces of the United States or to have been awarded any decoration, medal, ribbon, or other device authorized by Congress or pursuant to Federal law for the Armed Forces of the United States, shall be fined under this

title, imprisoned for not more than 6 months, or both.

''(2) TANGIBLE BENEFIT OR PERSONAL GAIN.—For purposes of this subsection, the term 'tangible benefit or personal gain' includes—

''(A) a benefit relating to military service provided by the Federal Government or a State or local government;

''(B) public or private employment;

''(C) financial remuneration;

''(D) an effect on the outcome of a criminal or civil court proceeding;

''(E) election of the speaker to paying office; and

''(F) appointment to a board or leadership position of a non-profit organization.

''(c) DEFINITION.—In this section, the term 'Armed Forces of the United States' means the Army, Navy, Air Force, Marine Corps, and Coast Guard, including the reserve components named in section 10101 of title 10.''.

SEC. 5014. SEVERABILITY.

If any provision of this division, any amendment made by this division, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of the provisions of this division, the amendments made by this division, and the application of such provisions or amendments to any person or circumstance shall not be affected.

DIVISION G—MISCELLANEOUS

TITLE LII—MISCELLANEOUS

SEC. 5021. PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Dale Long Public Safety Officers' Benefits Improvements Act of 2012''.

(b) BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS; MISCELLANEOUS AMENDMENTS.—

(1) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(A) in section 901(a) (42 U.S.C. 3791(a))—

(i) in paragraph (26), by striking ''and'' at the end;

(ii) in paragraph (27), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(28) the term 'hearing examiner' includes any medical or claims examiner.'';

(B) in section 1201 (42 U.S.C. 3796)—

(i) in subsection (a), by striking ''follows:'' and all that follows and inserting the following: ''follows (if the payee indicated is living on the date on which the determination is made)—

''(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

''(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;

''(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

''(4) if there is no surviving spouse of the public safety officer and no surviving child—

''(A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or

''(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

''(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or

''(6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal shares) who would qualify under the definition of the term 'child' under section 1204 but for age.'';

(ii) in subsection (b)—

(I) by striking ''direct result of a catastrophic'' and inserting ''direct and proximate result of a personal'';

(II) by striking ''pay,'' and all that follows through ''the same'' and inserting ''pay the same'';

(III) by striking ''in any year'' and inserting ''to the public safety officer (if living on the date on which the determination is made)'';

(IV) by striking ''in such year, adjusted'' and inserting ''with respect to the date on which the catastrophic injury occurred, as adjusted'';

(aa) by striking '', to such officer'';

(V) by striking ''the total'' and all that follows through ''For'' and inserting ''for''; and

(VI) by striking ''That these'' and all that follows through the period, and inserting ''That the amount payable under this subsection shall be the amount payable as of the date of catastrophic injury of such public safety officer.'';

(iii) in subsection (f)—

(I) in paragraph (1), by striking '', as amended (D.C. Code, sec. 4–622); or'' and inserting a semicolon;

(II) in paragraph (2)—

(aa) by striking ''. Such beneficiaries shall only receive benefits under such section 8191 that'' and inserting '', such that beneficiaries shall receive only such benefits under such section 8191 as''; and

(bb) by striking the period at the end and inserting ''; or''; and

(III) by adding at the end the following:

''(3) payments under the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107–42).'';

(iv) by amending subsection (k) to read as follows:

''(k) As determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

''(1) the public safety officer, while on duty—

''(A) engages in a situation involving nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

''(B) participates in a training exercise involving nonroutine stressful or strenuous physical activity;

''(2) the heart attack, stroke, or vascular rupture commences—

''(A) while the officer is engaged or participating as described in paragraph (1);

''(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

''(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); and

''(3) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer,

unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation or was directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors.''; and

(v) by adding at the end the following:

''(n) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or executed life insurance policy for purposes of subsection (a)(4) shall maintain the confidentiality of the designation or policy in the same manner as the agency, organization, or unit maintains personnel or other similar records of the public safety officer.'';

(C) in section 1202 (42 U.S.C. 3796a)—

(i) by striking ''death'', each place it appears except the second place it appears, and inserting ''fatal''; and

(ii) in paragraph (1), by striking ''or catastrophic injury'' the second place it appears and inserting '', disability, or injury'';

(D) in section 1203 (42 U.S.C. 3796a–1)—

(i) in the section heading, by striking ''WHO HAVE DIED IN THE LINE OF DUTY'' and inserting ''WHO HAVE SUSTAINED FATAL OR CATASTROPHIC INJURY IN THE LINE OF DUTY''; and

(ii) by striking ''who have died in the line of duty'' and inserting ''who have sustained fatal or catastrophic injury in the line of duty'';

(E) in section 1204 (42 U.S.C. 3796b)—

(i) in paragraph (1), by striking ''consequences of an injury that'' and inserting ''an injury, the direct and proximate consequences of which'';

(ii) in paragraph (3)—

(I) in the matter preceding clause (i)—

(aa) by inserting ''or permanently and totally disabled'' after ''deceased''; and

(bb) by striking ''death'' and inserting ''fatal or catastrophic injury''; and

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

(iii) in paragraph (5)—

(I) by striking ''post-mortem'' each place it appears and inserting ''post-injury'';

(II) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(III) in subparagraph (B), as so redesignated, by striking ''death'' and inserting ''fatal or catastrophic injury'';

(iv) in paragraph (7), by striking ''public employee member of a rescue squad or ambulance crew;'' and inserting ''employee or volunteer member of a rescue squad or ambulance crew (including a ground or air ambulance service) that—

''(A) is a public agency; or

''(B) is (or is a part of) a nonprofit entity serving the public that—

''(i) is officially authorized or licensed to engage in rescue activity or to provide emergency medical services; and

''(ii) engages in rescue activities or provides emergency medical services as part of an official emergency response system;''; and

(v) in paragraph (9)—

(I) in subparagraph (A), by striking ''as a chaplain, or as a member of a rescue squad or ambulance crew;'' and inserting ''or as a chaplain;'';

(II) in subparagraph (B)(ii), by striking ''or'' after the semicolon;

(III) in subparagraph (C)(ii), by striking the period and inserting ''; or''; and

(IV) by adding at the end the following:

''(D) a member of a rescue squad or ambulance crew who, as authorized or licensed by law and by the applicable agency or entity, is engaging in rescue activity or in the provision of emergency medical services.'';

(F) in section 1205 (42 U.S.C. 3796c), by adding at the end the following:

''(d) Unless expressly provided otherwise, any reference in this part to any provision of law not in this part shall be understood to constitute a general reference under the doctrine of incorporation by reference, and thus to include any subsequent amendments to the provision.'';

(G) in each of subsections (a) and (b) of section 1212 (42 U.S.C. 3796d–1), sections 1213 and 1214 (42 U.S.C. 3796d–2 and 3796d–3), and subsections (b) and (c) of section 1216 (42 U.S.C. 3796d–5), by striking ''dependent'' each place it appears and inserting ''person'';

(H) in section 1212 (42 U.S.C. 3796d–1)—

(i) in subsection (a)—

(I) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Subject'' and all

that follows through '', the'' and inserting ''The''; and

(II) in paragraph (3), by striking ''reduced by'' and all that follows through ''(B) the amount'' and inserting ''reduced by the amount'';

(ii) in subsection (c)—

(I) in the subsection heading, by striking ''DEPENDENT''; and

(II) by striking ''dependent'';

(I) in paragraphs (2) and (3) of section 1213(b) (42 U.S.C. 3796d–2(b)), by striking ''dependent's'' each place it appears and inserting ''person's'';

(J) in section 1216 (42 U.S.C. 3796d–5)—

(i) in subsection (a), by striking ''each dependent'' each place it appears and inserting ''a spouse or child''; and

(ii) by striking ''dependents'' each place it appears and inserting ''a person''; and

(K) in section 1217(3)(A) (42 U.S.C. 3796d–6(3)(A)), by striking ''described in'' and all that follows and inserting ''an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and''.

(2) AMENDMENT RELATED TO EXPEDITED PAYMENT FOR PUBLIC SAFETY OFFICERS INVOLVED IN THE PREVENTION, INVESTIGATION, RESCUE, OR RECOVERY EFFORTS RELATED TO A TERRORIST ATTACK.—Section 611(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1(a)) is amended by inserting ''or an entity described in section 1204(7)(B) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(7)(B))'' after ''employed by such agency''.

(3) TECHNICAL AND CONFORMING AMENDMENT.—Section 402(l)(4)(C) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''section 1204(9)(A)'' and inserting ''section 1204(10)(A)''; and

(B) by striking ''42 U.S.C. 3796b(9)(A)'' and inserting ''42 U.S.C. 3796b(10)(A)''.

(c) AUTHORIZATION OF APPROPRIATIONS; DETERMINATIONS; APPEALS.—The matter under the heading ''PUBLIC SAFETY OFFICERS BENEFITS'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 1912; 42 U.S.C. 3796c–2) is amended—

(1) by striking ''decisions'' and inserting ''determinations'';

(2) by striking ''(including those, and any related matters, pending)''; and

(3) by striking the period at the end and inserting the following: '': Provided further, That, on and after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012, as to each such statute—

''(1) the provisions of section 1001(a)(4) of such title I (42 U.S.C. 3793(a)(4)) shall apply;

''(2) payment (other than payment made pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1)) shall be made only upon a determination by the Bureau that the facts legally warrant the payment;

''(3) any reference to section 1202 of such title I shall be deemed to be a reference to paragraphs (2) and (3) of such section 1202; and

''(4) a certification submitted under any such statute (other than a certification submitted pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 3796c–1)) may be accepted by the Bureau as prima facie evidence of the facts asserted in the certification:

Provided further, That, on and after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012, no appeal shall bring any final determination of the Bureau before any court for review unless notice of appeal is filed (within the time specified herein and in the manner prescribed for appeal to United States courts of appeals from United States district courts) not later than 90 days after the date on which the Bureau serves notice of the final determination: Provided further, That any regulations promulgated by the Bureau under such part (or any such statute) before, on, or after the date of enactment of the Public Safety Officers' Benefits Improvements Act of 2012 shall apply to any matter pending on, or filed or accruing after, the effective date specified in the regulations.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (1), the amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any matter pending, before the Bureau of Justice Assistance or otherwise, on the date of enactment of this Act, or filed or accruing after that date.

(2) EXCEPTIONS.—

(A) RESCUE SQUADS AND AMBULANCE CREWS.—For a member of a rescue squad or ambulance crew (as defined in section 1204(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this section), the amendments made by this Act shall apply to injuries sustained on or after June 1, 2009.

(B) HEART ATTACKS, STROKES, AND VASCULAR RUPTURES.—Section 1201(k) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this section, shall apply to heart attacks, strokes, and vascular ruptures sustained on or after December 15, 2003.

SEC. 5022. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417G. SCIENTIFIC FRAMEWORK FOR RECALCITRANT CANCERS.

''(a) DEVELOPMENT OF SCIENTIFIC FRAMEWORK.—

''(1) IN GENERAL.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall develop (in accordance with subsection (c)) a scientific framework for the conduct or support of research on such cancer.

''(2) CONTENTS.—The scientific framework with respect to a recalcitrant cancer shall include the following:

''(A) CURRENT STATUS.—

''(i) REVIEW OF LITERATURE.—A summary of findings from the current literature in the areas of—

''(I) the prevention, diagnosis, and treatment of such cancer;

''(II) the fundamental biologic processes that regulate such cancer (including similarities and differences of such processes from the biological processes that regulate other cancers); and

''(III) the epidemiology of such cancer.

''(ii) SCIENTIFIC ADVANCES.—The identification of relevant emerging scientific areas and promising scientific advances in basic, translational, and clinical science relating to the areas described in subclauses (I) and (II) of clause (i).

''(iii) RESEARCHERS.—A description of the availability of qualified individuals to conduct scientific research in the areas described in clause (i).

''(iv) COORDINATED RESEARCH INITIATIVES.—The identification of the types of initiatives and partnerships for the coordination of intramural and extramural research of the Institute in the areas described in clause (i) with research of the relevant national research institutes, Federal agencies, and non-Federal public and private entities in such areas.

''(v) RESEARCH RESOURCES.—The identification of public and private resources, such as patient registries and tissue banks, that are available to facilitate research relating to each of the areas described in clause (i).

''(B) IDENTIFICATION OF RESEARCH QUESTIONS.—The identification of research questions relating to basic, translational, and clinical science in the areas described in subclauses (I) and (II) of subparagraph (A)(i) that have not been adequately addressed with respect to such recalcitrant cancer.

''(C) RECOMMENDATIONS.—Recommendations for appropriate actions that should be taken to advance research in the areas described in subparagraph (A)(i) and to address the research questions identified in subparagraph (B), as well as for appropriate benchmarks to measure progress on achieving such actions, including the following:

''(i) RESEARCHERS.—Ensuring adequate availability of qualified individuals described in subparagraph (A)(iii).

''(ii) COORDINATED RESEARCH INITIATIVES.—Promoting and developing initiatives and partnerships described in subparagraph (A)(iv).

''(iii) RESEARCH RESOURCES.—Developing additional public and private resources described in subparagraph (A)(v) and strengthening existing resources.

''(3) TIMING.—

''(A) INITIAL DEVELOPMENT AND SUBSEQUENT UPDATE.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall—

''(i) develop a scientific framework under this subsection not later than 18 months after the date of the enactment of this section; and

''(ii) review and update the scientific framework not later than 5 years after its initial development.

''(B) OTHER UPDATES.—The Director of the Institute may review and update each scientific framework developed under this subsection as necessary.

''(4) PUBLIC NOTICE.—With respect to each scientific framework developed under subsection (a), not later than 30 days after the date of completion of the framework, the Director of the Institute shall—

''(A) submit such framework to the Committee on Energy and Commerce and Committee on Appropriations of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions and Committee on Appropriations of the Senate; and

''(B) make such framework publically available on the Internet website of the Department of Health and Human Services.

''(b) IDENTIFICATION OF RECALCITRANT CANCER.—

''(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Director of the Institute shall identify two or more recalcitrant cancers that each—

''(A) have a 5-year relative survival rate of less than 20 percent; and

''(B) are estimated to cause the death of at least 30,000 individuals in the United States per year.

''(2) ADDITIONAL CANCERS.—The Director of the Institute may, at any time, identify other recalcitrant cancers for purposes of this section. In identifying a recalcitrant cancer pursuant to the previous sentence, the Director may consider additional metrics of progress (such as incidence and mortality rates) against such type of cancer.

''(c) WORKING GROUPS.—For each recalcitrant cancer identified under subsection (b), the Director of the Institute shall convene a working group comprised of representatives of appropriate Federal agencies and other non-Federal entities to provide expertise on, and assist in developing, a scientific framework under subsection (a). The Director of the Institute (or the Director's designee) shall participate in the meetings of each such working group.

''(d) REPORTING.—

''(1) BIENNIAL REPORTS.—The Director of NIH shall ensure that each biennial report under section 403 includes information on actions undertaken to carry out each scientific framework developed under subsection (a) with respect to a recalcitrant cancer, including the following:

''(A) Information on research grants awarded by the National Institutes of Health for research relating to such cancer.

''(B) An assessment of the progress made in improving outcomes (including relative survival rates) for individuals diagnosed with such cancer.

''(C) An update on activities pertaining to such cancer under the authority of section 413(b)(7).

''(2) ADDITIONAL ONE-TIME REPORT FOR CERTAIN FRAMEWORKS.—For each recalcitrant cancer identified under subsection (b)(1), the Director of the Institute shall, not later than 6 years after the initial development of a scientific framework under subsection (a), submit a report to the Congress on the effectiveness of the framework (including the update required by subsection (a)(3)(A)(ii)) in improving the prevention, detection, diagnosis, and treatment of such cancer.

''(e) RECOMMENDATIONS FOR EXCEPTION FUNDING.—The Director of the Institute shall consider each relevant scientific framework developed under subsection (a) when making recommendations for exception funding for grant applications.

''(f) DEFINITION.—In this section, the term 'recalcitrant cancer' means a cancer for which the five-year relative survival rate is below 50 percent.''.

SEC. 5023. UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) TECHNICAL AMENDMENT.—Section 604(a) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469(a)) is amended by inserting ''(referred to in this section as the 'Commission')'' before the period at the end.

(b) DUTIES AND RESPONSIBILITIES.—Section 604(c) of such Act is amended to read as follows:

''(c) DUTIES AND RESPONSIBILITIES.—The Commission shall appraise United States Government activities intended to understand, inform, and influence foreign publics. The activities described in this subsection shall be referred to in this section as 'public diplomacy activities'.''.

(c) REPORTS.—Section 604(d) of such Act is amended to read as follows:

''(d) REPORTS.—

''(1) COMPREHENSIVE ANNUAL REPORT.—

''(A) IN GENERAL.—Not less frequently than annually, the Commission shall submit a comprehensive report on public diplomacy and international broadcasting activities to Congress, the President, and the Secretary of State. This report shall include—

''(i) a detailed list of all public diplomacy activities funded by the United States Government;

''(ii) a description of—

''(I) the purpose, means, and geographic scope of each activity;

''(II) when each activity was started;

''(III) the amount of Federal funding expended on each activity;

''(IV) any significant outside sources of funding; and

''(V) the Federal department or agency to which the activity belongs;

''(iii) the international broadcasting activities under the direction of the Broadcasting Board of Governors;

''(iv) an assessment of potentially duplicative public diplomacy and international broadcasting activities; and

''(v) for any activities determined to be ineffective or results not demonstrated under subparagraph (B), recommendations on existing effective or moderately effective public diplomacy activities that could be augmented to carry out the objectives of the ineffective activities.

''(B) EFFECTIVENESS ASSESSMENT.—In evaluating the public diplomacy and international broadcasting activities described in subparagraph (A), the Commission shall conduct an assessment that considers the public diplomacy target impact, the achieved impact, and the cost of public diplomacy activities and international broadcasting. The assessment shall include, if practicable, an appropriate metric such as 'cost-per-audience' or 'cost-per-student' for each activity. Upon the completion of the assessment, the Commission shall the assign a rating of—

''(i) 'effective' for activities that—

''(I) set appropriate goals;

''(II) achieve results; and

''(III) are well-managed and cost efficient;

''(ii) 'moderately effective' for activities that—

''(I) achieve some results;

''(II) are generally well-managed; and

''(III) need to improve their performance results or cost efficiency, including reducing overhead;

''(iii) 'ineffective' for activities that—

''(I) are not making sufficient use of available resources to achieve stated goals;

''(II) are not well-managed; or

''(III) have excessive overhead; and

''(iv) 'results not demonstrated' for activities that—

''(I) do not have acceptable performance public diplomacy metrics for measuring results; or

''(II) are unable or failed to collect data to determine if they are effective.

''(2) OTHER REPORTS.—

''(A) IN GENERAL.—The Commission shall submit other reports, including working papers, to Congress, the President, and the Secretary of State at least semi-annually on other activities and policies related to United States public diplomacy.

''(B) AVAILABILITY.—The Commission shall make the reports submitted pursuant to subparagraph (A) publicly available on the website of the Commission to develop a better understanding of, and support for, public diplomacy activities.

''(3) ACCESS TO INFORMATION.—The Secretary of State shall ensure that the Commission has access to all appropriate information to carry out its duties and responsibilities under this subsection.''.

(d) REAUTHORIZATION.—

(1) IN GENERAL.—Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2010'' and inserting ''October 1, 2014''.

(2) RETROACTIVITY OF EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on October 1, 2010.

(e) FUNDING.—From amounts appropriated by Congress under the heading ''DIPLOMATIC AND CONSULAR PROGRAMS'', the Secretary of State shall allocate sufficient funding to the United States Advisory Commission on Public Diplomacy to carry out section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469), as amended by this section.

SEC. 5024. REMOVAL OF ACTION.

Section 1442 of title 28, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) Solely for purposes of determining the propriety of removal under subsection (a), a law enforcement officer, who is the defendant in a criminal prosecution, shall be deemed to have been acting under the color of his office if the officer—

''(1) protected an individual in the presence of the officer from a crime of violence;

''(2) provided immediate assistance to an individual who suffered, or who was threatened with, bodily harm; or

''(3) prevented the escape of any individual who the officer reasonably believed to have committed, or was about to commit, in the presence of the officer, a crime of violence that resulted in, or was likely to result in, death or serious bodily injury.

''(d) In this section, the following definitions apply:

''(1) The terms 'civil action' and 'criminal prosecution' include any proceeding (whether or not ancillary to another proceeding) to the extent that in such proceeding a judicial order, including a subpoena for testimony or documents, is sought or issued. If removal is sought for a proceeding described in the previous sentence, and there is no other basis for removal, only that proceeding may be removed to the district court.

''(2) The term 'crime of violence' has the meaning given that term in section 16 of title 18.

''(3) The term 'law enforcement officer' means any employee described in subparagraph (A), (B), or (C) of section 8401(17) of title 5 and any special agent in the Diplomatic Security Service of the Department of State.

''(4) The term 'serious bodily injury' has the meaning given that term in section 1365 of title 18.

''(5) The term 'State' includes the District of Columbia, United States territories and insular possessions, and Indian country (as defined in section 1151 of title 18).

''(6) The term 'State court' includes the Superior Court of the District of Columbia, a court of a United States territory or insular possession, and a tribal court.''.

TITLE LIII—GAO MANDATES REVISION ACT

Subtitle A—GAO Mandates Revision Act

SEC. 5301. SHORT TITLE.

This subtitle may be cited as the ''GAO Mandates Revision Act of 2012''.

SEC. 5302. REPEALS AND MODIFICATIONS.

(a) CAPITOL PRESERVATION FUND FINANCIAL STATEMENTS.—Section 804 of the Arizona-Idaho Conservation Act of 1988 (2 U.S.C. 2084) is amended by striking ''annual audits of the transactions of the Commission'' and inserting ''periodic audits of the transactions of the Commission, which shall be conducted at least once every 3 years, unless the Chairman or the Ranking Member of the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives, the Secretary of the Senate, or the Clerk of the House of Representatives requests that an audit be conducted at an earlier date,''.

(b) JUDICIAL SURVIVORS' ANNUITIES FUND AUDIT BY GAO.—

(1) IN GENERAL.—Section 376 of title 28, United States Code, is amended—

(A) by striking subsection (w); and

(B) by redesignating subsections (x) and (y) as subsections (w) and (x), respectively.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 376(h)(2) of title 28, United States Code, is amended by striking ''subsection (x)'' and inserting ''subsection (w)''.

(c) ONDCP ANNUAL REPORT REQUIREMENT.—Section 203 of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 1708a) is amended—

(1) in subsection (a), by striking ''of each year'' and inserting '', 2013, and every 3 years thereafter,''; and

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''at a frequency of not less than once per year—'' and inserting ''not later than December 31, 2013, and every 3 years thereafter—''.

(d) USERRA GAO REPORT.—Section 105(g)(1) of the Veterans' Benefits Act of 2010 (Public Law 111–275; 38 U.S.C. 4301 note) is amended by striking '', and annually thereafter during the period when the demonstration project is conducted,''.

(e) SEMIPOSTAL PROGRAM REPORTS BY THE GENERAL ACCOUNTING OFFICE.—Section 2 of the Semipostal Authorization Act (Public Law 106–253; 114 Stat. 636; 39 U.S.C. 416 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(f) EARNED IMPORT ALLOWANCE PROGRAM REVIEW BY GAO.—Section 231A(b)(4) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a(b)(4)) is amended—

(1) by striking subparagraph (C); and

(2) by redesignating subparagraph (D) as subparagraph (C).

(g) AMERICAN BATTLE MONUMENTS COMMISSION'S FINANCIAL STATEMENTS AND AUDITS.—Section 2103(h) of title 36, United States Code, is amended—

(1) in paragraph (1), by striking ''of paragraph (2) of this subsection'' and inserting ''of section 3515 of title 31'';

(2) in paragraph (1), by striking ''(1)''; and

(3) by striking paragraph (2).

(h) SENATE PRESERVATION FUND AUDITS.—Section 3(c)(6) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 2108(c)(6)) is amended by striking ''annual audits of the Senate Preservation Fund'' and inserting ''periodic audits of the Senate Preservation Fund, which shall be conducted at least once every 3 years, unless the Chairman or the Ranking Member of the Committee on Rules and Administration of the Senate or the Secretary of the Senate requests that an audit be conducted at an earlier date,''.

Subtitle B—Improper Payments Elimination and Recovery Improvement Act

SEC. 5311. SHORT TITLE.

This subtitle may be cited as the ''Improper Payments Elimination and Recovery Improvement Act of 2012''.

SEC. 5312. DEFINITIONS.

In this subtitle—

(1) the term ''agency'' means an executive agency as that term is defined under section 102 of title 31, United States Code; and

(2) the term ''improper payment'' has the meaning given that term in section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), as redesignated by section __03(a)(1) of this subtitle.

SEC. 5313. IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS BY FEDERAL AGENCIES.

(a) IN GENERAL.—Section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended—

(1) by redesignating subsections (b) through (g) as subsections (c) through (h), respectively;

(2) by inserting after subsection (a) the following:

''(b) IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS.—

''(1) IN GENERAL.—The Director of the Office of Management and Budget shall on an annual basis—

''(A) identify a list of high-priority Federal programs for greater levels of oversight and review—

''(i) in which the highest dollar value or highest rate of improper payments occur; or

''(ii) for which there is a higher risk of improper payments; and

''(B) in coordination with the agency responsible for administering the high-priority program, establish annual targets and semi-annual or quarterly actions for reducing improper payments associated with each high-priority program.

''(2) REPORT ON HIGH-PRIORITY IMPROPER PAYMENTS.—

''(A) IN GENERAL.—Subject to Federal privacy policies and to the extent permitted by law, each agency with a program identified under paragraph (1)(A) on an annual basis shall submit to the Inspector General of that agency, and make available to the public (including availability through the Internet), a report on that program.

''(B) CONTENTS.—Each report under this paragraph—

''(i) shall describe—

''(I) any action the agency—

''(aa) has taken or plans to take to recover improper payments; and

''(bb) intends to take to prevent future improper payments; and

''(ii) shall not include any referrals the agency made or anticipates making to the Department of Justice, or any information provided in connection with such referrals.

''(C) PUBLIC AVAILABILITY ON CENTRAL WEBSITE.—The Office of Management and Budget shall make each report submitted under this paragraph available on a central website.

''(D) AVAILABILITY OF INFORMATION TO INSPECTOR GENERAL.—Subparagraph (B)(ii) shall not prohibit any referral or information being made available to an Inspector General as otherwise provided by law.

''(E) ASSESSMENT AND RECOMMENDATIONS.—The Inspector General of each agency that submits a report under this paragraph shall, for each program of the agency that is identified under paragraph (1)(A)—

''(i) review—

''(I) the assessment of the level of risk associated with the program, and the quality of the improper payment estimates and methodology of the agency relating to the program; and

''(II) the oversight or financial controls to identify and prevent improper payments under the program; and

''(ii) submit to Congress recommendations, which may be included in another report submitted by the Inspector General to Congress, for modifying any plans of the agency relating to the program, including improvements for improper payments determination and estimation methodology.'';

(3) in subsection (d) (as redesignated by paragraph (1) of this subsection), by striking ''subsection (b)'' each place that term appears and inserting ''subsection (c)'';

(4) in subsection (e) (as redesignated by paragraph (1) of this subsection), by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(5) in subsection (g)(3) (as redesignated by paragraph (1) of this subsection), by inserting ''or a Federal employee'' after ''non-Federal person or entity''.

(b) IMPROVED ESTIMATES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall provide guidance to agencies for improving the estimates of improper payments under the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) GUIDANCE.—Guidance under this subsection shall—

(A) strengthen the estimation process of agencies by setting standards for agencies to follow in determining the underlying validity of sampled payments to ensure amounts being billed are proper; and

(B) instruct agencies to give the persons or entities performing improper payments estimates access to all necessary payment data, including access to relevant documentation;

(C) explicitly bar agencies from relying on self-reporting by the recipients of agency payments as the sole source basis for improper payments estimates;

(D) require agencies to include all identified improper payments in the reported estimate, regardless of whether the improper payment in question has been or is being recovered;

(E) include payments to employees, including salary, locality pay, travel pay, purchase card use, and other employee payments, as subject to risk assessment and, where appropriate, improper payment estimation; and

(F) require agencies to tailor their corrective actions for the high-priority programs identified under section 2(b)(1)(A) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) to better reflect the unique processes, procedures, and risks involved in each specific program.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The Improper Payments Elimination and Recovery Act of 2010 (Public Law 111–204; 124 Stat. 2224) is amended—

(1) in section 2(h)(1) (31 U.S.C. 3321 note), by striking ''section 2(f)'' and all that follows and inserting ''section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).''; and

(2) in section 3(a) (31 U.S.C. 3321 note)—

(A) in paragraph (1), by striking ''section 2(f)'' and all that follows and inserting ''section 2(g) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).''; and

(B) in paragraph (3)—

(i) by striking ''section 2(b)'' each place it appears and inserting ''section 2(c)''; and

(ii) by striking ''section 2(c)'' each place it appears and inserting ''section 2(d)''.

SEC. 5314. IMPROPER PAYMENTS INFORMATION.

Section 2(a)(3)(A)(ii) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is amended by striking ''with respect to fiscal years following September 30th of a fiscal year beginning before fiscal year 2013 as determined by the Office of Management and Budget'' and inserting ''with respect to fiscal year 2014 and each fiscal year thereafter''.

SEC. 5315. DO NOT PAY INITIATIVE.

(a) PREPAYMENT AND PREAWARD PROCEDURES.—

(1) IN GENERAL.—Each agency shall review prepayment and preaward procedures and ensure that a thorough review of available databases with relevant information on eligibility occurs to determine program or award eligibility and prevent improper payments before the release of any Federal funds.

(2) DATABASES.—At a minimum and before issuing any payment and award, each agency shall review as appropriate the following databases to verify eligibility of the payment and award:

(A) The Death Master File of the Social Security Administration.

(B) The General Services Administration's Excluded Parties List System.

(C) The Debt Check Database of the Department of the Treasury.

(D) The Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development.

(E) The List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services.

(b) DO NOT PAY INITIATIVE.—

(1) ESTABLISHMENT.—There is established the Do Not Pay Initiative which shall include—

(A) use of the databases described under subsection (a)(2); and

(B) use of other databases designated by the Director of the Office of Management and Budget in consultation with agencies and in accordance with paragraph (2).

(2) OTHER DATABASES.—In making designations of other databases under paragraph (1)(B), the Director of the Office of Management and Budget shall—

(A) consider any database that substantially assists in preventing improper payments; and

(B) provide public notice and an opportunity for comment before designating a database under paragraph (1)(B).

(3) ACCESS AND REVIEW BY AGENCIES.—For purposes of identifying and preventing improper payments, each agency shall have access to, and use of, the Do Not Pay Initiative to verify payment or award eligibility in accordance with subsection (a) when the Director of the Office of Management and Budget determines the Do Not Pay Initiative is appropriately established for the agency.

(4) PAYMENT OTHERWISE REQUIRED.—When using the Do Not Pay Initiative, an agency shall recognize that there may be circumstances under which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the Do Not Pay Initiative.

(5) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress an annual report, which may be included as part of another report submitted to Congress by the Director, regarding the operation of the Do Not Pay Initiative, which shall—

(A) include an evaluation of whether the Do Not Pay Initiative has reduced improper payments or improper awards; and

(B) provide the frequency of corrections or identification of incorrect information.

(c) DATABASE INTEGRATION PLAN.—Not later than 60 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall provide to the Congress a plan for—

(1) inclusion of other databases on the Do Not Pay Initiative;

(2) to the extent permitted by law, agency access to the Do Not Pay Initiative; and

(3) the multilateral data use agreements described under subsection (e).

(d) INITIAL WORKING SYSTEM.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall establish a working system for prepayment and preaward review that includes the Do Not Pay Initiative as described under this section.

(2) WORKING SYSTEM.—The working system established under paragraph (1)—

(A) may be located within an appropriate agency;

(B) shall include not less than 3 agencies as users of the system; and

(C) shall include investigation activities for fraud and systemic improper payments detection through analytic technologies and other techniques, which may include commercial database use or access.

(3) APPLICATION TO ALL AGENCIES.—Not later than June 1, 2013, each agency shall review all payments and awards for all programs of that agency through the system established under this subsection.

(e) FACILITATING DATA ACCESS BY FEDERAL AGENCIES AND OFFICES OF INSPECTORS GENERAL FOR PURPOSES OF PROGRAM INTEGRITY.—

(1) DEFINITION.—In this subsection, the term ''Inspector General'' means an Inspector General described in subparagraph (A), (B), or (I) of section 11(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(2) COMPUTER MATCHING BY FEDERAL AGENCIES FOR PURPOSES OF INVESTIGATION AND PREVENTION OF IMPROPER PAYMENTS AND FRAUD.—

(A) IN GENERAL.—Except as provided in this paragraph, in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974), each Inspector General and the head of each agency may enter into computer matching agreements that allow ongoing data matching (which shall include automated data matching) in order to assist in the detection and prevention of improper payments.

(B) REVIEW.—Not later than 60 days after a proposal for an agreement under subparagraph (A) has been presented to a Data Integrity Board established under section 552a(u) of title 5, United States Code, for consideration, the Data Integrity Board shall respond to the proposal.

(C) TERMINATION DATE.—An agreement under subparagraph (A)—

(i) shall have a termination date of less than 3 years; and

(ii) during the 3-month period ending on the date on which the agreement is scheduled to terminate, may be renewed by the agencies entering the agreement for not more than 3 years.

(D) MULTIPLE AGENCIES.—For purposes of this paragraph, section 552a(o)(1) of title 5, United States Code, shall be applied by substituting ''between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies'' for ''between the source agency and the recipient agency or non-Federal agency'' in the matter preceding subparagraph (A).

(E) COST-BENEFIT ANALYSIS.—A justification under section 552a(o)(1)(B) of title 5, United States Code, relating to an agreement under subparagraph (A) is not required to contain a specific estimate of any savings under the computer matching agreement.

(F) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—Not later than 6 months after the date of enactment of this subtitle, and in consultation with the Council of Inspectors General on Integrity and Efficiency, the Secretary of Health and Human Services, the Commissioner of Social Security, and the head of any other relevant agency, the Director of the Office of Management and Budget shall—

(i) issue guidance for agencies regarding implementing this paragraph, which shall include standards for—

(I) reimbursement of costs, when necessary, between agencies;

(II) retention and timely destruction of records in accordance with section 552a(o)(1)(F) of title 5, United States Code;

(III) prohibiting duplication and redisclosure of records in accordance with section 552a(o)(1)(H) of title 5, United States Code;

(ii) review the procedures of the Data Integrity Boards established under section 552a(u) of title 5, United States Code, and develop new guidance for the Data Integrity Boards to—

(I) improve the effectiveness and responsiveness of the Data Integrity Boards; and

(II) ensure privacy protections in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974); and

(III) establish standard matching agreements for use when appropriate; and

(iii) establish and clarify rules regarding what constitutes making an agreement entered under subparagraph (A) available upon request to the public for purposes of section 552a(o)(2)(A)(ii) of title 5, United States Code, which shall include requiring publication of the agreement on a public website.

(G) CORRECTIONS.—The Director of the Office of Management and Budget shall establish procedures providing for the correction of data in order to ensure—

(i) compliance with section 552a(p) of title 5, United States Code; and

(ii) that corrections are made in any Do Not Pay Initiative database and in any relevant source databases designated by the Director of the Office of Management and Budget under subsection (b)(1).

(H) COMPLIANCE.—The head of each agency, in consultation with the Inspector General of the agency, shall ensure that any information provided to an individual or entity under this subsection is provided in accordance with protocols established under this subsection.

(I) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the rights of an individual under section 552a(p) of title 5, United States Code.

(f) DEVELOPMENT AND ACCESS TO A DATABASE OF INCARCERATED INDIVIDUALS.—Not later than 1 year after the date of enactment of this subtitle, the Attorney General shall submit to Congress recommendations for increasing the use of, access to, and the technical feasibility of using data on the Federal, State, and local conviction and incarceration status of individuals for purposes of identifying and preventing improper payments by Federal agencies and programs and fraud.

(g) PLAN TO CURB FEDERAL IMPROPER PAYMENTS TO DECEASED INDIVIDUALS BY IMPROVING THE QUALITY AND USE BY FEDERAL AGENCIES OF THE SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE.—

(1) ESTABLISHMENT.—In conjunction with the Commissioner of Social Security and in consultation with relevant stakeholders that have an interest in or responsibility for providing the data, and the States, the Director of the Office of Management and Budget shall establish a plan for improving the quality, accuracy, and timeliness of death data maintained by the Social Security Administration, including death information reported to the Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).

(2) ADDITIONAL ACTIONS UNDER PLAN.—The plan established under this subsection shall include recommended actions by agencies to—

(A) increase the quality and frequency of access to the Death Master File and other death data;

(B) achieve a goal of at least daily access as appropriate;

(C) provide for all States and other data providers to use improved and electronic means for providing data;

(D) identify improved methods by agencies for determining ineligible payments due to the death of a recipient through proactive verification means; and

(E) address improper payments made by agencies to deceased individuals as part of Federal retirement programs.

(3) REPORT.—Not later than 120 days after the date of enactment of this subtitle, the Director of the Office of Management and Budget shall submit a report to Congress on the plan established under this subsection, including recommended legislation.

SEC. 5316. IMPROVING RECOVERY OF IMPROPER PAYMENTS.

(a) DEFINITION.—In this section, the term ''recovery audit'' means a recovery audit described under section 2(h) of the Improper Payments Elimination and Recovery Act of 2010.

(b) REVIEW.—The Director of the Office of Management and Budget shall determine—

(1) current and historical rates and amounts of recovery of improper payments (or, in cases in which improper payments are identified solely on the basis of a sample, recovery rates and amounts estimated on the basis of the applicable sample), including a list of agency recovery audit contract programs and specific information of amounts and payments recovered by recovery audit contractors; and

(2) targets for recovering improper payments, including specific information on amounts and payments recovered by recovery audit contractors.

Subtitle C—Sense of Congress Regarding Spectrum

SEC. 5317. SENSE OF CONGRESS REGARDING SPECTRUM.

It is the sense of Congress that—

(1) the Nation's mobile communications industry is a significant economic engine, by one estimate directly or indirectly supporting 3,800,000 jobs, or 2.6 percent of all United States employment, contributing $195,500,000,000 to the United States gross domestic product and driving $33,000,000,000 in productivity improvements in 2011;

(2) while wireless carriers are continually implementing new and more efficient technologies and techniques to maximize their existing spectrum capacity, there is a pressing need for additional spectrum for mobile broadband services, with one report predicting that global mobile data traffic will increase 18-fold between 2011 and 2016 at a compound annual growth rate of 78 percent, reaching 10.8 exabytes per month by 2016;

(3) as the Nation faces the growing demand for spectrum, consideration should be given to both the supply of spectrum for licensed networks and for unlicensed devices;

(4) while this additional demand can be met in part by reallocating spectrum from existing nongovernmental uses, the long-term solution must include reallocation and sharing of Federal Government spectrum for private sector use;

(5) recognizing the important uses of spectrum by the Federal Government, including for national and homeland security, law enforcement and other critical federal uses, existing law ensures that Federal operations are not harmed as a result of a reallocation of spectrum for commercial use, including through the establishment of the Spectrum Relocation Fund to reimburse Federal users for the costs of planning

and implementing relocation and sharing arrangements and, with respect to spectrum vacated by the Department of Defense, certification under section 1062 of P.L. 106–65 by the Secretaries of Defense and Commerce and the Chairman of the Joint Chiefs of Staff that replacement spectrum provides comparable technical characteristics to restore essential military capability; and

(6) given the need to determine equitable outcomes for the Nation in relation to spectrum use that balance the private sector's demand for spectrum with national security and other critical federal missions, all interested parties should be encouraged to continue the collaborative efforts between industry and government stakeholders that have been launched by the National Telecommunications and Information Administration to assess and recommend practical frameworks for the development of relocation, transition, and sharing arrangement and plans for 110 megahertz of federal spectrum in the 1695–1710 MHz and the 1755–1850 MHz bands.

Under the previous order, the Presiding Officer appointed Mr. LEVIN, Mr. LIEBERMAN, Mr. REED, Mr. AKAKA, Mr. NELSON of Nebraska, Mr. WEBB, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mrs. HAGAN, Mr. BEGICH, Mr. MANCHIN, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. CHAMBLISS, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. PORTMAN, Ms. AYOTTE, Ms. COLLINS, Mr. GRAHAM, Mr. CORNYN, and Mr. VITTER conferees on the part of the Senate.

The PRESIDING OFFICER (Mrs. MURRAY). The Senator from Rhode Island is recognized.

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the Senate continue in morning business until 7 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WHITEHOUSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BEGICH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COAST GUARD AUTHORIZATION ACT OF 2012

Mr. BEGICH. Madam President, I now lay before the Senate a message from the House with respect to H.R. 2838.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the House of Representatives (H.R. 2838) entitled ''An Act to authorize appropriations for the Coast Guard for fiscal years 2012 through 2015, and for other purposes.'', do pass with amendments.

AMERICAN FISHERIES ACT VESSELS

Mr. BEGICH. Madam President, I rise to engage in a colloquy with my colleague from the State of Alaska, Ms. MURKOWSKI, and my colleague from the State of Washington, Ms. CANTWELL, regarding a provision in H.R. 2838, the Coast Guard and Maritime Transportation Act of 2012, that deals with two great fisheries of the Bering Sea. The American Fisheries Act—AFA—regulates one of the single greatest fishery resources in the world: Alaska Pollock. This fishery produces over 2 billion pounds of product in most years and is sustainably harvested, thanks to standards set under the Magnuson-Stevens Fishery Conservation and Management Act. Amendment 80 to the Bering Sea Groundfish Fishery Management Plan regulates fishing for other species of groundfish like Pacific cod, Atka mackerel and yellowfin sole and while smaller than the AFA fishery, it still ranks among the major fisheries of the world.

Ms. MURKOWSKI. Madam President, I agree these are two great fisheries and economic drivers of our thriving seafood industry. I have a question about Section 307 of H.R. 2838, which I understand is intended to clarify longstanding restrictions that have applied with respect to certain vessels under the American Fisheries Act. I know that Senator CANTWELL and the senior Senator from Washington, Mrs. MURRAY, have worked with Senator BEGICH and others to develop this language for inclusion in the final version of the Coast Guard bill as received from the other body last week, and I think it is important for us to make clear what it is intended to do. I am told that this provision is designed to maintain and reinforce the separation that exists between these two fisheries, and nothing more. Currently, none of these 20 AFA vessels participate in the Amendment 80 fishery, and under Amendment 97 to the Bering Sea Fishery Management Plan they are expressly prohibited from doing so. Is it true that Section 307 maintains this separation?

Ms. CANTWELL. Madam President, I appreciate Senator MURKOWSKI raising this issue, as I know it is of great importance to both our States, and I am happy to discuss the intent and effect of the provision to which she is referring. Senator MURRAY and I have worked closely with Senator BEGICH, with the Commerce Committee, and with our colleagues in the other body to develop this language for inclusion in the Coast Guard bill. Section 307 of H.R. 2838 does, as Senator MURKOWSKI states, clarify longstanding restrictions that apply to certain vessels under the American Fisheries Act. The intent of this language is to maintain the status quo between two separate and distinct fisheries: one regulated under the American Fisheries Act and the other by Amendment 80 to the Bering Sea Fishery Management Plan. There has always been a careful balance struck between these two sectors, and we need to maintain that balance in order to protect the investments and job opportunities they provide. This language is in no way intended to upset that balance, but rather to insure that the status quo of separate and mutually exclusive sectors remains in place while affording the Amendment 80 fleet the opportunity to replace their older vessels with new ones and to encourage the economic investments that would follow.

Mr. BEGICH Madam President, as chairman of the Commerce Subcommittee on Oceans, Atmosphere, Fisheries and the Coast Guard, I concur with my colleagues that this is an important provision, and I want to reiterate that it is only designed to maintain and reinforce the separation between these two fisheries, and nothing more. As NOAA informed our offices via email this week: ''There is currently a regulatory prohibition on AFA vessels from being used as replacement vessels in the Amendment 80 fleet. The concerns addressed in the assistance address what would occur if that regulatory prohibition were to be removed. Subject to judicial interpretation, any change to the status quo would need to be made through the Council's and NOAA Fisheries' rulemaking process and is unlikely to occur in the near future.''

I thank my colleagues.

SURVIVAL CRAFT

Mr. HARKIN. Madam President, as my colleagues know, I was the lead Senate author of the Americans with Disabilities Act the ADA. The ADA stands for a simple proposition—that disability is a natural part of the human experience and that all people with disabilities have a right to make choices and participate fully in all aspects of society. Thanks to the ADA, our country has become a more welcoming place not just for people with a variety of disabilities but for everyone.

In that context, I want to raise an issue in H.R. 2838, the Coast Guard and Maritime Transportation Act of 2012. Under current law, there is a provision that requires that no survival craft allow a person to be submerged in water. H.R. 2838 requires a study and report on this requirement to be completed within 6 months. While I have no objection to the Coast Guard doing another report on the issue, I want to be sure that this study will appropriately take into account the specific needs of people with a diverse variety of disabilities who may need to utilize these survival craft. For example, my expectation is that the study would not recommend that all individuals be required to hold on to the outside of the survival craft or other items, since an individual with a significant disability may not be able to do so, as a result of their disability. In addition, it is important that not only the means of egress, but also the avenues for evacuation and rescue should be accessible for people with disabilities.

I would also want to be sure that the study will be completed within the 6 month designated period.

Mr. ROCKEFELLER. Mr. President, I very much appreciate the comments of

the Senator from Iowa. My expectation is that the Coast Guard study and report will include the consideration of the specific needs of individuals with disabilities with respect to their use of survival craft, and will not make any recommendations that could be considered discriminatory against people with disabilities, or require individuals with disabilities to perform actions which they may be unable to do as a result of their specific disability. The goal of the study and report should be an inclusive one which allows people with disabilities to participate fully in the underlying activity, and provides a full and equal opportunity for each person with a disability to utilize these survival craft in a safe manner, as necessary. I will continue to work with my colleague from Iowa and the Coast Guard on these issues and I will encourage the Coast Guard to complete their report within the 6 month period so that new requirements will take effect in a timely manner.

Mr. HARKIN. Mr President, I appreciate the efforts of the Senator from West Virginia, the chairman of the Commerce Committee, and I look forward to continuing to work with him to assure that individuals with disabilities have access to survival craft that will properly protect them from injury.

Mr. ROCKEFELLER. Madam President, I rise today to celebrate the final passage of a reconciled Coast Guard authorization bill for fiscal years 2013 and 2014. This achievement is the culmination of several months of careful negotiation between the Senate and the House, and is a tribute to what can happen when we rise above trivial partisanship, roll up our sleeves, and reach across the aisle on behalf of the American people.

The United States Coast Guard is truly unique among the services and agencies of the Federal Government. As a branch of our Armed Forces, it defends the Nation in time of war, but it also functions as a Federal agency with law enforcement and regulatory authority in a number of areas critical to our national security, economic security, and environment. Today, the Coast Guard is charged with 11 statutory missions that include saving lives at sea; protecting our ports, waterways, and maritime infrastructure from terrorists; responding to natural disasters; interdicting drugs and migrants at sea; and protecting our marine environment.

Each and every day, we ask the 42,000 men and women of the Coast Guard to put their lives on the line to carry out these important missions. Over the past few years, we have seen the Coast Guard take the lead in responding to numerous crises like Hurricanes Katrina and Sandy, the earthquake in Haiti, and the BP Deepwater Horizon oil spill. In all of these cases, the Coast Guard has met and exceeded our expectations. We have asked them to do more with less and they have responded. The least we can do is to make sure they have the tools essential to carrying out their missions successfully. With the passage of this year's Coast Guard reauthorization bill, I believe we're on our way towards meeting that responsibility.

This bipartisan bill authorizes additional funding and personnel levels for the Coast Guard over fiscal years 2013 and 2014, improving its ability to carry out its three overarching roles of maritime security, safety and stewardship successfully. The bill also makes a number of changes to the Coast Guard's major acquisitions authorities critical to the ongoing and needed recapitalization of its aging fleet. Additionally, the bill addresses America's increasing presence in a changing Arctic by ensuring that the Coast Guard maintains and strengthens its capability to conduct polar ice operations in support of its statutory missions and operational needs of the United States Navy. Importantly, the bill also gives the Coast Guard greater parity with its sister Armed Services by further aligning Coast Guard management and personnel authorities with statutory authorities of the Department of Defense to better support its service members and their families.

The bill's passage would not have been successful without the tireless efforts of many here in Congress. I first want to thank Senator BEGICH, who, after assuming the chairmanship of the Oceans Subcommittee at the beginning of this Congress, quickly went to work on drafting the Senate's version of the Coast Guard bill. His legislation, of which I was a proud cosponsor, served as a blueprint for the Senate's negotiations with the House.

I also want to thank my dear friend and ranking member of the Commerce Committee, Senator HUTCHISON. Her efforts were instrumental to moving the ball down the field. It is increasingly difficult to get consensus in this body, particularly for legislation that needs unanimity. Without her efforts to hammer out differences across the aisle, today's achievement would not have been possible. Senator HUTCHISON will be missed.

In recent weeks, much attention was given to the efforts to pass needed reauthorization for the Department of Defense and each of the Armed Services under it. It was a tough slog, but in the end it demonstrated what can be achieved when the Senate works as it should. In its own quiet way, the passage of this legislation for this essential service branch is a testament to that as well.

Mr. BEGICH. I further ask that the Senate immediately proceed to a voice vote on a motion to concur in the House amendment to the Senate amendment to H.R. 2838.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion.

The motion was agreed to.

Mr. BEGICH. I further ask that the motion to reconsider be made and laid upon the table, with no intervening action or debate; and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BEGICH. To conclude, this is the Coast Guard reauthorization bill. It is a bill that has taken a while to work out between all of the parties, but it has incredible value, obviously, for my home State of Alaska and for the Presiding Officer's home State of Washington and for, really, the country to make sure we have the right elements for our Coast Guard. It is very exciting to see it now moves from this side, and we anticipate the House will accept it.

So thank you very much, Madam President. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

TRIBUTE TO MATTHEW WALKER

Ms. SNOWE. Mr. President, I rise today to recognize the outstanding service provided by one of my long-serving staff members, Matthew Walker, to the Small Business Committee, our beloved home State of Maine, and indeed our Nation. Matt is a dedicated individual whose enthusiasm and insights will be sorely missed. As he moves on to the next step in his professional life, I wish him the best and thank him for his years of service.

A native son of Bangor, ME, Matt attended my alma mater, the University of Maine, before earning his Juris Doctor from the Maine School of Law. I first met Matt when he served as an intern in my office in 1994, when I was still a Member of the House of Representatives, and since then he has been an integral part of my staff for nearly 14 years collectively. Among his experiences, he has been a volunteer on my first Senatorial campaign, worked in two of my district offices handling constituent casework, served in my personal office in Washington, and most recently, Matt performed the absolutely crucial role of Deputy Staff Director and Chief Counsel on the Senate Committee on Small Business and Entrepreneurship. From these roles he has gained diverse and invaluable knowledge from many areas, from providing effective constituent services to the people of Maine to drafting and introducing significant legislation. His flexibility and wide range of experience have made him a vital member of my staff. On the Small Business Committee, Matt has been a trusted advisor on a host of legislative issues that have come before the Committee since 2003, as well as shaping the Committee's agenda during my tenure as chair and ranking member.

Anyone who knows Matt can attest to the crucial role service to our Nation plays in his life. A recent retiree from the National Guard and a veteran, Matt served a 1-year tour of duty in Afghanistan in 2006 and 2007. And I certainly gained an even greater sense of what it was like to experience the gratification and honor—as well as trepidation—that service members feel when we saw Master Sergeant Walker deploy. I was so touched when Matt had an American flag fly over Bagram Air Field in Afghanistan for me, and when he sent it to me, I had it framed and displayed in my front office.

Finally, I would be remiss if I didn't mention Matt's boundless energy, personable demeanor, and infectious sense of humor. Over the years, I have been truly fortunate to benefit from Matt's indispensable wisdom and thoughtful guidance. I will miss his strong work ethic and cheerful demeanor, which have been nearly constant in my office for so long. Matt's strengths and attributes will serve him well as he moves off the Hill. I wish Matt, his wife Rhonda, and their beautiful children, Riley and Logan, all the best as they begin an exciting new chapter.

NOMINATION OF JOHN DOWDELL

Mr. COBURN. Mr. President, I rise to speak of the confirmation of John Dowdell of Tulsa, OK, to a seat on the District Court for the Northern District of Oklahoma.

Mr. Dowdell is a native of Tulsa and a graduate of Bishop Kelly High School. Mr. Dowdell received his B.A. from Wake Forest University in 1978 and his J.D. from the University of Tulsa College of Law in 1981. Following law school, he served for two years as a law clerk to the Honorable William J. Holloway of the Tenth Circuit Court of Appeals. He then joined the firm of Norman & Wohlgemuth as an associate. In 1987, he was promoted to partner and the firm became Norman Wohlgemuth Chandler & Dowdell. Mr. Dowdell's practice areas include complex litigation and appellate work. He has been involved with six cases before the U.S. Supreme Court and has litigated before the Tenth Circuit Court of Appeals on numerous occasions.

In addition to his legal practice, Mr. Dowdell serves as an Adjunct Settlement Judge in the Northern District of Oklahoma. In this capacity he has conducted over 50 mediations on a pro bono basis. He has also performed extensive pro bono work for several criminal appellate cases and his alma mater, Bishop Kelley High School. Additionally, Mr. Dowdell is a member of the Editorial Board of the Oklahoma Bar Association, a former president of the Bishop Kelley High School Board of Directors, and was appointed by the mayor to serve on Tulsa's Public Facilities Board.

Mr. Dowdell has received numerous honors for his legal practice, including being rated as one of Oklahoma's ''Super Lawyers'' from 2006 through 2011 and being named a Top Commercial Litigation Lawyer by American Litigation Magazine. He also was the recipient of the Distinguished Service Award of the American Inns of Court in 1993 and the Jack R. Givens Award for Professionalism and Service in 1998. The Oklahoma Bar Association Board of Governors has endorsed Mr. Dowdell's nomination to this judicial position and passed a resolution praising his demeanor, intelligence, and legal skills.

I firmly believe the rule of law is the foundation of our great Nation. By confirming judges of high character and integrity such as Mr. Dowdell, who are committed to the principles established by our Founders, we will ensure our Federal court system continues to dispense fair and predictable justice to all. I thank my colleagues for joining me in supporting John Dowdell's confirmation to the District Court for the Northern District of Oklahoma.

ADDITIONAL STATEMENTS

TRIBUTE TO REBEKAH FORMAN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Rebekah Forman for her hard work as an intern in my Cheyenne office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Rebekah is a native of Sheridan, WY and a graduate of Sheridan High School. She currently attends Laramie County Community College. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Rebekah for the dedication she has shown while working for me and my staff. It is wonderful to have her as part of our team. I am pleased she will be continuing her internship with my office through next semester.●

TRIBUTE TO MARY FREEMAN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Mary Freeman for her hard work as an intern in my Cheyenne office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Mary is a native of Cheyenne, WY and a graduate of Cheyenne East High School. She currently attends the University of Wyoming College of Law. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Mary for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO RONALD PALMER

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ronald Palmer for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Ronald is a native of Rawlins, WY and a graduate of Rawlins High School. He currently attends Casper College where he is majoring in theatre performance. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Ronald for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO MARY FRANCES ROONEY

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Franci Rooney for her hard work as an intern in my Washington, D.C. office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Franci is a native of Dallas, TX. She graduated from the University of Notre Dame with a bachelor of arts in philosophy and Spanish. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Franci for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO ABRAHAM SCHREIER

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Abe Schreier for his hard work as an intern in my Washington, D.C. office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Abe is a native of Fort Wayne, IN. He graduated from Indiana University with a bachelor of arts in political science and history. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Abe for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO CYRUS WESTERN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Cyrus Western for his hard work as an intern in the U.S. Senate Committee on Indian Affairs. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Cyrus is a native of Sheridan, WY. He graduated from Washington and Jefferson College with a bachelor of arts in environmental science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Cyrus for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 12:19 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 3187. An act to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

H.R. 6582. An act to allow for innovations and alternative technologies that meet or exceed desired efficiency goals, and to make technical corrections to existing Federal energy efficiency laws to allow American manufacturers to remain competitive.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mrs. GILLIBRAND).

At 5:35 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following resolution:

H. Res. 829. Resolution to respectfully return to the Senate the bill (H. R. 4310) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–8547. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Buprofezin Pesticide Tolerances; Technical Correction'' (FRL No. 9371–3) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8548. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Zeta Cypermethrin; Pesticide Tolerances'' (FRL No. 9371–7) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8549. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Spirodiclofen; Pesticide Tolerances'' (FRL No. 9371–5) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8550. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenpyroximate; Pesticide Tolerances'' (FRL No. 9360–3) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–8551. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2012–0003)) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–8552. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures'' (RIN0648–BC57) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8553. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Crescent City Fourth of July Fireworks Event, Crescent City, CA'' ((RIN1625–AA00) (Docket No. USCG–2012–0141)) received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2012; to the Committee on Commerce, Science, and Transportation.

EC–8554. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations; Areas of the National Park System, Yellowstone National Park - Winter Use'' (RIN1024–AE10) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Energy and Natural Resources.

EC–8555. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled ''Revised Guidance of Treatment of Tenants under CERCLA'S BFPP Provision''; to the Committee on Environment and Public Works.

EC–8556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; The 2002 Base Year Emissions Inventory for the Parkersburg-Marietta, WV-OH Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9760–7) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Environment and Public Works.

EC–8557. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; The 2002 Base Year Emissions Inventory for the Charleston Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9759–7) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Environment and Public Works.

EC–8558. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; The 2002 Base Year Inventory for the Baltimore, Maryland Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9759–6) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Environment and Public Works.

EC–8559. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; The 2002 Base Year Emissions Inventory for the Washington County, Maryland Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9760–1) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Environment and Public Works.

EC–8560. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard and Diesel Sulfur Programs'' (FRL No. 9758–8) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Environment and Public Works.

EC–8561. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; The 2002 Base Year Emissions Inventory for the Huntington-Ashland, WV–KY-OH Nonattainment Area for the 1997 Fine Particulate Matter National Ambient Air Quality Standard'' (FRL No. 9759–9) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Environment and Public Works.

EC–8562. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Guidance for Performing the Integrated Assessment for External Flooding'' (JLD–ISG–2012–05) received in the Office of the President of

the Senate on December 7, 2012; to the Committee on Environment and Public Works.

EC–8563. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's Competitive Sourcing Report for fiscal year 2012; to the Committee on Finance.

EC–8564. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Leave-Based Donation Programs to Aid Victims of Hurricane Sandy'' (Notice 2012–69) received in the Office of the President of the Senate on November 13, 2012; to the Committee on Finance.

EC–8565. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fees on Health Insurance Policies and Self-Insured Plans for the Patient-Centered Outcomes Research Trust Fund'' ((RIN1545–BK59) (TD 9602)) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Finance.

EC–8566. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Corrections to U.S. Customs and Border Protection Regulations'' (CBP Dec. 12–21) received in the Office of the President of the Senate on December 7, 2012; to the Committee on Finance.

EC–8567. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''The Children's Health Insurance Program Reauthorization Act (CHIPRA) Mandated Evaluation of Express Lane Eligibility: First Year Findings''; to the Committee on Finance.

EC–8568. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12–157, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–8569. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 12–167, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC–8570. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–095); to the Committee on Foreign Relations.

EC–8571. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to section 36(c) of the Arms Export Control Act (Transmittal No. DDTC 12–126); to the Committee on Foreign Relations.

EC–8572. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, certification of proposed issuance of an export license pursuant to sections 36(c) and 36(d) of the Arms Export Control Act (Transmittal No. DDTC 12–156); to the Committee on Foreign Relations.

EC–8573. A communication from the Program Manager, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Opioid Drugs in Maintenance and Detoxification Treatment of Opiate Addiction; Proposed Modification of Dispensing Restrictions for Buprenorphine and Buprenorphine Combination as Used in Approved Opioid Treatment Medications'' (RIN0930–AA14) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8574. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Health Information Technology: Revisions to the 2014 Edition Electronic Health Record Certification Criteria; and Medicare and Medicaid Programs; Revisions to the Electronic Health Record Incentive Program'' (RIN0938–AR71; RIN0991–AB89) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8575. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Secondary Direct Food Additives Permitted in Food for Human Consumption; Sodium Dodecylbenzenesulfonate'' (Docket No. FDA–2011–F–0853) received in the Office of the President of the Senate on December 6, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8576. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Fiscal Year 2012 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC–8577. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report to Congress on Audit Follow-up for the period of April 1, 2012 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–8578. A communication from the Chief Operating Officer/Acting Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2012 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–8579. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2012 through September 30, 2012 and the Semi-Annual Report of the Treasury Inspector General for Tax Administration (TIGTA); to the Committee on Homeland Security and Governmental Affairs.

EC–8580. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Residential, Business, and Wind and Solar Resource Leases on Indian Land'' (RIN1076–AE73) received in the Office of the President of the Senate on December 7, 2012; to the Committee on Indian Affairs.

EC–8581. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled ''Enforcement Actions'' (RIN3141–AA50) received in the Office of the President of the Senate on December 7, 2012; to the Committee on Indian Affairs.

EC–8582. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Technical Revisions to Part 53—State Veterans Homes'' (RIN2900–AO54) received in the Office of the President of the Senate on December 10, 2012; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TOOMEY:

S. 3670. A bill to prohibit the use of fiscal year 2013 funds for United States participation in joint military exercises with Egypt if the Government of Egypt abrogates, terminates, or withdraws from the 1979 Egypt-Israel peace treaty; to the Committee on Armed Services.

By Mr. LUGAR:

S. 3671. A bill to provide certain assistance to North Atlantic Treaty Organization allies; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. LANDRIEU:

S. 3672. A bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. CORKER:

S. 3673. A bill to provide a comprehensive deficit reduction plan, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself, Mr. BOOZMAN, Mr. WICKER, and Mr. COCHRAN):

S. 3674. A bill to amend the Migratory Bird Treaty Act to provide certain exemptions relating to the taking of migratory game birds; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 3675. A bill to expand the HUBZone program for communities affected by base realignment and closure, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. AKAKA:

S. 3676. A bill to promote high-quality, cost-efficient, and effective administrative support services to agencies overseas; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON of South Dakota (for himself and Mr. SHELBY):

S. 3677. A bill to make a technical correction to the Flood Disaster Protection Act of 1973; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself and Ms. SNOWE):

S. Res. 614. A resolution celebrating the World Peace Corps Mission and the World Peace Prize; considered and agreed to.

By Mr. BURR (for himself, Mrs. BOXER, Mrs. FEINSTEIN, and Mrs. HAGAN):

S. Res. 615. A resolution congratulating the recipients of the 2012 Nobel Prize in Chemistry; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2212

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2212, a bill to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) title 28, United States Code.

S. 2347

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 3231

At the request of Mr. KERRY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3231, a bill to provide for the issuance and sale of a semipostal by the United States Postal Service to support effective programs targeted at improving permanency outcomes for youth in foster care.

S. 3237

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3237, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 3275

At the request of Mr. COONS, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Alaska (Mr. BEGICH), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Delaware (Mr. CARPER) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3275, a bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes.

S. 3460

At the request of Mr. COONS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 3460, a bill to amend the Internal Revenue Code of 1986 to provide for startup businesses to use a portion of the research and development credit to offset payroll taxes.

S. 3616

At the request of Ms. LANDRIEU, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3616, a bill to amend the Internal Revenue Code of 1986 to make permanent the expansion of tax benefits for adoption enacted in 2001 and to permanently reinstate the expansion of tax benefits for adoption enacted in 2010, and for other purposes.

AMENDMENT NO. 3311

At the request of Mr. DURBIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 3311 intended to be proposed to S. 3637, a bill to temporarily extend the transaction account guarantee program, and for other purposes.

AMENDMENT NO. 3319

At the request of Mr. UDALL of Colorado, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 3319 intended to be proposed to S. 3637, a bill to temporarily extend the transaction account guarantee program, and for other purposes.

AMENDMENT NO. 3320

At the request of Mr. TOOMEY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of amendment No. 3320 intended to be proposed to S. 3637, a bill to temporarily extend the transaction account guarantee program, and for other purposes.

AMENDMENT NO. 3323

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 3323 intended to be proposed to S. 3637, a bill to temporarily extend the transaction account guarantee program, and for other purposes.

AMENDMENT NO. 3324

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 3324 intended to be proposed to S. 3637, a bill to temporarily extend the transaction account guarantee program, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LUGAR:

S. 3671. A bill to provide certain assistance to North Atlantic Treaty Organization allies; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LUGAR. Mr. President, I rise to introduce the Liquefied Natural Gas, LNG, for NATO Act.

The United States is in possession of vast resources that could directly contribute to the energy security of our closest NATO allies, who face over-reliance on Russian and Iranian gas sources. In 2009, the United States overtook Russia as the world's largest natural gas producer due to vast unconventional reserves. At current U.S. consumption rates, the United States possesses perhaps a century of gas supply. This development has caused U.S. natural gas prices to fall to nearly a half to a third of gas prices in other key European and Asian markets and has prompted numerous applications for export licenses of U.S. liquefied natural gas exports.

Pursuant to Section 3 of the Natural Gas Act, gas exports are subject to approval by the Department of Energy's Office of Fossil Energy and the Federal Energy Regulatory Commission, which must certify that a particular export is in the U.S. public interest. For destination countries with which the United States has a free trade agreement, a presumption is created that the export is in the public interest, and the license is automatic. For non-free trade agreement nations, a study must be conducted to determine the public interest, entailing a notice and comment period. Several companies have submitted applications to retrofit U.S. LNG import terminals for regasification and export; to construct new LNG export terminals; and to export cryogenic natural gas to Latin America by rail and ship. After approving one application, the Obama administration deferred others until at least 2013, pending a study completed last week. This study found that under any scenario, LNG exports will be a net benefit for the U.S. economy. Moreover, continued development of unconventional gas suppliers is an important source of job creation in the United States.

U.S. shale gas reserves are already transforming European natural gas markets since LNG previously destined for the United States has now been made available for Europe. The United States can do much more to both use LNG exports to benefit NATO allies facing energy insecurity in Europe and to promote economic growth in the United States.

Turkey currently relies on Iran for 20 percent of its gas imports, which could come under increased pressure when the European Council's decision of October 15, 2012 to prohibit the ''purchase, import or transport of natural gas from Iran'' is implemented. Moreover, several allies and partners in Central and Southeastern Europe, Bulgaria, Croatia, Hungary, Greece, the Czech Republic, and Moldova, will see their long-term contracts with Gazprom expire in the coming years. For these countries, targeted U.S. LNG exports, along with infrastructure investment and other policy responses, could help alleviate energy insecurity. It is possible that several other NATO allies and partners may opt for U.S. natural gas imports, and even paying a reliability premium for them, if the opportunity existed.

Meanwhile, European nations are ramping up capacity to import LNG. At present, Europe imports LNG primarily from Algeria, Egypt, Oman, and Qatar to meet about 26 percent of its gas needs, due in large part to a lack of LNG import terminals, which are mostly located in Western Europe, as well as underdeveloped onward interconnectors and storage capacity in Europe. However, numerous European countries, some with financing from the European Bank for Reconstruction and Development, EBRD, are considering construction of additional LNG import terminals, including Bulgaria, Croatia, Estonia, Lithuania, Latvia, Poland, Romania, Turkey, and Ukraine. In light of these dynamics, the United States is well-positioned to

become a strategic energy supplier of LNG to NATO allies in need of diversification.

The LNG for NATO Act would not direct supply, which should remain exclusively the function of private industry. Instead, this legislation would affect Section 3 the Natural Gas Act to create a presumption that licenses to export U.S. natural gas to NATO allies is in the U.S. public interest, giving NATO allies the same preferential treatment enjoyed by our free trade partners. Specifically, swift passage of this act will make gas export licenses automatic for Turkey, which relies on Iran for 20 percent of its gas demand, and those NATO countries, whose long-term gas contracts with Russia's Gazprom expire in the coming years.

Through market forces, NATO allies will be more secure and the Alliance will be stronger. While the U.S. Congress will no doubt continue to debate full liberalization of natural gas exports, the LNG for NATO Act follows other precedents for narrowly tailored exceptions to our export licensing regime.

I am hopeful that the LNG for NATO Act can command bipartisan support and swift passage.

By Mr. CORKER:

S. 3673. A bill to provide a comprehensive deficit reduction plan, and for other purposes; to the Committee on Finance.

Mr. CORKER. Mr. President, I am here to introduce a bill that would address entitlement reforms and the debt ceiling called the Dollar for Dollar Act. I continue to hope Speaker BOEHNER and President Obama will negotiate a deal north of $4 trillion before year end. However, I think we should also prepare now for the possibility that they will not, especially based on recent conversations. The next opportunity we have to make the structural, transformative reforms to Social Security, Medicare, and Medicaid that will save these programs and put our country on a path to fiscal solvency will be during the debt ceiling vote which will come up after the first of the year as soon as we get back.

I am introducing the Dollar for Dollar legislation that will raise the debt ceiling by roughly $1 trillion in exchange for roughly $1 trillion in reforms to Social Security, Medicare, and Medicaid. This puts into legislative language many of the concepts laid out in a bipartisan Simpson-Bowles and Domenici-Rivlin proposal. This meets our obligations to older and younger Americans.

Young Americans expect us to solve their fiscal issues so they are not saddled with debt and robbed of opportunity for the American dream. Seniors expect us to honor the commitments we have made to them. If we act now, we will be addressing the debt ceiling more than 3 months before we reach it.

Let me walk through those changes that are well known to policymakers and Congress and the administration. I will begin with Medicare. Medicare's trust fund has $27 trillion in unfunded liabilities, and it is expected to be insolvent by the year 2024. According to an Urban Institute study, an average income of a married family will contribute about $119,000 in payroll taxes to Medicare in today's dollars over their lifetime and consume about $357,000 in today's dollars in Medicare benefits. Obviously, this is unsustainable. Everybody in this room knows this. The pages in front of me know it. Medicare needs to be structured in a way to provide care for current and future beneficiaries in a fiscally responsible manner.

This bill would structurally transform Medicare, keeping fee-for-service Medicare in place forever, while having it compete side-by-side with a reformed Medicare Advantage program called Medicare Total Health. Seniors would maintain the option of choosing fee-for-service Medicare or a private plan as they do today. I think most of us know that about 25 percent of the people in our country who are on Medicare are in a private plan today.

The competition created by these reforms would significantly reduce Medicare costs by $290 billion—and this is very important—without a spending cap on the program. This proposal is similar to one backed by Alice Rivlin, former Budget Director for Bill Clinton.

In addition, this bill would update cost-sharing requirements to reflect 21st-century health care practices, such as capping out-of-pocket expenditures for beneficiaries and unifying deductibles and coinsurance structures. This bill also would improve solvency by requiring higher income beneficiaries to pay more for their premiums.

Finally, it would raise the eligibility age incrementally from 65 to 67 by the year 2027. Moving to Medicaid, the bill would provide increased flexibility for States to achieve Medicaid savings by establishing a waiver process for States to better manage their Medicaid programs. It also would eliminate a massive ''bed tax'' gimmick used to bilk Federal taxpayers out of $50 billion over a 10-year period.

Next, let me walk through Social Security changes. Although some have suggested we should ignore the impending crisis in Social Security funding, we should address it now because it is already beginning to cause the Federal Government to spend more than it takes in, and the Social Security trust fund is projected to be exhausted in the year 2033. It also will be much more painful to make these adjustments to achieve solvency in Social Security if we procrastinate.

In order to return the program to long-term solvency, the bill would enhance the progressivity of benefit calculations. In addition, it would adopt chained CPI in measuring inflation to calculate annual cost-of-living adjustments. Chained CPI is the Bureau of Labor Statistics most modern and most accurate measure of inflation. By the way, the bill would apply chained CPI government-wide, which would also affect revenues, and it would reflect revenues in a positive way as it relates to our budget deficits. It would slowly raise the retirement age to better reflect longevity increases.

Finally, the bill would strengthen the disability insurance program by moving beneficiaries into Social Security insurance at an earlier age. This part of Social Security will go bankrupt by the year 2017 if we do nothing.

In conclusion, I am offering a bill that would implement structural entitlement reforms and, in exchange, it would raise the debt ceiling dollar for dollar. Dealing with this now would avoid facing a crisis next year when we hit that debt ceiling in February or March, which would rattle financial markets and generate tremendous uncertainty in our country and around the world. We need to get our fiscal problems behind us so that businesses, investors, and all of the American people can have confidence about the future. If we do that, the economy will truly take off.

So if I could, if one of the pages could take this to the desk, I am introducing this bill. I hope Senator REID will put in place a process through regular order for bills of this nature to be introduced and go through the appropriate committees. I hope when we deal with the debt ceiling in this coming year, we do so on a dollar-for-dollar basis, just as has been recently established this last year—the precedent has been set—that during this fiscal dilemma we are dealing with, when we raise the debt ceiling, we actually lower spending by a dollar. Up until this point, almost all the things we have talked about have been through discretionary spending. Thus far, we really haven't addressed entitlement reforms.

Again, let me reiterate that I hope the President and Speaker BOEHNER come to some accommodation over the next couple of weeks that actually deals with some maybe $4 trillion in size that would actually put this in the rearview mirror. But as the conversations continue, and not much substance is coming forward, that is looking doubtful. So I hope as we end this year and move into next year we will begin to put in place an open process whereas we move toward the debt ceiling and use the same precedent we have already used this last year, so that when we raise the debt ceiling by a dollar, we will reduce spending by a dollar.

We have all said we need revenues and we need entitlement reform. What I have done today is to lay out a way—and I know other Senators will have ideas, and I hope they will bring them to the floor—for us to raise the debt

ceiling by around $1 trillion and in return have entitlement reform on a dollar-for-dollar basis, saving and reforming these programs, so that seniors in the future certainly will have the opportunity to continue these programs they depend upon so much, and the young people who are coming behind us will have the certainty that we, as mature adults, I hope, have dealt with these issues in an appropriate way.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 3675. A bill to expand the HUBZone program for communities affected by base realignment and closure, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. COLLINS. Mr. President, today I am introducing legislation, with Senator SNOWE, to expand the geographic boundaries of HUBZones located at former U.S. military installations that have been closed through the so-called Base Closure and Realignment—or BRAC—process. These military installations were often the economic heart of the community in which they were located, and those communities can struggle for years to overcome the closure of those facilities.

In recognition of this fact, Congress passed legislation providing ''HUBZone'' status for 5 years to military facilities closed through the BRAC process. Last week, the Defense Reauthorization bill passed by the Senate included language, authored by Senator SHERROD BROWN of Ohio, to extend HUBZone status for these facilities for an additional five years.

The HUBZone program provides certain federal contracting preferences to small businesses located within a HUBZone. In addition to the BRAC-related HUBZones I have already mentioned, HUBZones are located in ''economically distressed communities,'' that suffer from low income, high poverty rates, or high unemployment.

According to the Congressional Research Service, there are currently 127 BRAC-related HUBZones in the United States. Unfortunately, for many of the military bases that have been closed, HUBZone status has not brought the benefits we had hoped for. One of the reasons is simple—the law defines the geographic boundaries of a BRAC-related HUBZone to be the same as the boundaries of the base that was closed. When that is combined with the requirement that 35 percent of the employees of a qualifying business must live within the HUBZone, the problem is clear: very few people live on these former bases, so it is difficult or impossible for businesses to get the workers they need to meet the requirements of the HUBZone program.

One of these HUBZones is located at the former Brunswick Naval Air Station, in Brunswick, Maine. This facility closed in 2011, as a result of the 2005 BRAC round. When the Navy left, the host community lost more than 2400 military and civilian personnel. Brunswick and its neighbor, Topsham, have a combined population of just 22,000, so losing the Naval Air Station has had a significant economic impact on these communities. Because so few people actually live within the boundaries of the former base, its HUBZone designation does not provide any real assistance to these communities.

My legislation would expand the geographic boundaries of BRAC-related HUBZones to include the town or county where the closed installation is located, or census tracts contiguous to the installation, up to a total population base of 50,000. This would provide a large enough pool of potential workers to enable qualifying businesses to locate within the HUBZone, and to help host communities overcome the loss of military installations closed through the BRAC process.

The Association of Defense Communities has endorsed the concept of expanding BRAC-related HUBZones in this manner. In a letter to Senate Armed Services Committee Chairman LEVIN and Ranking Member MCCAIN, the ADC noted how important it is that ''Congress restore its intent to support BRAC-impacted communities attracting small businesses to help build and strengthen their local economies.''

Steve Levesque, the Executive Director of the Midcoast Regional Redevelopment Authority, or MRRA, which oversees the redevelopment of the former Brunswick Naval Air Station, also urges Congress to modify the HUBZone program. In a letter, Steve explained that BRAC facilities do not have the residential areas needed to support the 35 percent residency requirement for businesses located within the HUBZone. As a consequence, these businesses cannot ''realize the HUBZone benefits for BRAC'd installations as envisioned by Congress.''

This point was underscored in a letter from Heather Blease, an entrepreneur who is hoping to locate a new business at the former Brunswick Naval Air Station. Ms. Blease describes the HUBZone law as ''flawed,'' because the 35 percent residency requirement makes it impossible for businesses like hers to achieve HUBZone status.

I ask my colleagues to consider the legislation I am offering today to help communities get back on their feet after the loss of a military installation closed through the BRAC process.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ASSOCIATION OF DEFENSE COMMUNITIES,
Washington, DC, December 11, 2012,

Hon. CARL LEVIN,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

Hon. JOHN MCCAIN,
Ranking Member, Committee on Armed Services, U.S. Seante, Washington, DC.

DEAR MR. CHAIRMAN AND RANKING MEMBER MCCAIN: The Association of Defense Communities (ADC) admires your longstanding support of current and former military communities. ADC, the leading organization representing those communities, always appreciates the opportunity to share information with you and your staff that may help strengthen communities with active installations and those that continue to redevelop following base closure or realignment.

Communities that have been impacted by Base Realignment and Closure (BRAC) often face severe economic distress for years, especially during times of national economic difficulty. To assist in these communities' recovery, Congress authorized in the Small Business Reauthorization Act of 1997 that BRAC-impacted communities would receive Small Business Administration HUBZone certification, a federal initiative that further helps small businesses in disadvantaged areas to compete for federal contracts. The designation gives small businesses relocating to closed military installation areas equal footing with businesses in other disadvantaged areas that receive the designation because of their location in under-utilized census tracts.

While the intent of Congress was to provide the HUBZone designation to help closed military installations attract small businesses, one aspect of the HUBZone program actually works against these redevelopment areas. To maintain HUBZone status, 35 percent of a business' employees must also live in a HUBZone area. Because a military installation's HUBZone area encompasses only the base itself, many closed military installations do not have a substantial number of HUBZone-certified residential areas from which to draw sufficient future employees for the businesses desiring to locate on those properties. Thus, it is often impossible for a business to qualify for HUBZone status and compete fairly against other small businesses.

Many defense community leaders are hopeful this issue can be resolved without additional spending, creation of a new government program or a change in government contracting goals. Senator Susan Collins is also working to address this issue during the final stages of the FY 2013 National Defense Authorization Act. We look forward to sharing further information with your office and hers to help explain why it is important to defense communities that Congress restore its intent to support BRAC-impacted communities attracting small businesses to help build and strengthen their local economies.

As always, ADC appreciate your service and support and hopes you will contact us if we may be of further assistance.

Respectfully,

ROBERT M. MURDOCK,
President, Association of Defense Communities.

MIDCOAST REGIONAL REDEVELOPMENT AUTHORITY,
December 11, 2012.

Hon. SUSAN COLLINS,
U.S. Senator,
Washington, DC.

DEAR SENATOR COLLINS: I represent the Midcoast Regional Redevelopment Authority, which is charged with redeveloping the former Naval Air Station Brunswick, Maine that closed in 2011 and is now known as Brunswick Landing.

We seek your assistance in modifying the current federal program related to SBA HUBZones to make it a more effective tool for businesses locating at Brunswick Landing. Over the past several years, we have had several companies inquire about the current HUBZone status of the former NAS Brunswick. In fact, we are currently working with one company who is willing to locate here

and create upwards of 200 jobs, if we are successful in getting the current HUBZone program for closed military installations broadened.

With the implementation of the latest 2005 BRAC round, a number of military installations have been closed across the country resulting in severe economic distress for those communities and States that have realized these closures. Redeveloping these BRAC'd properties proved quite difficult in good economic times, and now it is made even more difficult with the national and State economic recession we are experiencing.

While it would seem that the HUBZone designation for a closed military installation would be an aid to its redevelopment efforts, the 35% residency rule in the existing law actually makes the program not a very effective redevelopment tool for these properties at all. With the exception of closed military installations, most of the HUBZones in the Country are census tract based. Under current law, only the closed military base itself (i.e., the geographic area which used to be the former base) is designated as a HUBZone, which is a much smaller area than the census tract basis. Furthermore, many closed military installations do not have a substantial amount of residential areas from which to draw sufficient future employees (35%) for the businesses desiring to locate on those properties.

In addition the above, the Small Business Act established a five year time-frame for the duration of the HUBZone from the actual date of base closure. This is of particular concern given that the actual transfer of properties from the military services to the base closure communities often occurs many years following closure. Thus, these properties are not available for business development until actually transferred.

The net effect is that eligible HUB businesses seeking new or expanded opportunities on closed installations cannot meet these requirements and thus are not able to realize the HUBZone benefits for BRAC'd installations as envisioned by Congress. This issue exacerbates the difficulties for us and other similar communities to overcome the devastating economic effects of base closures.

In order to make the BRAC HUBZone designation an effective economic development tool for Brunswick Landing, as well as all the other closed installations across the country, the attached amendment language to the existing law is recommended. It should be noted that these recommendations do not create a new program, require additional government spending, or increase federal contracting goals.

Thank you for your service to our Country and the State of Maine and your thoughtful consideration of this request.

Sincerely,

STEVEN H. LEVESQUE,
Executive Director.

DECEMBER 12, 2012.

Hon. SUSAN COLLINS,
U.S. Senator,
Washington, DC.

DEAR SENATOR COLLINS: I have established a new contact center business that focuses on providing service to the federal government. A key strategy for our success hinges upon the establishment of my business as a HUBZone certified entity.

As a native of Brunswick, Maine, I am keenly interested in locating my business at the former Brunswick Naval Air Station, now called Brunswick Landing. As a BRAC facility, the SBA rules limit the boundary of the HUBZone geographically to base property which has very few housing units.

In order to achieve HUBZone certification, 35% of my employees need to reside within the HUBZone.

As the law is written, I cannot locate at Brunswick Landing and hope to achieve HUI3Zone status. The BRAC HUBZone law is flawed as written. Our Congress attempted to create an economic development vehicle to help communities recover from base closures, but unless the law is tweaked, the HUBZone designation is meaningless.

Please help modify the existing definition for BRAC HUBZones by broadening the boundary of the HUBZone for closed military installations to include the surrounding community. In the case of my company, it provides me with HUBZone employees to put to work so I can meet the HUBZone certification requirements.

If the law is changed, I will locate my business at Brunswick Landing and provide hundreds of jobs to the economically depressed area. Otherwise, I will need to seek out other alternatives.

Thank you for your service to our country, the State of Maine and your interest in helping small businesses thrive.

With greatest respect,

HEATHER D. BLEASE,
CEO, Savi Systems, LLC.

Ms. SNOWE. Mr. President, I rise to speak in support of a bill that I am cosponsoring today with my colleague from Maine, Senator COLLINS, that will ensure that the Small Business Administration's, SBA, Historically Underutilized Business Zone, HUBZone, program will support the many communities around this Nation that have been negatively impacted by base closures.

Over the course of my career, my state has experienced two major base closures—Loring Air Force Base was closed by the 1991 BRAC round and Brunswick Naval Air Station was closed by the 2005 BRAC round. Like every community around the Nation that has experienced a base closure, Brunswick and Loring have fought tirelessly to replace the jobs and economic impact of their military installations.

Unfortunately, theirs is an exceptionally difficult task. Consider, for instance, that the closure of Brunswick Naval Air Station directly eliminated nearly 3,300 military and federal civilian jobs, and indirectly caused the loss of approximately 3,800 additional jobs from the region. Overcoming the effects of such dramatic changes in a local employment and economic market is, without question, a long-term challenge that is made even more difficult in a period of prolonged economic recession.

That is why I have always argued that the Nation has a responsibility to do everything within our power to help those communities that have supported our military infrastructure for decades to recover from the devastating economic impacts of a base closure.

One way that we can assist in their recovery is to encourage the location and growth of small businesses in and around closed military installations. As Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I frequently talk with small business owners and employees about their challenges and needs. In many cases, they tell me about the difficulties they face in competing against larger and more established businesses for federal contracts.

That is why, in my efforts to champion our Nation's small businesses and to promote their interests, I have supported the Small Business Administration's HUBZone Empowerment Contracting program. Congress established this program as part of the Small Business Reauthorization Act in 1997 in order to spur business development and employment opportunities in economically distressed areas of the country. In 2004, with my support, we took the critical step of expanding the HUBZone program to include ''base closure areas,'' which directly addressed military installations that have been closed through any of several military base closure and realignment authorities, including BRAC rounds.

Although this was an important step forward, the 2004 expansion to include closed military installations in the HUBZone program was limited to areas within the physical boundaries of the military base. Current law requires that 35 percent of the employees of a HUBZone qualified small business concern also must live within the HUBZone designated area.

However, small businesses that are interested in establishing a location at a closed military installation in order to gain the benefits of becoming a HUBZone small business concern are likely to discover that not very many people live on the grounds of that closed base, leaving them without sufficient workers to meet the 35 percent requirement. This, of course, defeats the very purpose of the HUBZone designation for closed military installations by serving as a disincentive for small businesses to open shop at a redeveloping base.

In light of these facts, and considering that the economic and employment impacts of closing a military installation are unquestionably and disproportionately felt by the people who reside in the communities around former military installations—not just within the fencelines of former bases—it is clear that the HUBZone designation for closed military installations needs to be clarified.

That is why the bill that I have cosponsored with my colleague adjusts the designation of a base closure area to include the geographic area that is the municipality, county, or census tract in which the installation is located (as well as the adjacent census tract), which incorporates up to 50,000 people. And so, to my friends and colleagues here in the Senate, I urge you to join me in supporting this bill and showing your strong support for providing the maximum benefits of the HUBZone designation to the many communities around our nation that have been impacted by base closures.

By Mr. AKAKA:

S. 3676. A bill to promote high-quality, cost-efficient, and effective administrative support services to agencies

overseas; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today I rise to introduce the Reducing Duplication Overseas Act of 2012.

At a time when the Federal Government is facing significant fiscal challenges, we must explore all potential avenues to improve the efficiency and effectiveness of Federal programs. This bill seeks to ease some of our current fiscal pressures by eliminating duplication of certain administrative services at overseas posts and reducing administrative operational costs.

The Department of State oversees the International Cooperative Administrative Support Services, ICASS, system, which provides and shares the cost of administrative support services for overseas employees, such as vehicle maintenance or leasing services. The purpose of developing this system was to ensure more efficient delivery and quality of overseas administrative support services. Although the level of agency participation varies, as use of ICASS for most administrative services is voluntary, last year, more than 40 agencies participated in ICASS and the cost of the services totaled approximately $2 billion.

In 2004, the Government Accountability Office, GAO, reported that ICASS had not achieved efficient delivery of administrative support services because it failed to eliminate duplicative services and contain costs. GAO recommended that there be one provider for each service at American facilities overseas. The ICASS Executive Board took steps to reduce costs, but still had not implemented GAO's recommendation that there be a single service provider.

In 2010, former Senator Voinovich and I requested that the GAO review the delivery of administrative services at overseas posts. In their report issued earlier this year, GAO concluded that, although agency participation in ICASS has increased, agencies chose to provide their own services about one third of the time, resulting in duplicative administrative services and missed opportunities to decrease costs.

Duplication and overseas administrative costs can and must be decreased. The Reducing Duplication Overseas Act seeks to eliminate duplicative services and reduce overall costs to the Federal Government by requiring agencies to use ICASS for services. Although the GAO recommends that agencies consolidate all services with ICASS, this bill starts with only a few services in order to determine best practices for consolidation, as well as whether consolidation is appropriate for all services.

Specifically, the Act would require agencies to participate in the ICASS for household furniture, furnishings, appliance pools, and motor pool services, unless the agency provides an explanation on how providing the service outside the ICASS system will not increase overall costs to the Federal Government or if it certifies that the mission of the agency cannot be achieved by participating in ICASS system.

Additionally, the bill would allow an agency to provide administrative services at an overseas post in place of the existing ICASS provider if it can provide the administrative service more efficiently and agrees to provide the administrative service to all ICASS customer agencies at the overseas post.

The Act would also require the ICASS Executive Board and the Comptroller General of the United States to submit reports to Congress on agency use of ICASS services and the impact consolidating these services has on cost-efficiencies and redundancies at overseas posts. Nothing in this bill is intended to interfere with the existing authorities of the Chief of Mission at each overseas post.

I believe that this bill is an important step towards improving the efficiency and effectiveness of government operations overseas. Although I will not have the opportunity to push for this bill in the next Congress, it is my hope that my colleagues will take up and pass this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3676

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 ''Reducing Duplication Overseas Act of 2012''.

SEC. 2. PURPOSE.

The purpose of this Act is to promote high-quality, cost-efficient, and effective administrative support services to agencies overseas.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGENCY.—The term ''agency'' means a department, agency, or independent establishment in the executive branch performing any foreign affairs functions.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Oversight and Government Reform of the House of Representatives; and

(F) the Committee on Appropriations of the House of Representatives.

(3) INTERNATIONAL COOPERATIVE ADMINISTRATIVE SUPPORT SERVICES SYSTEM.—The term ''International Cooperative Administrative Support Services system'' means the mechanism established pursuant to section 23 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2695) by which the United States Government manages and funds administrative support services at overseas posts.

(4) INTERNATIONAL COOPERATIVE ADMINISTRATIVE SUPPORT SERVICES CUSTOMER AGENCIES.—The term ''International Cooperative Administrative Support Services customer agencies'' means agencies participating in the International Cooperative Administrative Support Services system.

(5) INTERNATIONAL COOPERATIVE ADMINISTRATIVE SUPPORT SERVICES EXECUTIVE BOARD.—The term ''International Cooperative Administrative Support Services Executive Board'' means the highest-level International Cooperative Administrative Support Services policy-making body comprised of senior representatives of agencies participating in the International Cooperative Administrative Support Services system.

SEC. 4. PARTICIPATION IN INTERNATIONAL COOPERATIVE ADMINISTRATIVE SUPPORT SERVICES SYSTEM.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, each agency with operations overseas under the authority of the Chief of Mission pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) shall participate in the International Cooperative Administrative Support Services system for purposes of obtaining household furniture, furnishings, and appliance pools services, motor pool services, and management services unless—

(1) the agency provides a detailed explanation for evaluation and decision by the International Cooperative Administrative Support Services Executive Board that describes—

(A) how the agency will provide the service outside of the International Cooperative Administrative Support Services system;

(B) the cost to the agency of the service; and

(C) how providing the service outside the International Cooperative Administrative Support Services system will not increase overall costs to the United States Government; or

(2) the agency submits a detailed explanation for evaluation and decision by the International Cooperative Administrative Support Services Executive Board certifying that the mission of the agency cannot be achieved by such participation in the International Cooperative Administrative Support Services system.

(b) RULE OF CONSTRUCTION.—The motor pool services requirement under subsection (a) applies to administrative services, and shall not be construed as superseding, removing, or limiting any statutory or programmatic requirements related to agency use or procurement of vehicles.

SEC. 5. USE OF ALTERNATE SERVICE PROVIDERS.

The International Cooperative Administrative Support Services Executive Board shall allow an agency to act as an alternate service provider for administrative services at an overseas post in place of the existing International Cooperative Administrative Support Services provider for purposes of reducing overall costs to the United States Government if the agency—

(1) demonstrates through a business case that it can provide the administrative service more efficiently; and

(2) agrees to provide the administrative service to all other International Cooperative Administrative Support Services customer agencies at the overseas post.

SEC. 6. REPORTING REQUIREMENTS.

(a) BIENNIAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of State, in consultation with the International Cooperative Administrative Support Services Executive Board, shall submit to the appropriate congressional committees a report on the International Cooperative Administrative Support Services system.

(2) CONTENT.—The report required under paragraph (1) shall—

(A) establish performance goals to define the level of performance to be achieved in providing efficient, effective, and equitable administrative services to International Cooperative Administrative Support Services customer agencies;

(B) establish a balanced set of performance indicators to be used in measuring or assessing progress toward each performance goal;

(C) describe how the International Cooperative Administrative Support Services system ensures the accuracy and reliability of the data used to measure progress; and

(D) identify strategies and the resources required to achieve performance goals.

(b) COMPTROLLER GENERAL REVIEW.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a review of the International Cooperative Administrative Support Services system.

(2) CONTENT.—The review required under paragraph (1) shall include—

(A) an evaluation of whether requiring agencies to participate in the International Cooperative Administrative Support Services system for household furniture, furnishings, and appliance pools services and motor pools services has increased cost-efficiency and reduced administrative redundancies;

(B) recommendations, if warranted, for further consolidation of services in the International Cooperative Administrative Support Services system;

(C) an evaluation of how implementation of this Act is affecting the performance of International Cooperative Administrative Support Services customer agencies; and

(D) recommendations, if warranted, for improving the International Cooperative Administrative Support Services system and implementing this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 614—CELEBRATING THE WORLD PEACE CORPS MISSION AND THE WORLD PEACE PRIZE

Mr. MENENDEZ (for himself and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 614

Whereas the World Peace Corps Mission is an international organization that operates according to the core spirit of advancing peace, justice, and inter-religious collaborations;

Whereas the World Peace Prize is a prestigious award presented by the World Peace Corps Mission that celebrates individuals who have contributed tremendously to peace and enlightenment for humanity;

Whereas past recipients of the World Peace Prize include President Ronald Reagan of the United States, President Abdurrahman Wahid of Indonesia, and President Nakamura of Palau;

Whereas in 2010, the World Peace Prize Awarding Council recognized His Holiness Dorje Chang Buddha III (referred to in this preamble as ''H.H. Dorje Change Buddha III'') for his devotion to an immensely wide scope of humanitarian activities directed at individuals from different communities throughout the world;

Whereas H.H. Dorje Chang Buddha III has received numerous awards, including the United States Presidential Gold Award, which the Chairman of the President's Advisory Commission on Asian Americans and Pacific Islanders presented on behalf of President George W. Bush to H.H. Dorje Chang Buddha III for the outstanding contributions of H.H. Dorje Chang Buddha III to the arts, medicine, ethics, Buddhism, spiritual leadership, and United States society; and

Whereas in 2010, the World Peace Prize Awarding Council also recognized the Honorable Benjamin A. Gilman for being a lifelong champion of human rights who has fought world hunger, narcotics abuse, and narcotics trafficking: Now, therefore, be it

Resolved, That the Senate—

(1) commends the World Peace Corps Mission for advancing peace, justice, and inter-religious collaborations; and

(2) celebrates the World Peace Award and the recipients of the World Peace Award.

SENATE RESOLUTION 615—CONGRATULATING THE RECIPIENTS OF THE 2012 NOBEL PRIZE IN CHEMISTRY

Mr. BURR (for himself, Mrs. BOXER, Mrs. FEINSTEIN, and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 615

Whereas the Nobel Prize is an international award administered by the Nobel Foundation in Stockholm, Sweden;

Whereas the Nobel Prize has been awarded for outstanding achievements in physics, chemistry, physiology or medicine, literature, and peace since 1901;

Whereas the Nobel Prize in Chemistry is awarded by the Royal Swedish Academy of Sciences in Stockholm, Sweden to recognize scientific advancements that have increased our understanding of chemical processes and their molecular basis;

Whereas the 2012 Nobel Prize in Chemistry is awarded jointly to Robert J. Lefkowitz, M.D., a Howard Hughes Medical Institute investigator and James B. Duke Professor of Medicine and Biochemistry at Duke University Medical Center in Durham, North Carolina, and Brian K. Kobilka, M.D., Professor and Chair of Molecular and Cellular Physiology at the Stanford University School of Medicine in Stanford, California, for their studies on G-protein-coupled receptors;

Whereas G-protein-coupled receptors are a class of cell surface receptors that catch chemical signals from the outside and transmit their messages into the cell, providing the cell with information about changes occurring within the body;

Whereas the studies completed by Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., have significantly advanced our scientific understanding of G-protein-coupled receptors and their functions;

Whereas the groundbreaking discoveries made by Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., have made it possible to target and treat diseases more precisely and effectively, as nearly half of all medicines used in the world are aimed at G-protein-coupled receptors;

Whereas the National Institutes of Health supported the work done by Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., through research grants with the goal of advancing scientific knowledge and improving public health; and

Whereas the accomplishments and discoveries of Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., are significant achievements in the field of scientific and medical research and further promote the United States as a world leader in science: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the recipients of the 2012 Nobel Prize in Chemistry, which is awarded for their outstanding scientific achievements and discoveries; and

(2) recognizes Duke University Medical Center in Durham, North Carolina, and the Stanford University School of Medicine in Stanford, California for their leadership role in advancing medical research.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3329. Mr. MANCHIN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 3637, to temporarily extend the transaction account guarantee program, and for other purposes; which was ordered to lie on the table.

SA 3330. Mrs. HAGAN (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 3637, supra; which was ordered to lie on the table.

SA 3331. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 343, to amend Title I of PL 99–658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99–658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review; which was ordered to lie on the table.

SA 3332. Mr. DURBIN proposed an amendment to the bill H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SA 3333. Mr. MENENDEZ proposed an amendment to the bill H.R. 4310, supra.

SA 3334. Mr. COONS (for Mr. RUBIO) proposed an amendment to the bill H.R. 3783, to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

TEXT OF AMENDMENTS

SA 3329. Mr. MANCHIN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 3637, to temporarily extend the transaction account guarantee program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. ADDITIONAL FEES TO ADDRESS DEPLETION OF INSURANCE FUNDS.

If the amendments made by this Act would result in the inability of the Deposit Insurance Fund of the Federal Deposit Insurance Corporation (in this section referred to as the ''Corporation'') or the Share Insurance Fund of the National Credit Union Administration (in this section referred to as the ''Administration'') to fully cover insured losses, the Corporation and the Administration shall impose additional fees on insured depository institutions and insured credit

unions, respectively, in the same proportion as fees are imposed under section 7 of the Federal Deposit Insurance Act (12 U.S.C. 1817) and section 105 of the Federal Credit Union Act (12 U.S.C. 1755), respectively.

SA 3330. Mrs. HAGAN (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 3637, to temporarily extend the transaction account guarantee program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. LIMITATION ON RULES REGARDING CREDIT RISK RETENTION.

Rules jointly issued in final form under section 15G(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-11(b)) may not include a premium capture cash reserve account (or any similar instrument).

SA 3331. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 343, to amend Title I of PL 99–658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. APPROVAL OF THE AGREEMENT BETWEEN THE UNITED STATES AND THE REPUBLIC OF PALAU.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term ''Agreement'' means the Agreement and appendices signed by the United States and the Republic of Palau on September 3, 2010.

(2) COMPACT OF FREE ASSOCIATION.—The term ''Compact of Free Association'' means the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note; Public Law 99–658).

(b) RESULTS OF COMPACT REVIEW.—

(1) IN GENERAL.—Title I of Public Law 99–658 (48 U.S.C. 1931 et seq.) is amended by adding at the end the following:

''SEC. 105. RESULTS OF COMPACT REVIEW.

''(a) IN GENERAL.—The Agreement and appendices signed by the United States and the Republic of Palau on September 3, 2010 (referred to in this section as the 'Agreement'), in connection with section 432 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note; Public Law 99–658) (referred to in this section as the 'Compact of Free Association'), are approved—

''(1) except for the extension of Article X of the Agreement Regarding Federal Programs and Services, and Concluded Pursuant to Article II of Title Two and Section 232 of the Compact of Free Association; and

''(2) subject to the provisions of this section.

''(b) WITHHOLDING OF FUNDS.—

''(1) IN GENERAL.—If the Agreement becomes effective prior to fiscal year 2014, and if during fiscal years 2010 through 2013, the Republic of Palau withdraws an amount greater than $30,000,000 from the trust fund established under section 211(f) of the Compact of Free Association, amounts payable under sections 1, 2(a), 3, and 4(a) of the Agreement shall be withheld from the Republic of Palau until the date on which the Republic of Palau reimburses the trust fund for the amount withdrawn that exceeds $30,000,000.

''(2) WITHDRAWAL.—The Republic of Palau may withdraw $15,000,000 in fiscal year 2013, if the Republic of Palau uses $10,000,000 of the amount withdrawn in accordance with section 3 of the Agreement.

''(c) FUNDING FOR CERTAIN PROVISIONS UNDER SECTION 105 OF COMPACT OF FREE ASSOCIATION.—On the date of enactment of this section, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of the Interior such sums as are necessary for the Secretary of the Interior to implement sections 1, 2(a), 3, 4(a), and 5 of the Agreement, which sums shall remain available until expended without any further appropriation.

''(d) AUTHORIZATIONS OF APPROPRIATIONS.—There are authorized to be appropriated—

''(1) to the Secretary of the Interior to subsidize postal services provided by the United States Postal Service to the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia $1,500,000 for each of fiscal years 2014 through 2024, to remain available until expended; and

''(2) to the head of each Federal entity described in paragraphs (1), (3), and (4) of section 221(a) of the Compact of Free Association (including the successor of each Federal entity) to carry out the responsibilities of the Federal entity under section 221(a) of the Compact of Free Association such sums as are necessary, to remain available until expended.''.

(2) OFFSET.—Section 3 of the Act of June 30, 1954 (68 Stat. 330, 82 Stat. 1213, chapter 423), is repealed.

(c) PAYMENT SCHEDULE; WITHHOLDING OF FUNDS; FUNDING.—

(1) UNITED STATES CONTRIBUTION TO THE TRUST FUND.—Section 1 of the Agreement shall be construed as though the section reads as follows:

''SEC. 1. COMPACT SECTION 211(F) FUND.

''The Government of the United States shall contribute $40,250,000 to the Fund referred to in section 211(f) of the Compact of Free Association in accordance with the following schedule: $16,000,000 in fiscal year 2014; $8,000,000 in fiscal year 2015; $3,000,000 in each of fiscal years 2016 and 2017; $2,000,000 in each of fiscal years 2018 through 2022; and $250,000 for fiscal year 2023.''.

(2) INFRASTRUCTURE MAINTENANCE FUND.—Subsection (a) of section 2 of the Agreement shall be construed as though the subsection reads as follows:

''(a) The Government of the United States shall provide a grant of $6,912,000 for fiscal year 2014 and a grant of $2,000,000 annually from the beginning of fiscal year 2015 through fiscal year 2024 to create a trust fund (the 'Infrastructure Maintenance Fund') to be used for the routine and periodic maintenance of major capital improvement projects financed by funds provided by the United States. The Government of the Republic of Palau will match the contributions made by the United States by making contributions of $150,000 to the Infrastructure Maintenance Fund on a quarterly basis from the beginning of fiscal year 2014 through fiscal year 2024. Implementation of this subsection shall be carried out in accordance with the provisions of Appendix A to this Agreement.''.

(3) FISCAL CONSOLIDATION FUND.—Section 3 of the Agreement shall be construed as though the section reads as follows:

''SEC. 3. FISCAL CONSOLIDATION FUND.

''The Government of Palau shall withdraw $10,000,000 from the Fund referred to in section 211(f) of the Compact of Free Association in fiscal year 2013 for deposit in an interest bearing account to be used to reduce government payment arrears of Palau. Implementation of this section shall be carried out in accordance with the provisions of Appendix B to this Agreement.''.

(4) DIRECT ECONOMIC ASSISTANCE.—Subsections (a) and (b) of section 4 of the Agreement shall be construed as though the subsections read as follows:

''(a) In addition to the economic assistance of $13,147,000 provided to the Government of Palau by the Government of the United States in each of fiscal years 2010 through 2013, and unless otherwise specified in this Agreement or in an Appendix to this Agreement, the Government of the United States shall provide the Government of Palau $69,250,000 in economic assistance as follows: $12,000,000 in fiscal year 2014; $11,500,000 in fiscal year 2015; $10,000,000 in fiscal year 2016; $8,500,000 in fiscal year 2017; $7,250,000 in fiscal year 2018; $6,000,000 in fiscal year 2019; $5,000,000 in fiscal year 2020; $4,000,000 in fiscal year 2021; $3,000,000 in fiscal year 2022; and $2,000,000 in fiscal year 2023. The funds provided in any fiscal year under this subsection for economic assistance shall be provided in 4 quarterly payments (30 percent in the first quarter, 30 percent in the second quarter, 20 percent in the third quarter, and 20 percent in the fourth quarter) unless otherwise specified in this Agreement or in an Appendix to this Agreement.

''(b) Notwithstanding the provisions of Compact section 211(f) and the Agreement Between the Government of the United States and the Government of Palau Regarding Economic Assistance Concluded Pursuant to Section 211(f) of the Compact of Free Association, if prior to fiscal year 2013 the Government of Palau did not exceed a $5,000,000 distribution from the Section 211(f) Fund and, with respect to fiscal years 2014 through fiscal year 2023 and except as otherwise agreed by the Government of the United States and the Government of Palau, the Government of Palau agrees not to exceed the following distributions from the Section 211(f) Fund: $5,000,000 in fiscal year 2012; $15,000,000 in fiscal year 2013 ($10,000,000 of which shall be used in accordance with section 3); $5,250,000 in fiscal year 2014; $5,500,000 in fiscal year 2015; $6,750,000 in fiscal year 2016; $8,000,000 in fiscal year 2017; $9,000,000 in fiscal year 2018; $10,000,000 in fiscal year 2019; $10,500,000 in fiscal year 2020; $11,000,000 in fiscal year 2021; $12,000,000 in fiscal year 2022; and $13,000,000 in fiscal year 2023.''.

(5) INFRASTRUCTURE PROJECTS.—Section 5 of the Agreement shall be construed as though the section reads as follows:

''SEC. 5. INFRASTRUCTURE PROJECTS.

''The Government of the United States shall provide grants totaling $40,000,000 to the Government of Palau as follows: $30,000,000 in fiscal year 2014; and $5,000,000 annually in fiscal years 2015 and 2016; towards 1 or more mutually agreed infrastructure projects in accordance with the provisions of Appendix C to this Agreement.''.

(d) CONTINUING PROGRAMS AND LAWS.—Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 192ld(f)(1)(B)(ix)) is amended by striking ''2009'' and inserting ''2024''.

(e) PASSPORT REQUIREMENT.—Section 141 of Article IV of Title One of the Compact of Free Association shall be construed and applied as if it read as follows:

"SEC. 141. PASSPORT REQUIREMENT.

''(a) Any person in the following categories may be admitted to, lawfully engage in occupations, and establish residence as a nonimmigrant in the United States and its territories and possessions without regard to paragraphs (5) or (7)(B)(i)(II) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5) or (a)(7)(B)(i)(II)), provided that the passport presented to satisfy section 212(a)(7)(B)(i)(I) of such Act is a valid unexpired machine-readable passport that satisfies the internationally accepted standard for machine readability—

''(1) a person who, on September 30, 1994, was a citizen of the Trust Territory of the Pacific Islands, as defined in title 53 of the Trust Territory Code in force on January 1, 1979, and has become and remains a citizen of Palau;

''(2) a person who acquires the citizenship of Palau, at birth, on or after the effective date of the Constitution of Palau; or

''(3) a naturalized citizen of Palau, who has been an actual resident of Palau for not less than five years after attaining such naturalization and who holds a certificate of actual residence.

''(b) Such persons shall be considered to have the permission of the Secretary of Homeland Security of the United States to accept employment in the United States.

''(c) The right of such persons to establish habitual residence in a territory or possession of the United States may, however, be subjected to non-discriminatory limitations provided for—

''(1) in statutes or regulations of the United States; or

''(2) in those statutes or regulations of the territory or possession concerned which are authorized by the laws of the United States.

''(d) Section 141(a) does not confer on a citizen of Palau the right to establish the residence necessary for naturalization under the Immigration and Nationality Act, or to petition for benefits for alien relatives under that Act. Section 141(a), however, shall not prevent a citizen of Palau from otherwise acquiring such rights or lawful permanent resident alien status in the United States.''.

SA 3332. Mr. DURBIN proposed an amendment to the bill H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

On page 728, of the Sente amendment to H.R. 4310, strike line 4 through page 730, line 18 and insert the following:

SEC. 12__. IMPOSITION OF SANCTIONS WITH RESPECT TO SUPPORT FOR THE REBEL GROUP KNOWN AS M23.

(a) BLOCKING OF ASSETS.—

(1) IN GENERAL.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or Executive Order 13413 (74 Fed. Reg. 64105; relating to blocking property of certain persons contributing to the conflict in the Democratic Republic of the Congo), block and prohibit all transactions in all property and interests in property of a person described in subsection (c) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) EXCEPTION.—The authority to block and prohibit all transactions in all property and interests in property under paragraph (1) does not include the authority to impose sanctions on the importation of property.

(b) VISA BAN.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a person described in subsection (c).

(c) PERSONS DESCRIBED.—A person described in this subsection is a person that the President determines provides, on or after the date of the enactment of this Act, significant financial, material, or technological support to M23.

(d) WAIVER.—The President may waive the application of this section with respect to a person if the President determines and reports to the appropriate congressional committees that the waiver is in the national interest of the United States.

(e) TERMINATION OF SANCTIONS.—Sanctions imposed under this section may terminate 15 days after the date on which the President determines and reports to the appropriate congressional committees that the person covered by such determination has terminated the provision of significant financial, material, and technological support to M23.

(f) TERMINATION OF SECTION.—This section shall terminate on the date that is 15 days after the date on which the President determines and reports to the appropriate congressional committees that M23 is no longer a significant threat to peace and security in the Democratic Republic of the Congo.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) M23.—The term ''M23'' refers to the rebel group known as M23 operating in the Democratic Republic of the Congo that derives its name from the March 23, 2009, agreement between the Government of the Democratic Republic of the Congo and the National Congress for the Defense of the People (or any successor group).

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States.

SA 3333. Mr. MENENDEZ proposed an amendment to the bill H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

AMENDMENT NO. 3333

On page 757 of the Senate amendment to H.R. 4310, strike line 1 through page 789, line 20 and insert the following:

Subtitle E—Iran Sanctions

SEC. 1261. SHORT TITLE.

This subtitle may be cited as the ''Iran Freedom and Counter-Proliferation Act of 2012''.

SEC. 1262. DEFINITIONS.

(a) IN GENERAL.—In this subtitle:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(3) COAL.—The term ''coal'' means metallurgical coal, coking coal, or fuel coke.

(4) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''correspondent account'' and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(6) IRANIAN FINANCIAL INSTITUTION.—The term ''Iranian financial institution'' has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

(7) IRANIAN PERSON.—The term ''Iranian person'' means—

(A) an individual who is a citizen or national of Iran; and

(B) an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(8) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(9) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(10) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(11) SHIPPING.—The term ''shipping'' refers to the transportation of goods by a vessel and related activities.

(12) UNITED STATES PERSON.—The term ''United States person'' has the meaning given that term in section 101 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511).

(13) VESSEL.—The term ''vessel'' has the meaning given that term in section 3 of title 1, United States Code.

(b) DETERMINATIONS OF SIGNIFICANCE.—For purposes of this subtitle, in determining if financial transactions or financial services are significant, the President may consider the totality of the facts and circumstances, including factors similar to the factors set forth in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 1263. DECLARATION OF POLICY ON HUMAN RIGHTS.

(a) FINDING.—Congress finds that the interests of the United States and international peace are threatened by the ongoing and destabilizing actions of the Government of Iran, including its massive, systematic, and extraordinary violations of the human rights of its own citizens.

(b) DECLARATION OF POLICY.—It shall be the policy of the United States—

(1) to deny the Government of Iran the ability to continue to oppress the people of Iran and to use violence and executions against pro-democracy protestors and regime opponents;

(2) to fully and publicly support efforts made by the people of Iran to promote the establishment of basic freedoms that build

the foundation for the emergence of a freely elected, open, and democratic political system;

(3) to help the people of Iran produce, access, and share information freely and safely via the Internet and through other media; and

(4) to defeat all attempts by the Government of Iran to jam or otherwise obstruct international satellite broadcast signals.

SEC. 1264. IMPOSITION OF SANCTIONS WITH RESPECT TO THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN.

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

(1) Iran's energy, shipping, and shipbuilding sectors and Iran's ports are facilitating the Government of Iran's nuclear proliferation activities by providing revenue to support proliferation activities.

(2) The United Nations Security Council and the United States Government have expressed concern about the proliferation risks presented by the Iranian nuclear program.

(3) The Director General of the International Atomic Energy Agency (in this section referred to as the ''IAEA'') has in successive reports (GOV/2012/37 and GOV/2011/65) identified possible military dimensions of Iran's nuclear program.

(4) The Government of Iran continues to defy the requirements and obligations contained in relevant IAEA Board of Governors and United Nations Security Council resolutions, including by continuing and expanding uranium enrichment activities in Iran, as reported in IAEA Report GOV/2012/37.

(5) United Nations Security Council Resolution 1929 (2010) recognizes the ''potential connection between Iran's revenues derived from its energy sector and the funding of Iran's proliferation sensitive nuclear activities''.

(6) The National Iranian Tanker Company is the main carrier for the Iranian Revolutionary Guard Corps-designated National Iranian Oil Company and a key element in the petroleum supply chain responsible for generating energy revenues that support the illicit nuclear proliferation activities of the Government of Iran.

(b) DESIGNATION OF PORTS AND ENTITIES IN THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN AS ENTITIES OF PROLIFERATION CONCERN.—Entities that operate ports in Iran and entities in the energy, shipping, and shipbuilding sectors of Iran, including the National Iranian Oil Company, the National Iranian Tanker Company, the Islamic Republic of Iran Shipping Lines, and their affiliates, play an important role in Iran's nuclear proliferation efforts and all such entities are hereby designated as entities of proliferation concern.

(c) BLOCKING OF PROPERTY OF ENTITIES IN ENERGY, SHIPPING, AND SHIPBUILDING SECTORS.—

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—On and after the date that is 90 days after the date of the enactment of this Act, the President shall block and prohibit all transactions in all property and interests in property of any person described in paragraph (2) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) EXCEPTION.—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) does not include the authority to impose sanctions on the importation of property.

(2) PERSONS DESCRIBED.—A person is described in this paragraph if the President determines that the person, on or after the date that is 90 days after the date of the enactment of this Act—

(A) is part of the energy, shipping, or shipbuilding sectors of Iran;

(B) operates a port in Iran; or

(C) knowingly provides significant financial, material, technological, or other support to, or goods or services in support of any activity or transaction on behalf of or for the benefit of—

(i) a person determined under subparagraph (A) to be a part of the energy, shipping, or shipbuilding sectors of Iran;

(ii) a person determined under subparagraph (B) to operate a port in Iran; or

(iii) an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in paragraph (3)).

(3) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this paragraph is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(A) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(B) Iran's support for international terrorism; or

(C) Iran's abuses of human rights.

(d) ADDITIONAL SANCTIONS WITH RESPECT TO THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS OF IRAN.—

(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES.—Except as provided in this section, the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) (other than sanctions relating to the importation of property under paragraph (8)(A) or (12) of such section) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, sells, supplies, or transfers to or from Iran significant goods or services described in paragraph (3).

(2) FACILITATION OF CERTAIN TRANSACTIONS.—Except as provided in this section, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 90 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for the sale, supply, or transfer to or from Iran of goods or services described in paragraph (3).

(3) GOODS AND SERVICES DESCRIBED.—Goods or services described in this paragraph are goods or services used in connection with the energy, shipping, or shipbuilding sectors of Iran, including the National Iranian Oil Company, the National Iranian Tanker Company, and the Islamic Republic of Iran Shipping Lines.

(4) APPLICATION OF CERTAIN PROVISIONS OF IRAN SANCTIONS ACT OF 1996.—The following provisions of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) shall apply with respect to the imposition of sanctions under paragraph (1) to the same extent that such provisions apply with respect to the imposition of sanctions under section 5(a) of that Act:

(A) Subsections (c), (d), and (f) of section 5 (except for paragraphs (3) and (4)(C) of such subsection (f)).

(B) Sections 8, 11, and 12.

(e) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(f) APPLICABILITY OF SANCTIONS TO PETROLEUM AND PETROLEUM PRODUCTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall apply with respect to the purchase of petroleum or petroleum products from Iran only if, at the time of the purchase, a determination of the President under section 1245(d)(4)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(B)) that the price and supply of petroleum and petroleum products produced in countries other than Iran is sufficient to permit purchasers of petroleum and petroleum products from Iran to reduce significantly their purchases from Iran is in effect.

(2) EXCEPTION FOR CERTAIN COUNTRIES.—

(A) EXPORTATION.—This section shall not apply with respect to the exportation of petroleum or petroleum products from Iran to a country to which the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies at the time of the exportation of the petroleum or petroleum products.

(B) FINANCIAL TRANSACTIONS.—

(i) IN GENERAL.—This section shall not apply with respect to a financial transaction described in clause (ii) conducted or facilitated by a foreign financial institution if, at the time of the transaction, the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies to the country with primary jurisdiction over the foreign financial institution.

(ii) FINANCIAL TRANSACTIONS DESCRIBED.—A financial transaction conducted or facilitated by a foreign financial institution is described in this clause if—

(I) the financial transaction is for the purchase of purchase of petroleum or petroleum products from Iran;

(II) the financial transaction is only for trade in goods or services—

(aa) not otherwise subject to sanctions under the law of the United States; and

(bb) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(III) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(g) APPLICABILITY OF SANCTIONS TO NATURAL GAS.—

(1) SALE, SUPPLY, OR TRANSFER.—Except as provided in paragraph (2), this section shall not apply to the sale, supply, or transfer to or from Iran of natural gas.

(2) FINANCIAL TRANSACTIONS.—This section shall apply to a foreign financial institution that conducts or facilitates a financial transaction for the sale, supply, or transfer to or from Iran of natural gas unless—

(A) the financial transaction is only for trade in goods or services—

(i) not otherwise subject to sanctions under the law of the United States; and

(ii) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(B) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(h) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under this section for a period of not more than 120 days,

and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1265. IMPOSITION OF SANCTIONS WITH RESPECT TO THE SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS TO OR FROM IRAN.

(a) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—The President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) (other than sanctions relating to the importation of property under paragraph (8)(A) or (12) of such section) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, sells, supplies, or transfers, directly or indirectly, to or from Iran—

(1) a precious metal;

(2) a material described in subsection (c) determined pursuant to subsection (d)(1) to be used by Iran as described in that subsection;

(3) any other material described in subsection (c) if—

(A) the material is—

(i) to be used in connection with the energy, shipping, or shipbuilding sectors of Iran or any sector of the economy of Iran controlled directly or indirectly by Iran's Revolutionary Guard Corps;

(ii) sold, supplied, or transferred to or from an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury; or

(iii) relevant to the nuclear, military, or ballistic missile programs of Iran; or

(B) the material is resold, retransferred, or otherwise supplied—

(i) to an end-user in a sector described in clause (i) of subparagraph (A);

(ii) to a person described in clause (ii) of that subparagraph; or

(iii) for a program described in clause (iii) of that subparagraph.

(b) FACILITATION OF CERTAIN TRANSACTIONS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines knowingly, on or after the date that is 90 days after the date of the enactment of this Act, conducts or facilitates a significant financial transaction for the sale, supply, or transfer to or from Iran of materials the sale, supply, or transfer of which would subject a person to sanctions under subsection (a).

(c) MATERIALS DESCRIBED.—Materials described in this subsection are graphite, raw or semi-finished metals such as aluminum and steel, coal, and software for integrating industrial processes.

(d) DETERMINATION WITH RESPECT TO USE OF MATERIALS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees and publish in the Federal Register a report that contains the determination of the President with respect to—

(1) whether Iran is—

(A) using any of the materials described in subsection (c) as a medium for barter, swap, or any other exchange or transaction; or

(B) listing any of such materials as assets of the Government of Iran for purposes of the national balance sheet of Iran;

(2) which sectors of the economy of Iran are controlled directly or indirectly by Iran's Revolutionary Guard Corps; and

(3) which of the materials described in subsection (c) are relevant to the nuclear, military, or ballistic missile programs of Iran.

(e) EXCEPTION FOR PERSONS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under subsection (a) or (b) with respect to a person if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not sell, supply, or transfer to or from Iran materials the sale, supply, or transfer of which would subject a person to sanctions under subsection (a) or conduct or facilitate a financial transaction for such a sale, supply, or transfer.

(f) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under this section for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(g) NATIONAL BALANCE SHEET OF IRAN DEFINED.—For purposes of this section, the term ''national balance sheet of Iran'' refers to the ratio of the assets of the Government of Iran to the liabilities of that Government.

SEC. 1266. IMPOSITION OF SANCTIONS WITH RESPECT TO THE PROVISION OF UNDERWRITING SERVICES OR INSURANCE OR REINSURANCE FOR ACTIVITIES OR PERSONS WITH RESPECT TO WHICH SANCTIONS HAVE BEEN IMPOSED.

(a) IN GENERAL.—Except as provided in subsection (b), the President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) (other than sanctions relating to the importation of property under paragraph (8)(A) or (12) of such section) with respect to a person if the President determines that the person knowingly, on or after the date that is 90 days after the date of the enactment of this Act, provides underwriting services or insurance or reinsurance—

(1) for any activity with respect to Iran for which sanctions have been imposed under this subtitle, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Iran Sanctions Act of 1996, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.), the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.), the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note), or any other provision of law relating to the imposition of sanctions with respect to Iran;

(2) to or for any person—

(A) with respect to, or for the benefit of any activity in the energy, shipping, or shipbuilding sectors of Iran for which sanctions are imposed under this subtitle;

(B) for the sale, supply, or transfer to or from Iran of materials described in section 1255(c); or

(C) designated for the imposition of sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) in connection with—

(i) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction; or

(ii) Iran's support for international terrorism; or

(3) to or for any Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

(b) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this subsection is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(1) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(2) Iran's support for international terrorism; or

(3) Iran's abuses of human rights.

(c) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under subsection (a) for the provision of underwriting services or insurance or reinsurance for a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(d) EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.—The President may not impose sanctions under paragraph (1) or (3) or subparagraph (A) or (B) of paragraph (2) of subsection (a) with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for an activity described in paragraph (1) of that subsection or to or for any person described in paragraph (3) or subparagraph (A) or (B) of paragraph (2) of that subsection.

(e) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under subsection (a) for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(f) APPLICATION OF CERTAIN PROVISIONS OF IRAN SANCTIONS ACT OF 1996.—The following provisions of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) shall apply with respect to the imposition of sanctions under subsection (a) to the same extent that such provisions apply with respect to the imposition of sanctions under section 5(a) of that Act:

(1) Subsections (c), (d), and (f) of section 5 (except for paragraphs (3) and (4)(C) of such subsection (f)).

(2) Sections 8, 11, and 12.

SEC. 1267. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT FACILITATE FINANCIAL TRANSACTIONS ON BEHALF OF SPECIALLY DESIGNATED NATIONALS.

(a) IN GENERAL.—Except as provided in this section, the President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines has, on or after the date that is 90 days after the date of the enactment of this Act, knowingly facilitated a significant financial transaction on behalf of any Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

(b) IRANIAN FINANCIAL INSTITUTIONS DESCRIBED.—An Iranian financial institution described in this subsection is an Iranian financial institution that has not been designated for the imposition of sanctions in connection with—

(1) Iran's proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction;

(2) Iran's support for international terrorism; or

(3) Iran's abuses of human rights.

(c) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under subsection (a) with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices to Iran or for the provision of humanitarian assistance to the people of Iran.

(d) APPLICABILITY OF SANCTIONS TO PETROLEUM AND PETROLEUM PRODUCTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsection (a) shall apply with respect to a financial transaction for the purchase of petroleum or petroleum products from Iran only if, at the time of the transaction, a determination of the President under section 1245(d)(4)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(B)) that the price and supply of petroleum and petroleum products produced in countries other than Iran is sufficient to permit purchasers of petroleum and petroleum products from Iran to reduce significantly their purchases from Iran is in effect.

(2) EXCEPTION FOR CERTAIN COUNTRIES.—

(A) IN GENERAL.—Subsection (a) shall not apply with respect to a financial transaction described in subparagraph (B) conducted or facilitated by a foreign financial institution for if, at the time of the transaction, the exception under section 1245(d)(4)(D)(i) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)(i)) applies to the country with primary jurisdiction over the foreign financial institution.

(B) FINANCIAL TRANSACTIONS DESCRIBED.—A financial transaction conducted or facilitated by a foreign financial institution is described in this subparagraph if—

(i) the financial transaction is for the purchase of purchase of petroleum or petroleum products from Iran;

(ii) the financial transaction is only for trade in goods or services—

(I) not otherwise subject to sanctions under the law of the United States; and

(II) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(iii) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(e) APPLICABILITY OF SANCTIONS TO NATURAL GAS.—Subsection (a) shall apply to a foreign financial institution that conducts or facilitates a financial transaction for the sale, supply, or transfer to or from Iran of natural gas unless—

(1) the financial transaction is only for trade in goods or services—

(A) not otherwise subject to sanctions under the law of the United States; and

(B) between the country with primary jurisdiction over the foreign financial institution and Iran; and

(2) any funds owed to Iran as a result of such trade are credited to an account located in the country with primary jurisdiction over the foreign financial institution.

(f) WAIVER.—

(1) IN GENERAL.—The President may waive the imposition of sanctions under subsection (a) for a period of not more than 120 days, and may renew that waiver for additional periods of not more than 120 days, if the President—

(A) determines that such a waiver is vital to the national security of the United States; and

(B) submits to the appropriate congressional committees a report providing a justification for the waiver.

(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1268. INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN BROADCASTING ON THE LIST OF HUMAN RIGHTS ABUSERS.

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

(1) The Islamic Republic of Iran Broadcasting has contributed to the infringement of individuals' human rights by broadcasting forced televised confession and show trials.

(2) In March 2012, the European Council imposed sanctions on the President of the Islamic Republic of Iran Broadcasting, Ezzatollah Zargami, for broadcasting forced confessions of detainees and a series of ''show trials'' in August 2009 and December 2011 that constituted a clear violation of international law with respect to the right to a fair trial and due process.

(b) INCLUSION OF THE ISLAMIC REPUBLIC OF IRAN BROADCASTING ON THE LIST OF HUMAN RIGHTS ABUSERS.—The President shall include the Islamic Republic of Iran Broadcasting and the President of the Islamic Republic of Iran Broadcasting, Ezzatollah Zargami, in the first update to the list of persons complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members submitted under section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514) after the date of the enactment of this Act.

SEC. 1269. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGED IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

(a) IN GENERAL.—Title I of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511 et seq.) is amended by inserting after section 105B the following:

''SEC. 105C. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS ENGAGED IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

''(a) IN GENERAL.—The President shall impose sanctions described in section 105(c) (other than sanctions relating to the importation of property under such section) with respect to each person on the list required by subsection (b).

''(b) LIST OF PERSONS WHO ENGAGE IN DIVERSION.—

''(1) IN GENERAL.—As relevant information becomes available, the President shall submit to the appropriate congressional committees a list of persons that the President determines have, on or after such date of enactment, engaged in corruption or other activities relating to—

''(A) the diversion of goods, including agricultural commodities, food, medicine, and medical devices, intended for the people of Iran; or

''(B) the misappropriation of proceeds from the sale or resale of such goods.

''(2) FORM OF REPORT; PUBLIC AVAILABILITY.—

''(A) FORM.—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

''(B) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.''.

(b) WAIVER.—Section 401(b)(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(b)(1)) is amended—

(1) by striking ''or 105B(a)'' and inserting ''105B(a), or 105C(a)''; and

(2) by striking ''or 105B(b)'' and inserting ''105B(b), or 105C(b)''.

(c) CLERICAL AMENDMENT.—The table of contents for the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 is amended by inserting after the item relating to section 105B the following:

''Sec. 105C. Imposition of sanctions with respect to persons engaged in the diversion of goods intended for the people of Iran.''.

SEC. 1270. WAIVER REQUIREMENT RELATED TO EXCEPTIONAL CIRCUMSTANCES PREVENTING SIGNIFICANT REDUCTIONS IN CRUDE OIL PURCHASES.

Section 1245(d)(5)(B) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(5)(B)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon;

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following new clause:

''(ii) certifying that the country with primary jurisdiction over the foreign financial institution otherwise subject to the sanctions faced exceptional circumstances that prevented the country from being able to significantly reduce its volume of crude oil purchases; and''.

SEC. 1271. STATUTE OF LIMITATIONS FOR CIVIL ACTIONS REGARDING TERRORIST ACTS.

(a) IN GENERAL.—Section 2335 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''4 years'' and inserting ''10 years''; and

(2) in subsection (b), by striking ''4-year period'' and inserting ''10-year period''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) proceedings under section 2333 of title 18, United States Code, pending in any form on the date of the enactment of this Act;

(2) proceedings under such section commenced on or after the date of the enactment of this Act; and

(3) any civil action brought for recovery of damages under such section resulting from acts of international terrorism that occurred more than 10 years before the date of the enactment of this Act, provided that the action is filed not later than 6 years after the date of the enactment of this Act.

SEC. 1272. REPORT ON USE OF CERTAIN IRANIAN SEAPORTS BY FOREIGN VESSELS AND USE OF FOREIGN AIRPORTS BY SANCTIONED IRANIAN AIR CARRIERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report that contains—

(1) a list of vessels that have entered seaports in Iran controlled by the Tidewater Middle East Company during the period specified in subsection (b) and the owners and operators of those vessels; and

(2) a list of all airports at which aircraft owned or controlled by an Iranian air carrier on which sanctions have been imposed by the United States have landed during the period specified in subsection (b).

(b) PERIOD SPECIFIED.—The period specified in this subsection is—

(1) in the case of the first report submitted under subsection (a), the 180-day period preceding the submission of the report; and

(2) in the case of any subsequent report submitted under that subsection, the year preceding the submission of the report.

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

SEC. 1273. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subtitle.

(b) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S. C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this subtitle or regulations prescribed under this subtitle to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

SEC. 1274. APPLICABILITY TO CERTAIN NATURAL GAS PROJECTS.

Nothing in this subtitle or the amendments made by this subtitle shall apply with respect to any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity.

SEC. 1275. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed to limit sanctions imposed with respect to Iran under any other provision of law or to limit the authority of the President to impose additional sanctions with respect to Iran.

SA 3334. Mr. COONS (for Mr. RUBIO) proposed an amendment to the bill H.R. 3783, to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

On page 11, strike lines 17–19 and insert the following:

(d) FORM.—The strategy in this section may be submitted in classified form, but shall include an unclassified summary of policy recommendations to address the growing Iranian threat in the Western Hemisphere.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on December 12, 2012, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on December 12, 2012. The Committees will meet in SR–418 of the Russell Senate Office Building, beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights and Human Rights, be authorized to meet during the session of the Senate, on December 12, 2012, at 2 p.m., in room SH–216 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Ending the School-to-Prison Pipeline.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY, NATURAL RESOURCES, AND INFRASTRUCTURE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Energy, Natural Resources, and Infrastructure of the Committee on Finance authorized to meet during the session of the Senate, on December 12, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tax Reform and Federal Energy Policy: Incentives to Promote Energy Efficiency.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Chair grant privileges of the floor to my intern, Mark Suzuki, for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

COUNTERING IRAN IN THE WESTERN HEMISPHERE ACT OF 2012

Mr. COONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3783, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3783) to provide a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. COONS. I ask unanimous consent that the Rubio amendment No. 3334 at the desk be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that the comprehensive strategy may be submitted in classified form, but shall include an unclassified summary of policy recommendations to address the growing Iranian threat in the Western Hemisphere)

On page 11, strike lines 17–19 and insert the following:

(d) FORM.—The strategy in this section may be submitted in classified form, but shall include an unclassified summary of policy recommendations to address the growing Iranian threat in the Western Hemisphere.

Mr. COONS. I know of no further debate on this measure and ask that the bill be read for a third time and that the Senate proceed to a vote.

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

The bill was read the third time.

The PRESIDING OFFICER. If there is no further debate, the question is on the passage of the bill, as amended.

The bill (H.R. 3783), as amended, was passed, as follows:

Resolved, That the bill from the House of Representatives (H.R. 3783) entitled ''An Act to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, and for other purposes.'', do pass with the following amendment:

On page 11, strike lines 17–19 and insert the following:

(d) FORM.—The strategy in this section may be submitted in classified form, but shall include an unclassified summary of policy recommendations to address the growing Iranian threat in the Western Hemisphere.

Mr. COONS. I ask unanimous consent that the motion to reconsider be considered made and laid on the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLOOD DISASTER PROTECTION ACT OF 1973 CORRECTION

Mr. COONS. Mr. President, I ask unanimous consent that the Senate proceed to S. 3677, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3677) to make a technical correction to the Flood Disaster Protection Act of 1973.

There being no objection, the Senate proceeded to consider the bill.

Mr. COONS. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table with no intervening

action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3677) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3677

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

SECTION 1. TECHNICAL CORRECTION.

Section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)(A)) is amended by inserting ''residential'' before ''improved real estate'' each place that term appears.

CELEBRATING THE WORLD PEACE CORPS MISSION AND THE WORLD PEACE PRIZE

Mr. COONS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 614, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 614) celebrating the World Peace Corps Mission and the World Peace Prize.

There being no objection, the Senate proceeded to the resolution.

Mr. COONS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any related statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 614) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 614

Whereas the World Peace Corps Mission is an international organization that operates according to the core spirit of advancing peace, justice, and inter-religious collaborations;

Whereas the World Peace Prize is a prestigious award presented by the World Peace Corps Mission that celebrates individuals who have contributed tremendously to peace and enlightenment for humanity;

Whereas past recipients of the World Peace Prize include President Ronald Reagan of the United States, President Abdurrahman Wahid of Indonesia, and President Nakamura of Palau;

Whereas in 2010, the World Peace Prize Awarding Council recognized His Holiness Dorje Chang Buddha III (referred to in this preamble as ''H.H. Dorje Change Buddha III'') for his devotion to an immensely wide scope of humanitarian activities directed at individuals from different communities throughout the world;

Whereas H.H. Dorje Chang Buddha III has received numerous awards, including the United States Presidential Gold Award, which the Chairman of the President's Advisory Commission on Asian Americans and Pacific Islanders presented on behalf of President George W. Bush to H.H. Dorje Chang Buddha III for the outstanding contributions of H.H. Dorje Chang Buddha III to the arts, medicine, ethics, Buddhism, spiritual leadership, and United States society; and

Whereas in 2010, the World Peace Prize Awarding Council also recognized the Honorable Benjamin A. Gilman for being a lifelong champion of human rights who has fought world hunger, narcotics abuse, and narcotics trafficking: Now, therefore, be it

Resolved, That the Senate—

(1) commends the World Peace Corps Mission for advancing peace, justice, and inter-religious collaborations; and

(2) celebrates the World Peace Award and the recipients of the World Peace Award.

CONGRATULATING THE RECIPIENTS OF THE 2012 NOBEL PEACE PRIZE IN CHEMISTRY

Mr. COONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 615, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 615) congratulating the recipients of the 2012 Nobel Prize in Chemistry.

There being no objection, the Senate proceeded to the resolution.

Mr. COONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 615) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 615

Whereas the Nobel Prize is an international award administered by the Nobel Foundation in Stockholm, Sweden;

Whereas the Nobel Prize has been awarded for outstanding achievements in physics, chemistry, physiology or medicine, literature, and peace since 1901;

Whereas the Nobel Prize in Chemistry is awarded by the Royal Swedish Academy of Sciences in Stockholm, Sweden to recognize scientific advancements that have increased our understanding of chemical processes and their molecular basis;

Whereas the 2012 Nobel Prize in Chemistry is awarded jointly to Robert J. Lefkowitz, M.D., a Howard Hughes Medical Institute investigator and James B. Duke Professor of Medicine and Biochemistry at Duke University Medical Center in Durham, North Carolina, and Brian K. Kobilka, M.D., Professor and Chair of Molecular and Cellular Physiology at the Stanford University School of Medicine in Stanford, California, for their studies on G-protein-coupled receptors;

Whereas G-protein-coupled receptors are a class of cell surface receptors that catch chemical signals from the outside and transmit their messages into the cell, providing the cell with information about changes occurring within the body;

Whereas the studies completed by Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., have significantly advanced our scientific understanding of G-protein-coupled receptors and their functions;

Whereas the groundbreaking discoveries made by Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., have made it possible to target and treat diseases more precisely and effectively, as nearly half of all medicines used in the world are aimed at G-protein-coupled receptors;

Whereas the National Institutes of Health supported the work done by Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., through research grants with the goal of advancing scientific knowledge and improving public health; and

Whereas the accomplishments and discoveries of Robert J. Lefkowitz, M.D., and Brian K. Kobilka, M.D., are significant achievements in the field of scientific and medical research and further promote the United States as a world leader in science: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the recipients of the 2012 Nobel Prize in Chemistry, which is awarded for their outstanding scientific achievements and discoveries; and

(2) recognizes Duke University Medical Center in Durham, North Carolina, and the Stanford University School of Medicine in Stanford, California for their leadership role in advancing medical research.

Mr. COONS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 3637

Mr. COONS. Mr. President, I ask unanimous consent that at 11:30 a.m., Thursday, December 13, the Senate resume consideration of S. 3637, the FDIC TAG Program extension bill; that it be in order for the Republican leader or his designee to raise a budget point of order against the bill; that if a point of order is so raised, the majority leader or his designee be recognized to move to waive the point of order; that the time until 12 noon be equally divided between the two leaders or their designees; that at 12 noon the Senate vote on the motion to waive the budget point of order, if such a motion is made; that if the motion is successful, the Senate then proceed to the vote on the motion to invoke cloture on S. 3637; further, that if the motion to waive is not successful, the cloture motion be vitiated and the majority leader be recognized.

Finally, if a budget point of order is not raised, the time until 12 noon be equally divided between the two leaders or their designees; that at 12 noon the Senate proceed to vote on the motion to invoke cloture on S. 3637.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, DECEMBER 13, 2012

Mr. COONS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, December 13, 2012; that following the prayer and Pledge of Allegiance, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; and that following morning business, the Senate then resume consideration of S. 3637, the FDIC TAG extension legislation, under the previous order; finally, that the filing deadline for all second-degree amendments to S. 3637 be 10:30 a.m. on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. COONS. Mr. President, there will be up to two rollcall votes at noon tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. COONS. If there is no further business to come before the Senate, I ask unanimous consent the Senate adjourn under the previous order.

There being no objection, the Senate, at 6:57 p.m., adjourned until Thursday, December 13, 2012, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN RECOGNITION OF CAPE COD COMMUNITY COLLEGE AND TURNING MILL ENERGY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. KEATING. Mr. Speaker, I rise today to recognize Cape Cod Community College and Turning Mill Energy, Inc., as they enter into a unique partnership furthering green energy initiatives on Cape Cod.

Turning Mill Energy is a locally-owned small business that focuses on research and development in the renewable energy field. Having expanded from its roots as a telecommunications company, Turning Mill Energy has become an exemplar of a successful Cape Cod small business, employing only local Massachusetts citizens. After taking notice of Turning Mill Energy's success, Dr. John Cox, president of Cape Cod Community College, proposed a unique collaboration into which, he believed, the College and the company should enter. Under this proposal, Turning Mill Energy would be given space to continue their research and development with students, as well as the opportunity to design, install, and test new solar carports on the Cape Cod campus. In return, the College would see approximately a 20% reduction in its electricity expenses following the completion of these solar carports. The College and Turning Mill Energy will be officially unveiling these new solar carports together this December.

It is truly inspiring to see an educational institution collaborate with a private enterprise in order to advance the cause of renewable energy. Finding cleaner sources of energy should be a national priority, and I am proud that such important strides are being made on Cape Cod.

Mr. Speaker, please join me in recognizing Cape Cod Community College and Turning Mill Energy, Inc., as they work together to support research and development of alternative sources of energy. I ask that my colleagues join me in thanking the College and the company for supporting such an important research initiative, and in congratulating them upon the official unveiling of their hard work this December.

IN HONOR OF LOIS NOLAN ''PAULINE'' LARSON

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. LARSON of Connecticut. Mr. Speaker, Thoreau famously said most men lead lives of quiet desperation. My mother led a life of quiet inspiration. Thousands gave witness to that and stood in line for more than three hours to pay their final respects to Lois Nolan Larson, affectionately known as Pauline. My family was deeply touched by the outpouring of the community. It was a great tribute to my mother's lifetime commitment to her community. Several kind statements of appreciation were made by elected officials—from the President of the United States to the Governor of our state; from Senators to House Leaders in Congress and members of the Connecticut General Assembly. It was, however, two articles—one by Tom Condon of The Hartford Courant, the other by Bill Doak of our hometown paper, The East Hartford Gazette, that captured the sentiment, feeling and appreciation of an everyday mom who gave to her community and set an example to emulate. The following are those two articles:

[The Hartford Courant, Oct. 12, 2012]

EAST HARTFORD MOTHER LEFT LEGACY OF INVOLVEMENT AND ACTION

(By Tom Condon)

Democracy works because good people give their time and get involved. At the municipal level, few epitomized the ethic of participation quite like Lois Pauline Nolan Larson of East Hartford, who died this week at 87.

For decades starting in the 1960s, Mrs. Larson, known to all as Pauline, served the town in most of the ways it is possible to serve. She was a member of the town council and the Democratic town committee, on which she served as vice chairwoman and treasurer. She served on the town's parks and visiting nurse association boards and the cemetery commission. The community center in the Mayberry Village neighborhood where she lived is named in her honor.

She volunteered her time while she and her husband were raising eight children, and while she was battling multiple sclerosis. She inspired two of her children to go into public life. Her son Timothy Larson was mayor of East Hartford for eight years and is now a state representative. Her son John Larson is the seven-term U.S. representative from the 1st District.

John Larson spoke of his mother's battle with declining health in a televised speech at the recent Democratic National Convention, and how she wanted not to be a burden to her family. ''Mom, you're not a burden,'' Larson told the convention crowd. ''You're an inspiration.''

Many in East Hartford nodded.

[From The Gazette, Oct. 18, 2012]

LOIS ''PAULINE'' NOLAN LARSON: FAMILY, POLITICS AND MAYBERRY WERE HER LIFE

(By Bill Doak)

Lois Nolan ''Pauline'' Larson, one of the stalwart mothers of Mayberry Village and an influential leader in East Hartford political circles, passed away Wednesday, October 10 with her family by her side.

She is the mother of United States Congressman John Larson, and former mayor and State Representative Timothy D. Larson of the 11th Assembly District.

Sunday night a line of mourners waited for up to three hours outside D'Esopo's East Hartford Chapel on Carter Street. Monday for Pauline Larson's funeral in St. Isaac Jogues Church Connecticut Governor Dannel Malloy, US Senators Joseph Lieberman and Richard Blumenthal and Congresswoman Rosa DeLauro were among the hundreds attending a Mass presided over by four priests from the local and state diocese.

Her daughters read a touching poem that, they said, reminded them of their mother.

Congressman Larson reflected on the influence his mother and father had and their love for one another, reunited at last. Raymond Larson died 24 years earlier.

''The first thing my father would say would be 'you're late', said the Congressman. He thanked the many people for their patience at the funeral home and those who made a difference, caring for his mother during the later years of her life as she battled Multiple Sclerosis and dementia. In particular he thanked his brother, David, who served as his mother's companion and caregiver at the family home on Chandler Street until the decision was made to care for her at Riverside Healthcare Center.

''Why,' my sisters would ask, does she have to go through all this? Why does she have to suffer so?' The answer always came back from her caregivers, 'Why? She's here to be with us.''

Lois Pauline Nolan Larson died peacefully on October 10, 2012 at Riverside Health and Rehabilitation Center in East Hartford, surrounded by her loving family.

Born on April 9, 1925 to the late L. Edward and Carrie Mae (Douglas) Nolan, she was raised in East Hartford where she was a member of the East Hartford High School Class of 1942 and the National Honor Society. In 1945, she married her high school sweetheart, Raymond E. ''Archie'' Larson, who predeceased her in 1988.

She worked during WWII at Pratt & Whitney then worked part time at the Travelers and various other jobs while her children were young, then full time at several companies including Thomas E. Toomey and the State Capitol. In addition to her family, she loved her community and the Democratic Party.

She was very active in many civic and community organizations, including the Board of the East Hartford Visiting Nurses and the Mayberry Village Revitalization Association.

She served for many years on the Federation of Democratic Women and the Democratic Town Committee, including as Vice Chair. Pauline was among the first women elected to the East Hartford Town Council.

While she always felt others were more deserving, Pauline received countless awards and honors for her community service, including the naming of the Lois Nolan Larson Community Center in her beloved Mayberry Village. Pauline's greatest attribute was the love she gave not just to her family, but to everyone she came in contact with. She made everyone feel as though they were the most important person to her and nothing mattered more to her than what mattered to them. Her caring spirit was a gift to her children and their friends, who were always welcome at the ''brick mansion'' at 10 Chandler.

Pauline was predeceased by her sister, Eleanor Nolan Elton.

She leaves behind her eight children and their spouses: Sharon and Kenneth Fitzgerald, John and Leslie Larson, Daniel and Dorothy Larson, Christopher and Eileen Larson, Linnea and Edward Bennell, David Larson, Marylou and Raymond Onidi and Timothy and Nancy Larson; 18 grandchildren:

Maura Downes and Tim, Sean Fitzgerald, Megan Hurlburt and Tyler, Carolyn, Laura and Raymond Larson, Eric Larson and Sue, Glenn, Jeffrey and Deborah Larson, Samantha Jeter, and Jon, Cori Larson, Joe Bennell and Natasha, Chaim Bennell, Gina and Nickolas Onidi, and Matthew and Arianna Larson; and 11 adored great-grandchildren; she also leaves an niece, Candace Bryan, and nephew Brian Elton; and several cousins and extended family members. Pauline's family extends a very special thanks to Dr. Roy Zagieboylo, Karen Chadderton and the entire staff at Riverside who took such loving care of her, especially Delanney, Kathy, Charmaine, Janet, and Maria and many other who treated her with compassion and dignity.

RECOGNIZING DAVE ROBERTSON ON HIS RETIREMENT FROM THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize and commend David J. Robertson on the occasion of his retirement from the Metropolitan Washington Council of Governments, where he has served with distinction for the past 26 years, culminating in his appointment as executive director a decade ago.

The Council of Governments functions as the Metropolitan Planning Organization for the National Capital Region, and it is comprised of 21 regional governments representing Virginia, Maryland and the District of Columbia. COG and its leadership play a key role in coordinating the regional response on issues ranging from Chesapeake Bay preservation to affordable housing and from homeland security to transportation planning. Those activities are financed by the member jurisdictions, federal and state grants, and private sector funds.

Dave has been a mainstay at COG, where he began as a regional planner in 1986. Throughout his tenure, Dave has held a series of roles, both technical and managerial, and prior to being named executive director, he was head of COG's Department of Human Services, Planning and Public Safety. In a region with overlapping local, state, and federal interests and competition, Dave has proven adept at keeping the organization's staff and membership focused on the mission of addressing our shared challenges to improve the lives of our collective constituents.

It was my great pleasure to serve on the GOC board of directors while I was a member of the Fairfax County Board of Supervisors. I also chaired the COG board in 2000 and collaborated with Dave on a number of projects, including my initiative to increase telework among the regional governments. In addition, I chaired COG's Emergency Preparedness Council, where Dave was instrumental in coordinating response and preparedness efforts not only among the local governments, but also with the states and the federal government, which is no small task as each major weather incident or natural disaster reminds us.

In addition to his role at COG, Dave also served on a number of regional organizations, including the American Red Cross of the National Capital Region, the Greater Washington Board of Trade, the American Planning Association, the International City/County Management Association, and the Washington Region for Justice and Inclusion.

Prior to his tenure with COG, Dave worked for the National Association of Home Builders and former member of Congress David Bonior of Michigan. He received a Master of Urban Planning degree from George Washington University, and also holds a Bachelor's degree from Wayne State University in Detroit, Michigan.

Mr. Speaker, I ask my colleagues to join me in congratulating Dave Robertson on his many accomplishments and thanking him for his tremendous service to the Council of Governments and the National Capital Region. Thanks to Dave's leadership, we spent more time focusing on those challenges that unite, rather than divide us, and that continues to serve as a lesson for us all to follow. We wish Dave the best of luck in his future endeavors.

IN HONOR OF MIKE TYNER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. FARR. Mr. Speaker, I rise today to honor the memory of Mike Tyner, a remarkable young man who died tragically last year. Mike was a field crew leader for the Ventana Wildlife Society's California Condor Reintroduction Program. During a powerful wind storm on November 30th, 2011, a falling tree branch struck and killed Mike when he was in the field in Big Sur, California, to ensure the safety of a newly released endangered condor. He was just 35 years old.

Mike graduated from California Polytechnic University San Luis Obispo with a Bachelor of Science degree in Ecology and Systematic Biology. He lived a life of accomplishment, serving as a research assistant at Cal Poly San Luis Obispo and a volunteer for the USDA Forest Service. He joined the Ventana Wildlife Society in 2002, studying songbirds along the Carmel River and conducting surveys for Spotted Owls in the Big Sur backcountry. He also achieved success in his work as an ornithologist, botanist, and a desert biological monitor.

In 2006, Mike began working full-time on Ventana Wildlife Society's California Condor Recovery program. He quickly rose to the position of field crew leader. Mike was dedicated to protecting condors, even in the most challenging conditions. During the 2008 Big Sur wildfire, Mike and his team safely rescued seven captive condors that were held in a field pen in the fire's path. Thanks in large part to Mike's efforts, all biologists and condors were brought to safety. Releasing a young condor into the wild was not only Mike's last act of service to our earth community, but it was an act that captured the essence of Mike's legacy.

Mike is survived by his loving mother, Nancy Ann Tyner; three sisters, Theresa Ann Guire, Mary Cynthia Clayton, and Kathleen Julie Morgan; two brothers, Timothy Gordon Skeens and John Eric Skeens; and his many nieces and nephews. He was preceded in death by his father, Jack Lue Tyner.

Mr. Speaker, it is a privilege to rise today to honor the memory of Mike Tyner. Mike gave his life to help endangered species flourish, and his life is a reminder that we can all play a part in devoting ourselves to making the world a healthier and more beautiful place.

HONORING SENIOR MASTER SERGEANT BRIAN FORSYTHE FOR HIS SERVICE TO OUR GREAT NATION

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. STEARNS. Mr. Speaker, I rise today to recognize United States Air Force Senior Master Sergeant Brian Forsythe for his service to our great nation. A resident of Florida, SMSgt Forsythe has honorably served for 21 years and will be retiring in January of 2013. His contributions ensure the greatest Air Force in the world completes their mission statement to fly, fight, and win. . .in air, space, and cyber space through the mastery of various positions including: Wing Functional Manager, Command Group Superintendent, and Infrastructure Section Chief. SMSgt Forsythe graduated from the Air Force Airmen Leadership School, Air Force Senior Noncommissioned Officer Academy, and Southwestern College, among others.

In his 21 years of dedicated service, SMSgt Forsythe has displayed both patriotism and bravery through his successful deployments in Operations Southern Watch, Northern Watch, Iraqi Freedom, and Enduring Freedom. As a selfless mentor, he has inspired numerous US and Allied Airmen earning recognition for individual accomplishments.

His life is a living testament to the courage and duty our men and women in the armed forces possess, so that freedom and liberty may endure. On behalf of Florida's Sixth Congressional District, I extend my congratulations to SMSgt Brian Forsythe on his retirement from the United States Air Force.

CELEBRATING THE LIFE OF ALBERT B. RATNER ON THE OCCASION OF HIS 85TH BIRTHDAY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. KAPTUR. Mr. Speaker, I rise to recognize Mr. Albert Ratner of Cleveland, Ohio. Mr. Ratner celebrates his 85th birthday on December 27 of this year. In celebration of this milestone, his family and friends are honoring him on December 26, 2012.

Albert Ratner was born in 1927 in Cleveland, Ohio. He graduated from Cleveland Heights High School in 1946 and from Michigan State University in 1951. Due to his extensive civic, philanthropic and business history, Albert Ratner also holds an Honorary Doctor of Laws Degree from Long Island University and an Honorary Doctor of Engineering Degree from Polytechnic University, both in Brooklyn, New York. He served in the United State Army. Together, he and his wife Faye

raised two children, Deborah and Brian. Though Faye passed, he and his wife Audrey have been married since 1980.

Al developed Forest City Enterprises, Inc. into a cornerstone company and currently serves as Co-Chairman of the Board Emeritus. He has guided his company throughout the decades to become a respected and well-known corporation. At the same time, Al has served on more than two dozen boards and commissions, where his leadership is legendary.

His philanthropy, civic-mindedness and business acumen have earned Al Ratner numerous accolades. Some of these include Downtown Cleveland Recognition Away, Builders' Magazine 20th Gold Nugget Award, the Charles Eisenman Award, the U.S. Department of HUD's Agora Award, Harvard Business Club of Cleveland's Business Statesman of the Year, Financial World Magazine's CEO of the Year and Bronze Medal, Cleveland Business Hall of Fame, Urban Land Institute's J.C. Nichols Prize for Visionaries in Urban Development, and Michigan State University's Distinguished Alumni Award.

I have been privileged to work with Al Ratner on several initiatives and have appreciated his wise counsel. He epitomizes ''a life well-lived.'' He is a corporate and community leader with boundless energy who has made an indelible contribution to the greater Cleveland community. Not known to mince words, his insights, advice and counsel are sought broadly. He is always willing to assist, to lead and to care. I join his family and friends, his employees and the residents of Cleveland in wishing Al Ratner the happiest of birthdays, with a wish for many more. Onward!

RECOGNIZING THE HONORABLE MARY KERWIN'S LEADERSHIP IN THE COMMUNITY OF TROY, MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. PETERS. Mr. Speaker, I rise today to honor Mary Kerwin, my friend and a leader in the community of Troy, Michigan. This year, Mary has been recognized as Leadership Troy's Distinguished Citizen of 2012.

Each year, Leadership Troy recognizes a single community member as its Distinguished Citizen for their volunteer contributions to Troy that have gone above and beyond the requirements of their employment, improving the quality-of-life in Troy. Mary, with her twenty-four years of service in both the non-profit and public sectors of Troy, has on countless occasions demonstrated courage and leadership that has moved her community forward.

Mary's passion for building a stronger, more vibrant and better connected community has been a guiding force that has permeated every facet of her life. It is seen in her volunteer work for countless community organization like the Troy Community Coalition, The Friends of the Troy Library, the League of Women Voters and the Troy Historical Society. Mary's passion has also reached into the community of her Parish at St. Elizabeth Ann Seton Church where she serves as a Lector, Eucharistic Minister and part of its Women's Fellowship program.

The one area where Mary's enthusiasm for the Troy community has been so poignantly felt is in her work with young people. Mary has served in a variety of positions both volunteer and elected within the Troy Public Schools. She dedicated personal time to being a mentor to youth, served as President of the PTA at Hamilton Elementary and served on the PTA President's Council as its Parliamentarian. As a twice-elected Troy School Board member, she brought the knowledge of her experiences and pragmatic problem-solving approach to improving the educational experience of the District's students.

Mary later brought this same approach to Troy citizens while serving on the Troy City Council. During her four-year term, she served as Mayor Pro-Tern and as President of the Michigan Municipal League's Elected Officials Academy, a program which helped local elected officials improve and perfect their leadership skills to better serve the communities they represent.

Today, Mary continues to be an active participant in the Troy community and the broader Southeast Michigan region. In her professional capacity, she serves as the Development and Special Events Director for the Boys and Girls Club of Troy, which is actively engaging youth to identify and develop the skills of future leaders. This is a pursuit that Mary also supports through her work at the University of Michigan-Dearborn Institute for Local Government, which is helping the future elected leaders of our region to hone their abilities.

Mr. Speaker, our local leaders are an integral part of the fabric of our Nation, and this is witnessed by the passion Mary has injected not only into building a stronger community in Troy, but also ensuring that we are working to build a brighter future with more opportunity for future generations. It is again a great honor to congratulate her on her award as Leadership Troy's Distinguished Citizen of 2012. I know that Mary's passion will continue to be a driving force in her work within the Troy and the Southeast Michigan communities to build a stronger and more secure future for the region.

TRIBUTE TO PHILLIP JAMES CLINE

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. NUNES. Mr. Speaker, alongside my colleague, Congressman KEVIN MCCARTHY, we rise today to honor Phillip James Cline, District Attorney of Tulare County, on the occasion of his retirement.

Mr. Cline is a Tulare County native, having graduated from Exeter Union High School, College of the Sequoias, California State University Fresno, and San Joaquin College of Law. He also served in the United States Air Force as a Staff Sergeant.

After joining the bar and working briefly in private practice, Mr. Cline joined the District Attorney's Office in 1978. He served as a prosecutor for more than 30 years, specializing in homicide cases and winning numerous high-profile death penalty cases.

In 1992, Mr. Cline began serving as District Attorney. Re-elected three times, he initiated programs to address workers' compensation and automobile insurance fraud, domestic violence, major narcotics, sexual assault and child abuse, welfare fraud, auto theft, gang violence and child abduction, among others. He created the state's first Rural Crime Program, designed to protect the agricultural industry, and developed other programs addressing consumer fraud, career criminal prosecution, victim's services, elder abuse prosecution and the safe neighborhoods program. Mr. Cline and his staff also implemented programs designed to strike at the root causes of crime. These included a program to reduce teen pregnancy, which received statewide recognition, as well as a Veterans' Court to address the needs of combat veterans.

Mr. Cline is a member of many professional and philanthropic organizations. He is past president of the Tulare County Bar Association and is an active member of the California and National District Attorney's Associations. He is the only District Attorney ever elected president of the Tulare County Police Chiefs' Association. Mr. Cline has also served on the boards of the HEART after-school program and the Tulare County Library Foundation, among others. He has been active in Pro Youth Walk Run, the Justice Run and the annual Victims of Homicide Memorial Quilt Ceremony.

Please join Congressman MCCARTHY and me in congratulating Mr. Phillip James Cline on his retirement from his position as District Attorney of Tulare County.

HONORING MR. CHUCK BANKSTON

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. WESTMORELAND. Mr. Speaker, I come to you today to honor Mr. Chuck Bankston. Chuck has been elected to chair the National Lumber and Building Material Dealers Association.

Chuck has proven himself to be the man for the job over the years. A native of Barnesville, GA, Chuck attended Georgia Southern and graduated with a degree in marketing. He then became the fourth generation owner and president of his family business, Bankston Lumber. Under Chuck's leadership, Bankston Lumber is debt-free and has remained profitable every year in spite of these tough economic times. Chuck believes in enjoying life and his work, so much so that he has a sign in his warehouse that reads: ''If you're not having fun, you're fired.''

Prior to his recent nomination, Chuck served as the chair of the Construction Suppliers Association, as well as the Georgia Senate Lien Law Advisory Committee. Having owned my own construction business, the work Chuck has done to protect and represent the interests of independent building dealers throughout Georgia and Alabama is not only appreciated, but well respected. In 2008, he was honored with the National Lumber and Building Material Dealers Association's Grassroots Dealer of the Year Award for his participation in legislative matters.

Having visited Bankston Lumber and seen its operations, I know that Chuck will put the same amount of dedication, passion, and hard

work into this position as he has his family's business. I am honored to help celebrate my friend Chuck's appointment as chair, and Joan and I wish him the very best as he leads the National Lumber and Building Material Dealer Association to great things.

TRIBUTE TO PHILLIP JAMES CLINE

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. MCCARTHY of California. Mr. Speaker, alongside my colleague, Congressman DEVIN NUNES, we rise today to honor Phillip James Cline, District Attorney of Tulare County, on the occasion of his retirement.

Mr. Cline is a Tulare County native, having graduated from Exeter Union High School, College of the Sequoias, California State University Fresno, and San Joaquin College of Law. He also served in the United States Air Force as a Staff Sergeant.

After joining the bar and working briefly in private practice, Mr. Cline joined the District Attorney's Office in 1978. He served as a prosecutor for more than 30 years, specializing in homicide cases and winning numerous high-profile death penalty cases.

In 1992, Mr. Cline began serving as District Attorney. Re-elected three times, he initiated programs to address workers' compensation and automobile insurance fraud, domestic violence, major narcotics, sexual assault and child abuse, welfare fraud, auto theft, gang violence and child abduction, among others. He created the state's first Rural Crime Program, designed to protect the agricultural industry, and developed other programs addressing consumer fraud, career criminal prosecution, victim's services, elder abuse prosecution and the safe neighborhoods program. Mr. Cline and his staff also implemented programs designed to strike at the root causes of crime. These included a program to reduce teen pregnancy, which received statewide recognition, as well as a Veterans' Court to address the needs of combat veterans.

Mr. Cline is a member of many professional and philanthropic organizations. He is past president of the Tulare County Bar Association and is an active member of the California and National District Attorney's Associations. He is the only District Attorney ever elected president of the Tulare County Police Chiefs' Association. Mr. Cline has also served on the boards of the HEART after-school program and the Tulare County Library Foundation, among others. He has been active in Pro Youth Walk Run, the Justice Run and the annual Victims of Homicide Memorial Quilt Ceremony.

Please join Congressman NUNES and me in congratulating Mr. Phillip James Cline on his retirement from his position as District Attorney of Tulare County.

CELEBRATING THE LIFE OF HARLEM'S COMMUNITY LEADER DOROTHY MAE SKINNER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. RANGEL. Mr. Speaker, I rise today to celebrate the life of Harlem's community leader Dorothy Mae Skinner, who passed away on Monday, November 26, 2012. I first met Dorothy in my early years in the U.S. House of Representatives in her role as a community activist, concerned resident, and devoted parent.

Dorothy was very engaged in the war on drugs in the 1970's and 1980's and became active with the New York City Police Department 30th and 32nd Precincts and community councils. Dorothy was both friend and foe of the neighborhood drug dealers, for they all loved her but knew she was leading the fight against them, a fight she handily won. As President of the Block Association, she organized block parties, jazz mobiles, Halloween parties in Hamilton Park, and coordinated activities with the Police Athletic League (PAL).

Dorothy Mae Skinner joined the Board of Directors of the West Harlem Group Assistance, Inc., one of Harlem's oldest and largest community based development organizations, which was established more than 30 years ago to revitalize the under-invested West and Central Harlem communities—riddled with dilapidated and abandoned buildings.

Dorothy served as Chairperson of West Harlem Group Assistance Board of Directors for over 20 years and served as the Secretary until her passing. She helped guide the vision of WHGA to recreate a community in which all responsible residents, community-based organizations, and other stakeholders are mobilized and firmly committed to working together willingly and cooperatively. This ensured that Harlem was positioned to enter the 21st century as a safe, socially stable, healthy, economically sound, well-educated and informed, and politically strong community.

Dorothy Mae Skinner was born on June 22, 1926, to the late Herman and Gladys Harris. She was the eldest of 12 children born to that union. With that size family, Dorothy grew up with a great sense of family values, which continued with her own family. Dorothy met and married Robert Skinner on December 24, 1946. They were married for 34 years and were blessed with 6 children: (Butch) Robert, (D.G.) Dorian, Roberta, Rene, Diane, and Cheryl, whom she nurtured and cherished. She is pre-deceased by her eleven siblings and her husband, Robert.

Dorothy loved to travel and it did not matter if it was local or long distance. She continued to preach and teach family values, as she believed in family outings. Every weekend during the summer she would either take her children away, or send her children to the movies or penny arcade. Most people reserve a hotel room when going on vacation, but Dorothy would rent an apartment for a week to accommodate her children and their friends. She also organized yearly dude ranch trips during the summer and Ski trips during the winter.

Educated in the NYC public schools, Dorothy was a determined young woman who received her GED at age 35 and continued her education and attended City College of New York. She truly believed in education and was employed by the NYC Department of Education for a number of years, nurturing and caring for many young lives, until her retirement at age 65. Many years later, as she would often sit on her stoop, former students, now grown, would stop by and chat with her.

Dorothy was very involved in the Mt Pisgah Baptist Church where she served for several years as Deaconess. She was known to many as Mrs. Skinner, Dorothy, Grandma, or Grandma Dee. Dorothy enjoyed scratchoff and sometimes made a pretty penny too, which kept her scratching.

Mr. Speaker, great women like our beloved Dorothy are precious gifts we temporarily have in this world, but their assistance, contributions and accomplishments are far remembered and everlasting. I ask you, my colleagues, to join me in celebrating the life of Dorothy Mae Skinner.

HONORING THE LIFE OF RICHARD D. RUPPERT, MD

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. KAPTUR. Mr. Speaker, I rise today to pay tribute to a remarkable human being, Dr. Richard Ruppert. Dr. Ruppert unexpectedly passed from this life on October 22, 2012. Dr. Ruppert was a friend and advisor to many, including me, and we were indeed privileged to have known him.

Born in Rural Ohio 81 years ago, Richard Ruppert worked in the family farm for five years after he graduated from high school. He then went on to Ohio State University, where he received his undergraduate and medical degrees. While at Ohio State University, he met and married his wife, Elizabeth Ruppert, MD.

Following his residency, Dr. Ruppert returned to OSU, where he was professor of gastroenterology in the Department of Medicine for nine years. He was named assistant dean of the College of Medicine in 1970, adding medical director for patient services two years later. He was named vice chancellor for health affairs at the Ohio Board of Regents in 1974, and in 1977 Dr. Ruppert became the third president of the Medical College of Ohio. During his 16 year term, the Medical College of Ohio saw unprecedented growth, was established as a leader in medicine, and came into its own as a premier institution. Dr. Ruppert's able guidance directed the Medical College of Ohio through an illustrious time and his leadership is unparalleled. As one colleague described it, ''Much of MCO's success can be credited to Richard D. Ruppert. From a new college on a divided campus—one part farmland and the other a deteriorating county hospital complex—he provided guidance and the political skills to develop the new campus to its present ten structures . . . The school has emerged from its early growing pains to achieve an identity as a quality medical institution during Dr. Ruppert's tenure, with a large credit due to his leadership and vision.''

Even as he presided at the helm of the medical college, Dr. Ruppert gave himself to civic affairs. He served a decade on the Toledo Lucas County Port Authority Board, four

as chair. He was a Rotarian, serving one term as president. He chaired the United Way of Greater Toledo campaign, was a member and president of the Ohio Historical Society Board and member of the Hayes Presidential Center. He served a decade as trustee, campaign chair, and president of the Fort Meigs Historical Society and was president of the Torch Club.

In all things: family, work, and community, Dr. Richard Ruppert gave all. He leaves a legacy few could match. His brilliance, humor, grace, kindness and insatiable curiosity and love of life were true gifts. He and his wife Libby have been a team unmatched, a gift that keeps giving to us all—our community, advanced medicines, academic excellence, friends and colleagues, loyalty to community, persevering leadership. Dr. Richard Ruppert made a difference for humanity and we are eternally grateful for his life and service to America.

HONORING THE EU FOR RECEIVING THE 2012 NOBEL PEACE PRIZE

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. STEARNS. Mr. Speaker, on Monday, December 10, 2012, Nobel Committee Chairman Thorbjoern Jagland presented European Leaders with the Nobel Peace Prize. The European Union (EU) received the distinguished award for its promotion of peace and human rights. Since the end of World War II, Europe has seen six decades without wars, turning a continent historically known for conflicts into a continent of peace.

Since the formation of the European Union's initial organizations, there has not been a single hostile incident between the member states now known as the European Union. While there has been violence and war on the edges of the EU, such as the Balkan Wars, these did not happen between EU members, and now with the goal of full EU membership the nations of the Balkans are beginning to look forward to the future.

Membership in the EU requires a nation to have a fully operating democratic government, protection of civil liberties for a broad variety of minorities, recognition of private property and a fully functioning free enterprise economy. EU membership is a demand for democracy and free enterprise which brings peace and security to every country that has joined. The growth from six western European countries to an organization of 27 member states that represent over 500 million people with a Gross Domestic Product (GDP) of $17.6 trillion is a transatlantic accomplishment worth noting for generations to come. The U.S. can take pride in the support and cooperation it has provided the EU over the years, with both our economies representing 54% of world GDP and is responsible for 14 million ''on shored'' jobs on both sides of the Atlantic.

Mr. Speaker, peace is not simply an era without war, but a common goal we share and are committed to maintaining. Both our constituencies are faced with terrorism, climate change, and recovering economies. These problems know not of party lines or of national borders. We are encouraged by the EU's achievements as a community of nations that have overcome so much in the pursuit of peace. Where there was war, now is peace. As we continue to work closer with our allies in the EU, I am confident that where there is now peace, peace shall remain.

Both the EU and the U.S. face a recovering economy. Towards that end, we are encouraged to hear of preliminary discussions regarding a comprehensive trade agreement with the EU and the impact it will have on jobs and economic growth for our economies. While the reduction of spending by nations is required, our efforts should also support a special emphasis on job creation. With the EU and the U.S. as the largest trade partners for each other, reduction in tariff and non-tariff barriers will help facilitate a job creating environment providing hope for the citizens we represent.

HONORING ASSISTANT SECRETARY RUSSLYNN ALI

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. FATTAH. Mr. Speaker, I rise today to recognize and thank a tireless advocate for all of America's children, Russlynn Ali, Assistant Secretary for Civil Rights, United States Department of Education. Ms. Ali has recently transitioned from the Department into a new role and I would like to take the opportunity to share with this body the impressive accomplishments of the Office for Civil Rights under her leadership.

First and foremost, I would like to thank Ms. Ali for all that she has done to see the Equity and Excellence Commission draft a final report. I am confident that this document will provide a useful framework for policymakers, advocates and families at every level to create a more equitable and excellent system of public education that draws on the skills and talents of every American child. The Commission's success is because of the hard work of Russlynn Ali.

While revitalizing an underutilized federal office, Ms. Ali has led the Office for Civil Rights in an impressive direction, supporting states, school districts and schools in providing the equal access to education every child deserves. During her tenure, the Office launched over 100 compliance reviews many of which addressed first-of-their-kind issues and all of which were innovative in their comprehensiveness, scope, and approach. They entered into hundreds of robust resolution agreements that, with aggressive monitoring, will truly eradicate discrimination at its roots. They revamped technical assistance—conducting an average of 315 activities a year over the last four years, up from about 185 in 2008. They released 10 comprehensive Dear Colleagues and guidance documents, all dealing with urgent issues, and revamped them to include detailed application sections—guidances that advocates, superintendents and college presidents have referred to as ''landmark'' and ''historic.'' The Office for Civil Rights made the opportunity gap data come alive with the transformed Civil Rights Data Collection. Now the CRDC site gets about 9,900 visits every month.

I ask this body to join me in thanking Russlynn Ali for all that she has done for America's young people and wishing her well on her next endeavor.

A TRIBUTE TO MICHIGAN STATE REPRESENTATIVE PAUL OPSOMMER

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. CAMP. Mr. Speaker, today I rise to pay tribute to State Representative Paul E. Opsommer in recognition of his faithful service as a member of the Michigan House of Representatives. His fulfillment of three terms as State Representative concludes the most recent phase of what has been a remarkable career in public service, and he leaves behind a dedicated legacy in Lansing.

Before being elected to the 93rd district of Michigan in 2006, Paul had a career in business and local government. He served as Director and later Vice President of Action Management Corporation in Flint, and prior to that as a City Councilman and Mayor of DeWitt. His extensive experience serving on local government agencies and boards, including the DeWitt Schools Strategic Planning Board and the DeWitt Downtown Development Association, among others, also gave him a wide-ranging knowledge of issues important to the region.

In the Michigan House, Paul served on the Energy and Technology, Regulatory Reform, Insurance, and Health Policy Committees, and most recently as Chairman of the Transportation Committee and Associate Speaker Pro Tempore. As a legislator, Paul was dedicated to the passage of sound public policy, and his insights and experience brought a fresh perspective to the House.

Paul is an esteemed Michigan citizen and it is with great pride that I dedicate these remarks to his life and career. I wish him and his family the best as he closes this chapter of his life and begins his next endeavor.

ON THE OCCASION OF THE MICHIGAN LOTTERY'S 40TH ANNIVERSARY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. PETERS. Mr. Speaker, I rise today to mark an important milestone in the history of the Michigan Lottery as it celebrates its 40th Anniversary. Over the last four decades the Michigan Lottery has been focused on fulfilling its mission to supplement state education programs through lottery revenues and provide Michigan residents and visitors with fun and entertaining games of chance, while doing so with a commitment to total integrity.

Since November 1972, when the Lottery offered its first game, a 50-cent green game ticket with weekly drawings, the Lottery has generated over $50 billion in sales. In 1981, Governor Milliken took an important step to help Michigan residents further realize the

economic benefit of the Lottery to our State by signing Public Act 40 into law, which dedicated Lottery revenues to the Michigan School Aid Fund. Since that time, the Michigan Lottery has implemented many new innovative programs and games to offer Michigan residents a great gaming experience, for which it was just recognized with an award for Best New Instant Game by the North American Association of State and Provincial Lotteries.

Today the results of the Michigan Lottery's success are evident in the many ways its programs have benefitted the State. Specifically, over the duration of its existence, the Lottery has awarded over $26.8 billion in prizes to Lottery participants. In addition, it has donated $17.3 billion to the School Aid Fund over its lifespan. Local merchants have also benefitted with $3.2 billion in retail commissions. When the merchant commissions are combined with the awards given to participants and schools, it is clear the Lottery has been a significant contributor to stimulating the State economy.

As a former Commissioner of the Michigan Lottery, this milestone is one that I view with a personal point of pride. While serving as Lottery Commissioner, I was pleased to implement a new innovative game, Club Keno, which spurred growth by offering participants the chance to play a fun, fast and action-oriented game that could yield up to a $100,000 prize off just a single $1 bet. Thanks to the success of Club Keno and many other Lottery programs, I was honored to oversee record contributions to the School Aid Fund during my time as Lottery Commissioner.

Mr. Speaker, I ask my colleagues to join me today in recognizing the tremendous contributions that the Michigan Lottery has made to the State of Michigan over the last 40 years. I congratulate the current Commissioner, Mr. M. Scott Bowen, on overseeing the Lottery's continued success and support of public education in Michigan.

TRIBUTE TO ALICE VARNADO HARDEN

SPEECH OF

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to pay tribute to an outstanding individual who has served the citizens of the great State of Mississippi for nearly half a century. Mrs. Alice Varnado Harden was an outstanding teacher, a profound leader and a truly inspiring individual. Senator Harden's unwavering passion for enriching the lives of others and remarkable character and integrity is worthy of recognition by this honorable body, inasmuch as her governing presence will be sorely missed throughout this nation.

Mississippi Senator Alice Varnado Harden was born on April 17, 1948 in Pike County, Mississippi to John Oatis Varnado and Lula Robinson Varnado. She was the third of nine children who grew up in the Washington Addition community of Jackson, Mississippi. A woman of humble beginnings, Senator Harden exhibited extraordinarily strong leadership skills, academic talents and teaching abilities that would later lend to her phenomenal performance as the first African American female to be elected to the Mississippi Senate.

Senator Harden's zeal for education blossomed during her years at Jim Hill High School and Jackson State University. At Jackson State University she earned her Bachelor of Science and Master of Science degrees in Health and Wellness. Upon graduating from Jackson State University, Senator Harden began a noteworthy career as a teacher at Calloway High School in the Jackson Public School District where she quickly gained the respect and admiration of her students, colleagues and administrative supervisors.

Recognizing that public schools in Mississippi were failing to deliver on its promise to adequately prepare its students for the challenges and demands of an ever changing world, Senator Harden gradually redefined her passion for educating from being purely a lecturer to being an advocate for quality public education. As president of the Mississippi Association of Educators, Senator Harden, despite the threat of incarceration by the courts, called for a strike in 1985 to fight for salary increases for the state's teachers. The voice for hundreds of teachers and thousands of children, Senator Harden's steadfast commitment to effectuate change from the front to the back of the classroom, was victorious. Her steadfast commitment to the pursuit of change in how Mississippi honored its educators led to a statewide pay increase for teachers.

Mrs. Harden's roles as an activist propelled her into the realm of politics. In 1988, She was elected to represent Mississippi's 28th Senate District, filling a seat vacated by civil rights activist State Senator Henry Kersey. During her 24 years of service as a Senator, Mrs. Harden served as chair of both the Education and the Universities and Colleges Committees. She also served on the Appropriations Committee, Corrections Committee, the Fees, Salaries and Administration Committee, the Housing Committee, and the Interstate and Federal Cooperation Committee.

Across Mississippi Senator Harden was known as a champion not only for public education, but also as a giant for human and civil rights. She was a staunch supporter and defender of legislation protecting workers' and immigrant rights and was successful in enacting laws that required the presence of certified translators in all Mississippi courts. Her efforts in the Senate also resulted in pay raises and free healthcare for state employees. One of her most notable victories during her leadership of the Senate's Elections Committee was the passage of Mississippi's Motor Voter Act. This bill empowered citizens throughout the State of Mississippi with greater accessibility to the election polls.

Senator Alice Harden's professional associations, achievements and awards are numerous and impressive. They speak volumes with regards to her service and vision for Mississippi communities. Senator Harden was a lifetime active member of St. James Missionary Baptist Church, a member of Alpha Kappa Alpha Sorority, the Women's Political Network, the National Council of Negro Women, the League of Women Voters and a life member of the NAACP. Additionally, she was a member of NOBEL Women, the National Conference of State Legislators, and the National Black Caucus of State Legislators and chaired the Southern Legislative Conference's Education Committee and the Mississippi Advisory Council to the United States Civil Rights Commission. She also represented Mississippi on the Education Commission of the States.

In striving for academic excellence, Senator Harden pursued her doctorate in Educational Administration at The University of Southern Mississippi in Hattiesburg, Mississippi, until her health began to fail. Senator Harden served her state and community faithfully until her death on Thursday, December 6, 2012.

Ms. Harden was married for 37 years to Dennis Lambert Harden. Dennis and their son Sachem brought the greatest and most abundant joy and love to her life. She was often heard talking long hours about Dennis' undying love and his support for every facet and every endeavor that enriched both their lives.

Mr. Speaker, I ask my colleagues to join me in saluting and paying tribute to the outstanding life, achievements and legacy of Mississippi State Senator Alice Varnado Harden. Her passion for public education, human and civil right and voter empowerment is laudable and worthy of recognition by the United States Congress. She will be celebrated forever as one of Mississippi's greatest leaders.

SEQUESTRATION AND THE CHESAPEAKE BAY

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. VAN HOLLEN. Mr. Speaker, I rise today to highlight the potential damage that sequestration could cause to vital efforts to restore the Chesapeake Bay.

The Chesapeake Bay is our nation's largest estuary, with a 64,000 square mile watershed that crosses six states and the District of Columbia and is home to 17 million people and over 3,600 species of animals and plants. In 2004, the Chesapeake Bay Watershed Blue Ribbon Finance Panel estimated the economic value of the Bay at over $1 trillion annually.

This vast resource presents unique challenges—the health of the Bay has been threatened by nutrient runoff, population growth and development, overfishing, and even natural factors like rain and snowfall. For nearly thirty years, the Federal government has been a partner in Bay restoration through the Chesapeake Bay Program, an innovative regional partnership that fosters collaboration among the multiple state and local governments, agencies, and advisory groups in the watershed.

In 2009, the President, with the support of those of us in the Bay states, signed an Executive Order to accelerate Bay clean-up by improving targets and coordinating resources. It's an ambitious plan, and states and localities are working hard on implementation. But they cannot do it alone. The federal government must be an active partner, providing financial support and technical assistance.

For example, the Clean Water State Revolving Fund finances capital projects for wastewater treatment upgrades and helps local governments manage stormwater projects, curbing runoff pollution into the Bay. In Maryland, it will cost over $2 billion between 2010 and 2017 to make the necessary stormwater improvements to meet its pollution reduction targets. Sequestration would cut nearly $196 million from the Clean Water and Safe Drinking

Water funds, limiting resources for these vital repairs and breaking faith with our state and local partners on this collaborative effort.

Chesapeake Bay clean-up is at a critical juncture. As state and local governments are working to implement ambitious plans, the federal government must maintain or increase its funding support, not cut it.

Sequestration's meat-ax approach jeopardizes the years of planning and collaboration that have led to this moment, arbitrarily and unwisely slowing progress on what should be a national priority. We must replace sequestration with a balanced approach that includes revenue increases and targeted cuts while maintaining investments in initiatives like Bay restoration that preserve our national resources. The Chesapeake Bay is a national treasure and an economic engine for the Bay states. It must not fall victim to sequestration's ill-advised cuts.

HONORING THE SERVICE OF PASADENA CITY COUNCILMAN CHRIS HOLDEN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. SCHIFF. Mr. Speaker, I rise today to honor Chris Holden for his 23 years of service on the Pasadena, California, City Council. A graduate of Pasadena High School and San Diego State University, Chris was a basketball star in school and played professionally overseas. He then returned to California to give back to his community by spending the great majority of his life in serving the city he loves.

He was first elected to the Pasadena City Council in 1989 at the age of 28 as the youngest member of the Council, and served until he resigned in November 2012, upon his election to the California State Assembly. In 1997, Chris was chosen by his colleagues to serve a two-year term as Mayor of Pasadena, the first African-American man to hold that position.

During his years on the City Council, Chris served his Pasadena district with distinction, championing efforts to establish a living wage in Pasadena, crack down on slumlords, create drug-free zones, and bring development, jobs, and services to Northwest Pasadena. Chris has also been a strong supporter of deregulation of Pasadena's municipal utility, a leader of charter reform that created a city-wide elected mayor, and a proponent of policies and projects that have revitalized Pasadena, such as the Paseo Colorado, Old Pasadena, and the Pasadena Convention Center.

His service as a long-time Board member of the Burbank-Glendale-Pasadena Airport Authority and supporter of the creation and expansion of the Los Angeles to Pasadena Gold Line clearly demonstrates his commitment to the entire region.

I know that Chris will be missed in Pasadena City Hall, but I am pleased that he has chosen to bring his unique talents on our behalf to Sacramento. I join my colleagues in thanking Chris for his service and wish he, his wife Melanie, and their children, Nicholas, Alexander, Austin, Mariah, and Noah the best in this new chapter of their lives.

HONORING THE LIFE OF FRANK VENNER III

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. KAPTUR. Mr. Speaker, during the Christmas Season we remember people far and near and reminisce about those who are no longer with us. I rise to remember Frank Venner, who passed from this life in the summer of 2012 at age 85 years.

Frank Venner was born March 8, 1927, in Baltimore, Maryland. After living in Providence, Rhode Island and Binghamton, New York, the family moved to Toledo when Frank was a teenager. He graduated from Central Catholic High School in 1944 and from the University of Notre Dame in 1949. He served in the Army Air Corps. Frank and his wife Ruth married in 1952 and together raised six children. Their children, along with their eleven grandchildren, were his pride and joy.

While in college, Frank began working in radio on the college station. Back in Toledo he embarked on a career over four decades in broadcasting. He started at WSPD, Toledo's local radio and television station. Later, the television component became WTVG. Frank Venner was a news fixture at the station, his journalism respected in the community. His signature features were the popular ''Weather-in-the-Weather'' show which was broadcast from atop the former Commodore Perry Hotel, the High School Quiz program which he hosted for a quarter century, and the Venner-Ward Report which he co-anchored with another longtime Toledo newsman Gordon Ward. Mr. Ward recalled, ''Integrity was primary in all that he did. His word was his bond.'' Frank Venner also served as editorial director and news director at the station.

Frank Venner's imprimatur on Toledo news is solid. A true journalist, his impact on television from its earliest days into the 21st century is remarkable. He leaves a lasting legacy. He was a man who often reported what others did, but also went beyond his profession and left our community and its institutions stronger for his presence. His resonant voice became synonymous with Toledo.

A more important legacy is his family. His presence will be missed by his children and grandchildren, relatives and friends. Yet, he lives on in them and in the media he was so much a part of shaping.

IN HONOR OF THE LT. WALTER SOLENSKI

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. COURTNEY. Mr. Speaker, I rise today to recognize the career of a beloved officer of the Coventry Police Department. Lt. Walter Solenski will retire on December 31, 2012 after 37 years of service to his town. A lifetime resident of Coventry, Connecticut, Walter's compassionate attention to the community is known by young and old. Police Chief Mark Palmer described Lt. Solenski as an ''every day hero.'' He is someone who is steady and reliable; he is always there for the residents of Coventry when they need him.

Following his graduation from Coventry High School in 1970, Walter joined the United States Navy. Upon returning home from a four-year tour of duty he was hired as a Class D Patrolman in his local police department. Walter quickly proved his dedication to his work by actively pursuing training and certification courses. He continued to seek out ways to improve his service to the town throughout his career. This professionalism and diligence allowed Walter to rise to the rank of Lieutenant in April, 1995.

Throughout his time on the police force, Lt. Solenski received many accolades and letters of gratitude from those whom he had helped. Coventry residents appreciated his timely response and attention, especially to emergency situations. Last summer he was chosen by a local committee to be a parade marshal at Coventry's 300th Anniversary Parade- a testament to his importance in the town.

I ask that my colleagues join with me to honor Lt. Walter Solenski and the work he did for the people of Coventry. As he prepares for his retirement with his wife Yvonne, I am confident that Walter will continue to play an active role in the community. His commitment to the Coventry Police Department and to his town will not soon be forgotten.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. SMITH of Washington. Mr. Speaker, on Friday, November 30, 2012, I was unable to be present for recorded votes due to illness. Had I been present, I would have voted: ''yes'' on vote No. 612 (on the motion to recommit H.R. 6429 with instructions); and ''no'' on vote No. 613 (on passage of H.R. 6429).

RECOGNIZING LISA SANTERAMO

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. BISHOP of New York. Mr. Speaker, I am proud to rise to recognize a departing member of my original district staff, Lisa Wieber Santeramo.

Since I opened my first district office in Coram, New York, Lisa has distinguished herself as among the most competent and hard working members of my staff. Over the course of this past decade, I watched her develop and rise from a staff assistant answering the telephones at my reception desk to her ultimate position as the highest ranking member of my district staff, District Office Director.

Lisa was born and raised in Holbrook. She attended Sachem High School, the largest high school in the township, where she first developed her talent for public affairs as a leader in student government. She brought her enthusiasm and passion for leadership to my first campaign and to my congressional office after graduating from Stony Brook University where she was also involved in student leadership. While an undergraduate at Stony

Brook, Lisa spent a semester interning with Minority Leader Gephardt.

Having skillfully proved her ability to manage casework and the many important responsibilities of my constituent services operation, Lisa was promoted to manage special projects and coordinate intergovernmental affairs. She excelled in these areas and built a reputation for solving problems and delivering outstanding service to my constituents. Thus, her promotion to District Office Director in January of 2012 was well earned and richly deserved.

Lisa has proven time and again that she is self-motivated and is constantly striving to assume ever greater responsibility. I have such tremendous confidence in Lisa that I asked her to take an official leave of absence to manage my campaign for re-election in 2008. Lisa has since managed my past two campaigns in 2010 and 2012, which were the two most challenging races in my congressional career. Lisa presided over each of these three consecutive campaigns with skill, determination and an unparalleled work ethic.

Lisa has indeed proven invaluable and achieved all of this success by the age of only 30. She became a mother earlier this year and now moves on to become the Assistant Deputy County Executive for Intergovernmental Affairs for the County of Suffolk on Long Island. Lisa will be missed very much, but my staff and I are comforted in knowing that she will remain nearby and continue to serve a mutual constituency in her new capacity.

Mr. Speaker, on behalf of New York's first congressional district, I thank Lisa Santeramo for her many years of outstanding service and wish her continued success in serving the residents of Suffolk County in the years ahead.

A TRIBUTE TO MR. FELMERS CHANEY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. MOORE. Mr. Speaker, I rise today to recognize Mr. Felmers Chaney, a civil rights leader and the first African American Sergeant in the Milwaukee Police Department (MPD). Mr. Chaney passed away on December 5, 2012 at the age of 94.

Mr. Chaney was the son of a dairy farmer and born and raised in Spooner, in northern Wisconsin. He came to Milwaukee to work as a machinist in 1941 but was unable to find work in that field. He was drafted into the Army in 1942. He was sent to officers' candidate school, graduated as a 2nd Lieutenant and commanded troops in England and France.

After the war, he returned to Milwaukee and, at the urging of a friend, he joined the Milwaukee Police Department in 1947. Mr. Chaney became an MPD trailblazer; he was only the 4th black person to serve on the police force serving 36 years as a police officer. Mr. Chaney became the first African American to rise to the rank of Sergeant but this was not without controversy. Felmers Chaney passed the Sergeant's exam in 1954 but was asked if he would consider being a detective with the same pay and no supervision of staff. He declined the detective post; in the mid-60's he supervised 20 officers of which only two or three were African American. He had a reputation of fairness.

Felmers Chaney was elected president of the NAACP—Milwaukee Branch where he served for 12 years. He was a true advocate for the community speaking out on a range of issues including: education, housing and minority hiring and representation. He once described discrimination against blacks in Milwaukee as a ''broken record; it's been going on for the past 40–50 years''

Mr. Chaney championed Milwaukee's inner city development. He was president of the Central City Development Corporation which built the Central City Plaza and he was a founder and president of North Milwaukee State Bank, Wisconsin's first black-owned bank. Felmers Chaney also served as president of the Milwaukee Urban League.

In 2009, Mr. Chaney and his wife, Jessie attended the inauguration of President Obama. Although they both were infirm, they were determined to attend this historic event. He treasured that moment of being able to participate in an event he never dreamed could occur in his lifetime.

Mr. Speaker, I am proud that Mr. Felmers Chaney a civil rights champion, public servant and trailblazer lived, worked, and served in the 4th Congressional District of Wisconsin. Mr. Chaney's legacy will live on through the many people he mentored, his family and the community.

A BIRTHDAY WISH

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. HUNTER. Mr. Speaker, I just want to take a brief moment to wish a very Happy Birthday to my son, Duncan, who turns 12 years old today. Call it a coincidence, Mr. Speaker, but he turns 12 on 12–12–12. It's a special day for a very special boy.

He's got a lot of great qualities, but it's his dedication to doing what's right when no one is looking that makes me, as his father, so proud. He's also got a great sense of humor and his energetic love for life is both infectious and inspiring. So on this occasion, Mr. Speaker, and as I think about how the last twelve years have gone by way too fast, I want to wish him a very Happy Birthday.

HONORING THE LIFE OF JEAN WARD

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. KAPTUR. Mr. Speaker, during the Christmas Season we remember people far and near and reminisce about those who are no longer with us. I rise to remember Jean Ward, who passed from this life on July 16, 2012.

Jean Ward was born in Detroit, Michigan on March 8, 1934 to Clarence and Agnes Ward. He graduated from Michigan State University and served in the U.S. Navy. Together he and his wife Jean raised five daughters. His family was most precious to him.

Jean worked with the City of Toledo in forestry, and then began a career with the Toledo Area Metroparks. He became the Metroparks Director in 1985 and served until his retirement after 35 years in service to the organization. During that time he was Founding Director of the Stranahan Arboretum. His tenure brought a growth which established the Toledo Area Metroparks as a hallmark of our region. Jean Ward was ''an ambassador of conservation. He had a passion and a dedication to protecting, preserving and improving natural areas for all to enjoy.'' His legacy will last through the ages. His extraordinary efforts brought him statewide recognition when, in 2009 he was inducted into the Ohio Parks and Recreation Association Hall of Fame and later received a Lifetime Achievement Award.

I was privileged to work with Jean through many years of shared public service. Though he will be missed by all whose lives he touched, his spirit carries forward in the natural beauty his efforts enshrined for generations to come.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. COFFMAN of Colorado. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,375, 1874,429,255.52. We've added $5,748,997,380,342.44 to our debt in nearly 4 years. This is $5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. WOOLSEY. Mr. Speaker, on December 11, 2012, I was unavoidably detained and was unable to record my vote for Rollcall No. 620. Had I been present I would have voted:

Rollcall No. 620—''yes''—On approving the Journal.

HONORING THE CONTRIBUTIONS OF LOCAL LAW ENFORCEMENT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. WOLF. Mr. Speaker, I rise today to recognize the following law enforcement officers who have been honored by the Horse Shoe Curve Benevolent Association for their service to their communities and continued willingness to put their lives on the line to protect public safety.

Virginia State Police Senior Trooper David R. Gray has served the Virginia Department of State Police for 12 years. During his tenure, Trooper Gray has done an outstanding job as a breath alcohol testing operator, a firearms instructor and a field training officer. As a member of the department's crash reconstruction team, Trooper Gray actively assisted with fatal crash investigations and his extensive knowledge in crash investigations and his devotion to training academy members and newer troopers has gained him notoriety with the force. For these reasons, Trooper Gray is often sought out after for his expertise. He continues to serve his community and mentor to his fellow troopers with professionalism.

Sergeant Brian Rosenberry has served the Clarke Country Sheriff's Office since 1985, where he began as road deputy. Now, as court services sergeant, Sergeant Rosenberry provides for the safety and security of all of the courts in Clarke County, is responsible for civil processes in the office, as well as budgeting procedures, scheduling and supervising personnel. He was also responsible for establishing a new evidence storage unit and the successful maintenance of other operating procedures. His commitment to the citizens of Clarke County is displayed through his willingness to serve at the sheriff's office and his countless hours as a volunteer firefighter.

Deputy Tonya M. Kittoe is the school resource officer for the Frederick County Sheriff's Department at Millbrook High School. In addition to her work at Millbrook High School, she is also a dedicated counselor for the Frederick County Sheriff's Office Youth Camp. Before becoming a counselor, Deputy Kittoe served as the secretary for the Frederick County Sheriff's Office Youth Camp, as well as the activities director. As part of the accreditation team at the sheriff's office, Deputy Kittoe played a pivotal role in the office's initial accreditation and again this summer during reaccreditation. Deputy Kittoe's service at the Frederick County Sheriff's Office is greatly appreciated.

Sergeant John R. Austin has served the Winchester Sheriff's Department where he oversees the courthouse and other security operations. Sergeant Austin began his career in law enforcement in 1967 in Prince George's County, Maryland before working at the State Department and the Pentagon. Sergeant Austin is an expert at working with contractors, alarm companies and other issues with the joint judicial center, judges, clerks and deputies and was instrumental in serving the sheriff's office during its accreditation process and was always ready to assist in any way he could. On November 30, 2012, Sergeant Austin retired from his post at the Winchester Sheriff's Department, but his attention to detail and extensive knowledge will be missed. We appreciate his dedicated service to our community.

Major David White served a 33 year career with the Winchester Police Department, where he first started as a dispatcher in 1979. Since he became a police officer on the force in 1982, Major White quickly moved up and earned the admiration of his peers. Over the years, he served as polygraph examiner and training officer and also trained in forensic science and command staff. He is a graduate of the FBI National Academy in Quantico, Virginia. During a time of change at the Winchester Police Department from 2007–2010, Major White served as an interim Chief of Police. Major White's patience and leadership during times of adversity at the Winchester Police Department helped the department continue its responsibilities as one of the best police organizations in the country. In October 2012, Major White retired from the police department, but he will always be a committed role model and a mentor to many.

Master Patrol Officer Mark F. Castle has served the Berryville Police Department since 2006. He constantly strives to strengthen the department by attending numerous training programs and achieving certifications as a firearms instructor, National Rifle Association instructor, field training officer and police cyclist. Officer Castle has incorporated a variety of drills into the normally static firearms training at the department to aid officers in real-life situations and has helped increase the number of training sessions per year. His constant effort and dedication to bettering the force has gained Officer Castle notoriety among his peers. His service and willingness to share his knowledge with his co-workers is greatly appreciated.

Correctional Officer Michelle See began her career at the Northwestern Regional Adult Detention Center in July 2005. She began as a housing unit security officer, where she supervised more than 50 inmates on a routine basis and has recently been promoted to field training officer. Officer See has worked at several different posts at the regional jail, including community correction, visitation, main control and booking. She is known for often working several posts in one shift, which is something that few officers at her level can successfully perform. Her versatility is an important asset to the team and she was recently nominated for employee of the quarter for her determination and loyalty. Officer See has seldom requested to take a shift off and often comes to work early without claiming the time. Her consistent teamwork and professionalism enables Officer See to work extremely well with the public as well as civilian and sworn staff alike.

The Horseshoe Curve Benevolent Association, organized in 1997, has been honoring law enforcement officers since 2004. Mr. Speaker, it is my privilege to recognize these officers for their courage, strength and service to the Tenth District of Virginia.

IN RECOGNITION OF JAMES W. COON

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. MICA. Mr. Speaker, it is my privilege and honor to recognize James W. Coon, who is retiring after 25 years of distinguished service to the United States House of Representatives.

As the Staff Director of the Committee on Transportation and Infrastructure, Jim's leadership, knowledge and counsel have been invaluable to me and other Members of the Committee and this body. Over the years, he has helped guide important pieces of legislation through Congress and to the President for signature, including a major surface transportation bill that will reform and improve our Nation's highway and bridge programs, a long-stalled and critical aviation reform bill, legislation to authorize the programs of the United States Coast Guard, a bill to improve federal pipeline safety programs, and a measure to protect U.S. sovereignty from a European Union attempt to unlawfully tax our domestic air carriers and operators.

Jim regularly and expertly navigated a difficult political atmosphere and helped ensure, through his untiring efforts and excellent leadership, that good, sound legislation was passed for the benefit of the American people. His in-depth understanding of the legislative process and ability to work with those of all political stripes are unique and respected here in the Congress.

Before I asked Jim to become the Committee's Republican Staff Director in 2006, he also advised me and other Members of the Committee in his capacity as the Subcommittee on Aviation Majority Staff Director.

In addition, Jim served as a Professional Staff member on the Subcommittee on Aviation from 1995 to 1998. Prior to his work on the Transportation Committee, he served as the Legislative Director to Congressman JOHN J. DUNCAN, Jr. (R–TN) from 1989 to 1994, and he was a Legislative Assistant to Representative Robert F. (Bob) Smith (R–OR) from 1983 to 1989. Jim's illustrious career also includes experience in the private sector where he held positions as director of government affairs for both The Boeing Company and the Air Transport Association, where he helped develop legislation to stabilize the airline industry following the tragic terrorist attacks of September 11, 2001.

His service to his Country goes beyond the halls of Congress and includes 12 years as an Infantry Officer in the U.S. Army Reserves and the Virginia Army National Guard where he attained the rank of Captain.

But of all Jim's accomplishments, I know he would tell you that he is most proud of his family—his beautiful wife Sara and their three children, Harrison, Caroline, and David. Jim and I often spoke about our families and the importance of faith, family, and Country, which were values instilled in him by his parents, David and Maureen.

In January, Jim will be ending a remarkable career here in the House and will be joining the National Air Transportation Association (NATA) as Executive Vice President. Jim has an even brighter future ahead of him, and I know he will be just as successful as he has been here in the people's House. He can be proud of his achievements and the commitment he has shown to public service. Above all, he has been a true and loyal friend and I will miss him very much.

Mr. Speaker, I ask you and all of our colleagues to join me in thanking Jim Coon for his 25 years of service to the Committee on Transportation and Infrastructure, the Congress, and the Nation.

HONORING THE LIFE OF THOMAS JOSEPH

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. KAPTUR. Mr. Speaker, during the Christmas Season we remember people far

and near and reminisce about those who are no longer with us. I rise to remember Tom Joseph.

Of one fact I am sure, Tom Joseph passed from this life a very happy man. What a mountain of a human being! What a life force for GOOD! Tom was a born leader—for his family, his chosen profession, for our community and country. He achieved milestones . . . and he left them with us—in his children and loved ones; in the Plumbers & Pipefitters Training Center which his vision and zeal inspired and built; in the form of Frontpath, a transformative health care institution that exists and has helped thousands of citizens obtain more affordable health care because he made it possible. He was one-of-a-kind . . . just brimming with talent and inventiveness. He gave our community backbone!

Words that describe Tom Joseph: rare, strong, loving, good, fierce, free, solid, fun, wise, loyal. Words that capture his essence: ingenious, unselfish, superlative, irrepressible, indefatigable, hospitable, hilarious, irreverent, effective, analytical, creative, extraordinary.

Tom Joseph was a leader of laboring men and women. He dedicated his life as a builder—of family, of friendships, and enduring institutions of community that create a better life for the people of our country. It is not inappropriate to say he was a real Democrat—he felt it to his core and lived it. It did not come as a surprise to me to read in Tom's obituary that he asked donations to be sent to FreeSpeech.org and Habitat for Humanity.

Tom Joseph was Everyman. He lived life large and deeply. His voice was booming . . . you always knew when Tom was in the room. He was always concerned about others, never missed an opportunity to help others in any way he could.

Yet, his absolute first priority was his family. Terri and Tom's life is a love story: they met on a school bus and at 14, she knew she would marry him. Together they raised Angela, Heather and Daniel, and welcomed grandchildren. Through joy and sorrow Terri and Tom were committed to each other, to their children and grandchildren, to parents and siblings and friends. What a rare privilege to have shared a friendship with this extraordinary man. We are all bettered by our association with him. What he gave us will never die. Truly, Tom Joseph was a man for others. And that is no small feat.

Tom Joseph's legacy: what he gave to his family, his union, his community and country, immortalizes the words of newspaperman and labor activist William Cahn, "The history of America has been largely created by the deeds of its working people and their organizations. Nor has this contribution been confined to raising wages and bettering work conditions; it has been fundamental to almost every effort to extend and strengthen our democracy."

TO SUCH NEW HEIGHTS IN HONOR OF NEIL ARMSTRONG AND HIS LIFE

HON. JEAN SCHMIDT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mrs. SCHMIDT. Mr. Speaker, I rise today in honor of and in tribute to, a great American hero from my district in Ohio, Neil Armstrong.

As humble as the day is long, his life of courage and exploration will live on. I submit this poem penned in his honor, by Albert Caswell "To Such New Heights."

TO SUCH NEW HEIGHTS

To . . .
To Such New Heights!
All in your most courageous humble life,
Neil, as you have soared!
All up upon your most heroic course, as you so set forth to take flight!
As none before had done!
To higher places, to where such souls of honor now so grace us . . .
So grace us with but all of their courage all the more, to so take flight and move onward so boldly forth!
Ah, to walk upon the moon!
To far off and most distant shores!
As have you so come and gone,
but to so cast out your most brilliant light as formed!
To so bless our world, all with exploration's golden glow in sight so very warm!
To such places, where such fine hearts of honor so ignite us, and so await us to so live on!
As Neil you were off!
All in what your most heroic life to us has taught!
As to our world what you have so brought!
As we so look back now all in such awe, as we so reflect upon what we so saw!
As You So Soared!
To Such New Heights as none had done so before . . .
All for Women and Mankind's very futures to so insure!
'Ah, to walk upon the moon!
As you were gone!
Upward and onward, so far . . . far . . . and beyond, all now so etched in history living on!
To Soar!
All in explorations quest which so lies before!
'Ah, To walk upon the moon!
'Ah, a dream as old as Mankind from out of the womb . . .
''That's one step for man, one giant leap for Mankind!''
Creating such a Buzz, as Collins your safe return home so ensured . . .
As out to all hearts you would so implore!
And as a freedom fighter who, for all of us so fought for!
His parent's pride, a loving husband at his wife's side, his children's hero and delight as so adored . . .
And a Patriot for America and in The United States Air Force, who so fought in The Korean War!
Not The Forgotten One for sure!
And as a test pilot, but living all out on that very edge!
That edge of death, where so many of your magnificent brothers lives where so lost and pledged!
Who with their courage and sacrifice our nation so blessed!
And to space that final frontier . . .
And back and forth all in what was so said here!
As ever in your life Neil,
To Such New Heights as you have so sped and pioneered!
To Such New Frontiers!
Armed with but only your most uncommon heart of valor, that which so led all without fear!
'Ah, to walk upon the moon!
Was but something that within Mankind you said, that which you so said so makes them so strive for . . .
As you were as humble as the day was long, as you would never bath in the celebrity of the moonlight's sweet song!
Moving quietly forth, all with your heart and soul, body and mind, and ARMSTRONG!
As now ever my son you shall so live on . . .
With names like Columbus and Marco Polo, all in search of discovery as born . . .
All because of where your fine heart has come and gone!
To New Such Heights, to such places where only magnificent men and women of honor, so belong!
So belong!
As to this very day so way up there, but lie still your footsteps upon that moon once so formed!
As in my heart your words,
I can so hear now so living on!
''That's one step for man, and one giant leap for Mankind''. . . all in that moment as was so born!
For as long as America has but such blessed son's!
And daughters as these ones!
Who to her, will so give their most heroic hearts and souls to discovery to run!
Who, so selflessly do what must so be done!
All in that quest To But Be The Best,
To Such New Heights as won . . .
Then,
To Such New Heights we will all so come!
So Soar!
As upon this earth Neil, your time with us has so brought forth!
And so taken us,
To Such New Heights and New Frontiers, that which to you so soared!
With your heart and soul, body and mind, and ARMSTRONG all the more!
'Ah, but to walk upon that moon!

CELEBRATING THE 98TH BIRTHDAY OF THE VILLAGE OF HARLEM'S BELOVED GERTRUDE HADLEY JEANNETTE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTAIVES

Wednesday, December 12, 2012

Mr. RANGEL. Mr. Speaker, I rise today to celebrate the 98th Birthday of Harlem's beloved cultural icon, Gertrude Hadley Jeannette, which occurred on November 28, 2012. Gertrude Hadley Jeannette, playwright, producer, director, and actress of the stage and screen was born in Urbana, Arkansas on November 28, 1914, to Willis Lawrence Hadley and Salley Gertrude Crawford Hadley.

Gertrude Hadley was raised in Arkansas where she attended Dunbar High School in Little Rock. Just before her high school graduation, Gertrude decided that she wanted to get married instead of attending Fisk University, as she had previously planned. Gertrude Hadley and Joe Jeannette, II, a prizefighter and the president of the Harlem Dusters, a motorcycle club, eloped to New York City in 1934.

In 1935, Gertrude Hadley Jeannette became the first woman to get a license to drive a motorcycle. In 1942, because of the shortage of male taxicab drivers caused by the World War II, she became the first woman to drive a cab in New York City. During that time, Gertrude decided to further her education. She took bookkeeping classes in the basement of Abyssinian Baptist Church, and speech classes at the American Negro Theatre in order to remedy her speech impediments.

In 1945, Gertrude Hadley Jeannette was cast in the lead role in Our Town. In 1950, she performed in her first play, This Way Forward. That same year, Gertrude and Fred O'Neil appeared on television in James Weldon Johnson's God's Trombone on CBS's General Electric Hour. Gertrude replaced Pearl Bailey, who was originally cast in that role. As a result, she continued to work in both the theatre and in film and television. Gertrude has worked as a professional actress in radio, stage, film, and TV for many years.

Performing on Broadway, she originated roles in such plays as Lost in the Stars, Nobody Loves an Albatross, The Long Dream, Amen Corner, The Skin of our Teeth, The Great White Hope and Tennessee Williams' Vieux Carre. Gertrude's film credits include: Cry for the City, Nothing but a Man, Shaft, The Legend of Nigger Charlie, Cotton Comes to Harlem, Black Girl, and several documentaries and short films.

In 1979, Gertrude founded the H.A.D.L.E.Y. Players (Harlem Artists Development League Especially for You) in answer to the need of professional artists to develop their talents and skills in the theatre, and to enrich the cultural life in the Harlem Community. Gertrude went on to direct, produce, and write her own plays, as well as the works of other playwrights.

Gertrude Hadley Jeannette was presented with several awards for her work and accomplishments. Ms. ''J'' or Ms. ''G'' as she is endearingly called received the Outstanding Pioneer Award from AUDELCO in 1984, and the AT&T and Black American Newspaper's 1987 Personality of the Year Award. In 1991, Ms. J was honored as a living legend at the National Black Theatre Festival in Winston-Salem, North Carolina. Ms. J is also the recipient of the 1992 Harlem Business Recognition Award from the National Council of Negro Women.

In 1998, Ms. J received the Lionel Hampton Legacy Award, the Standing On Our Shoulders Award from Delta Sigma Theta, Bronx Chapter, and was inducted into the Bushfire Theatre Walk of Fame in Philadelphia, Pennsylvania. On October 16, 1999, in her birth state, Gertrude Hadley Jeannette was inducted into the Arkansas Black Hall of Fame. Her portrait hangs in the halls next to previous honorees such as Maya Angelou, John. H. Johnson, Daisy Bates, and Ernest Green to name a few. In 2002, she received the prestigious Paul Robeson Award from the Actors Equity Association. Ms. J was also inducted into the Hatch-Billops Oral History Collection at the Schomburg Center for Research in Black Culture.

In February 2003, Ms. Jeannette was amongst 30 individuals who were honored in the ''Harlem Is. . . Living History of Harlem Exhibit''—which celebrated 30 Harlemites (ages 50–100) whose contributions to the fields of art, music, education, politics, community service, and sports define Harlem's rich and diverse cultural legacy. On December 15, 2003, she was honored with the New Hope SDA (Seventh Day Adventist) Church Women's Ministry Award.

In 2009, Ms. J received the Barbara Ann Teer Artistic Award; and in 2010, she received an AUDELCO Nomination for Best Play Revival for her play ''Gladys'' Dilemma.'' On March 28, 2011, she was honored by ''The Coalition of Theatres of Color''—a group whose purpose is preserving the history and commitment of Black theatre in New York City and New York State. Ms. J also received honors from the ''GBC-Giving Back Corporation'' of Los Angeles on April 30, 2011.

Most recently, she is featured in the film ''The Savoy King: Chick Webb and the Music that Changed America'' which was screened at The 2012 New York Film Festival. Of all her accomplishments, Ms. Jeannette, however, is most proud of the work she has done in and around the Harlem Community.

Mr. Speaker, great women like our beloved Ms. J are precious gifts we temporarily have in this world, but their contributions and accomplishments are far remembered and everlasting. Though retired and well into her nineties, Ms. J is an active and celebrated member of the New York theater scene. I ask you and my colleagues to join me in celebrating the 98th Birthday of Ms. Gertrude Hadley Jeannette.

HONORING THE WORK OF MERVYN DYMALLY

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. BASS of California. Mr. Speaker, today I'm honored to stand and recognize the extraordinary life of my dear friend Mr. Mervyn Dymally for his decades of public service to the great people of California. Mr. Dymally's life is a testament to the belief within our great country that no matter who you are or where you come from, America with its boundless opportunities remains a place where we can all thrive together.

Mr. Dymally immigrated to the United States from his native Trinidad at the age of 19 years old. Through hard work he went on to graduate from California State University before later earning master's and doctoral degrees. He dedicated his life to public service early—working as a special education teacher in Los Angeles and organizing the most marginalized citizens of our state so that they could use their voices to build a politics that best reflected their values and aspirations.

Mr. Dymally became California's first foreign-born black state assemblyman when he was elected in 1962, its first black state senator four years later and, in 1974, its first black lieutenant governor. In 1980 he became one of the first foreign-born blacks elected to the House of Representatives, where he served six terms and led the Congressional Black Caucus for a time.

Throughout his decades long career, Mr. Dymally made standing up for human rights and the working poor the hallmarks of his service to California and the nation. He worked to improve health care for the poor and sponsored legislation to expand civil rights protections for women. As lieutenant governor he joined Cesar Chavez in trying to protect jobs for farm workers.

Mr. Dymally was a mentor to several African American leaders who followed him into public service, so much so that he was dubbed the ''Godfather of African-American politics.'' He broke down barriers and through it all remained humble and dedicated to the causes that brought him into public service in the first place.

Mr. Dymally's life is an inspiration to us all who serve in this House and today we honor his service.

TRIBUTE TO MARIA GOODLOE-JOHNSON BY CONGRESSMAN JAMES E. CLYBURN

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a dedicated educator, who devoted her life to improving educational opportunities for all children and ending historic achievement gaps in our public schools. I had the privilege of knowing Dr. Maria Louis Goodloe-Johnson when she served as the Superintendent of the Charleston County School District from 2003–2007, and she left an indelible mark during her time in South Carolina. Although Dr. Goodloe-Johnson left this world all too soon, her legacy lives on in the countless students she touched throughout her career.

Dr. Maria Louis Goodloe-Johnson was born September 3, 1957 in Omaha, Nebraska, the second of two children of Jewell Eva and Leonard 0. Goodloe. She married Bruce Johnson, on September 22, 2004, and the two had one daughter, Maya Jewell.

Maria spent her formative years in Omaha. She graduated from Central High School in 1975. In 1979, she graduated from the University of Nebraska at Lincoln, where she earned a Bachelor's of Science in Special Education. While in college, she also played trumpet in the Cornhusker Marching Band.

In 1980, she moved to Colorado to attend the University of Northern Colorado at Greeley, where she completed her master's degree (Educationally Handicapped, K–12) and began her career as a special education teacher and soccer and cross country coach in the Aurora Public Schools.

In 1987, Maria was named assistant principal at Broomfield High School in the Boulder Valley Schools. Three years later, she became the youngest African American female high school principal in the state of Colorado. While principal at Broomfield High School, she completed her doctorate in Educational Administration, Supervision, Curriculum and Instruction. She next served as director of secondary instruction for the St. Vrain Valley School District before moving to Texas.

Maria joined the Corpus Christi Independent School District in 1999, where she served as Assistant Superintendent. During her tenure, she was one of 20 educators selected from across the country to participate in the 2003 Urban Superintendents Academy, a highly specialized training program with the Broad Superintendents Academy.

She continued to serve in the Corpus Christi District until accepting the position as Superintendent of Schools for Charleston County School District, the largest urban district in South Carolina, in October 2003. Maria is not only the first black but also the first woman to hold the position; Maria was noted for improved student achievement faster than other districts in the state.

In September 2007, Maria was selected as the Superintendent of Seattle Public School District where she served until March 2011.

Maria then accepted a position as Deputy Chancellor, Instructional Support and Educational Accountability at Michigan Education Achievement System. Maria assisted in the

development of a program designed to provide a new, stable, financially responsible set of public schools that create the conditions, supports, tools and resources under which teachers can help students make significant academic gains. It will first apply to underperforming schools in Detroit in the 2012–2013 school years and then be expanded to include low performing schools throughout Michigan.

Maria was a member of Alpha Kappa Alpha Sorority Incorporated. Throughout her life, she was actively involved in community service and received numerous honors and awards for these efforts.

Mr. Speaker, I ask you and my colleagues to join me in remembering this barrier-breaking educator. Dr. Maria Goodloe-Johnson was a trailblazer and an innovator in the public school arena. Her expertise and enthusiasm will be sorely missed, but her contributions will live on in perpetuity.

HONORING THE LIFE OF DORIS BEACH

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Ms. KAPTUR. Mr. Speaker, I rise to pay tribute to Doris L. Beach, who passed from this life on November 13, 2012 at age 74. Doris was a true humanitarian and gave of herself fully. For more than forty years, Doris Beach was the face of Green Thumb, now known as Experience Works Inc. linking capable older adults with employment. A tireless advocate in pursuit of job opportunities for older adults, that service was her passion.

One of six children, Doris Beach graduated from high school in Pittsburgh. She briefly worked in a hospital and broadcasting, but soon found her calling as she set out to make Toledo's Green Thumb the best senior employment service. She sought out employers, when necessary taught them the value of hiring older workers, and matched older workers to the jobs. Explained her longtime colleague Billie Johnson, president of the Area Office on Aging of Northwest Ohio, ''She was so out-of-the box and didn't think in traditional terms of how to find employers who would hire retirees. She went above and beyond and knew how to help a retiree package a skill set.'' Doris knew the work ethic of older adults, understood their needs and guided them toward their potential. She was an inspiration to all who knew her, an amazing woman. We knew her for her ''ready smile, a raspy voice, compassion and an air of authority'' and she was endeared to us all.

In addition to her life's work, Doris Beach gave to her church, St. Martin de Porres Catholic Church, and her family was most important. She was a well-loved sister and aunt. We share her family's sorrow at her passing, and hope they find comfort in the gift that was her remarkable life. Through Doris' life-giving counsel and street smarts borne of struggle, her persevering work bettered the lives of thousands of older Americans and gave them added meaning and purpose. Our community remains indebted always to the ethic of service to others her life embodies.

HEISMAN WINNER JOHNNY MANZIEL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. SMITH of Texas. Mr. Speaker, last weekend, America watched as Kerrville, Texas' own star quarterback received College Football's most prestigious award—the Heisman trophy.

Johnny Manziel, the Tivy High School graduate and current Texas A&M University quarterback, became the first college freshman to follow in the footsteps of some of the sport's greatest athletes.

Known by his fans as ''Johnny Football,'' it seems as if Manziel was born to play the game. His first year at Tivy High School, Manziel started out on the freshman football team. By the end of the season, he was playing on Varsity. He was the only quarterback in America named as a Parade All-American his senior year.

This year, Manziel led the Aggies to a victory over Alabama, the number one ranked team in the nation. He is the first freshman and only the fifth player in the NCAA to pass for 3000 yards and rush for 1000 yards in a season.

The champion who Americans have now been introduced to is the same humble young man that Kerrville, Texas, has known all along. Hard work, determination and graciousness have been Johnny Manziel's trademark all along.

From the halls of Congress, and from the heart of Texas District 21, congratulations, Johnny, on well-deserved award.

CA DEMOCRATIC DELEGATION

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2012

Mr. SHERMAN. Mr. Speaker, I rise today to offer my thanks and best wishes to the members of the California Democratic delegation who will be departing at the end of this Congress.

Starting with departing members toward the northern portion of the state, I can say that Congress is losing two of its most important and effective progressive champions, LYNN WOOLSEY and PETE STARK.

LYNN has been a strong advocate for peaceful solutions to the world's problems, and her voice for peace and disarmament will be missed. She was one of the most vocal and consistent opponents of the war in Iraq, and fought to stop the surges in both Iraq and Afghanistan. I have been proud to work with her over the past several years to bring a responsible end to the wars. LYNN has also been a forceful advocate on education and children's issues.

I know LYNN will stay involved in progressive causes, and I look forward to continuing to work with her in her new role as President of Americans for Democratic Action. But her compassionate efforts in Congress will be difficult to replace.

The thing I will remember most about PETE STARK is that he was always a fighter for affordable healthcare. With the passage of the Affordable Care Act, we will soon see the day when every person in the country has health insurance. For many years I cosponsored a bill offered by PETE that would have at least provided a guarantee of healthcare for children in this country. It was outrageous that children were not provided guaranteed health insurance or covered by the government in this country, and PETE worked to end that outrage. Of course, PETE was instrumental in the passage of the Affordable Care Act as the chair of the Health Subcommittee, and we owe him a debt of gratitude for those efforts.

Southern California is losing several members who will likewise be missed.

HOWARD BERMAN and I ran against each other in 2012. Nothing that happened during that campaign has lessened my admiration for HOWARD as a public servant and legislator. In the 40 years since his first election to the State Assembly, he has provided California and the country with exemplary service. In fact, as a long serving member of the Foreign Affairs Committee and its former Chairman, this service extended to the world.

HOWARD could have enjoyed the comfort and financial benefits of working in the private sector, but instead chose to serve the public. From local Valley projects such as preserving the Santa Monica Mountains, improving the Hansen Dam, and rebuilding Kaiser Permanente Hospital after the 1994 quake, we owe him a sincere debt of gratitude.

He has been a longtime champion of farm workers, starting with his work with Cesar Chavez and the Agricultural Labor Relations Act, which grants farmworkers the right to organize and bargain with their employers. HOWARD has been a consistent advocate for the entertainment industry, working to protect the jobs of so many residents of the San Fernando Valley.

Under his direction as the top Democrat on the Foreign Affairs Committee since 2008, our foreign aid program has better protected American interests abroad and allowed for a more stable world. Through projects like the Iron Dome missile shield and enabling Israelis to apply for E–2 Visas, he has strengthened the U.S.-Israel relationship. HOWARD has also helped fight against global HIV/AIDS and alleviate suffering in the poorest countries. HOWARD has built a legacy of effective leadership. He will be missed in Congress.

While LAURA RICHARDSON only served three terms in the House, she was an effective leader for her diverse district. She became a respected expert on intermodal transportation issues despite serving only a brief time in Washington. The Ports of LA and Long Beach, and those that work or do business there, will miss her efforts here to improve the transit of goods across the country. Very few members of this House better understand the importance of transit infrastructure, and the need to pay for it wisely, than LAURA.

I have greatly enjoyed serving with my friend, JOE BACA, on the Financial Services Committee and in Congress generally. JOE served his country, first in the Army and then in Congress. JOE served as Chairman of the Congressional Hispanic Caucus from 2007–2008. He fought hard for the rights of immigrants and the wider Latino community in the United States.

And finally, I wish my friend Bob Filner success as he continues on his career in public service as the mayor of San Diego. The

people of that great city have gained a strong leader—Congress has unfortunately lost one of its most important advocates for veterans. Bob began fighting for a better America as a young man—as one of the Freedom Riders to go to the American South to fight for civil rights, where he was arrested. During his tenure as Chairman of the Veterans Affairs Committee, funding for VA healthcare increased 60 percent and funding for VA home lending increased by 50 percent.

Mr. Speaker, again, I thank my friends for their decades of public service, and wish them only the best in whatever they do after Congress. They will all be missed.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 13, 2012 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 18

Time to be announced
Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SR–253

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities, Insurance and Investment Subcommittee
To hold hearings to examine computerized trading venues, focusing on what should the rules of the road be.
SD–538

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

DECEMBER 19

10 a.m.
Banking, Housing, and Urban Affairs
Financial Institutions and Consumer Protection Subcommittee
To hold hearings to examine consumer credit reports.
SD–538

Judiciary
To hold hearings to examine the state of the right to vote after the 2012 election.
SD–226

DECEMBER 20

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7753–S7990

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 3670–3677, and S. Res. 614–615. **Pages S7976–77**

Measures Passed:

National Defense Authorization Act: Senate passed H.R. 4310, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 3254, the Senate amendment, as passed by the Senate on December 4, 2012, and after agreeing to the following amendments proposed thereto: **Pages S7793–S7972**

Durbin Amendment No. 3332 (to the Senate amendment), of a perfecting nature. **Pages S7793–94**

Menendez/Kirk Amendment No. 3333 (to the Senate amendment), of a perfecting nature. **Page S7794**

Senate insisted on its amendment, requested a conference with the House on the disagreeing votes of the two Houses; and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Levin, Lieberman, Reed, Akaka, Nelson (NE), Webb, McCaskill, Udall (CO), Hagan, Begich, Manchin, Shaheen, Gillibrand, Blumenthal, McCain, Inhofe, Sessions, Chambliss, Wicker, Brown (MA), Portman, Ayotte, Collins, Graham, Cornyn, and Vitter. **Page S7972**

Subsequently, Senate vitiated the December 4, 2012 passage of the bill, and the adoption of the Senate Amendment. **Page S7786**

Countering Iran in the Western Hemisphere Act: Senate passed H.R. 3783, to provide for a comprehensive strategy to counter Iran's growing hostile presence and activity in the Western Hemisphere, after agreeing to the following amendment proposed thereto: **Page S7988**

Coons (for Rubio) Amendment No. 3334, to provide that the comprehensive strategy may be submitted in classified form, but shall include an unclassified summary of policy recommendations to address the growing Iranian threat in the Western Hemisphere. **Page S7988**

Flood Disaster Protection Act: Senate passed S. 3677, to make a technical correction to the Flood Disaster Protection Act of 1973. **Pages S7988–89**

World Peace Corps Mission and the World Peace Prize: Senate agreed to S. Res. 614, celebrating the World Peace Corps Mission and the World Peace Prize. **Page S7989**

2012 Nobel Prize in Chemistry: Senate agreed to S. Res. 615, congratulating the recipients of the 2012 Nobel Prize in Chemistry. **Page S7989**

House Messages:

Coast Guard and Maritime Transportation Act: Senate concurred in the amendment of the House of Representatives to the amendment of the Senate to H.R. 2838, to authorize appropriations for the Coast Guard for fiscal years 2012 through 2015. **Pages S7972–93**

Transaction Account Guarantee—Agreement: A unanimous-consent-time agreement was reached providing that Senate resume consideration of S. 3637, to temporarily extend the transaction account guarantee program, at 11:30 a.m., on Thursday, December 13, 2012; that it be in order for the Republican Leader, or designee, to raise a budget point of order against the bill; that if a point of order is raised, the Majority Leader, or designee, be recognized to move to waive the point of order; that the time until 12 noon be equally divided between the two Leaders, or their designees; that at 12 noon, Senate vote on the motion to waive the budget point of order, if such a motion is made; that if the motion to waive is successful, Senate then vote on the motion to invoke cloture on the bill; that if the motion to waive is not successful, the cloture motion be withdrawn and the Majority Leader be recognized; and that if a budget point of order is not raised, the time until 12 noon be equally divided between the two Leaders, or their designees; that at 12 noon, Senate vote on the motion to invoke cloture on the bill. **Page S7989**

Messages from the House: Page S7975
Executive Communications: Pages S7975–76
Additional Cosponsors: Page S7977
Statements on Introduced Bills/Resolutions: Pages S7977–82
Additional Statements: Pages S7974–75
Amendments Submitted: Pages S7982–88
Authorities for Committees to Meet: Page S7988
Privileges of the Floor: Page S7988

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:57 p.m., until 9:30 a.m. on Thursday, December 13, 2012. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7990.)

Committee Meetings

(Committees not listed did not meet)

TAX REFORM AND FEDERAL ENERGY POLICY

Committee on Finance: Subcommittee on Energy, Natural Resources, and Infrastructure concluded a hearing to examine tax reform and Federal energy policy, focusing on incentives to promote energy efficiency, after receiving testimony from Dan Arvizu, Director, National Renewable Energy Laboratory, Department of Energy; Steven Nadel, American Council for an Energy-Efficient Economy, and Mark Wagner, Johnson Controls, both of Washington, D.C.; and Matt Golden, Efficiency First, San Francisco, California.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Shelly Deckert Dick, to be United States District Judge for the Middle District of Louisiana, who was introduced by Senators Landrieu and Vitter, Andrew Patrick Gordon, to be United States District Judge for the District of Nevada, who was introduced by Senators Reid and Heller, Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia, who was introduced by Representatives Paul Ryan and Norton, and Beverly Reid O'Connell, to be United States District Judge for the Central District of California, who was introduced by Senator Boxer, after the nominees testified and answered questions in their own behalf.

ENDING THE SCHOOL-TO-PRISON PIPELINE

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Human Rights concluded a hearing to examine ending the school-to-prison pipeline, after receiving testimony from former Senator Mike DeWine, Ohio Attorney General; Representatives Robert C. Scott and Danny K. Davis; Deborah Delisle, Assistant Secretary of Education for Elementary and Secondary Education; Melodee Hanes, Acting Administrator, Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, Department of Justice; Steven C. Teske, Clayton County Juvenile Court Chief Judge, Jonesboro, Georgia; Judith A. Browne Dianis, Advancement Project, and Andrew J. Coulson, Cato Institute Center for Educational Freedom, both of Washington, D.C.; and Edward Ward, Chicago, Illinois.

NOMINATIONS

Committee on Veterans' Affairs: Committee concluded a hearing to examine the nominations of Keith Kelly, of Montana, to be Assistant Secretary of Labor for Veterans' Employment and Training, who was introduced by Senator Tester, and William S. Greenberg, of New Jersey, to be a Judge of the United States Court of Appeals for Veterans Claims, who was introduced by Senator Menendez, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 4 public bills, H.R. 6650–6653; and 2 resolutions, H. Res. 829–830 were introduced. Page H6765

Additional Cosponsors: Page H6765

Report Filed: A report was filed today as follows: H.R. 6364, to establish a commission to ensure a suitable observance of the centennial of World War I, to designate memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial on the National Mall in the District of Columbia, and for other purposes, with amendments (H. Rept. 112–701, Pt. 1). Page H6765

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H6703**

Recess: The House recessed at 11:01 a.m. and reconvened at 12 noon. **Page H6710**

Chaplain: The prayer was offered by the guest chaplain, Reverend Jerome Milton, Greater New Pleasant Hill Baptist Church, Tyler, Texas. **Pages H6710–11**

Providing for Consideration of Motions To Suspend the Rules: The House agreed to H. Res. 827, providing for consideration of motions to suspend the rules, by a yea-and-nay vote of 226 yeas to 178 nays, Roll No. 622, after the previous question was ordered by a yea-and-nay vote of 224 yeas to 183 nays, Roll No. 621. **Pages H6714–23, H6739–40**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Eliminate Privacy Notice Confusion Act: H.R. 5817, amended, to amend the Gramm-Leach-Bliley Act to provide an exception to the annual privacy notice requirement; **Pages H6723–24**

No-Hassle Flying Act of 2012: S. 3542, to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports; **Pages H6728–31**

DHS Audit Requirement Target Act of 2012: S. 1998, to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security; and **Pages H6731–33**

Frank Buckles World War I Memorial Act: H.R. 6364, amended, to establish a commission to ensure a suitable observance of the centennial of World War I and to designate memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial on the National Mall in the District of Columbia. **Page H6733–39**

Agreed to amend the title so as to read: "To establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes.". **Page H6738–39**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Asthma Inhalers Relief Act of 2012: H.R. 6190, to direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale, and consumption in the United States of remaining inventories of over-the-counter CFC epinephrine inhalers, by a 2/3 yea-and-nay vote of 229 yeas to 182 nays, Roll No. 623. **Pages H6724–28, H6740–41**

Medal of Valor Review Board—Appointment: Read a letter from Representative Pelosi, Minority Leader, in which she appointed Joanne Hayes-White of San Francisco, CA, to the Medal of Valor Review Board. **Page H6739**

Recess: The House recessed at 3:29 p.m. and reconvened at 4:33 p.m. **Page H6739**

Privileged Resolution: The House agreed to H. Res. 829, returning several measures to the Senate. **Page H6739**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, December 13th. **Page H6739**

Designating the Ranking of a Certain Named Member: The House agreed to H. Res. 830, designating the ranking of a certain named Member of a certain standing committee of the House of Representatives. **Page H6739**

Moment of Silence: The House observed a moment of silence in honor of the victims of the Clackamas Town Center shooting, and their families. **Page H6740**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6711.

Senate Referral: S. 3564 was referred to the Committee on Oversight and Government Reform. **Page H6763**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H6739–40, H6740 and H6741. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:45 p.m.

Committee Meetings

KEEPING THE NEW BROADBAND SPECTRUM LAW ON TRACK

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled "Keeping the New Broadband Spectrum Law on Track". Testimony was heard from the following Federal Communications Commission officials: Julius Genachowski, Chairman; Robert M. McDowell, Commissioner; Mignon Clyburn, Commissioner; Jessica Rosenworcel, Commissioner; and Ajit Pai, Commissioner.

CHALLENGES FACING THE U.S. CAPITAL MARKETS TO EFFECTIVELY IMPLEMENT TITLE VII OF THE DOD–FRANK ACT

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises held a hearing entitled ''Challenges Facing the U.S. Capital Markets to Effectively Implement Title VII of the Dodd-Frank Act''. Testimony was heard from Gary Gensler, Chairman, Commodity Futures Trading Commission; Robert Cook, Director, Division of Trading and Markets, U.S. Securities and Exchange Commission; and public witnesses.

HGH TESTING IN THE NFL: IS THE SCIENCE READY?

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''HGH Testing in the NFL: Is the Science Ready?''. Testimony was heard from Lawrence Tabak, Deputy Director, National Institutes of Health; and public witnesses.

FUTURE OF NASA: PERSPECTIVES ON STRATEGIC VISION FOR AMERICA'S SPACE PROGRAM

Committee on Science, Space, and Technology: Full Committee held a hearing entitled ''The Future of NASA: Perspectives on Strategic Vision for America's Space Program.'' Testimony was heard from public witnesses.

BUSINESS MEETING

Committee on Veterans' Affairs: Full Committee held a business meeting to approve Activities Report for the Committee on Veterans' Affairs. The report was approved without amendment.

PROPOSAL TO REDUCE CHILD DEATHS DUE TO MALTREATMENT

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled ''Proposal to Reduce Child Deaths Due to Maltreatment''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 13, 2012

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Finance: to hold hearings to examine improving care for dually-eligible beneficiaries, focusing on a progress update, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on Near Eastern and South and Central Asian Affairs, to hold hearings to examine terrorist networks in Pakistan and proliferation of improvised explosive devices (IEDs); to be immediately followed by a closed hearing in SVC–217, 10 a.m., SD–419.

Full Committee, to receive a closed briefing on attacks in Benghazi, 2 p.m., SVC–217.

Committee on Small Business and Entrepreneurship: to hold hearings to examine Hurricane Sandy, focusing on assessing the Federal response and small business recovery efforts, 10 a.m., SR–428A.

Select Committee on Intelligence: to hold a closed business meeting to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing on ''Dodd-Frank Derivatives Reform: Challenges Facing U.S. and International Markets'', 9 a.m., 1300 Longworth.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''State of Uncertainty: Implementation of PPACA's Exchanges and Medicaid Expansion'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Examining the Impact of the Volcker Rule on Markets, Businesses, Investors and Job Creation, Part II'', 9 a.m., 2128 Rayburn.

Committee on the Judiciary, Full Committee, markup on H.J. Res. 819, Directing the Attorney General of the United States to transmit to the House of Representatives, not later than 14 days after the date of the adoption of this resolution, any documents and legal memoranda in the Attorney General's possession relating to the practice of targeted killing of United States citizens and targets abroad, 10 a.m., 2141 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, hearing entitled ''Northeast Corridor Future: Options for High-Speed Rail Development and Opportunities for Private Sector Participation'', 10 a.m., 2167 Rayburn.

House Permanent Select Committee on Intelligence, Full Committee, business meeting on Investigative Report on the U.S. National Security Issues Posed by Chinese Telecommunications Companies Huawei and ZTE, 8:30 a.m., HVC–304. This is a closed meeting.

Full Committee, hearing on ongoing intelligence activities, 9 a.m., HVC–304. This is a closed hearing.

Next Meeting of the SENATE

9:30 a.m., Thursday, December 13

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 11:30 a.m.), Senate will resume consideration of S. 3637, Transaction Account Guarantee, with up to two votes on the motion to waive a point of order, if a point of order is raised against the bill, and the motion to invoke cloture on the bill at approximately 12 p.m. The second-degree amendment filing deadline will be at 10:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, December 13

House Chamber

Program for Thursday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Bass, Karen, Calif., E1919
Bishop, Timothy H., N.Y., E1915
Camp, Dave, Mich., E1913
Clyburn, James E., S.C., E1919
Coffman, Mike, Colo., E1916
Connolly, Gerald E., Va., E1910
Courtney, Joe, Conn., E1915
Farr, Sam, Calif., E1910
Fattah, Chaka, Pa., E1913
Hunter, Duncan, Calif., E1916
Kaptur, Marcy, Ohio, E1910, E1912, E1915, E1916, E1917, E1920
Keating, William R., Mass., E1909
Larson, John B., Conn., E1909
McCarthy, Kevin, Calif., E1912
Mica, John L., Fla., E1917
Moore, Gwen, Wisc., E1916
Nunes, Devin, Calif., E1911
Peters, Gary C., Mich., E1911, E1913
Rangel, Charles B., N.Y., E1912, E1918
Schiff, Adam B., Calif., E1915
Schmidt, Jean, Ohio, E1918
Sherman, Brad, Calif., E1920
Smith, Adam, Wash., E1915
Smith, Lamar, Tex., E1920
Stearns, Cliff, Fla., E1910, E1913
Thompson, Bennie G., Miss., E1914
Van Hollen, Chris, Md., E1914
Westmoreland, Lynn A., Ga., E1911
Wolf, Frank R., Va., E1916
Woolsey, Lynn C., Calif., E1916

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record,* U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.