

# Union Calendar No. 415

112th Congress, 2d Session - - - - - House Report 112-575

THIRD SEMIANNUAL REPORT  
ON THE ACTIVITIES  
OF THE  
COMMITTEE ON ARMED SERVICES  
FOR THE  
ONE HUNDRED TWELFTH CONGRESS



JUNE 29, 2012.—Committed to the Committee of the Whole House on  
the State of the Union and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

19-006

WASHINGTON : 2012

HOUSE COMMITTEE ON ARMED SERVICES

ONE HUNDRED TWELFTH CONGRESS

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**LETTER OF TRANSMITTAL**

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HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC, June 29, 2012.*

Hon. KAREN L. HAAS,  
*Clerk of the House of Representatives,*  
*Washington, DC.*

DEAR MS. HAAS: Pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives, I present herewith the third semi-annual report on the activities of the Committee on Armed Services for the 112th Congress.

Sincerely,

HOWARD P. "BUCK" MCKEON, *Chairman.*



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2d Session } HOUSE OF REPRESENTATIVES { REPORT  
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Mr. MCKEON, from the Committee on Armed Services,  
submitted the following

#### R E P O R T

#### POWERS AND DUTIES

#### BACKGROUND

The House Committee on Armed Services, a standing committee of Congress, was established on January 2, 1947, as a part of the Legislative Reorganization Act of 1946 (60 Stat. 812), by merging the Committees on Military Affairs and Naval Affairs. The Committees on Military Affairs and Naval Affairs were established in 1882. In 1885, jurisdiction over military and naval appropriations was taken from the Committee on Appropriations and given to the Committees on Military Affairs and Naval Affairs, respectively. This practice continued until July 1, 1920, when jurisdiction over all appropriations was again placed in the Committee on Appropriations.

In the 93rd Congress, following a study by the House Select Committee on Committees, the House passed H. Res. 988, the Committee Reform Amendments of 1974, to be effective January 3, 1975. As a result of those amendments, the jurisdictional areas of the Committee on Armed Services remained essentially unchanged. However, oversight functions were amended to require each standing committee to review and study on a continuing basis all matters and jurisdiction of the committee. Also, the Committee on Armed Services was to review and study on a continuing basis all laws, programs, and Government activities dealing with or involv-

ing international arms control and disarmament and the education of military dependents in school.

The rules changes adopted by the House (H. Res. 5) on January 4, 1977, placed new responsibilities in the field of atomic energy in the Committee on Armed Services. Those responsibilities involved the national security aspects of atomic energy previously within the jurisdiction of the Joint Committee on Atomic Energy. Public Law 95-110, effective September 20, 1977, abolished the Joint Committee on Atomic Energy.

With the adoption of H. Res. 658 on July 14, 1977, which established the House Permanent Select Committee on Intelligence, the jurisdiction of the Committee on Armed Service over intelligence matters was changed.

That resolution gave the Permanent Select Committee on Intelligence oversight responsibilities for intelligence and intelligence-related activities and programs of the U.S. Government. Specifically, the Permanent Select Committee on Intelligence has exclusive legislative jurisdiction regarding the Central Intelligence Agency and the director of Central Intelligence, including authorizations. Also, legislative jurisdiction over all intelligence and intelligence-related activities and programs was vested in the permanent select committee except that other committees with a jurisdictional interest may request consideration of any such matters. Accordingly, as a matter of practice, the Committee on Armed Services shared jurisdiction over the authorization process involving intelligence-related activities.

The committee continues to have shared jurisdiction over military intelligence activities as set forth in rule X of the Rules of the House of Representatives.

With the adoption of House rules (H. Res. 5) on January 4, 1995, the Committee on National Security was established as the successor committee to the Committee on Armed Services, and was granted additional legislative and oversight authority over merchant marine academies, national security aspects of merchant marine policy and programs, and interoceanic canals. Rules for the 104th Congress also codified the existing jurisdiction of the committee over tactical intelligence matters and the intelligence related activities of the Department of Defense.

On January 6, 1999, the House adopted H. Res. 5, rules for the 106th Congress, in which the Committee on National Security was redesignated as the Committee on Armed Services.

On January 5, 2012, the House adopted H. Res. 5, rules for the 112th Congress, which clarified the Committee on Armed Services jurisdiction over Department of Defense administered cemeteries.

## CONSTITUTIONAL POWERS AND DUTIES

The powers and duties of Congress in relation to national defense matters stem from Article I, section 8 of the United States Constitution, which provides, among other things that Congress shall have power:

- To raise and support Armies;
- To provide and maintain a Navy;
- To make rules for the Government and Regulation of the land and naval Forces;
- To provide for calling forth the Militia;



To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States;

To exercise exclusive Legislation . . . over all Places purchased . . . for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; and

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

### HOUSE RULES ON JURISDICTION

Rule X of the Rules of the House of Representatives established the jurisdiction and related functions for each standing committee. Under the rule, all bills, resolutions, and other matters relating to subjects within the jurisdiction of any standing committee shall be referred to such committee. The jurisdiction of the House Committee on Armed Services, pursuant to clause 1(c) of rule X is as follows:

(1) Ammunition depots; forts; arsenals; and Army, Navy, and Air Force reservations and establishments.

(2) Common defense generally.

(3) Conservation, development, and use of naval petroleum and oil shale reserves.

(4) The Department of Defense generally, including the Departments of the Army, Navy, and Air Force, generally.

(5) Interoceanic canals generally, including measures relating to the maintenance, operation, and administration of interoceanic canals.

(6) Merchant Marine Academy and State Maritime Academies.

(7) Military applications of nuclear energy.

(8) Tactical intelligence and intelligence-related activities of the Department of Defense.

(9) National security aspects of merchant marine, including financial assistance for the construction and operation of vessels, maintenance of the U.S. shipbuilding and ship repair industrial base, cabotage, cargo preference, and merchant marine officers and seamen as these matters relate to the national security.

(10) Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces.

(11) Scientific research and development in support of the armed services.

(12) Selective service.

(13) Size and composition of the Army, Navy, Marine Corps, and Air Force.

(14) Soldiers' and sailors' homes.

(15) Strategic and critical materials necessary for the common defense.

(16) Cemeteries administered by the Department of Defense.

In addition to its legislative jurisdiction and general oversight function, the Committee on Armed Services has special oversight functions with respect to international arms control and disarmament and the education of military dependents in schools.

## INVESTIGATIVE AUTHORITY AND LEGISLATIVE OVERSIGHT

H. Res. 988 of the 93rd Congress, the Committee Reform Amendments of 1974, amended clause 1(b) of rule XI of the Rules of the House of Representatives, to provide general authority for each committee to investigate matters within its jurisdiction. That amendment established a permanent investigative authority and relieved the committee of the former requirement of obtaining a renewal of the investigative authority by a House resolution at the beginning of each Congress. H. Res. 988 also amended rule X of the Rules of the House of Representatives by requiring, as previously indicated, that standing committees are to conduct legislative oversight in the area of their respective jurisdiction, and by establishing specific oversight functions for the Committee on Armed Services.

H. Res. 147 was approved by the House on March 17, 2011, and provided funds for, among other things, committee oversight responsibilities to be conducted in the 112th Congress. The committee derives its authority to conduct oversight from, among other things, clause 2(b)(1) of rule X of the Rules of the House of Representatives (relating to general oversight responsibilities), clause 3(b) of rule X (relating to special oversight functions), and clause 1(b) of rule XI (relating to investigations and studies).

## COMMITTEE RULES

The committee held its organizational meeting on January 20, 2011, and adopted the following rules governing rules and procedure for oversight hearings conducted by the full committee and its subcommittees.

(H.A.S.C. 112-1; Committee Print No. 1)

### RULE 1. GENERAL PROVISIONS

(a) The Rules of the House of Representatives are the rules of the Committee on Armed Services (hereinafter referred to in these rules as the “Committee”) and its subcommittees so far as applicable.

(b) Pursuant to clause 2(a)(2) of rule XI of the Rules of the House of Representatives, the Committee’s rules shall be publicly available in electronic form and published in the Congressional Record not later than 30 days after the chair of the committee is elected in each odd-numbered year.

### RULE 2. FULL COMMITTEE MEETING DATE

(a) The Committee shall meet every Wednesday at 10:00 a.m., when the House of Representatives is in session, and at such other times as may be fixed by the Chairman of the Committee (hereinafter referred to as the “Chairman”), or by written request of members of the Committee pursuant to clause 2(c) of rule XI of the Rules of the House of Representatives.

(b) A Wednesday meeting of the Committee may be dispensed with by the Chairman, but such action may be reversed by a written request of a majority of the members of the Committee.

### RULE 3. SUBCOMMITTEE MEETING DATES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee on all matters referred to it. Insofar as possible, meetings of the Committee and its subcommittees shall not conflict. A subcommittee Chairman shall set meeting dates after consultation with the Chairman, other subcommittee Chairmen, and the Ranking Minority Member of the subcommittee with a view toward avoiding, whenever possible, simultaneous scheduling of Committee and subcommittee meetings or hearings.

### RULE 4. JURISDICTION AND MEMBERSHIP OF COMMITTEE AND SUBCOMMITTEES

#### *(a) Jurisdiction*

(1) The Committee retains jurisdiction of all subjects listed in clause 1(c) and clause 3(b) of rule X of the Rules of the House of

Representatives and retains exclusive jurisdiction for: defense policy generally, ongoing military operations, the organization and reform of the Department of Defense and Department of Energy, counter-drug programs, security and humanitarian assistance (except special operations-related activities) of the Department of Defense, acquisition and industrial base policy, technology transfer and export controls, joint interoperability, the Cooperative Threat Reduction program, Department of Energy nonproliferation programs, detainee affairs and policy, intelligence policy, force protection policy and inter-agency reform as it pertains to the Department of Defense and the nuclear weapons programs of the Department of Energy. While subcommittees are provided jurisdictional responsibilities in subparagraph (2), the Committee retains the right to exercise oversight and legislative jurisdiction over all subjects within its purview under rule X of the Rules of the House of Representatives.

(2) The Committee shall be organized to consist of seven standing subcommittees with the following jurisdictions:

Subcommittee on Tactical Air and Land Forces: All Army, Air Force and Marine Corps acquisition programs (except Marine Corps amphibious assault vehicle programs, strategic missiles, space, lift programs, special operations, science and technology programs, and information technology accounts). In addition, the subcommittee will be responsible for Navy and Marine Corps aviation programs, National Guard and Army, Air Force and Marine Corps Reserve modernization, and ammunition programs.

Subcommittee on Military Personnel: Military personnel policy, Reserve Component integration and employment issues, military health care, military education, and POW/MIA issues. In addition, the subcommittee will be responsible for Morale, Welfare and Recreation issues and programs.

Subcommittee on Readiness: Military readiness, training, logistics and maintenance issues and programs. In addition, the subcommittee will be responsible for all military construction, depot policy, civilian personnel policy, environmental policy, installations and family housing issues, including the base closure process, and energy policy and programs of the Department of Defense.

Subcommittee on Seapower and Projection Forces: Navy acquisition programs, Naval Reserve equipment, and Marine Corps amphibious assault vehicle programs (except strategic weapons, space, special operations, science and technology programs, and information technology programs), deep strike bombers and related systems, lift programs, and seaborne unmanned aerial systems. In addition, the subcommittee will be responsible for Maritime programs under the jurisdiction of the Committee as delineated in paragraphs 5, 6, and 9 of clause 1(c) of rule X of the Rules of the House of Representatives.

Subcommittee on Strategic Forces: Strategic weapons (except deep strike bombers and related systems), space programs, ballistic missile defense, national intelligence programs, and Department of Energy national security programs (except non-proliferation programs).

Subcommittee on Emerging Threats and Capabilities: Defense-wide and joint enabling activities and programs to include: Special

Operations Forces; counter-proliferation and counter-terrorism programs and initiatives; science and technology policy and programs; information technology programs; homeland defense and Department of Defense related consequence management programs; related intelligence support; and other enabling programs and activities to include cyber operations, strategic communications, and information operations.

Subcommittee on Oversight and Investigations: Any matter within the jurisdiction of the Committee, subject to the concurrence of the Chairman of the Committee and, as appropriate, affected subcommittee chairmen. The subcommittee shall have no legislative jurisdiction.

*(b) Membership of the Subcommittees*

(1) Subcommittee memberships, with the exception of membership on the Subcommittee on Oversight and Investigations, shall be filled in accordance with the rules of the Majority party's conference and the Minority party's caucus, respectively.

(2) The Chairman and Ranking Minority Member of the Subcommittee on Oversight and Investigations shall be filled in accordance with the rules of the Majority party's conference and the Minority party's caucus, respectively. Consistent with the party ratios established by the Majority party, all other Majority members of the subcommittee shall be appointed by the Chairman of the Committee, and all other Minority members shall be appointed by the Ranking Minority Member of the Committee.

(3) The Chairman of the Committee and Ranking Minority Member thereof may sit as ex officio members of all subcommittees. Ex officio members shall not vote in subcommittee hearings or meetings or be taken into consideration for the purpose of determining the ratio of the subcommittees or establishing a quorum at subcommittee hearings or meetings.

(4) A member of the Committee who is not a member of a particular subcommittee may sit with the subcommittee and participate during any of its hearings but shall not have authority to vote, cannot be counted for the purpose of achieving a quorum, and cannot raise a point of order at the hearing.

RULE 5. COMMITTEE PANELS AND TASK FORCES

*(a) Committee Panels*

(1) The Chairman may designate a panel of the Committee consisting of members of the Committee to inquire into and take testimony on a matter or matters that fall within the jurisdiction of more than one subcommittee and to report to the Committee.

(2) No panel appointed by the Chairman shall continue in existence for more than six months after the appointment. A panel so appointed may, upon the expiration of six months, be reappointed by the Chairman for a period of time which is not to exceed six months.

(3) Consistent with the party ratios established by the Majority party, all Majority members of the panels shall be appointed by the Chairman of the Committee, and all Minority members shall be appointed by the Ranking Minority Member of the Committee. The

Chairman of the Committee shall choose one of the Majority members so appointed who does not currently chair another subcommittee of the Committee to serve as Chairman of the panel. The Ranking Minority Member of the Committee shall similarly choose the Ranking Minority Member of the panel.

(4) No panel shall have legislative jurisdiction.

*(b) Committee and Subcommittee Task Forces*

(1) The Chairman of the Committee, or a Chairman of a subcommittee with the concurrence of the Chairman of the Committee, may designate a task force to inquire into and take testimony on a matter that falls within the jurisdiction of the Committee or subcommittee, respectively. The Chairman and Ranking Minority Member of the Committee or subcommittee shall each appoint an equal number of members to the task force. The Chairman of the Committee or subcommittee shall choose one of the members so appointed, who does not currently chair another subcommittee of the Committee, to serve as Chairman of the task force. The Ranking Minority Member of the Committee or subcommittee shall similarly appoint the Ranking Minority Member of the task force.

(2) No task force appointed by the Chairman of the Committee or subcommittee shall continue in existence for more than three months. A task force may only be reappointed for an additional three months with the written concurrence of the Chairman and Ranking Minority Member of the Committee or subcommittee whose Chairman appointed the task force.

(3) No task force shall have legislative jurisdiction.

RULE 6. REFERENCE AND CONSIDERATION OF LEGISLATION

(a) The Chairman shall refer legislation and other matters to the appropriate subcommittee or to the full Committee.

(b) Legislation shall be taken up for a hearing or markup only when called by the Chairman of the Committee or subcommittee, as appropriate, or by a majority of the Committee or subcommittee, as appropriate.

(c) The Chairman, with approval of a majority vote of a quorum of the Committee, shall have authority to discharge a subcommittee from consideration of any measure or matter referred thereto and have such measure or matter considered by the Committee.

(d) Reports and recommendations of a subcommittee may not be considered by the Committee until after the intervention of three calendar days from the time the report is approved by the subcommittee and available to the members of the Committee, except that this rule may be waived by a majority vote of a quorum of the Committee.

(e) The Chairman, in consultation with the Ranking Minority Member, shall establish criteria for recommending legislation and other matters to be considered by the House of Representatives, pursuant to clause 1 of rule XV of the Rules of the House of Representatives. Such criteria shall not conflict with the Rules of the House of Representatives and other applicable rules.

## RULE 7. PUBLIC ANNOUNCEMENT OF HEARINGS AND MEETINGS

(a) Pursuant to clause 2(g)(3) of rule XI of the Rules of the House of Representatives, the Chairman of the Committee, or of any subcommittee, panel, or task force, shall make a public announcement of the date, place, and subject matter of any hearing or meeting before that body at least one week before the commencement of a hearing and at least three days before the commencement of a meeting. However, if the Chairman of the Committee, or of any subcommittee, panel, or task force, with the concurrence of the respective Ranking Minority Member, determines that there is good cause to begin the hearing or meeting sooner, or if the Committee, subcommittee, panel, or task force so determines by majority vote, a quorum being present for the transaction of business, such chairman shall make the announcement at the earliest possible date. Any announcement made under this rule shall be promptly published in the Daily Digest, promptly entered into the committee scheduling service of the House Information Resources, and promptly made publicly available in electronic form.

(b) At least 24 hours prior to the commencement of a meeting for the markup of legislation, or at the time of an announcement under paragraph (a) made within 24 hours before such meeting, the Chairman of the Committee, or of any subcommittee, panel, or task force shall cause the text of such measure or matter to be made publicly available in electronic form as provided in clause 2(g)(4) of rule XI of the Rules of the House of Representatives.

## RULE 8. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

(a) Pursuant to clause 2(e)(5) of rule XI of the Rules of the House of Representatives, the Committee shall, to the maximum extent practicable, provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings. The Committee shall maintain the recordings of such coverage in a manner that is easily accessible to the public.

(b) Clause 4 of rule XI of the Rules of the House of Representatives shall apply to the Committee.

## RULE 9. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) Each hearing and meeting for the transaction of business, including the markup of legislation, conducted by the Committee, or any subcommittee, panel, or task force, to the extent that the respective body is authorized to conduct markups, shall be open to the public except when the Committee, subcommittee, panel, or task force in open session and with a majority being present, determines by record vote that all or part of the remainder of that hearing or meeting on that day shall be in executive session because disclosure of testimony, evidence, or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a majority of those present, there being in attendance no fewer than two members of the Committee, subcommittee, panel, or task force may vote to close a hearing or meet-

ing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or would violate any law or rule of the House of Representatives. If the decision is to proceed in executive session, the vote must be by record vote and in open session, a majority of the Committee, subcommittee, panel, or task force being present.

(b) Whenever it is asserted by a member of the Committee or subcommittee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, notwithstanding the requirements of (a) and the provisions of clause 2(g)(2) of rule XI of the Rules of the House of Representatives, such evidence or testimony shall be presented in executive session, if by a majority vote of those present, there being in attendance no fewer than two members of the Committee or subcommittee, the Committee or subcommittee determines that such evidence may tend to defame, degrade, or incriminate any person. A majority of those present, there being in attendance no fewer than two members of the Committee or subcommittee may also vote to close the hearing or meeting for the sole purpose of discussing whether evidence or testimony to be received would tend to defame, degrade, or incriminate any person. The Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee or subcommittee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(c) Notwithstanding the foregoing, and with the approval of the Chairman, each member of the Committee may designate by letter to the Chairman, one member of that member's personal staff, and an alternate, which may include fellows, with Top Secret security clearance to attend hearings of the Committee, or that member's subcommittee(s), panel(s), or task force(s) (excluding briefings or meetings held under the provisions of committee rule 9(a)), which have been closed under the provisions of rule 9(a) above for national security purposes for the taking of testimony. The attendance of such a staff member or fellow at such hearings is subject to the approval of the Committee, subcommittee, panel, or task force as dictated by national security requirements at that time. The attainment of any required security clearances is the responsibility of individual members of the Committee.

(d) Pursuant to clause 2(g)(2) of rule XI of the Rules of the House of Representatives, no Member, Delegate, or Resident Commissioner may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee, unless the House of Representatives shall by majority vote authorize the Committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members, Delegates, and the Resident Commissioner by the same procedures designated in this rule for closing hearings to the public.



(e) The Committee or the subcommittee may vote, by the same procedure, to meet in executive session for up to five additional consecutive days of hearings.

#### RULE 10. QUORUM

(a) For purposes of taking testimony and receiving evidence, two members shall constitute a quorum.

(b) One-third of the members of the Committee or subcommittee shall constitute a quorum for taking any action, with the following exceptions, in which case a majority of the Committee or subcommittee shall constitute a quorum:

- (1) Reporting a measure or recommendation;
- (2) Closing Committee or subcommittee meetings and hearings to the public;
- (3) Authorizing the issuance of subpoenas;
- (4) Authorizing the use of executive session material; and
- (5) Voting to proceed in open session after voting to close to discuss whether evidence or testimony to be received would tend to defame, degrade, or incriminate any person.

(c) No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present.

#### RULE 11. THE FIVE-MINUTE RULE

(a) Subject to rule 15, the time any one member may address the Committee or subcommittee on any measure or matter under consideration shall not exceed five minutes and then only when the member has been recognized by the Chairman or subcommittee chairman, as appropriate, except that this time limit may be exceeded by unanimous consent. Any member, upon request, shall be recognized for not more than five minutes to address the Committee or subcommittee on behalf of an amendment which the member has offered to any pending bill or resolution. The five-minute limitation shall not apply to the Chairman and Ranking Minority Member of the Committee or subcommittee.

(b)(1) Members who are present at a hearing of the Committee or subcommittee when a hearing is originally convened shall be recognized by the Chairman or subcommittee chairman, as appropriate, in order of seniority. Those members arriving subsequently shall be recognized in order of their arrival. Notwithstanding the foregoing, the Chairman and the Ranking Minority Member will take precedence upon their arrival. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the Majority to Minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of either party.

(2) Pursuant to rule 4 and subject to rule 15, a member of the Committee who is not a member of a subcommittee may be recognized by a subcommittee chairman in order of their arrival and after all present subcommittee members have been recognized.

(3) The Chairman of the Committee or a subcommittee, with the concurrence of the respective Ranking Minority Member, may depart with the regular order for questioning which is specified in

paragraphs (a) and (b) of this rule provided that such a decision is announced prior to the hearing or prior to the opening statements of the witnesses and that any such departure applies equally to the Majority and the Minority.

(c) No person other than a Member, Delegate, or Resident Commissioner of Congress and committee staff may be seated in or behind the dais area during Committee, subcommittee, panel, or task force hearings and meetings.

#### RULE 12. POWER TO SIT AND ACT; SUBPOENA POWER

(a) For the purpose of carrying out any of its functions and duties under rules X and XI of the Rules of the House of Representatives, the Committee and any subcommittee is authorized (subject to subparagraph (b)(1) of this paragraph):

(1) to sit and act at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold hearings, and

(2) to require by subpoena, or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents, including, but not limited to, those in electronic form, as it considers necessary.

(b)(1) A subpoena may be authorized and issued by the Committee, or any subcommittee with the concurrence of the full Committee Chairman and after consultation with the Ranking Minority Member of the Committee, under subparagraph (a)(2) in the conduct of any investigation, or series of investigations or activities, only when authorized by a majority of the members voting, a majority of the Committee or subcommittee being present. Authorized subpoenas shall be signed only by the Chairman, or by any member designated by the Committee.

(2) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, compliance with any subpoena issued by the Committee or any subcommittee under subparagraph (a)(2) may be enforced only as authorized or directed by the House of Representatives.

#### RULE 13. WITNESS STATEMENTS

(a) Any prepared statement to be presented by a witness to the Committee or a subcommittee shall be submitted to the Committee or subcommittee at least 48 hours in advance of presentation and shall be distributed to all members of the Committee or subcommittee as soon as practicable but not less than 24 hours in advance of presentation. A copy of any such prepared statement shall also be submitted to the Committee in electronic form. If a prepared statement contains national security information bearing a classification of Secret or higher, the statement shall be made available in the Committee rooms to all members of the Committee or subcommittee as soon as practicable but not less than 24 hours in advance of presentation; however, no such statement shall be removed from the Committee offices. The requirement of this rule may be waived by a majority vote of the Committee or subcommittee, a quorum being present. In cases where a witness does not submit a statement by the time required under this rule, the

Chairman of the Committee or subcommittee, as appropriate, with the concurrence of the respective Ranking Minority Member, may elect to exclude the witness from the hearing.

(b) The Committee and each subcommittee shall require each witness who is to appear before it to file with the Committee in advance of his or her appearance a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of the submitted written statement.

(c) Pursuant to clause 2(g)(5) of rule XI of the Rules of the House of Representatives, written witness statements, with appropriate redactions to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

#### RULE 14. ADMINISTERING OATHS TO WITNESSES

(a) The Chairman, or any member designated by the Chairman, may administer oaths to any witness.

(b) Witnesses, when sworn, shall subscribe to the following oath:  
 “Do you solemnly swear (or affirm) that the testimony you will give before this Committee (or subcommittee) in the matters now under consideration will be the truth, the whole truth, and nothing but the truth, so help you God?”

#### RULE 15. QUESTIONING OF WITNESSES

(a) When a witness is before the Committee or a subcommittee, members of the Committee or subcommittee may put questions to the witness only when recognized by the Chairman or subcommittee chairman, as appropriate, for that purpose according to rule 11 of the Committee.

(b) Members of the Committee or subcommittee who so desire shall have not more than five minutes to question each witness or panel of witnesses, the responses of the witness or witnesses being included in the five-minute period, until such time as each member has had an opportunity to question each witness or panel of witnesses. Thereafter, additional rounds for questioning witnesses by members are within the discretion of the Chairman or subcommittee chairman, as appropriate.

(c) Questions put to witnesses before the Committee or subcommittee shall be pertinent to the measure or matter that may be before the Committee or subcommittee for consideration.

#### RULE 16. PUBLICATION OF COMMITTEE HEARINGS AND MARKUPS

The transcripts of those hearings conducted by the Committee, subcommittee, or panel will be published officially in substantially verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. The transcripts of markups conducted by the Committee or any subcommittee may be published officially in verbatim form. Any requests to correct any errors, other than those in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted. Any transcript published under this rule shall include the results of record votes conducted in the session covered by the transcript and shall also include ma-

materials that have been submitted for the record and are covered under rule 19. The handling and safekeeping of these materials shall fully satisfy the requirements of rule 20. No transcript of an executive session conducted under rule 9 shall be published under this rule.

#### RULE 17. VOTING AND ROLLCALLS

(a) Voting on a measure or matter may be by record vote, division vote, voice vote, or unanimous consent.

(b) A record vote shall be ordered upon the request of one-fifth of those members present.

(c) No vote by any member of the Committee or a subcommittee with respect to any measure or matter shall be cast by proxy.

(d) In the event of a vote or votes, when a member is in attendance at any other committee, subcommittee, or conference committee meeting during that time, the necessary absence of that member shall be so noted in the record vote record, upon timely notification to the Chairman by that member.

(e) The Chairman of the Committee or a subcommittee, as appropriate, with the concurrence of the Ranking Minority Member or the most senior Minority member who is present at the time, may elect to postpone requested record votes until such time or point at a markup as is mutually decided. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, the underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

#### RULE 18. COMMITTEE REPORTS

(a) If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives timely notice of intention to file supplemental, Minority, additional or dissenting views, that member shall be entitled to not less than two calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such days) in which to file such views, in writing and signed by that member, with the Staff Director of the Committee, or the Staff Director's designee. All such views so filed by one or more members of the Committee shall be included within, and shall be a part of, the report filed by the Committee with respect to that measure or matter.

(b) With respect to each record vote on a motion to report any measure or matter, and on any amendment offered to the measure or matter, the total number of votes cast for and against, the names of those voting for and against, and a brief description of the question, shall be included in the Committee report on the measure or matter.

(c) Not later than 24 hours after the adoption of any amendment to a measure or matter considered by the Committee, the Chairman shall cause the text of each such amendment to be made publicly available in electronic form as provided in clause 2(e)(6) of rule XI of the Rules of the House of Representatives.

## RULE 19. PUBLIC INSPECTION OF COMMITTEE ROLLCALLS

The result of each record vote in any meeting of the Committee shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee and also made publicly available in electronic form within 48 hours of such record vote pursuant to clause 2(e)(1)(B)(i) of rule XI of the Rules of the House of Representatives. Information so available shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition and the names of those members present but not voting.

## RULE 20. PROTECTION OF NATIONAL SECURITY AND OTHER INFORMATION

(a) Except as provided in clause 2(g) of rule XI of the Rules of the House of Representatives, all national security information bearing a classification of Secret or higher which has been received by the Committee or a subcommittee shall be deemed to have been received in executive session and shall be given appropriate safekeeping.

(b) The Chairman of the Committee shall, with the approval of a majority of the Committee, establish such procedures as in his judgment may be necessary to prevent the unauthorized disclosure of any national security information that is received which is classified as Secret or higher. Such procedures shall, however, ensure access to this information by any member of the Committee or any other Member, Delegate, or Resident Commissioner of the House of Representatives, staff of the Committee, or staff designated under rule 9(c) who have the appropriate security clearances and the need to know, who has requested the opportunity to review such material.

(c) The Chairman of the Committee shall, in consultation with the Ranking Minority Member, establish such procedures as in his judgment may be necessary to prevent the unauthorized disclosure of any proprietary information that is received by the Committee, subcommittee, panel, or task force. Such procedures shall be consistent with the Rules of the House of Representatives and applicable law.

## RULE 21. COMMITTEE STAFFING

The staffing of the Committee, the standing subcommittees, and any panel or task force designated by the Chairman or chairmen of the subcommittees shall be subject to the Rules of the House of Representatives.

## RULE 22. COMMITTEE RECORDS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of rule VII, to withhold a record otherwise available, and the matter shall be

presented to the Committee for a determination on the written request of any member of the Committee.

RULE 23. HEARING PROCEDURES

Clause 2(k) of rule XI of the Rules of the House of Representatives shall apply to the Committee.

RULE 24. COMMITTEE ACTIVITY REPORTS

Not later than the 30th day after June 1 and December 1, the Committee shall submit to the House a semiannual report on its activities, pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives.

## COMPOSITION OF THE COMMITTEE ON ARMED SERVICES

### FULL COMMITTEE

Pursuant to H. Res. 6 (agreed to January 5, 2011), H. Res. 7 (agreed to January 5, 2011), H. Res. 33 (agreed to January 12, 2011), H. Res. 39 (agreed to January 19, 2011), H. Res. 377 (agreed to July 28, 2011), and H. Res. 553 (agreed to February 16, 2012), the following Members have served on the Committee on Armed Services in the 112th Congress:

HOWARD P. "BUCK" McKEON, California, *Chairman*

ROSCOE G. BARTLETT, Maryland	ADAM SMITH, Washington
MAC THORNBERRY, Texas	SILVESTRE REYES, Texas
WALTER B. JONES, North Carolina	LORETTA SANCHEZ, California
W. TODD AKIN, Missouri	MIKE McINTYRE, North Carolina
J. RANDY FORBES, Virginia	ROBERT A. BRADY, Pennsylvania
JEFF MILLER, Florida	ROBERT ANDREWS, New Jersey
JOE WILSON, South Carolina	SUSAN A. DAVIS, California
FRANK A. LoBIONDO, New Jersey	JAMES R. LANGEVIN, Rhode Island
MICHAEL TURNER, Ohio	RICK LARSEN, Washington
JOHN KLINE, Minnesota	JIM COOPER, Tennessee
MIKE ROGERS, Alabama	MADELEINE Z. BORDALLO, Guam
TRENT FRANKS, Arizona	JOE COURTNEY, Connecticut
BILL SHUSTER, Pennsylvania	DAVE LOEBSACK, Iowa
K. MICHAEL CONAWAY, Texas	GABRIELLE GIFFORDS, Arizona <sup>1</sup>
DOUG LAMBORN, Colorado	NIKI TSONGAS, Massachusetts
ROB WITTMAN, Virginia	CHELLIE PINGREE, Maine
DUNCAN HUNTER, California	LARRY KISSELL, North Carolina
JOHN C. FLEMING, M.D., Louisiana	MARTIN HEINRICH, New Mexico
MIKE COFFMAN, Colorado	BILL OWENS, New York
TOM ROONEY, Florida	JOHN R. GARAMENDI, California
TODD RUSSELL PLATTS, Pennsylvania	MARK S. CRITZ, Pennsylvania
SCOTT RIGELL, Virginia	TIM RYAN, Ohio
CHRIS GIBSON, New York	C.A. DUTCH RUPPERSBERGER, Maryland
VICKY HARTZLER, Missouri	HANK JOHNSON, Georgia
JOE HECK, Nevada	KATHY CASTOR, Florida <sup>2</sup>
BOBBY SCHILLING, Illinois	BETTY SUTTON, Ohio
JON RUNYAN, New Jersey	COLLEEN HANABUSA, Hawaii
AUSTIN SCOTT, Georgia	KATHLEEN C. HOCHUL, New York <sup>3</sup>
TIM GRIFFIN, Arkansas	JACKIE SPEIER, California <sup>4</sup>
STEVEN PALAZZO, Mississippi	
ALLEN B. WEST, Florida	
MARTHA ROBY, Alabama	
MO BROOKS, Alabama	
TODD YOUNG, Indiana	

<sup>1</sup> Ms. Giffords resigned from the House of Representatives on January 25, 2012.

<sup>2</sup> Mrs. Castor resigned from the committee on June 22, 2011.

<sup>3</sup> Ms. Hochul was elected to the committee on July 28, 2011.

<sup>4</sup> Ms. Speier was elected to the committee on February 16, 2012.

## SUBCOMMITTEES OF THE COMMITTEE ON ARMED SERVICES

The following subcommittees were established at the committee's organizational meeting on January 20, 2011.

### SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

*Jurisdiction pursuant to Committee Rule 4*—Defense-wide and joint enabling activities and programs to include: Special Operations Forces; counter-proliferation and counter-terrorism programs and initiatives; science and technology policy and programs; information technology programs; homeland defense and Department of Defense related consequence management programs; related intelligence support; and other enabling programs and activities to include cyber operations, strategic communications, and information operations.

MAC THORBERRY, Texas, *Chairman*

JEFF MILLER, Florida  
JOHN KLINE, Minnesota  
BILL SHUSTER, Pennsylvania  
K. MICHAEL CONAWAY, Texas  
CHRIS GIBSON, New York  
BOBBY SCHILLING, Illinois  
ALLEN B. WEST, Florida  
TRENT FRANKS, Arizona  
DUNCAN HUNTER, California

JAMES R. LANGEVIN, Rhode Island  
LORETTA SANCHEZ, California  
ROBERT ANDREWS, New Jersey  
SUSAN A. DAVIS, California  
TIM RYAN, Ohio  
C.A. DUTCH RUPPERSBERGER, Maryland  
HANK JOHNSON, Georgia  
KATHY CASTOR, Florida<sup>5</sup>  
KATHLEEN C. HOCHUL, New York<sup>6</sup>

<sup>5</sup> Mrs. Castor resigned from the committee on June 22, 2011.

<sup>6</sup> Ms. Hochul was assigned to the subcommittee on August 2, 2011.

### SUBCOMMITTEE ON MILITARY PERSONNEL

*Jurisdiction pursuant to Committee Rule 4*—Military personnel policy, Reserve Component integration and employment issues, military health care, military education, and POW/MIA issues. In addition, the subcommittee will be responsible for Morale, Welfare and Recreation issues and programs.

JOE WILSON, South Carolina, *Chairman*

WALTER B. JONES, North Carolina  
MIKE COFFMAN, Colorado  
TOM ROONEY, Florida  
JOE HECK, Nevada  
ALLEN B. WEST, Florida  
AUSTIN SCOTT, Georgia  
VICKY HARTZLER, Missouri

SUSAN A. DAVIS, California  
ROBERT A. BRADY, Pennsylvania  
MADELEINE Z. BORDALLO, Guam  
DAVE LOEBSACK, Iowa  
NIKI TSONGAS, Massachusetts  
CHELLIE PINGREE, Maine

### SUBCOMMITTEE ON READINESS

*Jurisdiction pursuant to Committee Rule 4*—Military readiness, training, logistics and maintenance issues and programs. In addi-



tion, the subcommittee will be responsible for all military construction, depot policy, civilian personnel policy, environmental policy, installations and family housing issues, including the base closure process, and energy policy and programs of the Department of Defense.

J. RANDY FORBES, Virginia, *Chairman*

MIKE ROGERS, Alabama	MADELEINE Z. BORDALLO, Guam
JOE HECK, Nevada	SILVESTRE REYES, Texas
AUSTIN SCOTT, Georgia	JOE COURTNEY, Connecticut
FRANK A. LOBIONDO, New Jersey	DAVE LOEBSACK, Iowa
CHRIS GIBSON, New York	GABRIELLE GIFFORDS, Arizona <sup>7</sup>
VICKY HARTZLER, Missouri	LARRY KISSELL, North Carolina
BOBBY SCHILLING, Illinois	BILL OWENS, New York
JON RUNYAN, New Jersey	TIM RYAN, Ohio
TIM GRIFFIN, Arkansas	COLLEEN HANABUSA, Hawaii
STEVEN PALAZZO, Mississippi	JACKIE SPEIER, California <sup>8</sup>
MARTHA ROBY, Alabama	

<sup>7</sup> Ms. Giffords resigned from the House of Representatives on January 25, 2012.

<sup>8</sup> Ms. Speier was assigned to the subcommittee on February 17, 2012.

#### SUBCOMMITTEE ON SEAPOWER AND PROJECTION FORCES

*Jurisdiction pursuant to Committee Rule 4*—Navy acquisition programs, Naval Reserve equipment, and Marine Corps amphibious assault vehicle programs (except strategic weapons, space, special operations, science and technology programs, and information technology programs), deep strike bombers and related systems, lift programs, and seaborne unmanned aerial systems. In addition, the subcommittee will be responsible for Maritime programs under the jurisdiction of the Committee as delineated in paragraphs 5, 6, and 9 of clause 1(c) of rule X of the Rules of the House of Representatives.

W. TODD AKIN, Missouri, *Chairman*

DUNCAN HUNTER, California	MIKE McINTYRE, North Carolina
MIKE COFFMAN, Colorado	SUSAN A. DAVIS, California
SCOTT RIGELL, Virginia	JAMES R. LANGEVIN, Rhode Island
TIM GRIFFIN, Arkansas	RICK LARSEN, Washington
STEVEN PALAZZO, Mississippi	JOE COURTNEY, Connecticut
TODD YOUNG, Indiana	CHELLIE PINGREE, Maine
ROSCOE G. BARTLETT, Maryland	MARK S. CRITZ, Pennsylvania
J. RANDY FORBES, Virginia	HANK JOHNSON, Georgia
ROB WITTMAN, Virginia	BETTY SUTTON, Ohio
TODD RUSSELL PLATTS, Pennsylvania	

#### SUBCOMMITTEE ON STRATEGIC FORCES

*Jurisdiction pursuant to Committee Rule 4*—Strategic weapons (except deep strike bombers and related systems), space programs, ballistic missile defense, national intelligence programs, and Department of Energy national security programs (except non-proliferation programs).

MICHAEL TURNER, Ohio, *Chairman*

TRENT FRANKS, Arizona	LORETTA SANCHEZ, California
DOUG LAMBORN, Colorado	JAMES R. LANGEVIN, Rhode Island
MO BROOKS, Alabama	RICK LARSEN, Washington
MAC THORNBERRY, Texas	MARTIN HEINRICH, New Mexico
MIKE ROGERS, Alabama	JOHN R. GARAMENDI, California
JOHN C. FLEMING, M.D., Louisiana	C.A. DUTCH RUPPERSBERGER, Maryland
SCOTT RIGELL, Virginia	BETTY SUTTON, Ohio
AUSTIN SCOTT, Georgia	

## SUBCOMMITTEE ON TACTICAL AIR AND LAND FORCES

*Jurisdiction pursuant to Committee Rule 4*—All Army, Air Force and Marine Corps acquisition programs (except Marine Corps amphibious assault vehicle programs, strategic missiles, space, lift programs, special operations, science and technology programs, and information technology accounts). In addition, the subcommittee will be responsible for Navy and Marine Corps aviation programs, National Guard and Army, Air Force and Marine Corps Reserve modernization, and ammunition programs.

ROSCOE G. BARTLETT, Maryland, *Chairman*

FRANK A. LOBIONDO, New Jersey	SILVESTRE REYES, Texas
JOHN C. FLEMING, M.D., Louisiana	MIKE MCINTYRE, North Carolina
TOM ROONEY, Florida	JIM COOPER, Tennessee
TODD RUSSELL PLATTS, Pennsylvania	GABRIELLE GIFFORDS, Arizona <sup>9</sup>
VICKY HARTZLER, Missouri	NIKI TSONGAS, Massachusetts
JON RUNYAN, New Jersey	LARRY KISSELL, North Carolina
MARTHA ROBY, Alabama	MARTIN HEINRICH, New Mexico
WALTER B. JONES, North Carolina	BILL OWENS, New York
W. TODD AKIN, Missouri	JOHN R. GARAMENDI, California
JOE WILSON, South Carolina	MARK S. CRITZ, Pennsylvania
MICHAEL TURNER, Ohio	KATHY CASTOR, Florida <sup>10</sup>
BILL SHUSTER, Pennsylvania	KATHLEEN C. HOCHUL, New York <sup>11</sup>
DOUG LAMBORN, Colorado	JACKIE SPEIER, California <sup>12</sup>

<sup>9</sup> Ms. Giffords resigned from the House Representatives on January 25, 2012.

<sup>10</sup> Mrs. Castor resigned from the committee on June 22, 2011.

<sup>11</sup> Ms. Hochul was assigned to the subcommittee on August 2, 2011.

<sup>12</sup> Ms. Speier was assigned to the subcommittee on February 17, 2012.

## SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

*Jurisdiction pursuant to Committee Rule 4*—Any matter within the jurisdiction of the Committee, subject to the concurrence of the Chairman of the Committee and, as appropriate, affected subcommittee chairmen. The subcommittee shall have no legislative jurisdiction.

ROB WITTMAN, Virginia, *Chairman*

K. MICHAEL CONAWAY, Texas	JIM COOPER, Tennessee
MO BROOKS, Alabama	ROBERT ANDREWS, New Jersey
TODD YOUNG, Indiana	LORETTA SANCHEZ, California <sup>13</sup>
TOM ROONEY, Florida	MARK S. CRITZ, Pennsylvania <sup>14</sup>
MIKE COFFMAN, Colorado	COLLEEN HANABUSA, Hawaii

<sup>13</sup> Ms. Sanchez resigned from the subcommittee on December 21, 2011.

<sup>14</sup> Mr. Critz was appointed to the subcommittee on December 21, 2011.

## PANELS OF THE COMMITTEE ON ARMED SERVICES

The Panel on Defense Financial Management and Auditability Reform was appointed on July 13, 2011, and reappointed on November 17, 2011. The Panel on Business Challenges within the Defense Industry was appointed on September 12, 2011.

### PANEL ON DEFENSE FINANCIAL MANAGEMENT AND AUDITABILITY REFORM

*Jurisdiction pursuant to Committee Rule 5*—The panel was asked to examine the Department of Defense’s financial management system and possible ways to improve its financial management and audit readiness effort.

K. MICHAEL CONAWAY, Texas, *Chairman*

SCOTT RIGELL, Virginia

STEVEN PALAZZO, Mississippi

TODD YOUNG, Indiana

ROBERT ANDREWS, New Jersey

JOE COURTNEY, Connecticut

TIM RYAN, Ohio

### PANEL ON BUSINESS CHALLENGES WITHIN THE DEFENSE INDUSTRY

*Jurisdiction pursuant to Committee Rule 5*—The panel was asked to examine: (1) contracting or regulatory issues facing the defense industry; (2) the use of incentives and mandates to meet goals; (3) structural challenges facing various sectors within the industrial base, including universities and research institutes; (4) impact of the current fiscal environment on the defense industry, at both the prime and subcontractor levels; and (5) opportunities to reduce barriers to entry.

BILL SHUSTER, Pennsylvania, *Chairman*

BOBBY SCHILLING, Illinois

JON RUNYAN, New Jersey

ALLEN B. WEST, Florida

RICK LARSEN, Washington

BETTY SUTTON, Ohio

COLLEEN HANABUSA, Hawaii

## COMMITTEE STAFF

By committee resolution adopted at the organizational meeting on January 20, 2011, or by authority of the chairman, the following persons have been appointed to the staff of the committee during the 112th Congress:

Bob Simmons, *Staff Director*  
Roger Zakheim, *Deputy Staff Director/General Counsel*  
Betty B. Gray, *Executive Assistant*  
Michael R. Higgins, *Professional Staff Member*  
John D. Chapla, *Professional Staff Member*  
John F. Sullivan, *Professional Staff Member*  
Nancy M. Warner, *Professional Staff Member*  
Jesse D. Tolleson, Jr., *Professional Staff Member*  
Debra S. Wada, *Professional Staff Member*  
Douglas C. Roach, *Professional Staff Member*  
Mark R. Lewis, *Professional Staff Member*  
Paul Arcangeli, *Professional Staff Member*  
Jeanette S. James, *Professional Staff Member*  
Rebecca A. Ross, *Professional Staff Member*  
Andrew Hunter, *Professional Staff Member* (resigned February 26, 2011)  
Heath R. Bope, *Professional Staff Member*  
Lynn M. Williams, *Professional Staff Member*  
Joshua C. Holly, *Communications Director* (resigned June 12, 2011)  
John Wason, *Professional Staff Member*  
Jeness Simler, *Professional Staff Member*  
Alex Kugajevsky, *Professional Staff Member* (resigned February 15, 2012)  
Kari Bingen, *Professional Staff Member* (resigned September 7, 2011)  
Cyndi Howard, *Security Manager*  
Douglas Bush, *Professional Staff Member*  
Lara Battles, *Professional Staff Member* (resigned March 25, 2011)  
Cathy Garman, *Professional Staff Member* (resigned February 3, 2012)  
Vickie Plunkett, *Professional Staff Member*  
Timothy McClees, *Professional Staff Member*  
Kevin Gates, *Professional Staff Member*  
Michael Casey, *Professional Staff Member*  
David Sienicki, *Professional Staff Member*  
Zach Steacy, *Director, Legislative Operations*  
Everett Coleman, *Professional Staff Member*  
Craig Greene, *Professional Staff Member*  
Mary Kate Cunningham, *Staff Assistant* (resigned January 2, 2012)  
Phil MacNaughton, *Professional Staff Member*  
Jack Schuler, *Professional Staff Member*  
Scott Bousum, *Staff Assistant*  
Ryan Crumpler, *Professional Staff Member*  
John N. Johnson, *Staff Assistant*  
William S. Johnson, *Counsel*  
Jaime Cheshire, *Professional Staff Member and Senior Advisor to the Chairman*  
Alejandra Villarreal, *Staff Assistant* (resigned January 31, 2012)  
Megan Howard, *Staff Assistant* (resigned October 21, 2011)  
Peter Villano, *Professional Staff Member*  
Paul Lewis, *Counsel*  
Jim Weiss, *Staff Assistant*  
Jeff Cullen, *Staff Assistant*  
Lionel Tomero, *Counsel*  
Jamie R. Lynch, *Professional Staff Member*  
Christine Wagner, *Staff Assistant* (resigned September 14, 2011)

Michele Pearce, *Counsel*  
 Famid Sinha, *Staff Assistant* (resigned May 9, 2011)  
 Katie Sendak, *Research Assistant*  
 Ben Runkle, *Professional Staff Member* (resigned April 4, 2012)  
 Melissa Tuttle, *Staff Assistant* (resigned July 27, 2011)  
 Catherine A. McElroy, *Counsel*  
 Robert J. McAlister, *Deputy Spokesman*  
 Michael Amato, *Professional Staff Member*  
 Anna Hagler, *Intern* (appointed January 3, 2011, resigned May 5, 2011)  
 Jonathan Shepard, *Intern* (appointed January 4, 2011, resigned February 18, 2011)  
 Christopher J. Bright, *Professional Staff Member* (appointed February 1, 2011)  
 Dustin Walker, *Staff Assistant* (appointed February 7, 2011, resigned June 15, 2012)  
 Thomas MacKenzie, *Professional Staff Member* (appointed March 7, 2011)  
 Lauren Hauhn, *Research Assistant* (appointed March 8, 2011)  
 John Noonan, *Deputy Communications Director* (appointed March 21, 2011, resigned May 31, 2012)  
 Brian Garrett, *Professional Staff Member* (appointed April 1, 2011)  
 Arthur Milikh, *Intern* (appointed April 1, 2011, resigned July 15, 2011)  
 Elizabeth Nathan, *Professional Staff Member* (appointed April 8, 2011)  
 Elizabeth McWhorter, *Executive Assistant* (appointed April 18, 2011)  
 Nicholas Rodman, *Staff Assistant* (appointed May 2, 2011)  
 Stephen Bosco, *Intern* (appointed May 17, 2011, resigned July 29, 2011)  
 Aaron Applbaum, *Intern* (appointed May 23, 2011, resigned July 8, 2011)  
 Kelly McRaven, *Intern* (appointed June 1, 2011, resigned August 4, 2011)  
 Andrew T. Walter, *Professional Staff Member* (appointed June 2, 2011)  
 Ken Orvick, *Intern* (appointed June 16, 2011, resigned August 12, 2011)  
 Claude Chafin, *Communications Director* (appointed July 12, 2011)  
 Aaron Falk, *Staff Assistant* (appointed August 1, 2011)  
 Arthur Milikh, *Staff Assistant* (appointed August 1, 2011)  
 Tim Morrison, *Counsel* (appointed August 1, 2011)  
 Jonathan D. Roger, *Intern* (appointed August 29, 2011, resigned December 8, 2011)  
 Kimberly Shaw, *Professional Staff Member* (appointed September 1, 2011)  
 Ryan Jacobs, *Intern* (appointed September 8, 2011, resigned December 15, 2011)  
 Stephen Bosco, *Intern* (appointed September 9, 2011, resigned December 16, 2011)  
 Martin Hussey, *Intern* (appointed September 9, 2011, resigned December 16, 2011)  
 Stephen Kitay, *Professional Staff Member* (appointed October 11, 2011)  
 James Mazol, *Staff Assistant* (appointed December 5, 2011)  
 Lucy Shafer, *Intern* (appointed January 5, 2012, resigned January 20, 2012)  
 Nathaniel Madden, *Intern* (appointed January 15, 2012, resigned April 27, 2012)  
 Elee Wakim, *Intern* (appointed January 17, 2012, resigned May 9, 2012)  
 Anna Hagler, *Intern* (appointed January 19, 2012, resigned May 11, 2012)  
 Emily Waterlander, *Staff Assistant* (appointed February 1, 2012)  
 Gabriel G. Surratt, *Intern* (appointed February 13, 2012, resigned June 1, 2012)  
 Kathryn Thompson, *Staff Assistant* (appointed February 21, 2012)  
 Alexander Gallo, *Professional Staff Member* (appointed March 14, 2012)  
 Eric L. Smith, *Staff Assistant* (appointed March 21, 2012)  
 Ben Fox, *Intern* (appointed April 19, 2012)  
 Kelly McRaven, *Intern* (appointed June 4, 2012)  
 Nevada C. Schadler, *Intern* (appointed June 4, 2012)  
 Matthew Schorr, *Intern* (appointed June 4, 2012)

## COMMITTEE MEETINGS AND HEARINGS

A total of 218 meetings and hearings have been held by the Committee on Armed Services and its subcommittees and panels during the 112th Congress. A breakdown of the meetings and hearings follows:

Full Committee	71
Subcommittees:	
Subcommittee on Emerging Threats and Capabilities .....	22
Subcommittee on Military Personnel .....	29
Subcommittee on Readiness .....	20
Subcommittee on Seapower and Projection Forces .....	10
Subcommittee on Strategic Forces .....	21
Subcommittee on Tactical Air and Land Forces .....	15
Subcommittee on Oversight and Investigations .....	12
Panels:	
Panel on Defense Financial Management and Auditability Reform .....	9
Panel on Business Challenges Within the Defense Industry .....	9

## LEGISLATIVE ACTIVITIES

### LEGISLATION ENACTED INTO LAW

#### PUBLIC LAW 112–81 (H.R. 1540)

##### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

On April 14, 2011, H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, was introduced by Chairman Howard P. “Buck” McKeon and referred to the Committee on Armed Services. On May 11, 2011, the Committee on Armed Services held a markup session to consider H.R. 1540. The committee, a quorum being present, ordered reported H.R. 1540, as amended, to the House with a favorable recommendation by a vote of 60–1. The bill passed the House, as amended, on May 26, 2011, by recorded vote, 322–96 (Roll no. 375). On June 6, 2011, the bill was received in the Senate, read twice, and referred to the Senate Committee on Armed Services. On December 1, 2011, the Senate Committee on Armed Services was discharged and the measure was laid before the Senate by unanimous consent. The Senate then struck all after the enacting clause, substituted the language of S. 1867, as amended, and then passed H.R. 1540 with an amendment by unanimous consent. On December 7, 2011, Chairman McKeon moved that the House disagree to the Senate amendment, and agree to a conference by unanimous consent. On December 12, 2011, the conference report to accompany H.R. 1540 (H. Rept. 112–329) was filed. On December 14, 2011, the conference report was agreed to in the House by recorded vote, 283–136 (Roll no. 932). The next day, December 15, 2011, the conference report was agreed to in Senate, 86–13 (Record Vote Number: 230). On December 31, 2011, H.R. 1540 was signed by the President and became Public Law 112–81.

Public Law 112–81 does the following: (1) Authorizes appropriations for fiscal year 2012 for procurement and for research, development, test, and evaluation (RDT&E); (2) Authorizes appropriations for fiscal year 2012 for operation and maintenance (O&M) and for working capital funds; (3) Authorizes for fiscal year 2012: (a) the personnel strength for each Active Duty Component of the military departments; (b) the personnel strength for the Selected Reserve for each Reserve Component of the Armed Forces; (c) the military training student loads for each of the Active and Reserve Components of the military departments; (4) Modify various elements of compensation for military personnel and impose certain requirements and limitations on personnel actions in the defense establishment; (5) Authorizes appropriations for fiscal year 2012 for military construction and family housing; (6) Authorizes appropriations for Overseas Contingency Operations; (7) Authorizes appro-

priations for fiscal year 2012 for the Department of Energy national security programs; (8) Modifies provisions related to the National Defense Stockpile; and (9) Authorizes appropriations for fiscal year 2012 for the Maritime Administration.

Public Law 112–81 is a key mechanism through which Congress fulfills one of its primary responsibilities as mandated in Article I, Section 8 of the United States Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces. Rule X of the Rules of the House of Representatives provides jurisdiction over the Department of Defense generally, and over the military application of nuclear energy to the Committee on Armed Services. Public Law 112–81 includes the large majority of the findings and recommendations resulting from its oversight activities in the previous year, as informed by the experience gained over the previous decades of the committee’s existence.

Public Law 112–81 authorizes \$662.4 billion for national defense discretionary programs and includes \$530.0 billion for the base budget of the Department of Defense, \$115.5 billion for Overseas Contingency Operations, and \$16.9 billion for national security programs in the Department of Energy and the Defense Nuclear Facilities Safety Board.

#### *Division A*

Division A of Public Law 112–81 authorizes funds for fiscal year 2012 for the Department of Defense.

Subtitle A of title I authorizes \$103.6 billion for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities. Subtitles B and C of title I establish additional program requirements, restrictions, and limitations for specified programs for the Armed Forces.

Subtitle A of title II authorizes \$ 71.6 billion for research, development, test, and evaluation for the Armed Forces and the defense agencies, including amounts for basic research and development-related matters. Subtitle B of title II establishes certain program requirements, restrictions, and limitations on separate research and development-related matters. Subtitles C through E of title II address missile defense programs, reports and miscellaneous matters.

Subtitle A of title III authorizes \$ 162.2 billion for operation and maintenance. Subtitles B through G of title III address energy and environmental issues, logistics and sustainment issues, studies and reports relating to military readiness, limitations and extensions of authority, and other miscellaneous matters.

Title IV provides military personnel authorizations for the Active and Reserve Forces for fiscal year 2012 and authorizes appropriations of \$142.0 billion for military personnel for fiscal year 2012.

The end strengths for Active Duty personnel for fiscal year 2012 are as follows:

- (1) The Army, 562,000.
- (2) The Navy, 325,739.
- (3) The Marine Corps, 202,100.
- (4) The Air Force, 332,800.



The Selected Reserve end strengths for fiscal year 2012 are as follows:

- (1) The Army National Guard of the United States, 358,200.
- (2) The Army Reserve, 205,000.
- (3) The Navy Reserve, 66,200.
- (4) The Marine Corps Reserve, 39,600.
- (5) The Air National Guard of the United States, 106,700.
- (6) The Air Force Reserve, 71,400.
- (7) The Coast Guard Reserve, 10,000.

The end strengths for Reserves on Active Duty in support of the Reserve Components for fiscal year 2012 are as follows:

- (1) The Army National Guard of the United States, 32,060.
- (2) The Army Reserve, 16,261.
- (3) The Navy Reserve, 10,337.
- (4) The Marine Corps Reserve, 2,261.
- (5) The Air National Guard of the United States, 14,833.
- (6) The Air Force Reserve, 2,662.

Title V establishes military personnel policy, including provisions addressing officer personnel policy; Reserve Component management; general service authorities; military justice and legal matters; education and training; Army National Military Cemeteries; Armed Forces Retirement Home; defense dependents' education and military family readiness matters; improved sexual assault prevention and response in the Armed Forces; and other miscellaneous matters.

Title VI addresses compensation and other personnel benefits, including pay and allowances; bonuses and special and incentive pays; travel and transportation allowances; consolidation and reform of travel and transportation authorities; commissary and non-appropriated fund instrumentality benefits and operations; disability, retired pay and survivor benefits; and other matters.

Title VII contains military health care provisions, such as improvements to military health benefits; health care administration; and reports and other matters.

Title VIII addresses acquisition policy and management, amendments to general contracting authorities, procedures, and limitations; provisions relating to major defense acquisition programs; provisions relating to contracts in support of contingency operations in the Republic of Iraq or the Islamic Republic of Afghanistan; defense industrial base matters; and other matters.

Title IX contains Department of Defense organization and management provisions, including space activities; intelligence-related matters; total force management; quadrennial roles and missions and related matters; and other matters.

Title X addresses general provisions relating to financial matters; counter-drug activities; naval vessels and shipyards; counterterrorism; nuclear forces; financial management; repeal and modification of reporting requirements; studies and reports; miscellaneous authorities and limitations; and other matters.

Title XI addresses Department of Defense civilian personnel matters.

Title XII concerns matters relating to foreign nations, including assistance and training; matters relating to Iraq, Afghanistan, and the Islamic Republic of Pakistan; and reports and other matters.

Title XIII addresses Cooperative Threat Reduction.

Title XIV authorizes miscellaneous authorizations totaling \$37.6 billion and also includes provisions addressing the National Defense stockpile and other matters.

Title XV includes authorization of \$115.5 billion for Overseas Contingency Operations.

*Division B*

Division B authorizes appropriations in the amount of \$13.1 billion for military construction and military family housing in support of the Active Forces, the Reserve Components, and the NATO security investment program for fiscal year 2012. In addition, Division B contains military construction and family housing program changes; real property and facilities administration; provisions related to Guam realignment; provisions concerning land conveyances; energy security; and other matters.

*Division C*

Division C authorizes appropriations in the amount of \$16.9 billion for Department of Energy national security programs for fiscal year 2012. Division C also includes authorization for the Defense Nuclear Facilities Safety Board; Naval Petroleum Reserves; and the Maritime Administration.

*Division D*

Division D provides for the allocation of funds among programs, projects, and activities in accordance with the tables in division D, subject to reprogramming guidance in accordance with established procedures, and that a decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount be based on merit-based selection procedures in accordance with the requirements of section 2304(k) and 2374 of title 10, United States Code, and other applicable provisions of law.

*Division E*

Division E reauthorizes the Small Business Innovation Research and the Small Business Technology Transfer programs for 6 years. It also expands the allowance of venture capital firms to include participation by firms that are majority owned by multiple hedge funds or private equity firms.

(H. Rept. 112–78, H. Rept. 112–78 Part 2; H. Rept. 112–329)

PUBLIC LAW 112–120 (H.R. 4045)

TO MODIFY THE DEPARTMENT OF DEFENSE PROGRAM GUIDANCE RELATING TO THE AWARD OF POST-DEPLOYMENT/MOBILIZATION RESPIRE ABSENCE ADMINISTRATIVE ABSENCE DAYS TO MEMBERS OF THE RESERVE COMPONENTS TO EXEMPT ANY MEMBER WHOSE QUALIFIED MOBILIZATION COMMENCED BEFORE OCTOBER 1, 2011, AND CONTINUED ON OR AFTER THAT DATE, FROM THE CHANGES TO THE PROGRAM GUIDANCE THAT TOOK EFFECT ON THAT DATE

H.R. 4045 was introduced by Representative John Kline on February 15, 2012, and was referred to the House Committee on Armed Services. On May 15, 2012, Representative Kline moved to

consider H.R. 4045, as amended, under suspension of the rules. The bill passed the House, as amended, by voice vote. On May 17, 2012, H.R. 4045 passed the Senate without amendment by unanimous consent. On May 25, 2012, H.R. 4045 was signed by the President and became Public Law 112–120.

H.R. 4045 authorizes the Secretary of Defense to determine that the changes made to the program guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days or other authorized benefits included in the legislation, to members and former members of the Reserves under a specified Department of Defense instruction shall not apply to current or former Reservists whose qualified mobilization commenced before October 1, 2011, and continued until the termination of the mobilization.

#### LEGISLATION PASSED IN THE HOUSE OF REPRESENTATIVES

##### H.R. 4310

###### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, was introduced by Chairman Howard P. “Buck” McKeon on March 29, 2012, and referred to the Committee on Armed Services. On May 9, 2012, the Committee on Armed Services held a markup session to consider H.R. 4310. The committee, a quorum being present, ordered reported H.R. 4310, as amended, to the House with a favorable recommendation by a vote of 56–5. The bill passed the House, as amended, on May 18, 2012, by recorded vote, 299–120 (Roll no. 291). On June 19, 2012, H.R. 4310 was received in the Senate, read twice, and referred to the Senate Committee on Armed Services. No further action has been taken on H.R. 4310.

H.R. 4310, as passed by the House, would: (1) Authorize appropriations for fiscal year 2013 for procurement and for research, development, test, and evaluation (RDT&E); (2) Authorize appropriations for fiscal year 2013 for operation and maintenance (O&M) and for working capital funds; (3) Authorize for fiscal year 2013: (a) the personnel strength for each Active Duty Component of the military departments; (b) the personnel strength for the Selected Reserve for each Reserve Component of the Armed Forces; (c) the military training student loads for each of the Active and Reserve Components of the military departments; (4) Modify various elements of compensation for military personnel and impose certain requirements and limitations on personnel actions in the defense establishment; (5) Authorize appropriations for fiscal year 2013 for military construction and family housing; (6) Authorize appropriations for Overseas Contingency Operations; (7) Authorize appropriations for fiscal year 2013 for the Department of Energy national security programs; (8) Modify provisions related to the National Defense Stockpile; and (9) Authorize appropriations for fiscal year 2013 for the Maritime Administration.

H.R. 4310 is a key mechanism through which Congress fulfills one of its primary responsibilities as mandated in Article I, section 8 of the United States Constitution, which grants Congress the

power to raise and support an Army; to provide and maintain a Navy; and to make rules for the government and regulation of the land and naval forces. Rule X of the House of Representatives provides jurisdiction over the Department of Defense generally, and over the military application of nuclear energy, to the House Committee on Armed Services. The bill includes the large majority of the findings and recommendations resulting from the oversight activities of Committee on Armed Services in the current year, as informed by the experience gained over the previous decades of the committee's existence.

H.R. 4310, as passed by the House, would authorize \$635.3 billion for national defense discretionary programs and includes \$528.6 billion for the base budget of the Department of Defense, \$88.5 billion for Overseas Contingency Operations, and \$18.1 billion for national security programs in the Department of Energy.

#### *Division A*

Division A of H.R. 4310 would authorize funds for fiscal year 2013 for the Department of Defense.

Subtitle A of title I would authorize funds at the levels identified in division D for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities. Subtitles B through E of title I would establish additional program requirements, restrictions, and limitations for specified programs of the Armed Forces.

Subtitle A of title II would authorize funds at the levels identified in division D for research, development, test, and evaluation for the Armed Forces and the defense agencies, including amounts for basic research and development-related matters. Subtitle B of title II would establish certain program requirements, restrictions, and limitations on separate research and development-related matters. Subtitles C through E of title II addresses missile defense programs, reports and other matters.

Subtitle A of title III would authorize funds at the levels identified in division D for operation and maintenance. Subtitles B through G of title III addresses energy and environmental issues, logistics and sustainment issues, readiness, reports relating to military readiness, limitations and extensions of authority, and other miscellaneous matters.

Title IV would provide military personnel authorizations for the Active and Reserve Forces for fiscal year 2013 and would authorize appropriations at the levels identified in division D for military personnel for fiscal year 2013.

The end strengths for Active Duty personnel for fiscal year 2013 would be as follows:

- (1) The Army, 552,100.
- (2) The Navy, 322,700.
- (3) The Marine Corps, 197,300.
- (4) The Air Force, 330,383.

The Selected Reserve end strengths for fiscal year 2013 would be as follows:

- (1) The Army National Guard of the United States, 358,200.
- (2) The Army Reserve, 205,000.
- (3) The Navy Reserve, 62,500.

- (4) The Marine Corps Reserve, 39,600.
- (5) The Air National Guard of the United States, 106,005.
- (6) The Air Force Reserve, 72,428.
- (7) The Coast Guard Reserve, 9,000.

The end strengths for Reserves on Active Duty in support of the Reserve Components for fiscal year 2013 would be as follows:

- (1) The Army National Guard of the United States, 32,060.
- (2) The Army Reserve, 16,277.
- (3) The Navy Reserve, 10,114.
- (4) The Marine Corps Reserve, 2,261.
- (5) The Air National Guard of the United States, 14,952.
- (6) The Air Force Reserve, 2,888.

Title V would establish military personnel policy, including provisions addressing officer personnel policy; Reserve Component management; general service authorities; military justice and legal matters; education and training; decorations and awards; defense dependents' education and military family readiness matters; improved sexual assault prevention and response in the Armed Forces; and other matters.

Title VI addresses compensation and other personnel benefits, including pay and allowances; bonuses and special and incentive pays; travel and transportation allowances; benefits and services for members being separated or recently separated; commissary and nonappropriated fund instrumentality benefits and operations; disability, retired pay and survivor benefits; and other matters.

Title VII contains military health care provisions, such as improvements to military health benefits; health care administration; and reports and other matters.

Title VIII addresses acquisition policy, acquisition management and related matters, including amendments to general contracting authorities, procedures, and limitations; provisions relating to contracts in support of contingency operations in Iraq or Afghanistan; and other matters.

Title IX contains Department of Defense organization and management provisions, including space activities; intelligence-related matters; total force management; cyberspace-related matters; and other miscellaneous matters.

Title X addresses general provisions relating to financial matters; counter-drug activities; naval vessels and shipyards; counterterrorism; nuclear forces; financial management; studies and reports; miscellaneous authorities and limitations; and other matters.

Title XI addresses Department of Defense civilian personnel matters.

Title XII concerns matters relating to foreign nations, including assistance and training; matters relating to Iraq, Afghanistan, and Pakistan; matters relating to the Islamic Republic of Iran; and reports and other matters.

Title XIII addresses Cooperative Threat Reduction.

Title XIV would authorize miscellaneous authorizations at the levels identified in division D, and also includes provisions addressing the National Defense stockpile and other matters.

Title XV includes authorization of appropriations at the levels identified in division D for Overseas Contingency Operations; pro-

visions relating to financial matters; and limitations and other matters.

Title XVI contains provisions regarding industrial base matters.

Title XVII contains provisions that address trafficking in Government contracting.

*Division B*

Division B would authorize appropriations at the levels identified in division D for military construction and military family housing in support of the Active Forces, the Reserve Components, the NATO security investment program for fiscal year 2013, and base realignment and closure activities. In addition, division B contains military construction and family housing program changes; real property and facilities administration; provisions related to Guam realignment; and provisions concerning land conveyances, energy security, and other matters.

*Division C*

Division C would authorize appropriations at the levels identified in division D for Department of Energy national security programs for fiscal year 2013. Division C also includes authorization for and/or addresses the Defense Nuclear Facilities Safety Board; Naval Petroleum Reserves; and the Maritime Administration.

*Division D*

Division D would provide for the allocation of funds among programs, projects, and activities in accordance with the tables in division D, subject to reprogramming guidance in accordance with established procedures, and would also require that a decision by an agency head to commit, obligate, or expend funds to a specific entity on the basis of such funding tables be based on merit-based selection procedures in accordance with the requirements of section 2304(k) and 2374 of title 10, United States Code, and other applicable provisions of law.

(H. Rept. 112-479; H. Rept. 112-479 Part 2)

LEGISLATION REPORTED BY THE COMMITTEE ON ARMED SERVICES

H. RES. 208

RESOLUTION DIRECTING THE SECRETARY OF DEFENSE TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES COPIES OF ANY OFFICIAL DOCUMENT, RECORD, MEMO, CORRESPONDENCE, OR OTHER COMMUNICATION OF THE DEPARTMENT OF DEFENSE IN THE POSSESSION OF THE SECRETARY OF DEFENSE THAT REFERS OR RELATES TO ANY CONSULTATION WITH CONGRESS REGARDING OPERATION ODYSSEY DAWN OR NATO OPERATION UNIFIED PROTECTOR

H. Res. 208 was introduced by Representative Tom Cole on April 7, 2011, and referred to the Committee on Armed Services. The resolution, as introduced, would direct the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that

refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya.

On May 11, 2011, the Committee on Armed Services held a markup session to consider H. Res. 208. The committee, a quorum being present, ordered to be reported H. Res. 208, as amended, to the House with a favorable recommendation by a voice vote. H. Res. 208 was amended to direct the Secretary of Defense to transmit to the House of Representatives, not later than 14 days after the date of the adoption of such resolution, copies of any official document, record, memo, correspondence, or other communication of the Department of Defense in the possession of the Secretary of Defense that was created on or after February 15, 2011, and refers or relates to any of the following: (1) consultation or communication with Congress regarding the employment or deployment of the United States Armed Forces for Operation Odyssey Dawn or North Atlantic Treaty Organization Operation Unified Protector; and (2) the War Powers Resolution and Operation Odyssey Dawn or Operation Unified Protector. Additionally, the title of H. Res. 208 was amended. On May 12, 2011, H. Res. 208 was placed on the House Calendar, Calendar No. 38. No further action has been taken.

(H. Rept. 112-77)

LEGISLATION NOT REPORTED BUT MANAGED BY THE COMMITTEE ON  
ARMED SERVICES ON THE FLOOR OF THE HOUSE OF REPRESENTA-  
TIVES

H.R. 1246

TO REDUCE THE AMOUNTS OTHERWISE AUTHORIZED TO BE APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR PRINTING AND REPRODUCTION

H.R. 1246 was introduced on March 29, 2011, by Representative Allen B. West and was referred to the House Committee on Armed Services. Within the committee, the bill was referred to the Subcommittee on Readiness. Chairman J. Randy Forbes of the Subcommittee on Readiness waived subcommittee consideration of H.R. 1246, and Chairman Howard P. "Buck" McKeon waived full committee consideration of the bill. On April 4, 2011, Representative West moved to consider H.R. 1246, as introduced, under suspension of the rules. The bill passed the House by recorded vote, 393-0 (Roll no. 225). On April 5, 2011, H.R. 1246 was received in the Senate, read twice, and referred to the Committee on Armed Services. No further action has been taken.

H.R. 1246 would reduce by 10 percent the amount authorized to be appropriated for fiscal year 2012 to the Department of Defense for printing and reproduction.

H.R. 1339

TO DESIGNATE THE CITY OF SALEM, MASSACHUSETTS, AS THE  
BIRTHPLACE OF THE NATIONAL GUARD OF THE UNITED STATES

H.R. 1339 was introduced on April 1, 2011, by Representative John F. Tierney and was referred to the House Committee on Armed Services. On March 28, 2012, Representative Todd Russell

Platts moved to consider H.R. 1339, as amended, under suspension of the rules. The bill passed the House, as amended, by recorded vote, 413–6, 4 present (Roll no. 141). On March 29, 2012, H.R. 1339 was received in the Senate, read twice, and referred to the Senate Committee on Armed Services. No further action has been taken.

H.R. 1339, as passed in the House, would designate Salem, Massachusetts, as the birthplace of the National Guard. In addition, it would direct the Chief of the National Guard Bureau to provide military ceremonial support at the dedication of any monument, plaque, or other official recognition celebrating such designation, and would prohibit Federal funds from being used in connection with such recognition.

#### H.R. 2278

TO LIMIT THE USE OF FUNDS APPROPRIATED TO THE DEPARTMENT OF DEFENSE FOR UNITED STATES ARMED FORCES IN SUPPORT OF NORTH ATLANTIC TREATY ORGANIZATION OPERATION UNIFIED PROTECTOR WITH RESPECT TO LIBYA, UNLESS OTHERWISE SPECIFICALLY AUTHORIZED BY LAW

H.R. 2278 was introduced on June 22, 2011, by Representative Thomas J. Rooney and was referred to the House Committee on Armed Services. Pursuant to the provisions of H. Res. 328, H.R. 2278 was considered in the House under a closed rule on June 24, 2011. H. Res. 328 provided 1 hour of debate on H.R. 2278 equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The resolution waived all points of order against consideration of H.R. 2278 as well as provisions in H.R. 2278, and provided that H.R. 2278 shall be considered as read. On June 24, 2011, passage of H.R. 2278 failed in the House by recorded vote, 180–238 (Roll no. 494).

H.R. 2278 would prohibit, unless otherwise specifically authorized by law, funds appropriated or otherwise available to the Department of Defense from being obligated or expended for U.S. Armed Forces in support of the North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, except for: (1) search and rescue; (2) intelligence, surveillance, and reconnaissance; (3) aerial refueling; and (4) operational planning.

#### H.J. RES. 68

AUTHORIZING THE LIMITED USE OF THE UNITED STATES ARMED FORCES IN SUPPORT OF THE NATO MISSION IN LIBYA

H.J. Res. 68, Authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya, was introduced on June 22, 2011, by Representative Alcee L. Hastings and was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, 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.

Pursuant to the provisions of H. Res. 328, H.J. Res. 68 was considered in the House under a closed rule on June 24, 2011. The resolution provided for 1 hour of debate on H.J. Res. 68 with 40 min-



utes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. The resolution waived all points of order against consideration of H.J. Res. 68 as well as all provisions in H.J. Res. 68. On June 24, 2011, passage of H.J. Res. 68 failed in the House by recorded vote, 123–295 (Roll no. 493).

#### H. RES. 292

DECLARING THAT THE PRESIDENT SHALL NOT DEPLOY, ESTABLISH, OR MAINTAIN THE PRESENCE OF UNITS AND MEMBERS OF THE UNITED STATES ARMED FORCES ON THE GROUND IN LIBYA, AND FOR OTHER PURPOSES

H. Res. 292 was introduced on June 2, 2011, by Speaker John Boehner, and was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, 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. Pursuant to the provisions of H. Res. 294, H. Res. 292 was considered under a closed rule by the House on June 3, 2011. H. Res. 294 waived all points of order against consideration of H. Res. 292, and provided for 1 hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services. On June 3, 2011, H. Res. 292 was agreed to in the House by recorded vote, 268–145–1 (Roll no. 441).

## OVERSIGHT ACTIVITIES

Pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives, described below are actions taken and recommendations made with respect to specific areas and subjects that were identified in the oversight plan for special attention during the 112th Congress, as well as additional oversight activities not explicitly enumerated by the oversight plan.

### POLICY ISSUES

#### NATIONAL DEFENSE STRATEGY, NATIONAL MILITARY STRATEGY, AND RELATED DEFENSE POLICY ISSUES

During the 112th Congress, the committee has continued its traditional interest in the broad spectrum of national security challenges facing the United States and how the Nation might best prepare itself to face such challenges in the near- and long-term. The National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House, is a key mechanism through which Congress fulfills one of its primary responsibilities as enumerated in the U.S. Constitution. H.R. 4310 includes the large majority of the findings and recommendations resulting from the committee's oversight activities in the current year, as informed by the experience gained over the previous decades of the committee's existence.

H.R. 4310 reflects the committee's steadfast support of the courageous, professional, and dedicated men and women of the U.S. Armed Forces and the committee's appreciation for the sacrifices they make to accomplish their required missions. Events of the last year, ranging from on-going operations in the Islamic Republic of Afghanistan, to support for Operation Odyssey Dawn in Libya, robust counter-terrorism efforts around the globe, and time-sensitive disaster and humanitarian responses, serve to highlight the U.S. military's flexibility and responsiveness in defending the Nation's interests and addressing security challenges, wherever and whenever they may arise. The committee understands that the capabilities of the Armed Forces are underpinned by the dedicated civilian employees of the Department of Defense and the Department of Energy's National Nuclear Security Administration, as well as the defense industrial base. Each of these elements is required to enable the U.S. military to be the guarantor of peace and economic security that it has been for generations.

The committee is committed to providing full authorization for the funding required for the readiness of our military; to enhance the quality of life of military service members and their families; to sustain and improve the Armed Forces; and to properly safeguard the national security of the United States. H.R. 4310 ensures our troops deployed in Afghanistan and around the world have the

equipment, resources, authorities, training, and time needed to successfully complete their missions and return home; provides warfighters and their families with the resources and support they need, deserve, and have earned; invests in the capabilities and force structure needed to protect the United States from current and future threats; and mandates fiscal responsibility, transparency and accountability within the Department of Defense.

In January 2012, the President and the Secretary of Defense released new strategic guidance for the Department of Defense. The new guidance is intended to be consistent with the anticipated funding available for national defense during the next 10 years. The committee held a series of staff briefings and member-level briefings to further explore the evolution of U.S. defense strategies and budgets, including a closed briefing on February 2, 2012, on “New Strategic Guidance for the Department of Defense.” The committee sought to ensure that H.R. 4310 was fully informed by the new defense strategy and that appropriate resources were applied to fulfill such a strategy.

Furthermore, the committee continued its oversight of the application of defense sequestration in accordance with the terms of the Budget Control Act of 2011 (Public Law 112–25). Unless resolved by a subsequent act of Congress, sequestration would result in automatic cuts to the budget of the Department of Defense, beginning in January 2013, and would obviate the new defense strategic guidance. As the committee explored the potential impacts of sequestration to national defense and the defense industrial base over the last year, the committee focused its most recent oversight efforts on understanding the mechanics of sequestration. To that end, on March 27, 2012, the committee held a closed briefing on “Mechanisms of Sequestration and its Effect on Defense Operations.”

#### Equipment, Resources, Authorities, Training, and Time To Accomplish Missions

The committee considers it critical that the capabilities and capacity of the Armed Forces continue to improve so they can accomplish the full range of diverse missions in the 21st century, minimize risks associated with such challenges, and effectively engage in hostilities, when necessary, as far from American shores as possible. Thus, a top priority remains ensuring that military personnel receive the best equipment, weapons systems, and training possible. H.R. 4310 provides for both near- and longer-term military personnel and force structure requirements.

The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) reaffirmed the military’s authority to detain terrorists who are part of or substantially supporting Al Qaeda, the Taliban, or associated forces. H.R. 4310, through the incorporation of the Right to Habeas Corpus Act, affirms that any person detained in the United States pursuant to the Authorization for Use of Military Force has the right to challenge the legality of their detention. The measure also includes several additional provisions to strengthen detention policies and procedures.

Additionally, the committee remains concerned about the actions of the Islamic Republic of Iran. The committee is discouraged by

Iran's continuing commitment to its nuclear weapon program in spite of increasing international pressure and sanctions. Therefore, H.R. 4310 seeks to clarify that the United States should use all elements of national power, including military force if necessary, to prevent Iran from threatening the United States, its allies, or its neighbors with a nuclear weapon. Moreover, H.R. 4310 would require the President to develop a plan to enhance the credibility of U.S. military capabilities to counter Iranian military aggression and its nuclear weapon program, including military exercises and the prepositioning of supplies. The committee is also increasingly concerned about instability on the Korean peninsula, particularly given anticipated leadership changes within the Democratic People's Republic of Korea. Therefore, the committee seeks to extend the requirement for a detailed report on the military and security developments involving North Korea in order to more accurately assess U.S. capabilities required in the western Pacific. Also included in H.R. 4310 is a requirement for the Commander, U.S. Pacific Command to provide an annex to this report that identifies any gaps in intelligence, capabilities, capacity, or authority to address threats from North Korea. As in previous years, the committee continues to address the Department of Defense's global train and equip authorities, to ensure that the United States has willing and capable partners in the war against terrorism and radical extremism.

With the Nation at war, but still preparing for an uncertain future security environment, the committee further addresses adversarial use of the Internet as a new battle space. The committee included a provision in H.R. 4310 that would affirm the Department's authority to use cyberspace to confront certain threats. The committee also maintains a focus on increasing oversight of cyberspace operations, as well as fostering a better understanding of the challenges facing the Department when operating in cyberspace by also calling for quarterly operational briefings, an assessment of the legal authorities and policy challenges in conducting full spectrum cyber operations, and a briefing on the National Guard's role in providing cyber defense capabilities.

Additionally, the committee is aware that the ballistic missile threat continues to increase both qualitatively and quantitatively. Therefore, H.R. 4310 would provide additional resources for development, testing, and fielding of missile defenses to protect the U.S. homeland, including a new East Coast site for missile defense, and support the implementation of the Administration's European phased adaptive approach for missile defense, with increased focus on equitable distribution of the costs of the system with our allies who would benefit from its defense capability. The committee believes that a credible and reliable nuclear deterrent has been fundamental to U.S. security for decades and will continue to be for the foreseeable future. As such, the committee recommends additional funding beyond the President's request to meet the promised level of funding for nuclear modernization activities, including nuclear warhead life extension programs, consistent with the Administration's pledge during the 2009-10 consultations with the U.S. Senate in preparation for the ratification of the New START Treaty (Treaty Doc. 111-5). In addition, H.R. 4310 would provide funding

for the next generation ballistic missile submarine, require the next generation bomber to be nuclear-capable, and require that the Administration ensure the next generation cruise missile be nuclear-capable. Moreover, H.R. 4310 would make significant changes to governance, management, and oversight of the Nation's nuclear security enterprise.

#### Force Protection

The committee continued to emphasize force protection as a high priority issue for special oversight, focusing on areas having direct impact on the safety of military personnel engaged in operations in the Republic of Iraq and the Islamic Republic of Afghanistan. The objective of committee activity was to expedite the promulgation of policies and the fielding of technology and equipment to prevent and/or reduce combat casualties. In Iraq and Afghanistan, focus areas included but were not limited to: effective requirements generation and test and evaluation procedures; family of mine resistant ambush protected (MRAP) vehicle production and fielding to include underbody improvement kits; adequate, effective, and properly resourced quantities of body and vehicle armor; effective counter improvised explosive device (IED) equipment throughout the force; persistent surveillance in support of ground operations, particularly prevention of IED emplacement; solutions to counter the IED threat to dismounted forces; capabilities to counter indirect fires; and personal equipment that mitigates traumatic brain injury.

During the 112th Congress, the committee, through formal activity to include hearings, classified briefings, and interaction with Government Accountability Office (GAO) auditors, continued to maintain rigorous oversight of the Joint IED Defeat Organization (JIEDDO), the Department of Defense's (DOD's) focal point for the battle against IEDs, during the 112th Congress. To date, Congress has provided approximately \$25.0 billion to JIEDDO to address the IED threat through JIEDDO's three main objectives: attacking the network, defeating the device, and training the force. The committee continued to examine and provide oversight on JIEDDO's current roles and missions, operational functions, organizational and force structure requirements, and current metrics for measuring success against countering the IED threat. The committee paid particular attention to whether JIEDDO has rectified previously identified deficiencies to include a lack of rigor in internal management and reporting, questions surrounding their reporting structure to the Deputy Secretary of Defense, and JIEDDO's overall effectiveness in transferring counter-IED (C-IED) technologies to the military services, and why JIEDDO is not actively leading all DOD C-IED efforts. The committee continued to work with JIEDDO and the GAO to require DOD development of a comprehensive counter-IED program database that would effectively track and manage all DOD counter-IED efforts. Further, the committee continued to receive monthly updates on JIEDDO's financial management and funding rates of obligation and execution. Committee staff also visited the JIEDDO Counter-IED Operations/Intelligence Center to continue oversight activities and review potential duplication of effort.

The committee continued to have concerns regarding the Department's ability to effectively combat and counter the IED threat, specifically in the Islamic Republic of Afghanistan. During the 112th Congress, the committee focused on activities and solutions being developed, procured, and fielded to address the IED threat in dismounted operations. In the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, the committee indicated that the number of dismounted operations conducted by U.S. and coalition forces continued to rise in the Islamic Republic of Afghanistan. The committee noted that although overall enemy IED effectiveness decreased since October 2010, primarily due to early detection from dismounted forces, the severity of casualties increased when a dismounted IED effective attack occurred. The committee cited DOD efforts to mitigate the IED threat to dismounted forces as a top priority. The committee continued to receive monthly updates on the Department of Defense's efforts to mitigate the IED threat to dismounted operations. The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) authorized \$2.5 billion for JIEDDO and continued to require the Director of JIEDDO to report to the congressional defense committees on monthly obligation rates. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would authorize \$1.9 billion, the full amount requested for JIEDDO. H.R. 4310 would also broaden the scope of monthly reporting requirements to improve the committee's ability to conduct oversight.

The committee continued to devote substantial attention to the oversight of individual body armor and personnel protection programs through: legislation; informal and formal discussions with the Office of the Secretary of Defense, Army and Marine Corps senior leadership; briefings and hearings; coordination with GAO audit teams; and other formal and informal activities. The committee continued to maintain interest in: significant ergonomic and ballistic improvements to current body armor systems to include body armor specifically designed for female service-members, pelvic protection and ballistic undergarments, combat helmet technology and ballistic protection for the face; advances in light-weight and flexible solutions; and improvements in non-ballistic, blast and blunt-impact protection against traumatic brain injury. The committee continued to encourage standardization, fidelity, and transparency in body armor test and evaluation procedures and encouraged the validation of operationally realistic performance specification requirements. In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee directed the Department of Defense to adequately plan, program, and budget for body armor and personnel protection programs as a specific area of research and development. In H. Rept. 112-479, the committee also noted that the total body armor program has evolved from a \$40.0 million program in 1999, to over \$6.0 billion through 2012. The committee noted that maintaining a cost-effective body armor industrial base sufficient to meet strategic objectives, should continue to be an important consideration when developing current and future acquisition strategies for all body armor components. H.R. 4310 would authorize

\$227.0 million for fiscal year 2013, the full amount requested for body armor.

#### Global War on Terrorism and Emerging Threats

The committee conducted extensive oversight, often in classified form, over terrorism issues and emerging threats, with particular attention given to special operations capabilities, the changing nature of Al Qaeda's organization and operations, and efforts to build partner nation counter-terrorism capability. The committee held related hearings including on June 22, 2011, on the evolution of the terrorist threat since 9/11, and on March 27, 2012, on understanding future irregular warfare challenges. Members received testimony on Special Operations Forces and emerging threats from Admiral Eric Olson, Commander, U.S. Special Operations Command (USSOCOM) during the fiscal year 2012 USSOCOM posture hearing on March 3, 2011, and from Admiral William McRaven, Commander, U.S. Special Operations Command during the fiscal year 2013 SOCOM posture hearing on March 7, 2012.

Committee members and staff made numerous trips to countries impacted by terrorism, to include areas where U.S. forces are engaged in combat operations to understand the resources leveraged against terrorism and other emerging threats, the authorities applied in these efforts, and the Department of Defense's interaction with its interagency and international partners. Additionally, the committee received a classified briefing on the Osama Bin Laden raid on May 4, 2011; a classified briefing on Al Qaeda on October 4, 2011; a classified briefing on counter-terrorism Policy and initiatives in Yemen, Somalia, and the region on November 17, 2011; a classified briefing on global counter-terrorism operations on March 4, 2012; and a classified briefing on global counter-terrorism operations on June 7, 2012.

H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, as passed by the House, contained several provisions related to terrorism, emerging threats, building partnership capabilities, and counter-proliferation to include: a provision to modify and extend authority provided under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to build the capacity of foreign military forces; a provision to extend authority provided under section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) to reimburse certain coalition nations for support provided to U.S. military operations; a provision requiring the Department of State to determine if Boko Haram qualifies for Foreign Terrorist Organization status; a provision authorizing an increase in the number of National Guard Civil Support Teams; and several provisions directing reports on military capabilities of nations such as the People's Republic of China and the Democratic People's Republic of Korea and on the national security risk posed by U.S. Federal debt held by China. Additionally, recognizing terrorist use of cyberspace to conduct terrorist operations against U.S. forces, the committee included a provision that would affirm the authority for the Secretary of Defense to conduct military activities in cyberspace.

Public Law 112-81 affirmed the authority for the Secretary of Defense to conduct military activities in cyberspace; and extended

the authority for the Department of Defense to make rewards to persons providing information and non-lethal aid to U.S. personnel through September 30, 2013.

The Subcommittee on Emerging Threats and Capabilities conducted detailed oversight of specific issues related to special operations capabilities, counter-proliferation efforts, and counter-insurgency and unconventional warfare operations. Further details on these subcommittee activities are provided elsewhere in this report.

(H.A.S.C. 112–14; H.A.S.C. 112–123; H.A.S.C. 112–112)

#### Detainee Policy, Military Commissions, and Related Matters

The committee continued to conduct extensive oversight over detainee policy, military commissions, and related matters. In particular, the committee conducted numerous member and staff level briefings. While much of the committee's oversight of detainee issues was conducted in classified form, committee members and staff generally focused on issues relating to the legal authorities under which detention operations are undertaken, policies regarding future captures, reengagement amongst former detainees, resources devoted to the Office of Military Commissions, and detention operations in the Islamic Republic of Afghanistan.

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, contained numerous legislative provisions relating to detainee policy. Specifically, H.R. 4310 includes provisions that would affirm the availability of the writ of habeas corpus for any person detained in the United States pursuant to the Authorization for Use of Military Force (Public Law 107–40); prohibit travel to the United States by Guantanamo detainees repatriated to the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands; prohibit the use of funds to construct or modify facilities in the United States to house detainees held at U.S. Naval Station, Guantanamo Bay, Cuba; prohibit transfers or releases of Guantanamo and certain other detainees to the United States; require rigorous certification requirements for certain transfers or releases of Guantanamo detainees elsewhere overseas; require reports on recidivism of Guantanamo detainees; require notice and a report on the use of naval vessels for detention of individuals captured outside Afghanistan pursuant to the Authorization for Use of Military Force; require notice to transfer of certain individuals detained at the Detention Facility at Parwan, Afghanistan; and require a report on recidivism of individuals formerly detained at the Detention Facility at Parwan.

#### Asia

The Department of Defense's new strategic guidance recognizes the importance of the Asia-Pacific region to the economic and security interests of the United States. Two of the world's four largest economies are in the region and approximately 40 percent of the world's trade passes through the Strait of Malacca. Regional stability and open sea lanes of communication are vital to the global and U.S. economies. The committee supports the renewed focus on the Asia-Pacific region, but continues to request further specific de-



tails on the strategy, including how each of the services will support the strategy and ensure the needs of the combatant commander to respond to crises are fulfilled.

The committee focused its oversight on the rebalancing effort through several hearings, as discussed elsewhere in this report, a classified briefing on current operations and intelligence in the Asia-Pacific region, and numerous staff-level briefings on current and future U.S. force posture in the region, the U.S. Marine Corps rotational deployment to Australia, the future forward deployment of the Littoral Combat Ship (LCS) to Singapore, and other regional developments affecting U.S. national security interests. The committee believes the new rotational deployments of the Marines and the forward deployment of the LCS are steps towards building, strengthening, and deepening the military-to-military relationship with regional allies and partners.

The committee addressed oversight mechanisms in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House. Section 1231 of H.R. 4310 would modify the requirements for the “Annual Report on Military and Security Developments Involving the People’s Republic of China,” adding assessments of space and cyber strategies, goals, and capabilities of the People’s Liberation Army. The provision would also require the Commander, U.S. Pacific Command to provide an assessment of gaps in intelligence, capabilities, capacity, and authorities to address challenges from the People’s Republic of China. Section 1232 of H.R. 4310 would require the Secretary of Defense to submit a second report on the military and security developments involving the Democratic People’s Republic of Korea, which would be due on November 1, 2013. The section would also require the Commander, U.S. Pacific Command to provide an assessment of gaps in intelligence, capabilities, capacity, and authorities to counter North Korean threats to U.S. Armed Forces and interests in the region.

#### Security Assistance and Partnerships in the Middle East Region

In the committee report (H. Rept. 112–479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee noted the challenges with respect to military-to-military and security force assistance efforts. The committee acknowledged the significant improvements that have resulted from U.S. investments in the capacity of partner nations to conduct counter-terrorism, stability, counter-narcotics, and related operations. The committee further noted that partnership building activities are instrumental to the ability of the United States military to defend the homeland and to conserve its fiscal resources. Nevertheless, as the investment in these programs has increased, the committee wanted to ensure that the Department of Defense fully addressed the challenges to military-to-military and security-related assistance. Among these challenges is the potential of creating negative incentive structures for nations seeking such assistance, which may adversely affect their internal political environment. In particular, the committee desired to ensure these military-to-military and security force assistance efforts are not causing certain parties, who become insulated from risk, to behave differently from how they would behave if they were fully exposed to the risk. Therefore, the

committee directed the Comptroller General of the United States to provide a briefing to the House Committee on Armed Services on the procedures the Department of Defense has in place to control for the challenges inherent to the provision of assistance and associated efforts to foreign partners.

Additionally, the committee supported the longstanding partnership between the United States and the Kingdom of Bahrain and noted that Naval Support Activity-Bahrain is a valuable strategic asset for the United States and a key component of continued mutually beneficial United States-Bahrain strategic cooperation. While reaffirming its commitment to the United States-Bahrain partnership, the committee called upon Bahrain to continue to support protections of human rights and reduce sectarian divisions in all facets of society. The committee also commended Bahrain for establishing the Bahrain Independent Commission of Inquiry (BICI). The committee further commended Bahrain for establishing a National Commission to implement the BICI's recommendations to expand political rights and reduce sectarian divisions in Bahrain. The committee asserted that peaceful resolution of domestic political disputes and the implementation of meaningful political reforms that uphold the rights of all Bahraini citizens will facilitate further strengthening of the United States-Bahrain strategic partnership.

Finally, the committee expressed support for the U.S. Armed Forces security cooperation efforts with the Hashemite Kingdom of Jordan, including the development of interoperability, augmentation self-defense capability, and support of their deployment capability.

#### Continent of Africa

In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee noted the efforts of the Department of Defense and U.S. Africa Command, consistent with the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111-172), to assist the Ugandan People's Defense Force as they combat the Lord's Resistance Army (LRA) and attempt to bring Joseph Kony to justice. The committee viewed the deployment of approximately 100 U.S. Special Operations Forces personnel in support of this mission as a step in addressing a 2 decade reign of terror that has killed and brutalized thousands while destabilizing the region. The committee noted that Congress has provided the authority in section 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to support this effort and commended it to the attention of the Secretary of Defense. Additionally, the committee also cautioned that special operations forces should be employed judiciously and within circumstances that fully leverage the unique skill sets that these highly trained units possess, in keeping with important U.S. national security interests.

The committee further noted that stability in Africa is in the United States' national interest. Supporting justice, human rights, and poverty reduction, as well as facilitating access of African goods and services to world markets, brings stability to the region that could have a positive impact upon the United States and our global partners. Therefore, the committee encouraged the Adminis-

tration to continue its interagency approach to stabilization efforts and security sector reform programs across the region, including the Democratic Republic of the Congo, the Central African Republic, and South Sudan, among others. The committee encouraged the Administration to use the authorities granted by the Global Security Contingency Fund, which was crafted for this sort of multi-faceted security challenge. The committee noted that the Administration has used the Global Train and Equip authority (i.e. "1206") for this purpose, but cautioned that this was a special case use of that authority.

Additionally, the committee focused oversight efforts towards the positioning of the U.S. Africa Command headquarters. In the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, the committee directed the Secretary of Defense to conduct an analysis of the placement of the headquarters of the U.S. Africa Command and to report the findings to the congressional defense committees by April 1, 2012. The committee was disappointed that the report was not completed by that deadline, but has granted the Secretary of Defense an extension through July 1, 2012. In H. Rept. 112-479, the committee expressed that the establishment of U.S. Africa Command as a geographic combatant command was an appropriate response to meet the national security challenges originating in, and transiting through, the African region. The committee also believes that the physical location of the command's headquarters must balance operational requirements with resource constraints to enable the command to function both effectively and efficiently. Therefore, the committee directed the Comptroller General of the United States to conduct a comprehensive analysis of options for the permanent placement of the U.S. Africa Command headquarters. The committee requested that the study consider locations both in the United States and overseas, or a combination thereof.

Finally, the committee noted that the execution of Operation Unified Protector led to the ousting of Muammar Muhammad Abu Minyar al-Gaddafi, former leader of Libya. While the committee celebrated the ousting of Gaddafi, it expressed concern that this multi-lateral operation, which was conducted in conjunction with the North Atlantic Treaty Organization (NATO), was unable to be initiated, executed, or sustained without robust operational and logistical support from the United States. The committee asserted that the President and the Secretary of Defense must rigorously consider when to join future operations with NATO and expressed that these operations will continue to require a significant resource contribution from the United States. Moreover, the committee expressed concern for the democratic transition and future in Libya.

### Syria

The committee conducted regular oversight of the evolving security situation in the Syrian Arab Republic, including staff level briefings and a full committee hearing, described elsewhere in this report.

In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee noted with grave concern that the conflict in the Syrian

Arab Republic has now entered its second year. President Assad's crackdown has been ruthless, including flagrant human rights violations; extrajudicial killings; use of force against noncombatant civilians, including children; and interference with the provision of medical aid and humanitarian assistance. Although a tenuous ceasefire has been put in place, instances of violence continue. The committee is concerned that the situation remains both uncertain and dire.

The committee also expressed concern about the implications for regional conflict. Assad-backed military units have shot across the border into Syrian refugee camps located in the Republic of Turkey, killing five individuals. Violence spilled into the Lebanese Republic as well. Moreover, the committee expressed that the situation in Syria could present a strategic opportunity to deal a blow to known supporters of terrorism in the region, as the Islamic Republic of Iran continues to back the Assad Government, and groups such as Hezbollah have enjoyed support and residence in Syria.

The President has stated that the violence in Syria must end and that Assad must go. However, the committee remains concerned that the means available to achieve such goal may be insufficient. The committee noted that much remains unknown about the opposition and that Syria maintains robust air defenses that limit military options. Given these factors and the significant budget constraints facing the military, the committee acknowledged that United States military intervention is not a viable option at this time. The committee further asserted that such a decision should only be taken in the event U.S. vital national security interests are at stake. In the interim, the committee encouraged the Secretary of Defense and Chairman of the Joint Chiefs of Staff to conduct robust planning to provide the President an array of options, should such U.S. interests be threatened.

### Iran

The committee continued to conduct oversight of the growing threat of the Islamic Republic of Iran to United States interests, U.S. allies, and Iran's neighbors posed by Iran's pursuit of a nuclear weapon. A number of staff-level and member-level briefings were held, including a classified briefing on security and economic developments concerning Iran on January 18, 2012. Further, on January 25, 2012, the committee held a briefing in closed session regarding ongoing Middle East Intelligence and Operations. As described elsewhere in this report, additional hearings were held in relation to Iran, including the testimony of the commander of U.S. Central Command.

In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee noted that Iran has long sought to foment instability and promote extremism throughout the Middle East and may soon attain a nuclear weapons capability. Section 1221 of H.R. 4310 would state that it is the policy of the United States to take all necessary measures, including military action if necessary, to prevent Iran from threatening the United States, its allies, and the Middle East with a nuclear weapon. Section 1222 of H.R. 4310 would direct the Secretary of Defense to prepare and submit a plan to Congress to

enhance the presence of the U.S. 5th Fleet in the Middle East and conduct military deployments, exercises, or other visible, concrete military readiness activities as a demonstration of U.S. policy. Additional provisions would require the development of plans to support the capabilities of the State of Israel, other regional allies, and the development of strategic partnerships to expand the geographic approaches to Iran. Moreover, section 1223 of H.R. 4310 would modify the annual report on military power of Iran by requiring the Commander, U.S. Central Command to include a classified or unclassified annex with an identification and assessment of critical gaps in intelligence, capabilities, capacity, and authorities, needed to counter threats from Iran to the United States, its allies, and its interests in the region.

#### Afghanistan and Pakistan

The committee maintained its focus on efforts to disrupt, dismantle, and defeat Al Qaeda in the Islamic Republic of Afghanistan and the Islamic Republic of Pakistan, as well as the transition of security responsibilities from international forces to the Afghan National Security Forces (ANSF). The committee's oversight activities included staff and member-level briefings, including a briefing in closed session on February 16, 2012, concerning Afghanistan and Pakistan Intelligence and Operations. As well, a number of hearings were held to conduct further oversight on current operations, described elsewhere in this report.

In addition, H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, contains a number of authorities and mechanisms that further congressional oversight of our operations in Afghanistan and Pakistan. H.R. 4310 would reauthorize the Commanders' Emergency Response Program (CERP), reintegration activities in Afghanistan, and support to coalition forces. The committee supported the International Security and Assistance Force (ISAF) mission and directed the Secretary of Defense to conduct an analysis of corruption within Afghanistan related to the stewardship of U.S. provided funds. The committee applauds the Department of Defense and ISAF for efforts to develop the ANSF, the Afghan National Army (ANA), and Afghan National Police (ANP) and required the development of additional metrics to further assess progress as coalition forces redeploy. Likewise, the committee noted that the U.S. military mission in Afghanistan will evolve over the next several years as the ANSF takes more responsibility for security and U.S. forces become more limited in size and mission after 2014. Therefore, the committee directed the Comptroller General of the United States to study the nature and extent of Department planning for the U.S. role in Afghanistan post-2014.

The committee expressed concern over Afghanistan's control of its border areas with Pakistan. The committee encouraged the United States and Pakistan to continue to improve partnership, but also required the Secretary of Defense to certify key aspects of the partnership with Pakistan before providing reimbursements to Pakistan through the Coalition Support Fund. The committee expressed concern about Pakistan's closure of the Ground Lines of Communication (GLOC) and encouraged the Government of Pakistan to reconsider its closure of the supply routes into Afghanistan.

Section 1217 of H.R. 4310 also would extend the Pakistan Counter-insurgency Fund (PCF) through fiscal year 2013 and limit the authority of the Secretary of Defense to obligate or expend funds made available to the PCF during fiscal year 2013 to not more than 10 percent of the amount available, until such time as an updated report is submitted to Congress that includes the strategy and metrics used to determine progress with respect to the fund.

Section 1533 of H.R. 4310 would extend the existing limitations on Afghanistan Security Forces Fund (ASFF) through fiscal year 2013. Additionally, section 1533 would impose a limitation on the use of ASFF for the Afghan Public Protection Force (APPF). Section 1214 would prohibit the obligation or expenditure of funds appropriated to the Department of Defense for the purpose of contracting for security-guard functions at a military installation or facility in Afghanistan at which members of the armed forces deployed to Afghanistan are garrisoned or housed; are otherwise employing private security contractors to provide security for members of the Armed Forces deployed to Afghanistan; or are employing the Afghan Public Protection Force to provide security for such members or to perform security-guard functions at a military installation or facility. This section would further require the U.S. Armed Forces to provide such functions organically and for the President to provide sufficient members of the Armed Forces to ensure that such duties do not detract from other missions in Afghanistan. The section would also authorize the President to waive the requirements of this section if the President certifies that private security contractors or the APPF can provide at least equivalent security force protection as members of the Armed Forces and that such contractors or APPF are independently screened and vetted by the Armed Forces.

Additionally, H.R. 4310 would extend the authority for Task Force Business Stability Operations (TFBSO) but narrowed the scope of authorized projects to those associated with Afghanistan's mining and natural resource industries. The measure would also reduce the amount of funds authorized for TFBSO to \$50.0 million for fiscal year 2013. TFBSO funds are restricted from being obligated or expended until such time as the Secretary notifies the appropriate congressional committees that the activities of the Task Force will be transitioned to the Department of State by September 30, 2013.

### Iraq

Although U.S. forces deployed to the Republic of Iraq are limited to those associated with the Office of Security Cooperation in Iraq (OSC-I), the committee continues to conduct oversight of the security environment in the Republic of Iraq and the activities of OSC-I. A number of staff-level briefings were conducted on this subject, as well as additional oversight at the hearing with the Commander of U.S. Central Command, described elsewhere in this report.

In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee expressed concern regarding the Islamic Republic of Iran's influence within Iraq. Iran projects political and social influence as well as covert support for militant groups that undermine U.S. pol-

icy goals in the region. Likewise, the committee noted the importance of the stability and security of the Republic of Iraq and expressed concerns about “essential gaps” in Iraqi Security Forces capabilities. Section 1212 of H.R. 4310 would specify that the Secretary of Defense, with the concurrence of the Secretary of State, may use funds provided to OSC-I to provide training and assistance to Iraqi Ministry of Defense personnel. The section would also limit the total funding authorized for OSC-I to \$508.0 million for fiscal year 2013. The committee encouraged OSC-I to minimize unnecessary staffing or overhead, to provide adequate force protection, and to address the Iraqi Security Forces capability gaps.

#### ORGANIZATION AND MANAGEMENT OF THE DEPARTMENT OF DEFENSE

The committee continued to undertake a review of the organization and management of the Department of Defense in order to ensure that it is properly postured to meet the complex and evolving security threats of the 21st century. The committee examined the need for changes to the organization and management of the Department in light of the new defense strategic guidance issued in January 2012. In particular, the committee remains concerned that the Department of Defense’s recent focus on efficiencies without a thorough business case analysis and risk assessment potentially undermines the Department’s ability to appropriately plan and budget for its total manpower requirements. In light of enacted budget cuts to the Department of Defense and the new defense strategic guidance, the committee believes it is more important than ever to ensure any reductions to military or civilian end strength are made only following a thorough review of the total force. The committee believes that the Department of Defense should aggressively undertake a more holistic look at its manpower requirements in order to achieve the appropriate balance in its total workforce. The committee notes that total force management would improve manpower requirements determination and planning to facilitate decisions on which sector is most appropriate to perform the requirement with consideration of the distinct value of each component, whether military, civilian, or contractor personnel.

#### Total Force Management

The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) directed the Department of Defense to shift its focus from solely managing to budgetary targets and take a holistic approach to its manpower requirements. The Secretary of Defense was required to develop a total force management plan to establish the balance of manpower to complete the Department’s mission in consideration of the distinct role of each component of the plan depending on if military, civilian, or contractor personnel are involved. The budget request for fiscal year 2013, however, did not reflect this holistic approach. As a result, the committee has tasked the Comptroller General of the United States to review and report on the measures the Department is taking to balance its workforce structure, the process the Department uses to identify its civilian workforce requirements, the analysis the Department conducted in order to identify core or critical functions and which personnel

should carry them out, the role of the Under Secretary of Defense (Comptroller) in determining workforce levels, and how the defense agencies and military departments used the inventory of contracted services in inform their fiscal year 2013 and 2014 budget submissions.

In addition, the committee included a provision in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, that would limit funding for certain other contracts or other services until the Secretary of Defense certifies that the collection of data for the purpose of developing an inventory of contract services required by section 2330a of title 10, United States Code, has begun. In addition, the committee included two provisions in H.R. 4310 which would require the Secretaries of the military departments or head of a defense agency to ensure that sufficient levels of government management, control and oversight are in place in cases where contractor personnel are performing functions that are closely associated with inherently governmental functions.

#### Defense Supply Chain Management

The committee remains concerned that the authority for critical materials policy is diffused throughout the Department of Defense into offices that inadequately oversee this policy. For example, section 187 of title 10, United States Code, establishes a Strategic Materials Protection Board and charges the Board with identifying and proposing risk mitigation steps for such materials, but the Board has not met in accordance with statutory requirements and, in its tenure, has only labeled one material as critical, despite the reality of a complex global supply chain for many materials upon which the Department of Defense relies. Likewise, the Defense Logistics Agency has done little to respond to the recommendations from the Department's April 2009 report "Reconfiguration of the National Defense Stockpile Report to Congress". The committee also notes that the focus of the Office of Deputy Assistant Secretary of Defense Manufacturing and Industrial Base Policy continues to be on the capability and viability of original equipment manufacturers and prime contractors, to the exclusion of the raw materials suppliers and other critical segments of the supply chain that support the defense industrial base. The committee believes that centralizing and focusing policy for supply of critical materials within the greater industrial base strategy of the Department should aid in mitigating some of the risk of supply chain interruption. Therefore, the committee included a provision in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, that would expand the role and responsibility of the Deputy Assistant Secretary for Manufacturing and Industrial Base Policy and to restructure the Strategic Materials Protection Board in order to create a balanced approach that looks at the supply chain issues from the bottom up, and gives a top-down view from prime contractors.



### Requirements Development and Certification

The committee remains concerned that the Department of Defense lacks discipline and accountability in developing requirements for equipping the force. The committee is aware that this weakness has led to cost and schedule overruns on many programs and believes that requirements development is paramount to successful acquisition outcomes. Therefore, the committee included a provision in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, that would amend section 153 of title 10, United States Code, to clarify the role of the Chairman of the Joint Chiefs of Staff in identifying, assessing, and approving military requirements to meet the national military strategy, and in ensuring that life-cycle cost, schedule, and performance objectives are achieved in the acquisition of material solutions to meet such requirements. The provision would also amend section 181 of title 10, United States Code, to clarify the role of the Joint Requirements Oversight Council in assisting the Chairman of the Joint Chiefs of Staff in these matters. Additionally, the provision would amend section 2547 of title 10, United States Code, to clarify the role of the Chiefs of the Armed Forces in the development and certification of requirements for equipping the Armed Force concerned.

### National Security Space Programs

The committee has continued close oversight of national security space programs and is concerned that space and ground segments of multiple major defense acquisition programs are not sufficiently synchronized. To place greater management focus on this issue, the committee included a provision in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to submit an annual assessment of the synchronization of satellite, ground, and user terminal segments of space major defense acquisition programs.

## FISCAL RESPONSIBILITY AND EFFICIENCY

### Fiscal Responsibility, Transparency, and Accountability

The committee scrutinized the Department of Defense's budget and identified inefficiencies to capture and reinvest savings into higher national security priorities. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, reflects the fact that the Nation must examine every aspect of the defense enterprise to find ways to accomplish the mission of providing for the common defense more effectively. Over the past year, in order to enhance the committee's oversight of fiscal responsibility within the Department of Defense and to identify opportunities to prevent waste, fraud, and abuse, the committee established both the Panel on Defense Financial Management and Auditability Reform and the Panel on Business Challenges Within the Defense Industry, which examined the role of defense regulations and the defense auditing agencies. The findings of both panels have guided the committee's consideration of legislation included in H.R. 4310.

## Financial Management

The Comptroller General of the United States has consistently identified the Department of Defense's financial management as a high-risk area since 1995. The Department's inability to track and account for billions of dollars annually in funding and tangible assets continues to undermine its management approach. It also creates a lack of transparency that significantly limits congressional oversight. The Department's inability to produce auditable financial statements undermines its efforts to reform defense acquisition processes and to realize efficiencies. Without these objective tools, neither the Department nor Congress can verify that greater value is being created. As a result, the committee continues to monitor the Department's efforts to implement the Financial Improvement and Audit Readiness (FIAR) plan to correct the weaknesses in its financial statements, including its efforts to meet the Secretary of Defense's goal of achieving audit readiness on the Statement of Budgetary Resources by 2014, and monitor closely the interdependencies between FIAR and the hundreds of millions of dollars being spent on business systems modernization programs that the Department has proposed to address its financial management problems. The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) contained several provisions to strengthen the Department's financial management, improve the reliability of defense financial statements, increase the competency of the financial management workforce, and add additional requirements to the FIAR plan. Public Law 112-81 also included a provision that directed the Comptroller General to assess the extent to which the Department is tracking and realizing savings proposed pursuant to the Secretary's efficiencies initiatives through fiscal year 2016. In addition, the committee organized the Panel on Defense Financial Management and Auditability Reform pursuant to Committee rule 5(a) to carry out a comprehensive review of the Department's financial management system. The review was initiated to oversee the Department's financial management system's capacity for providing timely, reliable, and useful information for decision making and reporting. The panel performed a 6-month review, holding eight hearings and two briefings covering a broad range of issues in defense financial management. It delivered its final findings and recommendations to the full committee on January 24, 2012. The panel's recommendations served as the basis for provisions included in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House.

## Acquisition Issues

### *Acquisition System and Acquisition Policy*

The committee continued its oversight of the Department of Defense's process for reviewing and certifying requirements for major defense acquisition programs, development of the acquisition workforce, protection of strategic materials, and management of services contracting. The committee continues to believe that competition in procurement actions can reduce costs, improve contractor performance, and result in a better product being delivered to our warfighters. However, the committee has been provided little evi-

dence that the Department of Defense is introducing more competition in procurement and sustainment activities as required by Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23). In H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House on May 18, 2012, the committee includes a provision that would prohibit the Secretary of Defense from obligating or expending more than 80 percent of the funds authorized to be appropriated for the Office of the Secretary of Defense for fiscal year 2013, until such time as the Secretary certifies to the congressional defense committees that the Department is implementing the requirements of section 202(d) of Public Law 111–23, as amended. The committee also seeks to enhance the role of product support managers for major weapon systems and includes a provision in H.R. 4310 that requires the use advanced predictive analysis technologies to improve material availability and reliability, increase operational availability rates, and reduce operation and sustainment costs of major weapon systems.

Additionally, the committee continues to remain concerned about the risk of counterfeit parts in the defense supply chain and, in particular, the risk posed by growing obsolescence of parts required by many of our aging weapon systems. Section 818 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) took steps to reduce the presence, and associated risks, of counterfeit electronic parts in the supply chain. The committee built on this effort in H.R. 4310 by including a provision that would further assist the Department of Defense in holding accountable those who fail to implement avoidance and detection systems, obtain counterfeit parts from untrustworthy sources without implementing additional detection strategies, or fail to notify the government of counterfeits once they have knowledge.

#### *Rapid Acquisition Authority and Joint Urgent Operational Needs Process*

The committee continued its oversight of the urgent operational needs (UONS) and rapid acquisition processes across the Department of Defense and the military services. The committee continued to engage the Office of the Secretary of Defense and the military services with formal requests for information regarding the processes used to address UONS through official correspondence and classified briefings. At the request of the committee, the Government Accountability Office (GAO) has completed a number of reviews of Department of Defense rapid acquisition, quick reaction, and counter-improvised explosive device (C-IED) programs. In each review, GAO concluded that the Department does not have a comprehensive policy or process to oversee the variety of programs and projects established to respond to urgently needed capabilities requested by the warfighter in overseas contingency operations.

Section 902 of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would require the Secretary of Defense to designate a senior official to be the focal point within Department to lead its urgent operational needs and rapid acquisition efforts. This official would ensure that all tools and mechanisms are being used to track, monitor, and manage the status of urgent operational needs, from validation through the

transition, including a formal feedback mechanism or channel for the military services to provide feedback on how well fielded solutions met urgent operational needs. Section 831 expanded the scope of the ongoing comprehensive bottom-up review required by section 804 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) of the Department’s rapid acquisition processes used for fulfilling urgent operational needs.

Furthermore, in the report (H. Rept. 112–479) accompanying H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, the committee recommended consolidating programs and processes established to rapidly develop and field solutions for units in combat and combatant commands. The committee noted that given the escalating budgetary challenges, the committee believes that it was and continues to be critical for the Department to reevaluate the current processes of how it fulfills its urgent needs and whether there is potential to reduce duplication, fragmentation, and overlap to achieve increased efficiencies or cost savings, or both. The committee will continue to work with the Department and the military services to improve upon the rapid acquisition process used to address urgent operational needs requests from the warfighter. H.R. 4310 would authorize \$50.0 million for a joint urgent operational needs fund, a reduction of \$150.0 million from the fiscal year 2013 budget request, because of the concerns noted by the committee in the current process.

The committee also continued to urge the Secretary of Defense to leverage previous efforts of the committee to take advantage of the rapid acquisition authority provided to the Department of Defense as part of section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), as amended by section 811 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), and section 803 Public Law 111–383, wherever necessary, in order to guarantee that military personnel receive required equipment in a timely manner. This authority provided the Secretary of Defense with \$200.0 million in authority, per fiscal year, to waive any necessary statutes for quick response to immediate warfighter capability requirements in response to combat fatalities.

#### *Defense Industrial Base Matters*

The committee is aware that the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy is undertaking an effort to conduct a comprehensive, repeatable, and fact based approach to mapping the defense industrial base. The “Sector-by-Sector, Tier-by-Tier” (S2T2) review is aimed at creating a common taxonomy across multiple sectors of the industrial base to better identify and quantify the defense industrial base. The committee is encouraged by this effort and believes that both the Department of Defense and the industrial base would benefit from the identification of early-warning indicators of risk, single points of failure, and areas where the Department has an over-reliance on foreign sourcing. The committee is aware that the drawdown of operations in Iraq and Afghanistan has caused, and will continue to cause, manufacturing workload to diminish. The committee believes this diminished workload and workforce reductions ulti-

mately could lead to the loss of critical industrial base capabilities. Furthermore, the committee believes the Secretary of Defense should expand efforts to identify and consider critical manufacturing capabilities across the various components of the industrial base in the public and private sectors and to evaluate workload requirements for sustaining critical activities across the industrial base to support military operations. Therefore, the committee included a provision in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, which would amend section 2501 of title 10, United States Code, to require the Secretary of Defense to develop a national security strategy for the technology and industrial base. The provision would require that the strategy ensure the national technology and industrial base is capable of supplying, equipping, and supporting the force structure necessary to achieve the objectives set forth in the national security strategy. The provision would also codify the requirements of section 852(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81), relating to a strategy for securing the defense supply chain and industrial base, within section 2504 of title 10, United States Code. Finally, the provision would amend section 2440 of title 10, United States Code, to clarify that the national technology and industrial base strategy developed pursuant to section 2501 of such title be considered in the development and implementation of acquisition plans for each major defense acquisition program

Furthermore, based on the findings and recommendations of the committee's Panel on Business Challenges within the Defense Industry, the committee includes several provisions in H.R. 4310 regarding the defense industrial base and the activities of the Department of Defense related to small businesses. One such provision would require the establishment of a pilot program within the Department of Defense to assist in the growth and development of advanced small business concerns. Under the pilot program, competition for contract awards could be restricted to advanced small business concerns under certain conditions. Additionally, the committee included a provision that would require the Secretary of Defense to designate an official in each defense audit agency to advise the director of the respective agency on all issues related to small business concerns and to develop and implement processes and procedures to improve the performance of the agency related to the timeliness of audits of small businesses. In addition, the committee directed the Inspector General of the Department of Defense to conduct a review of the Department's compliance with current laws and regulations related to intellectual property rights and to provide recommendations to committee based on the findings of the review.

#### *Information Technology*

The committee continued its oversight of information technology acquisition issues, to include implementation of section 804 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84). The committee scrutinized the Department of Defense's plan for budget reductions and efficiencies initiatives, and the impacts those changes would have on information technology

programs. As the military services are the primary acquirers of information technology systems, particular attention was given to service information technology programs during the service posture hearings and during other committee oversight activities.

The committee remains concerned about the projected dissolution of the Office of the Assistant Secretary of Defense (Networks & Information Integration) and other information technology-related realignment within the Department, and will continue to monitor Department of Defense efforts to achieve efficiencies and leverage information technology.

The Subcommittee on Emerging Threats and Capabilities conducted detailed oversight of specific programmatic issues related to information technology. Further details on these subcommittee activities are provided in the “Additional Oversight Activities of the Subcommittees” section of this report.

Public Law 112–81 included a provision directing the Comptroller General of the United States to report on the major automated information system programs of the Department of Defense, and a provision extending the Defense mentor-protégé program through September 30, 2018; a provision updating and clarifying the management of Department of Defense business systems; and clarifying language for key milestones and definitions for business information technology systems.

The committee included several legislative provisions related to information technology in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, to include: a provision that would direct a report on three-dimensional integrated circuit manufacturing capabilities; a provision that would direct the designation of a senior Department of Defense official for enterprise resource planning system data conversion; a provision that would require a report on providing telecommunications services to uniformed personnel transiting through foreign airports; and a modification to the existing requirement on data center consolidation.

In the committee report (H. Rept. 112–479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee also included several directives related to information technology, including a briefing on design research to improve safety of health information technology, a report on risk mitigation for enterprise planning systems; and a report on testing of information system controls for enterprise resource planning systems.

#### *Incentivizing Competition*

The committee remains steadfast in its belief that competition reduces costs, increases quality, and improves vendor performance. For this reason, the committee recommends a provision that would prohibit the Secretary of Defense from obligating or expending more than 80 percent of the funds authorized to be appropriated for the Office of the Secretary of Defense for fiscal year 2013, until such time as the Secretary certifies to the congressional defense committees that the Department of Defense is implementing the requirements of section 202(d) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111–23), as amended. This section would also require that the certification be accompanied by a brief-

ing to the congressional defense committees on the processes and procedures that have been implemented across the military departments and defense agencies to maximize competition throughout the life-cycle of major defense acquisition programs.

Similarly, the committee believes that assured access to space remains critical to national security and the Air Force's launch plan should maintain mission assurance, stabilize the industrial base, reduce costs, and provide opportunities for competition. Furthermore, the Panel on Business Challenges Within the Defense Industry specifically examined barriers to entry, contracting and regulatory burdens, and opportunities to strengthen the defense industrial base. As a result of the panel's efforts, H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, includes several provisions that are specifically aimed at fostering the defense industrial base and increasing opportunities for small and mid-sized businesses in order to increase competition.

#### *Operational Contract Support*

Since engaging in military operations in the Islamic Republic of Afghanistan and the Republic of Iraq over the past decade, the Department of Defense has utilized a variety of contractors, contract vehicles, authorities, and funds for operational contract support to execute a variety of small- and large-scale services and reconstruction projects in support of military operations in Afghanistan and Iraq. The committee continues its longstanding oversight efforts regarding operational contract support and believes that operational contract support capabilities are critical to the success of current and potential future contingency operations. The committee acknowledges that the Department of Defense had undertaken a variety of efforts to improve these activities in Iraq and Afghanistan, and is undertaking planning for contract support for future operations.

In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee noted that operational contract support and reconstruction activities of the Department of Defense have faced substantial challenges. These challenges, as noted by many observers, including the Commission on Wartime Contracting, the Special Inspector General for Iraq Reconstruction, the Special Inspector General for Afghanistan Reconstruction, the Government Accountability Office, and the Department of Defense itself, occurred along the full spectrum of operational contract support and, at times, included the failure to properly understand the operating environment and actors in that environment, a lack of transparency in the contracting network, and inchoate or improperly defined requirements. In turn, the committee noted that, at times, these challenges led to results that undermined the desired effects of U.S. military operations, such as the diversion of funds to enemy forces or corrupt actors and the creation of perverse incentives for local actors to maintain instability.

In H. Rept. 112-479, the committee supported a vigorous effort to capture lessons learned related to the full breadth of operational contract support. The committee further noted that past efforts to capture lessons learned were slowed by a lack of resources and in-

sufficient institutional support. The committee believed that a joint force, commander-centric, multi-disciplinary, holistic process is needed to capture and ultimately codify effective solutions. Therefore, the committee directed the Secretary of Defense to undertake an effort, utilizing the National Defense University or another such educational institution of the Department of Defense, to capture lessons learned related to Department contract activities, such as operational contract support, resource and financial management, Commanders' Emergency Response Program, and reconstruction programs. The committee believes this effort should build upon already documented insights and observations, including but not limited to those challenges noted above, as well as successes of operational contract support efforts in Iraq and Afghanistan.

The committee also included a provision in H.R. 4310 that would extend authority to acquire products and services produced in countries along a major route of supply to Afghanistan through December 31, 2014. This provision would also expand the authority to acquire products or services to be used by U.S. and coalition forces in Afghanistan, subject to a determination by the Secretary of Defense that such products or services will be acquired from a country that has agreed to allow the retrograde of coalition personnel, equipment, and supplies from Afghanistan. The provision would also prohibit the preferential procurement of goods or services from the Islamic Republic of Pakistan until such time as the Government of Pakistan re-opens the ground lines of communication through Pakistan in support of coalition operations in Afghanistan. The committee believes these changes are necessitated by the continued reliance on the Northern Distribution Network (NDN) and encouraged the Secretary of Defense to use the expanded authority to increase the capacity of the NDN. The committee also included a provision in H.R. 4310 that would require the Secretary of Defense to make a determination that the Government of Afghanistan is not taxing assistance provided by the United States to Afghanistan in violation of any bilateral or other agreement with the United States before providing preferential treatment for the acquisition of a product or service produced in Afghanistan.

#### *Transfer of Technology and Export Control Reform*

The committee is aware that many U.S. companies that participate in the defense industrial base are seeking to expand their business in the global market. However, some of these transactions and joint ventures may result in the transfer of U.S. defense technologies, such as fighter aircraft engine technologies, to foreign Governments and foreign militaries. While the legal framework to address such technology transfers rests within current export control law and regulations, current law does not prevent the Secretary of Defense from exercising due diligence to protect U.S. defense technologies. Therefore, in the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee directs the Director, Defense Security Service, in coordination with the Deputy Assistant Secretary of Defense for Manufacturing and Industrial Base Policy, to conduct an assessment of the impact of joint ventures related to the cleared U.S. defense contractor community, and the potential for trans-



ference of U.S. technologies to another nation as a result of such ventures and to provide findings from the assessment, along with recommendations to reduce risk of transference of sensitive U.S. technologies to foreign governments or foreign militaries.

Furthermore, the committee is aware of ongoing efforts to reform the current U.S. export control system. While the committee supports efforts to reduce the complexity of the export control system by improving efficiency, increasing transparency, and improving inter-agency coordination, the committee remains steadfast in its belief that any efforts at reform must be predicated on a full assessment of the potential impact of the proposed reforms. In an effort to improve current export control processes for satellites and related technologies, the committee included several provisions in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House on May 18, 2012. These provisions would provide the President authority to remove commercial satellites and related components from the United States Munitions List, consistent with the procedures in section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)), provided the President determines that the transfer of such technology does not pose an unacceptable risk to the national security of the United States. Furthermore, these provisions would expressly prohibit the transfer, re-transfer or re-export of any commercial satellite or related component to any person or entity of the People's Republic of China, Cuba, Iran, North Korea, Sudan, Syria or any other country that would be denied export of defense articles under section 126.1 of the International Trafficking of Arms Regulations.

## OTHER POLICY ISSUES

### Intelligence

The committee focused on several areas of oversight related to intelligence activities of the Department of Defense. The committee held numerous classified briefings to discuss intelligence activities, with a particular emphasis on activities in support of ongoing hostilities and the division of responsibilities and authorities between the military and other components of the intelligence community.

Committee members and staff also made trips to areas of ongoing hostilities during which intelligence activities were evaluated. The committee continued its efforts to ensure that the Department of Defense has the resources and legal authorities needed to provide effective and efficient intelligence support to military operations.

While much of the committee's oversight of intelligence issues was conducted in classified form and cannot be addressed in this report, the committee specifically evaluated the newly established Defense Clandestine Service and continued an examination of how Department of Defense intelligence programs are designated as part of either the Military Intelligence Program or the National Intelligence Program and efforts to reform guidelines related to these designations.

## National Guard and Reserves

The committee continued its efforts to review the requirements for full time support of the Reserve Component. Oversight visits were made to National Guard state headquarters to discuss the military technicians program. The committee is committed to working with the Administration to ensure the proper structure is resourced to support an operational reserve force.

The committee conducted a hearing on July 27, 2011, to examine the Reserve Components as an operational force and review potential legislative and policy changes to enhance the flexibility of the services for continued use of the reserves. The committee remains supportive of the operational reserve concept and will work to ensure that legislative and policy changes are broad enough to ensure access and flexibility; but does not create the ability for the services to over rely on the Reserves. The committee is also concerned with the ability to properly resource an operational reserves so it remains a viable and ready force.

An initiative to make the Chief of the National Guard Bureau a member of the Joint Chiefs of Staff, and providing a Vice Chief of Staff in the leadership of the Bureau was included in Public Law 112-81.

(H.A.S.C. 112-57)

## READINESS

### MILITARY READINESS

The Subcommittee on Readiness provided oversight of Department of Defense military readiness, training, logistics, maintenance, military construction, installations, family housing, and the base closure and realignment process. The subcommittee also provided oversight on civilian personnel, energy security, and environmental issues that affect the Department of Defense.

The committee visited numerous overseas bases to assess the skills of assigned forces, the material condition of equipment, the readiness of capabilities provided, and the appropriate application of military construction in an overseas and sometimes contingency environment. Specifically, the committee has extensively visited the Islamic Republic of Afghanistan and examined U.S. Central Command's plans to sustain operations in theater. The committee also has continued to assess the logistics and readiness challenges facing the Department of Defense as it withdraws forces from the Republic of Iraq and the Islamic Republic of Afghanistan and its ability to maintain a capable force structure in theater to respond to emerging threats. Finally, the committee continues to assess Department of Defense force generation capabilities and certification authorities.

### Force Readiness

The committee focused on the challenges facing the military services to provide trained and ready forces for ongoing operations, while maintaining capabilities to meet other commitments and to posture the force for the long-term. Specifically, the committee held hearings on the financial implications of another round of base clo-

sure and realignment actions, the Navy's readiness posture, Army and Marine Corps reset, and the price of energy security. The committee also examined the impact of large proposed budget cuts to the Department of Defense and the resulting challenges in maintaining readiness. The committee found that overall readiness trends saw improvements in non-deployed unit readiness, including equipment availability and condition, personnel, and training in fiscal year 2012. However, it continued to find areas of concern regarding the overall readiness of the total force. The committee found that these shortfalls continue to present an increased risk to national security if the military had to respond quickly to emergent contingencies. Specifically, the committee found that these personnel challenges are especially acute in key categories such as warrant officers and certain enlisted specialties which have experienced shortages as the number of medically non-deployable personnel has increased. The committee directed the Government Accountability Office (GAO) to review readiness trends and identify key areas of concern.

With the conclusion of operations in the Republic of Iraq and the ongoing drawdown of operations in the Islamic Republic of Afghanistan, the committee anticipates a continuing realignment of funds from the Department's Overseas Contingency Operations request to the operation and maintenance base budgets to better represent normalized budget requirements, to accommodate training across the full spectrum of conflict, and to reset war-torn equipment. However, the committee found reason to remain concerned about the pace at which this transition is taking place and the risk associated with the continued funding of enduring requirements outside of the base budget. To address these issues, H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would require the Department of Defense to provide strategic guidance for non-standard, enduring equipment such as mine resistant, ambush protected vehicles (MRAPs) and a strategic training plan for operation and sustainment of unmanned systems.

The committee found that while readiness has increased, specifically within the Army, deployed readiness of ground forces has continued to be at the expense non-deployed ground-force units. The committee remains concerned about the number of non-deployed units reporting that they are not ready for combat operations, or would need additional time, personnel, and equipment to prepare for deployment, and intends to hold additional hearings on how additional force structure changes or budget cuts would further exacerbate force readiness levels. While the Army's overseas contingency budget decreased, the base budget increased to support the reset of equipment that has been damaged or worn out through 10 years of demand, and also to support increased home-station training for full spectrum operations as the Army commits fewer units to combat operations. Restoring equipment readiness is a key element of the Army reset process. However, the committee remains concerned about the Army's ability to accurately forecast its total reset liability and the amount of synchronization of reset needed for current operations and those likely to be undertaken in the future.

The committee also found through several briefings and hearings that despite improvements in non-deployed unit readiness, several shortfalls, especially within the National Guard and Reserve Components remain. These shortfalls are expected to begin seeing improvement now that combat forces have withdrawn from Iraq and with initial reductions in the number of U.S. troops in Afghanistan. To accelerate this trend, the committee addressed this issue in H.R. 4310 by providing robust funding for some of the most serious shortfalls and by increasing funds for both the National Guard and Reserve Components. To address key training shortfalls, the committee included a provision in H.R. 4310 that would require Army medical evacuation crews be certified as paramedics within the next 2 years and provided an additional \$17 million. To address equipment shortfall concerns, the committee included a provision in H.R. 4310 that would clarify guidance for the sustainment of key weapon systems and equipment reset and retrograde, as well as a provision that would direct the Secretary of Defense to examine key factors driving increased levels of depot maintenance carryover to ensure that this key function remains appropriately resourced.

The committee found that the Air Force continues to experience a high operational tempo, which has resulted in detrimental effects on equipment such as engine and structural fatigue, deterioration, corrosion, and increased rates of component failures. The increased tempo also delays routine maintenance. As a result, the committee intends to continue its review of the significant shortfalls experienced by the Air Force in depot maintenance, particularly in its baseline program for Active and Reserve Forces which the Air Force has made up only through Overseas Contingency Operations funding. The committee also has found that challenges are expected to persist as operational tempo is anticipated to remain at high levels following redeployment from Operation New Dawn in Iraq and the drawdown of U.S. forces supporting Operation Enduring Freedom in Afghanistan, such as what occurred with Operation Northern Watch following Operation Desert Storm, or even more recently with the simultaneous operations in Libya. This will be particularly problematic for the Air Guard and Reserve as they also continue to provide support for U.S. domestic operations, which was highlighted during the Subcommittee on Readiness hearing on the Army and Air Reserve Components. Despite this sustained operational tempo, the budget request for fiscal year 2013 proposed significant reductions in Air Force force structure and a disproportionate reduction in the Air National Guard and the Air Force Reserve. To ensure that the U.S. Air Force has the requisite force structure to support ongoing operations, H.R. 4310 would retain the Air Force force structure that existed as of May 31, 2012. An additional provision was included in H.R. 4310 that would retain the existing aerospace control alert locations.

Despite the drawdown in Iraq, naval operational tempo is expected to remain high, as demand for the Navy's services is up, including anti-piracy and ballistic missile defense operations as well as operations in support of U.S. Africa Command and U.S. Pacific Command. Because of concerns over the impact on the Navy's non-nuclear surface fleet material readiness as a result of its increased operational tempo, the committee requested GAO to review the

Navy's initiatives to improve amphibious and surface combatant ship material readiness. Additionally, in H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, as passed by the House, the committee included additional funds for ship and aircraft depot maintenance to address the backlog of requirements and to prevent further degradation to the fleet. Additional funding to address ship depot maintenance was also included in Public Law 112-81. To garner a greater appreciation for organic and private-sector depot capabilities, in September 2011, the chairman and ranking member of the Subcommittee on Readiness led a visit to Portsmouth Naval Shipyard and Electric Boat Shipbuilding. Due to the increase in demand for naval assets, H.R. 4310 would reinstate the requisite funding to operate and maintain, modernize and upgrade three cruisers that the Navy proposed to retire before the end of its expected service life. Additionally, the Subcommittee on Readiness held a hearing on March 22, 2012, regarding the Navy's Readiness Posture and the fiscal year 2013 budget request.

The committee has also monitored the impacts of force structure reductions in the Marine Corps and its impacts on "rebalancing" the Corps which includes investments in special skill sets needed to move the Marine Corps toward a force more fully attuned to the lessons learned during 10 years of combat. The committee has also been closely monitoring the Marine Corps' reset operation to replace and refurbish equipment and vehicles damaged in wartime operations in Iraq and Afghanistan, specifically combat vehicles, the Armored Amphibious Vehicle, rotary-wing aircraft, and the repair and refurbishment of communications equipment and crew-served weapons.

However, through hearings and site visits, the committee expressed concern about the Marine Corps' ability to reset its force in a budget-constrained environment as well as its ability to meet the current one major contingency operation construct with end strength well below the 186,800 Marines recommended by the Force Posture Review.

(H.A.S.C. 112-13; H.A.S.C. 112-17; H.A.S.C. 112-21; H.A.S.C. 112-33; H.A.S.C. 112-40; H.A.S.C. 112-55; H.A.S.C.-67; H.A.S.C. 112-84; H.A.S.C. 112-115; H.A.S.C. 112-126)

#### Life-Cycle Sustainment

Without appropriate and timely input from the logistics community, decisions made during weapon systems design can create unnecessary sustainment problems that increase depot-level maintenance once the system is fielded. To address this, the committee amended the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23) to include subsystems and components of a major weapon system in the requirement for consideration of competition throughout the operation and sustainment of these major weapon systems. The committee also directed improved sustainment planning using predictive modeling tools to assure that the proper source of repair is being considered.

Despite a 38-to-1 return on investment from corrosion mitigation and control projects, the Department of Defense consistently underfunds corrosion efforts. The Government Accountability Office recently determined that the Department of Defense requested

\$11.1 million of its total projected funding requirements of \$43.2 million. Therefore, the committee included several provisions in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, that address corrosion. Specifically, the committee increased funding for corrosion mitigation by an additional \$33 million, directed the Department of Defense to take corrective action regarding the F-22 Raptor and F-35 Joint Strike Fighter aircraft, and directed the Department of Defense to evaluate corrosion for facilities and infrastructure and report the findings.

In H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, there was an increase of \$10.3 million for advanced coating technologies for corrosion mitigation. In the report accompanying the bill, the committee addressed the importance of maximizing corrosion information sharing tools as well as addressing the importance of testing and evaluation of material degradation. As a result of the Government Accountability Office's annual budget submission review, the committee directed further review of the payback associated with the funds being invested in corrosion projects in addition to analyzing greater details regarding the Department of Defense's Technical Corrosion Collaboration pilot program.

#### Depot and Arsenal Capability

A critical piece of equipment sustainment is the capability provided by the nation's organic arsenals and depots, including air logistics centers and shipyards. In February of 2011, the committee received a study on the future capability of the Department of Defense maintenance depots directed by section 322 of the Duncan Hunter Authorization Act for Fiscal Year 2009 (Public Law 110-417). The study assessed organic depot maintenance capabilities and made several recommendations to address the challenges facing the organic depots. The committee also participated in an extensive series of exchanges, in coordination with the National Defense University's Center for Joint and Strategic Logistics, with Department of Defense, industry and union representatives and other interested stakeholders on the recommendations detailed in the report required by section 322 of Public Law 110-417. As a result, the committee included several of the study's recommendations in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House. Many of these provisions were included in the conference report on H.R. 1540.

To fully assess the impacts of these changes included in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), the committee participated in several sessions with the Office of the Secretary of Defense to discuss implementation guidance and the Department's interpretation of the law. Further, the committee hosted several briefing opportunities for Member office staff to learn more about recent and anticipated changes. These included committee staff briefings and a formal briefing with each of the military departments. To address these issues, H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, included a provision to modify the depot statute and clarify depot responsibilities.

In addition to these steps, the committee continues to closely monitor the location and types of maintenance performed at the depots and in forward-deployed locations. The committee has also provided oversight of the implementation of a new, consolidated command structure within the new Marine Corps' depot enterprise and is closely monitoring the changes and challenges associated with the reduction in workload. Furthermore, the committee will continue oversight of the planned reorganization of the Air Force Materiel Command's air logistics centers and the potential impacts on manpower and workload.

#### Civilian Personnel

The Department of Defense has long relied on the Federal civilian workforce to support its missions around the world, often requiring civilians to serve in active combat zones, and it is clear that the Department's civilian workforce plays a critical role in the readiness of U.S. military forces. The committee included provisions in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, to extend authorities for premium pay and to expand death gratuity benefits for deployed civilians. These provisions were included in the conference report on H.R. 1540.

The committee also included provisions in the House-passed version of H.R. 1540 that would require the Secretary of Defense to develop a total force management plan that would provide the means to establish the appropriate mix of manpower—military, civilian, and contractor personnel, to perform the mission of the Department of Defense, and to make changes to requirements for manpower reporting and civilian strategic human capital plans. Elements of these provisions were also included in the conference report on H.R. 1540.

In addition, the committee continued its oversight of the Department's transition from the National Security Personnel System (NSPS) and implementation of the authorities provided to the Department for performance management and hiring flexibilities which would apply across the Department's civilian workforce, within the context of the existing General Schedule system. The committee is aware that the NSPS transition office has been moving forward in its efforts to develop the new authorities, starting with a "New Beginnings" conference and establishing design teams to begin the development of a plan for implementing the performance management and hiring flexibilities. Recognizing that additional legislative authorities may be necessary as the process moves forward, the committee included provisions in the House-passed version of H.R. 1540 to further facilitate the Department's ability to implement a fair and transparent performance management system. The conference report on H.R. 1540 included these provisions. The committee also focused on the Department's process for recruiting, selecting and hiring qualified individuals. The committee subsequently has met on a regular basis with the New Beginnings design teams (comprised of both Department of Defense management and employee union representatives). In November 2011, the committee was made aware that the work of the New Beginnings design teams has been completed and is awaiting the re-

sults of their recommendations and the Department's proposals for moving forward with a performance management system.

The committee has also continued to closely monitor the implementation of the each military department's efficiencies initiatives that are being levied on the civilian workforce. These initiatives have led to a civilian hiring freeze for all the military departments as well as significant personnel reductions in 2012, with the Air Force planning to reduce its civilian workforce by 16,500 and the Army to reduce its force by 8,700.

In H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, several provisions were included regarding civilian personnel, including a section that would direct the Government Accountability Office to assess the Department of Defense's Future Years Defense Program workforce requirements and report its findings to the committee. Additionally, H.R. 4310 included provisions regarding inherently governmental functions, expedited hiring authority for individuals completing the National Security Education Program, a 1-year extension of premium pay for Federal civilian employees working overseas, inter-agency personnel rotations, and the proposed development of a national language service corps in the Department of Defense.

#### ENERGY AND ENVIRONMENT

##### Energy Security

The committee conducted vigorous oversight of the Department's energy activities and closely examined the strategies and policies for both installation energy and operational energy to reduce consumption and dependence on foreign oil. The committee believes that Department of Defense installations provide significant opportunity for advancing renewable energy technologies, pursuing energy security, and reducing overall demand through demonstrated return on investment. The Subcommittee on Readiness took action in this area in the National Defense Authorization Act of Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, and carried through in the conference report on H.R. 1540, to include Navy metering of piers, as well as other activities that will help advance energy efficient technologies and reduce overall demand for energy. There were several legislative provisions that also sought to enhance installation energy security, to include a requirement to establish a core curriculum and certification for Department of Defense energy managers, metering of navy piers, and consideration for energy security when contracting for renewable energy projects through third-party financing.

The Subcommittee on Readiness continued its oversight and emphasis of reducing demand for operational energy at forward-deployed locations to relieve the significant logistical burden and force protection requirements, and decrease operational vulnerabilities. Specifically, the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, increased funding for operational energy capability improvement and the U.S. Marine Corps' Experimental Forward Operating Base. Public Law 112-81 contains several legislative provisions that seek to advance operational energy security by streamlining



alternative fuels investments through the Assistant Secretary of Defense for Operational Energy, and designate a Department of Defense policy for energy efficient technologies in logistics support contracts for contingency operations.

On April 13, 2011, the Subcommittee on Readiness received testimony from the Office of the Secretary of Defense and each of the military services regarding military construction and installation energy. Each of the witnesses highlighted the importance of energy efficiency and the impact of a vulnerable electric power grid and the potential to jeopardize the security of military installations and mission capabilities. The witnesses also highlighted the importance of innovative, cost-effective solutions as critical to their success, operationally necessary, fiscally prudent, and mission essential.

As directed by committee report (H. Rept. 111-491) accompanying the National Defense Authorization Act for Fiscal Year 2011, the committee received a briefing from the Departments of Defense, Energy, and Homeland Security regarding the domestic petroleum refining industry and its significance to national security. On March 29, 2012, the Subcommittee on Readiness received testimony from the Office of the Secretary of Defense and each of the military services regarding Energy Security: From Battlefields to Bases. The hearing highlighted the investments the Department of Defense is making in energy programs and what initiatives it is undertaking to reduce its overall energy consumption.

In H.R. 4310, the National Defense Authorization Act of Fiscal Year 2013, as passed by the House, several provisions regarding energy focused on alternative fuel and energy security specifically. (H.A.S.C. 112-43)

### Environment

The committee conducted oversight of environmental issues resulting from Department of Defense activities on military installations, training ranges, and operational activities to include the military services' environmental restoration program and adherence to Federal, state and local cleanup, compliance, and pollution prevention requirements. In the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, and carried forward in the conference report on H.R. 1540 the committee had several environmental provisions including one which codified Navy requirements for the discharge of waste at sea to ensure minimum impact on the environment, preserving Navy operational readiness, and averting \$2.0 billion of expenses for Navy fleet modifications. The committee also included provisions that would limit the use of property in airfield clear zone areas to mitigate encroachment on military installations. Additionally, the committee directed language regarding requirements relating to ongoing investigations and studies of exposure to contaminated drinking water at Camp Lejeune, North Carolina.

H.R. 4310, the National Defense Authorization Act of Fiscal Year 2013, as passed by the House, included a provision that would require a plan on how the Department of Defense will address environmental exposures to members of the Armed Forces. The measure also highlighted the importance of the impact of encroachment on DOD facilities, and included funding above the Department of

Defense's request to purchase additional land through the Readiness and Environmental Protection Initiative in order to create additional buffer zones. H.R. 4310 also would require an extension to the annual training range sustainment plans report.

#### MILITARY CONSTRUCTION AND INFRASTRUCTURE

##### Basing

The Department of Defense is undergoing a significant change in force structure both in the United States and overseas as a result of the 2005 BRAC decisions and the Global Defense Posture Review. These rebasing movements affect not only U.S. global presence, but they also have significant repercussions for readiness, surge capability, military construction, and quality of life for military members and their families.

After concluding a hearing on Long-Term Readiness Challenges in the Pacific on March 15, 2011, the Subcommittee on Readiness supported the proposed realignment of 8,000 Marines from Okinawa, Japan, to Guam and supported the budget request for \$155 million for the fiscal year 2012 effort. The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, also included a legislative subsection that would support the realignment of Marine Corps assets to Guam that includes the following provisions: use of operations and maintenance funding to support community adjustment; requirements to support H2B visa workers that support the construction effort; and, modifications to utility conveyance authority. In the conference report on H.R. 1540, the conferees determined that the Department of Defense should not continue additional construction efforts to support the realignment of Marine Corps assets to Guam until several reports were submitted to the congressional defense committees. Furthermore, the conference report on H.R. 1540 struck the military construction funds requested by the executive branch in the budget request for fiscal year 2012 to support this realignment.

In the conference report on H.R. 1540, the conferees determined that significant changes in the overseas force structure were expected in the short term while the overseas basing structure should be reexamined. Therefore, the conferees requested two independent assessments of the overseas base structure to include a comprehensive review of the entire overseas basing structure and a specific base structure assessment of the U.S. Pacific Command area of responsibility.

The Subcommittee on Readiness held a hearing on March 8, 2012, to assess the administration's request for two additional rounds of Base Closure and Realignment (BRAC). After contemplating the information provided by the administration supporting two additional rounds of BRAC, the committee included a provision in the National Defense Authorization Act of Fiscal Year 2013, H.R. 4310, as passed by the House, that would prohibit the Department of Defense from proposing, planning for, or executing another round of BRAC.

The committee also included several provisions in H.R. 4310 regarding the realignment of forces from Okinawa, Japan, to Guam.

The committee noted that the Department of Defense de-linked an international agreement provision requiring tangible progress at the Marine Corps Air Station Futenma Replacement Facility before proceeding with the realignment of Marines to Guam. The committee also noted that the Department of Defense proposed an alternative Marine Corps preferred laydown in the Pacific which reduced the number of Marines being realigned to Guam. Considering these events, the committee included a provision in H.R. 4310 that proposed to strike a requirement to obtain tangible progress at the Futenma Replacement Facility before moving forward with the Guam realignment. An additional provision was included that would also strike a requirement to receive a coordinated federal agency plan before proceeding on the Guam realignment.

(H.A.S.C. 112–21, H.A.S.C. 112–115)

#### Military Construction Programming

The Department of Defense programs construction projects at 25 to 40 percent above market pricing to account for several programmatic initiatives to include Federal contracting requirements (including Davis-Bacon wages, Federal subcontracting and small business goals, and bonding requirements), Federal design requirements (including Anti-Terrorism, Force Protection standards) and energy efficiency objectives. In the committee report (H. Rept. 112–78) accompanying the National Defense Authorization Act for Fiscal Year 2012, the committee directed the Secretary of Defense to submit a report that assesses these program increases and provides a plan to reduce these costs.

With regards to construction programming, the committee continued its efforts to provide combatant commanders limited authority to rapidly implement contingency construction to address emerging construction requirements. The conference report on H.R. 1540 contained a provision that authorized the use of operations and maintenance funds for contingency construction.

In the budget request for fiscal year 2013, the administration requested several military construction project authorizations without an accompanying appropriations request. The Subcommittee on Readiness included these project authorizations in the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House, and believes that this method will allow the Department of Defense to provide prior year appropriations toward these requirements through a future reprogramming request.

#### Real Property Acquisition, Maintenance, and Disposal

The real property management process requires extensive oversight to maintain more than \$810.0 billion in infrastructure at an annual cost of almost \$50.0 billion, or nearly 11 percent, of the Department of Defense's budget. The Subcommittee on Readiness reviewed issues pertaining to military construction, family housing, and Base Closure and Realignment (BRAC) activities of the Department of Defense. The Subcommittee on Readiness held a hearing on April 13, 2011, to examine the fiscal year 2012 budget request to review military construction, family housing, BRAC activities, and facility operations and maintenance. The Subcommittee

on Readiness also provided additional oversight as the Department of Defense completed almost all of the BRAC 2005 recommendations on September 15, 2011.

As a result of this oversight, the committee determined that the Department of Defense needed additional authorities to manage those BRAC recommendations that were having difficulty in timely completion. Additional BRAC authorities were included in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, to extend the completion date of up to seven BRAC 2005 recommendations to September 15, 2012. The committee also included requirements for the Department of Defense to include transportation impact assessments at local communities significantly impacted by Department of Defense realignment actions. The conference report on H.R. 1540 broadened the BRAC authority and requested that the Secretary of Defense expeditiously complete remaining BRAC recommendations and specifically extended a conditional BRAC recommendation for the Umatilla Chemical Depot. This extension would provide additional latitude to the Secretary of Defense to ensure continuity of mission and services for those activities impacted by BRAC 2005.

The committee also reviewed the Department of Defense facility sustainment accounts and the Army Base Operating Services account and found that significant shortfalls needed to be addressed to manage basic services. The committee proposed increased funding to these accounts in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, to address critical shortfalls in facility maintenance and operations. The conference report on H.R. 1540 did not include the increased maintenance funding. The committee also proposed to increase the facility sustainment accounts in the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House, to partially support systemic facility sustainment deficits.

(H.A.S.C. 112-43)

#### Military Infrastructure Privatization

The Department of Defense has made extensive use of privatization of military assets including family housing, bachelor quarters, and utility-related infrastructure. The Department has leveraged available capital in Department of Defense infrastructure and entered into long-term contracts with private property managers. The Subcommittee on Readiness in the 112th Congress reviewed this privatization initiative and included a provision in the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, that would encourage the Department of Defense to more aggressively and effectively implement utilities privatization as part of an asset management strategy to allow each military service to focus on core defense missions and functions. In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee included language that that would provide additional oversight and accountability for military housing privatization projects to include an assessment of the financial viability of the

long-term project, a resident satisfaction assessment, and an assessment of the backlog of maintenance and repair.

#### TOTAL FORCE, PERSONNEL, AND HEALTH CARE ISSUES

##### Manpower Sufficient in Quantity and Quality To Meet Global Commitments

The committee continued its support for the end strengths of the services by including the Department of Defense request in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011. The committee has concerns about the future size of the force and whether proposed reductions in end strength will provide the services with sufficient manpower to meet global commitments. The committee is equally concerned with dwell time of service members and the impact this will have on readiness. Both of these issues were addressed in full committee and subcommittee hearings.

The committee continued to closely monitor compensation programs during the first session of the 112th Congress to ensure an adequate quality of life for service members and their families and to ensure that pay and benefits met the needs of the wartime military and kept pace with private sector standards. The committee's active oversight of these issues resulted in legislation in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, that authorized a 1.6 percent raise in basic pay during fiscal year 2012. This military pay raise matches the rate of compensation increases in the private sector as measured by the Employment Cost Index and thus ensures that military pay increases are keeping pace with private sector contemporaries. The committee extended the authorities to pay bonuses and special pays during fiscal year 2012 and monitored the value of those bonuses and special pays to ensure they were sufficient to achieve the recruiting and retention objectives for which they were developed. The committee also included legislation that reforms, consolidates, and simplifies travel and transportation authorities to enhance the utility, flexibility, efficiency, and relevancy of the law in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011. These pay and travel benefit matters were also included in the conference report on H.R. 1540.

The Subcommittee on Military Personnel met in a closed session on September 15, 2011, to receive a classified brief in order to better understand the capability of the Army's currently planned force reduction to 520,000 and its ability to meet the range of Army mission requirements, especially those most stressful wartime requirements, based on the combatant commander requirements. The briefing gave members a better understanding of the current level of risk associated with the Army's 520,000 force and to begin to assess the levels of risk when funding levels drop below those associated with a 520,000 force.

The Subcommittee on Military Personnel met in a closed session on October 5, 2011, to receive a classified brief in order to better understand the capability of the Marine Corps' currently planned force reduction to 186,800 and its ability to meet the range of Ma-

rine Corps mission requirements, especially those most stressful wartime requirements, based on the combatant commander requirements. The briefing provided the committee with a better understanding of the current level of risk associated with the Marine Corps' 186,800 force and to begin to assess the levels of risk when funding levels drop below those associated with an 186,800 force.

The budget request for Fiscal Year 2013 reduced the end strengths of the Active and Reserve Components by 31,300 service members, with further reductions of 92,600 service members over the following 4 years. The committee supported the end strengths of the services by including the Department of Defense request in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, of with the exception of an increase to the Air Force request to reflect the required corresponding manpower to maintain 18 Air Force Block 30 RQ-4 Global Hawks and the committee's limitation on retiring, divesting, or transferring any aircraft assigned to the Air Force. Although the committee supported the President's request for the Army and Marine Corps for Fiscal Year 2013, it remains concerned with the Department's determination that the current force structure and size of the Armed Forces can be reduced to meet the defense strategic guidance. This guidance, coupled with the proposed cuts in the Budget Control Act of 2011 (Public Law 112-25), has led the military services to alter their force structure and reduce end strengths. The committee is also concerned with the pace of the proposed reductions and the impact it will have on national security, while the United States is engaged in ongoing contingency operations in Afghanistan. The Army and the Marine Corps will make the largest reductions over the next 5 years of 72,000 and 20,000 respectively from their fiscal year 2012 authorization levels. These issues were addressed in full committee and subcommittee hearings as well as in H.R. 4310 which limits the end strength reductions for the Regular Component of the Army and Marine Corps to no more than 15,000 and 5,000 members per year respectively.

In an effort to provide the services additional tools to facilitate the drawdown of forces over the next 3 to 5 years, the conference report for H.R. 1540 included authorities to provide service members an early retirement for service concluding with less than 20 years of service but more than 15 years of service and a voluntary early retirement incentive payment for service members with between 20 and 29 years of service. In addition to the two new authorities that were authorized through December 31, 2018, the conference report for H.R. 1540 extended the authority to pay voluntary separation pay through December 31, 2018.

The National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House and the accompanying report continued the effort to provide the services additional authorities in connection with the drawdown of forces. H.R. 4310 includes provisions that would: extend the authority to reduce from 10 to 8 years the minimum length of commissioned service to qualify for retirement as an officer; increase the percentages of officers in grades O-5 through O-8 who may be retired with less than 3 years' service-in-grade; make Reserve Component service members eligible to participate in the Career Intermission Pilot Program; and afford in-

voluntarily separated service members and their families continued access to commissaries, exchanges, and Government-provided family housing.

(H.A.S.C. 112–28; H.A.S.C. 112–105, H.A.S.C. 112–110)

#### Sustaining Cost Efficient Operation of Morale, Welfare and Recreation Programs, Military Resale Programs, and Department of Defense School System

During the 112th Congress, the committee acted to improve the effectiveness and quality of military exchanges and commissaries and morale, welfare, and recreation (MWR) programs and to protect these critical programs for future generations of service members. The Subcommittee on Military Personnel conducted two hearings during the first session of the 112th Congress that explored policy issues and the fiscal status of the commissary and military exchange stores and the service-operated MWR programs. The Department of Defense consulted the committee on a wide range of management proposals regarding new construction or facility renovation, store expansions or closures, public-private ventures, business practices, and new business opportunities and models. In each case, the committee provided guidance and decisions, as requested. The committee included legislative initiatives in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011, to address the concerns that had been brought to the attention of the committee and to improve the policies and processes used to manage military resale and MWR programs. These issues included: expansion of the authority for non-appropriated fund activities to employ a uniform funding concept to include permanent change of station and temporary duty billeting facilities; clarification of the multi-year contracting authority by nonappropriated funding activities; authorization for the Secretary of the Navy to select categories of merchandise to sell in ship stores; authorization for military retail stores to borrow funding for business operations from the Federal Financing Bank; and authorization for the Defense Commissary Service to conduct a pilot program to test the cost effectiveness of enhanced commissary stores. Of these initiatives, the conference report on H.R. 1540 included the authorization for the Secretary of the Navy to select categories of merchandise to sell in ship stores and the authorization for military retail stores to borrow funding for business operations from the Federal Financing Bank.

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, and the committee report that accompany the Act (H. Rept. 112–479) also included a series of initiatives to sustain morale, welfare, and recreation and military resale activities. H.R. 4310 included provisions that would: address the concern that nonappropriated funds activities are restricted from service contracts that involve multiple installations and extend over several years; establish new guidelines for clearing charitable food banks, food pantries, and soup kitchens to receive donations of unusable food; simplify record keeping and reporting requirements for overseas commissaries and exchanges; and require the governing bodies giving management direction to commissaries

and exchanges to establish guidelines for identifying food and other products that are produced using sustainable methods.

(H.A.S.C. 112-3; H.A.S.C. 112-4; H.A.S.C. 112-133)

#### Mental Health Services for Members of the Armed Forces

The committee continued its efforts to ensure that service members and their families have access to quality mental health services. Some members of the Armed Forces, particularly in the Reserve Components, continue to struggle with mental health issues that ultimately result in suicide. Members of the Reserve Components are often in rural communities and may not have sufficient access to mental health care, as there is a nationwide shortage of qualified mental health professionals. The conference report on H.R. 1540 included legislation to expand the capacity of the military health system to provide mental health care to members of the Reserve Components at the location of the unit during scheduled unit training and provided training on suicide prevention and response. In addition, the Department is required to undertake several projects that would further advance the knowledge and understanding of traumatic brain injury and combat related mental health issues to enhance the care provided to members of the Armed Forces.

On September 9, 2011, the Subcommittee on Military Personnel conducted a hearing to receive testimony from the military services on the current status of suicide prevention programs in the military. The hearing provided members with the opportunity to examine the implementation of suicide prevention programs in each of the military services.

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, provided the services greater flexibility to address mental health issues by including a provision that would allow clinical social workers and psychiatric nurse practitioners to conduct pre-administrative separation medical examinations.

(H.A.S.C. 112-19; H.A.S.C. 112-23; H.A.S.C. 112-62; H.A.S.C. 112-120)

#### Sexual Assault in the Military

The committee remained vigilant on ensuring that the efforts to prevent sexual assault and sexual harassment in the military continue as a priority for the Department of Defense. The committee was concerned that the Department of Defense and the military service sexual assault and prevention programs were not consistent or coordinated resulting in unnecessary confusion for military service members. To address these concerns legislation in the conference report on H.R. 1540 improved sexual assault prevention and response in the Armed Forces by requiring standardized training for sexual assault response coordinators and victim advocates and requiring at least one full time sexual assault response coordinator and victim advocate be assigned to each brigade equivalent military unit. In addition, access to legal assistance counsel and victim advocates was expanded to include dependents of active



duty service members who live on or in the vicinity of a military post.

Committee actions contained in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, passed by the House, continued to address sexual assault matters. Specifically, with regard to cases involving rape, sexual assault, and forcible sodomy prosecuted under the Uniform Code of Military Justice, the disposition authority would be no lower than the special court-martial convening authority, who holds the grade of colonel, or in the case of the Navy, the grade of captain, who has a legal advisor and is in the chain of command of the person accused of committing the offense. Furthermore, H.R. 4310 mandated the establishment of Special Victims Teams in connection with child abuse, serious domestic violence, or sexual offenses under the Uniform Code of Military Justice.

In addition, H.R. 4310 would further improve the Department of Defense Sexual Assault Prevention and Response Program by requiring sexual assault training during pre-command and command courses; prominently posted information on sexual assault prevention and response throughout the Department of Defense; additional detailed information on sexual assault cases and information on sexual harassment in the annual report on sexual assaults; increased frequency of the Armed Forces Workplace and Gender Relations Survey, including sexual assault items in annual organizational climate assessments and tracking compliance of commanders conducting organizational climate assessments; allowing members of the Reserve Components to remain on Active Duty or be recalled to Active Duty for up to 180 days to complete a line of duty determination in cases of sexual assault and the inclusion of substantiated reports of sexual harassment made against a member of the military services in the service record of the member.

#### Military Health Care System

Since the start of the 112th Congress, the committee exercised vigorous oversight on the military health system. The committee focused substantial attention on the cost of military health care to the Department of Defense (DOD) and to military beneficiaries and the long term viability of the military health system for future generations of military beneficiaries. The committee is aware of the rising cost of providing health care to military beneficiaries and the potential negative impact of health care costs on other critical readiness programs. The committee received detailed input from DOD health affairs and comptroller personnel on the five cost saving initiatives proposed by the department. The Subcommittee on Military Personnel held a hearing devoted to understanding the views of various beneficiary organizations impacted by the Department of Defense proposed changes. The committee also heard the views of health care organizations and retail drug store chains impacted by the proposals. The Congressional Budget Office assisted the committee to fully understand estimates of costs and savings inherent in the DOD proposals. As a result, the conference report on H.R. 1540 included a provision that caps TRICARE Prime enrollment fee increases, beginning in fiscal year 2013, to the percentage of a COLA increase in military retired pay. Additional health care legis-

lation required beneficiaries who are enrolled in the U.S. Family Health Plans to transition to TRICARE for Life when they reach age 65.

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, and the committee report that accompanied the bill (H. Rept. 112-479), also included a provision that for the first time sets the co-payments for prescription medications under the TRICARE Pharmacy Program as \$5 for generic medications, \$17 for formulary medications and \$44 for non-formulary medications obtained through retail pharmacies, and \$0 for generic medications, \$13 for formulary medications and \$43 for non-formulary medications obtained through the TRICARE mail order pharmacy. Furthermore, any increase in cost-sharing rates under the TRICARE pharmacy program are limited to the amount equal to the percentage increase by which retiree pay is increased beginning October 1, 2013.

H.R. 4310 also establishes a 5-year pilot program that would require TRICARE for Life eligible beneficiaries to obtain refill prescriptions for maintenance medication from the TRICARE mail order pharmacy. Beneficiaries are allowed to opt out of the mail order program after 1 year.

Additionally, in response to the military services' plans to draw down the force, H.R. 4310 would authorize TRICARE Reserve Select and TRICARE dental insurance coverage for 180 days for involuntarily separated members of the Selected Reserve.

(H.A.S.C. 112-19; H.A.S.C. 112-23, H.A.S.C. 112-120)

#### Wounded Warrior Care (Wounded and Disabled Service Members and Their Families)

The committee continued to provide oversight of the disability evaluation system to ensure that service members receive disability rating that accurately and fairly reflect their illnesses and injuries. These activities included monitoring of the implementation of the integrated disability evaluation system (IDES) and the deployment of IDES to locations throughout the world by September 2011.

Following the completion of the expansion of the IDES to all world-wide locations, the services have begun to access weaknesses within the system. The committee has noted that the time required for wounded warriors to move through the disability system has increased to over 400 days, 39 percent above the 295 day goal. The Army has highlighted the growing concern about the increase in wounded warriors with the force that has reached 20,000 and is having an impact on combat readiness. The Army has also noted that the wounded warrior program is undermanned by 700 personnel. The committee is monitoring the Army's effort to increase manning to appropriate levels and shorten the time required for wounded warriors to receive a disability assessment and be processed for separation or retirement.

The committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, required a report on the effectiveness of Physical Evaluation Board Liaison Officers (PEBLOs) to examine the adequacy manning, training, and experience within the PEBLO force.

H.R. 4310, as passed by the House, also includes a provision that would authorize the Secretary of Defense to conduct pilot programs to provide transitional assistance to members of the Armed Forces with a focus on science, technology, engineering, and mathematics. (H.A.S.C. 112-28; H.A.S.C. 112-120)

#### Military Voting

The committee continued oversight of the military and overseas voting program to ensure all members of the Armed Forces and their families have the opportunity to exercise their right to vote in each election. In February 2011, the committee provided assistance to the House Committee on Administration in preparation for a hearing they conducted on the Military and Overseas Voter Empowerment Act. The hearing explored the implementation of the Military and Overseas Voter Empowerment (“MOVE”) Act during this past election cycle. The chairman and ranking member of the Subcommittee on Military Personnel were invited and attended the hearing.

On July 15, 2011, the Subcommittee on Military Personnel conducted a hearing on military voting to receive testimony from a variety of officials involved in the military voting process including the director of the Federal Voting Assistance Program, local, county voting directors, and a voting assistance officer in the military. The hearing provided an opportunity for Members to examine the implementation of the MOVE Act and its effects on the Federal Voting Assistance Program at all levels from the director to individual service members overseas.

(H.A.S.C. 112-52)

#### Prisoner of War and Missing in Action

The committee continued its efforts to monitor efforts by the Department of Defense to meet the mandate in the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) requiring the Secretary of Defense to institute a plan to increase the number of identifications to a rate of 200 per year by 2015. The committee met with an official from the Office of the Under Secretary of Defense for Policy regarding the status of key decisions pending in the Secretariat on command and control and integration of functions in the POW/MIA accounting community. Although decisions have not been formally made, the resources to increase manpower and to create a satellite laboratory for identifications were requested in the fiscal year 2012 budget request. The committee also received an update from the Commander of Joint POW/MIA Accounting Command (JPAC) on the organization’s plans to meet the 2010 mandate. The committee also received information from the Defense Prisoner of War and Missing Office (DPMO) to receive updates on potential changes to staff requirements for the Joint U.S.-Russia Joint Commission on POW/MIA.

Committee staff traveled to the People’s Republic of China and the Socialist Republic of Vietnam in November 2011 to observe MIA Field Recovery Operations conducted by JPAC. This oversight visit provided valuable insight into how recovery operations are

conducted and the challenges associated with the recovery of remains.

The committee remains concerned with the Secretary of Defense's efforts to increase the effectiveness, integration, capability, and capacity to account for missing persons has not complied with section 541 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84). The committee believes that a lack of oversight by the Office of the Secretary of Defense and the Joint Staff is a contributing factor to the current situation and must be improved upon in the future. Therefore, the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, directed the Comptroller General of the United States to conduct a review of the Secretary of Defense's efforts to significantly increase the capability and capacity of the Department of Defense to account for missing persons in accordance with section 1509 of title 10, United States Code.

#### Innovative Readiness Training

The committee continued to provide oversight of the Innovative Readiness Training program by visiting a road improvement project at the Bechtel Family Preserve, New River Gorge, West Virginia. This is a multi-service project executed from March thru September during the units annual training period; with the potential to extend for the next 5 years. This oversight effort related directly to the legislation adopted by the Subcommittee on Military Personnel, but not included in National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011. The heavy reliance on the Reserve Component over the past 10 years has reduced the need for some of sustainment training requirements of the Reserve Component.

#### MODERNIZATION AND INVESTMENT ISSUES

During the 112th Congress, particular attention has been given by the committee to examine military equipment modernization with respect to military capability. How Congress chooses to fund Department of Defense (DOD) future acquisition programs will dramatically affect the size, health, age, and supporting industrial base of the air, sea, and land force structure available to U.S. forces to support the National Military Strategy and the Nation's vital interests. The new National Military Strategy announced by the Department in 2012 and current annual budget projections could result in a significant reduction in ground vehicles, ships, space systems and aircraft.

The committee remains concerned by continued cost growth and schedule delays among acquisition programs. The committee continued to assess the need for legislative action by examining causes of these problems including: late determination of requirements, requirements growth, and failure to properly control requirements changes; inadequate analyses of alternatives, military services proceeding prematurely with development with immature technology; poor cost estimating; inadequate funding profiles; over estimating potential production rates; and program instability.

The National Defense Authorization Act for Fiscal Year 2012, (Public Law 112–81) included funding and legislation described elsewhere in this report to, in part, address the committee’s concern with the force structure and supporting industrial base available to U.S. forces to support the National Military Strategy. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, also addresses these concerns.

#### Army Armored Vehicle Modernization

The committee focused closely on the Army’s plans for upgrading current combat vehicles and starting new replacement programs. With regard to existing armored vehicles, the committee sought to protect and strengthen vehicle upgrade programs, for which the Army showed varying levels of support. The committee maintained its high priority on upgrades to the M1 Abrams tank, M2 Bradley Fighting Vehicles, Stryker Vehicles, and Paladin Artillery Vehicles by ensuring the Army carried through with upgrade plans and used authorized funds as directed. In particular, the committee took necessary initial actions to prevent a production break of the Abrams tank and Bradley fighting vehicle programs. These oversight efforts included hearings, site visits, close coordination with Army leadership, and careful scrutiny of reprogramming requests. In the conference report (H. Rept. 112–329) accompanying the National Defense Authorization Act for Fiscal Year 2012, the conferees authorized an additional \$255.0 million for upgrades to the M1 Abrams tank.

The committee held numerous briefings and hearings in second session of the 112th Congress and remains concerned about the Army’s proposal to let the Heavy Brigade Combat Team (HBCT) vehicle production lines go “cold” for 3 to 4 years and the associated impact this decision would have on the industrial base at both the prime contractor and vendor level. The HBCT industrial base is not dependent upon one platform. The committee believes insufficient information is available to the Army and Congress to make an informed decision on what the potential risks would be of closing HBCT production lines. The committee needs to understand the ramifications to the future HBCT industrial base capabilities regarding the Abrams tank, Bradley fighting vehicle, Paladin howitzer, Hercules recovery vehicle, Armored Multi-Purpose Vehicle, and the Ground Combat Vehicle. The committee needs to be informed of the Army’s projected requirements in fiscal year 2017 to maintain a public and private workforce to sustain the current level of HBCTs, and what capabilities the Army will need in the future to produce new platforms. The committee also believes that Foreign Military Sales (FMS) may help to mitigate some of the risk to the industrial base, but believes FMS alone will not be enough to ensure that the HBCT industrial base is maintained at viable levels in the near term. In the absence of a force mix Brigade Combat Team (BCT) analysis, and a detailed quantitative analysis of the impacts to the HBCT industrial base, the committee report (H. Rept. 112–479) accompanying the National Defense Authorization Act for Fiscal Year 2013, recommends an additional \$181.0 million to Abrams tank upgrades; an additional \$140.0 million to the Bradley fighting vehicle program; and an additional \$62.0 million for

the Improved Recovery Vehicle above the budget request. H. Rept. 112-479 also directs the Army to consider opportunities to accelerate the Paladin integrated management program and the Armored-Multi-Purpose Vehicle.

H. Rept. 112-479 also includes a directive for the Army to brief the congressional defense committees on the results of the on-going force mix analysis. At a minimum, the briefing should include the assumptions and scenarios used to determine the type and mix of Brigade Combat Teams, the rationale for the force mix, and the risks involved with the recommended force mix. In H. Rept. 112-479, the committee also included a directive for the Chairman of the Joint Chiefs of Staff, or a designee, to brief the congressional defense committees on how the Army's recent force structure and BCT mix analysis meet the needs of the combatant commanders, and what the Joint Staff believes are the potential risks regarding the adequacy of the force mix, if the assumptions behind the scenarios used do not materialize.

#### Army Tactical Network Programs

Due to a significant increase in Army funding for tactical communications equipment, the committee pursued aggressive oversight efforts to shape the Army's plans for future battlefield networking equipment. These efforts stemmed from the committee's concern that the Army was procuring an incompatible combination of commercial and military communications equipment based on redundant programs, unclear requirements, and uncoordinated acquisition plans. In response, the committee pursued a combination of legislative restrictions, funding adjustments to select programs, hearings, reprogramming decisions, and outside expert reports to help guide the Army to a more suitable and affordable path forward. The committee included a legislative provision in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) that restricted procurement funds for the Joint Tactical Radio System (JTRS) until the Secretary of the Army submits written certification that the acquisition strategy for full rate production includes full and open competition.

The committee held hearings and multiple briefings regarding the Army's tactical network strategy as it pertains to the fiscal year 2013 budget request. The committee continued to believe that in the interest of increased competition, it is imperative that subsequent full-rate production procurements for tactical networks include a strategy for including any non-program of record vendors that meet appropriate qualification standards in accordance with section 141 of Public Law 112-81. The committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, directed the Secretary of the Army to ensure that all qualification standards are documented and approved by the Assistant Secretary of the Army for Acquisition, Logistics, and Technology and available to vendors prior to any additional full-rate procurements. In addition, the committee directed the Secretary of the Army to submit a report to the congressional defense committees by July 31, 2012, on the Army's plan for production competition for each element of the JTRS program, including potential acquisition strategies for JTRS-tested capabilities that allow JTRS-

tested products from non-program of record suppliers to be contracted through full and open competition with the Government in a streamlined manner.

#### Army Aviation Programs

The Army sustained limited operations in the Republic of Iraq in the first half of 2011 and continued the drawdown of forces while Army operations maintained at surge levels in the Islamic Republic of Afghanistan. Large numbers of legacy rotorcraft deployed to the Central Command area of operations continued to be operated at high tempos. Aircraft deployed included the CH-47, UH-60, AH-64, and OH-58. The committee fully supported funding requirements for these aircraft, including research and development and procurement of significant aircraft survivability equipment upgrades to provide warning and protection against the insurgent surface-to-air missile threat. Further, due to committee concerns that the Army may not be fully utilizing the UH-72A Lakota helicopter in all operational situations, the committee report (H. Rept. 112-78) accompanying the National Defense Authorization Act for Fiscal Year 2012 requested that the Army define “permissive” versus “non-permissive” environments. In addition, the committee requested additional information on what associated survivability modifications would be required and if such modifications would be feasible given, size, weight, and power limitations, if the mission envelope of the UH-72A was expanded beyond “permissive” environments.

#### Combat Search and Rescue Programs

The committee continued to remain concerned about the Air Force combat search and rescue (CSAR) programs since the Combat Search and Rescue-X (CSAR-X) program was canceled by the Department of Defense in 2009. Currently, the Air Force has 99 HH-60G CSAR helicopters which are 13 short of its program of record requirement for 112 HH-60Gs. At a hearing on March 27, 2012, before the Subcommittee on Tactical Air and Land Forces, the Air Force witnesses testified that only 93 of the 99 HH-60Gs are currently flyable due to unscheduled depot maintenance, that major structural cracks have been found on 66 of the 99 aircraft, and that 47 have sustained battle damage in the last two years. On-going HH-60G modification programs are attempting to keep the HH-60G as a viable asset until the Air Force’s replacement programs are complete. The Air Force is procuring replacement rotary wing aircraft based upon currently fielded CSAR capabilities with the HH-60 Operational Loss Replacement (OLR) program and the Combat Rescue Helicopter (CRH) program. The OLR program is designed to bring the fleet back to the program of record of 112 helicopters and is procuring UH-60M aircraft that will be modified with CSAR equipment to create an airframe comparable to the HH-60G and will be designated the HH-60M. The CRH program, formerly known as the HH-60G recapitalization program, will be a full and open competition intended to replace the entire CSAR fleet. Contract award for the CRH program is planned in the third quarter of fiscal year 2013. The National Defense Authorization Act

for Fiscal Year 2012 (Public Law 112–81) authorized the budget request of \$104.7 million for three HH–60Ms. Public Law 112–81 also authorized the Overseas Contingency Operations request for \$39.3 million for two additional HH–60M helicopters, and the \$34.3 million budget request for H–60 modifications. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would authorize the budget request of \$60.6 million for the OLR program, \$26.2 million for HH–60G modifications, and \$123.2 million for the CRH program.

#### F–22 Aircraft Program

During the 112th Congress, the committee continued oversight of the Air Force F–22 aircraft procurement program. Fiscal year 2009 was the final year of a 3-year, 60-aircraft F–22 aircraft multiyear procurement program resulting in a total procurement of 187 F–22 aircraft, including the 4 additional F–22s appropriated in the Supplemental Appropriations Act, 2009 (Public Law 111–32). The current F–22 fleet inventory is 185 aircraft since 2 aircraft have been destroyed in mishaps. The final F–22 aircraft was delivered on May 2, 2012. The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) authorized the F–22 modification budget request for \$232.0 million, but decreased the F–22 research, development, test, and evaluation budget request of \$718.4 million by \$147.0 million due to program cost growth. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would authorize the budget request of \$283.9 million for F–22 modifications and \$511.8 million for F–22 research, development, test and evaluation.

#### F–35 Fighter Aircraft Program

During the 112th Congress, the committee continued oversight of the F–35 program, including the F–35 competitive propulsion system program. The F–35 competitive propulsion system program was developing the F136 engine, which was intended to eventually provide F–35 equipped forces a competitive choice between the primary F135 engine and the F136 engine. Congress and the Department of Defense originally supported the competitive engine initiative, beginning in 1996, but the Department has not included funding for the competitive propulsion system program in its budget requests since 2006. The Department terminated the F136 development program on April 25, 2011. As a result, the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) included a provision that would have required that the Secretary of Defense develop a plan that would provide for the long-term sustainment and repair of F136 property pending a determination of whether such property: (1) can be used within the F–35 Lightning II aircraft program, in other Government development programs, or in other contractor-funded development activities; (2) should be stored for use in future Government development programs; or (3) should be disposed. The provision also required the Secretary to identify how he intended to obtain maximum benefit to the U.S. Government from the investment already made in developing the F136. Public Law 112–81 also included a provision



that prevented the obligation of more than 80 percent of the research and development funding for the F-35 program until the Secretary of Defense certified to the congressional defense committees that the acquisition strategy for the F-35 program included a plan for achieving competition throughout operation and sustainment, in accordance with section 202(d) of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23). Additionally, Public Law 112-81 authorized \$5.8 billion for the procurement of 31 F-35s, a reduction of 1 F-35A for the Air Force from the budget request, and \$2.7 billion for F-35 research, development, test and evaluation, a reduction of \$38.0 million requested for development of Navy and Marine Corps software capabilities.

Since the F-35 production program began, in fiscal year 2006 with the first request for advance procurement, the committee has been concerned about the excessive overlap of development and production, also known as concurrency. At a hearing on March 20, 2012, before the Subcommittee on Tactical Air and Land Forces, the Government Accountability Office Director of Acquisition and Sourcing testified that most of the instability in the program has been and continues to be the result of highly concurrent development, testing, and production. The Director also noted that in February 2012, the Department of Defense reduced planned procurement quantities by 179 aircraft through 2017, marking the third time in three years that F-35 procurement has been deferred to years beyond 2017. Also, at the March 20, 2012, hearing before the Subcommittee on Tactical Air and Land Forces, the acting Under Secretary of Defense for Acquisition, Technology, and Logistics testified that earlier development and production plans had unfounded optimism in time and resource requirements, driven by assumptions about design stability, throughout the conduct of test program and that the development program has been taking longer and costing more to overcome technical issues that have been discovered. The Department has restructured the F-35 program to account for the development and production delays, resulting in less program concurrency. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would authorize the budget request of \$5.5 billion for procurement of 29 F-35s, and \$2.7 billion for F-35 research, development, test and evaluation.

#### Fighter Aircraft Force Structure Adequacy

During the 112th Congress, the committee investigated the adequacy of fighter force structure in both the Navy and the Air Force. The Subcommittee on Tactical Air and Land Forces held a hearing on March 20, 2012 at which the Navy witness testified that F/A-18A/B/C/D aircraft are reaching their projected service-life and will require replacement or modifications to further extend their service-life to eventual deployment of the F-35 aircraft. Navy witnesses further noted that the Department of the Navy's strike fighter shortfall would reach a manageable level of 65 aircraft in the 2020s. Also, at the hearing on March 20, 2012, the Air Force witness testified to an Air Force requirement for 1,900 fighter aircraft, a decrease of 100 aircraft since last year based on the new National Military Strategy, and noted that a comprehensive review of cur-

rent and projected force structure does not now reveal a strike fighter shortfall through 2030. The Air Force officials also noted that shortfall mitigation will include executing funded sustainment and fleet management actions for older F-16 Block 25, 30 and 32 aircraft, newer block 40 and 50 service life extension, and targeted modernization and examination of the overall force structure to ensure viable warfighting capabilities are maintained. The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) authorized 40 F/A-18E/F and EA-18G aircraft for the Navy, but decreased the budget request by a total of \$211.3 million for cost growth in certain procurement components. For the Air Force, Public Law 112-81 decreased the A-10 wing replacement modification request by \$140.0 million. Public Law 112-81 also decreased the Air Force F-35A budget request by \$151.0 million and one F-35A aircraft, resulting in the authorization of a total of 31 F-35 aircraft for the Navy, Marine Corps and Air Force. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would authorize the budget request of 38 F/A-18E/F and EA-18G aircraft for the Navy and the requested procurement to extend the life of the legacy F/A-18 and AV-8B fleets, and included an increase of \$45.0 million for advance procurement of additional EA-18G aircraft in fiscal year 2014. H.R. 4310 would also authorize the entire Air Force request for modifications to its A-10, F-15, F-16, F-22A, and F-35 fleets. Additionally, H.R. 4310 would authorize the budget request of \$5.5 billion for 29 F-35 aircraft and \$2.7 billion for F-35 development.

The Air Force budget request for fiscal year 2013 also included a plan to retire 123 fighter aircraft, many of which are assigned to Air National Guard and Air Force Reserve units. Concerned about the adequacy of Air Force fighter force structure, the committee included a provision in H.R. 4310 that would prohibit the use of any fiscal year 2013 funds to retire, divest or transfer any aircraft of the Air Force and C-23 Sherpa aircraft of the Army.

#### Ground Combat Vehicle Program

The committee devoted considerable oversight efforts to the Ground Combat Vehicle (GCV) program. The committee included a legislative provision in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) that restricted the use of funds until the Secretary of the Army provided and updated analysis of alternatives (AOA) to the congressional defense committees that included a quantitative comparison of upgraded existing systems against the revised GCV design concept. In addition, the committee encouraged the Army to establish another red team prior to the milestone B review to assess the cost, schedule, and technical risks of the GCV acquisition strategy. In the conference report (H. Rept. 112-329) accompanying the National Defense Authorization Act for Fiscal Year 2012, the conferees withheld 20 percent of funds for the GCV program until the Army provided additional information in regard to the dynamic AOA and alternative assessment.

The committee continued to closely observe the Army's progress in regards to the GCV program. The committee remains interested in the results of the Army's dynamic AOA update and alternative

assessments. The results of these efforts will influence to what extent the committee supports the GCV program in the future.

#### Intelligence, Surveillance, and Reconnaissance Programs

In the 112th Congress, the committee continued to provide close oversight over myriad Intelligence, Surveillance, and Reconnaissance (ISR) projects and programs operated throughout the Department of Defense (DOD).

The Department employs a large inventory of manned and unmanned vehicles to perform intelligence, surveillance, and reconnaissance in support of the military services. The fiscal year 2012 budget request contained over \$3.6 billion and the fiscal year 2013 budget request contained \$3.5 billion, for tactical ISR aircraft and unmanned aerial vehicles (UAV) for the Army, Navy, Marines, and Air Force. The committee has consistently sought to avoid the unnecessary proliferation and duplication of ISR capabilities among the services. The committee has also acted to facilitate the operation of UAVs in U.S. airspace in support of training and operational requirements and to provide support to civil authorities to support crisis response.

The committee report (H. Rept. 112–78) accompanying the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) included specific mention of the Enhanced Medium Altitude Reconnaissance and Surveillance System program, airborne reconnaissance low, and Global Hawk unmanned aerial vehicle programs.

In the conference report (H. Rept. 112–329) accompanying the National Defense Authorization Act for Fiscal Year 2012, the conferees included ISR-related provisions limiting DOD retirement of U–2 aircraft (sec. 133); limiting the availability of funds for the unmanned carrier-launched surveillance and strike system (sec. 213); requiring a report on the implementation of recommendations by the Comptroller General on intelligence information sharing (sec. 921); requiring a report on integration of unmanned aircraft systems into the national airspace system (sec. 1074); and requiring the Administrator of the Federal Aviation Administration to establish a plan to integrate unmanned aircraft systems into the national airspace system at six test ranges (sec. 1097).

During the second session of the 112th Congress, the Department's budget request for fiscal year 2013 for ISR acquisition programs included proposed actions that were of concern to the committee, including terminating the Global Hawk Block 30 Unmanned Aircraft Vehicle (UAV) program and reducing procurement of the Reaper UAV. Both programs have played a critical role in meeting the ISR requirements of the combatant commanders. The Department of Defense certified in June 2011, just 8 months prior to the submission of the fiscal year 2013 budget request, that the Global Hawk UAV was essential to the national security. The committee included a provision (sec. 152) in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, which would require the Department of Defense to continue to operate its Global Hawk Block 30 aircraft through December 31, 2014. H.R. 4310 also included legislative provisions that would facilitate competition in the acquisition of common data links (sec.

153); facilitate competition in the acquisition of the unmanned carrier-launched surveillance and strike system (sec. 213); limit expenditure of funds until certification of the requirement for the MQ-18 UAV (sec. 215); and restore funding for the Reaper UAV (sec. 1502)

The committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013 addressed several issues relating to ISR programs, including establishment by the Department of Defense of common metrics for evaluating the utility of ISR programs and projects; establishment of service-common acquisition of cargo-carrying-capable unmanned aircraft systems; integration and coordination of acquisition programs furthering operation of unmanned aircraft system operation in the national airspace system; review of life-cycle costs and the effect on operations of transferring the MC-12W from the Active Component of the Air Force to the Air National Guard; the completion of a strategic plan for training for unmanned aircraft systems; a strategic portfolio review of airborne ISR systems to eliminate redundancies and lower priority systems; use of a cost-benefit analysis tool to enable cost benefit analysis and effective allocation of ISR assets; examination of the future role of the ISR Task Force; and Government Accountability Office examination of DOD processes, management, communications architecture, training, and investment for improving ISR processing, exploitation, and dissemination within the Department of Defense.

#### Rapid Acquisition Authority and Joint Urgent Operational Needs Process

The committee continued its oversight of the urgent operational needs (UONS) and rapid acquisition process across the Department of Defense and the military services. The Subcommittee on Tactical Air and Land Forces continued to engage the Office of the Secretary of Defense and the military services with formal requests for information regarding the processes used to address UONS through official correspondence and classified briefings. At the request of the committee, the Government Accountability Office (GAO) has completed a number of reviews of DOD rapid acquisition, quick reaction, and counter-improvised explosive device programs. In each review, GAO concluded that the Department does not have a comprehensive policy or process to oversee the variety of programs and projects established to respond to urgently needed capabilities requested by the warfighter in overseas contingency operations.

Section 902 of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would require the Secretary of Defense to designate a senior official to be the focal point within the Department of Defense to lead the Department's urgent operational needs and rapid acquisition efforts. This official would ensure that all tools and mechanisms are being used to track, monitor, and manage the status of urgent operational needs, from validation through the transition, including a formal feedback mechanism or channel for the military services to provide feedback on how well fielded solutions met urgent operational needs. Section 831 expanded the scope of the ongoing comprehensive bottom-up

review required by section 804 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) of the Department’s rapid acquisition processes used for fulfilling urgent operational needs.

Further, in the committee report (H. Rept. 112–479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee recommended consolidating programs and processes established to rapidly develop and field solutions for units in combat and combatant commands. The committee noted that given the escalating budgetary challenges, the committee believed that it was and continues to be critical for the Department to reevaluate the current processes of how it fulfills its urgent needs and whether there is potential to reduce duplication, fragmentation, and overlap to achieve increased efficiencies or cost savings, or both. The committee will continue to work with the Department and the military services to improve upon the rapid acquisition process used to address urgent operational need requests from the warfighter. H.R. 4310, would authorize \$50.0 million, for a joint urgent operational needs fund, a reduction of \$150.0 million from the President’s request because of the concerns noted by the committee in the current process.

The committee also continued to urge the Secretary of Defense to leverage previous efforts of the committee to take advantage of the rapid acquisition authority provided to the Department of Defense as part of section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), as amended by section 811 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) and section 803 of Public Law 111–383 wherever necessary, in order to guarantee that military personnel receive required equipment in a timely manner. This rapid acquisition authority provided the Secretary of Defense with \$200.0 million, per fiscal year, to waive any necessary statutes for quick response to immediate warfighter capability requirements in response to combat fatalities.

#### Tactical Wheeled Vehicles

From 2003 to 2011, Congress provided \$43.0 billion for the procurement and recapitalization of tactical wheeled vehicles (TWV), averaging approximately \$6.0 billion per year. The Army’s TWV fleet alone currently consists of 260,000 light, medium and heavy vehicles and represents an investment of over \$70.0 billion. The magnitude of the TWV fleet continued to present many challenges and required intensive oversight by the committee. The committee continued to monitor and focus on the Department’s attempts at generating a joint tactical wheeled vehicle acquisition strategy that would limit the potential risk of unplanned overlap in capabilities throughout the military services in the tactical wheeled vehicle fleets, takes into consideration the development of realistic and affordable joint requirements, and incorporates sustainment costs. Specifically, the committee continued to focus on and support the Department’s revised acquisition strategy for the Joint Light Tactical Vehicle (JLTV) program; continued to support and monitor the integration of the family of mine resistant ambush protected vehi-

cles into the current fleet, as well as monitored other TWV modernization efforts to help sustain the industrial base.

The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) authorized \$2.4 billion for tactical wheeled vehicle procurement, to include \$155.0 million for the JLTV program. Public Law 112–81 authorized \$2.6 billion for the continued procurement and sustainment of MRAP vehicles. H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would authorize \$116.8 million, full funding for the JLTV program. H.R. 4310 would also authorize full funding, \$2.6 billion, for MRAP sustainment.

#### Department Projection Aviation (Bombers, Mobility, UAV and Tanker) Programs

Through its oversight activities, the committee was made aware of the Air Force proposal to reduce the mobility capacity. The Air Force indicated that the new strategic guidance and the parallel reductions in land forces, retiring all 27 C–5As, retiring or canceling procurement of all 38 planned C–27Js, and retiring the 65 oldest C–130s. The Air Force points to greater savings and efficiency with the proposed changes.

In reaction to the large number of aircraft listed for retirement or cancellation the committee took action to restore a proper balance of efficiency and risk. The committee passed legislation in the H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, that would prevent the Secretary of the Air Force from divesting or retiring C–27J aircraft from the Air Force's inventory during fiscal year 2013 and until the Congressional Budget Office submits to the congressional defense committees a life-cycle cost analysis of C–27J aircraft, C–130H aircraft, and C–130J aircraft. H.R. 4310 also would require the Secretary of the Air Force to maintain 36 combat-coded B–1 bomber aircraft beyond fiscal year 2013 and prevents the Secretary from terminating the C–130 Avionics Modernization Program (AMP) until 180 days after the Institute for Defense Analyses submits to the congressional defense committees a cost-benefit analysis of modernizing the legacy C–130 airlift fleet with a C–130 AMP as compared to only modernizing the legacy C–130 airlift fleet with reduced scope program for avionics and mission planning systems.

The committee supports continued development of a new bomber aircraft and acknowledges that the current fleet of bomber aircraft are still effective and relevant in meeting the combatant commanders' warfighting requirements in the near and mid-terms. H.R. 4310 would require the Secretary of the Air Force to make certain that the new long-range strike bomber will be certified to use strategic weapons within two years of declaration of initial operation capability. The committee maintained oversight through staff-level briefings and is encouraged by the development effort completed thus far and looks forward to engaging with the Air Force in future briefings once firm key performance parameters are documented.

Through its oversight activities and the passage of H.R. 4310, the committee did not support the Secretary's request for temporary relief from maintaining a minimum floor of 301 inter-theater aircraft.

The committee's actions stemmed from concerns regarding the questionable viability of the Civil Reserve Airlift Fleet, the reliance of transporting oversize and outsize cargo using foreign aircraft leasing arrangements, the unforeseen over-utilization rates of the current fleet of inter-theater airlift aircraft, the consistent underestimation of deploying units Time-Phased Force and Deployment Data regarding the amount of equipment to support combat operations, and that the Mobility Capability and Requirements Study of 2016 did not address or characterize the operational risk in meeting combatant commander warfighting requirements or timelines. The committee also understands that the force planning constructs used to justify the most recent mobility study were not the same force planning constructs used to develop the most recent Quadrennial Defense Review which sets the military strategy for the Department of Defense.

Through its oversight activities, the committee recognized that the Department continues to struggle with sufficiently, and comprehensively, analyzing and defining intra-theater airlift mobility requirements for active and reserve components, as well as National Guard units supporting both title 10 and title 32, United States Code, airlift mobility operations. The committee will continue to emphasize that without a comprehensive analysis of the aforementioned mission areas, it is impossible to justify such a decrease in intra-theater airlift capabilities. The committee is also concerned that the Army has begun divestment of the C-23 aircraft despite congressional concerns with that current action. The committee included a provision that requires an annual report from the Secretary of the Army describing time-sensitive, mission-critical airlift requirements of the Army and which airlift missions are supported by the Department of the Air Force.

Through its oversight activities, the committee supported the Chief of Naval Operations' stated desire to investigate the feasibility of sea-basing unmanned, low-observable aircraft on aircraft carriers to potentially provide intelligence, surveillance, reconnaissance and limited strike capabilities. However, the committee remains concerned with the Navy's execution strategy for developing systems in this mission area and will continue to engage with officials from the Navy.

The committee remains concerned that despite a 2-year delay in the operational fielding date, the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) system's milestone activities associated with technology development for UCLASS and the high-level of concurrency with the Unmanned Combat Air System (UCAS) program remain essentially the same. The committee is also concerned with the Secretary of the Navy's plan to down-select to one contractor during the phase of preliminary design review. Additionally, the committee believes there are further risk reduction activities that would benefit the UCLASS program that could be performed in the UCAS program were it properly resourced to do so. The committee recommended a transfer of \$75.0 million from the UCLASS program to the UCAS program for risk-reduction activities.

Through its oversight activities, the committee supported the attributes and benefits regarding the KC-46A competition and ac-

knowledge that the source-selection process was conducted fairly amongst all competitors. The committee discovered, according to Department of Defense acquisition officials, that the competition resulted in at least a 20 percent savings for the unit cost of the aircraft and a savings of \$3.0 to \$4.0 billion as compared to the source-selection competition held for the tanker in 2008.

The committee plans to closely monitor the KC-46A engineering, manufacturing and development program to ensure that the taxpayer dollars are wisely invested and that the platform will result in a capability that enhances the warfighter's global reach capabilities. The KC-46A program office has complied with the committee request that the Under Secretary of Defense for Acquisition, Technology, and Logistics provide the committee quarterly reviews of the Air Force's KC-46A program to maintain sufficient and effective oversight and the committee also requested that the Comptroller General of the United States provide the committee with an annual review of the development program. Through an oversight hearing regarding KC-46, the committee gained a further understanding of the KC-46 program and was provided a thorough update of the KC-46 Integrated Baseline Review completed in August 2011. The committee will continue oversight of the KC-46 program through staff level briefings and future hearings.

The committee continued its oversight of the KC-46A program and the entire Air Mobility Fleet through a March 7, 2012 hearing on Assessing Mobility Airlift Capabilities and Operational Risks under the Revised 2012 Defense Strategy.

(H.A.S.C. 112-77; H.A.S.C. 112-113)

#### Shipbuilding Programs

The committee continued its oversight of the Department of Defense's shipbuilding programs to ensure balanced investments are made and the Navy achieves the force structure, with appropriate capabilities, needed to meet requirements. Protection of the sea lanes of communication, projection of credible combat power, global presence, and humanitarian assistance are all core missions of the Navy that the committee remains focused on during this time of economic constraints.

Through its oversight activities, the committee faced the challenge, along with Navy and Marine Corps, to balance current demands on an aging fleet within the current economic constraints. The Navy's budget request was for 10 new-construction battle-force ships, this was a decrease of three ships from the fiscal year 2012 Future Years Defense Plan (FDYP). A decrease of 16 ships from the fiscal year 2012 FDYP. This combined with the proposed early decommissioning of seven cruisers concerned the committee. As the Department moves its strategy to a more focused theater in the Pacific the committee seeks to obtain the required capability and to provide stability to the fragile shipbuilding industrial base.

CVN-78 is the lead ship of the Ford class of aircraft carriers. The committee amended the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) by extending the incremental funding of the Ford class aircraft carriers from a 5-year period to a 6-year period. The committee also expressed the impor-



tance of minimizing changes from ship to ship, not only for continuity in training but also to maintain a lower procurement cost.

The committee was impressed with the progress of the Virginia class submarine program, which has proven to be a model ship-building program. Cost reduction efforts and an ever-decreasing time span for construction and delivery have given the committee the ability to authorize multiyear contracts for the procurement of up to 10 Virginia class submarines beginning in fiscal year 2014 using incremental funding.

The committee, in reviewing the budget request, and knowing that the Navy has re-started the DDG-51 Arleigh Burke class of destroyers, included authorization of a multiyear procurement program. These ships are vital for their traditional roles, as well as modifications that make them a key component for ballistic missile defense.

The Subcommittee on Seapower and Projection Forces received testimony at the March 29, 2012, Oversight of U.S. Naval Vessel Acquisition Programs and Force Structure hearing that the Marine Corps' requirement for amphibious ships is 38 ships, but that the number of ships that are absolutely necessary with acceptable risk is 30 operational ships. The concern of the subcommittee is that the U.S. Navy is taking an unnecessary risk. The subcommittee will continue to oversee Naval Construction and the force structure of the Armed Forces.

Additional oversight activities included briefings to committee staff on the Maritime Administration's program for scrapping and recycling ships; the Navy's electromagnetic rail-gun program; the Navy's electromagnetic aircraft launching system, and; the new construct known as the Air-Sea Battle. These briefings involved travel to Dahlgren, Virginia, and Lakehurst, New Jersey.

(H.A.S.C. 112-16; H.A.S.C. 112-127)

#### Directed Energy Programs

The committee continued its oversight of the Department of Defense's directed energy programs, to specifically include directed energy technologies with missile defense applications. During the Subcommittee on Strategic Forces' March 31, 2011, hearing on the Fiscal Year 2012 National Defense Authorization Budget Request for Missile Defense Programs, subcommittee members inquired about the status of directed energy research and development efforts, testing, and resources. Concerns about the sufficiency of funds to maintain the Airborne Laser Test-bed platform and conduct further testing, continue technology development, and retain a uniquely skilled workforce led the committee to recommend additional resources for the directed energy research programs of the Missile Defense Agency (MDA) in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House. Division A of the Consolidated Appropriations Act, 2012 (Public Law 112-74) ultimately cut the MDA directed energy program to \$50 million; MDA has had to take steps to severely curtail the program as a result.

The committee also took action regarding the Department's directed energy programs in the second session of the 112th Congress. During the Subcommittee on Strategic Forces' March 6,

2012, hearing on the Fiscal Year 2013 National Defense Authorization Budget Request for Missile Defense Programs, subcommittee members inquired about the status of directed energy research and development efforts, testing, and resources. Concerns about the sufficiency of funds to continue technology development, and retain a uniquely skilled workforce led the committee to recommend additional resources for the directed energy research programs of the MDA in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House.

#### Nuclear Deterrence and Governance of the Nuclear Security Enterprise

In the 112th Congress, the committee continued its oversight of the atomic energy defense activities of the Department of Energy (DOE) and nuclear policies and programs of the Department of Defense (DOD) to ensure the safety, security, reliability, and credibility of the U.S. nuclear deterrent.

In the first session of the 112th Congress, on April 5, 2011, the Subcommittee on Strategic Forces held a hearing on the fiscal year 2012 Budget Request for Department of Energy Atomic Energy Defense Activities and Department of Defense Nuclear Forces Programs. For the first time in recent years, this annual nuclear posture and budget hearing included witnesses from the Department of Defense, who testified on the Department's nuclear programs and budgets and their linkages with the National Nuclear Security Administration (NNSA). At the hearing, members inquired about DOE and DOD nuclear weapons and infrastructure modernization plans, implementation of the New Strategic Arms Reduction Treaty (New START), defense environmental cleanup, defense nuclear nonproliferation, safety at defense nuclear facilities, and resources.

The Subcommittee on Strategic Forces held a hearing on July 27, 2011, on sustaining nuclear deterrence after New START in order to examine the United States' post-New START nuclear policy and posture. A follow-up hearing with officials from the Department of Defense, the Department of Energy, and the Department of State was held on November 2, 2011, to assess the current status and future direction for U.S. nuclear weapons policy and posture. The subcommittee also held a hearing on October 14, 2011, on understanding the impacts of nuclear weapons modernization in Russia and China on the United States.

In addition to formal hearings, the Subcommittee on Strategic Forces held a classified briefing on March 10, 2011, on the status of the U.S. Nuclear Weapons Stockpile with the NNSA Administrator and the directors of the Nation's three nuclear weapons laboratories. The subcommittee also held a classified briefing on June 15, 2011, on the nuclear fuel cycle and countries of proliferation concern, a classified briefing on July 13, 2011, on foreign nuclear weapons programs, and a joint classified briefing with the Subcommittee on Seapower and Projection Forces on September 21, 2011, on the SSBN(X) program and the future of sea-based strategic deterrence.

The committee included several legislative provisions and reporting requirements related to the nuclear enterprise in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as

passed by the House. These include reporting requirements on U.S. and Russian nuclear forces, nuclear modernization plans, New START implementation plans, NNSA construction project management, nuclear employment strategy, limitations on nuclear force reductions, security at nuclear facilities, and efficiencies at nuclear complex sites. The conference report on H.R. 1540 included several modified versions of the House provisions.

In the second session of the 112th Congress, the Subcommittee on Strategic Forces held a hearing on April 17, 2012, on the fiscal year 2013 Budget Request for DOE Atomic Energy Defense Activities and DOD Nuclear Forces Programs. Continuing in the tradition of its successful joint DOD–NNSA hearing during the previous session, this annual nuclear posture and budget hearing included witnesses from both DOD and NNSA. The Subcommittee on Strategic Forces also held a hearing on February 16, 2012, on governance, management, and oversight of the nation’s nuclear security enterprise. The hearing focused on recent independent reports, including by the National Academies of Science, that have highlighted significant problems in NNSA and DOE’s management of the laboratories and plants responsible for the sustaining the U.S. nuclear weapons stockpile. The hearing featured witnesses from the National Academies of Science and the Government Accountability Office (GAO), as well as a witness panel comprised of former NNSA laboratory directors.

In addition to formal hearings, the Subcommittee on Strategic Forces held numerous classified and closed oversight briefings on nuclear deterrence topics during the second session. On March 7, 2012, the subcommittee held a classified briefing on U.S. nuclear targeting policy and process with former senior government and military officials. In addition, the subcommittee held a closed briefing on the nuclear triad with nongovernmental experts on March 21, 2012. On February 2, 2012, and March 27, 2012, the subcommittee conducted closed briefings with former laboratory, Government, and military officials to discuss governance and management at NNSA and the Department of Energy.

The committee included a number of legislative provisions related to nuclear deterrence and nuclear weapons policy in H.R. 4310, National Defense Authorization Act for Fiscal Year 2013, as passed by the House. Among others, these include provisions related to congressional oversight of changes to U.S. nuclear weapons employment strategy; require reports from the President, and various other officials, if certain funding levels are not met; create limitations on nuclear forces reductions if certain conditions are not met; require continued construction of a key nuclear enterprise infrastructure modernization project; require analysis of requirements and alternatives; and make improvements to the joint DOD–DOE Nuclear Weapons Council.

In addition, based upon its extensive oversight activities during the second session of the 112th Congress, the committee included several legislative provisions in H.R. 4310 that would improve the governance and management of the nuclear security enterprise. These include provisions to strengthen the semi-autonomy of NNSA from the Department of Energy; require NNSA to eliminate transaction-based oversight wherever possible; cap the number of

employees in NNSA's Office of the Administrator and reduce the number of employees; clarify that the NNSA Administrator has full authority for setting and overseeing policies and regulations regarding health, safety, and security for NNSA; and require NNSA and the Department of Energy to streamline the myriad rules, regulations, directives, orders, and policies that govern the nuclear security enterprise.

### Missile Defense

The Subcommittee on Strategic Forces held several missile defense sessions in support of its oversight of the Department of Defense's efforts to develop, test, and field layered missile defense capabilities to protect the United States, its deployed forces, and its friends and allies against the full range of ballistic missile threats. On March 31, 2011, the Subcommittee on Strategic Forces conducted a hearing on the Fiscal Year 2012 National Defense Authorization Budget Request for Missile Defense Programs. Members' oversight questions addressed a range of missile defense programs and issues, including Ground-based Midcourse Defense (GMD), Aegis Ballistic Missile Defense (BMD), Medium Extended Air Defense System (MEADS), and directed energy research, as well as U.S. homeland missile defense capabilities, implementation of the European Phased Adaptive Approach (EPAA), testing, force structure and inventory requirements, cooperative international missile defense activities, and workforce issues.

On February 5, 2011, and March 30, 2011, the subcommittee held classified briefings on the Status of the GMD Program after recent flight test failures and the Missile Defense Agency's plans for fixing the program. On April 6, 2011, the subcommittee received a classified briefing from the intelligence community on ballistic missile threats. On April 14, 2011, the subcommittee received a classified briefing from the Joint Integrated Air and Missile Defense Organization on the results of the Joint Capabilities Mix-3 study, which examined the role and capabilities of U.S. missile defenses in various military engagement scenarios to identify inventory requirements and needed capabilities.

Members of the Subcommittee on Strategic Forces also participated in a congressional delegation visit to Europe from May 16–23, 2011, to see firsthand how the EPAA is being implemented. Members received missile defense briefings from experts at U.S. European Command; toured the Aegis BMD cruiser USS Monterey, which deployed to the European theater in March 2011 in support of the EPAA; and discussed missile defense with senior government leaders in the Republic of Poland and Romania.

H.R. 1540, the National Defense Authorization Act for Fiscal Year 2012, as passed by the House, contained several missile defense-related legislative provisions and funding recommendations, to include: reporting requirements on acquisition accountability, the Department's homeland defense hedging strategy, a plan for addressing GMD flight-test failures, and study on space-based interceptor technology. It also included a limitation on funds for the MEADS program and a limitation on providing the Russian Federation with access to sensitive U.S. missile defense technology. The conference report to H.R. 1540 included a modified version of

this provision that would require that no classified U.S. ballistic missile defense information may be provided to Russia unless, 60 days prior to any instance in which the U.S. Government plans to provide such information to the Russian Federation, the President provides notification (which must include specific terms spelled out in the provision) to the appropriate congressional committees.

On November 16, 2011, the subcommittee held a classified briefing with the National Air and Space Intelligence Center concerning developments in ballistic missile threats to the United States. On March 6, 2012, the Subcommittee on Strategic Forces conducted a hearing on the Fiscal Year 2013 National Defense Authorization Budget Request for Missile Defense Programs. On March 22, 2012, the subcommittee held a classified briefing with the Institute for Defense Analyses on its recent report, "Independent Review and Assessment of the Ground-Based Midcourse Defense System", conducted pursuant to section 228 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383). On April 18, 2012, the subcommittee held a classified briefing with the National Academies on its report, "U.S. Boost-Phase Missile Defense in Comparison to Other Alternatives", conducted pursuant to section 232 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417).

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, contains several missile defense-related legislative provisions and funding recommendations, to include: A requirement for an analysis of alternatives for the Precision Tracking Surveillance System; a requirement for allied funding of the European Phased Adaptive Approach to missile defense; a requirement that the SM3-IIB missile be capable of deployment in both a land- and sea-based configuration; a prohibition on the use of funds for the MEADS program; a limitation on providing the Russian Federation with access to classified U.S. missile defense technology; additional testing of the ground-based midcourse defense system; and funding and policy recommendations for U.S.-Israel missile defense programs, including the Iron Dome short-range rocket defense system. The committee, mindful of the Administration's failure to provide Congress with a "hedging strategy" for homeland missile defense, as required by section 233 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), also recommended a provision for the development of a plan for, and authorization of funding for, the deployment of a homeland missile defense site on the East Coast of the United States.

#### National Security Space

The committee continued its oversight of the Department's national security space programs. On March 15, 2011, the Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2012 National Defense Authorization Budget Request for National Security Space Activities. Members' oversight questions addressed a range of topics, including: space policy; a new space acquisition approach, Evolutionary Acquisition for Space Efficiency; space launch; space industrial base; Operationally Responsive Space, space situational awareness; space intelligence analysis; and con-

cerns about potential interference with the Global Positioning System (GPS). Additionally, on April 6, 2011, the subcommittee received a classified briefing from the intelligence community on Threats to U.S. Space Capabilities.

The Subcommittee on Strategic Forces conducted oversight of the potential effects of the LightSquared commercial wireless broadband network on Department of Defense GPS receivers. On September 8, 2011, the committee received a classified briefing on LightSquared's Interference with GPS, and subsequently held a hearing on September 21, 2011, to receive testimony on Sustaining GPS for National Security.

Additionally, the subcommittee received a classified briefing on October 25, 2011, on the U.S. Air Force and National Reconnaissance Office (NRO) New Entrant Strategy on Space Launch; a classified briefing on November 16, 2011, on Counter Space and Ballistic Missile Threats; and a classified briefing on November 18, 2011, on United States Space Systems, including an overview of NRO systems and capabilities, the recent launch campaign, and a program status update.

The National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House, contained several national security space-related legislative provisions, funding recommendations and reporting requirements, to include: authorization for the Air Force to use incremental funding to procure Advanced Extremely High Frequency (AEHF) satellites, a limitation on funds for the Joint Space Operations Center Management System until an acquisition strategy is submitted to the committee, a requirement that the Federal Communications Commission (FCC) resolve concerns of widespread harmful interference to GPS devices used by the Department of Defense prior to permitting certain commercial terrestrial communications operations, and reports on a rocket propulsion strategy and hosted payloads.

The conference report on H.R. 1540 included a provision concerning the GPS-LightSquared issue that would maintain the requirement that the FCC resolve concerns of widespread harmful interference to GPS and it would add the reporting requirements contained in the Senate amendment to H.R. 1540. The Senate provision would direct the Secretary of Defense to review and assess the ability of national security GPS receivers to receive the signals of the GPS satellites without interruption or interference and determine if commercial communications services are causing or will cause widespread or harmful interference with national security GPS receivers. In the event that the review determines that commercial communications services are causing or will cause widespread or harmful interference with national security GPS receivers, the Secretary would be required to promptly notify the congressional defense committees.

On March 8, 2012, the Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2013 National Defense Authorization Budget Request for National Security Space Activities. Members' oversight questions addressed a range of topics, including: space policy, Space Test Program, space situational awareness, export control of commercial satellites and related components, international agreements for space activities, Operationally Responsive

Space (ORS), space launch, and concerns about potential interference with the Global Positioning System.

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, contains several national security space-related legislative provisions, funding recommendations, and reporting requirements, to include: authorization for the Air Force to use incremental funding to procure Space Based Infrared Systems; a limitation of funds for the Evolved Expendable Launch Vehicle program until details of the Air Force acquisition approach are provided to the committee; a requirement for the development of a strategic plan and increased funding for the ORS program; prohibition of funds for use to limit the activities of the Department of Defense or the intelligence community in outer space to implement or comply with an international agreement concerning outer space activities unless such agreement is ratified by the Senate or authorized by statute; and a report regarding sharing, fusion, coordination, and exploitation of overhead persistent infrared sensor data.

#### National Guard and Reserve Component Equipment

The committee devoted substantial attention during the 112th Congress to assessing the adequacy of modernized equipment for the National Guard and Reserve Components. In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee noted that the specific amount of resources, including equipment, needed to adequately sustain the National Guard and Reserve Component's new operational reserve status remains a concern because of the fiscal environment, especially given the dual mission responsibility of the National Guard and Reserve Components, in particular the National Guard. The committee noted the National Guard and Reserve Components still have significant equipment shortages in modernized equipment, specifically in rotorcraft and the tactical wheeled vehicle fleet. Over the past 8 years, National Guard and Reserve Component equipment procurement averaged \$7.0 billion annually. The committee noted that across the Future Years Defense Program, procurement is expected to average \$3.8 billion annually, a significant reduction from previous years' requests. The committee also noted with concern that National Guard and Reserve Component equipment modernization is not funded to 100 percent of what the National Guard and Reserve Components believe its requirements to be. For example, the Army National Guard will require additional funding over the next 10 years for tactical wheeled vehicles and aviation systems of \$500.0 million and \$1.3 billion, respectively. The Air National Guard equipment modernization shortfall is \$1.4 billion over the next 10 years.

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, would authorize an additional \$500.0 million for National Guard and Reserve Component equipment. The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) authorized an additional \$325.0 million for National Guard and Reserve Component equipment.

## EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities provided oversight of Department of Defense science and technology, cyber, and counter-terrorism programs and other activities under the subcommittee's jurisdictional responsibility.

### Investment in Future Capabilities Science and Technology

The committee continued its oversight of the Department of Defense's science and technology policies and programs to ensure balanced investments are made in developing capabilities to meet emerging challenges to national security. Related hearings included: March 1, 2011, Fiscal Year 2012 National Defense Authorization Budget Request for Department of Defense Science and Technology Programs; July 26, 2011, Department of Defense Investment in Technology and Capability to Meet Emerging Security Threats; and February 29, 2012 on Department of Defense Fiscal Year 2013 Science and Technology Programs. In addition to formal hearings, the Subcommittee on Emerging Threats and Capabilities held a briefing on April 5, 2011, on Defense Advanced Research Project Agency's Directed Energy, Cyber and Stealth Programs, and a briefing on July 14, 2011, on Department of Defense Laboratories.

Through its oversight activities, the committee recognized critical shortcomings in capabilities for special operations forces and accordingly authorized in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, an additional \$60.0 million for special operations combatant craft systems and an additional \$87.8 million for special operations communications capabilities. Further, due to concerns regarding the management and performance of several procurement and research programs, the subcommittee included legislative provisions to limit the availability of funds for commercial satellite procurement and for Special Operations Command's aviation foreign internal defense program, which also received a reduction in authorized funding level by \$50 million.

The conference report on H.R. 1540 included several provisions related to science and technology efforts, including: a provision extending hiring authorities for defense laboratories through September 30, 2016; a provision expanding developmental test and evaluation management for major defense acquisition programs; a provision expanding an acquisition pilot program to integrate technology protection features during research and development to include contractor cost-sharing; a provision directing an assessment of mechanisms to employ non-U.S. citizens with critical scientific and technical skills; and provides \$200 million to the Rapid Innovation Program.

The subcommittee included several legislative provisions related to future capabilities, and science and technology in the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House, to include: a provision regarding eligibility for Department of Defense laboratories to enter into educational partnerships with educational institutions in territories and possessions of the United States; a provision directing a National Research Council review of defense science and technical graduate



education needs; a provision directing a report on efforts to field new directed energy weapons; a provision allowing the Department of Defense to support regional advanced technology clusters; a provision amending the responsibilities for the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation; a provision directing a report on defense forensic data; and a provision directing a report and assessment of Department use of electromagnetic spectrum.

(H.A.S.C. 112–9; H.A.S.C. 112–107)

### Cybersecurity Information Technology

The committee devoted substantial attention to cyber operations and information technology to ensure the Department appropriately defends its networks and has needed capability to conduct its mission across the operational spectrum. Related hearings included: February 11, 2011, What Should the Department of Defense's Role in Cyber Be?; March 16, 2011, Fiscal Year 2012 National Defense Authorization Budget Request for U.S. Cyber Command; February 29, 2012 on Department of Defense Fiscal Year 2013 Science and Technology Programs; and March 20, 2012 on Fiscal Year 2013 National Defense Authorization Budget Request for Information Technology and Cyber Operations Programs.

In addition to formal hearings, the Subcommittee on Emerging Threats and Capabilities held a total of five briefings and roundtable discussions which included: February 9, 2011, Classified Cyber Threat Briefing; April 15, 2011, Classified Briefing on Security of Classified Networks; June 2, 2011, Sandia National Lab Overview and Capabilities Briefing; June 3, 2011, Briefing on Recent Cyber Attacks on Lockheed Martin; September 8, 2011, Classified Roundtable Discussion on the Defense Industrial Base Program; and March 22, 2012 on U.S. Cyber Operations Policy.

The committee included several legislative provisions related to cybersecurity information technology in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, to include: a provision to establish a cybersecurity fellowship program within the Department of Defense that would extend the partnership and educational opportunities between the Department of Defense and foreign militaries. Further, the committee directed an independent review and assessment of the cryptographic modernization program and an assessment of the defense industrial base pilot program.

The conference report on H.R. 1540 included a provision requiring the Department of Defense develop a strategy to acquire capabilities to detect previously unknown cyber-attacks; a provision to assess the defense industrial pilot program; a provision to implement a program for insider threat protection; and a provision directing increased collaboration between the Department of Defense and Department of Homeland Security on cybersecurity.

The subcommittee included several legislative provisions related to information technology and cybersecurity in the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House, to include: a provision directing quarterly cyber operations briefings; a provision directing a report on three-dimensional integrated circuit manufacturing capabilities; a provision directing the designation of a senior Department of Defense official for enter-

prise resource planning system data conversion; a provision directing a report on providing telecommunications services to uniformed personnel transiting through foreign airports; a modification to the existing requirement on data center consolidation; a provision requiring a report on Air Force cyber operations; and a provision to improve organization for computer network operations.

In the committee report accompanying H.R. 4310, as passed by the House, the subcommittee also included several items of directive report language related to cybersecurity, including a report on the role of National Guard cyber defense units, and an assessment of legal authorities for cyberspace operations.

(H.A.S.C. 112-5; H.A.S.C. 112-26; H.A.S.C. 112-107; H.A.S.C. 112-118)

#### Strategic Communication and Information Operations

The committee continued its review of the Department of Defense's strategic communications and information operations programs. The Subcommittee on Emerging Threats and Capabilities held a hearing on July 12, 2011, *Ten Years On: The Evolution of Strategic Communications and Information Operations Since 9/11*. Additionally, the subcommittee directed several reviews in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, to include: an assessment of counter adversarial narrative efforts; an assessment of countering network-based threats, and a report on Military Information Support Operations.

The conference report on H.R. 1540 included several provisions related to strategic communication and information operations, including: a provision re-designating psychological operations as military information support operations in title 10, including a required report on strategy and implementation; and a provision limiting the availability of funds for the Trans Regional Web Initiative.

The committee included a legislative provision related to strategic communication in the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House, to modify and update the statutory limitation on the Department of State for the dissemination abroad of information about the United States.

### ADDITIONAL OVERSIGHT ACTIVITIES OF THE FULL COMMITTEE

#### Full Committee Hearings

During the second session of the 112th Congress in 2012, the committee held a series of budget and posture hearings in preparation for the fiscal year 2013 budget. These hearings, combined with the committee's responsibility for assembling the annual defense authorization bill, are a central element in the discharge of the committee's oversight responsibilities.

In upholding its responsibilities to mitigate waste, fraud, abuse, or mismanagement in Federal Government programs, and pursuant to clauses 2(n) and (o) rule XI of the House of Representatives, the committee met several times to conduct oversight over Department of Defense activities, as noted in this report.

On February 15, 2012, the committee received testimony from Leon E. Panetta, Secretary of Defense; and General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff, to review the budget request for funding and authorities during fiscal year 2013.

In addition to these hearings, the committee held posture hearings in which it sought and received testimony from each of the military departments. On February 16, 2012, Ray Mabus, Secretary of the Navy; Admiral Jonathan W. Greenert, the Chief of Staff of the Navy; and General James F. Amos, the Commandant of the Marine Corps, appeared before the committee to discuss the United States Navy and Marine Corps' portion of the fiscal year 2013 budget request. On February 17, 2012, the committee convened a hearing to receive testimony from John McHugh, Secretary of the Army; and General Raymond T. Odierno, Chief of Staff of the Army, on the United States Army's portion of the fiscal year 2013 budget request. On February 28, 2012, Michael B. Donley, Secretary of the Air Force; and General Norton A. Schwartz, the Chief of Staff of the Air Force, testified on the budget as it related to the United States Air Force.

In addition to the uniformed services, which are primarily responsible for training and equipping their respective forces, commanders of the unified combatant commands appeared before the committee to discuss the security situation in their respective areas of responsibility. These hearings began with testimony from Admiral James G. Stavridis, Commander of U.S. European Command; and General Carter F. Ham, Commander of U.S. Africa Command, on February 29, 2012. This hearing was followed by Admiral Robert F. Willard, Commander of U.S. Pacific Command, on March 1, 2012, who testified on his command's budget request for fiscal year 2013. On March 6, 2012, the committee received testimony from General Douglas M. Fraser, Commander of U.S. Southern Command; and General Charles H. Jacoby, Jr., Commander of U.S. Northern Command, who testified on their combatant commands' fiscal year 2013 budget requests. The following day, on March 7, 2012, the committee heard testimony from General James N. Mattis, Commander of U.S. Central Command; Admiral William H. McRaven, Commander of U.S. Special Operations Command; and General William M. Fraser III, Commander of U.S. Transportation Command.

This year the committee also convened a hearing to receive testimony from Members of Congress on their national defense priorities for the fiscal year 2013 National Defense Authorization Act, which took place on April 17, 2012.

In addition, the committee closed out its Panel on Defense Financial Management and Auditability Reform with a full committee hearing on January 24, 2012, in which members received testimony from Robert F. Hale, Under Secretary of Defense (Comptroller); and Elizabeth A. McGrath, Deputy Chief Management Officer, on Department of Defense Perspectives on Financial Improvement and Audit Readiness Efforts.

Additionally, the committee held a series of hearings in accordance with its legislative and oversight roles which focused on the United States' ongoing military operations and related strategies. The committee convened a hearing on March 20, 2012, in which it

sought and received information on developments in the Islamic Republic of Afghanistan pertaining to progress of U.S. operations. General John Allen, Commander of the International Security Assistance Force and U.S. Forces-Afghanistan; and Dr. James Miller, Acting Undersecretary of Defense for Policy, appeared before the committee to testify on this important matter. On March 28, 2012, the committee met to receive testimony from Dr. Peter Lavoy, Acting Assistant Secretary of Defense (Policy) for Asia and Pacific Security Affairs; and General James D. Thurman, Commander of United Nations Command, Republic of Korea—United States Combined Forces Command, and United States Forces Korea, on the Security Situation on the Korean Peninsula. On April 19, 2012, the committee received testimony from Leon E. Panetta, Secretary of Defense; and General Martin E. Dempsey, Chairman of the Joint Chiefs of Staff, on the Security Situation in the Syrian Arab Republic. (H.A.S.C. 112–96; H.A.S.C. 112–100; H.A.S.C. 112–101; H.A.S.C. 112–103; H.A.S.C. 112–104; H.A.S.C. 112–106; H.A.S.C. 112–108; H.A.S.C. 112–109; H.A.S.C. 112–112; H.A.S.C. 112–117; H.A.S.C. 112–125; H.A.S.C. 112–129; H.A.S.C. 112–132)

#### Budget Oversight

On March 9, 2012, the chairman of the Committee on Armed Services forwarded his views and estimates regarding the budget request for National Defense Budget Function (050) for fiscal year 2013 to the Committee on the Budget.

The committee noted that the President's fiscal year 2013 budget request totaled \$550.6 billion in discretionary budget authority for national defense. Of this total, \$525.4 billion was for the Department of Defense, \$17.8 billion was for the Department of Energy's defense activities, and \$7.4 billion was for other defense-related activities. The President's budget also included \$8.3 billion in mandatory budget authority.

In addition to the base budget request, the committee noted that as required by section 1008 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), the President's request for fiscal year 2013 included a separate request of \$88.5 billion for war-related expenditures in support of ongoing military operations in Afghanistan and Iraq, presented as Overseas Contingency Operations (OCO).

The committee discussed that the 050 budget category required an increase to the current budget request to support critical shortfalls and underestimated economic assumptions within the President's request. The committee argued that a significant number of program reductions could be restored and readiness risks mitigated if the National Defense Budget Function received an increase in budget authority above the current President's Budget submission levels within the Budget Resolution.

In review of the budget request, the committee chairman highlighted several concerns to the budget committee. First, of particular concern to the committee was the Administration's request to fund additional end strength (personnel levels above the fiscal year 2017 end state) for the Army (49,700) and Marine Corps (15,200) in the OCO beginning in fiscal year 2013. The committee strongly supported that funding for the Army and Marine Corps

end strength above the fiscal year 2017 end state levels be included in the base budget, regardless of the Administration's view that it is non-enduring and war-related. Second, the committee was concerned with the significant increases in TRICARE fees proposed by the Administration. Secretary Panetta testified to the Committee on the Budget regarding Tricare . . . "[W]hat we've done in Tricare is basically provided fee increases for those that are covered by Tricare". . . I've got to do something to try to control those costs and this was one of the ways we thought made sense. The committee's position is that increasing fees merely funds the increased costs, not controls them. Third, the Navy announced with the request that it intended to retire seven cruisers and two amphibious ships within the FYDP before the end of their service lives. The committee noted that the Navy currently had 285 ships, and with fewer new construction starts than planned and early retirements, the Navy would still be at 285 ships at the end of the FYDP, lower than the floor of 313 established to meet its assigned tasking. The shortfall was of particular concern to the committee with the shift in strategy to the Pacific region, an area where the Navy is particularly necessary. Finally, the committee noted that the current missile defense policy should be reevaluated, and national missile defense should be adequately funded.

The committee's ranking member did not join the chairman in making these assertions, nor did he join the chairman in recommending budgetary increases over the President's budget request. Instead, the ranking member expressed to the Committee on the Budget his support for the President's request, citing it as the appropriate starting point for making a national defense budget function allocation for fiscal year 2013 that is consistent with the Budget Control Act of 2011 (Public Law 112-25) and stating that it provided a balanced platform for maintaining military effectiveness from which justifiable savings may be garnered.

#### ADDITIONAL OVERSIGHT ACTIVITIES OF THE SUBCOMMITTEES AND THE PANELS

##### Subcommittee on Emerging Threats and Capabilities

The Subcommittee on Emerging Threats and Capabilities continued its oversight of the Department of Defense's counter-terrorism, counter-insurgency, and counter-weapons of mass destruction proliferation activities to ensure the Department is prepared to address terrorism and other emerging threats. Related hearings included: March 11, 2011, Counterproliferation Strategy; the Fiscal Year 2012 National Defense Authorization Budget Request for the Defense Threat Reduction Agency and the Chemical Biological Defense Program; September 22, 2011, The Future of U.S. Special Operations Forces: Ten Years After 9/11 and Twenty-Five Years After Goldwater Nichols; November 3, 2011, Institutionalizing Irregular Warfare Capabilities; and on March 27, 2012, on Understanding Future Irregular Warfare Challenges.

The subcommittee continued to examine the Department's investment and management of information technology systems and science and technology. Related hearings included: April 6, 2011 on Improving Management and Acquisition of Information Technology

Systems in the Department of Defense; February 29, 2012 on Department of Defense Fiscal Year 2013 Science and Technology Programs; and March 20, 2012 on Fiscal Year 2013 National Defense Authorization Budget Request for Information Operations Programs.

The subcommittee considered and reported legislation on May 4, 2011, that was included in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House on May 26, 2011. The legislative provisions covered a range of issues, to include: cybersecurity, counter terrorism, and funding for procurement and research and development programs. The subcommittee included several legislative provisions related to terrorism authorities and special operations in the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, to include: a provision to extend the authority for the Secretary of Defense to make combating terrorism rewards; a provision to enhance section 1208 authority by increasing the amount authorized from \$45.0 million to \$50.0 million and extending the authority through fiscal year 2014; a provision directing quarterly briefings on counterterrorism operations; and a provision extending the authorization for the Department of Defense to develop Non-Conventional Assisted Recovery capabilities through fiscal year 2016. The subcommittee also included several legislative provisions related to information technology in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) to include a provision revising the structure and process of the defense business systems investment review boards, and a provision to amend reporting of critical changes to Major Automated Information Systems.

Public Law 112–81 extended the authority provided under section 1208 of the National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375) through fiscal year 2015 and increased the authorized amount from \$45 million to \$50 million. It also included provisions that: establish increased oversight mechanisms on U.S. Special Operations Command undersea mobility and non-standard aviation programs; directed U.S. Special Operations Command to develop memoranda of agreement with the military services regarding enabling capabilities to support special operations forces; directed quarterly briefings on counterterrorism operations; and extended the authorization for the Department of Defense to develop Non-Conventional Assisted Recovery capabilities through fiscal year 2013.

In addition to formal hearings, the subcommittee held various briefings and events to conduct oversight including: an introduction to U.S. Special Operations Forces display and presentation on February 11, 2011; a classified briefing on April 1, 2011, covering U.S. Special Operations Command Fiscal Year 2012 Request and Future Challenges for U.S. Special Operations Forces; a briefing on June 15, 2011, on counter-proliferation research and development programs for the Defense Threat Reduction Agency, Defense Advanced Research Projects Agency, and U.S. Special Operations Command; a classified briefing on April 22, 2011, covering the future of U.S. Special Operations Forces; a classified briefing on March 7, 2012, on U.S. Special Operations Forces and counterterrorism operations; and a briefing on March 22, 2012 on U.S. cyber operations policy.

The subcommittee considered and reported on legislation on April 26, 2012, that was included in the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House on May 18, 2012. The legislative provisions covered a range of issues to include: cybersecurity, counter-terrorism, and funding for procurement, research and development, and operations and maintenance. The subcommittee included several legislative provisions related to terrorism authorities and special operations forces in the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, as passed by the House, to include: a provision to extend the authority for the Secretary of Defense to make combating terrorism rewards; a provision requiring a report on counter-proliferation capabilities and limitations for special operations forces; a provision requiring the Department of State to determine if Boko Haram qualifies as a Foreign Terrorist Organization; and a provision increasing the authorized number of National Guard Civil Support Teams. The subcommittee included several legislative provisions related to information technology, cybersecurity, and research and development in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, to include: a provision directing quarterly cyber operations briefings; a provision regarding eligibility for Department of Defense laboratories to enter into educational partnerships with educational institutions in territories and possessions of the United States; a provision regarding regional advanced technology clusters; a provision directing a national research council review of defense science and technical graduate education needs; a provision directing a report on three-dimensional integrated circuit manufacturing capabilities; a provision directing a report on efforts to field new directed energy weapons; a provision directing the designation of a senior Department of Defense official for enterprise resource planning system data conversion; a provision amending additional responsibilities for the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation; a provision making technical and clarifying changes to a separate provision requiring a report on the transitioning away from live tissue use in medical training; and a provision directing a report and assessment of Department use of electromagnetic spectrum.

(H.A.S.C. 112–18; H.A.S.C. 112–39; H.A.S.C. 112–123; H.A.S.C. 112–107; H.A.S.C. 112–118)

#### Subcommittee on Military Personnel

##### *Religious Freedom and Defense of Marriage*

During the 112th Congress, the Subcommittee on Military Personnel continued the process of examining the law and policy surrounding the repeal of the law limiting the military service of gay men, lesbians, and bisexuals known as “Don’t Ask, Don’t Tell.” The subcommittee held a hearing to determine if the Department of Defense (DOD) is prepared to implement repeal of Don’t Ask, Don’t Tell without jeopardizing morale, unit cohesion, good order, discipline, and combat readiness. Committee members had particular concerns about the effectiveness of training programs, the impact of repeal on recruiting and retention programs, and the adequacy

of service policies for dealing with billeting issues, public displays of affection, and the religious freedom rights of service members with strong beliefs opposed to gay and lesbian lifestyles, to include military chaplains. During consideration of the National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, as passed by the House on May 26, 2011, amendments were adopted to: include the views of the service chiefs concerning readiness of the force in the formal repeal certification process; preclude the use of DOD facilities and resources and the participation of DOD personnel in same sex marriage ceremonies; and reaffirm that the provisions of the Defense of Marriage Act (1 U.S.C. 7) regarding the definition of marriage as being between a man and woman shall apply to the process for determining the meaning of any Act of Congress or any ruling, regulation, or interpretation within the Department of Defense applicable to military personnel or DOD civilian employees.

On July 22, 2011, President Obama transmitted to Congress his certification along with the certifications of Secretary of Defense Panetta and Chairman of the Joint Chiefs of Staff Mullen that they had:

(1) Considered the Report of the Comprehensive Review Working Group and the Report's proposed plan of action.

(2) Prepared the necessary policies and regulations to implement repeal.

(3) Agreed that implementation of the necessary policies and regulations pursuant to repeal are consistent with the standards of military readiness, military effectiveness, unit cohesion, and recruiting and retention of the Armed Forces.

On July 28, 2011, the Committee on Armed Services received a briefing regarding the decision to certify preparedness to implement repeal of Don't Ask, Don't Tell. Member questioning focused on the need to provide clear policy guidelines regarding the protection of religious freedom of speech and action for those service members with strong moral and religious beliefs opposing gay and lesbian lifestyles. Additional oversight will be required to review the policy regulations and other documents needed to implement repeal.

The repeal of Don't Ask, Don't Tell was effective on September 20, 2011, 60 days after the certification by the President, Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, as required by current law. The committee continued to provide oversight to the Department of Defense actions to review and modify policies, programs, and benefits to accommodate the open service of gays and lesbians and the presence of their family members.

On November 30, 2011, the Subcommittee on Military Personnel held a briefing for Members of the committee to examine the legal and policy rationale leading to the Department of Defense approval of same-sex ceremonies conducted by DOD personnel on military installations. The briefing highlighted the need for the subcommittee to provide additional oversight of these issues in the future.

The conference report on H.R. 1540 does not contravene or amend the Defense of Marriage Act (DOMA), nor is the Department of Defense relieved from the prohibition on federal recognition of same sex marriage therein. The conference report does in-



clude a conscience clause provision to protect chaplains' rights to not perform same sex marriages on the basis of their conscience or moral principles. The conference report on H.R. 1540 does retain the current UCMJ Article 125 prohibition on sodomy.

H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, includes section 536, which would require the Armed Forces to accommodate the moral principles and religious beliefs of service members concerning appropriate and inappropriate expression of human sexuality and that such beliefs may not be used as a basis for any adverse personnel actions. This section would also prohibit any member of the Armed Forces from: (1) requiring a chaplain to perform any duty or religious ceremony that is contrary to the tenets of the chaplain's moral principles or religious faith; or (2) discriminating or taking any adverse personnel action against a chaplain because of refusal to comply with a direction to perform a duty or religious ceremony that is contrary to the tenets of the chaplain's moral principles or religious faith. In addition, section 537 of H.R. 4310 would preclude marriage and marriage-like ceremonies from being conducted on military installations or other property under the control of the Department of Defense, unless the ceremony involves the union of one man with one woman.

(H.A.S.C. 112-34, H.A.S.C. 112-41)

#### *Armed Forces Retirement Home*

The chairman of the Subcommittee on Military Personnel visited the Armed Forces Retirement Home, District of Columbia, on May 2, 2011. During the visit the chairman received an update on the facilities operations, construction and personnel issues. This oversight effort related directly to the legislation adopted by the subcommittee and included in National Defense Authorization Act for Fiscal Year 2012, H.R. 1540, passed by the House on May 26, 2011.

#### *Casualties Inflicted on U.S. Personnel by Afghan Nationals working as Contractors, Police, or Security Forces*

The Subcommittee on Military Personnel investigated several reports of Afghan nationals serving as contract personnel, national police, and military personnel who, without warning, attacked and killed U.S. military personnel. As a result of the investigation, the committee requested that the Secretary of Defense, General David H. Petraeus, then Commander of International Security Assistance Force and Commander of U.S. Forces Afghanistan, and the Secretary of the Army review current screening and evaluations of Afghans hired to work closely with U.S. forces and to take disciplinary action, if merited, against the Afghan security guard contractor whose employee attacked U.S. personnel.

(H.A.S.C. 112-97)

#### *Hiring of a Highly Qualified Expert for the Defense Health Program*

The Under Secretary of Defense for Personnel and Readiness hired former Maine governor John Baldacci as a highly qualified expert to review military health care and propose reforms to it. The chairman of the Subcommittee on Military Personnel, out of concern that such a hiring was duplicative of capabilities and per-

sonnel already available to the undersecretary and wasteful of funding and resources, sought a fuller explanation of the rationale for the hiring. In addition, the chairman sought an explanation of how the hiring and individual hired met the Department of Defense criteria for highly qualified experts. The inquiry will be continued.

#### *Military Retirement*

On October 25, 2011, the Subcommittee on Military Personnel Subcommittee conducted a hearing entitled “Military Retirement Reform” to examine the current status of initiatives to reform military retirement. The subcommittee received testimony from Department of Defense and military association officials that allowed Members to examine reform proposals and understand the advantages and disadvantages associated with each. The subcommittee will continue to consider military retirement reform options in the future.

The budget request for fiscal year 2013 included a provision that would establish a Military Retirement Modernization Commission to examine options for reforming military retirement and to acquire the concurrence of Congress using a Base Realignment and Closure process calling for a vote on the Commission recommendations without the opportunity for Congress to amend the proposal. In the committee report (H. Rept. 112–479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee expressed concern that the proposal includes provisions that would unnecessarily limit the legislative authority of the House of Representatives by imposing a legislative process that eliminates the ability of the House of Representatives to amend the legislation proposed by the President. The committee noted that the Secretary of Defense should submit the retirement modernization proposal that he and the uniformed leaders of the military departments consider necessary to the President for submission to Congress. The committee contended that Congress, with the benefit of a retirement modernization proposal that reflects the best judgment of the civilian and military leaders of the Department of Defense, can debate and, if judged appropriate, improve and finalize a reform proposal.

(H.A.S.C. 112–80; H.A.S.C. 112–105, H.A.S.C. 112–110)

#### *Treatment of Service Member Remains at the Dover Port Mortuary*

On November 17, 2011, the Subcommittee on Military Personnel held a briefing in which all committee members were invited to attend to hear from the Air Force and the Office of Special Counsel about the investigation into allegations of improper handling, processing and transport of human remains of military personnel and family members by the Air Force Mortuary Affairs Operations, Port Mortuary Division, Dover Air Force Base, Delaware, and the Office of Special Counsel analysis of the Air Force Investigation.

The briefing highlighted concerns by the Special Counsel about the findings and conclusions in the Air Force investigation report. The Air Force focused on the way ahead and the plan to address the findings by the Air Force Inspector General. The committee examined how the Air Force will support the Secretary of Defense di-

rected independent review of the corrective actions taken at Dover Mortuary and the appropriateness of the disciplinary action taken by the Air Force. The briefing highlighted the need for the subcommittee to provide additional oversight of these issues in the future.

#### *Hazing in the Military*

The Subcommittee on Military Personnel conducted a hearing entitled “Hazing in the Military” on Thursday, March 22, 2012, to provide members an opportunity to hear testimony from the service senior enlisted advisors concerning the services policies, training and enforcement with respect to hazing. The hearing resulted in a provision included in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House that would require the Secretary of Defense to execute a plan to establish the Department of Defense effort to prevent hazing in the Armed Forces, and to respond to and resolve alleged hazing incidents. This section would also require the Comptroller General of the United States to submit a report on the policies to prevent hazing and systems initiated to track incidents in each of the Armed Forces.

(H.A.S.C. 112–122)

#### Subcommittee on Readiness

The Subcommittee on Readiness continued oversight of military readiness, training, logistics and maintenance issues; military construction, installations, and family housing issues; energy policy and programs of the Department of Defense; and civilian personnel and service contracting issues.

On March 3, 2011, the subcommittee met for its first oversight hearing to receive testimony on the Required Readiness Posture of U.S. Forces from an independent panel. The panel explored the frameworks of resourcing decisions, including the 2010 Quadrennial Defense Review (QDR) Report, the 2010 Global Defense Posture (GDP) Report, the QDR Independent Panel Review, and the recent National Military Strategy.

The subcommittee met in a follow-on session on March 10, 2011, to receive testimony on the fiscal year 2012 budget request and global challenges to Readiness. In this hearing, the services provided testimony on the required readiness of the U.S. forces to respond to a range of near- and far-term global threats. On March 15, 2011, the subcommittee met to receive testimony on long-term readiness challenges in the Pacific; which addressed the readiness of U.S. forces to respond to conflicts in the Pacific region.

The subcommittee provided oversight of the ongoing challenge to jointness and conducting a hearing on March 31, 2011, “The Status of and Future Plans for Military Jointness and the Impact on our Nation’s Readiness.” The witnesses provided testimony on the progress the military has made towards jointness and interoperability across the military departments, and its impact on the readiness of our forces. The subcommittee also addressed the challenges of “sustaining the force” in a hearing on April 7, 2011.

The subcommittee met on April 13, 2011, to receive testimony on the Fiscal Year 2012 National Defense Authorization Budget Request for Military Construction, Base Closure, Environment, Facili-

ties Operation and Maintenance. Additionally, the subcommittee met on July 12, 2011, to receive testimony on “How Does the Navy Get Ready and Where Are We Today.” The subcommittee met on July 26, 2011, to receive testimony on “Total Force Readiness.” The subcommittee also met in open session on September 21, 2011 to receive testimony on the Army Reserve, Army National Guard, and Air National Guard training and operations. The subcommittee met in open session on October 27, 2011 to receive testimony on “Readiness in the Age of Austerity.”

On March 8, 2012, the subcommittee met to receive testimony on “The Request for Authorization of Another BRAC Round and Additional Reductions in Overseas Bases,” in light of the Administration request for two additional rounds of BRAC. The subcommittee met on March 22, 2012, to receive testimony on the Navy’s readiness posture which addressed the Navy’s overall readiness with regards to fleet size, ship and aircraft operation and maintenance, and combatant command requirements. On March 28, 2012, the subcommittee met to receive testimony on Army and Marine Corps reset, in light of the recent drawdown of U.S. forces in the Islamic Republic of Afghanistan, and the status of equipment from Operation Iraqi Freedom and Operation New Dawn. The subcommittee also met on March 29, 2012, to receive testimony on Department of Defense energy security entitled: “What is the Price of Energy Security: from Battlefields to Bases.” The witnesses provided testimony on the Department’s efforts to promote energy security in light of a tightening budget environment.

(H.A.S.C. 112–13; H.A.S.C. 112–17; H.A.S.C. 112–21; H.A.S.C. 112–33; H.A.S.C. 112–40; H.A.S.C. 112–43; H.A.S.C. 112–50; H.A.S.C. 112–55; H.A.S.C. 112–67, H.A.S.C. 112–84, H.A.S.C. 112–90, H.A.S.C. 112–115, H.A.S.C. 112–121, H.A.S.C. 112–126, H.A.S.C. 112–128)

#### Subcommittee on Seapower and Projection Forces

The Subcommittee on Seapower and Projection Forces conducted a series of hearings to review programs included in the Department of Defense (DOD) acquisition budget request for fiscal year 2013, including the Fiscal Year 2013 National Defense Authorization Budget Request from the Department of the Navy on February 16, 2012.

In addition to its traditional oversight responsibilities regarding DOD budget requests, the subcommittee conducted oversight hearings on the following topics: March 16, 2011, Amphibious Operations; October 13, 2011, Update on KC–46A and Legacy Aerial Refueling Aircraft Programs; March 7, 2012, Assessing Mobility Air-lift Capabilities and Operational Risks Under the Revised 2012 Defense Strategy; March 29, 2012, Oversight of U.S. Naval Vessel Acquisition Programs and Force Structure of the Department of the Navy in the Fiscal Year 2013 National Defense Authorization Budget Request.

The Subcommittee on Seapower and Projection Forces also held a joint hearing with the Subcommittee on Readiness on November 3, 2011, A Day without Seapower and Projection Forces.

In addition to formal hearings, the subcommittee conducted numerous briefings on the following topics: February 11, 2011, Nec-

essary Considerations in Challenging Times for Effective Projection of Navy and Air Force Forces; March 2, 2011, Ohio class Ballistic Missile Submarine Replacement Program (SSBN(X)); March 30, 2011, Air Force Long-Range Strike Efforts; April 7, 2011, Expeditionary Fighting Vehicle; July 28, 2011, KC-46A and Legacy Tankers; March 28, 2012, Fiscal Year 2013 Shipbuilding Plan.

The subcommittee also held a joint briefing with the Subcommittee on Strategic Forces on the SSBN(X) Program and the Future of Sea-Based Strategic Deterrence on September 21, 2011.

The subcommittee considered and reported legislation on April 26, 2012, that was included in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013. The legislation covered a range of issues, including authorization of appropriations for procurement programs and research, development, test and evaluation programs for the Department of the Navy.

(H.A.S.C. 112-16; H.A.S.C. 112-25; H.A.S.C. 112-77; H.A.S.C. 112-90; H.A.S.C. 112-113; H.A.S.C. 112-127)

#### Subcommittee on Strategic Forces

The Subcommittee on Strategic Forces addressed strategic forces programs (except deep strike systems), space programs, ballistic missile defense programs, intelligence policy and national programs, as well as Department of Energy national security programs (except nuclear non-proliferation programs), by conducting hearings during its consideration of the fiscal year 2012 budget request, including: March 15, 2011, national security space activities; March 31, 2011, missile defense programs; and April 5, 2011, Department of Energy Atomic Energy Defense Activities and Department of Defense Nuclear Programs.

In addition to its oversight responsibilities regarding the budget requests, the subcommittee conducted an oversight hearing on March 2, 2011, on the Status of U.S. Strategic Forces. The subcommittee also held several briefings on the following oversight topics: February 10, 2011 and March 30, 2011, Status of the Ground-based Midcourse Defense Program; March 10, 2011, Status of the United States Nuclear Weapons Stockpile; April 14, 2011, Joint Capability Mix-III Study; and June 15, 2011, nuclear fuel cycle and countries of proliferation concern.

The committee held informal educational briefings on the following topics: February 9, 2011, missile defense policy and posture; February 15, 2011, history and evolution of nuclear policy and posture; March 1, 2011, the Administration's nuclear policy and posture; March 9, 2011, space fundamentals and space policy and strategy; March 30, 2011, missile defense programs; April 6, 2011, space and ballistic missile threats; and April 13, 2011, Department of Energy environmental management programs. In addition, the subcommittee considered and reported legislation on May 4, 2011, that was included in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81).

During the second session of the 112th Congress, the Subcommittee on Strategic Forces addressed the programs in its area of oversight responsibility by conducting hearings during its consideration of the fiscal year 2013 budget request, including: March 6, 2012, missile defense programs; March 8, national security space

activities; and, April 18, 2012, Department of Energy Atomic Energy Defense Activities and Department of Defense Nuclear Programs.

In addition to its oversight responsibilities regarding the budget requests, the subcommittee conducted an oversight hearing on February 16, 2012, on the report of the National Academies Phase I Study on Managing for High Quality Science and Engineering at the NNSA National Security Laboratories.

The subcommittee also held several briefings on the following oversight topics: March 7, 2012, on the history and practice of U.S. nuclear weapons planning and targeting by Mr. Franklin Miller and General Larry Welch (USAF Ret); March 7, 2012 with the National Air and Space Intelligence Center and the Defense Security Service on the diversion of U.S. export controlled technology; March 21, 2012, on the history and practice of U.S. nuclear weapons planning and targeting by Admiral Rich Mies (USN Ret) and Mr. Bruce Blair; and, March 27, 2012, on reform of the National Nuclear Security Administration with Ambassador Linton Brooks and General James Cartwright (USMC Ret). In addition, the subcommittee considered and reported legislation on April 26, 2012, that was included in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013.

(H.A.S.C. 112-12; H.A.S.C. 112-22; H.A.S.C. 112-32; H.A.S.C. 112-36; H.A.S.C. 112-58; H.A.S.C. 112-65, H.A.S.C. 112-78; H.A.S.C. 112-88)

#### Subcommittee on Tactical Air and Land Forces

The Subcommittee on Tactical Air and Land Forces provided oversight of all Departments of the Army, Navy, Marine Corps, Air Force and Office of the Secretary of Defense Acquisition programs providing tactical aircraft and missile; armor and ground vehicle; munitions; and associated support equipment, including National Guard and Reserve equipment programs.

The Subcommittee conducted five oversight hearings during its consideration of the fiscal year 2012 Department of Defense (DOD) budget request prior to the markup of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81). Subcommittee hearings included: March 1, 2011: Equipping the Warfighter in Afghanistan; March 9, 2011: Army Modernization Programs; March 15, 2011: Air Force Tactical Aviation Programs; March 17, 2011: Soldier and Marine Equipment for Dismounted Operations; April 1, 2011: and Army and Air Force National Guard and Reserve Component Equipment Posture. The Subcommittee conducted an additional four oversight hearings subsequent to the passage of Public Law 112-81 by the House: October 12, 2011: Army and Air Force National Guard and Reserve Component Acquisition Programs; October 26, 2011: Army Acquisition and Modernization; November 2, 2011: Fiscal Year 2012 Combat Aviation Programs Update; and, November 16, 2011: United States Marine Corps Acquisition and Modernization. In addition to formal hearings, the Subcommittee received a briefing from representatives of DOD on the following: a classified briefing on provision of force protection for forces in Afghanistan and a classified briefing on special

access programs included in the budget request for fiscal year 2012.

The subcommittee conducted three oversight hearings during its consideration of the fiscal year 2013 Department of Defense budget request prior to the markup of the National Defense Authorization Act for Fiscal Year 2013, H.R. 4310, passed by the House May 18, 2012. Hearings included: March 8, 2012: Army and Marine Corps Ground System Modernization Programs; March 20, 2012: Navy, Marine Corps and Air Force Tactical Aviation Programs; and March 27, 2012: Fiscal Year 2013 DOD Rotorcraft Modernization Programs.

(H.A.S.C. 112-10; H.A.S.C. 112-15; H.A.S.C. 112-20; H.A.S.C. 112-27; H.A.S.C. 112-35; H.A.S.C. 112-75; H.A.S.C. 112-82; H.A.S.C. 112-87; H.A.S.C. 112-91; H.A.S.C. 112-114; H.A.S.C. 112-119; H.A.S.C. 112-124)

#### Subcommittee on Oversight and Investigations

The Subcommittee on Oversight and Investigations was reestablished by the 112th Congress to conduct studies and investigations as directed by the chairman and ranking member of the Committee on Armed Services after coordination with the chairman and ranking member of the Subcommittee on Oversight and Investigations. The subcommittee conducts comprehensive, in-depth oversight of major issues and makes recommendations to the committee for consideration and potential legislative action.

#### *Transfer and Release of Guantanamo Bay Detainees and Reengagement*

In March 2011, Chairman Howard P. “Buck” McKeon and Ranking Minority Member Adam Smith directed the Subcommittee on Oversight and Investigations to undertake an in-depth, comprehensive bipartisan investigation of procedures to dispatch detainees from the Guantanamo Bay detention facility (GTMO) over the past decade. This necessarily included an examination of mechanisms intended to prevent former detainees from reengaging in terror-related activities.

In conducting this study, committee staff traveled to 11 countries, interviewed nearly every senior official directly involved in these matters in both the Bush and Obama Administrations, received briefings from the Department of Defense and Department of State, consulted with 18 subject matter experts, met with 2 former detainees, and reviewed thousands of pages of classified and unclassified documents. Subcommittee members convened a hearing, three Member briefings (including one that was classified), and traveled to several relevant locations.

At the conclusion of the investigation, the subcommittee issued a report which found that the Bush and Obama administrations, in reaction to domestic political pressures, a desire to earn goodwill abroad, and in an attempt to advance strategic national security goals, sought to “release” or “transfer” GTMO detainees elsewhere (Committee Print No. 4). Those “released” were judged a sufficiently low threat that they were sent to countries with no expectation of follow up. “Transferred” detainees, because they were assessed as relatively more dangerous, were conveyed with the expect-

tation that some process would be applied in the receiving nation to mitigate the threat they potentially posed.

The report stated that despite earnest and well-meaning efforts by officials in both administrations, properly evaluating detainees and ensuring that their cases were handled appropriately by receiving countries was, and remains, a challenge. This is demonstrated by the fact that the Office of the Director of National Intelligence (ODNI) estimated in September 2011 that 27 percent of the 600 former detainees who have left GTMO were confirmed or suspected to be presently or previously reengaged in terrorist activities.

The report noted that this total percentage has consistently increased. Furthermore, the Office of the Director of National Intelligence noted in 2010 that the intelligence community “assesses that if additional detainees are transferred from GTMO, some of them will reengage in terrorist or insurgent activities.” Five of 66 detainees who left GTMO in the 20 months between February 2009 and October 2010 are confirmed (2) or suspected (3) by ODNI of involvement in terrorist or insurgent activities. Although two of the five were released pursuant to court orders, this nonetheless yields a 7.5 percent reengagement rate. Although it is difficult to compare two disparate groups of former detainees (a smaller pool which left GTMO relatively recently and a much larger pool which has been gone for a much longer period), the reengagement rate indicates that challenges remain.

The report posited four findings:

*Finding 1.* Mechanisms to reduce the GTMO population were first contemplated when the facility was established in 2002. However, procedures to accomplish this took about eight months to finalize, and were spurred by persistent concerns that some detainees should not be held.

*Finding 2.* After the first review process began, political and diplomatic pressures to reduce the GTMO population arose, resulting in releases and transfers.

*Finding 3.* Pressures to reduce the GTMO population accelerated in the second Bush term, before reengagement dangers became fully apparent.

*Finding 4.* While changes in the GTMO transfer and release process instituted by the Obama administration differed in some important respects from the Bush administration, there are sufficient continuities so that the threat of reengagement may not be lessened in the long term.

In addition to chapters discussing each finding in depth, the report included several companion articles illustrating specific issues. A classified section set forth additional information and findings.

The report offered the following recommendations, which led to legislative provisions in H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House: (1) The Department of Defense, the Central Intelligence Agency, the Defense Intelligence Agency, and the Office of the Director of National Intelligence collaborate produce a report (in classified and unclassified versions) to congressional committees of jurisdiction assessing factors causing or contributing to reengagement; including a discussion of trends, by country and region, where reengagement has oc-



curred; (2) The Department of Defense and the Department of State produce a report (in classified and unclassified versions) to congressional committees of jurisdiction assessing the effectiveness of agreements in each country where transfers have occurred; (3) Congress continue the certification requirements on GTMO transfers which are contained in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81), at least until receiving and reviewing the specified reports; and (4) Additional action as outlined in the classified annex.

The report was not signed by the minority members of the subcommittee. The four minority members of the subcommittee collectively signed Dissenting Views in which they concluded they believed the report was incomplete and indicated disagreement with several of the key findings and recommendations. In particular, the minority members disagreed with recommendation no. 3. In addition, the ranking minority member submitted an additional statement, which was signed by the other minority members.

*Afghan National Security Forces Sizing and Transition to Security Lead Decisions*

In June 2012, the chairman of the committee directed the subcommittee to convene a series of hearings and briefings about the projected growth of the Afghan National Security Forces, the conditions and timetable in which those forces will assume security responsibility from United States and International Security Assistance Forces, and the related schedule for the drawdown of these forces.

The first hearing was held on June 20, 2012, and was titled, “Afghan National Security Forces: Resources, Strategy, and Timetable for Security Lead Transition.” In connection with this work, subcommittee members participated in an oversight delegation to the Islamic Republic of Afghanistan and the Islamic Republic of Pakistan. Members and staff met with military commanders, U.S. embassy officials and foreign government officials from relevant ministries, including a governor and chief minister from Peshawar.

*Arlington National Cemetery Accountability and Reform*

In February 2012, the subcommittee held a joint hearing with the Subcommittee on Military Personnel to receive an update on the actions taken by the Army to improve its accountability of the Arlington National Cemetery, with particular emphasis on the Gravesite Accountability Task Force responsible for validating gravesite records. The hearing was part of a long-term effort aimed at overseeing accountability and reform efforts to ensure past contractual and administrative mismanagement issues had been addressed. Hearing witnesses were: Lieutenant General Peter M. Vangel, the Inspector General of the U.S. Army, Ms. Belva Martin, Director, Acquisition and Sourcing Management Team, U.S. Government Accountability Office; Mr. Brian J. Lepore, Director of Defense Capabilities and Management, U.S. Government Accountability Office; and Ms. Kathryn Condon, the Executive Director of the Army’s National Cemeteries Program.

(H.A.S.C. 112–98)

*U.S. Navy 30 Year Shipbuilding Plan—Assumptions and Associated Risks to National Security*

In connection with a series of hearings focused on the efficacy of the Navy's 30-year shipbuilding plan, the subcommittee conducted oversight visits to Electric Boat Shipbuilding in Groton, Connecticut, and Quonset Point, Rhode Island; Bath Iron Works in Maine; and General Dynamics NASSCO in San Diego, California. The purpose of the visits was to meet with shipyard leaders, inspect facilities, and learn about industry concerns and challenges.

In April 2012, the subcommittee conducted a hearing titled, "The Navy's 30-Year Shipbuilding Plan: Assumptions and Associated Risks to National Security." Witnesses were: Mr. Ronald O'Rourke, Defense Policy and Arms Control Section, Congressional Research Service, Dr. Seth Cropsey, Senior Fellow, Hudson Institute; and Ms. Mackenzie Eaglen, Resident Fellow at the Marilyn Ware Center for Security Studies, American Enterprise Institute.

(H.A.S.C. 112–131)

*Panel on Business Challenges within the Defense Industry*

On September 20, 2011, the committee formally established the Panel on Business Challenges within the Defense Industry. This seven-member panel was initiated by the chairman and ranking member of the committee to examine the challenges for the private sector in doing business with the Department of Defense. The panel was commissioned for 6 months and tasked with examining the defense business environment and developing an understanding of how the Department of Defense could spur innovation, competition, and cost savings by encouraging new entrants into the industrial base and fostering the transition of technology. Although it was not provided legislative jurisdiction, the panel reported its findings, including recommendations for possible legislation, to the full committee on March 19, 2012.

The panel examined a variety of issues and topics covering the broad scope of contracting, industrial base security, small business programs, and efforts to increase innovation and transition technology for the warfighter. The panel held three hearings and five industry roundtable sessions between January and March of 2012.

The panel's first hearing of 2012 was held on January 17, 2012, entitled 'Unique Challenges Faced by Small and Mid-Sized Businesses.' The focus of the hearing was to gain a better understanding of the challenges of small and mid-sized businesses in receiving opportunities to work with the Department of Defense, and the challenges they had once that work had begun. The witnesses included Mr. A. John Shoraka, Acting Associate Administrator for Government Contracting and Business Administration, United States Small Business Administration; Ms. Linda Hillmer, Chair, Small Business Division of the National Defense Industrial Association; and Ms. Lynn M. Schubert, President, The Surety and Fidelity Association of America.

The panel's next hearing was held on January 23, 2012, entitled 'Doing Business with DOD: Getting Innovative Solutions from Concept to the Hands of the Warfighter.' This hearing focused on the role of universities, non-profit research institutions and federally

funded research and development centers (FFRDCs) in the development and research activities in order to get innovative tools and technologies from the academia to the warfighter. The hearing's witnesses were Dr. Stephen E. Cross, Executive Vice President for Research, Georgia Institute of Technology; Dr. Norman Winarsky, Vice President, SRI Ventures, Stanford Research Institute (SRI); and Dr. Stephen Huffman, Vice President and Chief Technology Officer, the MITRE Corporation.

On February 6, 2012, the panel held its final hearing addressing 'Doing Business with DOD: Contracting and Regulatory Challenges.' This hearing examined contracting and regulatory issues that may be creating barriers to entry, reduce competition, stifling innovation, or otherwise negatively impacting the defense industrial base. The witnesses were Dr. Allan V. Burman, President, Jefferson Solutions; Mr. Raj Sharma, President and Co-Chair of the Board of Directors for the FAIR Institute; and Mr. Joel L. Johnson, former Vice President, International at the Aerospace Industries Association of America, Inc.

In addition to the hearings, the panel conducted five industry roundtables. The purpose of these events was to directly solicit industry views on challenges they face and to ensure such views were collected from a cross-section of industries and businesses, operating in a variety of congressional districts that have a strong defense industry presence. These events included a roundtable with 15 to 20 industry participants and were an opportunity for panel Members and industry to connect and discuss in an open dialogue about strengths and weaknesses of the defense acquisition system. In addition, the panel also used the events to meet with representatives from local colleges and universities who conduct research and provide analysis for the Department of Defense on a myriad of issues.

The panel's first roundtable event of 2012 was held at Santa Clarita City Hall in Santa Clarita, California on January 8, 2012. At this field roundtable, there were several points of discussion. These included concerns about the backlogs at the Defense Contract Audit Agency (DCAA) and challenges in transitioning technology to production from the Small Business Innovation Research (SBIR) program. In addition, the roundtable discussed the need for increased flexibility in cost and pricing. There was also discussion about the International Trafficking of Arms Regulations (ITARs) and the frustration associated with current export licensing requirements.

The panel's next roundtable event was held at the State Capitol building in Honolulu, Hawaii, on January 9, 2012. The industry roundtable included 10 industry participants. Points of discussion included the SBIR program with recommendations to restructure the program and improve transition assistance. In addition, several participants commented on the acquisition system and processes including the levels of bureaucracy and sole-source contracting.

The panel's third roundtable event of 2012 was held in San Diego, California at the Admiral Kidd Club, Naval Base Point Loma. In addition to the panel Members, two additional Members of the Committee on Armed Services, Congressman Duncan Hunter and Congresswoman Susan Davis, joined the roundtable. There

were 18 industry participants in attendance. Among the issues discussed were the benefits to small business regarding congressionally-directed funding in increasing the market for technologies that DOD may not know is available. In addition, the roundtable touched on the issues pertaining to intellectual property rights of small businesses, the risk-averse culture of DOD acquisition officials and the lack of flexibility in the acquisition process. Once again, issues and challenges surrounding ITARs and the SBIR program were presented to the panel.

The following industry roundtable was held on January 21, 2012 at the Florida Atlantic University's MacArthur Campus in Jupiter, Florida. The Small Business Committee Chairman, Congressman Sam Graves, also attended the event. There were 21 industry participants in this roundtable. During the roundtable, the issue of consistency in work loading the industrial base was discussed. Several participants suggested that the Department of Defense needs to work with industry to provide a level workload to prevent inconsistencies and inefficiencies such as laying off and rehiring workers and short-term contracts. Challenges with the Defense Logistics Agency (DLA) and DCAA once again resurfaced at this event.

The final roundtable event of the panel was held on February 27, 2012. The roundtable had 16 industry participants. During the event industry participants pointed out challenges with the DLA regarding accountability within the Agency as well as their 'reverse auctions' program. Another item which several participants discussed was the need for incentive programs within the system to receive a better product and a more efficient acquisition and procurement process. In addition, Government Services Administration schedules, challenges gaining direct access to the customer, and the prime contractor-sub contractor relationship challenges were all discussed at the event.

The committee included several provisions in title XVI of H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, as passed by the House, addressing many of the panel's recommendations.

(H.A.S.C. 112-94; H.A.S.C. 112-95; H.A.S.C. 112-99)

#### Panel on Defense Financial Management and Auditability Reform

On July 13, 2011, the committee organized a Panel on Defense Financial Management and Auditability Reform pursuant to Committee Rule 5(a) to carry out a comprehensive review of the Department of Defense's financial management system. The review was initiated to oversee the Department's financial management system's capacity for providing timely, reliable, and useful information for decision making and reporting. The panel was established for an initial period of 6 months with the appointment set to expire on January 13, 2012, but was extended to January 31, 2012.

During the 6-month period, the Panel on Defense Financial Management and Auditability Reform held eight hearings and two briefings in support of its mandate to examine the Department of Defense's financial management system. The panel focused its examination on the Department of Defense's Financial Improvement and Audit Readiness (FIAR) strategy and methodology; the challenges facing the Department in achieving financial management

reform and auditability; financial management workforce competency; and the Department's enterprise resource planning (ERP) system implementation efforts.

On January 24, 2012, the panel concluded its work with the chairman of the panel presenting the panel's findings and recommendations to the full committee. Immediately following the chairman's briefing, the committee received testimony on the Department's views of the panel's report, to offer more detail on the Department's revised FIAR Plan for achieving an auditable Statement of Budgetary Resources by 2014 and to report on the status of the Department's efforts to achieve audit readiness on all financial statements by 2017.

(H.A.S.C. 112-96)

## PUBLICATIONS

### HOUSE REPORTS

Report Number	Date Filed	Bill Number	Title
112-77 .....	May 12, 2011 .....	H. Res. 208 .....	Directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya
112-78 .....	May 17, 2011 .....	H.R. 1540 .....	National Defense Authorization Act for Fiscal Year 2012
112-78 Part 2 .....	May 23, 2011 .....	H.R. 1540 .....	National Defense Authorization Act for Fiscal Year 2012
112-123 .....	June 24, 2011 .....	N/A .....	First Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress
112-329 .....	December 30, 2011 .....	N/A .....	Second Semiannual Report on the Activities of the Committee on Armed Services for the 112th Congress
112-479 .....	May 11, 2012 .....	H.R. 4310 .....	National Defense Authorization Act for Fiscal Year 2013
112-479 Part 2 .....	May 15, 2012 .....	H.R. 4310 .....	National Defense Authorization Act for Fiscal Year 2013

### CONFERENCE REPORTS

Report Number	Date Filed	Bill Number	Title
112-329 .....	December 12, 2011 .....	Conference Report To Accompany H.R. 1540.	National Defense Authorization Act for Fiscal Year 2012

### COMMITTEE PRINTS

Committee Print No. 1—Committee Rules of the Committee on Armed Services, House of Representatives, adopted January 20, 2011.

Committee Print No. 2a—Title 10, United States Code Armed Forces, Volume I, amended December 31, 2010.

Committee Print No. 2b—Title 10, United States Code Armed Forces, Volume II, amended December 31, 2010.

Committee Print No. 2c—Title 10, United States Code Armed Forces, Volume III, amended December 31, 2010.

Committee Print No. 3—The Future of the U.S. Military Ten Years after 9/11 and the Consequences of Defense Sequestration. November 2011.

Committee Print No. 4—Leaving Guantanamo—Policies, Pressures, and Detainees Returning to the Fight. January 2012.

### PUBLISHED PROCEEDINGS

H.A.S.C. 112-1—Full Committee Organization. January 20, 2011.

H.A.S.C. 112-2—Full Committee hearing on Proposed Department of Defense Budget Reductions and Efficiencies Initiatives. January 26, 2011.

H.A.S.C. 112-3—Subcommittee on Military Personnel hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Morale, Welfare, and Recreation Programs Overview. February 9, 2011.

H.A.S.C. 112-4—Subcommittee on Military Personnel hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Military Resale Programs Overview. February 10, 2011.

H.A.S.C. 112-5—Subcommittee on Emerging Threats and Capabilities hearing on What Should the Department of Defense's Role in Cyber Be? February 11, 2011.

H.A.S.C. 112-6—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request from the Department of Defense. February 16, 2011.

H.A.S.C. 112-7—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request from the Department of the Air Force. February 17, 2011.

H.A.S.C. 112-8—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request from the Department of the Navy. March 1, 2011.

H.A.S.C. 112-9—Subcommittee on Emerging Threats and Capabilities hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request for Department of Defense Science and Technology Programs. March 1, 2011.

H.A.S.C. 112-10—Subcommittee on Tactical Air and Land Forces hearing on Equipping the Warfighter in Afghanistan. March 1, 2011.

H.A.S.C. 112-11—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request from the Department of the Army. March 2, 2011.

H.A.S.C. 112-12—Subcommittee on Strategic Forces hearing on The Status of United States Strategic Forces. March 2, 2011.

H.A.S.C. 112-13—Subcommittee on Readiness hearing on Are We Ready? An Independent Look at the Required Readiness Posture of U.S. Forces. March 3, 2011.

H.A.S.C. 112-14—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Requests from the U.S. Central Command and U.S. Special Operations Command. March 3, 2011.

H.A.S.C. 112-15—Subcommittee on Tactical Air and Land Forces hearing on Army Modernization. March 9, 2011.

H.A.S.C. 112-16—Subcommittee on Seapower and Projection Forces hearing on Navy Shipbuilding Acquisition Programs and Budget Requirements of the Navy's Shipbuilding and Construction Plan. March 9, 2011.

H.A.S.C. 112-17—Subcommittee on Readiness hearing on Global Challenges to Readiness and the Fiscal Year 2012 Budget Request. March 10, 2011.

H.A.S.C. 112-18—Subcommittee on Emerging Threats and Capabilities hearing on Counterproliferation Strategy and National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs Budget Request for the Defense Threat Reduction Agency and Chemical Biological Defense Program. March 11, 2011.

H.A.S.C. 112-19—Subcommittee on Military Personnel hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Military Health System Overview and Defense Health Program Cost Efficiencies. March 15, 2011.

H.A.S.C. 112-20—Subcommittee on Tactical Air and Land Forces hearing on Navy, Marine Corps and Air Force Tactical Aviation Programs. March 15, 2011.

H.A.S.C. 112-21—Subcommittee on Readiness hearing on Long-Term Readiness Challenges in the Pacific. March 15, 2011.

H.A.S.C. 112-22—Subcommittee on Strategic Forces hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request for National Security Space Activities. March 15, 2011.

H.A.S.C. 112-23—Subcommittee on Military Personnel hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Military Health System Overview and Defense Health Program Cost Efficiencies: A Beneficiary Perspective. March 16, 2011.

H.A.S.C. 112-24—Full Committee hearing on Developments in Afghanistan. March 16, 2011.

H.A.S.C. 112-25—Subcommittee on Seapower and Projection Forces hearing on Amphibious Operations. March 16, 2011.

H.A.S.C. 112-26—Subcommittee on Emerging Threats and Capabilities hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request for U.S. Cyber Command. March 16, 2011.

H.A.S.C. 112-27—Subcommittee on Tactical Air and Land Forces hearing on Soldier and Marine Equipment for Dismounted Operations. March 17, 2011.

H.A.S.C. 112-28—Subcommittee on Military Personnel hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Military Personnel Overview. March 17, 2011.

H.A.S.C. 112-29—Full Committee hearing on Law of War Detention and the President's Executive Order Establishing Periodic Review Boards for Guantanamo Detainees. March 17, 2011.

H.A.S.C. 112-30—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Requests for U.S. European Command, U.S. Southern Command, and U.S. Northern Command, and U.S. March 30, 2011.

H.A.S.C. 112-31—Full Committee hearing on Operation Odyssey Dawn and U.S. Military Operations in Libya. March 31, 2011.



H.A.S.C. 112-32—Subcommittee on Strategic Forces hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request for Missile Defense. March 31, 2011.

H.A.S.C. 112-33—Subcommittee on Readiness hearing on Improving the Readiness of U.S. Forces through Military Jointness. March 31, 2011.

H.A.S.C. 112-34—Subcommittee on Military Personnel hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Review of the Implementation Plans for the Repeal of Law and Policies Governing Service by Openly Gay and Lesbian Service Members. April 1, 2011.

H.A.S.C. 112-35—Subcommittee on Tactical Air and Land Forces hearing on Army and Air Force National Guard and Reserve Component Equipment Posture. April 1, 2011.

H.A.S.C. 112-36—Subcommittee on Strategic Forces hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request for Department of Energy Atomic Energy Defense Activities and Department of Defense Nuclear Forces Programs. April 5, 2011.

H.A.S.C. 112-37—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Requests for the U.S. Transportation Command and U.S. Africa Command. April 5, 2011.

H.A.S.C. 112-38—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Requests for the U.S. Pacific Command and U.S. Forces Korea. April 6, 2011.

H.A.S.C. 112-39—Subcommittee on Emerging Threats and Capabilities hearing on Improving Management and Acquisition of Information Technology Systems in the Department of Defense. April 6, 2011.

H.A.S.C. 112-40—Subcommittee on Readiness hearing on Sustaining the Force: Challenges to Readiness. April 7, 2011.

H.A.S.C. 112-41—Full Committee hearing on Repeal of Law and Policies Governing Service by Openly Gay and Lesbian Service Members. April 7, 2011.

H.A.S.C. 112-42—Subcommittee on Oversight and Investigations hearing on Guantanamo Detainee Transfer Policy and Recidivism. April 13, 2011.

H.A.S.C. 112-43—Subcommittee on Readiness hearing on National Defense Authorization Act for Fiscal Year 2012 and Oversight of Previously Authorized Programs—Budget Request for Military Construction, Base Closure, Environment, Facilities Operation and Maintenance. April 13, 2011.

H.A.S.C. 112-44—Full Committee hearing on Testimony from Members on Their National Defense Priorities for the Fiscal Year 2012 National Defense Authorization Bill. April 14, 2011.

H.A.S.C. 112-45—Subcommittee on Oversight and Investigations hearing on Accountability at Arlington National Cemetery. April 14, 2011.

H.A.S.C. 112-46—Subcommittee on Oversight and Investigations hearing on Efficacy of the Department of Defense's Thirty Year Aviation and Shipbuilding Plans. June 1, 2011.

H.A.S.C. 112-47—Subcommittee on Emerging Threats and Capabilities hearing on Ten Years On: The Evolution of the Terrorist Threat. June 22, 2011.

H.A.S.C. 112-48—Full Committee hearing on Recent Developments in Afghanistan and the Proposed Drawdown of U.S. Forces. June 23, 2011.

H.A.S.C. 112-49—Subcommittee on Emerging Threats and Capabilities hearing on Ten Years On: The Evolution of Strategic Communication and Information Operations Since 9/11. July 12, 2011.

H.A.S.C. 112-50—Subcommittee on Readiness hearing on How Does the Navy Get Ready, and Where Are We Today? July 12, 2011.

H.A.S.C. 112-51—Full Committee hearing on Human Capital Management: A High Risk Area for the Department of Defense. July 14, 2011.

H.A.S.C. 112-52—Subcommittee on Military Personnel hearing on Military Voting. July 15, 2011.

H.A.S.C. 112-53—Full Committee hearing on Ten Years After the 2001 Authorization for Use of Military Force: Current Status of Legal Authorities, Detention, and Prosecution in the War on Terror. July 26, 2011.

H.A.S.C. 112-54—Subcommittee on Emerging Threats and Capabilities hearing on Department of Defense Investment in Technology and Capability to Meet Emerging Security Threats. July 26, 2011.

H.A.S.C. 112-55—Subcommittee on Readiness hearing on Total Force Readiness. July 26, 2011.

H.A.S.C. 112-56—Full Committee hearing on The Way Forward in Afghanistan. July 27, 2011.

H.A.S.C. 112-57—Subcommittee on Military Personnel hearing on the Reserve Components as an Operational Force: Potential Legislative and Policy Changes. July 27, 2011.

H.A.S.C. 112-58—Subcommittee on Strategic Forces hearing on Sustaining Nuclear Deterrence after New START. July 27, 2011.

H.A.S.C. 112-59—Panel on Defense Financial Management and Auditability Reform hearing on DOD's Plans for Financial Management Improvement and Achieving Audit Readiness. July 28, 2011.

H.A.S.C. 112-60—Panel on Defense Financial Management and Auditability Reform hearing on Department of Defense Component Audit Efforts. September 8, 2011.

H.A.S.C. 112-61—Full Committee hearing on The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives from Former Chairmen of the Joint Chiefs of Staff. September 8, 2011.

H.A.S.C. 112-62—Subcommittee on Military Personnel hearing on The Current Status of Suicide Prevention Programs in the Military. September 9, 2011.

H.A.S.C. 112-63—Full Committee hearing on The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives from Outside Experts. September 13, 2011.

H.A.S.C. 112-64—Panel on Defense Financial Management and Auditability Reform hearing on Organizational Challenges in Achieving Sound Financial Management and Audit Readiness. September 15, 2011.

H.A.S.C. 112-65—Subcommittee on Strategic Forces hearing on Sustaining GPS for National Security. September 15, 2011.

H.A.S.C. 112-66—Panel on Business Challenges within the Defense Industry hearing on Challenges to Doing Business with the Department of Defense. September 20, 2011.

H.A.S.C. 112-67—Subcommittee on Readiness hearing on Army Reserve, Army National Guard and Air National Guard Readiness, Training and Operations. September 21, 2011.

H.A.S.C. 112-68—Panel on Defense Financial Management and Auditability Reform hearing on DOD's Efforts to Improve Payment and Funds Control. September 22, 2011.

H.A.S.C. 112-69—Subcommittee on Emerging Threats and Capabilities hearing on The Future of U.S. Special Operations Forces: Ten Years After 9/11 and Twenty-Five Years after Goldwater-Nichols. September 22, 2011.

H.A.S.C. 112-70—Full Committee hearing on Afghan National Security Forces. September 22, 2011.

H.A.S.C. 112-71—Subcommittee on Military Personnel hearing on An Update on Arlington Cemetery Reforms (joint with the Subcommittee on Oversight and Investigations). September 23, 2011.

H.A.S.C. 112-72—Full Committee hearing on The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives from Former Service Chiefs and Vice Chiefs. October 4, 2011.

H.A.S.C. 112-73—Panel on Defense Financial Management and Auditability Reform hearing on is the Financial Management Workforce Positioned to Achieve DOD's Financial Improvement Goals? October 6, 2011.

H.A.S.C. 112-74—Full Committee hearing on The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives of Former Chairmen of the Committee on Armed Services. October 12, 2011.

H.A.S.C. 112-75—Subcommittee on Tactical Air and Land Forces hearing on National Guard and Reserve Component Acquisition and Modernization. October 12, 2011.

H.A.S.C. 112-76—Full Committee hearing on The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives of Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs of Staff Martin Dempsey. October 13, 2011.

H.A.S.C. 112-77—Subcommittee on Seapower and Projection Forces hearing on An Update on KC-46A and Legacy Aerial Refueling Aircraft Programs. October 13, 2011.

H.A.S.C. 112-78—Subcommittee on Strategic Forces hearing on Nuclear Weapons Modernization in Russia and China: Understanding Impacts to the United States. October 14, 2011.

H.A.S.C. 112-79—Panel on Business Challenges within the Defense Industry hearing on The Defense Industrial Base: A National Security Imperative. October 24, 2011.

H.A.S.C. 112-80—Subcommittee on Military Personnel hearing on Military Retirement Reform. October 25, 2011.

H.A.S.C. 112-81—Full Committee hearing on Economic Consequences of Defense Sequestration. October 26, 2011.

H.A.S.C. 112-82—Subcommittee on Tactical Air and Land Forces hearing on Army Acquisition and Modernization Programs. October 26, 2011.

H.A.S.C. 112-83—Panel on Defense Financial Management and Auditability Reform hearing on DOD's Enterprise Resource Planning (ERP) System Implementation Efforts. October 27, 2011.

H.A.S.C. 112-84—Subcommittee on Readiness hearing on Readiness in the Age of Austerity. October 27, 2011.

H.A.S.C. 112-85—Panel on Business Challenges within the Defense Industry hearing on The Defense Industrial Base: The Role of the Department of Defense. November 1, 2011.

H.A.S.C. 112-86—Full Committee hearing on The Future of the Military Services and Consequences of Defense Sequestration. November 2, 2011.

H.A.S.C. 112-87—Subcommittee on Tactical Air and Land Forces hearing on Fiscal Year 2012 Combat Aviation Programs Update. November 2, 2011.

H.A.S.C. 112-88—Subcommittee on Strategic Forces hearing on The Current Status and Future Direction for U.S. Nuclear Weapons Policy and Posture. November 2, 2011.

H.A.S.C. 112-89—Subcommittee on Emerging Threats and Capabilities hearing on Institutionalizing Irregular Warfare Capabilities. November 3, 2011.

H.A.S.C. 112-90—Subcommittees on Seapower and Projection Forces and Readiness hearing on A Day without Seapower and Projection Forces. November 3, 2011.

H.A.S.C. 112-91—Subcommittee on Tactical Air and Land Forces hearing on United States Marine Corps Acquisition and Modernization. November 16, 2011.

H.A.S.C. 112-92—Panel on Defense Financial Management and Auditability Reform hearing on Industry Perspectives on Achieving Audit Readiness. November 17, 2011.

H.A.S.C. 112-93—Panel on Business Challenges within the Defense Industry hearing on creating a 21st Century Defense Industry. November 18, 2011.

H.A.S.C. 112-94—Panel on Business Challenges within the Defense Industry hearing on Doing Business with DOD: Unique Challenges Faced by Small and Mid-Sized Businesses. January 17, 2012.

H.A.S.C. 112-95—Panel on Business Challenges within the Defense Industry hearing on Doing Business with DOD: Getting Innovative Solutions from Concept to the Hands of the Warfighter. January 23, 2012.

H.A.S.C. 112-96—Full Committee hearing on Department of Defense Perspectives on Financial Improvement and Audit Readiness Efforts. January 24, 2012.

H.A.S.C. 112-97—Full Committee hearing on Use of Afghan Nationals to Provide Security to U.S. Forces in Light of Attacks on U.S. Personnel at FOB Frontenac, Afghanistan, in March 2011. February 1, 2012.

H.A.S.C. 112-98—Subcommittees on Military Personnel and Oversight and Investigations joint hearing on Update on Accountability at Arlington National Cemetery. February 3, 2012.

H.A.S.C. 112-99—Panel on Business Challenges within the Defense Industry hearing on Doing Business with DOD: Contracting and Regulatory Issues. February 6, 2012.

H.A.S.C. 112-100—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Request from the Department of Defense. February 15, 2012.

H.A.S.C. 112-101—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Request from the Department of the Navy. February 16, 2012.

H.A.S.C. 112-102—Subcommittee on Strategic Forces hearing on Governance, Oversight, and Management of the Nuclear Security Enterprise to Ensure High Quality Science, Engineering, and Mission Effectiveness in an Age of Austerity. February 16, 2012.

H.A.S.C. 112-103—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Request from the Department of the Army. February 17, 2012.

H.A.S.C. 112-104—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Request from the Department of the Air Force. February 28, 2012.

H.A.S.C. 112-105—Subcommittee on Military Personnel hearing on Military Personnel Budget Overview—Office of the Secretary of Defense Perspective. February 28, 2012.

H.A.S.C. 112-106—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Requests from U.S. European Command and U.S. Africa Command. February 29, 2012.

H.A.S.C. 112-107—Subcommittee on Emerging Threats and Capabilities hearing on Department of Defense Fiscal Year 2013 Science and Technology Programs. February 29, 2012.

H.A.S.C. 112-108—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Request from U.S. Pacific Command. March 1, 2012.

H.A.S.C. 112-109—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Requests from U.S. Southern Command and U.S. Northern Command. March 6, 2012.

H.A.S.C. 112-110—Subcommittee on Military Personnel hearing on Military Personnel Budget Overview—Service Personnel Chiefs' Perspectives. March 6, 2012.

H.A.S.C. 112-111—Subcommittee on Strategic Forces hearing on Budget Request for Missile Defense. March 6, 2012.

H.A.S.C. 112-112—Full Committee hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Requests from U.S. Central Command, U.S. Special Operations Command and U.S. Transportation Command. March 7, 2012.

H.A.S.C. 112-113—Subcommittee on Seapower and Projection Forces hearing on Assessing Mobility Airlift Capabilities and Operational Risks Under the Revised 2012 Defense Strategy. March 7, 2012.

H.A.S.C. 112-114—Subcommittee on Tactical Air and Land Forces hearing on Army and Marine Corps Ground System Modernization Programs. March 8, 2012.

H.A.S.C. 112-115—Subcommittee on Readiness hearing on Request for Authorization of Another BRAC Round and Additional Reductions in Overseas Bases. March 8, 2012.

H.A.S.C. 112-116—Subcommittee on Strategic Forces hearing on Fiscal Year 2013 National Defense Authorization Budget Request for National Security Space Activities. March 8, 2012.

H.A.S.C. 112-117—Full Committee hearing on Recent Developments in Afghanistan. March 20, 2012.

H.A.S.C. 112-118—Subcommittee on Emerging Threats and Capabilities hearing on National Defense Authorization Act for Fiscal Year 2013 and Oversight of Previously Authorized Programs—Budget Request for Information Technology and Cyber Operations Programs. March 20, 2012.

H.A.S.C. 112-119—Subcommittee on Tactical Air and Land Forces hearing on Fiscal Year 2013 Navy, Marine Corps and Air Force Tactical Aviation Programs. March 20, 2012.

H.A.S.C. 112-120—Subcommittee on Military Personnel hearing on Defense Health Program Budget Overview. March 21, 2012.

H.A.S.C. 112-121—Subcommittee on Readiness hearing on The Navy's Readiness Posture. March 22, 2012.

H.A.S.C. 112-122—Subcommittee on Military Personnel hearing on Hazing in the Military. March 22, 2012.

H.A.S.C. 112-123—Subcommittee on Emerging Threats and Capabilities hearing on Understanding Future Irregular Warfare Challenges. March 27, 2012.

H.A.S.C. 112-124—Subcommittee on Tactical Air and Land Forces hearing on Fiscal Year 2013 DOD Rotorcraft Modernization Programs. March 27, 2012.

H.A.S.C. 112-125— Full Committee hearing on The Security Situation on the Korean Peninsula. March 27, 2012.

H.A.S.C. 112-126—Subcommittee on Readiness hearing on Army and Marine Corps Materiel Reset. March 28, 2012.

H.A.S.C. 112-127—Subcommittee on Seapower and Projection Forces Oversight of U.S. Naval Vessel Acquisition Programs and Force Structure of the Department of the Navy in the Fiscal Year 2013 National Defense Authorization Budget Request. March 29, 2012.

H.A.S.C. 112-128—Subcommittee on Readiness hearing on What is the Price of Energy Security: from Battlefields to Bases. March 29, 2012.

H.A.S.C. 112-129—Full Committee hearing on Testimony from Members on their national defense priorities for the fiscal year 2013 national defense authorization bill. April 17, 2012.

H.A.S.C. 112-130—Subcommittee on Strategic Forces hearing on Fiscal Year 2013 National Defense Budget Request for Atomic Energy Defense Activities and Nuclear Forces Programs. April 17, 2012.

H.A.S.C. 112–131—Subcommittee on Oversight and Investigations hearing on The Navy’s 30-Year Shipbuilding Plan: Assumptions and Associated Risks to National Security. April 18, 2012.

H.A.S.C. 112–132—Full Committee hearing on Recent Developments in the Middle East: The Security Situation in the Syrian Arab Republic. April 19, 2012.

H.A.S.C. 112–133—Subcommittee on Military Personnel hearing on Military Resale Programs Overview. June 6, 2012.

H.A.S.C. 112–134—Full Committee hearing on Addressing the Iranian Nuclear Challenge: Understanding the Military Options. June 20, 2012.

H.A.S.C. 112–135—Subcommittee on Oversight and Investigations hearing on Afghan National Security Forces: Resources, Strategy, and Timetable for Security Lead Transition. June 20, 2012.

## PRESS RELEASES

### FIRST SESSION

January 6, 2011—McKeon: New \$78 Billion in Defense Cuts Is a Dramatic Shift for a Nation at War

January 6, 2011—McKeon Supportive of New Troop Deployment to Afghanistan

January 7, 2011—McKeon: Presidential Signing Statement Out of Touch with Public Will to Keep Terrorists off American Soil

January 8, 2011—McKeon Statement on Rep. Gabrielle Giffords

January 20, 2011—Armed Services Committee Leaders Announce Subcommittee Membership for the 112th Congress

January 25, 2011—McKeon Statement on President—s State of the Union Address

February 18, 2011—New Report on Maintenance Depots Wins Bipartisan Praise

February 24, 2011—Armed Services Committee Leaders Comment on Air Force Aerial Refueling Tanker Award

March 1, 2011—McKeon Testifies before the Administration Committee on Armed Services Committee Budget for the 112th Congress

March 7, 2011—McKeon Criticizes White House Executive Fiat on Detainees

March 8, 2011—McKeon, Armed Services Members Introduce Legislation regarding America’s Terrorist Prosecution and Detention Policies

March 20, 2011—McKeon Statement on Operation Odyssey Dawn

March 22, 2011—McKeon Welcomes John Noonan to the House Armed Services Committee Staff

March 24, 2011—McKeon Criticizes Pentagon Decision to Issue Stop Work Order on Joint Strike Fighter Competitive Engine Program

March 29, 2011—McKeon Statement on President’s Speech on Libya Operations

April 4, 2011—McKeon Statement on Administration Decision to Try 9/11 Co-Conspirators through Military Commissions Process

April 4, 2011—McKeon Statement Applauds West YouCut Proposal

April 5, 2011—McKeon Statement Applauds Ryan Budget

April 13, 2011—McKeon Responds to White House Plan to Cut \$400 Billion from National Security Spending

April 15, 2011—McKeon Applauds Passage of Ryan Budget

April 28, 2011—McKeon on National Security Leadership Changes within the Administration; Praises Gates for His Service

May 2, 2011—McKeon Statement on Death of Osama bin Laden

May 3, 2011—Military Personnel Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Emerging Threats and Capabilities Subcommittee Leadership Release Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Strategic Forces Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Bartlett Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Seapower and Projection Forces Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 3, 2011—Readiness Subcommittee Chairman Releases Details of National Defense Authorization Act for Fiscal Year 2012

May 5, 2011—McKeon Praises GE, Rolls Royce for Funding Joint Strike Fighter Engine Without Taxpayer Support

May 9, 2011—McKeon Releases Details about National Defense Authorization Act for Fiscal Year 2012

May 12, 2011—Armed Services Committee Overwhelmingly Approves Defense Authorization Bill

May 20, 2011—Former US Attorney General Lauds Affirmation of the 2001 Authorization for the Use of Military Force

May 26, 2011—House Approves Defense Authorization Bill with Bipartisan Support

May 30, 2011—McKeon Welcomes New Senior Military Leaders; Praises Admiral Mullen for His Service

June 11, 2011—McKeon Presses Defense Department for Details on Libya Operations

June 16, 2011—McKeon Statement on White House Libya Report

June 21, 2011—McKeon: Don't Reverse Progress in Afghanistan

June 21, 2011—McKeon Congratulates Director Panetta on Confirmation

June 23, 2011—Armed Services Chairman Expresses Concern over Afghanistan Drawdown

June 23, 2011—McKeon Statement on Recent Developments in Afghanistan and the Proposed Drawdown of U.S. Forces

June 24, 2011—McKeon Releases Committee Activities Report and Highlights Transparency Efforts

July 7, 2011—McKeon on 9th Circuit Don't Ask Don't Tell Ruling

July 12, 2011—Armed Services Committee Leadership Announces Bipartisan Fiscal Management Panel

July 19, 2011—Republican National Security Leadership Calls On Obama To Define Detainee Policy



July 30, 2011—McKeon Statement on Reid Plan and Defense Cuts

August 1, 2011—McKeon Statement on the Debt Ceiling Compromise

August 24, 2011—China’s Increasing Assertiveness and Military Capabilities a Growing Concern

September 12, 2011—Armed Services Committee Leadership Announces Bipartisan Defense Business Panel

September 13, 2011—McKeon Statement for hearing on “The Future of National Defense and the U.S. Military Ten Years After 9/11: Perspectives from Outside Experts”

September 30, 2011—McKeon Statement on Death of Anwar al-Awlaki Death

October 21, 2011—McKeon Statement on Withdrawal of U.S. Combat Forces from Iraq

October 19, 2011—McKeon Hails Reid Pledge To Pass Defense Bill

October 21, 2011—McKeon Statement on Withdrawal of U.S. Combat Forces from Iraq

November 10, 2011—McKeon Thanks America’s Veterans

November 21, 2011—Chairman McKeon on the Joint Select Committee and Sequestration

December 2, 2011—McKeon Statement on the Discontinuation of Self-funded Development of F-35 Engine

December 12, 2011—Chairman McKeon Files NDAA’s Conference Report

December 14, 2011—McKeon hails passage of 50th National Defense Authorization Act

December 15, 2011—McKeon Statement on the End of American Military Presence in Iraq

#### SECOND SESSION

January 2, 2012—McKeon Warns President’s New Defense Strategy is “Lead From Behind”

January 24, 2012—Members Make Appeal to President to Reverse Damaging Sequestration Cuts to Our Military

January 26, 2012—McKeon Warns President’s Military Cuts are Real and Dramatic

February 10, 2012—House Armed Services Committee Releases Report on Risk Levels in the Release of Detainees from Guantanamo Bay

February 13, 2012—McKeon Statement on President’s 2013 Budget Submission

February 17, 2012—Thirty Four Members of Congress Express Concern to President over Nuclear Reductions

February 17, 2012—McKeon Welcomes Congresswoman Speier to Committee

February 21, 2012—Business Panel Meets to Discuss Challenges Within the Defense Industry

March 20, 2012—Panel on Business Challenges Within the Defense Industry Releases Final Report on Doing Business with DOD

March 20, 2012—McKeon Comments on Republican Budget Proposal

March 27, 2012—McKeon Comments on Israeli Missile Defense

March 29, 2012—McKeon, Smith Introduce Department of Defense Legislative Proposals for the FY13 National Defense Authorization Act

April 4, 2012—McKeon Comments on Referral of Charges For KSM and other 9/11 Conspirators

April 13, 2012—McKeon Reacts to North Korean Missile Launch

April 18, 2012—Subcommittee Markup Schedule for FY 2013 NDAA

April 25, 2012—Strategic Forces Subcommittee Mark Released

April 25, 2012—Emerging Threats and Capabilities Subcommittee Mark Released

April 25, 2012—Seapower and Projection Forces Subcommittee Mark Released

April 25, 2012—Military Personnel Subcommittee Chairman Releases Mark for FY13 NDAA

April 26, 2012—Readiness Mark Released

April 26, 2012—Tactical Air and Land Forces Mark Released

May 1, 2012—McKeon Statement on the President's Visit to Afghanistan

May 3, 2012—Full Committee Markup Schedule

May 7, 2012—McKeon Releases Details about National Defense Authorization Act for Fiscal Year 2013

May 9, 2012—Fact Sheet: Small Business and the FY13 NDAA

May 10, 2012—McKeon Addresses Sequestration

May 10, 2012—Committee Overwhelmingly Passes the FY13 National Defense Authorization Act

May 11, 2012—McKeon Responds To Secretary Panetta's Criticism of Defense Bill

May 16, 2012—McKeon Floor Statement for General Debate on H.R. 4310-FY13 NDAA

May 18, 2012—Chairman McKeon Statement on Final Passage of H.R. 4310 the National Defense Authorization Act for Fiscal Year 2013

June 1, 2012—McKeon Accepts Prestigious Eisenhower Award

June 19, 2012—McKeon, Turner Joint Statement Regarding Reports of Unilateral Reductions to U.S. Nuclear Weapons